



CITY OF KIRKLAND

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MEMORANDUM

To: Planning Commission

From: Angela Ruggeri, AICP, Senior Planner *AR*

Date: April 18, 2007

Subject: MARKET STREET CORRIDOR DESIGN REGULATIONS
(MIS07-00007/ZON07-00007)

RECOMMENDATION

Take public comment at the hearing and then provide staff with direction on potential zoning changes for the Market Street Corridor.

BACKGROUND DISCUSSION

The Market Street Corridor Plan was adopted in December of 2006 as part of the Market and Norkirk Neighborhood Plans update process. This new plan was created for commercial and multifamily properties adjoining Market Street, extending as far north as 19th Avenue.

The next step in the planning process is to update the regulations relating to the Market Street Corridor so that they implement the goals and policies in the adopted Market Street Corridor Plan. The Planning Commission gave staff direction on the updated regulations for the Market Street Corridor at their March 8, 2007 meeting. This memo outlines the proposed zoning changes to be discussed at the Planning Commission's public hearing on April 26, 2006.

Potential Zoning Code Amendments to Implement the Market Street Corridor Plan

The Market Street Corridor is presently made up of three main zones (Attachment 1). The majority of the corridor is zoned Professional Office Residential (PR) with a residential density of 3600 square feet per unit (12 units/acre). A small section on the south end has a residential density of 1800 square feet per unit (24 units/acre). There is a Neighborhood Business Zone (BN) toward the north end of the corridor on the west side of Market Street. This zone presently contains a small strip mall development. There is also a Community Business Zone (BC) surrounding the historic district at 7th Avenue and Market Street. Staff has divided the corridor into the four subareas shown on Attachment 1.

Format of Zoning Code for the Market Street Corridor

At the last Planning Commission meeting, it was decided that new zones designed specifically for the Market Street Corridor would be adopted. These zones are based on existing zoning with adjustments for unique aspects of the Market Street Corridor. They are titled Market Street Corridor (MSC) 1, 2, 3 and 4 and correspond to the subareas shown on Attachment 1. The proposed charts for these zones are included as Attachments 2, 3 and 4. These charts show the proposed changes that have been made to the existing use zone charts for the corridor.

The following list of potential Zoning Code changes is organized by zone and subarea.

Market Street Corridor 1 and 4 (MSC 1 and MSC 4)

The zoning was previously Professional Office Residential (PR)

(See Attachment 2 for proposed use zone charts)

1. A general regulation has been added to say that some development standards or design regulations may be modified as part of the design review process.
These standards include:
 - Reduction of the required front yard setback, and
 - Flexibility of the horizontal façade regulation. (See Chapter 142 – Attachment 5)
2. Administrative Design Review is required for all use listings except detached dwelling units and public parks.
3. Required lot sizes for some uses have been changed or removed.
The required lot size of 7,200 square feet for a Restaurant, Tavern or Fast Food Restaurant has been removed and there is no minimum lot size for the new general retail category.
4. Required front setback yard has been reduced from 20' to 10' in the MSC 4 zone.
5. The common recreational open space requirement has been removed from the Detached, Attached or Stacked Dwelling Unit listing.
This requirement is not normally used for multifamily housing in business districts throughout the City.
6. A general small retail category has been added.
This listing replaces the more specific listings for grocery store, drug store, Laundromat, dry cleaner, barber shop and shoe repair shop that are in the PR zone. The wording used for the general retail category is similar to the wording for general retail used in the Rose Hill 8 zone.

This general small retail category is described as follows:

Any retail establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services.

- Gross floor area for this use cannot exceed 2,000 square feet. This maximum square footage is used to maintain a reasonable size for neighborhood oriented/small retail uses (see Attachment 6 for some examples of existing retail sizes in the City).

- The following uses are not permitted in this zone:
 - Vehicle service stations.
 - Automotive service centers.
 - Uses with drive-in facilities or drive-through facilities.
 - Retail establishments providing storage services unless accessory to another permitted use.
 - Retail establishments involving the sale, service or repair of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment and similar vehicles.
 - Storage and operation of heavy equipment, except delivery vehicles associated with retail uses.
 - Storage of parts unless conducted entirely within an enclosed structure.

- Noise limitations have also been added to the special regulations.

See Attachment 2 for the full listing of special regulations.

7. Funeral homes are not allowed in this zone.

8. Restaurants, Taverns and Fast Food Restaurants (as described in 9 below)

- Are limited to 4000 square feet (there was no size limit in the PR zone)
- Noise limitations have also been added to the special regulations.

See Attachment 2 for the full listing of special regulations.

9. A limited fast food use has been added to the restaurant and tavern listing on the use zone charts.

This was done so that coffee shops and similar uses will be allowed in the zone. The wording is similar to the wording used for the Rose Hill 5A and B zones for the same purpose. The word “sandwiches” has been added to the description at the request of the Planning Commission. This use has the following special regulations to limit it:

Fast food restaurants are ONLY allowed in this zone if they:

- Do not include drive-in or drive-through facilities;
- Primarily prepare and serve specialty nonalcoholic beverages, such as coffee, tea, juices, or sodas, or specialty snacks, such as ice cream, frozen yogurt, cookies,

sandwiches or popcorn, for consumption on or near the premises. Fast food restaurants allowed under this provision may also engage in the sale of related products such as coffee beans, mugs and coffee makers in support of or ancillary to the beverages or snacks listed above; and

- Provide one outdoor waste receptacle for every eight parking stalls.

10. Commercial parking is not allowed in the front yard setback (see Attachment 7).

Market Street Corridor 2 (MSC 2)

The zoning was previously Neighborhood Business (BN)

(See Attachment 3 for proposed use zone charts)

1. A general regulation has been added to say that some development standards or design regulations may be modified as part of the design review process.

These standards include:

- Reduction of the required front yard setback, and
- Height increase of up to 5' maximum, and
- Flexibility of the horizontal façade regulation. (See Chapter 142 – Attachment 5)

2. Administrative Design Review is required for all use listings except public parks.

3. A general small retail category has been added.

This listing replaces the more specific listings that are in the BN zone. The wording used for the general retail category is similar to the wording for general retail used in the MSC 1 and MSC 4 zone.

This general small retail category is described as follows:

Any retail establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services.

- Gross floor area for this use cannot exceed 2,000 square feet. This maximum square footage is used to maintain a reasonable size for neighborhood oriented/small retail uses (see Attachment 6 for some examples of existing retail sizes in the City).
- The following uses are not permitted in this zone:
 - Vehicle service stations.
 - Automotive service centers.
 - Uses with drive-in facilities or drive-through facilities, **except those existing as of June 15, 2007*****.
 - Retail establishments providing storage services unless accessory to another permitted use.

- Retail establishments involving the sale, service or repair of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment and similar vehicles.
- Storage and operation of heavy equipment, except delivery vehicles associated with retail uses.
- Storage of parts unless conducted entirely within an enclosed structure.

*** The exception shown in bold above is to allow for the existing espresso stand in this zone.

- Noise limitations have also been added to the special regulations.

See Attachment 3 for the full listing of special regulations.

4. Vehicle Service Stations are not allowed in this zone.

5. Restaurants, Taverns and Fast Food Restaurants (as described in 6 below)

- Are limited to 4000 square feet (there was no size limit in the BN zone)
- Noise limitations have also been added to the special regulations.

See Attachment 3 for the full listing of special regulations.

6. A limited fast food use has been added to the restaurant and tavern listing on the use zone charts.

This was done so that coffee shops and similar uses will be allowed in the zone. The wording is the same as the wording used for the MSC 1 and MSC 4 zones for the same purpose. This use has the following special regulations to limit it:

Fast food restaurants are ONLY allowed in this zone if they:

- Do not include drive-in or drive-through facilities;
- Primarily prepare and serve specialty nonalcoholic beverages, such as coffee, tea, juices, or sodas, or specialty snacks, such as ice cream, frozen yogurt, cookies, sandwiches or popcorn, for consumption on or near the premises. Fast food restaurants allowed under this provision may also engage in the sale of related products such as coffee beans, mugs and coffee makers in support of or ancillary to the beverages or snacks listed above; and
- Provide one outdoor waste receptacle for every eight parking stalls.

7. Noise limitations have been placed on the use listing for Private Lodges or Clubs.

See Attachment 3 for the full listing of special regulations.

8. Commercial parking is not allowed in the front yard setback (see Attachment 7).

Market Street Corridor 3 (MSC 3)

The zoning was previously Community Business (BC)

(See Attachment 4 for proposed use zone charts)

Note: The property to the west of the MSC 3 zone will be zoned MSC 1 since it is not included in the Market Street Corridor Historic District in the Comprehensive Plan.

1. A general regulation has been added to say that some development standards or design regulations may be modified as part of the design review process.
These standards include:
 - Flexibility of the horizontal façade regulation. (See Chapter 142 – Attachment 5)
2. Design Review by the Design Review Board is required for all use listings except public parks.
3. The front yard setback for MSC 3 has been reduced from 20' to zero to reflect the locations of the existing historic buildings.
4. The maximum height for MSC 3 is 30' to better match the heights of the existing historic buildings. The existing code only allows for 25' if the property is adjoining a low density residential zone.
5. A general small retail category has been added.
This listing replaces the more specific listings that are in the BC zone. The wording used for the general retail category is similar to the wording for general retail used in the MSC 1, MSC 2 and MSC 4 zone.

This general small retail category is described as follows:

Any retail establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services.

- Gross floor area for this use cannot exceed 2,000 square feet. This maximum square footage is used to maintain a reasonable size for neighborhood oriented/small retail uses (see Attachment 6 for some examples of existing retail sizes in the City).
- The following uses are not permitted in this zone:
 - Vehicle service stations.
 - Automotive service centers.
 - Uses with drive-in facilities or drive-through facilities.
 - Retail establishments providing storage services unless accessory to another permitted use.

- Retail establishments involving the sale, service or repair of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment and similar vehicles **except those existing as of June 15, 2007*****.
- Storage and operation of heavy equipment, except delivery vehicles associated with retail uses.
- Storage of parts unless conducted entirely within an enclosed structure.

*** The exception shown in bold above is to allow for the existing car sales lot in this zone.

- Noise limitations have also been added to the special regulations.

See attachment 4 for the full listing of special regulations.

6. Vehicle Service Stations are not allowed in this zone.

7. Restaurants, Taverns and Fast Food Restaurants (as described in 8 below)

- Are limited to 4000 square feet (there was no size limit in the BC zone)
- Noise limitations have also been added to the special regulations.

See attachment 4 for the full listing of special regulations.

8. A limited fast food use has been added to the restaurant and tavern listing on the use zone charts.

This was done so that coffee shops and similar uses will be allowed in the zone. The wording is the same as the wording used for the MSC 1, MSC 2 and MSC 4 zones for the same purpose. This use has the following special regulations to limit it:

Fast food restaurants are ONLY allowed in this zone if they:

- Do not include drive-in or drive-through facilities;
- Primarily prepare and serve specialty nonalcoholic beverages, such as coffee, tea, juices, or sodas, or specialty snacks, such as ice cream, frozen yogurt, cookies, sandwiches or popcorn, for consumption on or near the premises. Fast food restaurants allowed under this provision may also engage in the sale of related products such as coffee beans, mugs and coffee makers in support of or ancillary to the beverages or snacks listed above; and
- Provide one outdoor waste receptacle for every eight parking stalls.

9. Noise limitations have been placed on the use listings for Hotel or Motel, Retail establishments providing entertainment, recreational or cultural activities, and Private Lodges or Clubs.

See Attachment 4 for the full listing of special regulations.

10. Commercial parking is not allowed in the front yard setback (see Attachment 7).

Design Regulations – Chapter 92 of the Zoning Code

See Attachment 8 for proposed additions.

The Design Regulations in Chapter 92 of the Zoning Code are used for administrative design review and also by the Design Review Board in doing their review of projects. Not all of the regulations apply to the Market Street Corridor however. There are notations in the left hand margin indicating which areas of the City the various regulations apply to. If the notation says “ALL” or “MSC” it will apply to the Market Street Corridor. Please note that there are no designated “pedestrian oriented streets”, “major pedestrian sidewalks” or “thru-block pathways” in the Market Street Corridor so those requirements do not apply. The pages of Chapter 92 that include regulations that apply to the Market Street Corridor are in Attachment 8.

Design Guidelines for Pedestrian Oriented Business Districts

See Attachment 9.

The Design Guidelines for Pedestrian Oriented Business Districts, as adopted in the Kirkland Municipal Code Section 3.30.040, are used by the Design Review Board in doing their review of projects and also by staff for administrative design review. The following sections that relate specifically to the Market Street Corridor will be added to these guidelines. The section headings are listed in bold.

Introduction

Purpose of the Design Guidelines for the Market Street Corridor, including the Market Street Historic District (see page 4 of the guidelines)

The City Council adopted the Market Street Corridor Plan in December of 2006 as part of the Market and Norkirk Neighborhood planning process. The new plan was created for commercial and multifamily properties adjoining Market Street extending from the Central Business District at the south end to 19th Avenue at the north end. The plan includes a vision for the corridor of an attractive, economically healthy area that accommodates neighborhood oriented businesses, office uses and multifamily housing in a way that complements and protects the adjacent residential neighborhoods.

The historic 1890's buildings at the intersection of Market Street and 7th Avenue create a unique sense of place that represents the original town center of Kirkland. The plan establishes an historic district in this area that will reflect the City's past through both its old and new buildings and its streetscape. New development and renovation within this historic district should reflect the scale and design features of the existing historic resources in the district.

As part of the Market Street Corridor Plan, Design Regulations and Guidelines are established for new development and major renovations in the Market Street Corridor (MSC). These guidelines and regulations are intended to further the following design objectives that are stated in the plan:

- Encourage preservation of structures and locations that reflect Kirkland's heritage.
- Support a mix of higher intensity uses along the Market Street Corridor while minimizing impacts on adjacent residential neighborhoods.
- Maintain and enhance the character of the historic intersection at 7th Avenue and Market Street.
- Provide streetscape, gateway and public art improvements that contribute to a sense of identity and enhanced visual quality.
- Provide transitions between low density residential uses within the neighborhoods and the commercial and multifamily residential uses along Market Street.

The following guidelines, which suggest wider sidewalks, do not apply since there are no "pedestrian oriented streets" or "major pedestrian sidewalks" designated in the Zoning Code for the Market Street Corridor.

- Sidewalk Width: Movement Zone
- Sidewalk Width: Storefront Activity Zone

Additional guidelines that do not apply to the Market Street Corridor include:

- Protection and Enhancement of Wooded Slopes
- Height Measurement on Hillsides
- Culverted Creeks

Street Trees (see page 13 of the guidelines)

Special Considerations for the Market Street Corridor

A consistent street tree plan can be used to add character to the Corridor. The landscape strip on the east side of Market Street adds interest and provides a more secure pedestrian environment. Additional street trees should be considered on the west side of Market Street in order to provide a similar environment.

Public Improvements and Site Features (see page 15 of the guidelines)

Special Considerations for the Market Street Corridor

An historic style of street lights should be used to reflect the nature of the 1890's buildings in the historic district at 7th Avenue and Market Street. These lights can also be used along other stretches of the corridor, particularly in the area between the historic district and the Central Business District.

Parking Lot Landscaping (see page 19 of the guidelines)

Special Considerations for the Market Street Corridor

Screening and landscaping should be required where parking is adjacent to single family residential uses in order to reduce impacts on the adjoining homes.

Fenestration Patterns (see page 21 of the guidelines)

Special Considerations for the Market Street Corridor

Window treatment in the historic district should reflect the size, proportions, location and number of windows in the existing historic buildings in the district.

Ornament and Applied Art (see page 25 of the guidelines)

Special Considerations for the Market Street Corridor

Emphasis on building features such as doors, windows, cornice treatment, bricks and ornamental masonry should be taken into consideration when designing new or remodeled buildings in the historic district. These features should be in keeping with the building materials, colors and details of the existing historic buildings.

Signs (see page 27 of the guidelines)

Special Considerations for the Market Street Corridor

Electrical signs are not allowed along the Market Street Corridor. Signs within the historic district should reflect the historic nature of the buildings in the area.

Visual Quality of Landscapes (see page 28 of the guidelines)

Special Considerations for the Market Street Corridor

A dense landscape buffer should be utilized to provide a transition separating the commercial and multifamily uses along the Market Street Corridor from the adjoining single family neighborhoods.

ATTACHMENTS:

1. Market Street Corridor Zones
2. Proposed MSC 1 and MSC 4 Use Zone Charts
3. Proposed MSC 2 Use Zone Charts
4. Proposed MSC 3 Use Zone Charts
5. Chapter 142 and Section 162.35 of the Zoning Code
6. Business square footage chart
7. Section 115.115 of the Zoning Code
8. Chapter 92 of the Zoning Code
9. Design Guidelines for Pedestrian-Oriented Business Districts

Cc: File ZON07-00007
Norkirk Neighborhood Association
Market Neighborhood Association
Kirkland Chamber of Commerce