



MEMORANDUM

DATE: March 1, 2011

TO: Planning Commission and City Council

FROM: Joan Lieberman-Brill, AICP, Senior Planner
Angela Ruggeri, AICP, Senior Planner
Teresa Swan, Senior Planner
Paul Stewart, AICP, Deputy Director

SUBJECT: 2011 THRESHOLD DETERMINATION OF PRIVATE AMENDMENT REQUESTS FOR AMENDING THE COMPREHENSIVE PLAN AND ZONING CODE/ZONING MAP: ALTOM, FILE ZON11-00002; HOWARD LLC, FILE ZON11-00005; AND MRM KIRKLAND LLC, FILE ZON11-00006

I. RECOMMENDATION

- Review the 3 private amendment requests and make a Threshold Determination recommendation to the City Council at the end of the meeting so that the City Council can consider the requests at the Planning Commission/City Council joint meeting on March 15, 2011. Requests that satisfy the Threshold Determination criteria will be eligible for the Study Stage (see Attachment 1, Threshold Determination Criteria Sheet).
- For those requests that the Planning Commission recommends for the Study Stage (Phase II), provide direction to staff on any additional information that the Planning Commission would like staff to include at the future study sessions and public hearing. Additional information could include existing conditions, traffic information, urban design or economic studies, or public participation process options.
- Staff recommends the following:
 1. **Altom** – consider in 2011, as a follow-up to the Parkplace, Orni and Altom Private Amendment requests that were studied as part of the Downtown Area Planned Action project in 2007-2008.
 2. **Howard** – consider in 2012, given that staff resources have already been committed for projects in the current 2011 work program, and to allow staff to become familiar with the Finn Hill annexation area (and complexities of the Holmes Point Overly Zone).

3. **MRM KIRKLAND** – consider in 2012, after the various legal actions and appeals involving Park Place are settled and when staff resources can be made available.

II. INTRODUCTION

Every two years the City accepts requests from interested parties to amend the Comprehensive Plan. Most of the requests also include a rezone or zoning regulations. The deadline for submitting the requests was December 1, 2010 for consideration in 2011. The Planning Commission reviews the requests and makes a recommendation to the City Council on which ones to study further – this is the “Threshold Review” step of the requests. The Commission can recommend one of four options for each request:

- Not study further.
- Study further – either in the current year or the next year.
- Defer to a neighborhood plan.
- Defer to the general GMA plan update

If the Council concurs with further study, the issue is brought back for analysis on the merits of the request and following a public hearing, the Commission makes a recommendation to the City Council – usually in the fall of the year. This process is discussed in more detail below.

The City Council and Planning Commission will have a joint meeting on March 15, 2011 at which time the Council will review the Planning Work Program. One of the tasks on the Planning Work program that could affect the schedule, Commission time and staff resources are the private amendment requests.

Because of the tight turnaround between the Planning Commission (PC) meeting and the joint meeting with the City Council, rather than providing a report to transmit the PC recommendation, staff and the PC Chair or other commissioners, will present the recommendation at the March 15th meeting. The City Council (CC) will make the final decision at a future meeting that is tentatively scheduled for April 5th.

A. Private Amendment Request versus Neighborhood Plan

Individual property owners have two ways to request amendments to the Comprehensive Plan, Zoning Code and Zoning Map:

1. As part of the applicable neighborhood plan update (see Attachment 2 for the most current update schedule. This schedule is subject to change with the annual adoption of the Planning Work Program to be discussed on March 15th at the joint PC/CC meeting).

2. As part of the broader Comprehensive Plan update process initiated by the City using the private amendment process.

Concerning the second option to amend the Plan, every other year the City accepts applications from private parties as part of the City's annual review of the Plan. Any individual, neighborhood organization or other group may submit requests. The request may include related amendments to the Zoning Code or Zoning Map.

In the past, only a few private requests have been selected for further study each year because the study process is time-intensive and, in some cases, warrants more public involvement than is typical of City-initiated amendments. Private amendment requests usually involve changes to land use and zoning or regulations, making them more complex and sometimes controversial to adjacent neighbors. Private requests also generally warrant more public notice and neighborhood involvement as is typically done with a neighborhood plan update. Public notice for the private request process is provided with a public notice sign placed on the property, notice sent to property owners within 300 feet, and a notice in the newspaper. The City does provide courtesy notices to the neighborhood associations, KAN, and the Chamber of Commerce along with information on the City's web site and as handouts at City Hall.

Neighborhood plan updates, by contrast, provide extensive public notice and involve the neighborhood associations, KAN, the Chamber of Commerce and residences. The update process includes citizen advisory committees, open houses, numerous study sessions, and mailings to affected properties. This heightened level of community involvement makes the neighborhood plan update process an effective forum for the review of more complex and controversial land use changes. However, the disadvantage for those wishing to make changes to their properties through the neighborhood plan process is that the process takes 1½ to 2 years to complete and the neighborhood plans are only getting updated about every 15-20 years.

B. Private Amendment Request Process

Chapter 140 KZC establishes a two-stage process for the review of these requests. Phase I consists of a "Threshold Determination" process that determines eligibility of each request for further consideration. Phase I does not require a full weighing of the merits of the request, a decision or recommendation on whether the request should be ultimately approved. The purpose of this stage is solely to determine whether a request is eligible to continue to Phase II. Requests that do not meet the Threshold Determination criteria do not proceed to Phase II.

The six criteria found in Zoning Code Chapter 140 provide guidance for selecting those requests that should be considered now and not deferred to

the associated neighborhood plan update process. The criteria are listed and discussed with each request below in Section IV and provided in Attachment 1.

Phase II entails a full analysis and public review of each request that was determined through Phase I as eligible for consideration. Phase II consists of a "Study" process that includes public notice, preparation of staff analysis and optional draft amendments to the Plan, Zoning Code and/or Zoning Map, review of additional criteria, a public hearing before the PC leading to a recommendation to the CC, and final action by the CC. The CC approves or denies each request as part of adoption of the annual City-initiated amendments to the Plan. Depending on available staff resources and the current work program, some requests may be deferred for study to the following year.

When a request is made to change the land use or increase density on one property and the circumstances are the same for other neighboring properties, it may be appropriate for the City to expand the study area because broader changes should be made. In some circumstances, an expanded study area is more time consuming and has more complex issues, and thus is often better handled as part of a neighborhood plan update.

In past years, the PC has conducted its Threshold Determination meeting by generally following these steps:

1. Individuals with private requests who wish to speak sign up on the sign-in sheet at the beginning of the meeting.
2. Staff makes a brief presentation.
3. The Chair calls each person with a private request in the order found on the sign-up sheet.
4. Members of the public are then allowed to comment on the request.
5. The PC asks questions of each applicant, reviews the request by going through the criteria sheet provided (see Attachment 1) and has a discussion on each request. Following discussion, the Commission votes on a recommendation.

III. 2011 COMPREHENSIVE PLAN AMENDMENT PROCESS & OTHER WORK PROGRAM ITEMS

Under state law, the Comprehensive Plan may only be amended once a year. The City adopts the citywide amendments, the private amendment requests and any neighborhood plan update at the same City Council meeting, generally in December of each year.

Typically by June, the City will have completed the threshold determination stage for the private amendment requests and is into Phase II of studying

the selected requests. Also by then, staff will have begun preparing the City-initiated amendments after receiving direction from the Council.

One of the key criteria in deciding whether to study any of the private amendment requests is whether the City has the resources, including staff and budget, necessary to review the proposal. At this point in the 2011 long range planning work program, the City has committed resources to completing two neighborhood plan updates (Lakeview and Central Houghton), the South Kirkland Park and Ride Transit Oriented Development Project, and the related annexation work. We anticipate that these will not be completed until the first quarter of 2012. Also, staff hours have been reduced as a result of the reduced city budget.

Which requests to study is a decision the City needs to make based on the competing interests for the current year work program and looking ahead to the 2012 Work Program. As is typical with the budget, there are always more interests vying for City resources than those resources can accommodate. Review of the requests through the Study Stage will add to the already existing competition for funding, staff resources, and Commission and Council agenda space. If a study area is expanded, the staff time on the study becomes much greater. The more complex the issues raised by the request are, the more impact it will have on City resources.

Given the work program items noted above and the time that it takes to study the private amendment requests, staff is recommending that only one of the requests be considered this year. The other two requests would be carried over to 2012.

IV. 2011 PRIVATE AMENDMENT REQUESTS

Staff has grouped the discussion below on the requests into 2 categories:

- A. Requests recommended for study in 2011
- B. Requests recommended for study in 2012

Below is a brief description and staff's analysis of each request, taking into consideration the Threshold Determination criteria. Keep in mind that the Planning Commission is not being asked to recommend approval or denial of each request, but only whether the request merits further consideration, based on the criteria. In either case, to be selected for further consideration, the proposal must satisfy the first criteria, and the second or third criteria (see Attachment 1 – threshold criteria sheet).

A. Request to be studied in 2011

Altom PAR, File ZON11-00002, Attachment 3a – 3b:

Request: Amend the Comprehensive Plan and zoning for PLA 5C to allow increased density and setbacks on two lots at 220 6th Street and 611 4th Avenue, in the Moss Bay Neighborhood. Currently both lots are developed with office uses. The applicant's original request was for rezone to CBD 5, but this request has been adjusted to include only increased density and reduced setbacks.

The 2 lots combined equal approximately .8 acres. The allowable density in PLA 5C is 24 units per acre, with required yards of: 20' front, 5' side and 10' rear.

The sites to the east and south contain office buildings and are located in the PLA 5B zone. The site to the north contains a 4-story office building also located in PLA 5C. The Park Place Center is to the west in the CBD 5A zone.

1. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. Staff recommends that only increased density be considered as part of this study. The applicant's response to the criteria is contained in Attachment 3b.

The proposal must meet the criteria of Section a and either Section b or Section c. This request meets the criteria of Section a and Section b as outlined in Attachment 1.

- a. *The City has the resources, including staff and budget, necessary to review the proposal.*

This is a decision that the City Council will make based on competing interests for the current year's work program and looking ahead to the 2012 work program. Staff feels that this request would require minimal staff time since most of the required research was already done with the Planned Action Ordinance in 2007 and 2008.

Expansion of the study area to include the office site to the north which is also in PLA 5C and abutting 6th Street should also be considered if this request is selected.

- b. *The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.*

The proposal would make a clarification to the previous Comprehensive Plan and zoning changes made during the Planned Action study that was done. The applicant is requesting that density be determined by the height and bulk of the building rather than a specific number of units/acre. This is how density is determined in the Central Business District where there is not a

specific density limit in the Zoning Code. The study area is directly across 6th Street from the proposed Parkplace development which will be the largest development in the Central Business District.

2. Four Threshold Decision Options:

- Do not proceed to Study (Phase II).
- Proceed to Study Stage (Phase II) in 2011
- Defer to the GMA Comprehensive Plan update in 2013-2014
- Defer to the Moss Bay Plan update (not scheduled)

3. Staff Recommendation: This request should proceed to the Study Stage in 2011, but only increased density should be considered. This is basically a cleanup item from the previous work done on the Planned Action Study done for the downtown area in 2007-08.

B. Requests to study in 2012

The following two requests have merit and should be studied in 2012, based upon what the Planning Department determines to be its staff resources available for long range projects through the end of 2012, existing litigation relating to Kirkland Park Place, and getting up to speed on conditions in the Finn Hill Neighborhood along with the Holmes Point Overlay Zone.

The **Howard request** would consider the appropriate land use and zoning in a further developable area that is one of two neighborhood commercial zones in Finn Hill. Examining the zoning boundary between the RSA, RMA and BNA zones and the Holmes Point Overlay zone boundary, unique to this neighborhood, would lay the foundation for future infill commercial or multi-family development in this area. The **MRM Kirkland request** would be in the public interest to consider the land use and zoning for this site in relation to the new land use conditions at the Kirkland Park Place development.

1. **Howard PAR, File ZON11-00005, Attachment 4 a - d:**

Request: Consolidate 3 parcels and change the Comprehensive Plan land use designation and Zoning Map for 2 parcels to high density (RMA 2.4) at 18 units per acre. The third parcel is already zoned RMA2.4 (see Attachment 4a).

The site consists of 3 parcels and is located at 12035 and 12203 Juanita Drive and 12034 76th Avenue in the Finn Hill Neighborhood. Each lot is zoned differently as described below:

- The first parcel is zoned Medium Density Residential (RMA 2.4 with minimum lot size for each unit of 2,400 sq ft) at 18 dwelling units per

acre. It contains one home and is heavily wooded. Both the first and third parcels abut Juanita Drive.

- The second parcel is zoned Neighborhood Business (BNA). This lot is vacant and heavily wooded.
- The third parcel is zoned Low Density Residential (RMA 6) at 6 dwelling units per acre and developed with a single family home. The home receives access from 76th Avenue NE. It is also in the Holmes Point Overlay Zone.

As shown on the attached aerial maps (see Attachments 4b and 4c), the site is located to the north of Fire Station #25 and south of multifamily development. To the west of the site is more residential development, both single-family and multi-family. To the east is Juanita Drive and commercial development across the street.

The applicant would like to consolidate all 3 parcels and develop the site with an unspecified number of residential units. He "...envisions something similar to the "cottage concept" of cottage style homes". The proposal anticipates using the existing access and utility easement extending from 76th Avenue over the single family lot, to serve the entire site. The total lot area of the consolidated site is 95,103 square feet (2.18 acres). If rezoned to RM 2.4, the three parcels combined could be developed with 40 multi-family dwelling units (95,103 sq ft of land area/2,400 sq ft minimum land area per unit = 39.62 units which by code can be rounded up to 40 units).

Under the current RSA 6 zoning, the low density 20,216 square foot flag lot could be developed with 3 single family homes (20,216 sq ft=.46 of an acre x 6 units = 2.78 which can be rounded to 3 units less any area taken for road improvements and sensitive areas). Other allowed uses are churches, government facilities, schools and daycares. As noted, there is one single family home on this site. The Holmes Point Overlay zone establishes restrictions that address tree preservation, lot coverage and other regulations that could impact a development proposal.

On the undeveloped 22,229 square foot commercial lot, currently zoned BNA, allowed uses include: neighborhood oriented and personal service retail uses (i.e. grocery store, drug, book, flowers, liquor hardware, garden supplies, art, variety, dept. stores, laundry, dry cleaner, barber, beauty of shoe repair) Also, permitted are banking and related financial services, restaurants, taverns, retail establishment providing entertainment, recreational or cultural activities, private lodge or club, vehicle service station, office use, church, school or day care center, mini-school or mini-day-care, assisted living facility, and stacked dwelling units.

In the BNA zone, the number of dwelling units would be determined by the building envelope. Ten percent (10%) of the dwelling units must be affordable housing as described in KZC Chapter 112. Two units may be constructed for each affordable housing unit provided. Regulations require that at least 75% of the total gross floor area located on the ground floor of all structures must contain retail, restaurants, taverns, or offices. These uses must be oriented to the adjacent arterial. Residential uses, with the exception of a lobby, are not allowed on the ground floor.

In discussions with the applicant, the concern was raised that it would be impractical to locate non-residential uses on the ground floor of the commercial lot, given the shape and depth of the site and access to the property. These site specific constraints limit visibility from Juanita Drive and therefore reduce the viability of locating businesses there. Additionally, the applicant is concerned that the design of the Juanita Drive, 76th Place NE, and NE 122nd Street intersection, negatively impacts access to the site. This is an important safety issue that may have an impact on the marketability of a commercial project fronting on Juanita Drive.

On the further developable 52,658 square foot medium density lot, currently zoned RMA 2.4, the number of units is determined by taking the lot area, and dividing by 2,400 sq. ft. Ten (10%) of the units are required to be affordable housing as described in KZC Chapter 112. Two units may be constructed for each affordable housing unit provided. The base number of attached and/or stacked multi-family units that could be constructed is 22 units (52,658/2,400) less area taken for road improvements and sensitive areas. Other uses include: detached dwelling units (only one on a lot, regardless of the lot size), church, school or day care, mini-school or mini-day-care, assisted living, convalescent center or nursing home, public utility, government or community facility, and a limited number of retail uses (i.e. grocery store, drug store, laundromat, dry cleaners, barber shop, beauty shop or shoe repair shop).

1. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 4d.

The proposal must meet the criteria of Section a and **either** Section b or Section c.

- a. *The City has the resources, including staff and budget, necessary to review the proposal.*

As discussed in the other two requests, this is a decision the City needs to make, based on the competing interests for the current year work program and looking ahead to the 2012 work program.

If this request is selected, the study area should be considered for expansion to include the Fire Station and the other commercial parcel to the south of the Fire Station that is developed with an office. Fire Station #25 may be consolidated with Fire Station #24, and if it is, the property would be sold. Among other issues, the practical question of access to these properties should be explored, and the consideration of economic opportunities that might be missed if the properties were rezoned to multi-family. It is appropriate to study the existing commercial land use designation on all three commercial parcels west of Juanita Drive. The office property owner has not been notified of the possible inclusion of his/her property in this request.

- b. *The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan; or:*

It does not appear to correct any inconsistency with the General Elements of the Comprehensive Plan or Zoning Map. The Finn Hill Neighborhood Plan has not been scheduled on the Neighborhood Plan Work Program (see Attachment 2).

- c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and*

Goals and policies can be found in the Comprehensive Plan that support both retaining commercial areas and that support opportunities for a variety of housing options. For example, Goal LU-5 in the Land Use Element states that we should "Plan for a hierarchy of commercial development areas serving neighborhood, community, and/or regional needs." Policy LU-5.2 says that we should "maintain and strengthen existing commercial areas by focusing economic development within them and establishing development guidelines."

Goal H-2 in the Housing Element states that we should "Promote the creation of affordable housing and provide for a range of housing types and opportunities to meet the needs of all segments of the population."

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and*

It is not possible to fit this request into the 2011 work program unless other work program tasks are modified. It is arguable that the public interest would best be served by providing the applicant an answer in 2012 rather than waiting for a later Finn Hill Neighborhood plan amendment process. Due to the constrained access from Juanita Drive and shape of the commercial property, the area should be studied to determine the appropriate land uses for the site.

On the other hand, delaying the request until the Finn Hill Neighborhood Plan is started, may be in the public interest of the entire neighborhood since this is just one of two neighborhood business zones in this neighborhood. Too, the Holmes Point Community is an active community group as reflected in the adoption of the Holmes Point Overlay Zone designation, which they spearheaded in King County. The overlay zone includes the low density parcel. Doing the necessary outreach with this group may require increased staff resources; more typical in neighborhood plan reviews.

- a. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and*

The Finn Hill Neighborhood Plan has not been written.

- b. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).*

The Finn Hill Plan is not specified on the update schedule at this time.

2. Threshold Decision Options:

- Do not proceed to Study (Phase II).
- Proceed to Study Stage (Phase II) in 2011
- Proceed to Study Stage (Phase II) in 2012
- Defer to the Finn Hill Neighborhood Plan

3. Staff Recommendation: This request should be considered to proceed for the Study Stage in 2012, depending on staffing resources next year as discussed above. Otherwise, it should be deferred until the Finn Hill Neighborhood Plan process.

2. **MRM KIRKLAND PAR, File ZON11-00006, Attachments 5a-5b:**

Request: Change the Downtown Plan of the Comprehensive Plan and Zoning Code CBD 5 Section 50.35 for 434 Kirkland Way in the western portion of the CBD 5 zone to (see Attachments 5a and 5b) as follows:

- Allow multi-family as the predominate use on the entire site rather than the current limit of 12.5% of the gross floor area and only within 170 feet of Peter Kirk Park.
- Allow a maximum height of 8 stories but no taller than 100' above Kirkland Way rather than the current maximum 3-5 stories.

The site contains 73, 938 sq ft (1.7 acres) located south of Park Place, east of the Performance Art Center, west of the Emerald Office Building and north of Kirkland Ave. It is improved with a single story building and parking lot. Past uses included a hardware store and high tech office business.

The owner would like to develop a mixed use building with multifamily as the predominate use across the entire site to provide available housing to the pending redevelopment of the Kirkland Park Place site with 1,200,000 sq ft of office and 300,000 sq ft of retail space. The Kirkland Park Place site does not contain any residential square footage (see Attachment 5b).

CDB 5A containing the Kirkland Park Place development allows a range of height from 4 stories (60 feet) next to Peter Kirk Park, 7 stories (100 feet) next to Central Way and 8 stories (115 feet) in the central portion of the development as described in Plate 6 of the Zoning Code.

1. Relation to Criteria: The following summarizes staff's analysis of this request with the applicable criteria. The applicant's response to the criteria is contained in Attachment 5b.

The proposal must meet the criteria of Section a. and **either** b. or c.

- a. *The City has the resources, including staff and budget, necessary to review the proposal.*

As discussed in the other two requests, this is a decision the City needs to make based on the competing interests for the current year work program and looking ahead to the 2012 Work Program.

Should the issue of the amount and location of multifamily allowed and/or an increased in allowable height be considered for other properties within CDB 5, then a substantial amount of staff time and City resources would be required.

- b. *The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.*

The zoning regulations and Comprehensive Plan policies for the CBD 5 zone only allow housing next to 2nd Ave South, and within 170 feet of Peter Kirk Park but not to exceed 12.5% of the total gross floor area for properties next to the Park. The request does not appear to correct any inconsistency or make a clarification to the General Elements of the Comprehensive Plan, policy text for Downtown Plan or CBD 5 regulations in the Zoning Code.

The applicant suggests in the submittal materials of Attachment 5b that the intent of the CBD 5 housing regulation is to achieve up to 12.5% of gross floor area of residential use next to the Park and that since the redevelopment of Kirkland Park Place does not include housing, a greater percentage of housing should be allowed on the subject property. However, Kirkland Park Place is in CBD 5A which does not have the same limitation on housing as does CBD 5.

c. All of the following:

- (1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and*

Goals and policies can be found in the Comprehensive Plan that support both retaining commercial areas and that support opportunities for a variety of housing options. For example, Goal LU-5 in the Land Use Element states that we should "Plan for a hierarchy of commercial development areas serving neighborhood, community, and/or regional needs." Policy LU-5.2 says that we should "maintain and strengthen existing commercial areas by focusing economic development within them and establishing development guidelines."

Goal H-2 in the Housing Element states that we should "Promote the creation of affordable housing and provide for a range of housing types and opportunities to meet the needs of all segments of the population." Goal H-3 in the Housing Element states that we should "Provide for greater housing capacity and home ownership opportunities."

Increasing residential use while decreasing opportunities for commercial use supports some goals while not supporting other goals.

- (2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration*

to a later neighborhood plan review or plan amendment process; and

There are still several legal proceedings in progress for the Kirkland Park Place project. Any study of the request should be deferred to 2012 or later when the legal proceedings for Kirkland Park Place are settled. In addition, there are no staff resources to do the study this year given the current 2011 Work Program and staffing for the pending annexation.

It is arguable that the public interest would be served to reconsider the potential for housing in CBD 5 with the pending redevelopment of Kirkland Park Place that will have a significant amount of new office and retail space. But if the request is studied, it should be scheduled in 2012 rather than waiting for the next update to the Moss Bay Plan which has not been scheduled on the Neighborhood Update Schedule and will likely not occur until 2015-2016.

(a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

The Moss Bay Neighborhood Plan was last updated in 1989.

(b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

The Moss Bay Neighborhood Plan update is not currently scheduled on the Neighborhood Work Program and is likely not to be started until 2015-2016.

2. Six Threshold Decision Options:

- Do not proceed to Study (Phase II)
- Proceed to Study Stage (Phase II) in 2011
- Proceed to Study Stage (Phase II) in 2012
- Defer Study Stage (Phase II) with the GMA Comprehensive Plan update in 2013-2014
- Hold off on a decision until in 2012 after annexation has begun and the 2012 Work Program is being considered
- Defer to the Moss Bay Plan update (not scheduled)

3. Staff Recommendation: This request should proceed to the Study Stage in 2012, depending on next year's available staffing and City resources as discussed above.

Attachments:

1. Threshold Determination Criteria Sheet
2. Current Neighborhood Plan Update Schedule (January 2011)
3. Materials relating to the Altom Request
 - a. Vicinity Map
 - b. Aerial Map - Addresses and Zoning
 - c. Aerial Map - Square Footage and Zoning
 - d. Applicant's submittal materials
4. Materials relating to the Howard Request
 - a. Vicinity Map
 - b. Aerial
 - c. Applicant's submittal materials
5. Materials relating to the MRM Kirkland Request
 - a. Vicinity Map
 - b. Applicant's submittal request

140.20 Threshold Determination for Citizen-Initiated Proposals

1. General – The Planning Department can establish a deadline for submitting citizen-initiated proposals. Applicants will be required to submit an application, a review fee and any other pertinent information determined necessary to consider the request. The citizen-initiated proposals shall only be considered in conjunction with the City’s regular review of the Comprehensive Plan described in KZC [140.45](#).
2. Process – Citizen-initiated proposals require a two-step review process using Process IV described in Chapter [160](#) KZC:
 - a. A threshold review to determine those proposals that are eligible for further consideration; and
 - b. A final decision.
3. Criteria – The City shall use the following criteria in selecting proposals for further consideration. Proposals must meet subsection (3)(a) of this section, and either subsection (3)(b) or (3)(c) of this section:
 - a. The City has the resources, including staff and budget, necessary to review the proposal; and
 - b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan; or
 - c. All of the following:
 - 1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and
 - 2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and
 - a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and
 - b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years).

COMPREHENSIVE PLAN & NEIGHBORHOOD PLAN UPDATE SCHEDULE

January, 2011

Note: Schedule Subject to Change

NEIGHBORHOOD	STATUS	WORK PROGRAM SCHEDULE	NOTES
Lakeview	Completed –1985	2009 – 2010	Plan process underway
Central Houghton	Completed –1985	2009 – 2010	Plan process underway
Bridle Trails	Completed –1986	2012 - 2013	Could combine as one plan with South Rose Hill
South Rose Hill	Completed – 1991 Partial update in 2002	2012 - 2013	
Everest	Completed –1988	TBD	
Moss Bay	Completed –1989	TBD	
Annexation Neighborhoods <ul style="list-style-type: none"> • Kingsgate • North Juanita* • Finn Hill 	Boundaries determined in 2010.	Could occur prior to Everest/Moss Bay or after North/South Juanita	.
North & South Juanita	Partial Updated Completed –1990	TBD	*The annexation “North Juanita” was combined with the existing “North Juanita”
GMA Comp Plan Update	Major update completed - 2005	2013 - 2014	State requires GMA update by Dec. 1 2014
Totem Lake	Completed – 2002	TBD	Some Amendments occurred in 2008 & 2009
NE 85 th Street Corridor Plan	Completed - 2001	TBD	
North Rose Hill	Completed - 2003	TBD	
Highlands	Completed - 2005	TBD	Could combine with Market & Norkirk schedule
Market & Norkirk	Completed - 2007	TBD	

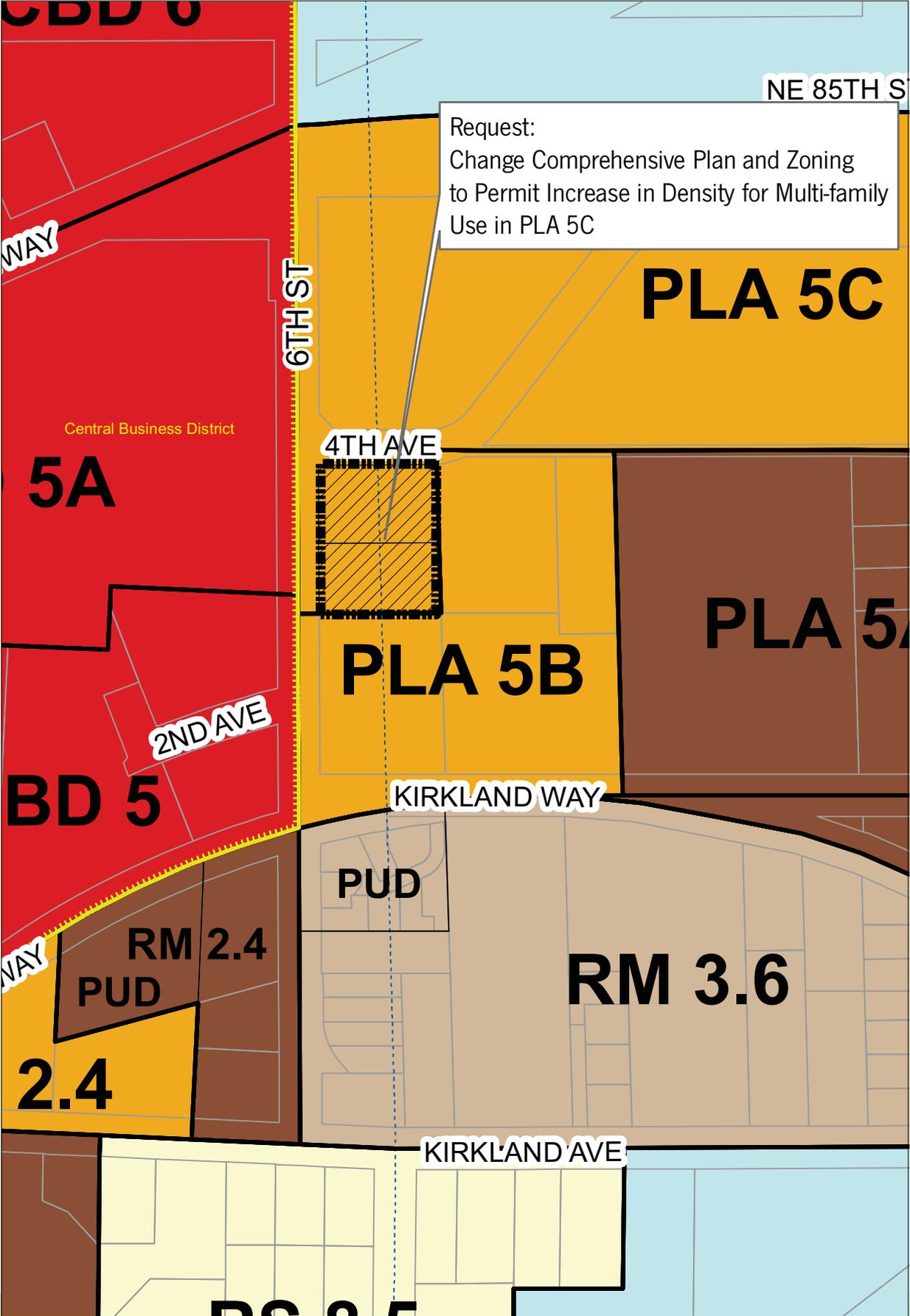
AL TOM PRIVATE AMENDMENT REQUEST- ZON11-00002



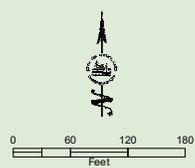
Vicinity Map
0 5,800 11,600 17,400
Feet

Map Legend

- Tax Parcel Boundaries
- Commercial
- Industrial
- Light Manufacturing Park
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space



Request:
Change Comprehensive Plan and Zoning
to Permit Increase in Density for Multi-family
Use in PLA 5C



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NOV 30 2010

PLANNING DEPARTMENT PM

BY _____



CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT
123 Fifth Avenue, Kirkland, WA 98033
425.587.3225
www.ci.kirkland.wa.us

APPLICATION FOR AMENDMENTS 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: RHODA ALTON DBA RCHART LLC ^{BETTINGER} _{ADAMS}
- B. Mailing Address: P.O. Box 22926
- C. Telephone Number: 206.325.1166
- D. Email Address: rhoda@milestoneproperties.net
- E. Property Owner Name (if different than applicant): _____
- F. Mailing Address: _____
- G. Telephone Number: _____
- F. 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 neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand-deliver a copy of this completed application to all affected property owners. Complete the attached Affidavit of Service that this has been done.

II. FOR SITE SPECIFIC PROPOSAL:

- A. Address of proposal: (if vacant provide nearest street names) 611 4th AVE + 220 6th ST, KIRKLAND, WA 98033
- B. King County Tax Parcel number(s): 123890-0115 + 123890-0110
- C. Describe improvements on property if any: ONE STORY OFFICE AND PARKING AND 2 STORY OFFICE BLDG
- D. Attach a map of the site that includes adjacent street names.

III. FOR ALL PROPOSALS:

A. Description of Proposal:

CHANGE FROM PLASC TO CBD5 ZONING

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

WE WOULD LIKE TO INCREASE THE POTENTIAL DENSITY FOR MULTIFAMILY HOUSING

C. Description of how the proposed amendment relates to the following criteria:

1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

THIS WOULD INCREASE THE POTENTIAL HOUSING UNITS FOR DOWNTOWN KIRKLAND AT A TIME WHEN THE DENSITY ON ADJACENT PROPERTIES ARE BEING PLANNED.

2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.

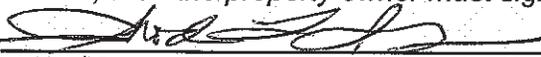
THIS WOULD ALLOW FOR DECREASING TRAFFIC BY PLACING HOUSING ADJACENT TO EMPLOYMENT

3. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

THIS WOULD MAKE THE ZONING CONSISTANT WITH PROPERTY ACROSS THE STREET

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.*

Name – sign: 

Name – print: RHODA L ALTON

Property owner or Legal Representative? YES

Address: P.O. BOX 249226, SEATTLE, WA 98122

Telephone: _____

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
- Exhibit A for mailing document
- Exhibit B for hand delivering document

RE PARCEL# 123890-0110
603 & 611 FOURTH AVE, KIRKLAND

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.

Name - sign: [Signature] Member [Signature]
Name - print: REED BETTINGER Rogers L. Assoc member

Property owner or Legal Representative? OWNER IS PARKVIEW PLAZA ASSOC. LLC

Address: 611 FOURTH AVE # 201 KIRKLAND WA 98033

Telephone: 425 827-8771 x 12

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:

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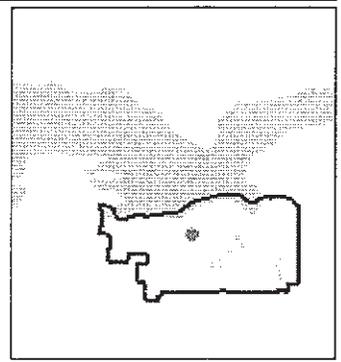
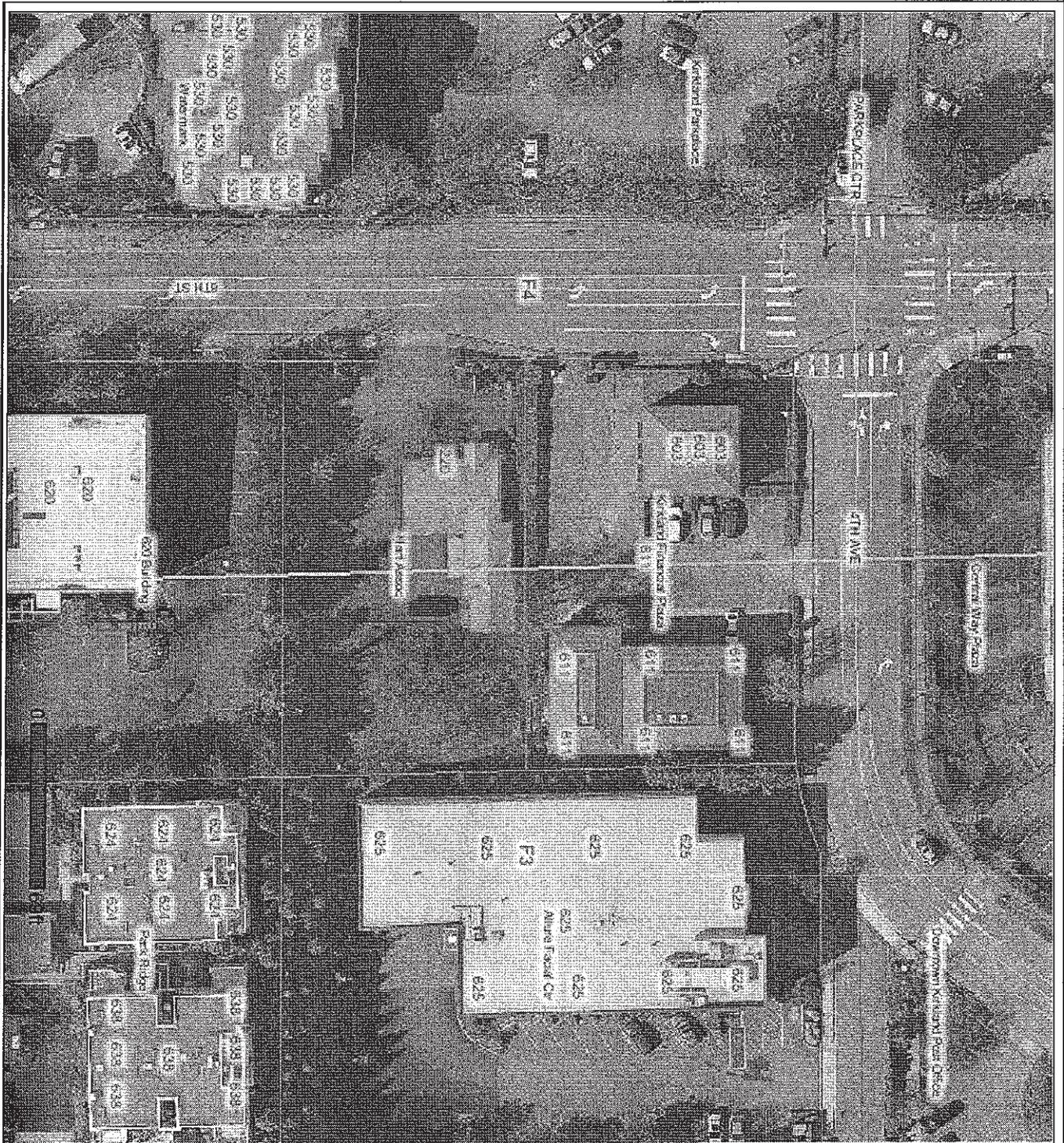
R E C E I V E D

JAN 24 2011

PM

PLANNING DEPARTMENT

BY _____



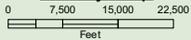
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Approximate
Scale 1:775
1 in = 65 ft

HOWARD PRIVATE AMENDMENT REQUEST- ZON11-00005

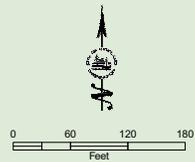
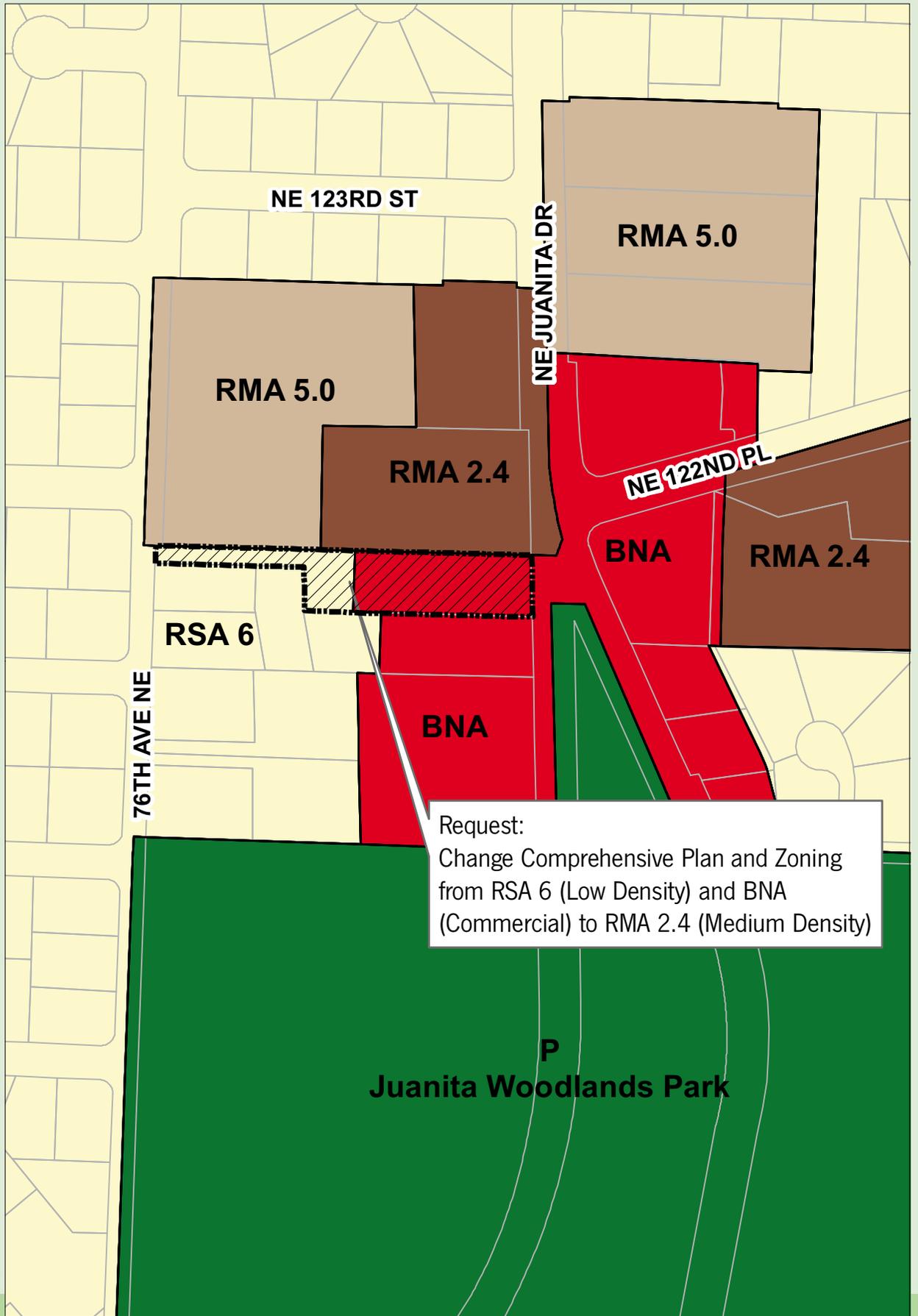


Vicinity Map



Map Legend

- Tax Parcel Boundaries
- Commercial
- Industrial
- Light Manufacturing Park
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space



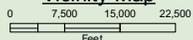
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 fitness or merchantability, accompany this product.

-Print Date: 2/28/2011

HOWARD PRIVATE AMENDMENT REQUEST- ZON11-00005

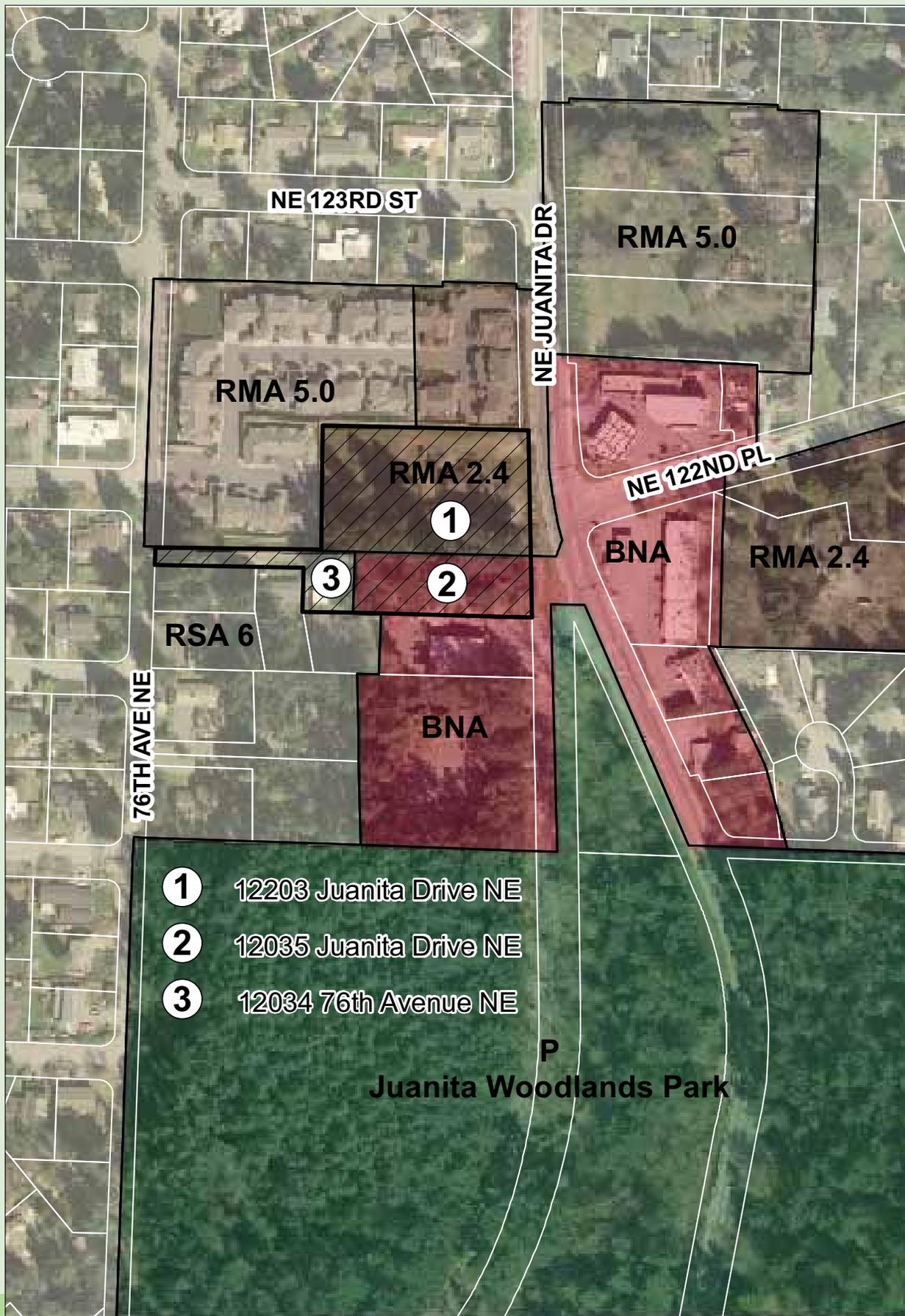


Vicinity Map

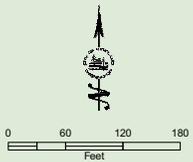


Map Legend

- Tax Parcel Boundaries
- Commercial
- Industrial
- Light Manufacturing Park
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space



- 1** 12203 Juanita Drive NE
- 2** 12035 Juanita Drive NE
- 3** 12034 76th Avenue NE



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-Print Date: 2/28/2011

iMAP

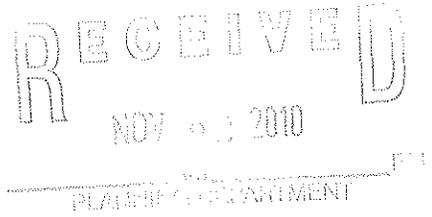


(C) 2010 King County

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CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT
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APPLICATION FOR AMENDMENTS 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: JEFFREY S. HOWARD
- B. Mailing Address: 16350 NE 51ST ST. REDMOND WA 98052
- C. Telephone Number: (425) 869-8617
- D. Email Address: LORDTROW@COMCAST.NET
- E. Property Owner Name (if different than applicant): T.T. HOWARD LLC
- F. Mailing Address: SAME ABOVE
- G. Telephone Number: 10 21
- F. Email Address: 10 10

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 neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand-deliver a copy of this completed application to all affected property owners. Complete the attached Affidavit of Service that this has been done.

12035 & 12203 JUANITA DR. NE
AND

II. FOR SITE SPECIFIC PROPOSAL:

- A. Address of proposal: (if vacant provide nearest street names) 12034 76TH AVE NE
- B. King County Tax Parcel number(s): 6076500101, 6076500060, 6076500105
- C. Describe improvements on property if any: 1 SINGLE FAMILY RESIDENCE ON 6076500105, 12034 76TH AVE NE

D. Attach a map of the site that includes adjacent street names.

III. FOR ALL PROPOSALS:

A. Description of Proposal:

REQUEST TO ALLOW ZONING OF 6076500101 TO BE CHANGED FROM COMMERCIAL TO RMA 2.4. CHANGE 6076500105 FROM RMA 5 TO RMA 2.4

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

STREET ACCESS LIMITATIONS AND SMALL PARCEL SIZE PREVENT VIABLE COMMERCIAL USE OF 6076500101. ZONING MODIFICATION OF 6076500105 WOULD ACCOMMODATE PARKING, OPEN SPACE PLAY AREA, DETACHED VEHIC

C. Description of how the proposed amendment relates to the following criteria: § 2-4 UNITS

1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

SEE SUPPLEMENT TO C.1 ATTACHED

2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.

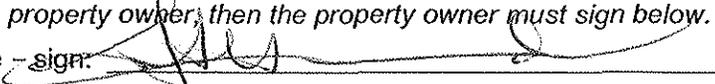
SEE SUPPLEMENT TO C.2 ATTACHED

3. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

SEE SUPPLEMENT TO C.3 ATTACHED

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.*

Name – sign: 

Name – print: JEFFREY S. HOWARD

Property owner or Legal Representative? OWNER & LEGAL REP.

Address: 16350 NE 51ST ST. REDMOND WA. 98052

Telephone: (425) 869-8017

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
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Attachments:

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- Exhibit A for mailing document
- Exhibit B for hand delivering document

T. T. Howard, LLC
16350 NE 51st St. Redmond WA 98052
(425) 869-8017 FAX (425) 861-8942
Email: 1oldiron@comcast.net

18 NOV 10

Supplement to Citizen Initiated Amendment request to the Comprehensive Plan submitted by T.T. Howard, LLC.

Regarding to the following parcels:

12035 Juanita Dr. NE, Parcel # 6076500101

12203 Juanita Dr. NE Parcel # 6076500060

12034 76th Ave. NE Parcel # 6076500105

Section III. Question C. 3.

Item C, question 3 relates to inconsistencies or clarifications within the Comprehensive Plan and whether this application is made to address such.

In the course of the annexation proceedings, Kirkland for the most part grafted Kirkland zoning designations over those already existing in the County system. Very little if any real changes in permitted uses were affected, or will be when the process is complete. There is no “inconsistency” in the Comprehensive Plan; however there is an anomaly that occurred under King County administration which is basically obsolete at the present time.

In the distant past, Parcel # 6076500101 had a small commercial building fronting Juanita Drive. It has served as a barber shop and a real estate office at different times. Fire District 41 has an active station on the parcel immediately to the south.

Section III, Question C. 3. Page 2

About ten years ago, King County completely redesigned, realigned, and upgraded the intersection at Juanita Drive, NE 122nd Street, and Holmes Point Drive. That redesign basically landlocked the parcel in question for most practical purposes. The property is only 88 feet wide along the previous road frontage. It can now only be accessed through the property to its north, or off Holmes Point Drive, dangerously close to the intersection and across the Fire Station entry area. Attempting to develop any viable commercial usage of this small piece of land appears to be untenable.

The request herein is to alter the Comprehensive Plan if necessary to alleviate the restrictions presently in force that preclude the subject parcel to be developed into what is its highest and best use. It remains zoned as Commercial, it may never become an addition to the City tax base in any meaningful way. Re-zoning it to RMA 2.4 as is the property to the north would allow its use as medium density residential and very soon add value to the neighborhood and the City.

Parcel # 6076500105 to the immediate west is presently zoned R-6-P and will become RMA 5.0 under the Kirkland system. It is perfectly located to enhance the development of the two parcels to its east, and was purchased for those purposes.

The “flag lot” configuration allows the development to efficiently loop the water mains between Juanita Drive and 76th Ave NE. Since the bulk of the property sits on a basin break, part of the storm water will be routed out the long driveway and tied into the existing system to the west. The same plan will apply to the necessary sewage lines.

By being included in the larger development, the driveway will also be available for non-motorized traffic to and from neighborhoods to the west and the commercial area east of the main road. An emergency vehicle gate will enable Fire Department access from the west should such a need arise which eliminates any potential bottlenecks of a single entry/egress point.

Section III, Question C. 3. Page 3

The primary usage planned for the subject parcel is for a storm water detention vault, a play area/park, guest parking, and perhaps two new homes. It is not the intent of the developer to crowd the lot with the maximum number of units that would be permitted under RMA 2.4, but to include the property in the larger development to absorb the vault, play area, and parking requirements of the entire project. Such a usage will not adversely impact privacy or property values in the neighborhood to the west.

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17 NOV 10

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Regarding the following parcels:

12035 Juanita Dr. NE, Parcel # 6076500101

12203 Juanita Dr. NE Parcel # 6076500060

12034 76th Ave. NE Parcel # 6076500105

Section III, Question C. 1.

The most intelligent and economically feasible development of these parcels in today's economic conditions is medium density residential. The largest parcel, (6076500060) is already zoned appropriately at R-18 under King County and will be RMA 2.4 in the Kirkland system. The adjacent piece to the south of it (6076500101) is presently zoned Neighborhood Business and will be zoned Commercial (Kirkland). The property to the west (6076500105) is presently zoned R-6-P (King Co.) and will be RMA 5.0 (Kirkland).

The NB zoned property is not particularly well suited to commercial use for several reasons. The location opening into a very bizarre intersection creates access and egress problems for any measurable volume of traffic. The narrow dimensions of the property also restrict the types of commercial uses to which it could be put. The present market for commercial space is very adverse to any hopes of leasing space due to the economic conditions. Last but not least, the nearby residents to the west would not appreciate in the least some sort of commercial activity if it could be avoided.

Section III, Question C. 1. Page 2

In relation to the Comprehensive Plan Framework/Goals, residential development of all three parcels will best fit the long term vision of the community. FG-1 specifically aims for, among other things, “neighborhoods with a variety of housing types, styles, and ages”. The plan for development of this property envisions something similar to the “cottage concept” in which unique stand-alone small single family homes are placed in close proximity while maintaining their individual separation. A courtyard layout allows the garage to be toward the rear of each unit, deemphasizing the garage and showcasing the front porch, entry, and courtyard. This design will add another attractive tier to the “desired character” called for in FG-1.

FG-2, Support for a Strong Sense of Community, envisions neighborhoods and retail business areas. A small friendly retail base already exists across Juanita Drive to the east, but the west side presently is all residential. Creating residential growth in the area in which it already exists and is supported by those living nearby seems to more closely satisfy the purpose of FG-2.

FG-3 calls for among other things: Vibrant and stable residential neighborhoods ...with housing for diverse income groups, age groups and lifestyles. To the west are single family homes. To the west and north are duplex designed town homes. The plan for these three parcels will fall exactly in between the two types in the nearby neighborhoods thus increasing the lifestyle and affordability selections available in the area.

FG-5 and FG-7 both touch on environmental protection and sustainability. The most important feature in this community is the minimization of storm water run-off by utilizing efficient designs to allow each home site to act as its own detention facility. The design and engineering of the concept is too involved to describe here. However through the use of pervious ground cover and a below ground detention facility and filter, nearly all runoff from each home site will be contained on and dissipated on each site. The storm water vault serving the development will in nearly all events be holding and releasing runoff from only the street areas.

Section III, Question C. 1. Page 3

FG-9 calls for “safety and accessibility for those who use alternative modes of transportation within and between neighborhoods, public spaces”. The corridor existing on the “flag lot” (6076500105) is envisioned to be available to non motorized traffic to allow access and egress between the neighborhood to the west and the intersections and crosswalks at Juanita Drive and NE 122nd St and their adjacent commercial establishments. Conversely, residents of the new homes would have easy access to the parks to the west. King County Metro Bus Service serves Juanita Drive daily as well.

FG-14 emphasizes minimizing low density sprawl. The plan for this property fits well in that concept. The requested zoning adjustment will allow the placement of a number of medium density housing units on the three parcels while eliminating one single family home on a large lot without adversely affecting the neighborhood or nearby property values.

T. T. Howard, LLC
16350 NE 51st St. Redmond WA 98052
(425) 869-8017 FAX (425) 861-8942
Email: 1oldiron@comcast.net

18 NOV 10

Supplement to Citizen Initiated Amendment request to the Comprehensive Plan submitted by T.T. Howard, LLC.

Regarding the following parcels:

12035 Juanita Dr. NE, Parcel # 6076500101

12203 Juanita Dr. NE Parcel # 6076500060

12034 76th Ave. NE Parcel # 6076500105

Section III, Question C. 2.

As applied to the Public Interest, it is felt that this proposal is best acted upon during the current year rather than being postponed into some later date framework.

In present economic conditions, relatively affordable housing is not abundantly available in the Juanita-Kirkland vicinity. There are a few exceptions, of course, but many such opportunities are functionally obsolete resale properties scattered about among various neighborhoods. The concept being planned for these three parcels will fall into a very desirable price range for new homes. This will enable many buyers who are presently either priced out of the market, or limited to shopping for resale properties to purchase new homes. These very buyers, as members of the general public, will benefit from this proposal.

Two of the lots are presently vacant and generating no appreciable tax revenue to the County or the City. Developing only the north parcel as presently zoned is not economically feasible for the developer. Intersection and signal upgrades along with utility access costs are substantial and could not be readily absorbed into a project limited to that one piece.

Section III, Question C. 2. Page 2

As described in the Supplement to Question C-1, the small Commercial zoned property is severely limited due to access and dimensional characteristics – not to mention very probable neighborhood objections. At one time, it had a small two room office on the site and had direct access to Juanita Drive. The intersection modifications in recent years eliminated that access. The only potential routes would be through the residential parcel to the north, or off Holmes Point Drive through the Fire Station area.

Shoehorning some commercial use into that small space would not create a viable income producing property. In addition to that, commercial space is a drag on the market at this time and could well be for the foreseeable future. The owner would face a choice of constructing an almost certain economic loser or leaving the property vacant if the present zoning stands. Neither possibility would benefit the general public or the City of Kirkland.

Rezoning the third parcel to allow the development to create a higher and better use would benefit the environment and the neighboring homes along with the development itself. This would allow the placement of a couple additional new affordable homes where now stands an older rented home. The storm water vault would be placed there along with a park-like public play area and perhaps some required guest parking.

Both the homes to the immediate west are presently utilizing on site septic systems which have given the owners some warning signs in the past. They are also served by long plastic water lines running from meters on 76th Avenue. One line failed a few years ago and caused a large leakage loss to the owner and to the Water District. Replacing one home solves half the problem, and since both sewer and water lines will be placed in the long “flag lot” driveway; the remaining home can be connected to the municipal sewage system and have a direct connection to a relocated water meter.

Section III, Question C. 2. Page 3

In conclusion, the benefits to the general public are as follows:

1. All three parcels would be converted to zoning allowing highest and best use *dictated by their location, access requirements and dimensions* – not by an out of date County zoning designation.
2. A community of affordable new homes will be built that will enhance home selection opportunities for those who wish to live in the area.
3. The City tax base will be increased.
4. Bicycle and pedestrian access to and from Juanita Drive and neighborhoods and parks to the west will be enhanced.
5. No objectionable commercial activity will be conducted on the residential neighborhood side of Juanita Drive.
6. Two on-site septic systems will be eliminated before they can completely fail.
7. A very attractive buffer between residential properties to the west and traffic and commercial activity along Juanita Drive will be created.

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(425) 869-8017 FAX (425) 861-8942
Email: 1oldiron@comcast.net

18 NOV 10

Supplement to Citizen Initiated Amendment request to the Comprehensive Plan submitted by T.T. Howard, LLC.

Regarding to the following parcels:

12035 Juanita Dr. NE, Parcel # 6076500101

12203 Juanita Dr. NE Parcel # 6076500060

12034 76th Ave. NE Parcel # 6076500105

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Parcel # 6076500105 to the immediate west is presently zoned R-6-P and will become RMA 5.0 under the Kirkland system. It is perfectly located to enhance the development of the two parcels to its east, and was purchased for those purposes.

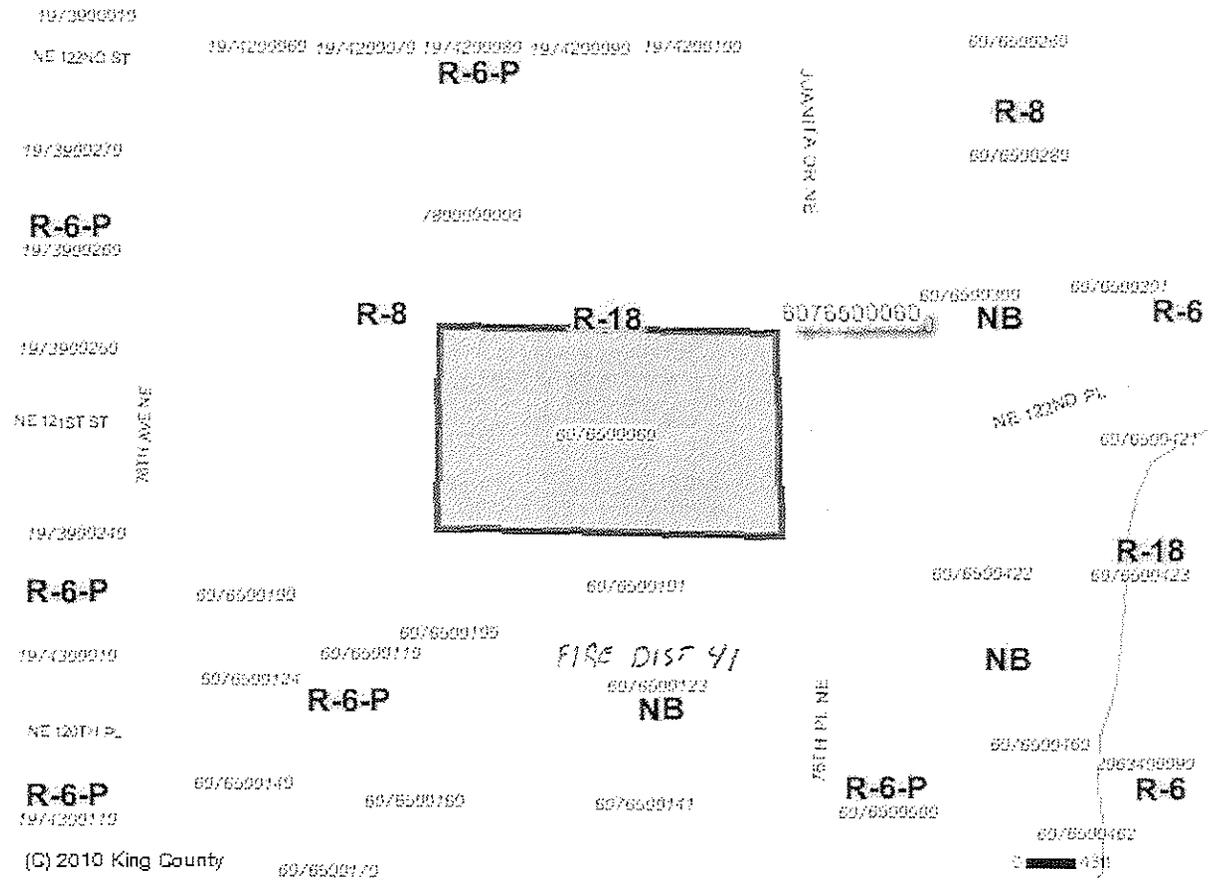
The “flag lot” configuration allows the development to efficiently loop the water mains between Juanita Drive and 76th Ave NE. Since the bulk of the property sits on a basin break, part of the storm water will be routed out the long driveway and tied into the existing system to the west. The same plan will apply to the necessary sewage lines.

By being included in the larger development, the driveway will also be available for non-motorized traffic to and from neighborhoods to the west and the commercial area east of the main road. An emergency vehicle gate will enable Fire Department access from the west should such a need arise which eliminates any potential bottlenecks of a single entry/egress point.

Section III, Question C. 3. Page 3

The primary usage planned for the subject parcel is for a storm water detention vault, a play area/park, guest parking, and perhaps two new homes. It is not the intent of the developer to crowd the lot with the maximum number of units that would be permitted under RMA 2.4, but to include the property in the larger development to absorb the vault, play area, and parking requirements of the entire project. Such a usage will not adversely impact privacy or property values in the neighborhood to the west.

ATTACHMENT 4D



PARCEL DATA

Parcel	607650-0060	Jurisdiction	KING COUNTY
Name	HOWARD JEFF	Levy Code	7337
Site Address	12203 JUANITA DR NE 98034	Propert Type	R
Residential Area	084-003 (NW Appraisal District)	Plat Block / Building Number	A
		Plat Lot / Unit Number	3-4
		Quarter-Section-Township- Range	<u>SE-25-26-4</u>

Legal Description

NIBLOCK LAKE PARK TRS UNREC E 295 FT OF LOT 3 LESS N 200 FT - AS MEAS ALG CC RD - & E 295 FT OF LOT 4 LESS C/M RGTS

LAND DATA

Highest & Best Use As If Vacant	MULTI-FAMILY DWELLING	Percentage Unusable	0
Highest & Best Use As Improved	INTERIM USE	Unbuildable	NO
Present Use	Single Family(C/I Zone)	Restrictive Size Shape	NO
Base Land Value SqFt	8	Zoning	R18
Base Land Value	353,000	Water	WATER DISTRICT
% Base Land Value Impacted	100	Sewer/Septic	PUBLIC
Base Land Valued Date	2/20/2007	Road Access	PUBLIC
Base Land Value Tax Year	2008	Parking	
Land SqFt	52,658	Street Surface	PAVED
Acres	1.21		

Views

- Rainier
- Territorial
- Olympics
- Cascades
- Seattle Skyline
- Puget Sound
- Lake Washington
- Lake Sammamish
- Lake/River/Creek

Waterfront

- Waterfront Location
 - Waterfront Footage
 - Lot Depth Factor
 - Waterfront Bank
 - Tide/Shore
 - Waterfront Restricted Access
 - Waterfront Access Rights
 - Poor Quality
 - Proximity Influence
- NO
- NO

Other View

Designations		Nuisances	
Historic Site		Topography	NO
Current Use		Traffic Noise	HIGH
Nbr Bldg Sites		Airport Noise	
Adjacent to Golf Fairway	NO	Power Lines	NO
Adjacent to Greenbelt	NO	Other Nuisances	NO
Other Designation	NO	Problems	
Deed Restrictions	NO	Water Problems	NO
Development Rights Purchased	NO	Transportation Concurrency	NO
Easements	NO	Other Problems	NO
Native Growth Protection Easement	NO	Environmental	
DNR Lease	NO	Environmental	NO

ATTACHMENT 4D

R-8 6076500289

R-6-P

7800000000

6076500291

6076500300

NB

R-8

R-18

6076500360

NE 122ND PL

6076500421

6076500101

R-18



6076500141

6076500422

6076500423

28111 AVE SE

6076500109

6076500105

6076500119

FIRE DIST. 41

NB

6076500124

6076500122

NB

R-6-P

NB

6076500469

R-6

6076500140

6076500160

JUNEF 14 DR NE

6076500141

PK 73 H 197

6076500509

R-6-P

6076500462

6076500180

6076500170

6063400110

0 500'

(C) 2010 King County

PARCEL DATA

Parcel	607650-0101	Jurisdiction	KING COUNTY
Name	T T HOWARD LLC	Levy Code	7337
Site Address	12035 JUANITA DR NE 98034	Propert Type	C
Geo Area	85-40	Plat Block / Building Number	A
Spec Area	0-0	Plat Lot / Unit Number	5
		Quarter-Section-Township-Range	<u>SE-26-26-4</u>

Legal Description

NIBLOCK LAKE PARK TRS UNREC POR DAF - BEG NW COR SE 1/4 STR 25-26-4 TH S ON LN SD SE 1/4 899.5 FT TO POB TH E 532.67 FT M/L TO JULIET BLINN & LAKE PARK CNTY RD (JUANITA DR NE) TH S 88.15 FT TH W 537.87 FT M/L TO W LN SD SE 1/4 TH N ON W LN SD SE 1/4 88 FT TO TPOB LESS W 282.67 FT TH OF

LAND DATA

Highest & Best Use As If Vacant	COMMERCIAL SERVICE	Percentage Unusable	0
Highest & Best Use As Improved	TEAR DOWN	Unbuildable	NO
Present Use	Single Family(C/I Zone)	Restrictive Size Shape	NO
Base Land Value SqFt	17	Zoning	NB
Base Land Value	377,800	Water	WATER DISTRICT
% Base Land Value Impacted	100	Sewer/Septic	PUBLIC
Base Land Valued Date	12/29/2009	Road Access	PUBLIC
Base Land Value Tax Year	2011	Parking	
Land SqFt	22,229	Street Surface	
Acres	0.51		

Views

- Rainier
- Territorial
- Olympics
- Cascades
- Seattle Skyline
- Puget Sound
- Lake Washington

Waterfront

- Waterfront Location
- Waterfront Footage
- Lot Depth Factor
- Waterfront Bank
- Tide/Shore
- Waterfront Restricted Access
- Waterfront Access Rights
- NO

Lake/River/Creek	Proximity Influence	NO
Other View		

Designations

Historic Site	
Current Use	
Nbr Bldg Sites	
Adjacent to Golf Fairway	NO
Adjacent to Greenbelt	NO
Other Designation	NO
Deed Restrictions	NO
Development Rights Purchased	NO
Easements	NO
Native Growth Protection Easement	NO
DNR Lease	NO

Nuisances

Topography	NO
Traffic Noise	
Airport Noise	
Power Lines	NO
Other Nuisances	NO

Problems

Water Problems	NO
Transportation Concurrency	NO
Other Problems	NO

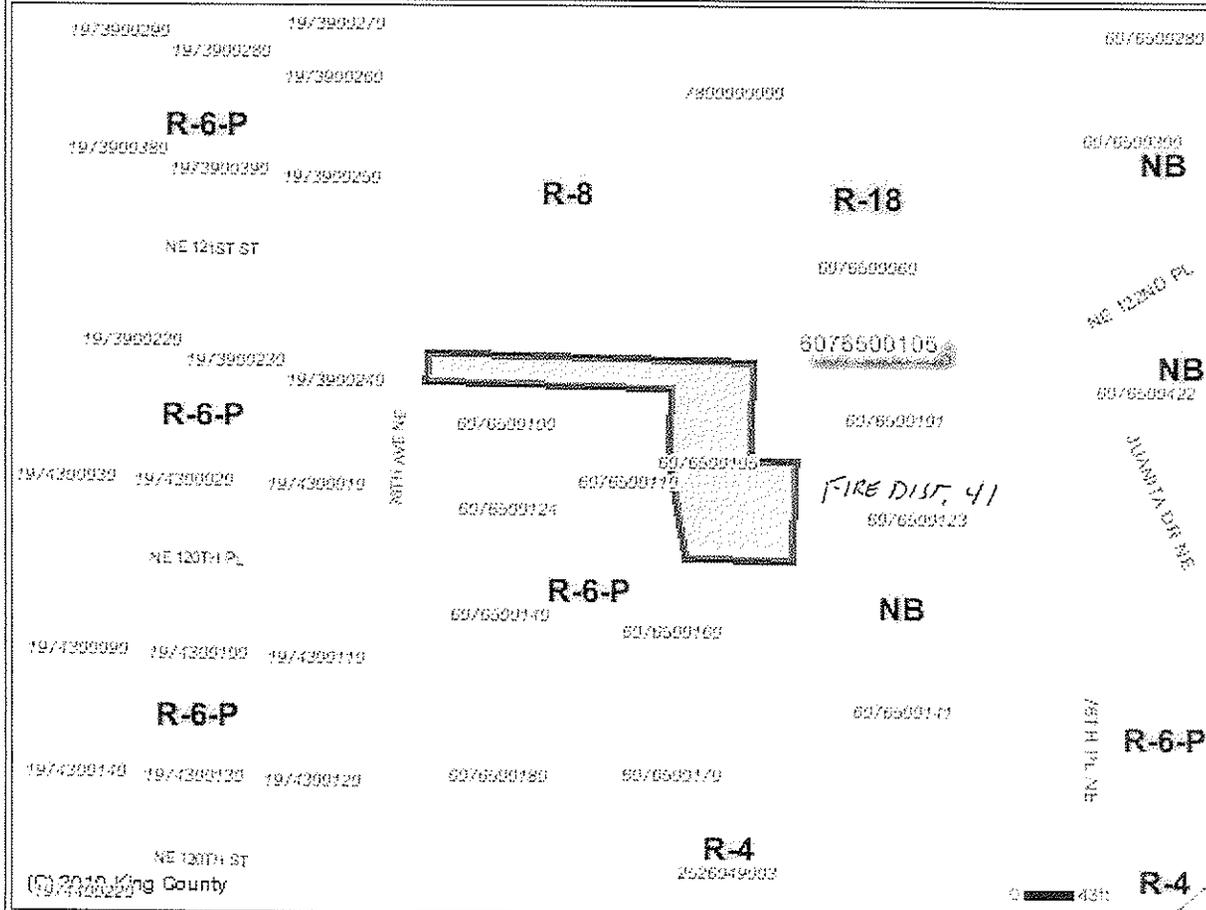
Environmental

Environmental	NO
---------------	----

ATTACHMENT 4D



Parcel Map and Data



Parcel Number 6076500105
 Site Address 12034 76TH AVE NE
 Zip code

PARCEL DATA

Parcel	607650-0105	Jurisdiction	KING COUNTY
Name	HOWARD JEFFREY S	Levy Code	7337
Site Address	12034 76TH AVE NE 98034	Propert Type	R
Residential Area	084-003 (NW Appraisal District)	Plat Block / Building Number	A
		Plat Lot / Unit Number	5 & 6
		Quarter-Section-Township-Range	<u>SE-25-26-4</u>

Legal Description

NIBLOCK LAKE PARK TRS UNREC DAF - BEG AT W LN STR 25-26-4 899.5 FT S OF NW C TH E 282.67 FT TH S 88 FT TO PT A THIS DESC TH E TAP 322.95 FT OF W MGN NW 1/4 S 1/4 - STR 25-26-4 TH S PLT W MGN SD SUBD 86 FT TH W 92.95 FT TH NWLY IN A STRAIGHT LN TAP 70FT W OF PT A TH NLY 63 FT TH W 212.67 FT TO W MGN SD SUBD N 25 FT TO POB

LAND DATA

Highest & Best Use As If Vacant	SINGLE FAMILY	Percentage Unusable	0
Highest & Best Use As Improved	PRESENT USE	Unbuildable	NO
Present Use	Single Family(Res Use/Zone)	Restrictive Size Shape	NO
Base Land Value SqFt	0	Zoning	R6P
Base Land Value	265,000	Water	WATER DISTRICT
% Base Land Value Impacted	100	Sewer/Septic	PRIVATE
Base Land Valued Date	1/31/2007	Road Access	PUBLIC
Base Land Value Tax Year	2008	Parking	
Land SqFt	20,216	Street Surface	PAVED
Acres	0.46		

Views

- Rainier
- Territorial
- Olympics
- Cascades
- Seattle Skyline
- Puget Sound
- Lake Washington
- Lake Sammamish

Waterfront

- Waterfront Location
 - Waterfront Footage
 - Lot Depth Factor
 - Waterfront Bank
 - Tide/Shore
 - Waterfront Restricted Access
 - Waterfront Access Rights
 - Poor Quality
- NO

Lake/River/Creek		Proximity Influence	NO
Other View			
Designations		Nuisances	
Historic Site		Topography	NO
Current Use		Traffic Noise	HIGH
Nbr Bldg Sites		Airport Noise	
Adjacent to Golf Fairway	NO	Power Lines	NO
Adjacent to Greenbelt	NO	Other Nuisances	NO
Other Designation	NO	Problems	
Deed Restrictions	NO	Water Problems	NO
Development Rights Purchased	NO	Transportation Concurrency	NO
Easements	NO	Other Problems	NO
Native Growth Protection Easement	NO	Environmental	
DNR Lease	NO	Environmental	NO

N/A, ALL 3 PARCELS OWNED BY APPLICANT.



AFFIDAVIT OF SERVICE - FILE NO. _____

Document Served	Process
<input type="checkbox"/> Challenge (including procedures to file a Response)	<input type="checkbox"/> IIB
<input type="checkbox"/> Response to Challenge	<input type="checkbox"/> III
<input type="checkbox"/> Application for Comprehensive Plan Amendment	<input type="checkbox"/> IV
(check appropriate box in each column)	

_____, being first duly sworn on oath deposes and says that I am 18 years of age or older. That I served the above-indicated document by mail or personal service upon the following-named persons who constitute all of the parties entitled to receive same and to participate in the land use proceeding identified in Kirkland Planning and Community Development Department File No. _____. A copy of the document is attached to this affidavit.

The persons who were served by mailing, postage prepaid, and the address to which mailed are set forth in Exhibit "A" to this affidavit and which by this reference is incorporated herein.

The persons who I served by personal service are listed on Exhibit "B" to this affidavit which exhibit is by this reference incorporated herein. For the purposes of this affidavit, "personal service" means hand-delivery of the document to the person being served, or in the alternative, hand-delivery to another adult who also makes his or her home at the residence of the person served.

DATED at Kirkland, Washington, this _____ day of _____, _____.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington

Residing at: _____

My commission expires: _____



EXHIBIT "A"
AFFIDAVIT OF SERVICE - FILE NO. _____

Service was accomplished as to the following persons by mailing a copy of the identified document, postage prepaid, to that person at the indicated address:

Party	Home Address	Date of Mailing
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EXHIBIT "B"
AFFIDAVIT OF SERVICE - FILE NO. _____

The following persons were served with copies of the indicated document by personal service. "Personal service" means hand delivery of the document to the person hereafter named, or in the alternative, hand delivery to another adult who also resides at the residence of the person named:

Party	Home Address	Person To Whom Delivered, if not Named Party	Date of Service

NEIGHBORHOOD PLAN UPDATE SCHEDULE

October 2010

Note: Schedule Subject to Change

Comprehensive Plan & Neighborhood Plans

Lakeview & Central Houghton	Pending
Comprehensive Plan Update	2010-2011
Bridle Trails and South Rose Hill	2012-2013
Everest and Moss Bay	2014-2015
North & South Juanita	2016-2017
Totem Lake	2018
Comprehensive Plan Update	2019-2020

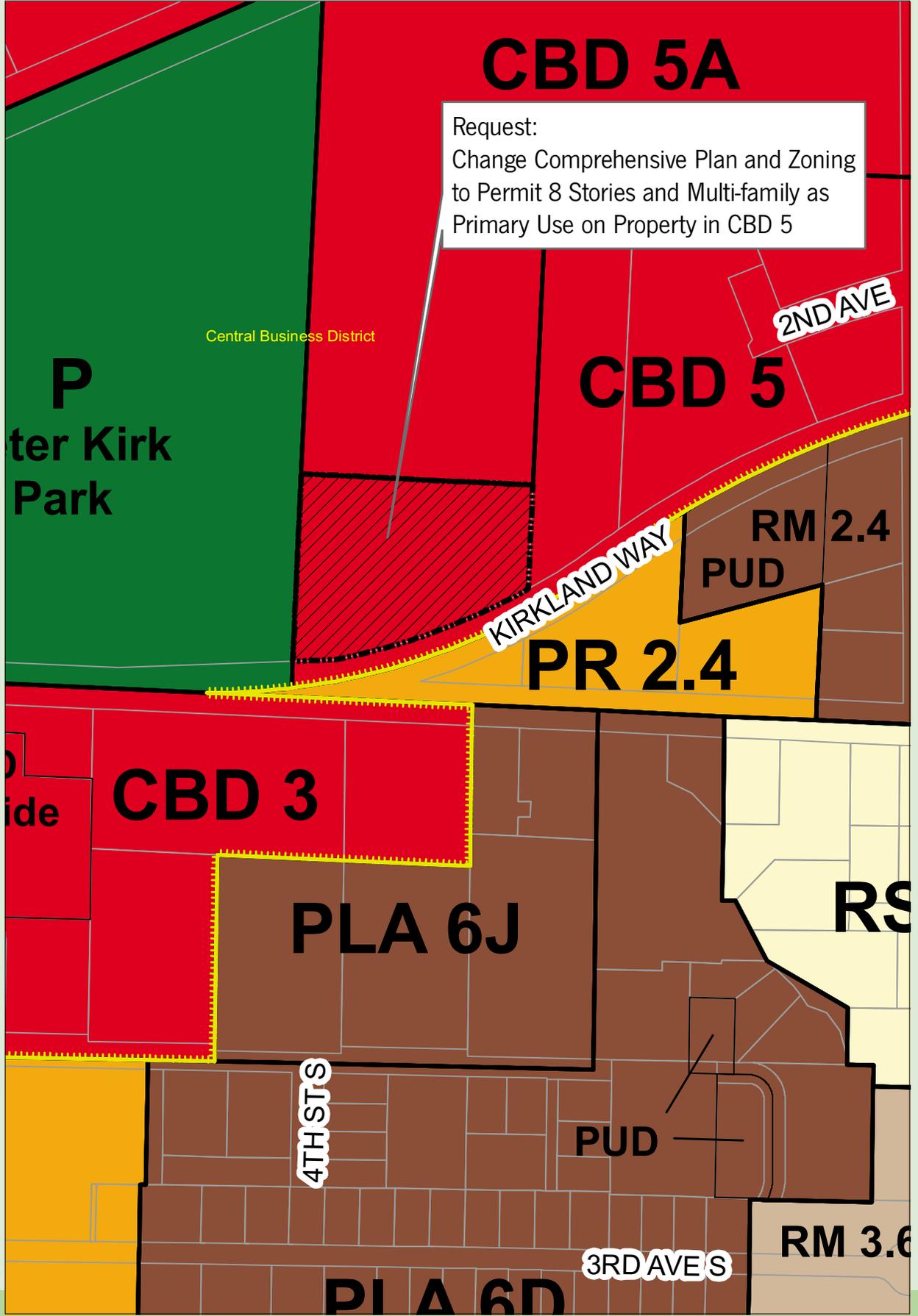
MRM KIRKLAND PRIVATE AMENDMENT REQUEST- ZON11-00006



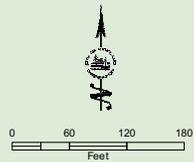
Vicinity Map
0 5,900 11,800 17,700
Feet

Map Legend

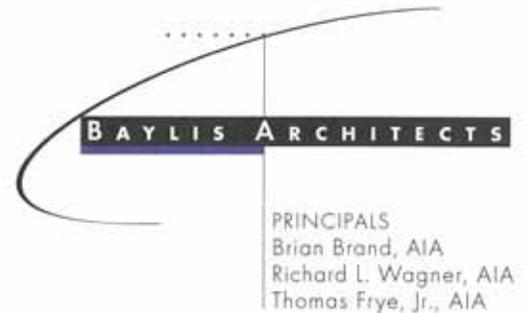
- Tax Parcel Boundaries
- Commercial
- Industrial
- Light Manufacturing Park
- Office
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Institutions
- Park/Open Space



Request:
Change Comprehensive Plan and Zoning to Permit 8 Stories and Multi-family as Primary Use on Property in CBD 5



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No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.



434 Kirkland Way Private Amendment Request

NARRATIVE

The 434 Kirkland Way property is located on the north side of Kirkland Way just east of the Kirkland Performance Center. The site area is approximately 73,938 SF and is currently developed with a one story office building, and a surface parking lot. The existing building and paving cover virtually the entire parcel. The site slopes upward moderately from west to east with an approximate 20' rise along Kirkland Way. The site contains no significant trees or vegetation. (See exhibit 1 & 3).

All properties adjacent to the subject site are developed including the Kirkland Park Place mixed use project to the north, Peter Kirk Park and the Kirkland Performance Center to the west, Kirkland Way to the south and two large office buildings, the Emerald Building and Continental Plaza, to the east. (See exhibits 3, 4 & 5).

The site is located in the Moss Bay Neighborhood and is currently zoned CBD-5. Mixed use development is supported by both the comprehensive plan and the zoning code.

Kirkland Park Place occupies approximately 8.5 acres and is in the final stages of a comprehensive plan and zoning code change that, when complete, will allow development of mixed use buildings containing approximately 1,200,000 SF of office, 300,000 SF of retail area, a 175 unit hotel and a 70,000 SF sports center and gym, a total of 1.8 million SF of space. Development of buildings of 8 stories up to 120' in height will be allowed. A new CBD 5A zoning designation will be established for the Park Place site once the land use action is final.

This Private Amendment Request for 434 Kirkland Way proposes changes to the Moss Bay Comprehensive Plan and the CBD 5 zoning designation on behalf of the owner. The following will briefly summarize the owners request including an overview of planned development, and outline of requested changes to the Comprehensive Plan and the Zoning Code

Requested Comprehensive Plan and Zoning Code Changes

The owner plans to remove the existing building and site improvements and to construct a new mixed use building. The proposed mixed use development will be organized in one of several alternative configurations; retail/office; a retail/office/multifamily; or retail/multifamily. The

434 Kirkland Way
 November 23, 2010
 Page 2 of 6

current zoning allows for the development of the first 2 configurations, however, under the current zoning code, multifamily is permitted only as a minor use. This request is as follows:

- 1) The first goal of this PAR is to request the necessary changes to the Comprehensive Plan and zoning code to allow multifamily uses as a primary use.

Secondly, the current Moss Bay Comprehensive Plan and the CBD 5 zoning designation allow a maximum building height of 5 stories. The city has recently made a commitment to additional density in the CBD and the newly created zoning designation of CBD 5A that applies to the Kirkland Park Place project just north of the subject site allows for 8 story buildings up to 125' in height. Building E, located immediately adjacent to the subject site will be approximately 115' tall.

- 2) The second goal of this PAR is to request the necessary changes to the Comprehensive Plan and zoning code to allow building heights of up to 8 stories, but in no case more than 100 feet above average building elevation (ABE) as measured along Kirkland Way. This would permit construction of a multi-family building of approximately 8 stories and an office building of approximately 7 stories. This height would be compatible with the adjacent Park Place Development and would create a transition to the uses located to the south across Kirkland Way.

Design Guiding Principles

The proposed project would be developed around a number of design guiding principles that would serve the public interest by implementing goals and policies of the comprehensive plan. These Design Guiding Principles would also serve to incorporate the project into and enhance the fabric of the Moss Bay Neighborhood as well as incorporate with the Downtown's overall pattern. These guiding principles would be as follows

- A. Site planning to connect to neighborhood
- B. Enhance the pedestrian experience
- C. Integrate Vehicle access with the neighborhood
- D. Mix of uses
- E. Modulate for proper scale and mass
- F. Transition to neighboring uses
- G. Sustainability
- H. Include an affordability housing component

434 Kirkland Way
November 23, 2010
Page 3 of 6

A. *Site Planning and Connection to the neighborhood* (see exhibit 6 & 7)

The site is located adjacent to the Peter Kirk Park and the Kirkland Performance Center. It will be important to treat the west end of the subject site to enhance the landscaping, vehicular access and pedestrian access to both of these important assets to Kirkland. The development on the subject site should include a wide setback from Peter Kirk Park and the Kirkland Performance Center and the height of the building along this frontage will be limited to 3 stories within 100' of the Performance Center and the Park.

A vehicular/pedestrian link should be established along the west property line that will align with the vehicular/pedestrian access proposed for Kirkland Park Place. In addition, a pedestrian/vehicular link should be established along the north property line that will align with the vehicular/pedestrian/service access proposed on the Park Place project.

A strong pedestrian experience should also be created along Kirkland Way that climbs the hill towards the east. This segment of Kirkland Way acts as a transition to residential and low rise office. We propose that urban on-street townhomes along this frontage, similar to modern "brownstones" with landscaped gardens and courtyard entries. These may serve as "live/work" units as well.

Finally, we propose that the width of the building façade should be terraced on the north and south sides and building width limited along the east property line to reduce building bulk and create view corridors for properties east of the subject site.

B. *Enhance the pedestrian experience* (See exhibits 6, 7, 13 & 14)

Pedestrian access to and through the site will be enhanced along the access street along the west property and north property line. Considerations for pedestrian scale, safety and orientation will be provided including judicious placement of windows, unique store fronts, multiple entries, canopies and awnings, courtyards, plazas, benches and perching areas, signage for orientation, landscaping, street trees and other pedestrian amenities.

A large open pedestrian plaza is proposed between the new retail building and the Kirkland Performance Center celebrating the public entrance to the site.

434 Kirkland Way
November 23, 2010
Page 4 of 6

C. *Integrate Vehicle access with the neighborhood* (See exhibits 6 & 7)

As mentioned above, a vehicular/pedestrian access will be established along the west property line to align with proposed circulation from the Kirkland Park Place Development. This link will become an important north/south connection for adjacent neighborhoods. It will serve the Kirkland Performance Center, the Senior Center, the Kirkland Park Place Development and Peter Kirk Park. In addition, an east/west pedestrian/vehicular link will be established along the north property line to align with the vehicular/pedestrian/service design being proposed for Kirkland Park Place Development and to act as a connection to the office buildings to the east.

D. *Mix of uses* (See exhibits 13 & 14)

The project will include a mix of uses as described above and as encouraged in the goals and policies of the comprehensive plan. Pedestrian oriented frontage and residential uses will occupy the ground level.

The proposed design envisions a large courtyard off Kirkland Way that would serve as entry to a variety of townhouse housing sizes and types to both enhance the pedestrian experience as well as provide living units that could serve different lifestyles including “live/work” spaces.

Upper levels should allow for residential uses, office space or a combination of both. Residential uses would include living units of varying sizes designed to accommodate a mix of family profiles with rents at various levels, with the intent that the building can capture many different markets and budgets.

E. *Modulate for proper scale and mass* (See exhibits 15 & 16)

The building will be designed to modulate the building and present a pedestrian scale façade adjacent to Peter Kirk Park, the Kirkland Performance Center and along Kirkland Way. Building heights adjacent to these frontages will be 2-3 stories in height. Natural materials such as brick, stone and wood will be used to provide texture, color and detail.

This request is for an increase in allowable height of up to 8 stories but in no case more than 100’ above ABE. This is lower than the heights being proposed for the CBD 5A zoning on the Kirkland Park Place development. Multi-family requires a lower floor to

434 Kirkland Way
November 23, 2010
Page 5 of 6

floor height than office and therefore a maximum of 8 residential floors or 7 office floors would be permitted with this request.

Care will be given to correctly proportion windows and to avoid large blank walls by creating a distinct base, body and top to the building.

To summarize, the following characteristics should be included in the building design that will provide proper scale and mass:

1. Distinct base structure, 2-3 stories above street
2. Upper floors that step back above the 3rd floor along the west and south sides
3. Upper floors arranged around a courtyard to reduce mass on upper levels
4. Distinctive top floor(s) using roof form, materials and step-backs
5. Multiple materials/colors
6. Careful window massing/pattern

F. Transition to neighboring uses

This site has a unique opportunity to act as a transition between the Kirkland Park Place Development and Peter Kirk Park and the lower intensity mixed use, multi-family and office uses that exist to the east and south of the site. The subject site slopes moderately to the east and properties east of the subject site, are still at a higher elevation and potential impacts on their views are minimized.

The mixed uses proposed can also create a similar transition of use between residential and office uses. Residential uses will include living units of varying sizes designed to accommodate a mix of family profiles with rents at various levels with the intent that the building can capture many different markets and budgets.

G. Sustainability

The building will be built to LEED standards and include strategies to reduce consumption of energy and resources such as gas, greenhouse gas emissions, electricity consumption, water, CO2 emissions and solid waste. In addition, use of sustainable materials will be maximized including those that are durable and that are made from recycled materials, are easy to recycle for future uses; made within 500 miles of the site

434 Kirkland Way
November 23, 2010
Page 6 of 6

using environmentally friendly manufacturing processes to make and have low VOC content.

H. Include an affordability housing component

Residential portions of the building will include living units of varying sizes designed to accommodate a mix of family profiles with rents at various levels with the intent that the building can capture many different markets and budgets. The owner will also explore incentives and organizations to include an affordable housing component.



CITY OF KIRKLAND
 PLANNING AND COMMUNITY DEVELOPMENT
 123 Fifth Avenue, Kirkland, WA 98033
 425.587.3225
 www.ci.kirkland.wa.us

**APPLICATION FOR AMENDMENTS 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: Baylis Architects attn: Brian Brand, AIA
- B. Mailing Address: 10801 Main Street Suite 110, Bellevue 98004
- C. Telephone Number: 425.454.0566
- D. Email Address: brandb@baylisarchitects.com
- E. Property Owner Name (if different than applicant): MRM Kirkland, LLC attn: Jeff Williamson
- F. Mailing Address: 3927 Lake Washington Blvd, Kirkland, WA 98033
- G. Telephone Number: 425.822.1996
- F. Email Address: jeff@wl-cpa.com

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 neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand-deliver a copy of this completed application to all affected property owners. Complete the attached Affidavit of Service that this has been done.

II. FOR SITE SPECIFIC PROPOSAL:

- A. Address of proposal: (if vacant provide nearest street names) 434 Kirkland Way
- B. King County Tax Parcel number(s): 0525059063
- C. Describe improvements on property if any: Existing one story office/retail building with approx. 12,000 SF plus paved parking lot

D. Attach a map of the site that includes adjacent street names.

See attached Exhibit 1

III. FOR ALL PROPOSALS:

A. Description of Proposal:

See attached

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

See attached

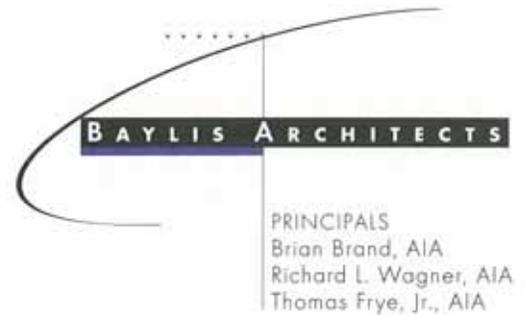
C. Description of how the proposed amendment relates to the following criteria:

See attached

1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.

3. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.



434 Kirkland Way Private Amendment Request

Answers to Questions

A. Description of Proposal:

The 434 Kirkland Way property is located on the north side of Kirkland Way just east of the Kirkland Performance Center. The site area is approximately 73,938 SF and is currently developed with a one story office building and parking lot. The existing building and paving cover virtually the entire parcel.

All properties adjacent to the subject site are developed including the Kirkland Park Place mixed use project to the north, Peter Kirk Park and the Kirkland Performance Center to the west, Kirkland Way to the south and two large office buildings, the Emerald Building and Continental Plaza, to the east.

The site is located in the Moss Bay Neighborhood and is currently zoned CBD-5. Mixed use development is supported by both the Comprehensive Plan and the zoning Code.

The purpose of this request is to request changes to the Moss Bay Comprehensive Plan and to the CBD 5 land use zoning designation.

See attached "Narrative".

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

To allow for multi-family uses as a primary use and to increase the height limit.

The current CBD 5 land use designation encourages mixed use development including retail, professional office and multi-family. However, under the current zoning, multi-family uses are limited to 12.5% of the gross floor area.

The Park Place development to the north is in the final stages of a comprehensive plan and zoning code change that when complete would include a series of mixed use buildings containing approximately 1,200,000 SF of office, 300,000 SF of retail area, a 175 unit hotel and a 70,000 SF sports center and gym, a total of 1.8 million SF of space. With such an intensive

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 Page 2 of 3

amount of retail and office we believe that the neighborhood would benefit if the subject site is designed with multi-family as a primary use and retail/office as a subordinate use. This mix of uses would create a transition between the higher intensity Kirkland Park Place uses and the less intense uses west and south of the site as well as providing a variety of living opportunities for the many people that will work in the new development when complete.

See attached "Narrative".

C. Description of how the proposed amendment relates to the following criteria:

1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan:

The proposal will provide a balance of architecture and coherence with the Downtown's visual and historic character. The proposed project would be developed around a number of design guiding principles that would serve the public interest by implementing goals and policies of the comprehensive plan. These design guiding principles would also serve to incorporate the project into and enhance the fabric of the Moss Bay Neighborhood and the Downtown's overall pattern. These guiding principles would be as follows:

- A. Site planning to connect to neighborhood
- B. Enhance the pedestrian experience
- C. Integrate vehicle access with the neighborhood
- D. Mix of uses
- E. Modulate for proper scale and mass
- F. Transition to neighboring uses
- G. Sustainability
- H. Include an affordability housing component

See attached "Narrative".

2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.

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November 29, 2010
Page 3 of 3

This proposal should be considered in the current year to allow for the optimal design opportunity for this site to compliment the Kirkland Park Place project which has been considered for 2 years and is nearing final approval.

See attached "Narrative".

3. *The proposal would correct an inconsistency within or make a clarification to a provision of the comprehensive plan.*

This proposal will clarify an inconsistency between the comprehensive plan and the land use code. The comprehensive plan designates this district as a strong employment base and office use should be emphasized. However, within the Park Place center site retail should be a significant component. Limited residential should be allowed as complimentary use. The land use code further limits multi-family development to only 12.5% of gross area, a very minor amount.

The new CBD 5A zoning designation being approved for Kirkland Park Place includes mixed use buildings with approximately 1,200,000 SF of office, 300,000 SF of retail area, a 175 unit hotel and a 70,000 SF sports center and gym, a total of 1.8 million SF of space, and no provision for multi-family housing. This site represents approximately 50% of what was the CBD 5 district and proposes no multi-family. The remaining CBD 5 sites are fully developed with long term projects, mostly office use.

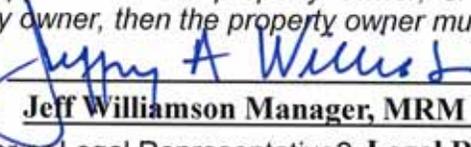
The proposed changes to the land use code will permit multi-family as a primary use. This will allow living units of varying sizes designed to accommodate a mix of family profiles with rents at various levels with the intent that the building can capture many different markets and budgets and could serve many of those that work in the current buildings and the completed Kirkland Park Place project. Addition of a strongly residential project will bring the ratio of housing units into balance.

Lastly, the increase in height from 5 stories to 8 stories will allow for design flexibility and compatibility between the Kirkland Park Place project and the adjacent uses.

See attached "Narrative".

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.*

Name – sign: 

Name – print: Jeff Williamson Manager, MRM Kirkland

Property owner or Legal Representative? Legal Representative

Address: 3927 Lake Washington Blvd, Kirkland, WA 98033

Telephone: 425.822.1996

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
- Exhibit A for mailing document
- Exhibit B for hand delivering document