



CITY OF KIRKLAND
Planning and Community Development Department
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www.kirklandwa.gov

DESIGN REVIEW BOARD DECISION ON DESIGN RESPONSE CONFERENCE APPLICATION

Date: January 24, 2013
File No.: DRV12-00921
Project Name: Lake Street Place
Applicant: Rick Chesmore with Chesmore|Buck Architecture

I. SUMMARY OF DECISION

On January 14, 2013, the Design Review Board (DRB) voted to approve the plans for the Lake Street Place project located at 112 and 150 Lake Street South (see Attachment 1) to construct a new mixed use development and associated parking garage structure (see Attachment 2) subject to the conditions below.

- A. The application is subject to the applicable requirements contained in the Kirkland Municipal Code, Kirkland Zoning Code (KZC), and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 3, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This Attachment does not include all of the additional regulations.
- B. As part of the application for a building permit, the applicant shall submit:
 1. A complete SEPA application.
 2. Detailed plans for staff review that are consistent with the proposal as shown in Attachments 2 (project drawings) and 4 (materials board) and that reflect the following design options as required by the DRB (also in Attachment 2):
 - North façade of the Main Street Building that is consistent with Option 2 (separated roof forms for each bay).
 - Northeast façade of the Main Street Building that is consistent with Option A3 (CMU base and horizontal panel siding above).
 - South façade of the Main Street Building that is consistent with Option 1 (infill horizontal panel siding).
 3. Detailed landscape plans that:
 - Replace the *Salix discolor* (American pussy willow) near the public walkway with a different plant species that is columnar and evergreen.

- Update the plant species to have additional diversity and seasonal interest. The resulting planting plan shall be dynamic with a variety of color and contemporary plant species which expand upon the *Phyllostachys nigra* (black bamboo) aesthetic proposed near the public walkway.
- 4. Parking calculations.
- 5. Upper-story setback for the calculations for the applicable Main Street and Lake Street facades.
- 6. Public open space calculation.
- 7. Detailed courtyard plans that specify that the outdoor seating areas are modular and delineated by moveable planters, seating, and railings.
- C. All furnishings (such as planters, seating, and railings) in the courtyard off Lake Street South shall remain modular and shall not be permanently affixed.
- D. Phasing the project will require a new Design Response Conference application.
- E. 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.

II. **DESIGN RESPONSE CONFERENCE MEETINGS**

A. Background

The DRB held four Design Response Conference meetings for the project. The staff report and applicant response to the DRB's recommendations from each meeting can be found online (listed by meeting date) at the following web address:

http://www.kirklandwa.gov/depart/Planning/DRB_Meeting_Information.htm

Below is a summary of the Board's discussions at the four Design Response Conference meetings for the project: October 1, 2012, November 19, 2012, December 17, 2012, and January 14, 2013.

1. October 1, 2012 Design Response Conference. At this meeting, the DRB reviewed the applicant's plans and staff memo dated September 25, 2012 based on consistency with the applicable design guidelines and feedback given at the Conceptual Design Conferences held on January 9, 2012 and on October 1, 2012.

After receiving public comment on the project and deliberation, the Board requested that the applicant return for a second meeting to respond to recommendations regarding the stair/elevator enclosure near the courtyard and the design of the north, east, and south facades of the Main Street Building. Other recommendations included addressing the visibility of the proposed rooftop parking, location of rooftop appurtenances, visibility of back-of-house functions, lack of a landscape plan, and cluttered nature of the proposed courtyard. This meeting was continued.
2. November 19, 2012 Design Response Conference. The DRB reviewed the applicant's response to their previous recommendations. The staff memo dated September 25, 2012 also provided an overview and analysis of the project modifications.

At the meeting, the DRB expressed their appreciation of the expanded courtyard design which was a result of additional space created by increasing the setback for the building proposed south of the Hector's restaurant. The DRB also liked the changes made to the Main Street Building, which included removing the rooftop parking and totally enclosing the parking structure. However, the DRB was still concerned about the over-scaled appearance of the north, east, and south facades. The DRB asked that the applicant explore reducing the building scale by incorporating building material and color changes and providing additional detailing and building articulation to these facades. The DRB also asked that the applicant submit a landscape and lighting plan for their review. This meeting was continued.

3. December 17, 2012 Design Response Conference. The DRB reviewed the applicant's response to their previous recommendations. The staff memo dated December 10, 2012 also provided an overview and analysis of the project modifications.

In general the DRB liked the changes made to the north, east, and south facades of the Main Street Building but still had concerns regarding materials being used, the large scale of the northeast façade, and the roof design of the bays at the north façade. The DRB provided additional direction for improvement of these areas. The DRB also discussed the future location of signs and how they could potentially impact the building architecture. The DRB asked that the applicant provide some preliminary information on signage.

In reviewing the courtyard, landscape, and lighting plan, the DRB asked that the landscape plan be updated in terms of plant diversity, the courtyard paving pattern layout should flow with the 'L' shape of the courtyard, and the railings delineating the outdoor seating areas in the courtyard should be created with moveable railings, benches, and planters. The applicant stated that they would like to phase the project. The DRB asked that a phasing plan be presented for DRB review. This meeting was continued.

4. January 14, 2013 Design Response Conference. The applicant requested a decision on the entire project (not phased) and stated that they would submit a new application for DRB review of a phased development at a later date. The applicant presented revised plans, which addressed the remaining concerns from the DRB. The staff memo dated January 7, 2013 also provided an overview and analysis of the project changes. The DRB discussed the changes proposed by the applicant and at the conclusion of the meeting voted to approve the project with conditions. See Section III below for further information regarding the DRB's discussions and conclusions.

B. Public Comment

All public comment letters and e-mails received during the Design Response Conference meetings were forwarded to the Board for consideration. Oral comments were given at the public meetings. All written comments are contained in the City's official file and can also be found on the DRB webpage as either a supplement link and/or as an attachment to the staff memo for each respective meeting.

Below is a summary of the general public comment themes that emerged through the design review process:

- The project's zero-foot setback is not appropriate for the neighboring properties and a setback should be required.
- The building's north, south, and east facades should be mitigated.
- Negative impacts of the parking structure should be mitigated.
- The building should not be built to the maximum height allowed by zoning.
- Safety, view, and security concerns for the public walkway as a result of having two large buildings in close proximity to each other.
- Concerns regarding traffic impacts, pedestrian safety, and air quality.
- Green space should be part of the project design.
- The building plan along Lake Street South is well designed.
- The courtyard design should remain uncluttered and not result in a closed off design like at the Heathman Hotel.
- The DRB should not allow a 5' reduction to the upper story setback requirement along Lake Street South.
- The proposed buildings are too large and out of scale compared with other buildings in the CBD.
- The proposed parking structure is out of place.
- The Main Street Building is too close to the Portsmouth condominiums.
- The Comprehensive Plan is not being followed.
- Public comments were not being addressed by the DRB and the public notification process is inadequate.
- Blank walls should be mitigated.

III. DESIGN REVIEW BOARD DISCUSSION AND CONCLUSIONS

The Design Review Board reviews projects for consistency with design guidelines for pedestrian-oriented business districts, as adopted in Kirkland Municipal Code Chapter 3.30. With the recommended conditions of approval, the DRB concludes that the proposed project is consistent with applicable design guidelines.

Below is a summary of key issues and conclusions reached by the Design Review Board during the design review process. For more background on these issues and evaluation of zoning requirements and Design Guidelines, see the staff memorandums from the design response conferences contained in the official file or online at:

http://www.kirklandwa.gov/depart/Planning/DRB_Meeting_Information.htm

A. Building Massing, Architectural, and Human Scale

1. DRB Discussion: The original preferred massing concept presented at the Conceptual Design Conference (preliminary DRB meeting) depicted buildings fronting directly on Lake Street South separated by covered walkways which led pedestrians into the site to other tenant spaces. The DRB was concerned with the success of this design approach due to the dark passages and uninviting pedestrian spaces that would be created. Instead, the DRB asked the applicant to revise the building massing to reflect the design option that depicted a central plaza/courtyard design but to still carry out the Downtown Seattle Post-Alley theme that had been developed.

The DRB also stressed that Lake Street South and Main Street are key vantage points of the project. In these areas, the DRB asked that building scale be

carefully studied relative to the existing contextual scale. Vertical and horizontal modulation through the use of colors, materials, and setbacks would be important to mitigating the building mass especially along the north, east, and south facades since they adjoin nearby residential developments. Also of importance was mitigating the visibility of parking, and the design and scale of the parking garage portion of the Main Street building.

Staff provided analysis to the DRB in regards to the Zoning Code requirement for an 'upper-story setback' as it applies to portions of buildings fronting along City right-of-way (all of Lake Street and 101.48' of Main Street). As allowed by code, the applicant proposed reducing the upper-story setback requirement along Lake Street for the proposed building addition above the Kirkland Waterfront Market. Staff noted that the applicant's proposal meets the quantitative code requirement for upper-story setbacks, allowance for reductions, and tradeoff for dedicated open space. The DRB discussed the final arrangement of the building massing.

2. Conclusion: The DRB concluded that with conditions, the proposed buildings are consistent with the applicable design guidelines found in *Design Guidelines for Pedestrian-Oriented Business Districts*. The DRB agreed that the following design changes made throughout the process were successful in addressing concerns regarding the parking garage, blank wall treatment, vertical and horizontal modulation, and architectural scale:

- Increased the setback along Lake Street South from 10' to 25' for the majority of the building.
- Redesign of the stair and elevator at the back end of the courtyard to be more internal and not apparent from the courtyard.
- The 3rd and 4th story of the Hector's addition was pushed back to the required 30' upper story setback from Lake Street South (modification to allow for a 5' setback reduction was removed). The request to reduce the third and fourth story setback (approximately 3' reduction for the building and 5' for the roof overhang) at the Kirkland Waterfront Market addition remained.
- Removed the rooftop deck parking at the Main Street Building.
- Totally enclosed the parking garage of the Main Street Building.
- Setback the 2 top floors (due to parking garage ramping) at the northeast façade of the Main Street building 22' from the east property line where adjoining Main Street.
- Setback the top floor at the southeast façade of the Main Street building 10' from the east property line where adjoining the public walkway.
- Provide landscaping within the neighboring public walkway along the east property line.
- Add retail and/or commercial space at the ground floor along Main Street.

The DRB conditions the design review approval based on the following design options being incorporated into the final building design for permit review:

- North façade of the Main Street Building that is consistent with Option 2 (separated roof forms for each bay).
- Northeast façade of the Main Street Building that is consistent with Option A3 (CMU base and horizontal panel siding above).

- South façade of the Main Street Building that is consistent with Option 1 (infill horizontal panel siding).

B. Vehicular and Pedestrian Access

1. DRB Discussion: Staff provided the DRB background information regarding vehicular access. Vehicular access to the subject property is limited given that the property fronts on Lake Street to the west, has limited frontage along Main Street to the east, and is adjacent to a 22' wide alley to the north. Since City guidelines discourage direct access from Lake Street, the City Public Works Department therefore required that the property be accessed from the alley to the north. Additional concerns regarding access in regards to traffic impacts and pedestrian safety would be addressed through the SEPA process.

Therefore at the meetings, the DRB focused their discussion on access as it related to back-of-house functions such as load/unloading and trash areas for the project. The DRB was concerned with the visual impacts of these areas to the neighboring properties and public areas. The DRB discussed the revised load/unloading and trash areas which were moved from Main Street to the alley.

The DRB also discussed pedestrian access as it related to the courtyard and lighting. The DRB expressed concern with the original courtyard design and felt that it was too cluttered by outdoor seating, a large canopy, and the placement of two fireplaces and associated chimneys. The DRB also discussed the need for the courtyard outdoor seating areas boundaries to be non-permanent and that the paving pattern design should be revised to flow with 'L' shape of the courtyard layout.

2. Conclusion: The DRB concluded that the back-of-house location along the alley as it relates to the building's design complies with the design guidelines. The approved back-of-house design was based on discussions with the City Public Works Department and Waste Management.

The DRB also concluded that courtyard design meets the design guidelines on the condition that detailed courtyard plans are submitted with the building permit specifying that the outdoor seating areas be delineated by moveable planters, benches, and railings. By maintaining courtyard furnishings that are modular rather than permanently affixed, the space can be adapted for both private and community functions as described by the applicant in their proposal.

C. Landscaping

1. DRB Discussion: The DRB discussed the need for landscaping to help soften building massing, enhance the pedestrian experience, and provide visual interest. Opportunity areas discussed for landscaping included the courtyard, upper story terraces, and along the public walkway along the east property line. The DRB expressed the need for the landscape plan to be updated to provide year round interest and to contain more diversity in plant species which reflect a modern/contemporary aesthetic.

In regards to the planters proposed within the public pedestrian walkway on the Portsmouth property, it was understood that the DRB could not impose design requirements on a neighboring property. However, the DRB agreed that the planters would help soften the southeast façade of the Main Street building. The pedestrian walkway planters were proposed by the applicant and were based on discussions with Portsmouth and the desire by both parties to mitigate the

southeast building façade by using landscaping. The landscape plan retained the planters within the walkway.

2. Conclusion: The DRB concluded that the proposed landscape plan meets the design guidelines with the following conditions:
 - Replace the Salix discolor (American pussy willow) near the public walkway with a different plant species that is columnar and evergreen.
 - Update the plant species to have additional diversity and seasonal interest. The resulting planting plan shall be dynamic with a variety of color and contemporary plant species which expand upon the Phyllostachys nigra (black bamboo) aesthetic proposed near the public walkway.

The DRB also concluded that if the landscape plan were to be subsequently modified in that the planters within the public pedestrian walkway were removed, the façade would still be consistent with the design guidelines given the smaller building scale at this area.

D. Building Materials, Color, and Details

1. DRB Discussion: Throughout the design review process, the DRB evaluated the proposed materials and colors. The DRB ensured that they reinforced the design techniques being used to help mitigate building massing. The DRB also discussed briefly the need for future signage to be integrated with the building's architecture.
2. Conclusion: The DRB concluded that the project was consistent with the guidelines relating to signage, building materials, colors, and details.

IV. DEVELOPMENT REVIEW COMMITTEE

Comments and requirements placed on the project by City departments are found on the Development Standards Sheet, Attachment 3. The applicant must follow the requirements of other departments set forth in Attachment 3.

V. APPEALS OF DESIGN REVIEW BOARD DECISION AND LAPSE OF APPROVAL

A. Appeals

KZC Section 142.40 allows the Design Review Board's decision to be appealed to the Hearing Examiner by the applicant or any other individual or entity who submitted written or oral comments to the Design Review Board. A party who signed a petition may not appeal unless such party also submitted independent written comments or information.

The appeal must be in the form of a letter of appeal and must be delivered, along with any fees set by ordinance (\$215.77), to the Planning Department by 5:00 p.m., February 11, 2013, fourteen (14) calendar days following the postmarked date of distribution of the Design Review Board's decision. The letter of appeal must contain a clear reference to the matter being appealed and a statement of the specific elements of the Design Review Board decision disputed by the person filing the appeal.

Only those issues under the authority of the Design Review Board as established by KZC Sections 142.35(3) and (4) are subject to appeal.

B. Lapse of Approval

KZC Section 142.55 states that for final DRB approvals issued on or before December 31, 2014, the applicant must begin construction or submit to the City a complete building permit application for the development activity, use of land or other actions approved under this chapter within seven (7) years after the final approval of the City of Kirkland on the matter, or the decision becomes void.

For final approvals issued on or before December 31, 2014, the applicant must substantially complete construction for the development activity, use of land or other actions approved under this chapter and complete the applicable conditions listed on the notice of decision within nine (9) years after the final approval on the matter or the decision becomes void.

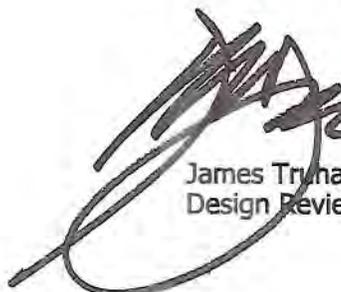
VI. ATTACHMENTS

1. Vicinity Map
2. Applicant Plans
3. Development Standards
4. Materials Board

VII. PARTIES

Parties that have submitted written and/or provided oral comment to the DRB have been placed on a 'Party of Record' list which can be found in the official file.

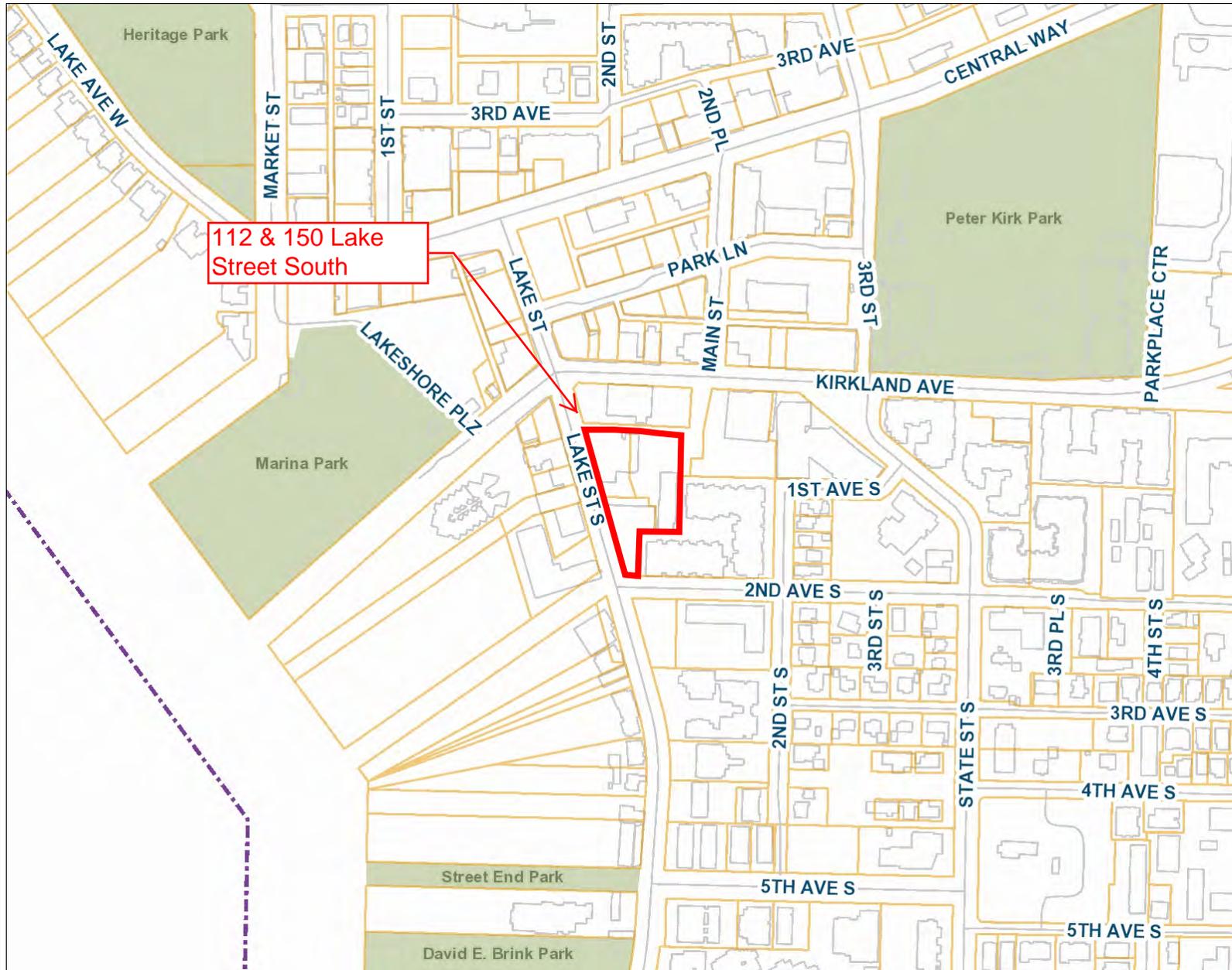
VIII. APPROVAL

 _____ JAN 24, 2013

James Tryman, Chair
Design Review Board

Date

CC: PARTIES OF RECORD – FILE NO. DRV12-00921
MAIL LIST – FILE NO. DRV12-00921



- Legend**
- City Limits
 - Railroad
 - Streets
 - Parcels
 - Buildings
 - Parks
 - Schools

1: 4,444



NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes
 Project Area Map

Lake Street Place

Kirkland, WA

Design Response Conference 4



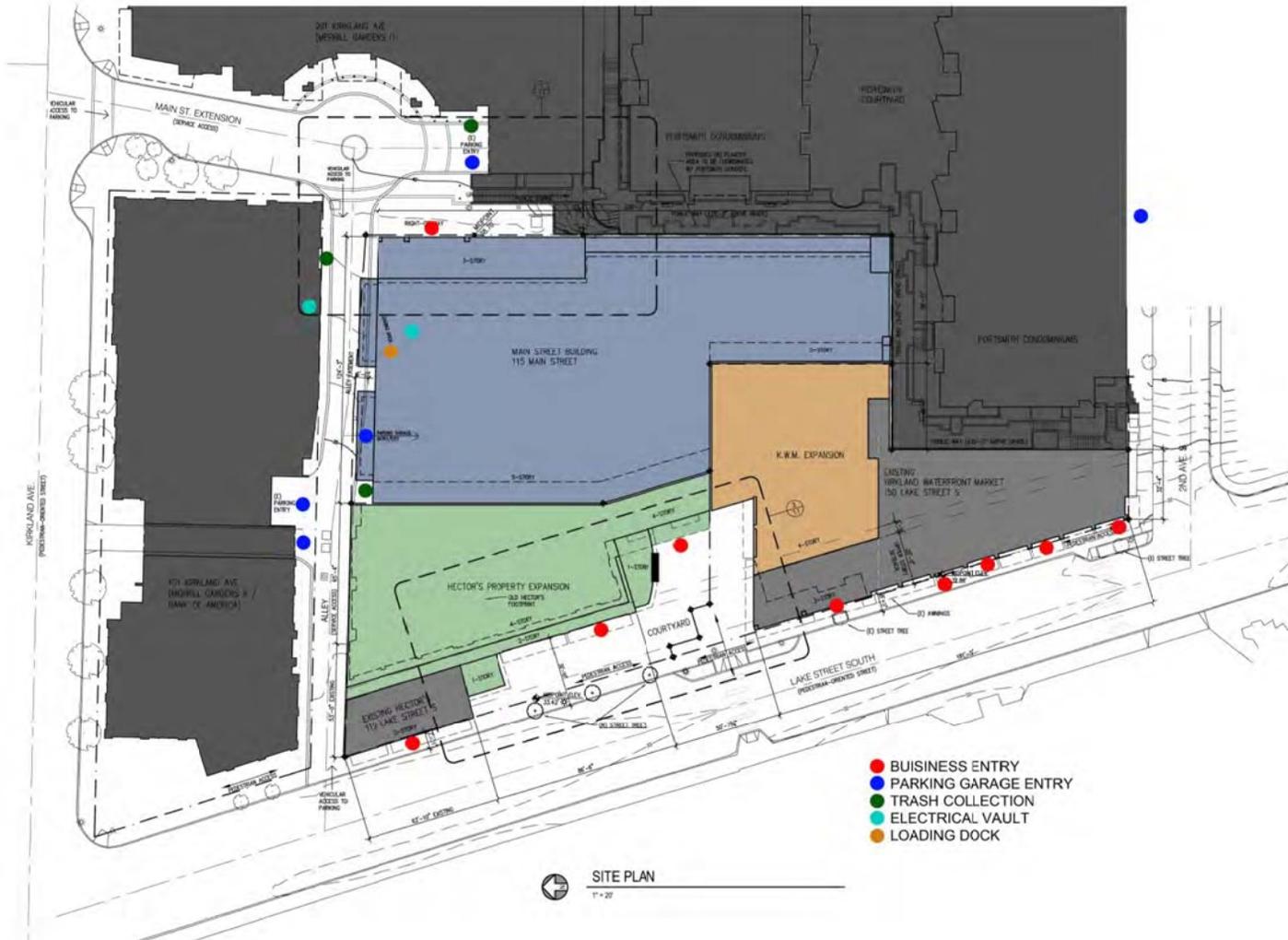
McLeod Development



Lake Street Place

Kirkland, WA

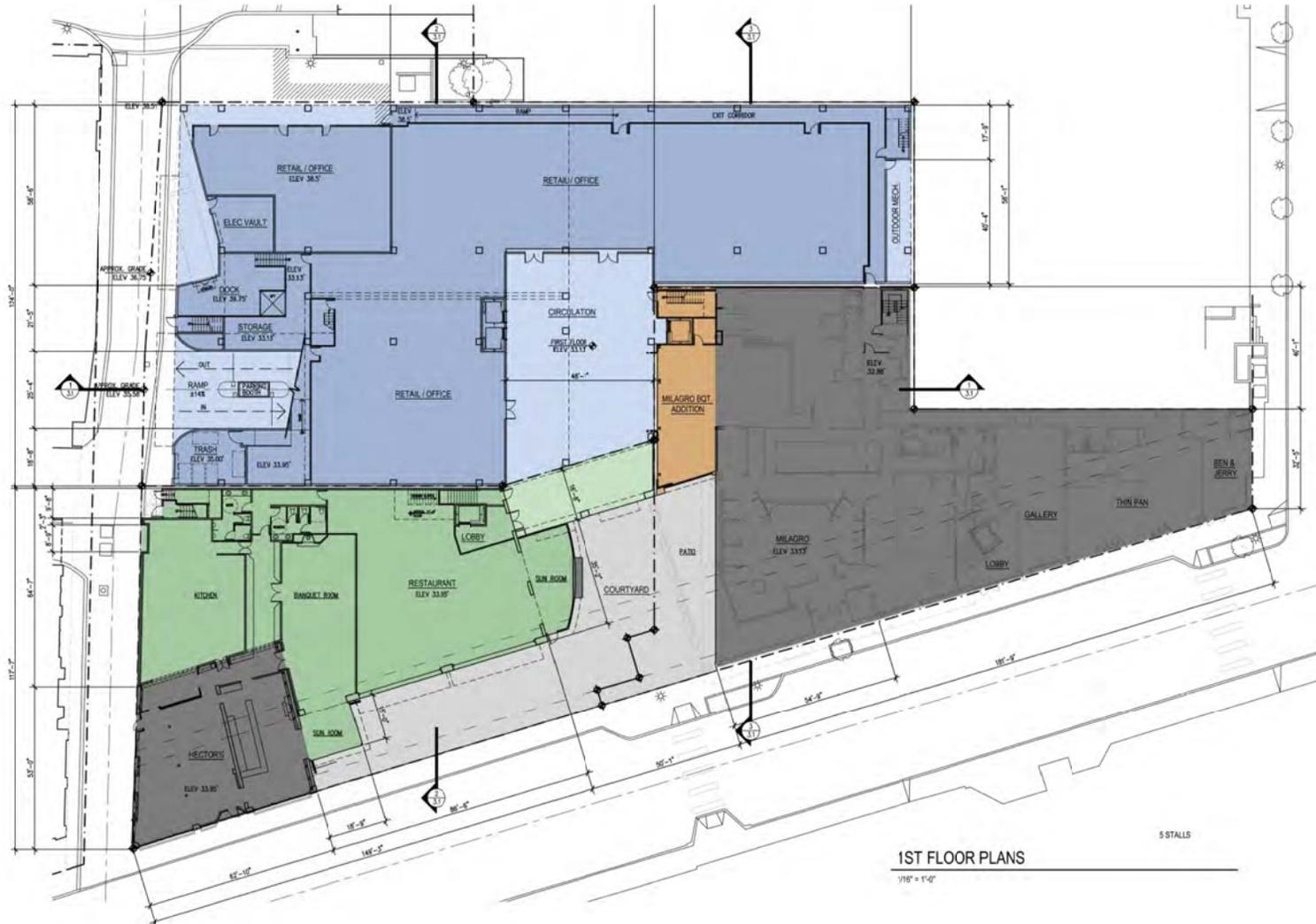
Site Plan – 3 Parcels



Lake Street Place

Kirkland, WA

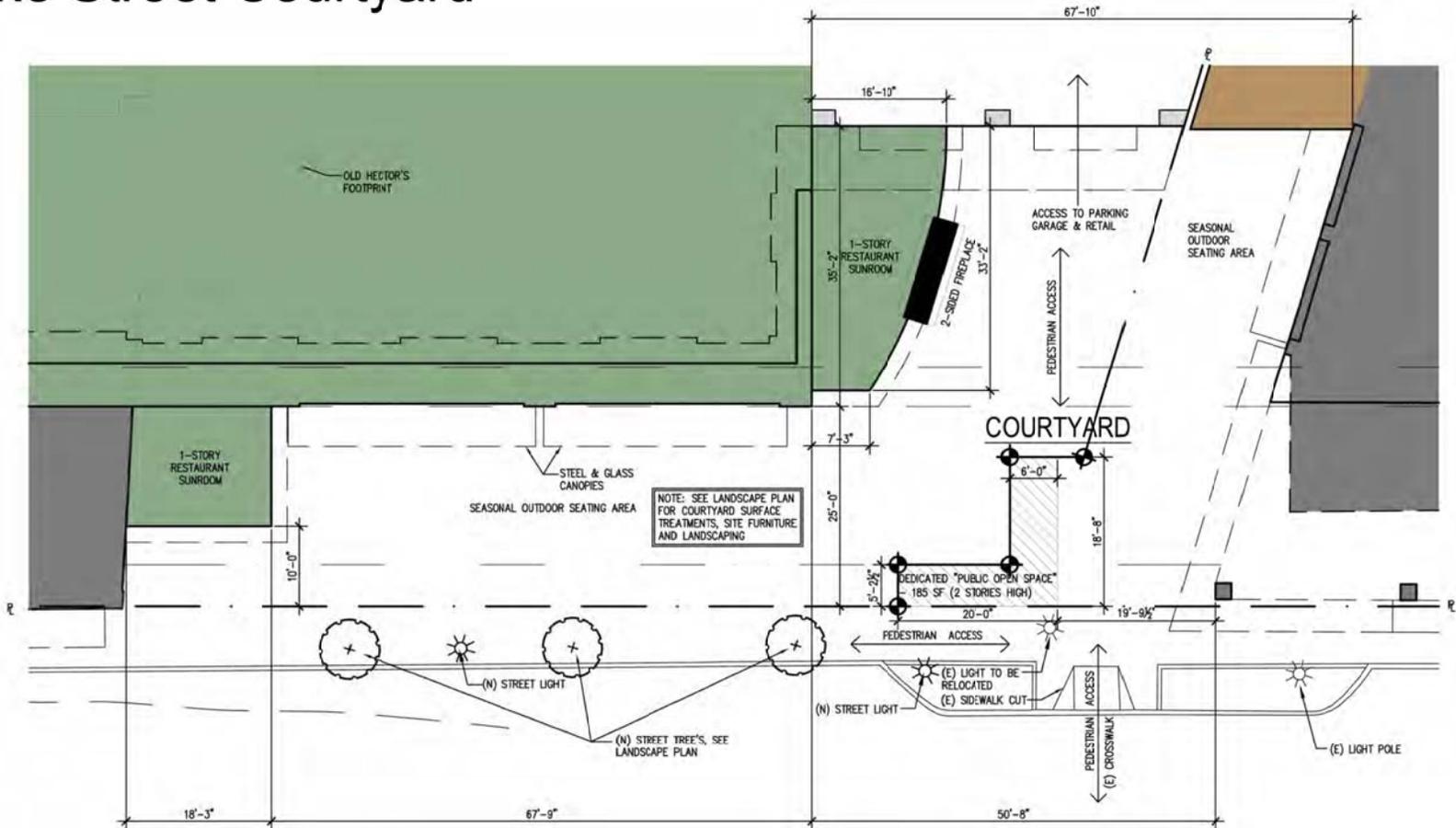
1st Floor Plan



Lake Street Place

Kirkland, WA

Lake Street Courtyard

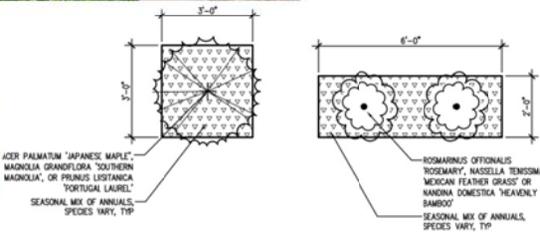


2 ENLARGED COURTYARD PLAN
1" = 10'

Lake Street Place

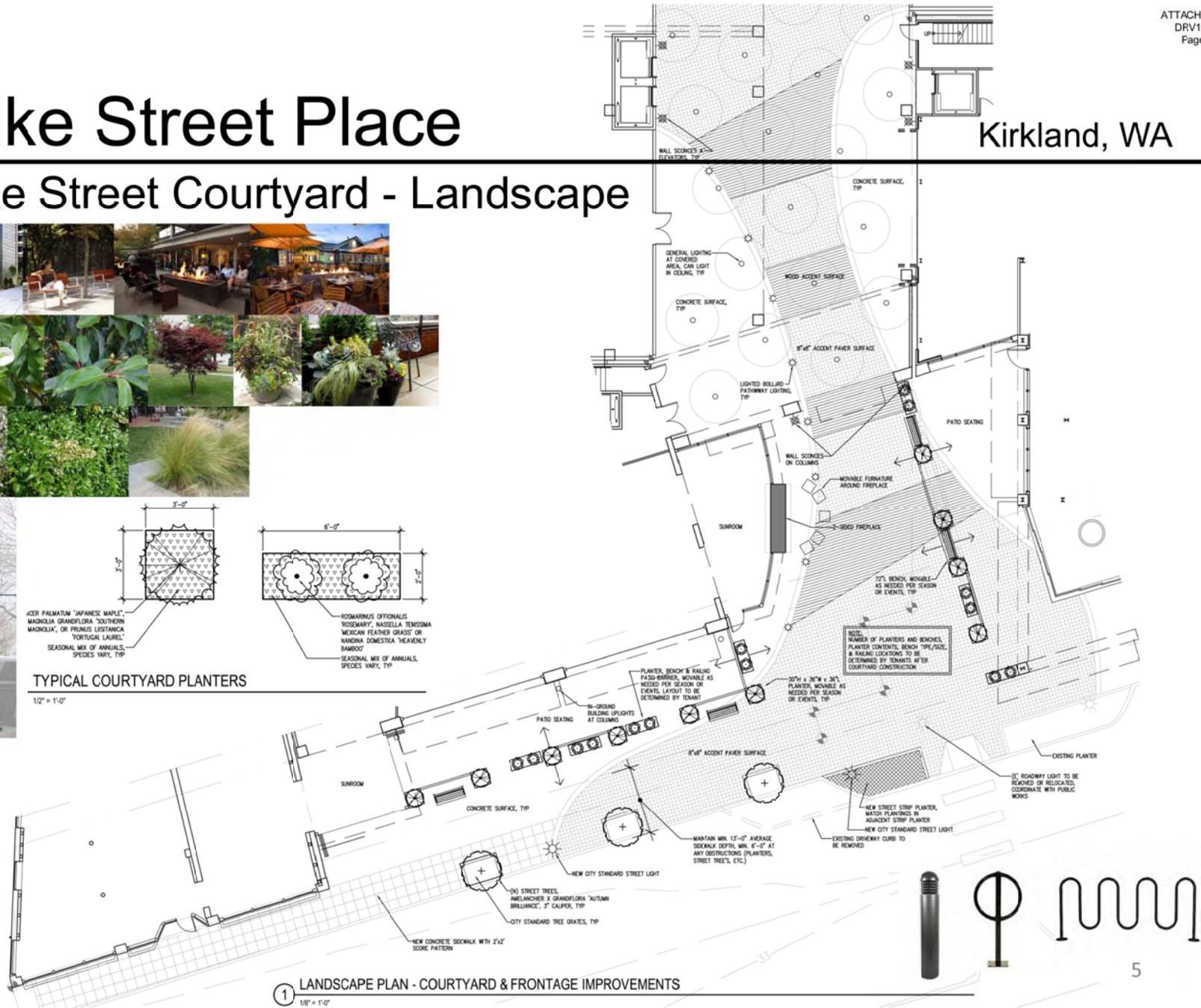
Lake Street Courtyard - Landscape

Kirkland, WA

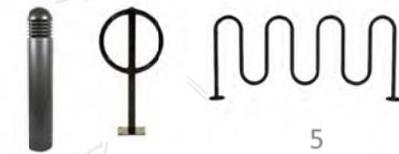


TYPICAL COURTYARD PLANTERS
 1/2" = 1'-0"

- AZER PALMATUM "JAPANESE MAPLE,"
 MAGNOLIA GRANDIFLORA "SOUTHERN
 MAGNOLIA," OR PRUNUS LISTANCA
 "VERTICAL LAUREL,"
 SEASONAL MIX OF ANNUALS,
 SPECIES VARY, TYP
- ROSMARINUS OFFICINALIS
 ROSEMARY, NASSELLA TENISSIMA
 MEXICAN FEATHER GRASS OR
 NAIDINA DOMESTICA "HEAVENLY
 BAMBUSO,"
 SEASONAL MIX OF ANNUALS,
 SPECIES VARY, TYP



1 LANDSCAPE PLAN - COURTYARD & FRONTAGE IMPROVEMENTS
 1/8" = 1'-0"



Lake Street Place

Kirkland, WA

Alley Elevation - roof line study



Option 1

Lake Street Place

Kirkland, WA

Alley Elevation - roof line study



Option 2

Lake Street Place

Kirkland, WA

Alley - roof line study



Option 1



Option 2

Lake Street Place

Kirkland, WA

Alley Elevation - roof line study

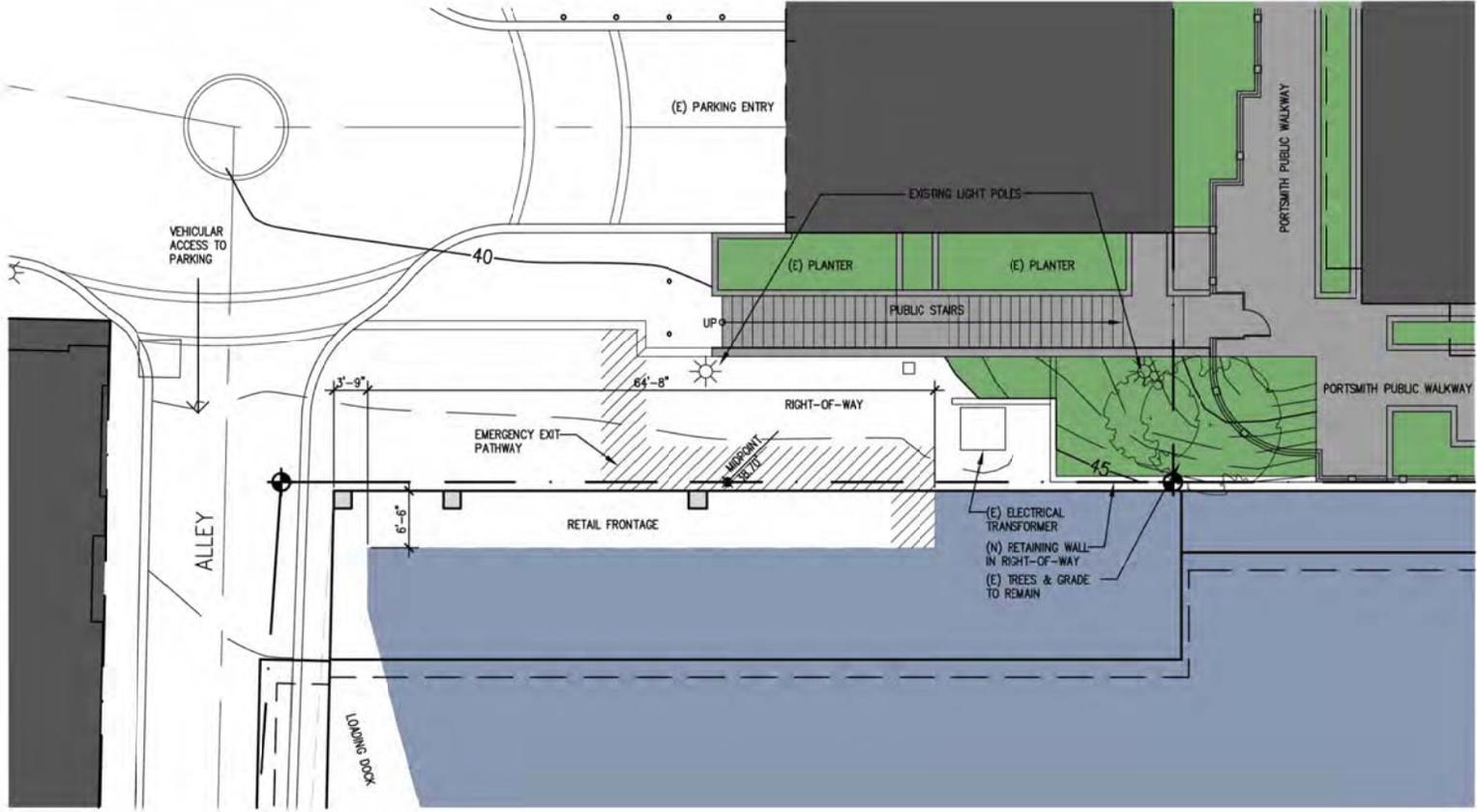


Preferred option 1 - aerial perspective from NE

Lake Street Place

Kirkland, WA

Main St Frontage



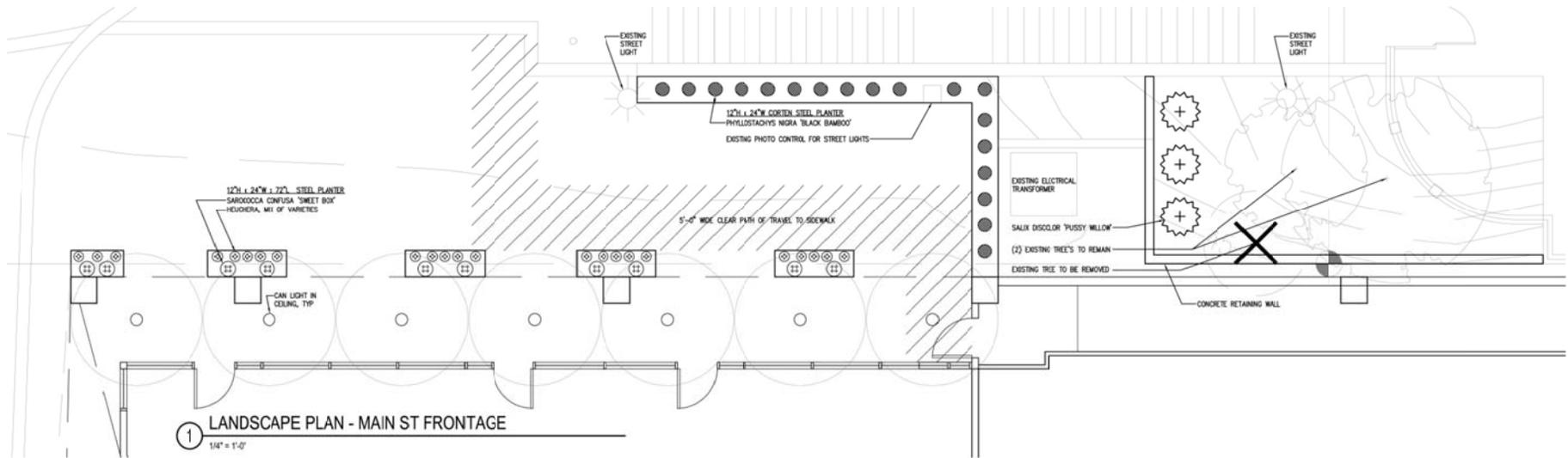
1 ENLARGED MAIN STREET PLAN

1" = 10'

Lake Street Place

Kirkland, WA

Main St Frontage - Landscaping



Lake Street Place

Kirkland, WA

Main Street Frontage

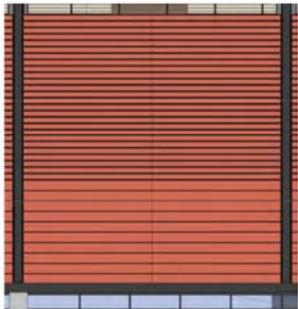


Public stair & Main St frontage

Lake Street Place

Kirkland, WA

Previous proposal - Option A



Lake Street Place

Kirkland, WA

Northeast Elevation - Option A1-a



Added horizontal steel channel and steel & glass awning

Lake Street Place

Kirkland, WA

Northeast Elevation - Option A1-b



Added horizontal steel channel and steel trellis awning

Lake Street Place

Kirkland, WA

Northeast Elevation - Option A2



Metal panel columns & horizontal top band with intermediate steel channels with steel & glass awning

Lake Street Place

Kirkland, WA

Northeast Elevation - Option A3



CMU base with taller storefront spandrel glass bays with steel & glass awning

Lake Street Place

Kirkland, WA

Northeast Elevation – Options at alley corner



Option A1



Option A2



Option A3