



MEMORANDUM

Date: December 16, 2015

To: Planning Commission

From: Jeremy McMahan, Planning Supervisor
Paul Stewart, Deputy Director, AICP
Eric Shields, Director, AICP

This memo addresses the following Comprehensive Plan Update topic, File No. CAM13-00465, #5 and #14b:

- Citizen Amendment Requests in the Moss Bay Neighborhood, Cruikshank/Nelson (PLA 6C) & Waddell (PLA 5C)

I. **RECOMMENDATION**

- Review staff analysis of the Citizen Amendment Request (CAR) options for amendment. Select a preliminary option for both CARs (Cruikshank/Nelson & Waddell) to be considered further with the Environmental Impact Statement (EIS) and public hearing.

II. **REVIEW PROCESS FOR CITIZEN AMENDMENT REQUESTS**

The Planning Commission considered over 30 CAR applications on July 10, 2014 and made a recommendation to City Council on which should move forward for additional study. In July, the City Council considered the recommendation and approved the final list, which includes the two requested evaluated below. In September, the Planning Commission scoped the study areas for the CARs and those study areas define the analysis contained in this memo.

The ongoing review process of the CARs will include one or more study sessions and a public hearing held by the Planning Commission. With completion of their review and the public hearing, the Planning Commission will forward a recommendation to the City Council who will make the final decision on each CAR. It is anticipated that a decision will be made by early fall 2015. Parallel to the Planning Commission review, an [Environmental Impact Statement](#) is being prepared for the Comprehensive Plan Update that will include an analysis of any probable significant impacts relating to each of the CARs.

III. **BACKGROUND INFORMATION**

There are three Citizen Amendment Requests (CARs) in the Moss Bay Neighborhood. These include Nelson/Cruikshank, Waddell, and MRM. This memo evaluates the Nelson/Cruikshank (Section A below) and Waddell (Section B below) CARs. The MRM request will be considered at a future study session.

A. Cruikshank/Nelson CARs

1. CAR Applications: Tom Cruikshank and France and Jason Nelson submitted applications for Citizen Amendments for their adjoining properties located in the Moss Bay Neighborhood (see Attachment 1). The Cruikshank request is for a change from low density single family to high density zoning and the Nelsons simply request multifamily zoning. The Cruikshanks own two properties in the area, one with four apartment units and the other with a single family home. The Nelsons also own two properties, both with single family homes. As part of the scoping process, the Planning Commission and City Council expanded the scope to include the entire PLA 6C zone, rather than just the four properties owned by the applicants.
2. Existing Land Use Context: The properties are located in a Planned Area with a Comprehensive Plan and Zoning designation of Planned Area 6C (PLA 6C). This designation only allows low density single family development. PLA 6C is a pocket of single family zoning surrounded by more intensive multifamily and mixed use zoning (see Attachment 2). The following table provides a comparison of the PLA 6C zoning with the surrounding area and outlines the applicable policy direction from the Moss Bay Neighborhood Plan.

Zone	Max Density	Max Hgt.	Setbacks front/side/rear	Lot Cvrgr	Afford . Hsg. Req.	Moss Bay Plan Policy Direction
PLA 6C (existing)	Single family, 5,000 s.f. min. lot size (approx. 8.7 unit/acre)	25'	20'/5'min, 15' total/10'	50%	No	...contains a pocket of single-family homes which should be maintained as low-density residential. This will help preserve the housing stock of dwelling units close to the Downtown for low- and fixed-income people. (XV.D-26)
PLA 6B (to south and east)	1 unit per 3,600 s.f. 12 units/acre	30'*	20'/5'min, 15' total/10'	70%	Yes	Much of this land is already developed with office uses making future office development also appropriate. Multifamily development should also be allowed due to its compatibility with offices and adjacent residential uses. Such multifamily development should occur at a density of 12 dwelling units per acre. (XV.D-25)

Zone	Max Density	Max Hgt.	Setbacks front/side/rear	Lot Cvr%	Afford . Hsg. Req.	Moss Bay Plan Policy Direction
PLA 6A (to west)	1 unit per 1,800 s.f. 24 units/acre	30'*	20'/5'min, 15' total/10'	60%	Yes	This land is designated for high-density development due to its nearness to the Downtown and adjacency to Lake Street. (XV.D-25)
CBD 3 (to north-east)	None	41'***	20'/0'/0'	80%	No	This area is suitable for retail, office, and office/multifamily mixed-use projects. (XV.D-8)
CBD 4 (to north-west)	None	54'****	10'/0'/0'	100%	No	Same as above

* 25' for where adjoining PLA 6C
 ** 25' within 100' of south side of 2nd Ave S
 *** 35' within 100' of south side of 2nd Ave S, 41' within 40' of 1st Ave S.

3. Existing Development in Study Area: There are 21 parcels in the study area. Nineteen of these are developed with single family homes and one is developed with a nonconforming four-unit apartment building (see Attachment 3). Most of the existing housing was built between 1938 and 1962. There have been three tear down/rebuild projects since then, with one new home built in 2006 and two new homes built in 2014. Parcels range in size from 3,200 to 8,200 square feet. Parcels within the study area contain approximately 131,641 square feet.

4. Existing Zoning and Development Adjoining Study Area:

- North: CBD 3 to the northeast and CBD 4 to the northwest. The CBD 3 area is developed with St. John’s Church and associated parking. The CBD 4 area immediately north is developed with five older single family homes. To the northwest are the Portsmouth Condos (+92 units/acre).
- West: PLA 6A, developed with Sunset East Condos (+52 units/acre), Marina Point Condos (+20 units/acre), and Harbour House Condos (+16 units/acre).
- East: PLA 6B, developed with Kirkland Commons Condos (+12 units/acre, 2 bonus units for affordable housing increase to +13 units/acre) and Northlake Unitarian Church.
- South: PLA 6B, currently developed with medical offices. The property has redevelopment permits in review for a 27 unit multifamily project (+12 units/acre, 4 bonus units for affordable housing increase to +15 units/acre).

5. Transit Service: The study area is well served by multiple bus routes due to its location approximately ¼ mile from the Downtown Transit Center.



6. Analysis of Options: The following options are presented for Planning Commission discussion.

Option 1: No Action, Retain Existing Zoning. The study area is at a critical turning point in its development. Given the age of the housing stock and the land value of the properties, the recent trend to redevelop with newer and larger single family homes is likely to continue. There are few opportunities for subdivision in the zone. The more likely result of no action is newer, larger, more expensive single family homes for the subarea.

The existing low density land use designation has outlived its stated purpose of preserving affordable housing stock close to the downtown. Redevelopment with new single family homes has more than doubled the assessed value of the redeveloped properties. In March of 2014, a 5,100 square foot parcel with an 1,100 square foot home built in 1952 sold for over \$700,000. If this option is selected, the text of the neighborhood plan should amended to reflect that this area will not remain affordable.

- Advantages – preserves status quo. This may be the desired outcome for owners who have recently made substantial investment in single family homes and those owners who still reside in their homes (as opposed to those who hold the property for rentals).
- Disadvantages – The area is an anomaly in terms of the traditional pattern of locating higher density housing in walkable areas, close to shops, services, and transit service.

Option 2: Allow multifamily at 12 units/acre (comparable to PLA 6B zoning to south and east). Given the size of existing properties, the likely result of this density would be duplexes unless property aggregation occurs. Five of the parcels are not large enough to support more than one unit and the remaining 16 are large enough for only two units. Aggregation of multiple parcels would be necessary for development of more than two units. Because affordable housing requirements are only triggered with more than four units, new affordable housing would be unlikely.

- Advantages – might encourage a small number of additional units in a walkable location. The land use change from 1 unit/ 5,000 s.f. to 1 unit/3,600 s.f. is moderate.
- Disadvantages – a moderate change would not contribute significantly to the density objectives noted above and is unlikely to result in any affordable housing.

Option 3: Allow multifamily at 24 units/acre (comparable to PLA 6A zoning to the west). Given the size of existing parcels, all properties in the subarea would be large enough to accommodate two or more units. At this density, aggregation of parcels becomes more likely and actual redevelopment of the subarea is more likely.

The density designation would be higher than the actual built density of most properties to the west, east, and south.

- Advantages – might encourage more substantive redevelopment and density increases close to downtown. Redevelopment would more likely include four or more units, triggering affordable housing requirements.
- Disadvantages – higher likelihood that redevelopment would be perceived as detrimental to those owners who have recently made substantial investment in single family homes and those owners who still reside in their homes.

Option 4: Allow multifamily with no maximum density specified (comparable to CBD zoning to the north). At this density, aggregation of parcels becomes most likely and redevelopment of the subarea is most likely. The actual built density would be determined by a combination of building bulk regulations (height and setbacks) and how parking is accommodated. To encourage additional density, increased height limits should be considered if this option is considered

- Advantages – most density close to downtown and greatest opportunity for creation of affordable units.
- Disadvantages – higher likelihood that redevelopment would be perceived as detrimental to those owners who have recently made substantial investment in single family homes and those owners who still reside in their homes.

7. *Staff Recommendation: Preliminarily, staff would recommend moving ahead with study of **Option 3**. Study of Option 3 would ensure that the range of impacts evaluated through the EIS and public hearing would include lesser Options 1 and 2 as possible choices. Option 4 is not recommended as it would create a situation similar to the existing issue where the land use designation is not consistent with the surrounding land use context.*

Staff also recommends that the CBD zoning north of the study area be reviewed for consistency with potential amendments. For example, there are massing restrictions placed on properties to the north of the study area in response to the existing single family zoning across the street in PLA 6C.

The following table is provided to assist with potential concerns over traffic impacts:

	Trip Generation	
	PM peak	Daily
Single family	1 per unit	10 per unit
multi family	0.62 per unit	6.65 per unit

B. Waddell CAR

1. CAR Applications: Doug Waddell submitted an application for a Citizen Amendment Request for the Planned Area 5C properties located in the Moss Bay Neighborhood (see Attachment 4). The request is to eliminate requirements for common recreational open space in the PLA 5C area, consistent with other zones where density is determined by building height and bulk (such as the CBD, JBD and Totem Lake). Mr. Waddell owns the property located at 220 6th Street (see Attachment 5).
2. Existing Requirements: There are no Comprehensive Plan policies that would directly support or conflict with the common open space provisions for this specific area. The existing requirements are found in Kirkland Zoning Code section 115.23 (see Attachment 6). In PLA5C, 200 square feet of common recreational open space is required per unit of multifamily housing. For projects with more than 21 units, at least one area is required to be at least 40' wide and 40' long. For PLA 5C, the maximum required amount of open space is capped at 4,800 square feet.

When the zoning for this area was amended in 2013 to remove the maximum density limits, the City decided to retain requirements for common recreational open space but established the 4,800 square foot cap. Since that time, the applicant has explored development options for the property and found the requirements to be severely limiting.

3. Existing Development in Study Area: There are eight properties in the subarea. All are currently developed with office uses, including the US Post Office. There are no similar open space requirements for office uses.
4. Existing Zoning and Development Adjoining Study Area:
 - North: NE 85th Street/Central Way
 - West: CBD 5 and CBD 5A, developed with office, apartments, and associated parking
 - East: PLA 5A and PLA 5D, developed with multifamily condos and apartments
 - South: PLA 5B, PLA 5A, and PLA 5D, developed with office in the western portion and multifamily condos and apartments in the remainder
5. Consistency with Plans and Regulations: The PLA 5C zone is the only zone listed in KZC 115.23 that does not have a maximum density limit. While there is no direct policy rationale explaining the absence of common recreational open space requirements for other areas without a maximum density limit, it is likely that the desire was to make highly efficient use of land in these and other high density growth centers. The absence of common recreational open space requirements in these areas coincides with small or no setbacks, high lot coverage allowance, and design review. These factors all work in conjunction with policies that support density in these subareas as a means of creating compact mixed use centers where residents are close to shops, services and transit. As with nearby CBD projects that do not

have this requirement, the PLA 5C zone is close to many parks and recreational opportunities in Downtown.

Comprehensive Plan Goal LU-2 in the existing Land Use Element states:

Promote a compact land use pattern in Kirkland to:

- *Support a multimodal transportation system;*
- *Minimize energy and service costs;*
- *Conserve land, water, and natural resources; and*
- *Efficient use of land to accommodate Kirkland's share of the regionally adopted 20-year population and employment targets.*

The goal is supported by the following two policies:

Policy LU-2.2: Use land efficiently, facilitate infill development or redevelopment, and, where appropriate, preserve options for future development.

Policy LU-2.3: Ensure an adequate supply of housing units and commercial floorspace to meet the required growth targets through efficient use of land.

Similar goals and policies are included in the draft 2035 Land Use Element that has been reviewed by the Planning Commission.

6. Analysis of Options: The following options are presented for Planning Commission discussion.

Option 1: No Action, Retain Requirement. Leave the existing common recreational open space requirements in place

- Advantages – Requires project open space beyond that which results from setback and lot coverage limitations.
- Disadvantages – Becomes a significant factor in limiting actual density by restricting the building envelop and parking footprint beyond established bulk and mass regulations. For example, the study area has 10' setbacks but the open space requirement would create a 40'x40' no build area on some portion of the development site. May actually prevent residential redevelopment at the planned intensity.

Option 2: Remove common recreational open space requirements.

- Advantages – Removes a barrier to density and land use efficiency.
- Disadvantages – Allows a larger building envelop and results in the loss of potential on-site open space or recreation area for future residents.

7. *Staff Recommendation: Staff recommends removing the common recreational open space requirements for PLA 5C. This would not require a Comprehensive Plan amendment, but would simply be an implementing Zoning Code amendment to be considered at the public hearing.*

IV. PUBLIC NOTICE AND OPPORTUNITIES FOR PUBLIC COMMENTS

Public notice has been provided for study of the Citizen Amendment Requests. The City issued a Special Comprehensive Plan Update Edition of the *City Update* newsletter in October 2014, including a section on the CARs with a map showing the location of the CARs and a link to the [CAR web page](#) where meeting dates would be posted. In early November 2014, property owners and residents within the study areas and property owners within 300 feet of the study areas were notified by mail of the CAR study and directed to the City's web page for meetings dates once they were scheduled. In late November, CAR applicants were notified by email of the meeting dates that had since been scheduled. Email notice was also provided to the neighborhood associations and the Kirkland 2035 listserv. Once the public hearing for the Draft Plan has been scheduled, another notice with the hearing date will be mailed out to those in and around the study areas and emailed to the K2035 listserv and neighborhood associations. Public notice signs will be installed adjacent to the study areas for any request involving a land use designation change (rezone) as required by the Zoning Code.

Public comments may be submitted to the Planning Commission on the CARs at PlanningCommissioners@kirklandwa.gov or to the Planning staff overseeing the request up to closure of the public hearing on the Draft Comprehensive Plan and CARs. Comments on the CARs may also be provided to the SEPA Official (Eric Shields, Planning Director at eshields@kirklandwa.gov) on the Draft Environmental Impact Statement once it is issued this spring. Comments may be submitted to the City Council at citycouncil@kirklandwa.gov prior to final adoption of the Comprehensive Plan Update, including the CARs, which is anticipated by early fall.

V. PUBLIC COMMENTS RECEIVED

No public comments have been received by the date of this memo. Any public comments received will be forwarded to the Planning Commission prior to the study session and included as part of the public record for the future public hearing.

Attachments:

1. Nelson/Cruikshank CAR applications
2. Map of PLA 6C Study Area
3. Aerial of Existing PLA 6C Development
4. Waddell CAR Application
5. Map of PLA 5C Study Area
6. KZC 115.23



CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT
123 Fifth Avenue, Kirkland, WA 98033
www.kirklandwa.gov ~ 425.587.3225

**APPLICATION FOR 2014 CITIZEN AMENDMENT LAND USE REQUESTS TO THE
COMPREHENSIVE PLAN, ZONING CODE AND ZONING MAP**

Directions: You may use this form or answer questions on separate pages.

I. CONTACT INFORMATION:

- A. Applicant Name: Jason D. and Francine E. Nelson
- B. Mailing Address: P.O. Box 383 Kirkland, Wa. 98083
- C. Telephone Number: 425-359-9999
- D. Email Address: france.nelson@comcast.net
- E. Property Owner Name (if different than applicant): same
- F. Mailing Address: same
- G. Telephone Number: same
- H. Email Address: same

Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is representing the property owner, then the property owner must be notified in writing with a copy of the letter provided to the City.

A link to the Planning Commission packet containing the staff report will be sent by email unless you request to the project planner that you want copies mailed to you.

II. PROPERTY INFORMATION:

- A. Address of proposal: (if vacant provide nearest street names) 202 & 208 2nd St. S. ^{Kirkland,} wa. 98033
- B. King County Tax Parcel number(s): 187500-0095-06 and 187500-0090-01
- C. Describe improvements on property if any: NONE
- D. Attach a map of the site that includes adjacent street names.
- E. Current Zoning on the subject property: Plabc
- F. Current land use designation and permitted density shown on the City's land use map. Plabc (single family residence)

III. REQUEST INFORMATION AND REASONS:

A. Description of Request:

We would like to change our zoning from Pla6c to Pla6A
(multi-family)

B. Description of the specific reasons for making the request:

(low and fixed income housing stock)
The vision obviously doesn't exist anymore in our
neighborhood with the recent sale of a 1940 teardown
home at a sale price of \$719,000⁰⁰.

C. Based on the above review consideration, explain why the request should be considered as part of the Comprehensive Plan Update process.

Dear City of Kirkland,

The reason we believe a consideration for review of our property is important as part of the Kirkland Comprehensive plan Update process is because all of the houses around us and including ours are old 1940 teardowns sitting on expensive land and this land need to be zoned Multi-family just like the Condos in front and to the sides of us. I am referring to the condos across the street on 2nd Street South and the condos kiddie corner from us on 2nd and 2nd (Portsmouth) (see map). There is also a 4 plex behind us. The home directly next to us (Tax parcel # 187500-0085) just sold for 719,000 no more than a few months ago and it is also a 1940 teardown.

If we don't change this zoning, people will start knocking these houses down and building million dollar houses like they have started to do with a couple houses in the block down the street on 2nd Street S.

We were told that the current vision for this area is low and fixed income housing stock close to downtown. The vision obviously doesn't exist anymore as the recent sale of the house directly next to us just sold for \$719,000 as mentioned above. These homes are not low and fixed income in any way in the state they are in right now. No one can afford to buy a 719,000 house that is less than 1,000 square feet and built in 1940 and most are in very poor shape. If you allow our block to change to multi-family, we will be able to build multi-family units that will allow more families to be able to own a home in that area. Kirkland is also required to provide density to provide future growth and allowing us to build condos or multi-family homes here will do that.

The neighbor directly behind us currently has a 4 plex and is also putting his application in to change the zoning. His name is Tom Cruikshank.

Please consider this change to our Northwest block of that area.

Sincerely,



Jason and Francine Nelson
P.O. Box 383
Kirkland, Wa. 98083
425-359-9999

IV. PROPERTY OWNER'S SIGNATURE OR SERVICE OF AFFIDAVIT:

A. *If the applicant is the property owner, or is a legal representative of the property owner, then the property owner must sign below.*

ORIGINAL SIGNATURES ONLY/ NO COPIES

Name – sign: Jason D. Nelson Francine Nelson
 Name – print: Jason D. and Francine E. Nelson
 Property owner or Legal Representative? property owner
 Date: 6-13-14
 Address: P.O. Box 383 Kirkland, Wa 98083
 Telephone: 425-359-9999

B. *If the applicant is neither the property owner nor a legal representative of the property owner, then the affected property owner must be notified as follows:*

1. Send or hand-deliver a copy of this completed application to all affected property owners (Exhibit A or Exhibit B); and
2. Complete the attached Affidavit of Service that confirms that a copy of the completed application form has been provided to all property owners. Submit the Affidavit of Service along with Exhibit A and/or Exhibit B with the application form and fee.

Attachments:

- Affidavit of Service (OCD-06AB)
- Exhibit A for mailing document
- Exhibit B for hand delivering document
- Methods to Request Changes to Density Land Use Zoning Code Regs



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**APPLICATION FOR 2014 CITIZEN AMENDMENT LAND USE REQUESTS TO THE
 COMPREHENSIVE PLAN, ZONING CODE AND ZONING MAP**

Directions: You may use this form or answer questions on separate pages.

I. CONTACT INFORMATION:

- A. Applicant Name: Tom Cruikshank
 B. Mailing Address: 12205 NE 65th St Kirkland WA 98033
 C. Telephone Number: 425-828-6710 cell (425) 765-7775
 D. Email Address: CRUIKSHANK81@COMCAST.NET
 E. Property Owner Name (if different than applicant): SAME
 F. Mailing Address: _____
 G. Telephone Number: _____
 H. Email Address: _____

Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is representing the property owner, then the property owner must be notified in writing with a copy of the letter provided to the City.

A link to the Planning Commission packet containing the staff report will be sent by email unless you request to the project planner that you want copies mailed to you.

II. PROPERTY INFORMATION:

- A. Address of proposal: (if vacant provide nearest street names) 207th 211 3rd St So.
 B. King County Tax Parcel number(s) (211) 1875000105 (207) 187500115
 C. Describe improvements on property if any: 207 - 900 St House
211 - 4 Plex
 D. Attach a map of the site that includes adjacent street names.
 E. Current Zoning on the subject property: PLA 6 C - Simile Family
 F. Current land use designation and permitted density shown on the City's land use map.
PLA 6 C

III. REQUEST INFORMATION AND REASONS:**A. Description of Request:**

Rezone to PLABA - High Density

B. Description of the specific reasons for making the request:

to provide more affordable multi-family dwellings to keep within Kirkland's vision of a diverse population within walking distance and meeting the growth goals of the GMA.

C. Based on the above review consideration, explain why the request should be considered as part of the Comprehensive Plan Update process.

- 1) The current plan states that Subarea C should be "preserve for housing stock, close to downtown for low & fixed income people". The current real estate market has priced these people out of the market. A house recently sold for \$719,000. A better way to keep that area from being developed into multi-million dollar homes is to rezone to high density. This would provide a more affordable housing stock to more people and keep up with the growth management act of providing more density for growth within Kirkland city limits. This common sense zoning would bring more people within walking and shopping to support downtown business. Kirkland should get ahead and rezone while it is still 900-1200 sq 1940's tear downs in the area rather than million dollar megahomes. I know the Nelsons who own 2 properties (202 & 208 7th st so) and myself (207 & 211 8th st so) would support the northwest corner block of the area. Sincerely, Tom & Deanna Cruikshank

IV. PROPERTY OWNER'S SIGNATURE OR SERVICE OF AFFIDAVIT:

- A. *If the applicant is the property owner, or is a legal representative of the property owner, then the property owner must sign below.*

ORIGINAL SIGNATURES ONLY/ NO COPIES

Name – sign: Tam Crunkshank
 Name – print: Tam Crunkshank
 Property owner or Legal Representative? OWNER
 Date: 6/12/14
 Address: 17205 NE 65th Kirkland WA 98033
 Telephone: 425-828-6710

- B. *If the applicant is neither the property owner nor a legal representative of the property owner, then the affected property owner must be notified as follows:*

1. Send or hand-deliver a copy of this completed application to all affected property owners (Exhibit A or Exhibit B); and
2. Complete the attached Affidavit of Service that confirms that a copy of the completed application form has been provided to all property owners. Submit the Affidavit of Service along with Exhibit A and/or Exhibit B with the application form and fee.

Attachments:

- Affidavit of Service (OCD-06AB)
- Exhibit A for mailing document
- Exhibit B for hand delivering document
- Methods to Request Changes to Density Land Use Zoning Code Regs

**XV.D. MOSS BAY NEIGHBORHOOD
4. PERIMETER AREAS**

- (1) The hours of operation should be limited if noise or other adverse conditions would impact nearby residential uses.
- (2) Structures should generally be limited to one story in height in order to preserve the visual character of this residential neighborhood. Two-story structures may be permitted if their overall bulk is limited.
- (3) Parking should be visually screened from adjacent residential uses. Driveways are not to be located adjacent to residential uses.
- (4) Appropriate landscaping should be required to visually integrate office buildings with the residential character of the surrounding area.
- (5) Free-standing signs should not be allowed.

Subarea D is designated for medium-density residential (up to 12 dwelling units per acre). The future development potential for Subarea D is considerable, given the amount of vacant or undeveloped land, particularly in the northern third of the subarea. Because of its close proximity to existing high-density residential development, residential densities up to 24 dwelling units per acre may be appropriate. The area, however, now lacks adequate public facilities, such as sewers, water, sidewalks, and streets to support higher densities. Until these facilities are adequately upgraded, development should be limited to medium density (12 dwelling units per acre). In addition, multifamily development should be regulated to ensure compatibility with existing single-family homes within and bordering this area.

Land use in Subarea C discussed.

Subarea C located west of State Street and south of the Downtown contains a pocket of single-family homes which should be maintained as low-density residential. This will help preserve the housing stock of dwelling units close to the Downtown for low- and fixed-income people.

High-density residential uses to be permitted in Subarea D with improvements to public facilities.

Subarea D is roughly bounded on the west by properties fronting on State Street, on the east by the railroad, on the north by the Downtown, and on the south by the midblock between 6th Avenue and 5th Avenue South (see Figure MB-2). The subarea is a residential area between a mixture of commercial and residential uses to the west and industrial activities to the east. There are single-family and multifamily units of varied densities intermingled. The area has been long designated for multifamily use and has been going through a period of transition.

Natural constraints exist in northeast corner of Subarea D.

Natural constraints including potentially unstable slopes and the presence of Everest Creek may also require the limitation of development potential in the northeast corner of Subarea D, although an increase to higher density may be feasible if these constraints are adequately addressed.

Subarea E to be limited to single-family residential.

Subarea E, located north of 7th Avenue South and south of Subarea D is developed almost exclusively with detached single-family homes. Although this area is surrounded by higher-density development, it remains viable for single-family development. Consequently, future development should be limited to single-family residential.

Subarea F is appropriate for medium-density (12 dwelling units per acre) residential development.

Subarea F is developed in medium- to high-density residential development. Due to the nearness of this

Exhibit (2) two

March 15, 2014

City of Kirkland
Planning & Development Department

Dear Planning Dept.,

My Husband and I have proudly owned three homes in Kirkland for about ten years. We are hoping to downsize into one of those residences and move to your beautiful city from Snohomish now that our girls are graduating from college.

We have two homes on 2nd Street South (202 & 208) that are surrounded by condominiums and a 4 flex just behind it and also a home at 822 2nd Avenue with condominiums located right next door.

We would appreciate it if the City Planning Department could look at the possibility of rezoning one or both of these locations to allow the possible construction of either new luxury multi-residence townhomes or modern condominium structures rather than the 1940 tear down homes that sit there now. This change would be a more desirable multi-residence complex and could fit into the growing Kirkland neighborhood.

Our other neighbors with similar views would greatly appreciate this amendment and opportunity as well.

Thank you for your consideration.

France and Jason Nelson
425-359-9999



City of Kirkland Property Information Report

Date: June 13, 2014

Information Provided by King County Assessor's Office		
Parcel (PIN):	1875000105	
Lot Size(sq. ft.):	7,600	
Year Built:	1966	
Present Use:	5	
Building Size (gross sq. ft.):	4,261	
Land value:	\$494000.000000	
Improvement value:	\$164000.000000	
Grid:	E4	
Fire Sprinklers:	N	
Quarter Section-Section-Township-Range:	11W-S8-T2N-R5	
Information Provided by the City of Kirkland		
Site Address:	211 3RD ST S, UNIT C	
Zoning:	PLA 6C, Low Density Residential	Neighborhood: Moss Bay
Located Within Houghton Community Council:	Disapproval Jurisdiction:	No
Seattle City Light Easement:	No	
Design District:		
Overlay:		
Sewer District - verify that you are a current customer of:	City of Kirkland	
Water District - verify that you are a current customer of:	City of Kirkland	
Methane Abatement Area:		
Wind Exposure:	C	
Information Provided by the City of Kirkland regarding APPLICABLE Environmental Areas		
Drainage Basin:	Moss Bay, Secondary Basin	
Is this property within 125 feet of wetland shown on GIS?	No	
Is this property within 100 feet of a stream shown on GIS?	No	
Is this property within shoreline jurisdiction and within 200 feet of a wetland shown on GIS?	No	
Shoreline Environment:	NA	
Landslide:	NA	
Seismic:	No	
Floodplain:	No	
Bald Eagle Protection Area:	No	

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The information above is from the City of Kirkland's geographic information system (GIS), which has been developed from a wide variety of sources including King County Department of Assessments property records. For the property described in this report, a site visit or more detailed technical review by the City of Kirkland may reveal conditions not shown in the city GIS.



City of Kirkland Property Information Report

Date: June 13, 2014

Information Provided by King County Assessor's Office	
Parcel (PIN):	1875000115
Lot Size(sq. ft.):	7,600
Year Built:	1948
Present Use:	2
Building Size (gross sq. ft.):	
Land value:	\$494000.000000
Improvement value:	\$1000.000000
Grid:	E4
Fire Sprinklers:	
Quarter Section-Section-Township-Range:	1W-S8-T25-R5
Information Provided by the City of Kirkland	
Site Address:	207 3RD ST S
Zoning:	PLA 6C, Low Density Residential
Neighborhood:	Moss Bay
Located Within Houghton Community Council Disapproval Jurisdiction:	No
Seattle City Light Easement:	No
Design District:	
Overlay:	
Sewer District - verify that you are a current customer of:	City of Kirkland
Water District - verify that you are a current customer of:	City of Kirkland
Methane Abatement Area:	
Wind Exposure:	C
Information Provided by the City of Kirkland regarding MAPPED Environmental Areas	
Drainage Basin:	Moss Bay, Secondary Basin
Is this property within 125 feet of wetland shown on GIS?	No
Is this property within 100 feet of a stream shown on GIS?	No
Is this property within shoreline jurisdiction and within 200 feet of a wetland shown on GIS?	No
Shoreline Environment:	NA
Landslide:	NA
Seismic:	No
Floodplain:	No
Bald Eagle Protection Area:	No

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NELSON AND CRUIKSHANK CAR'S

Sites:

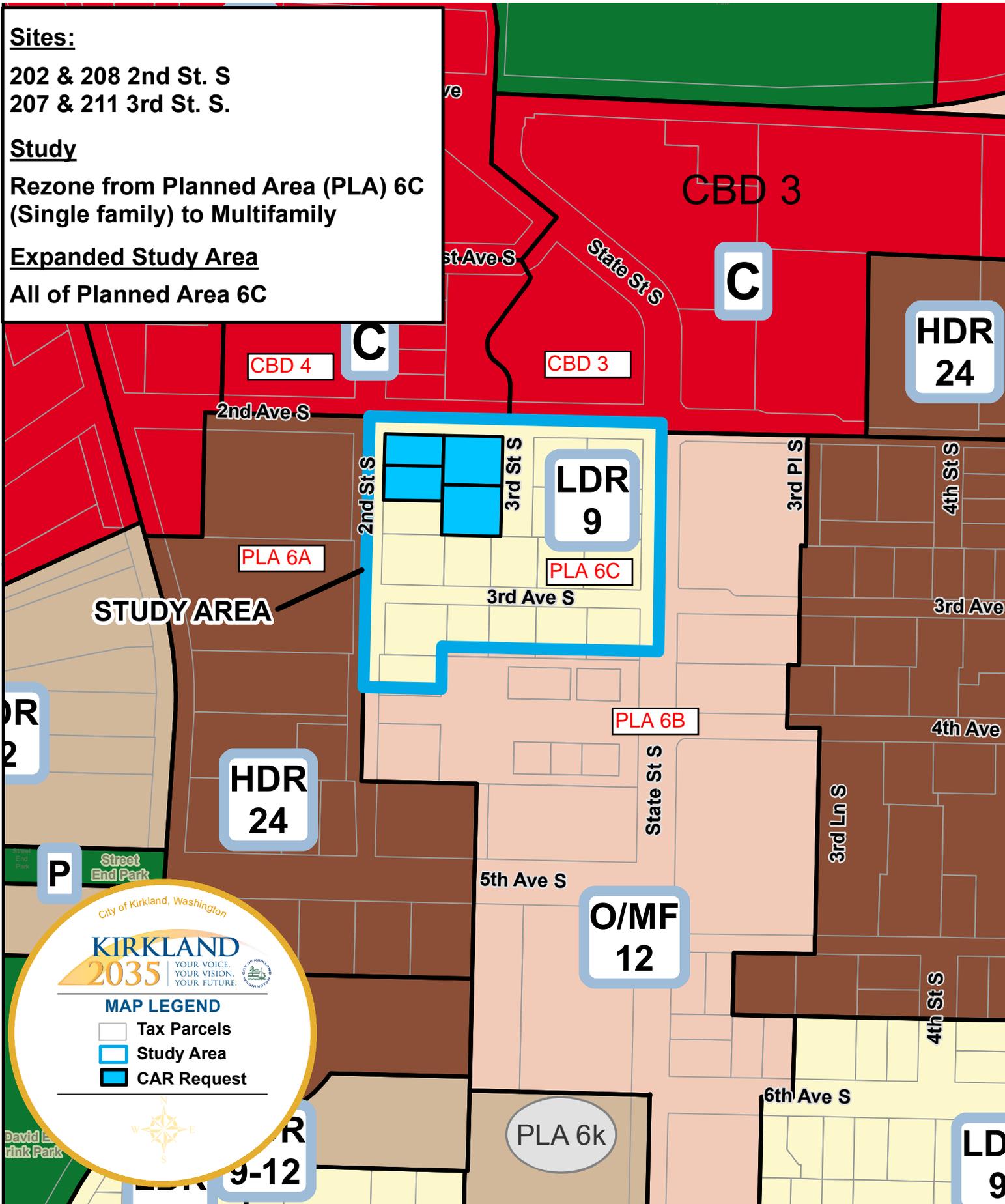
202 & 208 2nd St. S
 207 & 211 3rd St. S.

Study

Rezone from Planned Area (PLA) 6C
 (Single family) to Multifamily

Expanded Study Area

All of Planned Area 6C



City of Kirkland, Washington

KIRKLAND 2035 YOUR VOICE. YOUR VISION. YOUR FUTURE.

MAP LEGEND

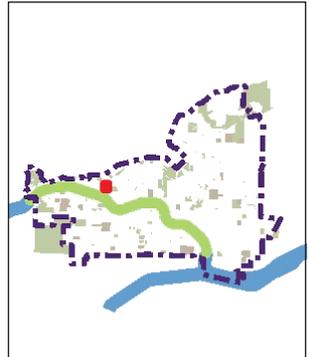
- Tax Parcels
- Study Area
- CAR Request

City of Kirkland logo and a compass rose are also present in this section.



1 : 1,441

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Legend	
	Address
	City Limits
	Grid
	QQ Grid
	Cross Kirkland Corridor
	Regional Rail Corridor
	Streets
	Parcels
	Place Names
	Buildings
	Lakes
	Parks
	Schools
	Overlay Zones
	(EO)
	(HL)
	(HP)
	Planned Unit Development
	City Zoning
	Commercial
	Industrial
	Transit Oriented Development
	Office
	High Density Residential
	Medium Density Residential
	Low Density Residential
	Institutions

Notes

New homes since 2006



CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT
 123 Fifth Avenue, Kirkland, WA 98033
www.kirklandwa.gov ~ 425.587.3225

**APPLICATION FOR 2014 CITIZEN AMENDMENT LAND USE REQUESTS TO THE
 COMPREHENSIVE PLAN, ZONING CODE AND ZONING MAP**

Directions: You may use this form or answer questions on separate pages.

I. CONTACT INFORMATION:

- A. Applicant Name: Watermark East, LLC - Doug Waddell
- B. Mailing Address: PO Box 2545, Kirkland, WA 98083
- C. Telephone Number: 425-822-3021
- D. Email Address: Doug@waddellpropertiesinc.com
- E. Property Owner Name (if different than applicant): _____
- F. Mailing Address: _____
- G. Telephone Number: _____
- H. Email Address: _____

Note: If the applicant is the property owner, or is representing the property owner, then the property owner must sign the last page. If the applicant is representing the property owner, then the property owner must be notified in writing with a copy of the letter provided to the City.

A link to the Planning Commission packet containing the staff report will be sent by email unless you request to the project planner that you want copies mailed to you.

II. PROPERTY INFORMATION:

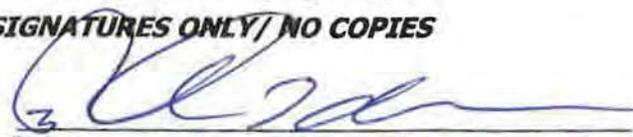
- A. Address of proposal: (if vacant provide nearest street names) 220 6th Street
- B. King County Tax Parcel number(s): 123890-0115
- C. Describe improvements on property if any: Small house/office
- D. Attach a map of the site that includes adjacent street names.
- E. Current Zoning on the subject property: PLA 5C
- F. Current land use designation and permitted density shown on the City's land use map. OFFICE/MF - UNLIMITED

IV. PROPERTY OWNER'S SIGNATURE OR SERVICE OF AFFIDAVIT:

A. *If the applicant is the property owner, or is a legal representative of the property owner, then the property owner must sign below.*

ORIGINAL SIGNATURES ONLY/ NO COPIES

Name – sign:



Name – print:

DOUG WOODRELL - MANAGING MEMBER - WASSERMOK PASS LLC

Property owner or Legal Representative? _____

Date:

6/14/14

Address:

PO Box 2545 Kirkland WA 98083

Telephone:

425 822 3021

B. *If the applicant is neither the property owner nor a legal representative of the property owner, then the affected property owner must be notified as follows:*

1. Send or hand-deliver a copy of this completed application to all affected property owners (Exhibit A or Exhibit B); and
2. Complete the attached Affidavit of Service that confirms that a copy of the completed application form has been provided to all property owners. Submit the Affidavit of Service along with Exhibit A and/or Exhibit B with the application form and fee.

Attachments:

- Affidavit of Service (OCD-06AB)
- Exhibit A for mailing document
- Exhibit B for hand delivering document
- Methods to Request Changes to Density Land Use Zoning Code Regs

III. REQUEST INFORMATION AND REASONS:

A. Description of Request:

Change the Open Space requirement to be consistent with the same requirement in other higher density downtown locations

B. Description of the specific reasons for making the request:

This requirement as it is currently written is not possible/practical for this type of development particularly with the size and dimensions of the property. The requirement here should be the same as other nearby properties with similar planned uses and density

C. Based on the above review consideration, explain why the request should be considered as part of the Comprehensive Plan Update process.

The current requirement requires a large square footage for open space and with minimum dimensions of 40 feet by 40 feet, For a higher density infill location with dimensions of only 100 by 150 this eliminates a significant portion of the property and its development potential. This requirement was just not well thought out for the type of development that the property is zoned for.

WADDELL/ WATERMARK EAST CAR

Request Site:

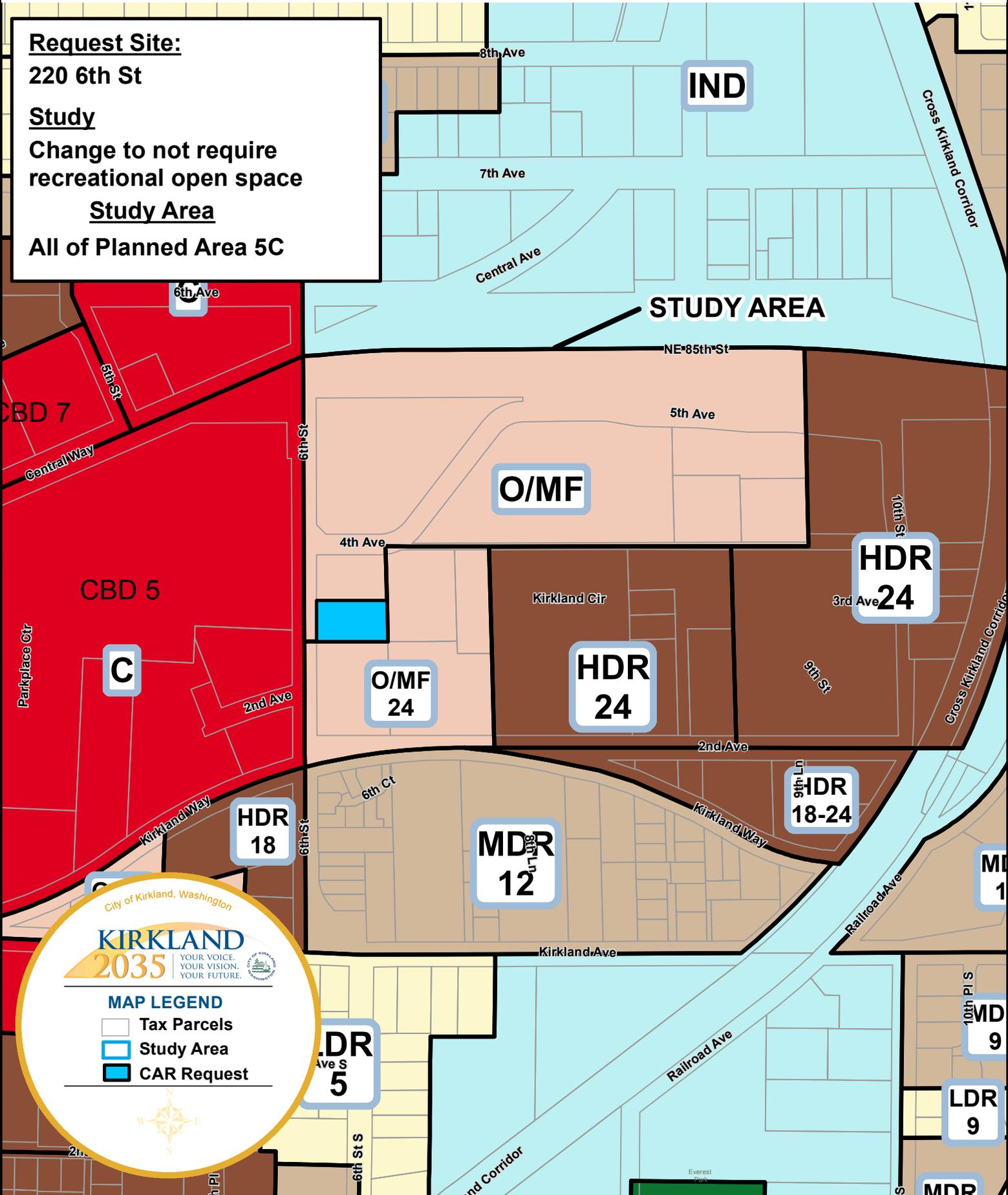
220 6th St

Study

Change to not require recreational open space

Study Area

All of Planned Area 5C



City of Kirkland, Washington

KIRKLAND 2035 YOUR VOICE. YOUR VISION. YOUR FUTURE.

MAP LEGEND

- Tax Parcels
- Study Area
- CAR Request

KZC 115.23 Common Recreational Space Requirements for Certain Residential Uses

1. General – Residential developments identified herein by zone and use listing shall comply with the common recreational space requirements of this section:
 - a. RM and RMA Zones: "Detached, Attached, or Stacked Dwelling Units," KZC 20.10.020;
 - b. PR and PRA Zones: "Detached, Attached or Stacked Dwelling Units," KZC 25.10.020;
 - c. NRH 5 Zone: "Detached, Attached or Stacked Dwelling Units (Stand Alone or Mixed with Office Uses)," KZC 54.36.010;
 - d. NRH 6 Zone: "Detached, Attached or Stacked Dwelling Units (Stand Alone or Mixed with Office Uses)," KZC 54.42.010;
 - e. PLA 5A Zone: "Detached, Attached or Stacked Dwelling Units," KZC 60.32.020;
 - f. PLA 5B Zone: "Detached, Attached or Stacked Dwelling Units," KZC 60.37.020; and "Development Containing Stacked or Attached Dwelling Units and Office Uses," KZC 60.37.040;
 - g. PLA 5C Zone: "Detached, Attached or Stacked Dwelling Units," KZC 60.42.020; and "Development Containing Stacked or Attached Dwelling Units and Office Uses," KZC 60.42.040; maximum required common recreational open space for PLA 5C is 4,800 square feet/acre;
 - h. PLA 5D Zone: "Detached, Attached or Stacked Dwelling Units," KZC 60.47.020;
 - i. PLA 5E Zone: "Detached, Attached or Stacked Dwelling Units," KZC 60.52.020;
 - j. PLA 6A Zone: "Detached, Attached or Stacked Dwelling Units," KZC 60.57.020;
 - k. PLA 6B Zone: "Detached, Attached or Stacked Dwelling Units," KZC 60.62.020; and "Development Containing Stacked or Attached Dwelling Units and Office Uses," KZC 60.62.040;
 - l. PLA 6D Zone: "Detached, Attached or Stacked Dwelling Units," KZC 60.72.020;
 - m. PLA 6F Zone: "Detached, Attached or Stacked Dwelling Units," KZC 60.82.020;
 - n. PLA 6G Zone: "Attached or Stacked Dwelling Units," KZC 60.87.130;
 - o. PLA 6H Zone: "Detached, Attached, or Stacked Dwelling Units," KZC 60.92.020;
 - p. PLA 6I Zone: "Detached, Attached, or Stacked Dwelling Units," KZC 60.97.020;
 - q. PLA 6J Zone: "Detached, Attached, or Stacked Dwelling Units," KZC 60.102.020;
 - r. PLA 6K Zone: "Detached, Attached, or Stacked Dwelling Units," KZC 60.107.020;
 - s. PLA 7A, 7B, 7C Zones: "Detached, Attached, or stacked Dwelling Units," KZC 60.112.020; and
 - t. PLA 17 Zone: "Attached or Stacked Dwelling Units," KZC 60.187.020.
2. If a proposed use or development activity identified in subsection (1) of this section will contain four (4) or more units, then it must contain at least 200 square feet per unit of common recreational space usable

for many activities. This required common recreational open space must have the following minimum dimensions:

- a. For four (4) to 20 units, the open space must be in one (1) or more pieces each having at least 800 square feet and having a length and width of at least 25 feet.
- b. For 21 units or more, the open space must be in one (1) or more pieces having a length and width of at least 40 feet.
- c. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playing equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced, based on the number of residents that they would serve at one (1) time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area.