CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033
425.587.3600 www.kirklandwa.gov

MEMORANDUM

To: Design Review Board

From: Tony Leavitt, Senior Planner

Date: October 27, 2016

File No.: DRV16-01412

Subject: VAREZE RESIDENTIAL PROJECT
DESIGN RESPONSE CONFERENCE

I. MEETING GOALS

At the November 7th Design Review Board (DRB) meeting, the DRB should continue the Vareze Residential Project Design Response Conference from September 19th and determine if the project is consistent with the design guidelines contained in the Design Guidelines for the Totem Lake Neighborhood.

At the September 19th Meeting, the DRB was accepting of the overall design, but the Board requested that the applicant submit the following items:

- Plans to address the "wall effect" created by the units along the east and west property lines.
- Consistent Landscaping Plans
- Updated Central Park Design including pedestrian circulation, amenities and landscaping
- Tree Retention Plan along the South Property Line
- Color and Material Details
- Detailed Lighting Plan

It should be noted that as part of the SEPA review of the project, the Public Works Department required that the driveway to the site be relocated further west to meet the City's driveway spacing requirements from a driveway located on the Eastside Subaru property (to the east of the subject property). To avoid this requirement, the applicant is working on a joint access easement with the Eastside Subaru property owner that would eliminate the spacing requirement and allow the proposed site access to remain where planned. Once an agreement for the easement is in place, Staff will be able to issue a SEPA Determination for the project. This will likely occur prior to the DRB Meeting.

II. PROPOSAL

The subject property is located at 11801 NE 116th Street (see Attachment 1). The applicant is proposing to construct a new 82 unit residential townhouse development on the 4.17 acre site located in the Totem Lake Neighborhood (see Attachment 2). Parking is proposed in individual unit garage and surface stalls.

III. SITE

The subject property currently contains a multi-use industrial building and surface parking lot. The site is relatively flat with a significant upward grade elevation along the south and southeast property lines. The property has street frontage along NE 116th Street and a 40 foot wide access easement along the north property line.

The following list summarizes the zoning designation, uses, and allowed heights of properties adjacent to the subject property:

North: TL 10B. Church use accessed from NE 118th Street. Maximum height is 65 Feet.

East and West: TL 10C. Car Dealership and Mixed Use Industrial/ Commercial Buildings. Maximum height is 65 Feet.

South: RS 8.5. Residential Single Family. Maximum height is 25 feet.

Additional photographs prepared by the applicant that show the surrounding properties are contained in Attachment 2.

IV. CONCEPTUAL DESIGN CONFERENCE

A Conceptual Design Conference was held on May 16, 2016. The DRB provided direction to the applicant in preparation for the Design Response Conference. At the meeting, the DRB discussed:

A. How the design guidelines affect or pertain to the proposed development.

B. Which guidelines applied to the proposed development; and

C. The application materials that were needed for the Design Response Conference.

The DRB's feedback from the conference is summarized in Section V.B below under the DRB's discussion on the various design topics.

V. DESIGN RESPONSE CONFERENCE

The Design Review Board reviews projects for consistency with design guidelines as adopted in Kirkland Municipal Code Chapter 3.30. In addition to the standard guidelines contained in the *Design Guidelines for the Totem Lake Neighborhood,* the following information summarizes key guidelines which apply specifically to the project or project area. See also Section VI for information regarding zoning regulations and how they affect the proposed development.

A. Totem Lake Neighborhood Design Guidelines

1. General
   The following is a list of key design issues that should be addressed with this project as identified in the design guidelines.

   - Building Location and Orientation
   - Architectural Style and Scale
   - Building Details and Materials
   - Sidewalk and Pathway Widths
   - Treatment of Blank Walls
   - Pedestrian-Lighting and Amenities
   - Interior Pedestrian Connections
   - Residential Open Space and Landscaping

- Parking and Vehicular Circulation

See the adopted Design Guidelines for the Totem Lake Neighborhood for complete text and explanations.

B. Compliance with Design Guidelines

1. Scale and Site Design

a. DRB Discussion

The DRB reviewed the applicant's plans and requested the following items for submittal:

- Submittal of revised plans for the Central Park area. The DRB requested that the applicant look at features including the use or elimination of a fence, mailbox location, landscaping in and around the area, benches, pedestrian connections, etc.
- Address the design of the south property line including tree retention on site and potential impacts to trees on neighboring properties.
- Address the "wall effect" occurring along the east and west property lines with modulation and materials.

b. Supporting Design Guidelines

The *Design Guidelines for the Totem Lake Neighborhood* contain the following policy statements that address the use of these techniques:

- Locate and orient buildings toward streets, plazas or common open spaces, and major internal pathways, with parking to the side and/or rear.
- Configure buildings to create focal points of pedestrian activity. This is particularly important on large sites.
- Configure development to provide opportunities for coordinated pedestrian and vehicular access. Where there are no current opportunities for coordinated access, developments should provide the opportunity for future coordination, where desirable, should the adjacent site be redeveloped in the future.
- Site and orient multi-story buildings to minimize impacts to adjacent single family residents. For example, if a multistory building is located near a single family property, provide landscaping elements and/or minimize windows and openings to protect the privacy of adjacent homes.
- Encourage a variety of roofline modulation techniques. This can include hipped or gabled rooflines and modulated flat rooflines.
- Encourage a combination of architectural building elements that lend the building a human scale. Examples include arcades, balconies, bay windows, roof decks, trellises, landscaping, awnings, cornices, friezes, art concepts, and courtyards.

c. Staff Analysis

As requested by the DRB, the applicant has provided revised plans to address DRB comments (see Attachment 2).

The DRB should review the site and building designs to provide input on the following items:

- *Does the building orientation and overall site plan address pedestrian and vehicular connection issues?*
- *Does the design adequately address impacts from neighboring commercial uses?*
- *Does the project adequately address impacts to the single family residential development to the south?*
- *Do the building designs provide enough variety of roof forms and architectural elements?*

2. Vehicular and Pedestrian Access

a. DRB Discussion

The DRB requested that the applicant work to resolve driveway access issue from NE 116th Street as any changes to the driveway location would have a significant impact on the overall site design. Additionally the DRB discussed pedestrian circulation in and around the Central Park area and requested revised designs.

b. Supporting Design Guidelines

The *Design Guidelines for the Totem Lake Neighborhood* contain the following policy statements that address the use of these techniques:

- Provide convenient pedestrian access between the street, bus stops, buildings, parking areas, and open spaces. Internal pedestrian connections are particularly important on large sites where some uses may be placed away from a street.
- Develop an efficient internal vehicular access system that minimizes conflicts with pedestrians and vehicular traffic.
- Configure internal access roads to look and function like public streets.

c. Staff Analysis

As requested by the DRB, the applicant has provided plans to address these items (see Attachment 2).

The DRB should provide input on the following items:

- *Does the pedestrian circulation plan for the central park area work?*

3. Open Space and Landscaping

a. DRB Discussion

The DRB had the following requests regarding open space and landscaping:

- Submittal of detailed landscaping plans and ensure that plans are consistent thru the plans, renderings, etc.

- More development of the central park landscaping plan including the potential use of trees and other landscaping to define the edge of the space.
- Detailed landscape plans including buffers to mitigate impacts from neighboring uses.

b. Supporting Design Guidelines and Regulations

The *Design Guidelines and Zoning Regulations* contain the following guideline addressing the visual quality of landscapes:

- KZC Chapter 95 requires that a landscape plan be approved as part of the Design Review Process.
- Provide pedestrian amenities along all sidewalks, interior pathways and within plazas and other open spaces.
- Incorporate common open space into multi-family residential uses. In the Totem Lake Neighborhood, where very high density residential uses are allowed, the quality of the space in providing respite from the buildings on the site is more critical than the amount of space provided. In some developments, multiple smaller spaces may be more useful than one, larger space.
- Provide private open space for multi-family residential units. For townhouses and other ground-based housing units, provide patios, decks, and/or landscaped front or rear yards adjacent to the units.
- Consider the purpose and context of the proposed landscaping. The pedestrian/auto oriented landscape requires strong plantings of a structural nature to act as buffers or screens. The pedestrian landscape should emphasize the subtle characteristics of the plant materials. The building landscape should use landscaping that complements the building's favorable qualities and screens its faults while not blocking views of the business or signage.

c. Staff Analysis

The DRB should review the landscape treatment around individual buildings, within the central park area, and along vehicular and pedestrian access areas. Landscaping should be placed in areas to help mitigate building massing and enhance the pedestrian experience.

The DRB should provide input on the following items:

- *What changes, if any, are needed to the landscape plan?*
- *Are there other opportunities for landscaping?*

4. Building Materials, Color, and Details

a. DRB Discussion

The board requested that the applicant provide a color and materials board and provide a lighting plan for the site.

b. Staff Analysis

Attachment 2 contains color elevation drawings and showing proposed building materials. The applicant will bring a materials board to the meeting. The DRB should provide feedback to the applicant regarding the proposed materials and colors.

The applicant has provided an aerial rendering showing the lighting concept will be provided along with examples of the types of fixtures that are envisioned for the site lighting.

VI. KEY ZONING REGULATIONS

The applicant's proposal is also subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, Fire and Building Code, and Public Works Standards. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 3, Development Standards, is provided to familiarize the applicant with some of these additional development regulations. These regulations and standards are not under the review authority of the DRB and will be reviewed for compliance as part of the building permit review for the project.

In terms of zoning, development on the subject property is subject to the regulations in TL 10C (see Attachment 4) as well as other applicable KZC sections. The following regulations are important to point out as they form the basis of any new development on the site. Below are some of the key zoning standards that apply to the development followed by staff comment in italics.

A. Permitted Uses: Attached or stacked dwelling units are allowed as freestanding developments only in the identified "Stand Alone Housing Areas".

Staff Comment: The subject property is located within a "Stand Alone Housing Area" and the applicant is proposing attached or stacked dwelling units.

B. Height: TL 10C allows a maximum height of 65 feet above average building elevation, except areas adjoining low density zones where the maximum is 30 feet.

Staff Comment: The southern 100 feet of the subject property is considered adjoining low density residential and subject to this requirement. The applicant has submitted revised drawings that reflect this requirement.

C. Parking: The parking standards for attached or stacked dwelling units are:

- 1.2 stalls per studio unit
- 1.3 stalls per 1 bedroom unit
- 1.6 stalls per 2 bedroom unit
- 1.8 stalls per 3 or more bedroom unit
- Guest Parking: A minimum 10% of the total number of required parking spaces shall be provided for guest parking and located in a common area accessible by guests. If the required number of guest parking spaces results in a fraction, the applicant shall provide the number of spaces equal to the next higher whole number.

Staff Comment: Staff has not yet evaluated the proposed project for compliance with the City's parking regulations. The applicant must demonstrate compliance with the City's parking requirements as part of any building permit.

D. Affordable Housing Requirements: The project is required to provide at least 10 percent of the units as affordable housing units as defined in KZC Chapter 5.

Staff Comment: Staff has not yet evaluated the proposed project for compliance with the City's Affordable Housing Regulations.

E. Public Pedestrian Connection: KZC Section 105.19 states that the City may require the applicant to install pedestrian walkways for use by the general public on the subject property and dedicate public pedestrian access rights. On this site, the proximity to the Cross Kirkland Corridor and the unusually long blocks necessitate a connection.

Staff Comment: The applicant is showing a potential connection on the revised plans. Staff will provide more analysis of the location at the meeting.

VII. PUBLIC COMMENT

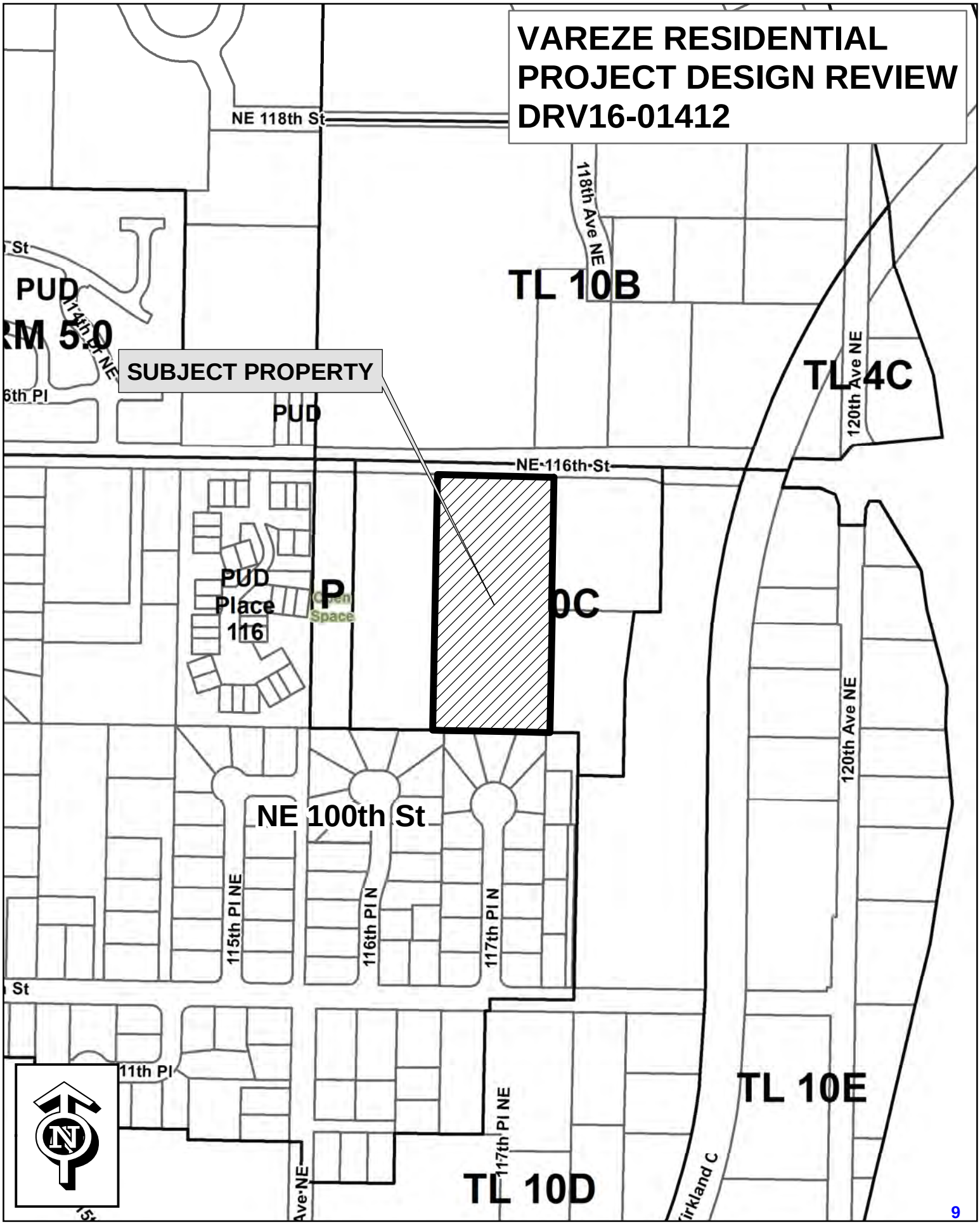
All public comments received to date are included as part of Attachment 5.

VIII. SUBSEQUENT MODIFICATIONS

Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification.

IX. ATTACHMENTS

1. Vicinity Map
2. Development Plans (Updated & Full Set)
3. Development Standards
4. TL 10C Use Zone Chart
5. Public Comments


VAREZE RESIDENTIAL
PROJECT DESIGN REVIEW
DRV16-01412
NE 118th St
118th Ave NE
TL 10B
PUD
RM 5.0
SUBJECT PROPERTY
TL 4C
120th Ave NE
PUD
NE 116th St
PUD
Place
116
P
Open
Space
0C
NE 100th St
115th Pl NE
116th Pl N
117th Pl N
120th Ave NE
11th Pl
TL 10E
117th Pl NE
TL 10D
Ave NE
Kirkland C

Design Review Response 11/7/16:

materials and colors boards

revised side elevations

lighting concepts

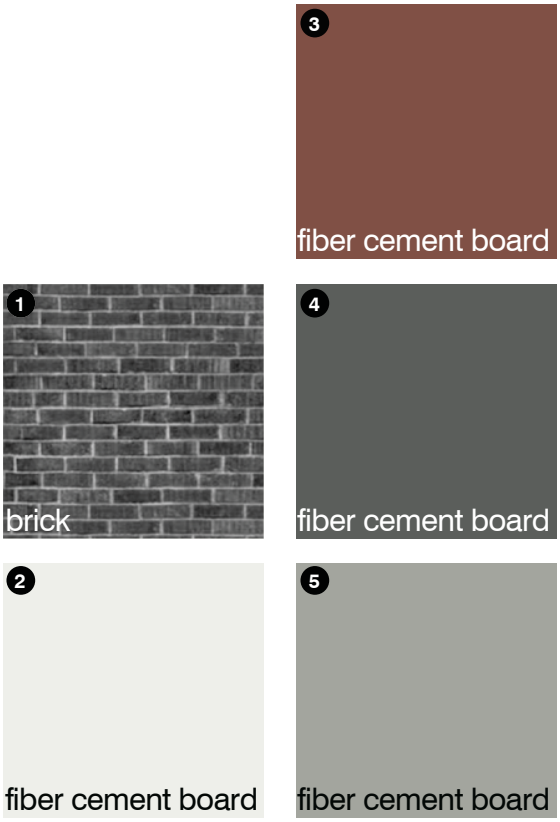
landscape plan updates

DESIGN REVIEW COMMENTS:

Would like to see examples of final finishes and colors of exterior elevations.

DESIGN REVIEW RESPONSE:

Color boards provided at 11/7/16 DRB meeting



exterior finishes

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QUADRANT HOMES BCRA WEISMANDESIGNGROUP DAHLIN

original side elevations from 8/1/16 DRB meeting

DESIGN REVIEW COMMENTS:

Concerned that side elevations do not have enough variety and create a wall effect.

DESIGN REVIEW RESPONSE:

Changes in materials creates a varied pattern along the side property line.

Square footage can not be compromised; staggering the roof line, additional clerestory glass, and opening the side patios, break up the massing, and reduce the wall effect.

Landscaping will further soften the side elevations.

updated side elevations

DESIGN REVIEW COMMENTS:

Would like to see a lighting plan along NE 116th, the Park, and building lighting.

DESIGN REVIEW RESPONSE:

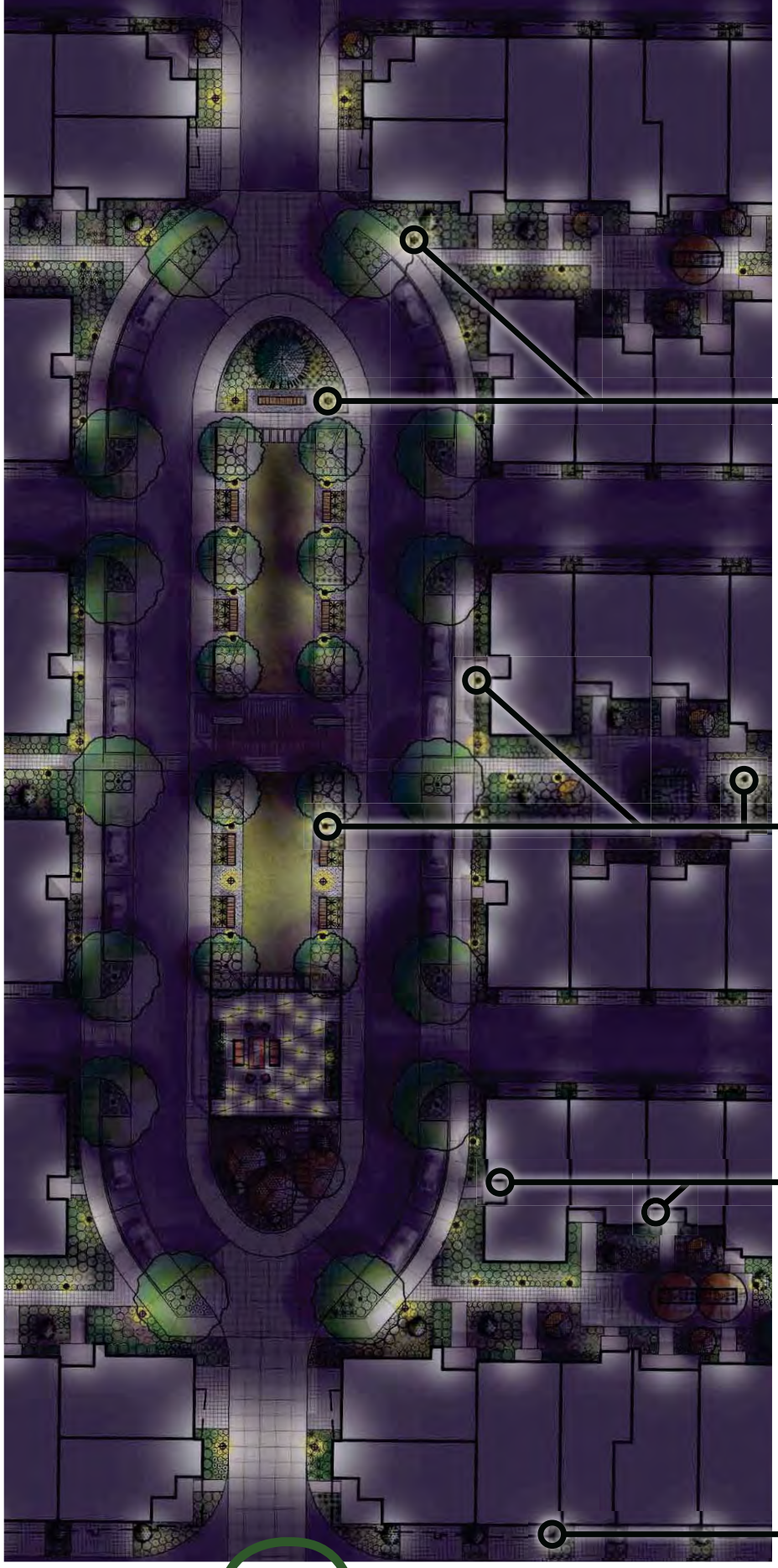
This conceptual lighting concept highlights the intent of the project. The minimum foot candles will be provided per Code. All lighting will be shielded to prevent glare and unnecessary light pollution to neighbors.

Standard street lighting per Code will be provided along NE 116th St.

Pedestrian scaled lighting will be provided along public sidewalks and gathering areas.

Building lighting will be provided at front doors of homes and within the alleys.

lighting concept VAREZE



pedestrian lighting

bollard lighting

front porch lighting

alley lighting

lighting concept

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site plan

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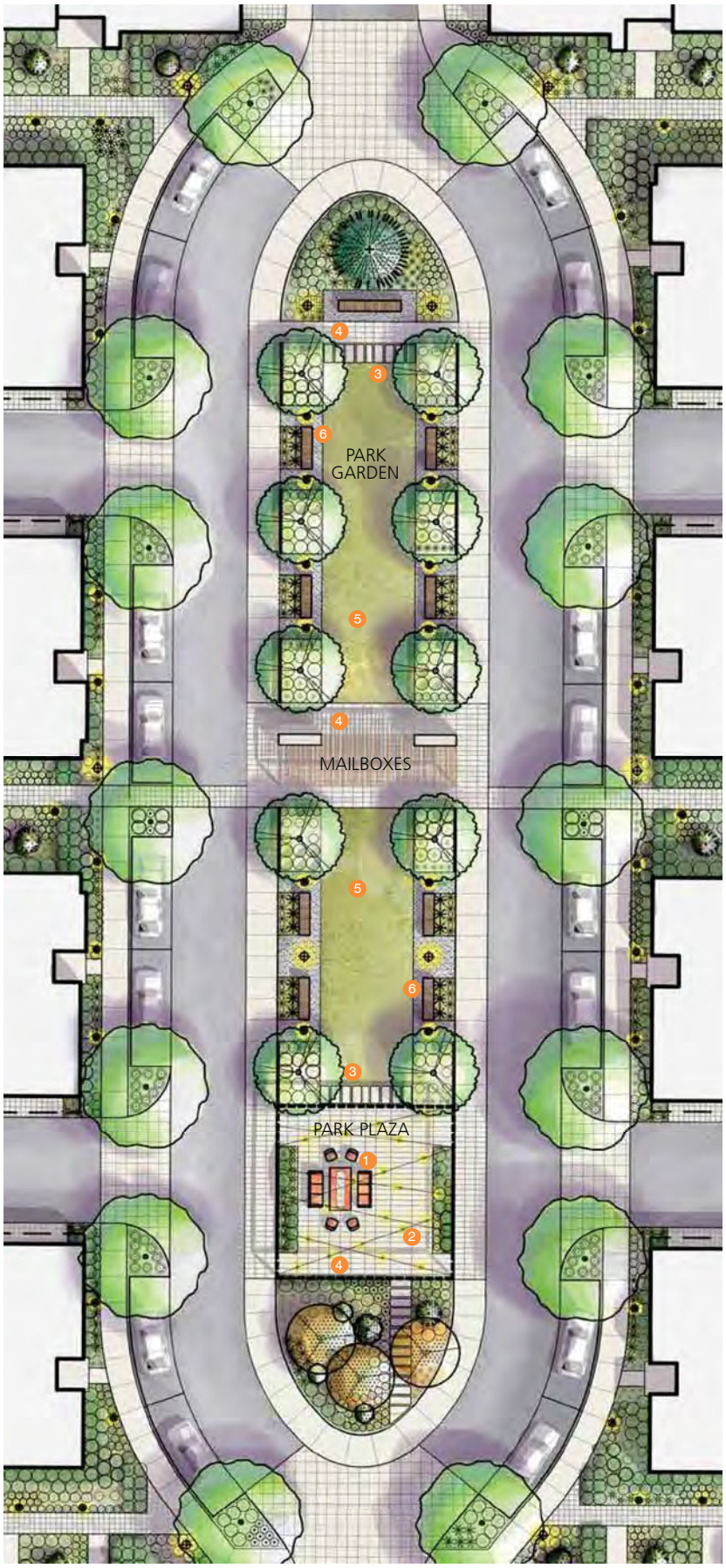

AMENITIES

Fire pit and seating

Gathering area / String lights

Pavers in lawn

Stamped concrete

Flexible lawn space

Wood benches

the park VAREZE

PARK BIRDSEYE (LOOKING NORTHWEST)

PARK PLAZA (LOOKING NORTH)

PARK GARDEN / FLEXIBLE LAWN SPACE (LOOKING NORTH)

the park VAREZE

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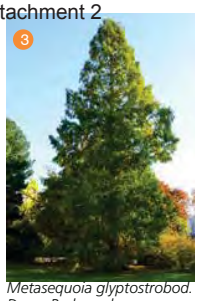
QUADRANT HOMES BCRA WEISMANDESIGNGROUP DAHLIN

PLANT MATERIAL

Cercidiphyllum japonicum
Katsura (Fall)

Gleditsia tri. 'Sunburst'
Sunburst Honeylocust



Metasequoia glyptostrobod.
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Magnolia 'Leonard Messel'
Leonard M. Magnolia (Spring)

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Coral Bark Japanese Maple

Euphorbia a. robbiae
Wood Spurge (Spring)

Hebe ' Red Edge'
Red Edge Hebe

Viburnum davidii
David Viburnum

Miscanthus s. 'Little Kitten'
Maiden Grass

Calamagrostis 'Karl Foerester'
Feather Reed Grass (Summer)

Acorus g. 'Minimus Aureus'
Dwarf Golden Sweet Flag

Spiraea 'Anthony Waterer'
Anthony Waterer Spirea (Sum)

Rudbeckia hirta
Black-eyed Susan (Summer)

Helictotrichon sempervirens
Blue Oat Grass

Pinus mugo var. pumilio
Dwarf Mugo Pine

Epimedium × rubrum
Hybrid Epimedium

Anemone 'Honorine Jobert'
Japanese Anemone
(Late Summer)

Fothergilla gardenii
Dwarf Fothergilla (Fall)

the park VAREZE

Thuja plicata 'Hogan'
Western Red Cedar

Quercus robur 'Crimschmidt'
Crimson Spire Oak (Fall)

PLANT MATERIAL

Styrax japonicus
Japanese Snowbell (Summer)

Acer palmatum (Green)
Japanese Maple

Hamamelis 'Jelena'
Jelena Witch Hazel (Winter)

Viburnum pli. tomentosum
Doublefile Viburnum (Spring)

Taxus x media 'Hicksii'
Hicks Yew

Hosta varieties

Pachysandra terminalis
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White Rhododendron (Spring)

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Rocket Ligularia (Summer)

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Big Blue Lilyturf (Summer)

paseo & alley VAREZE

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QUADRANT HOMES BCRA WEISMANDESIGNGROUP DAHLIN

PASEO LANDSCAPE

ALLEY LANDSCAPE

SECTION

PLANTING

Acer circinatum
Vine Maple

Thuja plicata 'Hogan'
Western Red Cedar

Cercis canadensis
Eastern redbud (Spring)

Amelanchier 'Autm. Brilliance'
Serviceberry (Fall)

Magnolia stellata
Royal Star Magnolia (Spring)

Viburnum pli. tomentosum
Doublefile Viburnum (Spring)

Spiraea betulifolia 'Tor'
Birchleaf Spirea

Hydrangea quercifolia
Oakleaf Hydrangea

Gaultheria Shallon
Salal

Parthenocissus tricuspidata
Boston Ivy Vine (Fall)

Euphorbia c.'John Tomlinson'
Mediterranean spurge (Spring)

Rhododendron x 'P.J.M.'
P.J.M. Rhododendron
(Spring)

Prunus laur.'Mount Vernon'
Mount Vernon Laurel

Cornus sericea 'Kelseyi'
Kelsey Dogwood (Winter)

Polystichum munitum
Sword Fern

south edge VAREZE

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meet me at the park

project goals:

create a premium townhome development with a strong sense of community that harmonizes with the existing context, while setting the tone for future projects in the area.

create a neighborhood focal point, an amenity that can be enjoyed by every member of the community on a daily basis as they leave for the day, arrive home, grab the mail, go for a stroll, play with their children, or fire up the shared bbq to have a picnic with a neighbor.

create a premium urban community with exciting homes for buyers at all stages of life.

10 minute neighborhood

VAREZE

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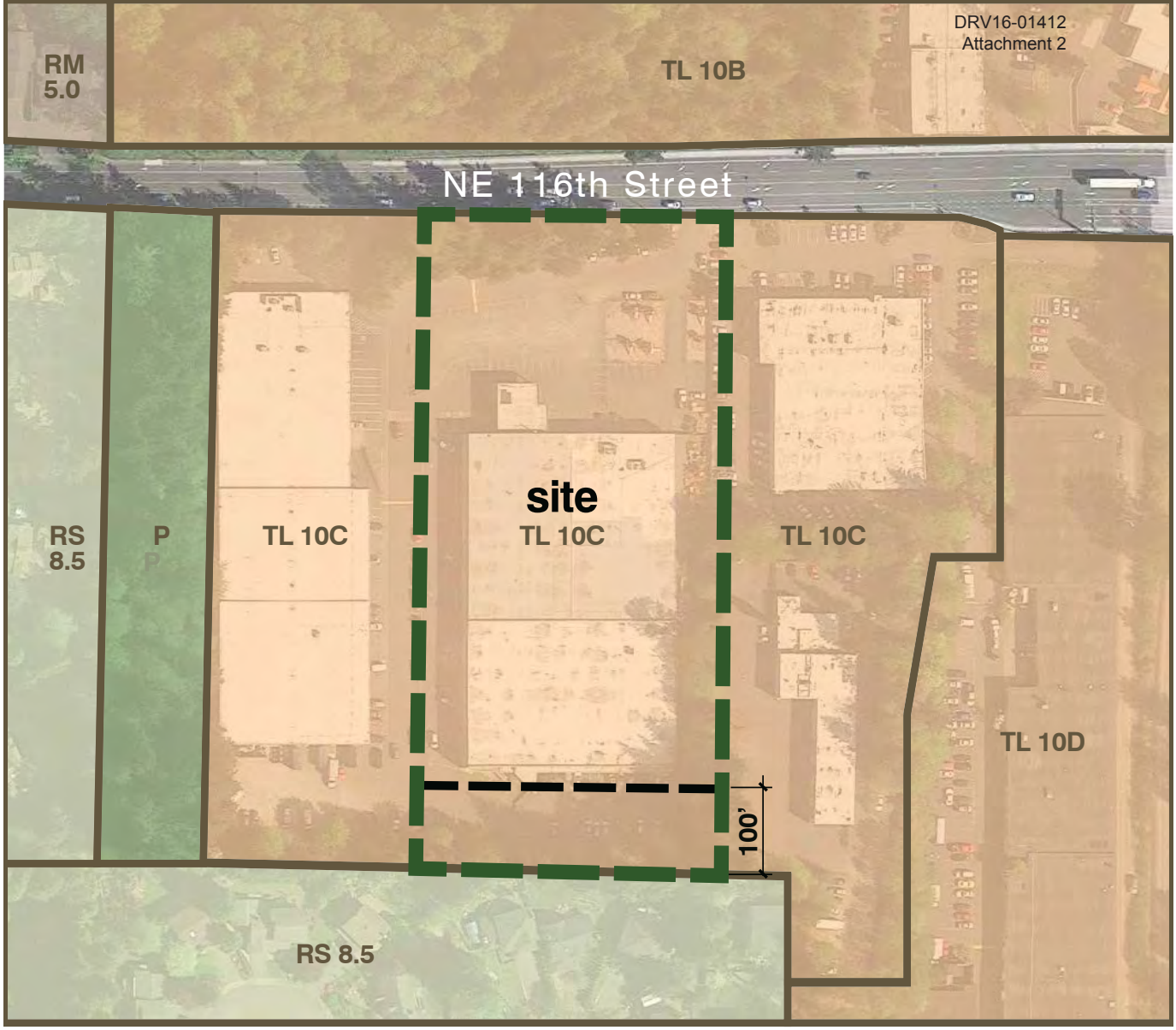


PARCEL NUMBER
3326059152

SITE ADDRESS
11801 NE 116th ST

ZONING
TL 10C

NEIGHBORHOOD
Totem Lake

SETBACKS
Front: 10'
Side: 5' min. (15' total)
Rear: 10'

MAXIMUM LOT COVERAGE
80%

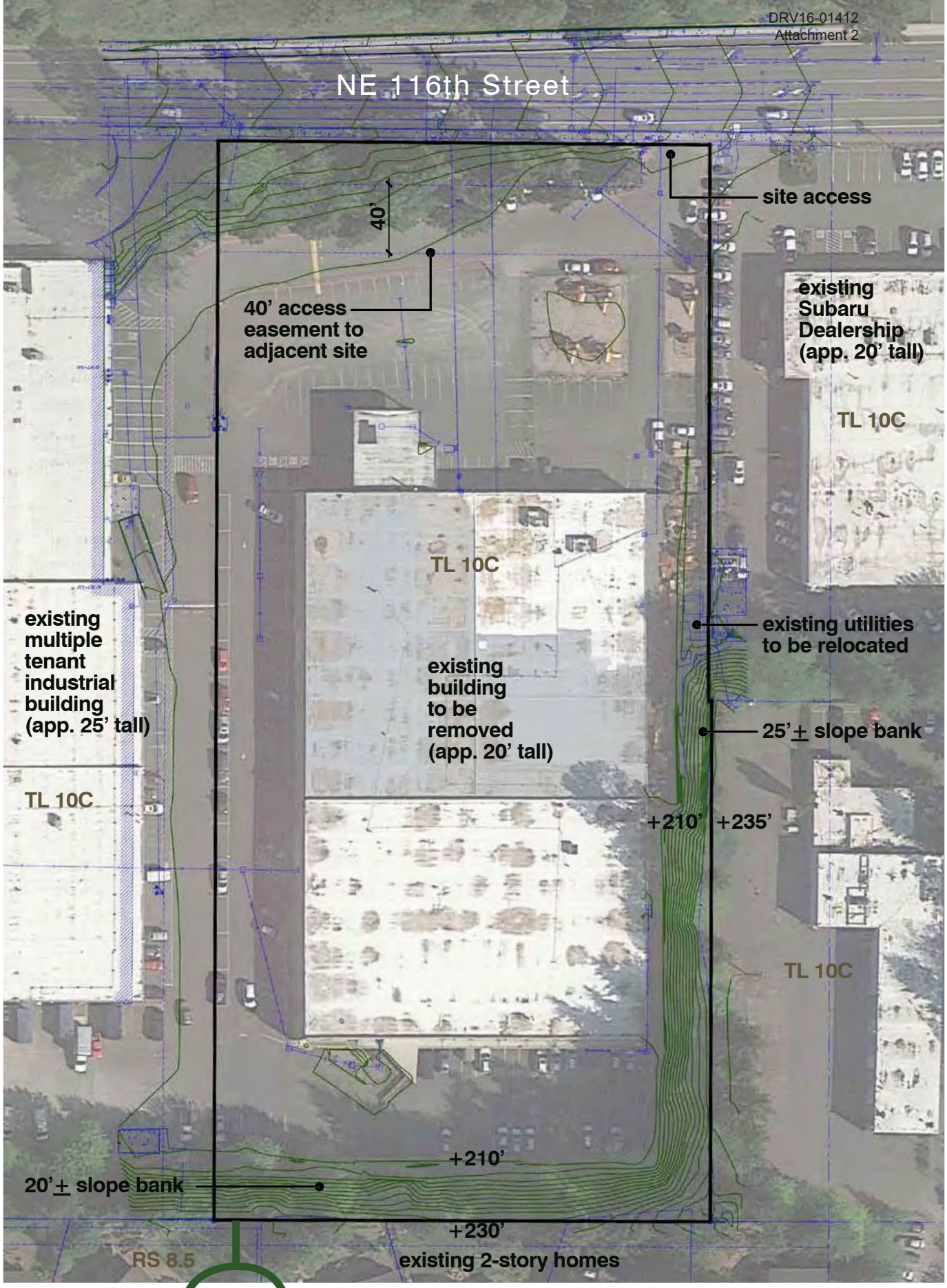
MAXIMUM HEIGHT
65' above average building elevation
30' within 100' of low density residential

LANDSCAPE CATEGORY
D

ZONING OVERLAY
This site is within the "Stand-Alone Housing Area" overlay zone.

site context

VAREZE



site analysis

VAREZE

QUADRANT HOMES BCRA WEISMANDESIGNGROUP DAHLIN

north boundary line
looking west

NE 116th Street

existing access road

east boundary line
looking south

25'± slope bank

south boundary line
looking east

residential homes
other side of fence

20'± slope bank

site
photos

VAREZE

site from NE 116th

west boundary line looking north

existing building on site from north west property line

site photos

VAREZE

NE 116th Street

1. The Park (see details later in this package)
2. landscape screening
3. new landscape on re-stabilized slope bank to provide screening for neighbors to the south
4. 5' minimum sidewalk
5. pedestrian access from project to NE 116th St.

possible location for future pedestrian easement

POSITIVES

large central park with a variety of amenities is experienced by all residents on a daily basis, as almost every building is on the park

fronting townhomes create semi-private green courts in front of each building

townhomes achieve higher densities, but with residential scaled massing

variety of home options for buyers also creates varied building articulation

project faces NE 116th St to create a positive street scene

CHALLENGES

careful attention will need to be placed on wall design and landscaping of slope banks at the south and southeast corner of the property

Project Summary

P5v1	4 Beds+Deck 2,213 sq.ft.	19
P5v2	3 Beds+Deck 2,116 sq.ft.	8
P4	3 Beds+Den+ Deck 1,809 sq.ft.	8
P1	3 Beds+Deck 1,589 sq.ft.	8
P6	3 Beds+Deck 1,582 sq.ft	12
P2	3 Beds+Deck 1,523 sq.ft	8
P3	2 Beds+Deck Tandem 1,353 sq.ft	8
P7	2 Beds Tandem 1,251 sq.ft	11
	TOTAL HOMES	**82**

Parking

1.7/unit required	139
total provided	164
guest parking at 10% of required	14
guest provided	27

site plan

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QUADRANT HOMES BCRA WEISMANDESIGNGROUP DAHLIN

site massing

VAREZE

site plan

VAREZE

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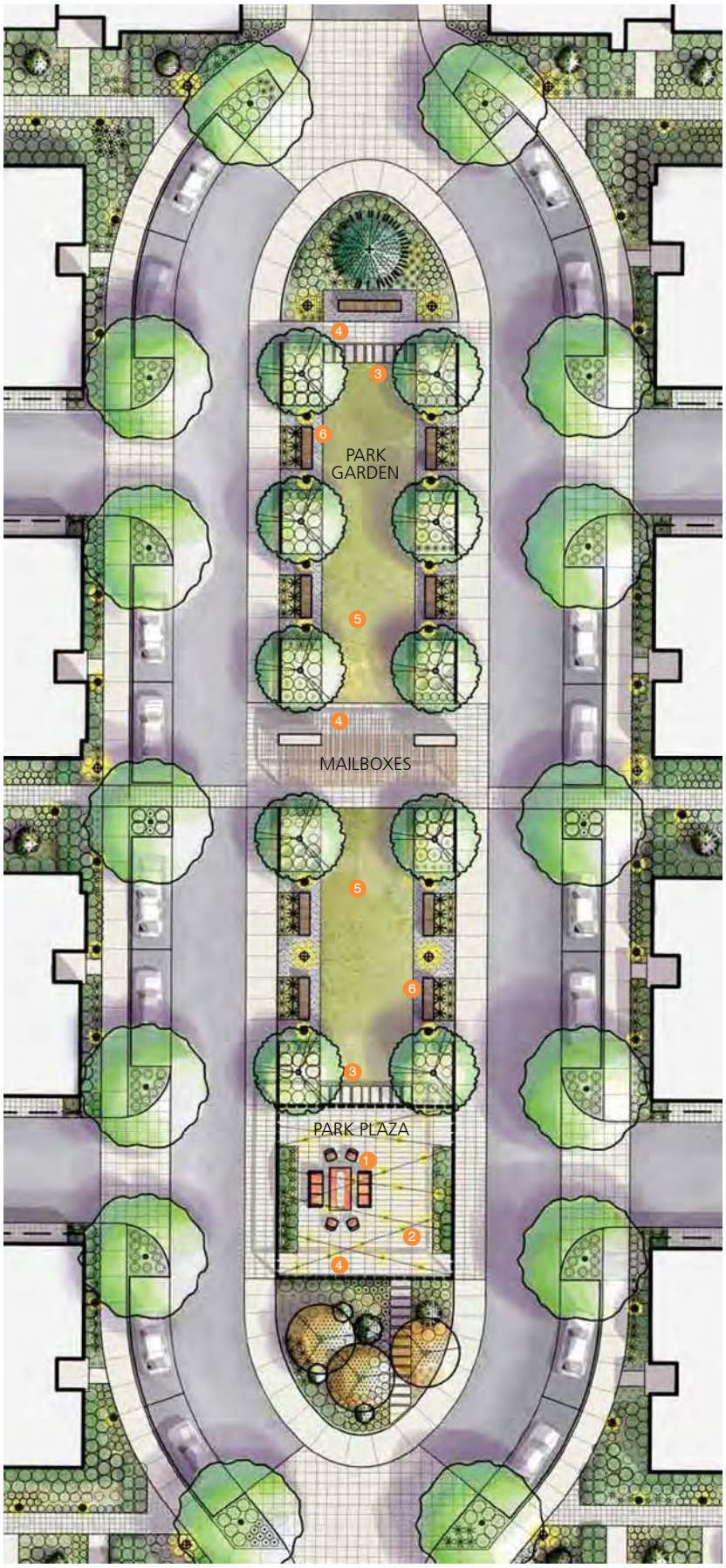

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the park VAREZE

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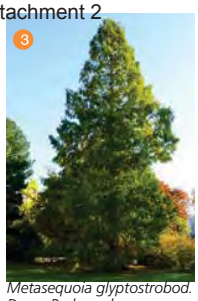

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Hydrangea quercifolia
Oakleaf Hydrangea

Gaultheria Shallon
Salal

Parthenocissus tricuspidata
Boston Ivy Vine (Fall)

Euphorbia c.'John Tomlinson'
Mediterranean spurge (Spring)

Rhododendron x 'P.J.M.'
P.J.M. Rhododendron
(Spring)

Prunus laur.'Mount Vernon'
Mount Vernon Laurel

Cornus sericea 'Kelseyi'
Kelsey Dogwood (Winter)

Polystichum munitum
Sword Fern

south edge VAREZE

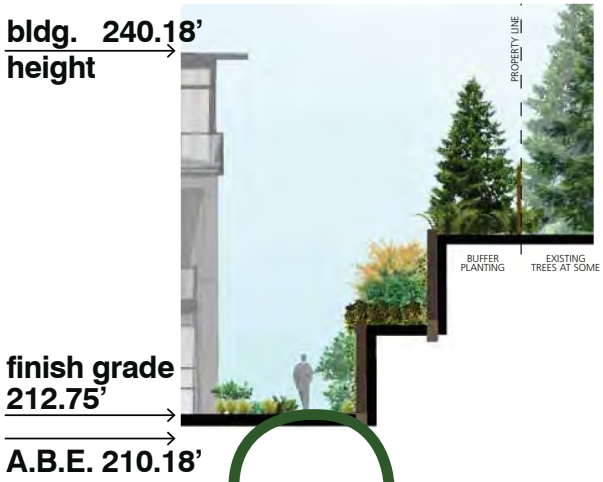
PRE16-00362 | NOVEMBER 7, 2016

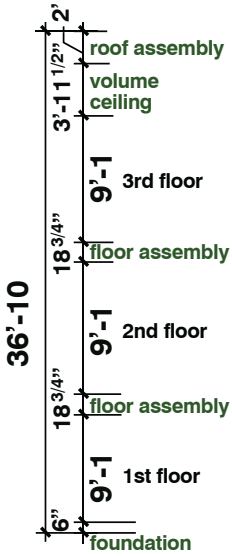
QUADRANT HOMES BCRA WEISMANDESIGNGROUP DAHLIN

building 1 elevation

building 2 elevation

south property line elevation





building height

VAREZE

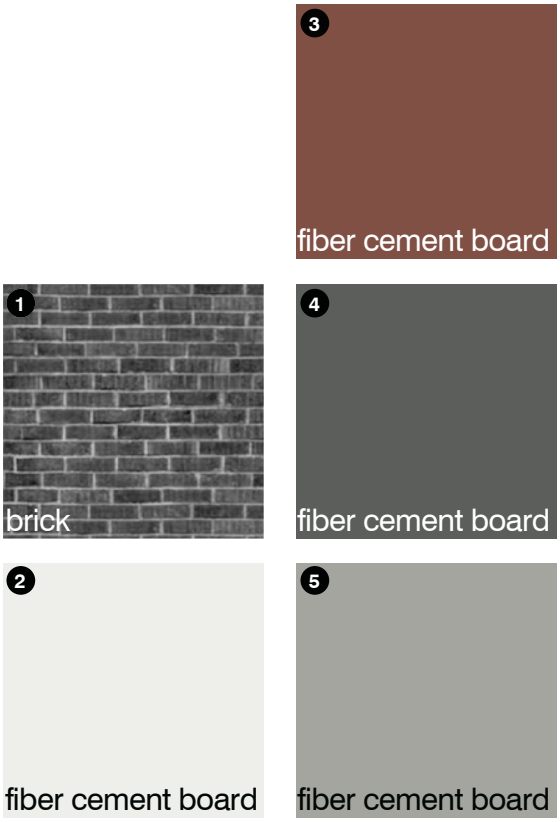
QUADRANT HOMES BCRA WEISMANDESIGNGROUP DAHLIN

DESIGN REVIEW COMMENTS:

Would like to see examples of final finishes and colors of exterior elevations.

DESIGN REVIEW RESPONSE:

Color boards provided at 11/7/16 DRB meeting



exterior finishes

VAREZE

PRE16-00362 | NOVEMBER 7, 2016

QUADRANT HOMES BCRA WEISMANDESIGNGROUP DAHLIN

DESIGN REVIEW COMMENTS:

Would like to see a lighting plan along NE 116th, the Park, and building lighting.

DESIGN REVIEW RESPONSE:

This conceptual lighting concept highlights the intent of the project and is not a technical study. The minimum foot candles will be provided per Code. All lighting will be shielded to prevent glare and unnecessary light pollution to neighbors.

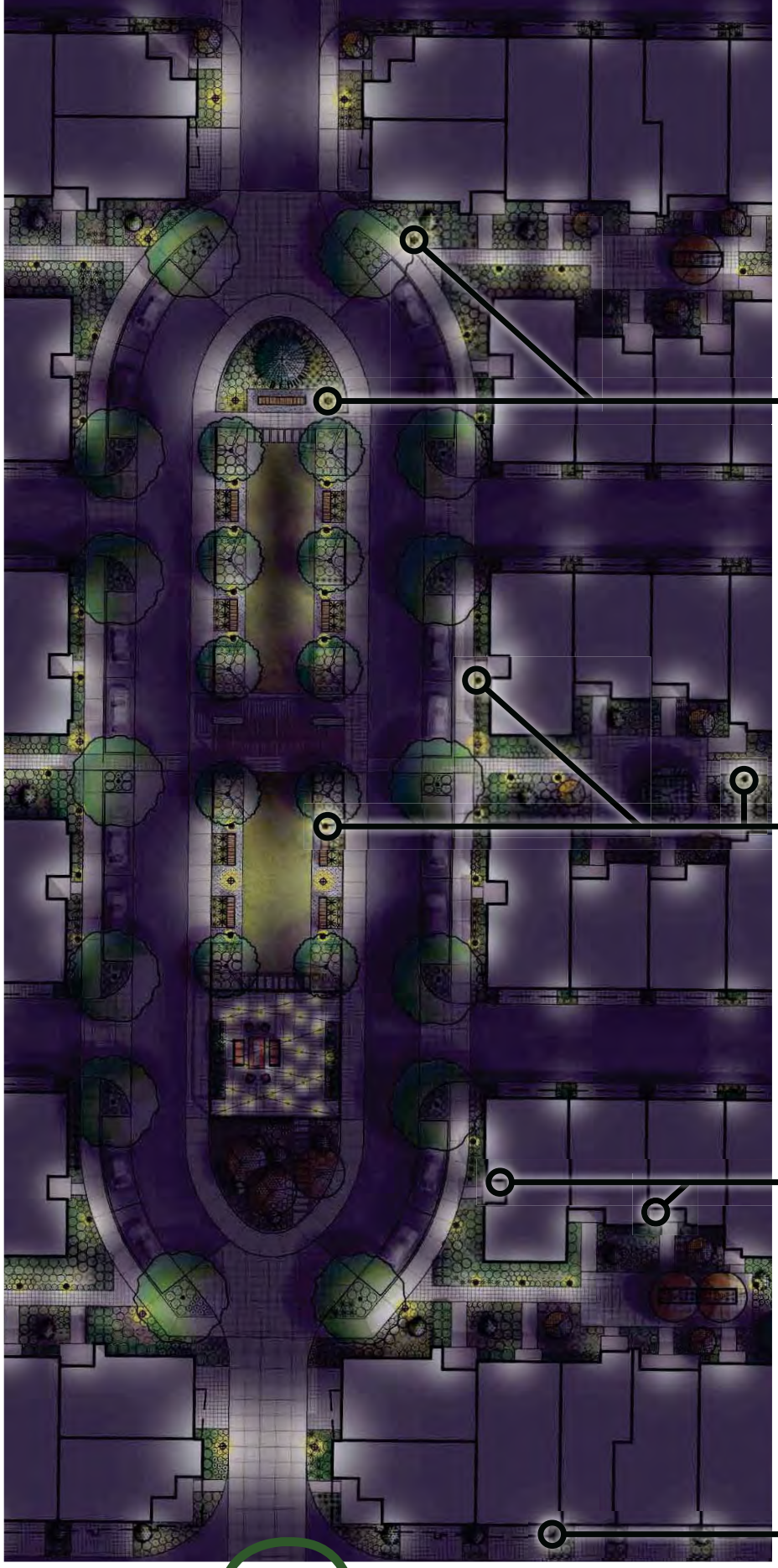
Standard street lighting per Code will be provided along NE 116th St.

Pedestrian scaled lighting will be provided along public sidewalks and gathering areas.

Building lighting will be provided at front doors of homes and within the alleys.

lighting concept

VAREZE



pedestrian lighting

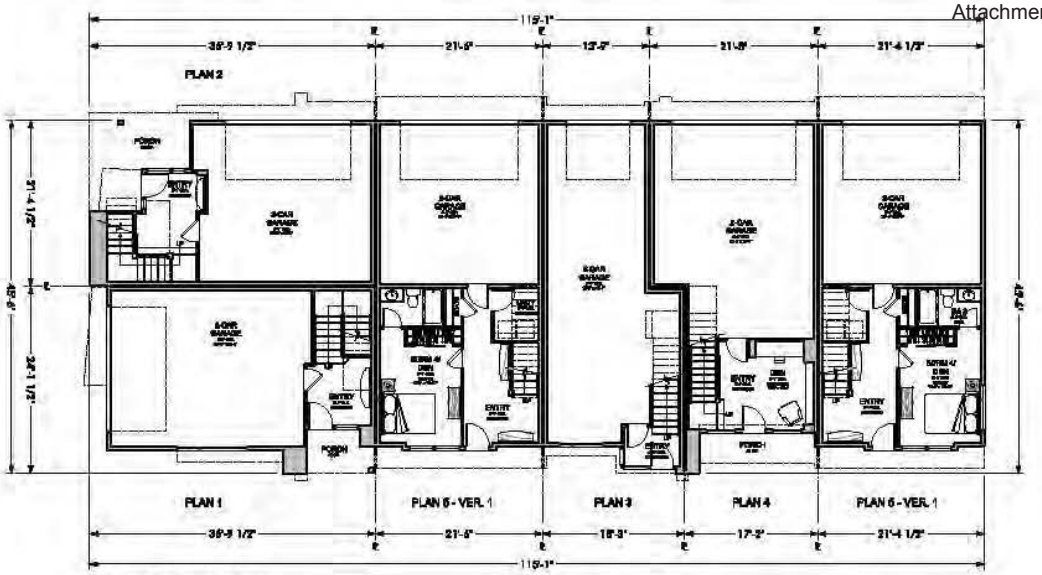
bollard lighting

front porch lighting

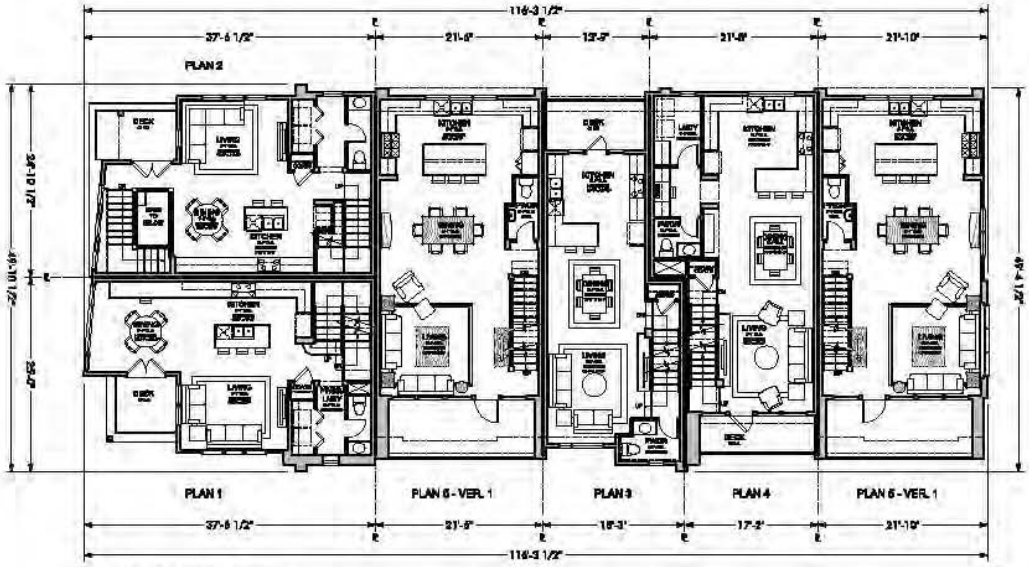
alley lighting

lighting concept

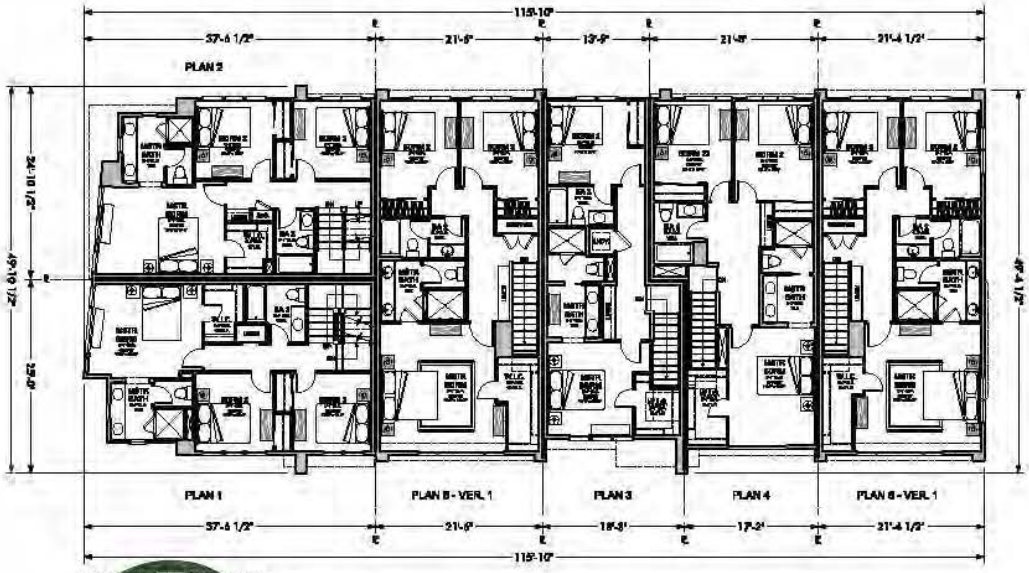
VAREZE



BUILDING 1 - FIRST FLOOR PLANS



BUILDING 1 - SECOND FLOOR PLANS



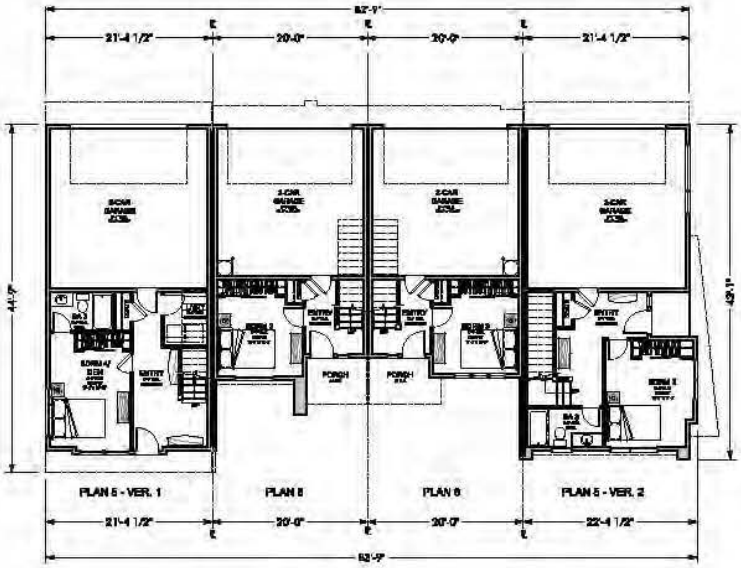
BUILDING 1 - THIRD FLOOR PLANS

bldg 1 plans

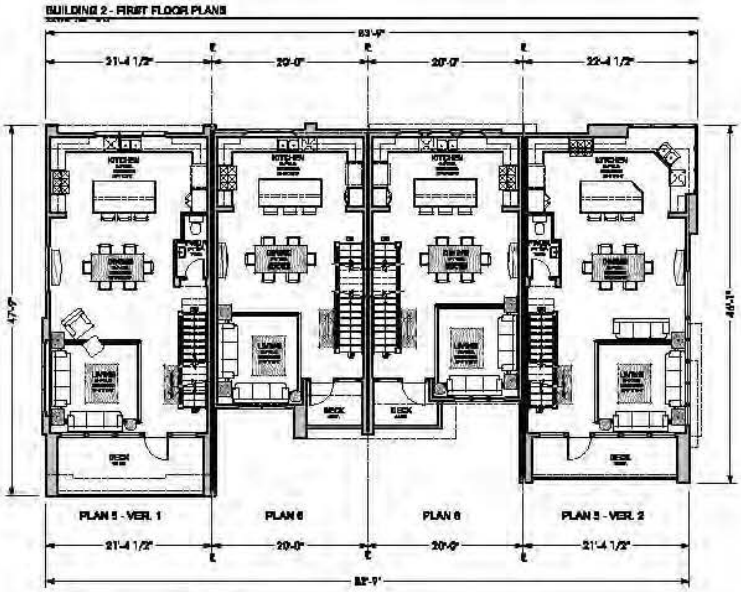
VAREZE

PRE16-00362 | NOVEMBER 7, 2016

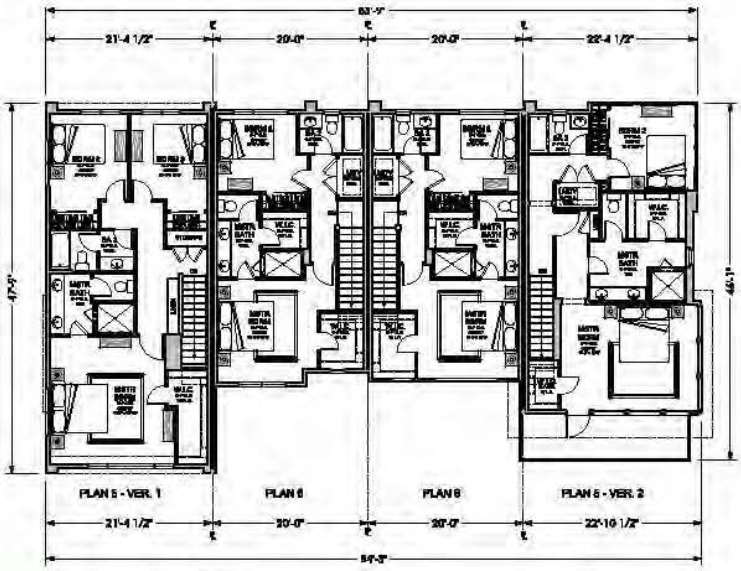
QUADRANT HOMES BCRA WEISMANDESIGNGROUP DAHLIN



BUILDING 2 - FIRST FLOOR PLANS



BUILDING 2 - SECOND FLOOR PLANS



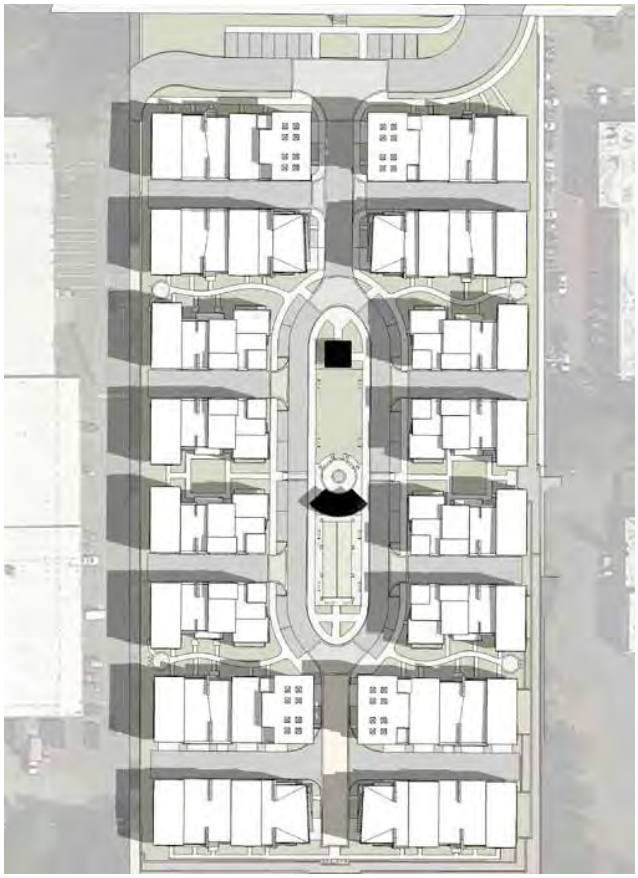
BUILDING 2 - THIRD FLOOR PLANS

bldg 2 plans

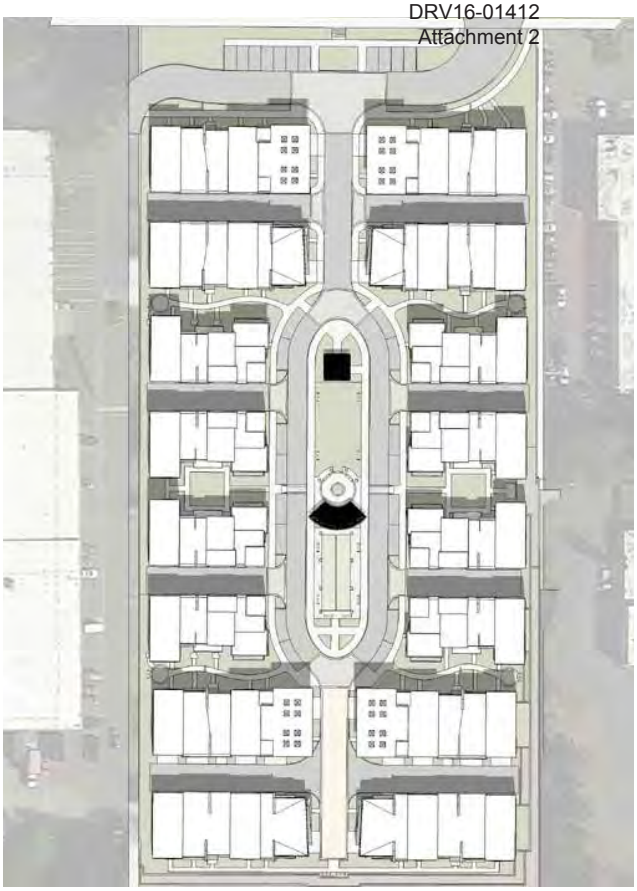
VAREZE

PRE16-00362 | NOVEMBER 7, 2016

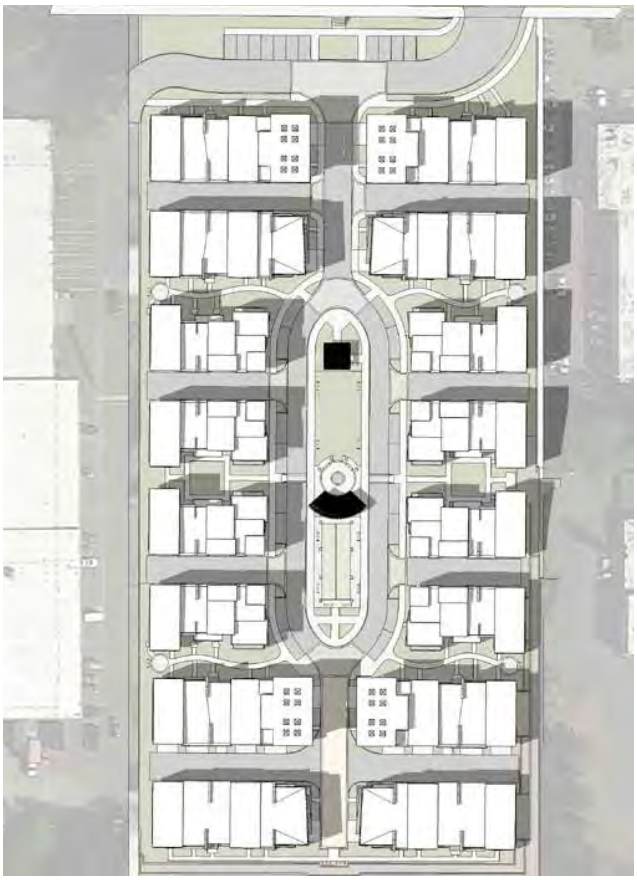
QUADRANT HOMES BCRA WEISMANDESIGNGROUP DAHLIN



June 21 | 9 am



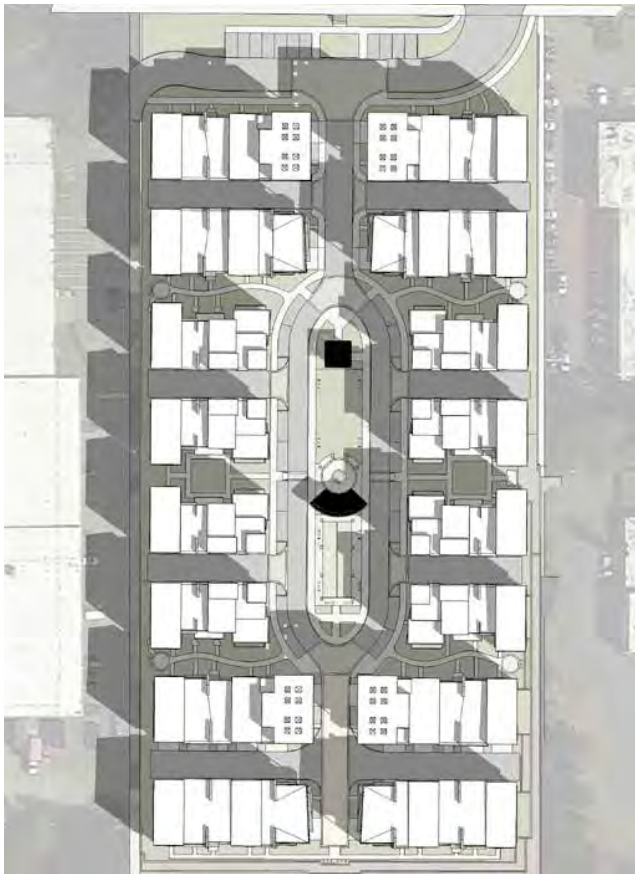
June 21 | Noon



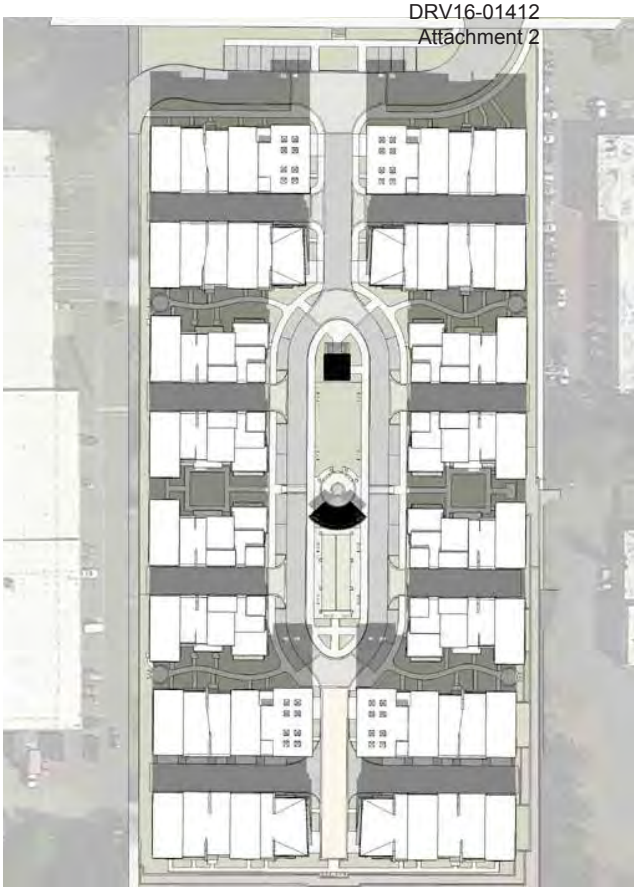
June 21 | 3 pm

shadow studies

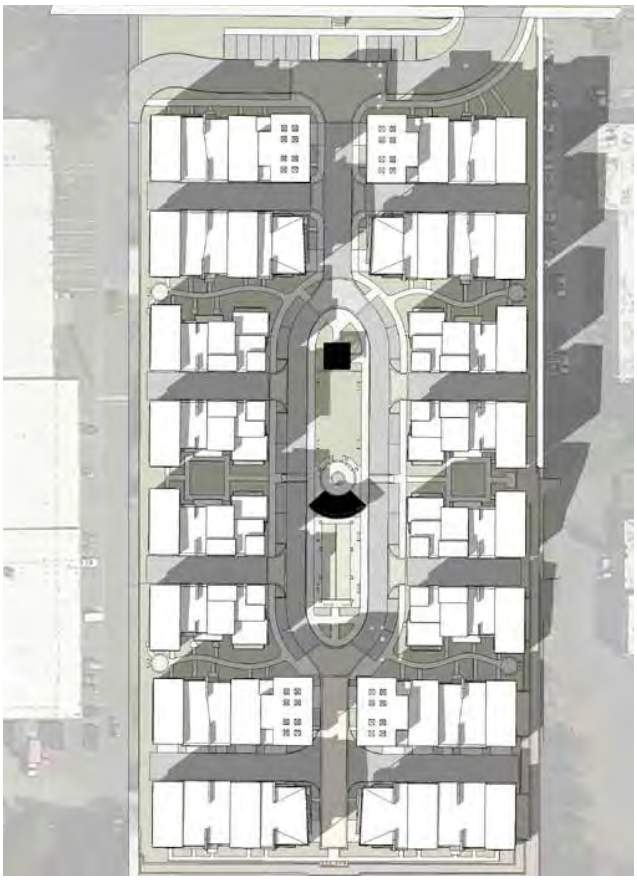
VAREZE



March/September 21 | 9 am



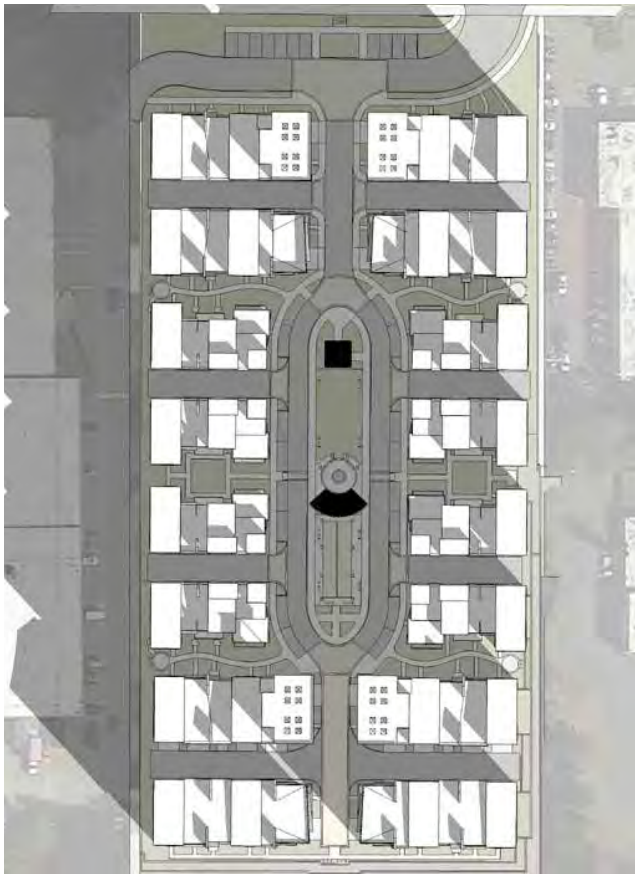
March/September 21 | Noon



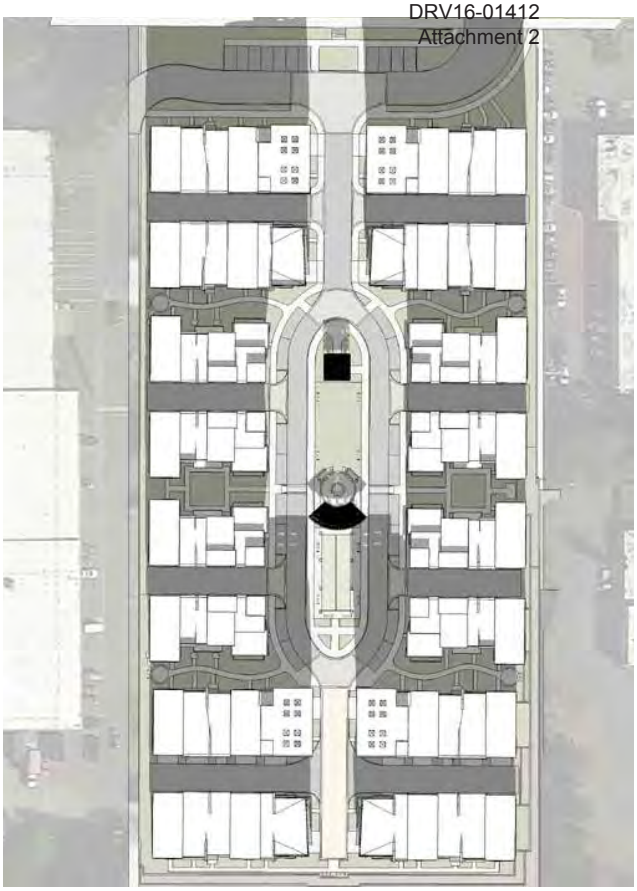
March/September 21 | 3 pm

shadow studies

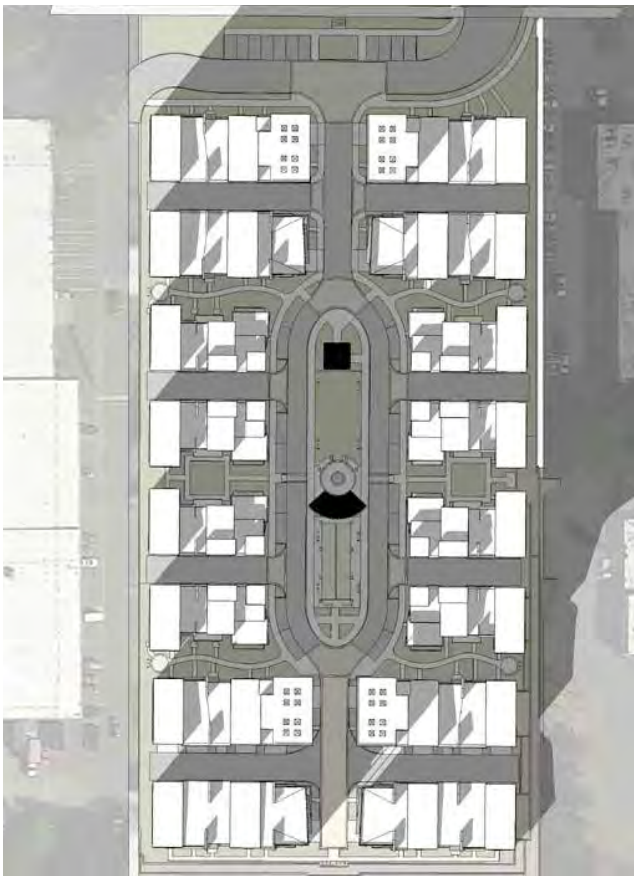
VAREZE



December 21 | 9 am



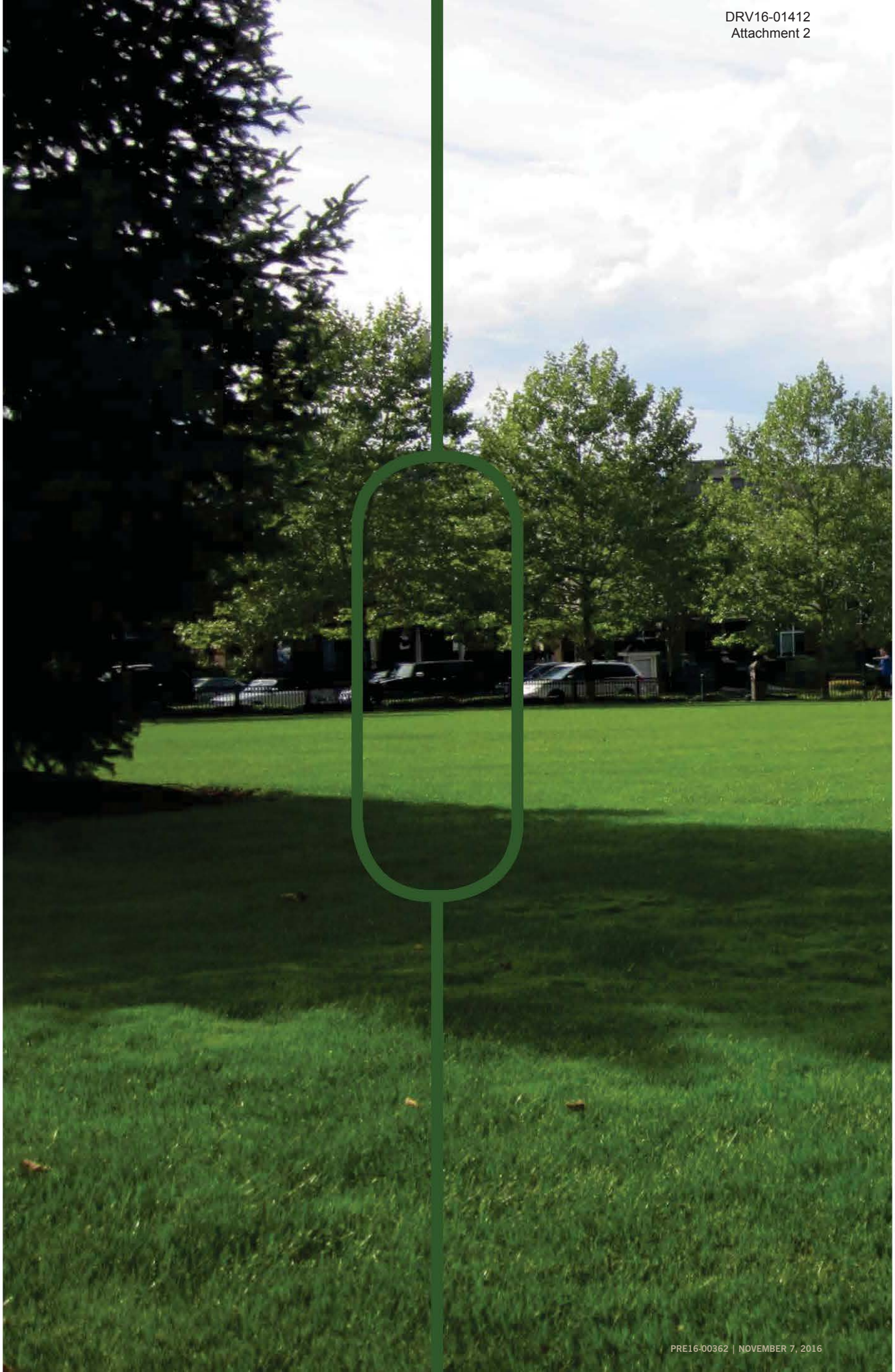
December 21 | Noon



December 21 | 3 pm

shadow studies

VAREZE



CITY OF KIRKLAND
Planning and Building Department
123 5th Avenue, Kirkland, WA 98033
425.587.3600 ~ www.kirklandwa.gov

DEVELOPMENT STANDARDS LIST
FILE: VAREZE RESIDENTIAL PROJECT, DRV16-01412

ZONING CODE STANDARDS

95.51.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City.

95.44 Parking Area Landscape Islands. Landscape islands must be included in parking areas as provided in this section.

95.45 Parking Area Landscape Buffers. Applicant shall buffer all parking areas and driveways from the right-of-way and from adjacent property with a 5-foot wide strip as provided in this section. If located in a design district a low hedge or masonry or concrete wall may be approved as an alternative through design review.

95.50 Tree Installation Standards. All supplemental trees to be planted shall conform to the Kirkland Plant List. All installation standards shall conform to Kirkland Zoning Code Section 95.45.

95.52 Prohibited Vegetation. Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

100.25 Sign Permits. Separate sign permit(s) are required. In JBD and CBD cabinet signs are prohibited.

105.18 Pedestrian Walkways. All uses, except single family dwelling units and duplex structures, must provide pedestrian walkways designed to minimize walking distances from the building entrance to the right of way and adjacent transit facilities, pedestrian connections to adjacent properties, between primary entrances of all uses on the subject property, through parking lots and parking garages to building entrances. Easements may be required. In design districts through block pathways or other pedestrian improvements may be required. See also Plates 34 in Chapter 180.

105.32 Bicycle Parking. All uses, except single family dwelling units and duplex structures with 6 or more vehicle parking spaces must provide covered bicycle parking within 50 feet of an entrance to the building at a ratio of one bicycle space for each twelve motor vehicle parking spaces. Check with Planner to determine the number of bike racks required and location.

105.18 Entrance Walkways. All uses, except single family dwellings and duplex structures, must provide pedestrian walkways between the principal entrances to all businesses, uses, and/or buildings on the subject property.

105.18.2 Walkway Standards. Pedestrian walkways must be at least 5′ wide; must be distinguishable from traffic lanes by pavement texture or elevation; must have adequate lighting for security and safety. Lights must be non-glare and mounted no more than 20′ above the ground.

105.18.2 Overhead Weather Protection Standards. Overhead weather protection must be provided along any portion of the building adjacent to a pedestrian walkway or sidewalk; over the primary exterior entrance to all buildings. May be composed of awnings, marquees, canopies or building overhangs; must cover at least 5′ of the width of the adjacent walkway; and must be

at least 8 feet above the ground immediately below it. In design districts, translucent awnings may not be backlit; see section for the percent of property frontage or building facade.

105.19 Public Pedestrian Walkways. The height of solid (blocking visibility) fences along pedestrian pathways that are not directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors. All new building structures shall be setback a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent a public or private street right-of-way. If in a design district, see section and Plate 34 for through block pathways standards.

105.65 Compact Parking Stalls. Up to 50% of the number of parking spaces may be designated for compact cars.

105.60.2 Parking Area Driveways. Driveways which are not driving aisles within a parking area shall be a minimum width of 20 feet.

105.60.3 Wheelstops. Parking areas must be constructed so that car wheels are kept at least 2′ from pedestrian and landscape areas.

105.60.4 Parking Lot Walkways. All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location. Lots with more than 25,000 sq. ft. of paved area must provide pedestrian routes for every 3 aisles to the main entrance.

105.77 Parking Area Curbing. All parking areas and driveways, for uses other than detached dwelling units must be surrounded by a 6″ high vertical concrete curb.

110.52 Sidewalks and Public Improvements in Design Districts. See section, Plate 34 and public works approved plans manual for sidewalk standards and decorative lighting design applicable to design districts.

110.60.5 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

15.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.45 Garbage and Recycling Placement and Screening. For uses other than detached dwelling units, duplexes, moorage facilities, parks, and construction sites, all garbage receptacles and dumpsters must be setback from property lines, located outside landscape buffers, and screened from view from the street, adjacent properties and pedestrian walkways or parks by a solid sight-obscuring enclosure.

115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations See Section 115.90 for a more detailed explanation of these exceptions.

115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a

violation of this Code.

115.115 Required Setback Yards. This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.

115.115.3.g Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.

115.115.3.p HVAC and Similar Equipment: These may be placed no closer than five feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

115.115.d Driveway Setbacks. Parking areas and driveways for uses other than detached dwelling units, attached and stacked dwelling units in residential zones, or schools and day-cares with more than 12 students, may be located within required setback yards, but, except for the portion of any driveway which connects with an adjacent street, not closer than 5 feet to any property line.

115.120 Rooftop Appurtenance Screening. New or replacement appurtenances on existing buildings shall be surrounded by a solid screening enclosure equal in height to the appurtenance. New construction shall screen rooftop appurtenances by incorporating them in to the roof form.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

Prior to issuance of a grading or building permit:

95.30(4) Tree Protection Techniques. A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans.

95.34 Tree Protection. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary protective chain link fence at least 6 feet in height around the protected area of retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

DEVELOPMENT STANDARDS

DRV16-01412

FIRE DEPARTMENT

FIRE DEPARTMENT COMMENTS

Contact: Grace Steuart at 425-587-3660; or gsteuart@kirklandwa.gov

DRV plans do not provide the types of information required to do a fire department review, so the following fire department comments are general in nature. A more detailed review will take place at the grading and/or building permit stage.

ACCESS

Access as shown appears to be adequate.

FIRE FLOW

All buildings other than one and two family dwelling units shall be considered as commercial buildings with fire flow requirements and hydrant spacing determined on criteria set forth within this policy. Fire flow requirements for townhomes or zero lot line homes shall be based on the total square footage.

HYDRANTS

Fire hydrants in commercial areas shall be spaced 300 feet or less apart with no hydrant further than 150 feet from any portion of the building accessible by Fire Department vehicles.

Additional hydrants will need to be installed to meet this distance requirement. The Public Works Department will determine what needs to be done for the water system around the project. Once the water line locations are established, the fire department will decide where the hydrants should be.

SPRINKLER THRESHOLD

Per Kirkland Municipal Code, all new buildings which are 5,000 gross square feet or larger require fire sprinklers. Included are single family homes, duplexes, and zero lot line townhouses where the aggregate area of all connected townhouses is greater than 5,000 square feet.; garages, porches, covered decks, etc, are included in the gross square footage.

The buildings are all over 5,000 square feet aggregate size. For townhomes, each unit shall be equipped with a 13D system.

PUBLIC WORKS DEPARTMENT

PUBLIC WORKS CONDITIONS

Public Works Staff Contacts
Land Use and Pre-Submittal Process:
Building and Land Surface Modification (Grading) Permit Process:
John Burkhalter, Development Engineer Supervisor
Phone: 425-587-3846 Fax: 425-587-3807
E-mail: jburkhalter@kirklandwa.gov

Building and Land Surface Modification (Grading) Permit Process:
Philip Vartanian, Development Engineer
Phone: 425-587-3856 Fax: 425-587-3807
E-mail: pvartanian@kirklandwa.gov

Building and Land Surface Modification (Grading) Permit Process:
Dan Carmody, Development Engineer
Phone: 425-587-3842 Fax: 425-587-3807
E-mail: dcarmody@kirklandwa.gov

Building and Land Surface Modification (Grading) Permit Process:
Tuan Phan, Development Engineer
Phone: 425-587-3843 Fax: 425-587-3807
E-mail: tphan@kirklandwa.gov

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site.

2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The applicant should anticipate the following fees:
- Water, Sewer, and Surface Water Connection Fees (paid with the issuance of a Building Permit)
- Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
- Septic Tank Abandonment Inspection Fee
- Water Meter Fee (paid with the issuance of a Building Permit)
- Right-of-way Fee
- Review and Inspection Fee (for utilities and street improvements).
- Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s). Any existing buildings within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit and School Impact Fee Credit. This credit will be applied to the first Building Permits that are applied for within the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule.

3. All street and utility improvements shall be permitted by obtaining a Land Surface Modification (LSM) Permit, including the required LSM Checklist.

4. Submittal of Building Permits within a subdivision prior to recording:

- Submittal of a Building Permit with an existing parcel number prior to subdivision recording: A Building Permit can be submitted prior to recording of the subdivision for each existing parcel number in the subject project, however in order for the Building Permit to be deemed a complete application, all of the utility and street improvements for the new home must be submitted with application. However, the Building Permit will not be eligible for issuance until after the Land Surface Modification Permit is submitted, reviewed, and approved to ensure the comprehensive storm water design required by the subdivision approval is reviewed and approved, and then shown correctly on the Building Permit plans to match the Land Surface Modification Permit.

- Submittal of Building Permits within an Integrated Development Plan (IDP): If this subdivision is using the IDP process, the Building Permits for the new homes can only be applied for after the Land Surface Modification Permit has been submitted, reviewed, and approved.

- Submittal of a Building Permit within a standard subdivision (non IDP): If this subdivision is not using the IDP process, the Building Permits for the new houses can be applied for after the subdivision is recorded and the Land

Surface Modification permit has been submitted, reviewed, and approved.

- Review of Expedited or Green Building Permits: A new single family home Building Permit within a subdivision can only be review on an expedited or green building fast track if submitted electronically through MBP and the Land Surface Modification permit has been submitted, reviewed, and approved.

- Review of detached multi-family building permits: Detached multi-family building permits can only be applied for after the Land Surface Modification permit submitted, reviewed, and approved.

5. Subdivision Performance and Maintenance Securities:
- There is a standard right of way restoration security ranging from $10,000.00 to 30,000.00 (value determined based on amount of right-of-way disruption). This security will be held until the project has been completed.

- Once the subdivision has been completed there will be a condition of the permit to establish a two year Maintenance security.

6. Prior to submittal of a Building or Zoning Permit, the applicant must apply for a Concurrency Test Notice. Contact Thang Nguyen, Transportation Engineer, at 425-587-3869 for more information. A separate Concurrency Permit will be created.

7. After Concurrency has passed a certificate will be issued that will read as follows: CERTIFICATE OF CONCURRENCY: This project has been reviewed and approved for water, sewer, and traffic concurrency. Any water and sewer mitigating conditions are listed within the conditions below. Any traffic mitigating conditions will be found in an attached memorandum from the Public Works Traffic Engineering Analyst to the Planning Department Project Planner. Upon issuance of this permit, this project shall have a valid Certificate of Concurrency and concurrency vesting until the permit expires. This condition shall constitute issuance of a Certificate of Concurrency pursuant to chapter 25.12 of the Kirkland Municipal Code.

8. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy G-7, Engineering Plan Requirements. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

9. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.

10. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).

11. A completeness check meeting is required prior to submittal of any Building Permit applications.

12. Prior to issuance of any commercial or multifamily Building Permit, the applicant shall provide a plan for garbage storage and pickup. The plan shall conform to Policy G-9 in the Public Works Pre-approved Plans and be approved by Waste Management and the City.

13. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

Sanitary Sewer Conditions:

1. The applicant shall extend the existing public sewer system to provide sanitary sewer service for each Building in the proposed project. No side sewer shall exceed 150 feet in length. The proposal provided during Pre-Application review meets the City's requirements.

2. Provide a plan and profile design for the sewer line extension

3. A 20 foot wide public sanitary sewer easement must be recorded with the property.

4. Access for maintenance of the sewer manholes is required. All maintenance accesses shall meet street

standards for thickness (eg 4-4-2).

5. Provide a 6-inch minimum side sewer stub for each Building.

6. All side sewer stubs serving the property shall be PVC type pipe per Public Works Pre-approved Plans Sanitary Sewer Design Criteria. Any side sewer not meeting this standard shall be removed and replaced.

Water System Conditions:

1. The applicant shall extend the existing public water system to provide water service for each lot. The extension shall be looped back to the water main in NE 116th St. There is a water main on the adjacent property to the east that may be used as part of the loop if the location and existing easements work.

2. Provide water service to each unit:

i) Provide a water service for each building; City of Kirkland will set the meter (<2”). The meter will be sized per the Uniform Plumbing Code during Building Permit review. The meter may be upsized if fire sprinklers are required.
ii) Provide a separate 1" minimum water service from the water main to the meter for each unit; City of Kirkland will set the water meter. The water size is determined when the Building Permit is submitted and is sized per the Uniform Plumbing Code. A ¾” meter is the typical size; 1” if fire sprinklers are required.

3. The existing water service shall be abandoned unless otherwise approved by the Development Engineer or Construction Inspector.

Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 2009 King County Surface Water Design Manual and the Kirkland Addendum (Policy D-10). See Policies D-2 and D-3 in the PW Pre-Approved Plans for drainage review information, or contact city of Kirkland Surface Water staff at (425) 587-3800 for help in determining drainage review requirements. The drainage review levels can be determined using the Drainage Review Flow Chart. Summarized below are the levels of drainage review based on site and project characteristics:

- Full Drainage Review
- A full drainage review is required for any proposed project, new or redevelopment, that will:
- Adds 5,000ft2 or more of new impervious surface area or 10,000ft2 or more of new plus replaced impervious surface area,
- Propose 7,000ft2 or more of new pervious surface or,
- Be a redevelopment project on a single or multiple parcel site in which the total of new plus replaced impervious surface area is 5,000ft2 or more and whose valuation of proposed improvements (including interior improvements but excluding required mitigation and frontage improvements) exceeds 50% of the assessed value of the existing site improvements.

2. Projects submitted on or after January 1, 2017 shall be subject to updated stormwater regulations. The City plans to adopt the 2016 King County Surface Water Design Manual with a City addendum.

3. Storm Water Engineering Comments:
- Seems like this is functioning like thirsty duck (discharging at a constant rate right below ½ the 2 year) and the City does not allow thirsty duck technology within the City. New requirements are going to require that it meet 8% of the 2 year, meaning the smaller storms are still causing problems for the streams and by pumping consistently at ½ the 2 year instead of allowing the storm to follow the curve may cause problems.
- I would need much more information on the modeling to show that this system is sized / functioning as explained. No information about the vault sizing was included in the memo.
- This would change the natural discharge location and the drainage basin that this lot currently drains to (change from Forbes to Juanita – specifically totem lake where we currently have flooding issues). Typically, we do not allow a different natural discharge location, and especially don’t typically allow a change in drainage basin.

Additional information and potentially mitigation would be required before allowing to change basins.

4. A preliminary drainage report (Technical Information Report) must be submitted with the subdivision application. This must include a downstream analysis for all projects (except small project Type 1).

5. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater low impact development facilities on-site (per section 5.2 in the 2009 King County Surface Water Design Manual). If feasible, stormwater low impact development facilities are required. See PW Pre-Approved Plan Policy L-1 or L-2 (depending on drainage review) for more information on this requirement.

6. Because this project site is one acre or greater, the following conditions apply:
- Amended soil requirements (per Ecology BMP T5.13) must be used in all landscaped areas.
- If the project meets minimum criteria for water quality treatment (5,000ft2 pollution generating impervious surface area), the enhanced level of treatment is required if the project is multi-family residential, commercial, or industrial. Enhanced treatment targets the removal of metals such as copper and zinc.
- The applicant is responsible to apply for a Construction Stormwater General Permit from Washington State Department of Ecology. Provide the City with a copy of the Notice of Intent for the permit. Permit Information can be found at the following website: http://www.ecy.wa.gov/programs/wq/stormwater/construction/
  - Among other requirements, this permit requires the applicant to prepare a Storm Water Pollution Prevention Plan (SWPPP) and identify a Certified Erosion and Sediment Control Lead (CESCL) prior to the start of construction. The CESCL shall attend the City of Kirkland PW Dept. pre-construction meeting with a completed SWPPP.
- Turbidity monitoring by the developer/contractor is required if a project contains a lake, stream, or wetland.
- A Stormwater Pollution Prevention and Spill (SWPPS) Plan must be kept on site during all phases of construction and shall address construction-related pollution generating activities. Follow the guidelines in the 2009 King County Surface Water Design Manual for plan preparation.

7. If a storm water detention system is required, it shall be designed to Level II standards. Historic (forested) conditions shall be used as the pre-developed modeling condition.

8. This project is creating or replacing more than 5000 square feet of new impervious area that will be used by vehicles (PGIS - pollution generating impervious surface). Provide storm water quality treatment per the 2009 King County Surface Water Design Manual. The enhanced treatment level is encouraged when feasible for multi-family residential, commercial, and industrial projects less than 1 acre in size.

9. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).

10. It doesn't appear that any work within an existing ditch will be required, however the developer has been given notice that the Army Corps of Engineers (COE) has asserted jurisdiction over upland ditches draining to streams. Either an existing Nationwide COE permit or an Individual COE permit may be necessary for work within ditches, depending on the project activities.
Applicants should obtain the applicable COE permit; information about COE permits can be found at: U.S. Army Corps of Engineers, Seattle District Regulatory Branch
http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx

Specific questions can be directed to: Seattle District, Corps of Engineers, Regulatory Branch, CENWS-OD-RG, Post Office Box 3755, Seattle, WA 98124-3755, Phone: (206) 764-3495

11. Provide an erosion control report and plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 2009 King County Surface Water Design Manual.

12. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday

prior to a weekend, holiday, or predicted rain event.

13. Provide collection and conveyance of right-of-way storm drainage.

14. All roof and driveway drainage must be tight-lined to the storm drainage system or utilize low impact development techniques.

15. Provide a plan and profile design for the storm sewer system.

16. A storm sewer "Joint Maintenance Agreement" must be recorded with the property for the jointly used storm sewer lines.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts NE 116th St. This street is an Arterial type street. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

A. Replace any cracked, broken or substandard curb and gutter.
B. Remove and replace the sidewalk with 8 foot wide sidewalk with street trees in tree 4'x6' tree wells every 30 feet and pedestrian lights every 60 feet.

2. When three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline, the street shall be overlaid with new asphalt or the existing asphalt shall be removed and replaced per the City of Kirkland Street Asphalt Overlay Policy R-7.
- Existing streets with 4-inches or more of existing asphalt shall receive a 2-inch (minimum thickness) asphalt overlay. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
- Existing streets with 3-inches or less of existing asphalt shall have the existing asphalt removed and replaced with an asphalt thickness equal or greater than the existing asphalt provided however that no asphalt shall be less than 2-inches thick and the subgrade shall be compacted to 95% density.

3. Meet the requirements of the City of Kirkland Driveway Pre-Approved Policy R-4.

4. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle. See Public Works Pre-approved Policy R.13 for the sight distance criteria and specifications.

5. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.

6. Underground all new and existing on-site utility lines and overhead transmission lines.

7. Underground any new off-site transmission lines.

8. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding by signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, all overhead lines along the frontage are already underground.

55.77 User Guide – TL 10C zone.

The charts in KZC 55.81 contain the basic zoning regulations that apply in the TL 10C zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.79

Zone TL 10C

Section 55.79 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.

2. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.

3. When a permitted use is included as an accessory use within the structure of a primary use with a taller height limit, the height limit for the primary use applies.

4. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 152 KZC for requirements.

5. The review process for development in this zone is as follows:
   a. Where property does not abut a public right-of-way, including the Cross Kirkland Corridor, any structures up to 30 feet in height which require Design Review approval pursuant to KZC 142.15 shall be reviewed administratively (ADR), pursuant to KZC 142.25. Where gross floor area of an existing building is expanded by less than 10 percent, no design review is required.
   b. Otherwise, as set forth in Chapter 142 KZC.

link to Section 55.81 table

The Kirkland Zoning Code is current through Ordinance 4514, passed April 19, 2016.
Disclaimer: The City Clerk's Office has the official version of the Kirkland Zoning Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: http://www.kirklandwa.gov/ (http://www.kirklandwa.gov/)
City Telephone: (425) 587-3190
Code Publishing Company (http://www.codepublishing.com/)
eLibrary (http://www.codepublishing.com/elibrary.html)

Section 55.81	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARD (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.010	Attached or Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC. See Gen. Reg. 5.	None	10'	5' but 2 side yards must equal at least 15'. See Spec. Reg. 5.	10' See Spec. Reg. 6.	80%	Where adjoining a low density zone, 30' above average building elevation. Otherwise, up to 65' above average building elevation. See Spec. Reg. 3.	D	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. This use is permitted only in Housing Incentive Area 4 (see Plate 37, Chapter 180 KZC). 2. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives. 3. No portion of a structure may exceed the following heights above the elevation of NE 116th Street, as measured at the midpoint of the frontage of the subject property on NE 116th Street: a. Within 20 feet of NE 116th Street, 35 feet. b. Within 30 feet of NE 116th Street, 45 feet. c. Within 40 feet of NE 116th Street, 65 feet. 4. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 5. The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet. 6. The rear yard may be reduced to zero feet if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot.

Tony Leavitt

From: Andy Roberts <andy@pumpitupwa.com>
Sent: Sunday, July 24, 2016 4:51 PM
To: Tony Leavitt
Cc: Erik Gassert
Subject: Permit No. DRV16-01412

Mr. Leavitt,

I wish to register my concerns regarding the proposed Vareze development in the Totem Lake area. Thank you in advance for your time in considering this issue.

Background
My business, Pump It Up, is a tenant of the Parmac property which abuts the subject property to the west. The subject property is located between the Parmac property on the west and a car dealership on the east, and bounded on the north by NE 116th ST and on the south by a steep embankment. Another steep embankment lies to the north of 116th, and there are only light industrial properties between the car dealership and I-405 to the east. There are no nearby residential areas to the west with available parking, nor any public parking whatsoever within 0.4 miles. As a result of this situation, there is no spill-over parking within walking distance available to the tenants and customers of the properties. This situation has led to a number of serious parking issues experienced by tenants of both properties in recent months. Scott Guter would be a good reference for additional information on this subject.

Concerns
While I question the general scale and density of the proposed property, my specific concern relates to parking. Because of the unique conditions mentioned above I feel that the requirement to have only 16 guest parking spaces is wholly inadequate for over 80 individual residences. It is very likely that these spaces would be insufficient should even a few the residents host social gatherings or other events. It is also likely that spaces available for guests will be reduced by residents using the spaces, particularly from two and three bedroom units which are only required to have 1.6 and 1.8 stalls, respectively.

Per the proposed site plans, the most convenient and logical location for any overflow parking, should the guest spaces be full, would be in the Parmac lot. This would create an undue policing and enforcement burden on both the tenants and ownership of the Parmac property, and would have a detrimental impact on Parmac businesses. My business is particularly reliant on access to adequate parking. Additionally, because our business caters to young children (average age of six), it is important for the safety of our guests to have the parking spaces adjacent to our location at the north end of the Parmac property. Unfortunately, it is likely that these would be the first spaces occupied by spillover from the Vareze property.

Possible solutions
1) Increase the number of guest parking spaces to 32-40 spaces (20-25%). This would seem to be a more reasonable number given the density of the property and the lack of alternative overflow parking in the area.
2) Partition the properties to discourage spill-over parking. This would likely entail modifying the existing joint easement agreement between Parmac and the subject property. A potentially mutually beneficial outcome is possible if a new drive lane could be created from NE 116th running directly south

to the lower parking area of the Parmac property. This would relieve the need for the easement area at the north end of the subject property, and it could be moved to the west side of the property. Because creating the new drive lane would remove some parking on the Parmac property the new easement would be used to replace these spaces.

I'd be happy to discuss my concerns with you in person, should that be appropriate. Thank you again for your consideration.

Andy Roberts
Pump It Up of Kirkland
425.503.0067

Tony Leavitt

From: Darwin Wheeler <darwinwheeler@hotmail.com>
Sent: Monday, July 25, 2016 11:33 AM
To: Tony Leavitt
Cc: Vincent Noto; Dawn Wheeler; Darwin Wheeler
Subject: Vareze Multi-Family housing, File No. DRV16-01412

City of Kirkland (Tony Leavitt & Tom Early),
We have received notice of public meeting(8/1, 7pm at City Hall) for land development behind our single-family homes.
Project: **Vareze Multi-Family housing, File No. DRV16-01412**

As single-family home owner of the property directly to the South we have serious concerns about:

- Noise level during construction
- Noise level post construction
- Tree & vegetation removal
- South slope development/terracing
- Our fence lines

My neighbors may have additional concerns.

I realize the Urban Forrester review for terracing & tree removal has been denied. Yet, we urge the city & developers to work with the 3 property owners in an effort to mitigate our noted concerns. Certainly, there are ways to work together for an outcome that is not only legal & responsible, but amicable to all parties involved.
https://permitsearch.mybuildingpermit.com/PermitDetails.aspx?permitnumber=DRV16-01412&City=KIRKLAND#inspections

Notes: URBAN FORESTRY REVIEW - STATUS AS OF 07/21/2016 IS RETURNED TO APPLICANT FOR CORRECTION. COMMENTS: EXPLORE POTENTIAL TO RETAIN THE TREES AND SOUTH SLOPE ALONG THE SOUTH PROPERTY LINE RATHER THAN TERRACE THIS AREA.

Tony, what steps must we take to assure our properties, fences, vegetation, noise level & our quality of life in our homes is not impacted negatively during or after this development?

Thank you,
Darwin Wheeler
11329 117th Place NE
Kirkland, WA 98033

Tony Leavitt

From: Linda Rethke <lm.williams866@yahoo.com>
Sent: Tuesday, July 26, 2016 9:40 AM
To: Tony Leavitt
Subject: Concern about new construction along 116th ave ne and across street from Kirkland court house

To Whom It May Concern:

I understand that there is a hearing scheduled for August 2, 2016 about the proposed 82 townhomes to be built along 116th. Here is my input: The traffic on 116th already gets backed up during rush hour and this development will just compound the problem. Please do a traffic study before you approve this project.

The interchange at 116th and NE120 is a nightmare. I believe that it cost 16 million dollars and it hasn't helped to relieve the congestion and delays. If there are going to be an additional 620 apartments across from the Court House, this will make the problem even worse.

I am also concerned about the impact these developments will have on the enrollment at AG Bell Elementary school.

Thank you for considering my input.

Linda Rethke
11512 103 Pl NE
Kirkland, WA 98033

Tony Leavitt

From: Jim-Michelle Fraser <1974vette@msn.com>
Sent: Tuesday, July 26, 2016 10:09 AM
To: Tony Leavitt
Subject: 116th Ave

Hi Tony,
Noticed your note on the neighborhood watch.
What is the City of Kirkland thinking? Do they not know how backed up 116th is already. When is the meeting?
Thank you for the info,
Michelle Fraser

Sent from my Verizon Wireless 4G LTE smartphone

Tony Leavitt

From: Margaret Ames <margaret@amflow.com>
Sent: Tuesday, July 26, 2016 10:38 AM
To: Tony Leavitt
Subject: 116th St. Developments

I read that here is going to be a hearing on August 2 about the proposal of building 82 townhomes on 116th near Skymania. Traffic is bad enough without having an additional 82 townhomes on this street. I also see that 27 units are going in on 116th. I heard that 620 apartments are going in just south of the Courthouse, too.

THIS IS INSANE!

We live at 103rd off 116th, and we work at 118th off 116th -- for 30 years. We can hardly get out of our driveway in the morning to go to work! When school is in session, traffic on 116th is stopped for school children to cross. This backs up the traffic even more in the morning.

When we leave work, traffic is so backed up on 116th between the freeway and Juanita Drive, that it takes 4 times as long as it does on a Sunday to get home.

How can the City Council not take any of this into consideration when issuing permits? Is everyone so greedy that causing people even more headaches on 116th is immaterial? Do they have no consideration for the quality of life for the people who use 116th? How can they justify allowing so many more housing units that will add so much more traffic onto 116th?

We are so disgusted with this City Council that we plan to work for their opposition the next time they run, no matter who it might be. We have had it with the developers influencing the City Council -- or being on the City Council -- which should be a conflict of interest.

Bottom line is that they just don't care.

Margaret Ames
425 883 4040

Margaret Ames

Managing Director

A&H Enterprises Inc. (AMFLOW)

Phone: 425-883-4040

Fax: 425-823-1962

Email: margaret@amflow.com

Website: www.amflow.com

Tony Leavitt

From: Marian Luther <MLUTHER@Lynden.com>
Sent: Tuesday, July 26, 2016 11:54 AM
To: Tony Leavitt
Subject: 27 Unit proposal to develop property between 116th Ave NE and NE 112th St in Juanita,

Hi Mr. Leavitt,
I'd like to attend the planning meeting on 8/1 for the above subject. This is a huge project and will undoubtedly impact our neighborhood in a multitude of ways. Can you please let me know where I can obtain more information about this project online?
Thank you,
Marian Luther

Marian Luther
Sr. Paralegal
Lynden Incorporated
18000 International Blvd.
Suite 800
Seattle, WA 98188
206 439-5568

Tony Leavitt

From: Candy Burke <cburke.foxhollow@gmail.com>
Sent: Wednesday, July 27, 2016 11:50 AM
To: Tony Leavitt
Subject: RE: Developments on 116th Street

Mr. Leavitt,
It is my understanding there is to be a hearing, on August 2, about the proposal of building additional multi-family homes on 116th Street in Kirkland (82 townhomes near Skymania, an additional 27 units along 116th, **AND** 620 apartments going in south of the Courthouse!!).

I believe in growth ....but managed growth. I don't believe this can even remotely be considered managed growth. Does the city council even take into consideration the impact this will have on the infrastructure not to mention the quality of life of those already living on 116th?

Traffic in the area has steadily increased to where it can now be termed "horrendous". And, this is WITHOUT having additional multi-family homes being added to 116th's and 124th's already high traffic volumes. This isn't even taking into account when school is back in session. Not only for the school crossing on 116th (which backs up traffic) but the added volume of kids driving to the local high schools and universities. I have sat in traffic, backed up for at least half the total distance of 116th, during morning commute times. And, this isn't even an uncommon occurrence.

Your answer would probably be to make 116th another 124th with four lanes. Really?!? I don't think it is even possible for that to happen as the lovely trees would have to be torn down, traffic lanes would encroach onto property and the money the city has already spent on 116th improvements would have been for... what exactly?

Not to mention I-405 and the "Kirkland Crawl". Have you even tried to get onto I-405 from 116th recently? You can spend at least twenty minutes waiting for the traffic control light for access to the freeway. AND THIS IS IN THE MIDDLE OF THE DAY! Granted this is because of the state's asinine redesign of the merge lane from 116th onto I-405 but adding to that volume is not going to make things any easier. I can no longer even make it into downtown Kirkland from 116th on my lunch hour.

I have lived in Kirkland for most of thirty years. I have loved the artistic and small town atmosphere of Kirkland. But over the years have seen what special interest groups, such as builders and developers, on the city council are doing to this lovely city (by the way, isn't that a conflict of interest?) and others like Kirkland. I would hate to see Kirkland become a second Seattle, Bellevue or Sammamish all in the supposed name of progress. My name for it is "lining the pockets" of those involved.

I don't know why you even pretend to have community meetings regarding things of this nature as it is probably a forgone conclusion. The council is going to do what it darn well pleases.

Candyce Burke

Tony Leavitt

From: Leo <leog@uw.edu>
Sent: Saturday, July 30, 2016 10:41 AM
To: Tony Leavitt
Subject: Statement Regarding Permit DRV16-01412
Attachments: IMG_0634.JPG; IMG_0633.JPG; IMG_0636.JPG

Hi Tony,

Besides meeting with you Monday and showing up to the hearing at City Hall, my wife and I wanted to submit a written statement, which will allow us to share pictures of the impact of the proposed development.

There are three areas about the proposal of serious concern to us:

1. The loss of so many large trees, especially those abutting our and our neighbors to the east's lots.

This particular region of Kirkland is unique in that it has no natural or man-made buffers from 405. Many stretches have burms (many with trees on them to boot), and/or sound walls. Because the region directly next to 405 in the 116h St area is commercial, there has been no action over the decades to reduce the ever-increasing noise from the freeway. THE ONLY buffer that residents in our area have are the rapidly declining population of large trees in the neighborhoods. We say rapidly declining because we have already lost so many with the development of 117th PL NE & NE 112th St, and the new row of houses off of a long shared driveway just east of 117th, also off 112th. There is also a development underway at the bottom of our street, 116th Pl NE where one house was demolished to make way for four new ones, and in the process nearly all of the 25 large trees are coming down. We believe the lot on 11637 NE 112th PL is due for a similar development.

At the time when these neighborhoods were originally put in, 405 was nothing like the bustling, clogged thoroughfare it has become. So much development over the years where so many large trees have been lost, combined with such an increase in traffic on the highway has meant a serious decline in the quality of life for residents who must put up with roar (road noise).

There is also the issue of subjecting residents to the light pollution from the commercial lots to the east of the proposal. Many of the businesses have large, tall, bright floodlights that illuminate their properties at night. The tall trees slated for removal in the proposal are the only buffer our neighbors and we have from these lights, which will light up the sides of our houses and flood our bedrooms at night.

While the proposal may/could include the replanting of foliage, it will be decades before any of it provides near the coverage/protection/buffer that the current trees do. This results in a major negative impact to the quality of life for many of us nearby.

2. Traffic

The letter we received says that the planning review board only looks at project design and not issues like traffic. Well, who does? Where is the forum for residents to voice their concerns on this issue? We're going to voice ours here, in hopes that you can pass them along, or perhaps bend the rules and take them into consideration since adding 86 homes where there were none, in an area of already impossible traffic, is going to bring quite a negative impact.

We invite any of the panel members to sit in the queue from NE 116th St to get on 405 Southbound on a weekday morning, from 7am as late as 11am. The stoplight at NE 116th St and 120th Ave is consistently backed up in multiple directions already, with people unable to turn off of 120th because the receiving queues on the opposite sides of the lights are full. There's also the traffic heading west on NE 116th St in the evening, which backs up a couple miles from Juanita.

Besides making things even more frustrating for current residents, the development will impact public safety; police, medical, and fire response will suffer as the responders will have to navigate through more traffic

and clogged intersections/streets. With the new location of the police precinct just north of the proposal (off NE 118th St), this could impact a great many residents.

There is nearly no transit infrastructure to provide reliable, efficient transportation (commutes, shopping, etc) for the residents in this area, with none on the horizon either (no rail on the CKC, and nothing on 405 for decades to come). The meager bus service we have sits in the same, increasing traffic mess. Allowing even more density in this region just seems irresponsible, showing a lack of regard for the quality of life of the current residents.

3. Schools

Overcrowding, touched on above, is already hitting our local schools. We live about three blocks from AG Bell school, and had hoped for our future kids to go there someday. Our next door neighbor (11330) was told that the school is full, and he has to send his kids elsewhere. How is it that development and lack of urban planning has gotten to a point that one cannot send his kids to the school three blocks away?

I don't know how many of our neighbors are going to speak up in writing or in person; We know we're just one voice, and that the commercial property owners and developers have teams of lawyers and advocates whose day job is pushing things like this development through. None of them will have to live anywhere near it; they have a ton of money to gain, and nothing to lose. The nearby residents affected, however, are in the exact opposite position.

Attached are some pictures from our backyard of the trees I'll be losing; they are taken facing NE, towards the proposed development. Imagine the change if/when they all disappear. If those can be shared with the panel, as well as the above letter we would greatly appreciate it.

Thanks,

Leo & Melissa Gilbert
11328 116th PL NE

Tony Leavitt

From: Jo <joheasty@hotmail.com>
Sent: Sunday, July 31, 2016 5:27 PM
To: Tony Leavitt
Subject: Permit No. DRV16-01412

TO: DRB, c/o Tony Leavitt, Kirkland Planning and Building Department
RE: Permit No. DRV16-01412
FROM: JoAnn Heasty, 11308 116th Place NE, joheasty@hotmail.com

This is in response to the proposed 82-unit, three-story multi-family housing complex proposed on NE 116th Street. Below are some of the reasons why I believe this development should not be allowed:

Kirkland's Comprehensive Plan, the vision and guiding principles for our growth, states that residents want our city to be livable, accessible, and natural. The document states that the city strives to be sustainable, preserving and enhancing our natural environment. That it will work for air quality improvement and reduction of greenhouse gas emissions. That "where development may occur, care should be taken to plan for and use site specific development practices and regulations to minimize removal or destruction of trees, particularly significant stands of native evergreen trees, natural woodlands, and associated vegetation and sensitive area buffer." (Policy E-2.3) So, I ask you, how can removing all 91 trees on this planned site and adding 100+vehicles to an already stressed arterial meet these goals? The comprehensive plan further states, "Urban trees are regarded more and more as assets…the intent of Kirkland's tree code is to maintain and enhance the city's overall tree canopy in order to maximize the public benefits provided by trees." Quite frankly, we have not experienced this in all the development happening currently in our neighborhood. (Yes, there are "beauty strips" and new trees, but they cannot provide the noise and visual buffer in place of native evergreen trees—at least not in my lifetime.)

Another goal states that the city will assure infrastructure and services that support existing and future residents and businesses. The intersection of 120 Ave NE and NE 116th Street (just one block from the proposed development), cannot currently handle all the cars that want to continue eastbound on NE 116th under the freeway. Just imagine what these 82 units and the 600-unit complex in the pipeline on NE 118th will do to the gridlock in this area. Since this intersection was recently redesigned, there is no hope that improved infrastructure will be available anytime soon.

It appears that our cul-de-sac, which backs up to the proposed development, is in the Juanita neighborhood with different residential zoning. This proposed development is zoned TL-10C (office), an area designated for **light industry/office tenants**. That certainly sounds preferable to high-density, multi-family housing that will destroy trees and impact traffic. We are hopeful that the Planning Department can make these two different land use districts compatible since only a line on the city map separates us.

This proposed development is quite "slick" and well presented. Please consider recommending it for a "housing incentive areas" in Totem Lake that will be part of Kirkland's urban center. The Vareze Multi-Family Housing development is incompatible with the existing homes and area surrounding it and should not be approved.

Thank you.

Tony Leavitt

From: peterk <peterkwon@gmail.com>
Sent: Sunday, July 31, 2016 9:11 PM
To: Tony Leavitt
Cc: darwinwheeler@hotmail.com; vmnoto@yahoo.com
Subject: Vareze Multi-Family housing File No. DRV16-01412

Tony Leavitt,
My parents have lived in the house at 11325 117th place NE in Kirkland for the last 27 years, this is the house immediately south of the proposed Vareze Multi-Family housing project.

Our main concerns are:
-Erosion control and mitigation of the south slope during and after construction
-Tree and vegetation removal (contributing to erosion)
-Noise during and after construction
-Privacy after construction
-Lighting during and after construction that may shine into our bedrooms

Please let us know how we can work together to address and mitigate these issues **before** further action is taken with this project. Thank you.

Peter Kwon, Grace and Paul Chwe
11325 117th Place NE
Kirkland, WA 98033

peterkwon@gmail.com