



## CITY OF KIRKLAND

Planning and Community Development Department

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### MEMORANDUM

**Date:** February 29, 2012

**To:** Planning Commission

**From:** Paul Stewart, Deputy Planning Director

**Subject:** Proposed 2012 – 2014 Planning Work Program  
(File No. MIS09-0010)

### I. RECOMMENDATION

Staff recommends the Planning Commission review the proposed 2012-2014 Planning Work Program with any revisions as appropriate and recommend approval to the City Council. Staff also recommends that the Commission identify any other discussion items for the joint meeting with the City Council on April 3<sup>rd</sup>.

### II. BACKGROUND

#### **Approaches to Improving Neighborhood and Subarea Plans**

The Planning Commission met at their annual retreat on January 26, 2012. That packet can be viewed at the following link: [Planning Commission Retreat](#). The retreat began with an in-depth discussion on approaches to improving neighborhood and subarea plans. Several points were raised by Commission members:

- A localized focus on sub-areas or neighborhood plans is important
- While innovative ideas often emerge from these plans, they should be applied city-wide (e.g. small lot provisions)
- Consideration should be given to more efficient and effective ways to involve the public other than an advisory group
- Facilitated workshops with targeted groups is a good model
- Other methods and strategies should be incorporated into the process such as web and internet based discussions, surveys and questionnaires and more informal two-way dialogue
- The discussion should focus on specific key areas – early issue scoping should occur
- The Planning Commission could “go to the neighborhood” rather than having all meetings at city hall

The Commission also recognized the need to balance community involvement (“people need to be heard”) and education (“take time to understand the issues”) with speeding up the process in order more quickly complete a subarea plan.

### **Draft 2012-2014 Planning Work Program (Attachment 1)**

At the retreat, the Commission reviewed the proposed 2012-2014 Planning Work Program. The Commission was in general agreement with the majority of the tasks and schedule. Attachment 2 is the summary of tasks. The discussion focused primarily on Task 4.0 – Subarea & Neighborhood Plans and Tasks 1.2 and 1.3 – the Howard and MRM PAR's respectively. For those projects noted in Task 4.0, the work program has been revised to reflect the Commission's discussion at the retreat however the Commission needs to provide direction on the priority.

The Commission recognized that because the City will be undertaking a major update to the Comprehensive Plan in 2013, there is a limited window in 2012 and early 2013 for a subarea plan or PAR. The Commission also agreed that a focus on business districts is appropriate since they may provide some form of economic development opportunity. There are a couple of efforts underway that target the business districts. These include the Totem Lake amendments (Task 3.1) and the Commercial Codes (3.2) including the BN discussion.

One way to look at the overall work program is to group the tasks into three categories: (1) tasks that we have committed to do in 2012; (2) tasks that we should do in 2012 however timing could be somewhat modified; and (3) one or two projects that could occur in 2012 or could be deferred or sequenced differently depending on resources and interest.

#### 2012 Committed Projects

- Annual Comp Plan update (1.1)
- Totem Lake Amendments (3.1)
- Commercial Codes (3.2)
- Misc. Code Amendments (5.1)
- Urban Forestry Management Plan (7.2)

#### Projects we should do in 2012

- Howard PAR (1.3)
- Data collection for GMA update (2.1 and 2.2)
- Totem Lake TDR analysis (3.3)
- Traffic Impact Standards (5.2)
- Collective Gardens (5.3). Note: This now shows up on the work program as a scheduled task as a result of no action in the legislature and that we currently have a moratorium in effect.

#### Projects that we could choose to do in 2012 (depending on resources)

- MRM PAR (1.3)

- Houghton/Everest Center Business District (4.2)
- Finn Hill Neighborhood Center (4.3)
- Bridle Trails Neighborhood Center and streamlined neighborhood plan (4.4)

Staff is requesting the Commission provide direction on the priority and schedule for the projects listed in Task 4.0 as well as the timing for the MRM PAR (Task 1.3). The MRM PAR was the subject of the work program discussion and joint meeting in 2011. At that time the City Council agreed with the Commission to move forward on this in 2012 provided resources were available to undertake this task. Staff would recommend that we commit to doing the Houghton/Everest Business District update since we recently adopted the Central Houghton Neighborhood Plan and the issues are still fresh. This would allocate a .5 FTE to that task.

Staff resources available for the remaining projects in question are about a .5 FTE. We estimate that the following staffing levels would be needed for each of these tasks:

MRM PAR	.5 FTE
Finn Hill Business District	.5 FTE
Bridle Trails Bus. District	.5 FTE
Bridle Trails Bus District & Subarea Plan (Bridle Trails & South Rose Hill)	1.0 FTE

If the Commission concurs with the staff recommendation to initiate work on the Houghton/Everest Business District, then the Commission should discuss and choose one task for 2012 among the ones noted above – particularly one of the top three that have a staffing level of .5 FTE. The Commission should also discuss the priority order for the remaining tasks. Depending on the progress and timeliness in completing the other work program tasks and on available resources, staff could begin work on the next project on the list later in the year or early 2013.

### **Public Comment**

Attachment 3 includes letters and e-mail messages. A letter from Doug Waddell dated January 6, 2012 was previously provided to the Commission. He is representing the ownership of three parcels within the Houghton/Everest Neighborhood Center and is requesting that work move forward on the business district plan update (Task 4.2).

Correspondence has also been received regarding the MRM PAR. A letter dated February 8, 2012 from MRM, the applicant, has been submitted requesting the Commission study this application in 2012. Letters and e-mail messages have also been submitted either opposing the request or requesting postponing work on this project to a later date or as part of the GMA update.

### **III. JOINT MEETING TOPICS**

At the March 8<sup>th</sup> meeting the Commission should identify any other topics besides the work program that the Commission would like to discuss with the City Council at the joint meeting. Possible items include:

- Approaches to Subarea and Neighborhood Plans
- Economic development focus
- Other?

#### Attachments

1. Proposed 2012-2014 Planning Work Program
2. Summary of Tasks
3. Public comment e-mails and letters







**PROPOSED 2012-2014 PLANNING WORK PROGRAM**

**Summary of Tasks**

**Planning & Community Development**

**February 2012**

## **POLICIES, PLANS & REGULATIONS**

### **Task 1.0: Comprehensive Plan Update and Private Amendment Requests (1.1 FTE)**

#### 1.1: Annual Comprehensive Plan Update

In 2011 the Planning Department initiated a number of amendments to the Comprehensive Plan including the following items adopted by the City Council in December 2011 and Houghton Community Council on January 23, 2012:

- Incorporation of 2011-2016 CIP into the Capital Facilities Element and Transportation Element;
- Rezones of city-owned properties (primarily parks and open space)
- Various housekeeping amendments

For 2012, a few city-initiated amendments may be necessary. These will be scoped out mid-year. This year will also entail a more substantive update to the Capital Improvement Program which in turn may require amendments to the CFP (e.g. the Capital Facilities Plan). The work program calls for beginning the annual update around June of 2012.

Additional plan amendments may arise through other work program tasks (e.g. Totem Lake). Generally speaking, the plan can only be amended once per year as outlined in the Growth Management Act with all amendments adopted at the same time (targeted for December 2012). This includes the Private Amendment Requests noted in tasks 1.2 and 1.3.

#### 1.2 and 1.3: Howard and MRM Private Amendment Requests.

In December 2010, the City received three Private Amendment Requests: Altom, Howard and MRM. A threshold review was conducted by the Planning Commission and City Council in early 2010. The City Council determined that Altom was to be reviewed in 2011 (it was approved) and that the Howard and MRM Kirkland requests were to be considered in 2012. The Howard PAR will need to be scoped in more detail to determine if other properties should be looked at as part of this process.

The Howard request is to allow freestanding residential development in and adjacent to the Holmes Point Neighborhood Center in the Finn Hill Neighborhood. The MRM Kirkland request is to allow residential use and additional height for property in CBD 5.

- Jeffrey S. Howard (12035 & 12203 Juanita Drive NE and 12034 76<sup>th</sup> Ave. NE): Request in the Finn Hill Neighborhood to change property zoned commercial (BNA) to allow residential (RMA 2.4) and to change property zoned RMA 5.0 to RMA 2.4.
- MRM Kirkland, LLC (434 Kirkland Way): Request to change Comprehensive Plan and zoning for a mixed use (retail/office; retail/office/multi-family; or retail/multifamily and increase the allowed height.

The proposed Planning Work Program shows those tasks beginning in mid-2012 and completed by the end of 2012 in conjunction with the city-initiated Comprehensive Plan update (Task 1.1 above).

### **Task 2.0 GMA Required Comprehensive Plan Update (FTE to be determined)**

**The GMA Comprehensive Plan update will be a major planning effort and will be staff and time intensive taking a minimum of 2 -2 ½ years to complete. There are staffing levels and funding resources that need to be considered with this effort. The deadline for this update is June 30, 2015.**

The work program anticipates this update beginning in full in 2013 with some preliminary work in late 2012. Funding resources will likely be needed for preparation of an Environmental Impact Statement and transportation modeling work. Staffing levels have not been determined but it will likely require a minimum of 1.5 – 2.0 FTE's for this effort. The recently annexed area will need to be incorporated into this effort.

This process would generally include the following:

- New vision statement
- Extensive community outreach and involvement
- Revised land use and capacity analysis
- New Environmental Impact Statement to meet SEPA
- Incorporation of the Kingsgate, North Juanita and Finn area into the plan
- New transportation network and list of projects
- Revised level of service standards
- Updated Capital Facilities and Transportation Elements
- Review and revisions to other chapters as appropriate (Housing, Economic Development, etc.)
- Framework for revisions to the impact fee program

In 2010, the Growth Management Planning Council allocated new housing and employment targets for 2031 to all the cities and King County through the countywide planning process. As part of the plan update, Kirkland will need to determine how and where to accommodate these targets in the Land Use Plan. As a result, a revised long range transportation network plan would need to be considered looking at a new horizon year of 2031. Based on the additional population as a result of annexation and new housing and employment targets, the City will need to revise its level of service standards for capital facilities (parks, transportation, etc.). This has to occur before the city updates its impact fee rate study.

The process would begin with the preparation of a *Community Profile* to give us an overall picture of our demographics and characteristics and set the basis for the plan update. Following that, the City would undertake a scoping process and possible visioning exercise. The principal components of this update are noted above.

### **Task 3.0 Economic Development (1.0 FTE)**

This set of tasks focuses on some of the key business districts within the City to identify potential amendments that may be helpful to provide clarification and facilitate development.

#### 3.1: Totem Lake Amendments

On December 7, 2010 the City Council approved the “Totem Lake Preliminary Action Plan” for the Totem Lake Business District. This is a high priority for the City Council. The action plan is an outcome from the September 16, 2010 Totem Lake Symposium which brought together several interested participants to discuss catalysts needed to stimulate the revitalization of Totem Lake. Work has begun on zoning code amendments to provide more flexibility and remove where desirable impediments to economic development.

#### 3.2: Commercial Codes

The purpose of this task is to clarify requirements for where and how much ground floor commercial uses is required in the following zones: BN, BNA, BC, BC 1, BC 2, BCX, MSC 2 (additional zones will be reviewed in a future phase).

Discussion will be on whether density limits should be established in the following commercial zones: BN, BNA, BC, BCX, and MSC 2. In addition, the Planning Commission will be considering miscellaneous minor amendments to commercial codes to clarify existing regulations.

Planning Commission hearings and meetings were held in February and scheduled for March with a goal of adoption by May 15, 2012 (due to term of BN moratorium ordinance).

#### 3.3: Totem Lake Transfer Development Rights Analysis

In 2011, the Legislature passed Engrossed Substitute Senate Bill 5253 – the Landscape Conservation and Local Infrastructure Program. The intent is to provide new infrastructure financing tools that are predicated upon a jurisdiction accepting transferrable development rights (TDR’s) from natural resource and rural lands.

Property owners in resource or rural areas able to transfer their rights to develop their property to urban areas based on a established conversion rate. By transferring development credits the property owners receives value for those properties while limiting development in areas outside of urban growth boundaries. Several programs already exist in King County and the cities of Redmond, Bellevue, Issaquah and Sammamish.

King County applied for a grant from the Department of Commerce for a broad of array of TDR efforts. The City of Kirkland was a partner in that grant for several subtasks related to Totem Lake. The project is intended to identify opportunities for TDR application in the Totem Lake Urban Center. A market analysis will be conducted to determine the likely future demand for certain development types and the potential TDR

Summary of Long Range Tasks  
2012 – 2014 Planning Work Program

conversion commodities (e.g. FAR, number of units, parking, etc.). Draft TDR policies and regulations will be included in a TDR Evaluation Report that will include recommendations. The City is expected to bring forward an interlocal agreement for consideration by the City Council.

The Planning Commission will be reviewing the proposed policies and recommendations and considering any changes to the Comprehensive Plan or development regulations. The evaluation would begin in mid-2012.

### 3.4: Infrastructure Financing Tools

As part of the TDR grant, funding is also allocated to conduct an evaluation of the applicability of various financing tools to fund needed urban infrastructure and amenities associated with any increased development within the Totem Lake Urban Center. These tools include the Landscape Conservation and Infrastructure Program noted above, the Local Revitalization Program (LRF) or other available funding sources (e.g. grants, etc.). This effort would begin in December 2012 and be completed in mid-2013.

### **Task 4.0: Subarea Plans (1.0 FTE)**

There are a number of sub-tasks listed below. Staffing resources are not available to accomplish all of these in 2012. Given the other work program tasks and budget, about 1.0 – 1.5 FTE could be available for one of these tasks. At the Planning Commission retreat, a discussion on improving subarea plan updates will occur as well as a discussion on the priority projects to be undertaken in 2012.

*It should be noted that there is a limited window of less than a year before work begins on the major GMA required Comprehensive Plan update (Task 2.0 above).*

#### 4.1: Neighborhood Plan Assessment

This task involves looking at approaches to speeding up the cycle of neighborhood plan updates or finding alternatives to neighborhood planning. Are there ways to be more efficient or expeditious? Should we study broader areas at one time? How do we effectively engage the public?

#### 4.2: Houghton/Everest Business District

The recently adopted Central Houghton Neighborhood Plan contained several policies regarding this area. In particular, Policy CH-5.1 states: *“Coordinate with the Everest Neighborhood to develop a plan for the Houghton/Everest Neighborhood Center, which overlays properties along the NE 68<sup>th</sup> Street corridor in both the Everest and Central Houghton neighborhoods.”*

This task would undertake that business district plan that would examine land use, zoning and development regulations for the neighborhood center.

#### 4.3 Finn Hill Business District

This task would look at the Finn Hill Business District to determine potential revisions to the Comprehensive Plan and land use as well as zoning and development regulations.

#### 4.4: Bridle Trails Shopping Center and Subarea Plan

In 2009, The Bridle Trails Shopping Center and Tech City Bowl property owners requested an amendment to the BCX zone to increase building height and allow a mix of uses that would encourage redevelopment of the shopping center into an “urban village” similar to Juanita Village (File ZON09-00004).

During the Threshold Review process, the Planning Commission recommended that this area be studied as part of the Bridle Trails/South Rose Hill Neighborhood Plan update. At that time the City Council concurred with the Commission. The Commission also suggested that the applicants work with the surrounding community to identify issues, concerns or opportunities regarding future redevelopment of the neighborhood center.

If it is determined not to undertake the neighborhood plan update, then consideration should be given to the timing of this request. One option is to undertake this as a separate task in 2012 or in conjunction with the plan update for the Central Houghton Neighborhood Business District. Another option is to focus on the business district but also undertake a simplified and abbreviated update to the Bridle Trails and South Rowe Hill neighborhood plans. The other option is to continue to defer this to the appropriate neighborhood plan process.

#### 4.5: Other Subarea Plans

As noted in the white paper on Improving Subarea Plan Updates, other alternative approaches are outlined including:

- Simplifying and Standardizing the Plan Format
- Planning for Larger Geographic Area Planning Subareas
- Business District Focus
- Eliminating Neighborhood Plan Updates

This effort could also focus on some level of neighborhood planning for the Finn Hill, North Juanita and Kingsgate Neighborhoods. These areas have been included in the City’s Land Use Map however there are not specific neighborhood plans for these areas.

#### 4.6: Eastside Rail Corridor

The City is in the process of purchasing the Burlington Northern Santa Fe Rail line (Eastside Rail Corridor). Depending on the outcome, a master plan may occur in the future could possibly involve the Planning Commission and Houghton Community Council in looking at related land use, recreation or transportation issues. Until the approach is clarified, this is a place-holder on the work program.

### **Task 5.0: Code Amendments (.5 FTE)**

#### 5.1: Miscellaneous Code Amendments

Staff continues to maintain a list of potential code amendments and, as new issues arise, staff is constantly adding to and updating the list. The work program generally strives to have an on-going code update task each year. A bundle of fast track amendments were adopted in 2011.

Summary of Long Range Tasks  
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A set of more substantive amendments were initiated in late 2011 and will continue through mid-2012. Key issues to be addressed in this round include allowing chickens in residential areas, non-conforming density provisions regarding repair and re-building, and setbacks from major gas pipelines.

In the past, interest has been expressed in updating the Sign Code chapter (KZC 100) and the Nonconformance Chapter (KZC 162). Some of the issues can be addressed through a bundle of miscellaneous code amendments, but undertaking a major rewrite would require dedicated staff.

#### 5.2: Traffic Impact Standards

Currently our traffic impact analysis for development applications is applied as part of SEPA review (State Environment Policy Act) when projects come in. Over time, most of the City's SEPA mitigation requirements have been codified with the exception of traffic standards. This task would take the standards and adopt them as part of the City's development codes thus minimizing the SEPA process.

#### 5.3: Collective Gardens

On July 19, 2011, the City Council adopted Ordinance 4316 imposing a six-month moratorium on the establishment, location, operation, licensing, maintenance or continuation of medical marijuana collective gardens. At that time, a memorandum was prepared describing the "confusing legal landscape" that created the need for the moratorium.

The City Council conducted a public hearing and received public comment on the moratorium on August 2, 2011. The purpose of the moratorium was to allow sufficient time to consider land use regulations to address medical marijuana collective gardens. Without the moratorium, medical marijuana collective gardens could be located within the City while the City lacks the necessary tools to ensure that the locations are appropriate and that the potential secondary impacts of medical marijuana collective gardens are minimized and mitigated.

On January 3, 2012 the City Council held a public hearing and extended the moratorium for an additional six months. During the moratorium period city staff has been reviewing ordinances and actions from jurisdictions around Washington State, including the ordinance recently adopted by the City of Issaquah.

It was anticipated that the State Legislature would consider legislation in the 2012 session to clarify the law on medical marijuana but that appears unlikely. The session began on January 9, 2012 and is scheduled to conclude on March 8, 2012. In the meantime, the moratorium in effect calls for the city to continue to work on this task.

### **Task 6.0: Housing (.2 FTE)**

#### 6.1: Housing Preservation

With the completion of the work on the South Kirkland Park and Ride, attention could be directed to addressing efforts to preserve existing affordable housing. This task could

Summary of Long Range Tasks  
2012 – 2014 Planning Work Program

be undertaken in 2012 with available staff resources. This would entail an inventory of potential properties, contacting property owners to gauge interest and exploring options for preservation of existing housing.

6.2: Affordable Housing Strategies

There are a number of other on-going staff efforts on housing including working with ARCH (A Regional Coalition for Housing) on the Housing Trust Fund, funding programs, and education.

**Task 7.0: Natural Resources/Sustainability (.9 FTE)**

7.1: Low Impact Development (LID) and Green Codes

The City's Green Building Team (Planning, Public Works and Building) have developed a list of actions to promote sustainability and encourage low impact development and green building techniques. On January 4, 2011 the work program and approach was approved by the City Council. Many, but not all tasks, involve the Planning Commission. The Green Codes project is being discussed by the Planning Commission and the Houghton Community Council. A joint PC/HCC public hearing was held on January 12, 2012 and recommendations from both groups will occur in January and February. The City Council will be considering the recommendations and other policy actions at the March 6, 2012 Council meeting.

7.2: Urban Forestry Program

In 2011 staff undertook a citywide canopy analysis which indicated that the City has made progress in meeting its goal of 40% canopy coverage. The City has also been awarded grant funding to undertake a citywide urban forestry management plan. This effort is underway with expected completion by mid to late 2012.

7.3: Critical Area Regulations

In accordance with state law, the City will need to amend its Critical Area Regulations. However, similar to the deadline for the Comprehensive Plan update, the timeline was extended in the legislative session. As a result this effort would be initiated 2014.

Based on experiences in other jurisdictions and comments from the Department of Ecology, our regulations will need to be revised, particularly regarding buffer widths and our wetland classification system. This will require funding resources to assist in this update due to the technical, scientific and environmental issues that need to be addressed. This project may also be the appropriate time to review our slope regulations.

7.4: Green Team, Environmental Stewardship & Sustainability

In 2003 the City adopted a Natural Resources Management Plan. The City has in place a "Green Team" consisting of representatives from several City departments that meet on a regular basis to coordinate stewardship and sustainability activities and programs.

Over the past year, the team has been focusing its efforts on implementation actions and defining its role and mission. The Green Team has also broadened its role to address greenhouse emissions in response to the US Mayors Climate Protection

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Agreement, of which the City is participating. The City Council adopted a [Climate Action Plan](#) in April 2009.

**Task 8.0: Database Management (.1 FTE)**

Database management consists of a number of on-going efforts to provide census, land use, population, housing and demographic data that are used for a variety of purposes including neighborhood plans, economic development and the Comprehensive Plan.

**Task 9.0: Regional Coordination (.1 FTE)**

This task involves participating on a variety of countywide and regional forums including the Puget Sound Regional Council, the King County Growth Management Planning Council, and the Suburban Cities Association.



# Proposed 2012 – 2014 Planning Work Program

Public Comments

February 29, 2012





January 6, 2012

Kirkland Planning Commission  
Kirkland City Council  
123 5<sup>th</sup> Ave  
Kirkland, WA 98033

Re: Houghton/Everest Neighborhood Commercial Center

Dear Commissioners and Council Members:

I represent the ownership of three parcels located on the southwest corner of NE 68<sup>th</sup> Street and 106<sup>th</sup> Ave NE, just west and across 106<sup>th</sup> from the Bank of America in Houghton Center; 6705, 6711 and 6719 106<sup>th</sup> Ave NE. These properties are within the Houghton/Everest Neighborhood Center Boundary (see attached) and per the Comprehensive Plan Policy CH5.4, are intended to "provide higher density residential use within walking distance of retail and business services".

The two smaller parcels, 6705 and 6711 106<sup>th</sup> are in immediate need of investment. Rather than wait for the Everest Neighborhood Plan to be updated (which could be 5 – 7 years), I would ask you to consider having the Planning Department work on changing the zoning sooner in this Business District to line up with the Comp Plan. Since Houghton Center is in a long term lease with Metropolitan Market and the redevelopment potential is further down the road, this would help allow for a more phased overall development approach in this area.

I appreciate your time and consideration of this matter and I am available for any questions you may have.

Sincerely,

A handwritten signature in blue ink, appearing to read 'H. Douglas Waddell', written over a blue circular scribble.

H. Douglas Waddell  
President

**Policy CH-4.3:** *Within the mixed use area, the residential land south of NE 68<sup>th</sup> Street and east of the Houghton Shopping Center is suitable for medium residential densities.*

The area south and east of the Houghton Shopping Center is appropriate for medium densities because of topographic features and surrounding neighborhood conditions. This area provides a good transition between the low density residential uses to the south, and the commercial shopping area to the north.

**Policy CH-4.4:** *Where legal non-conforming densities already exist, the density may be retained with remodeling of structures or redevelopment of the subject property.*

In the northern portion of the neighborhood, some parcels were developed under previous higher density zoning resulting in legal nonconforming development. In order to retain housing stock, property owners should be allowed to maintain and redevelop their property while retaining the number of non-conforming units that exist and not be required to reduce the number of units to comply with current zoning density.

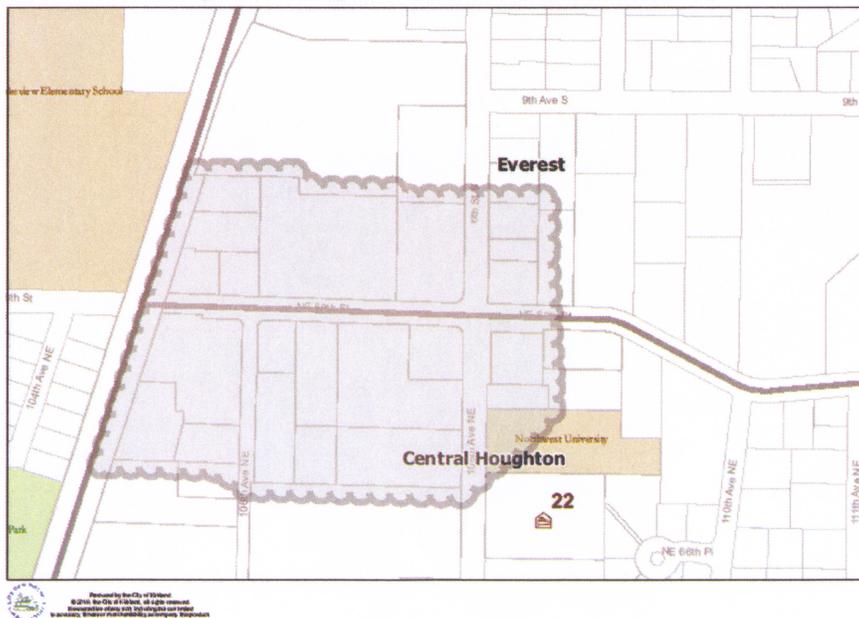
**Commercial**

**Goal CH-5:** *Foster a strong and vibrant mixed use neighborhood commercial center.*

**Policy CH-5.1:** *Coordinate with the Everest Neighborhood to develop a plan for the Houghton Neighborhood Center, which overlays properties along the NE 68<sup>th</sup> Street corridor in both the Everest and Central Houghton neighborhoods (see inset).*

This plan should promote a coordinated plan for the Center while minimizing adverse impacts on residential areas to the south and east.

**Houghton Neighborhood Center Boundary**



**Policy CH-5.2:** Encourage a mix of uses within the Houghton Neighborhood Center that includes commercial development such as neighborhood oriented shops, services, and offices, as well as multifamily residential use.

A variety of uses, including retail, office and residential should be combined in order to contribute to a vibrant mixed use center.

**Policy CH-5.3:** Promote transportation improvements that support the existing and planned land uses in the Center and adjoining neighborhoods.

Transportation improvements should respect the integrity of the surrounding neighborhood, as well as support the land uses they serve. A review of transportation impacts should be done for all new development in the mixed use center.

**Policy CH-5.4:** Develop design principles that strengthen the visual identity of the Houghton Neighborhood Center by addressing streetscape improvements, public views to the lake along NE 68<sup>th</sup> Street, building design and site planning.

These design principles should support appropriate building scale and massing, produce buildings that exhibit high quality design, and incorporate pedestrian features and amenities that contribute to the livability of the surrounding area.

**Policy CH-5.5:** Expand the area designated for higher intensity use to properties west of the Houghton Shopping Center, south of NE 68<sup>th</sup> Street.

Land located west of the Houghton Center shopping area, directly east of the Eastside Rail Corridor, has the potential to provide higher density residential use within walking distance of retail and business services. The rail corridor provides a wide buffer between this area and the low density residential area to the west.

(Map of Houghton Center to be inserted here)

**Goal CH-6:** Promote high quality design by establishing building, site, and pedestrian design standards that apply to commercial and multifamily development in the Houghton Neighborhood Center.

**Policy CH-6.1:** Establish design guidelines and regulations that apply to all new, expanded or remodeled commercial, multifamily or mixed use buildings in the Houghton Neighborhood Center.

Site and architectural design standards should be established in order to create an attractive image for the Center and surrounding neighborhood, and to help make it a desirable place to live and work.

**Houghton Center**

The shopping center development located at the southwest corner of NE 68<sup>th</sup> Street and 108<sup>th</sup> Avenue NE, is known as the "Houghton Center." This large strip retail development sits on several parcels occupying approximately five acres. Since a single owner controls the bulk of the site, redevelopment





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JAN 26 2012

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\_\_\_\_ AM \_\_\_\_\_ PM  
PLANNING DEPARTMENT  
BY \_\_\_\_\_  
January 26, 2012

Eric R. Shields, AICP  
Kirkland Planning Director  
123 Fifth Avenue  
Kirkland, WA 98033-6189

Re: Request for Planning Commission to Postpone Consideration of MRM Kirkland's PAR Until the Comprehensive Plan Update

Dear Eric:

I understand that the Planning Commission is holding a retreat tonight to discuss its work program for 2012. I would appreciate you distributing this letter, which asks the Planning Commission to postpone consideration of the Private Amendment Request (PAR) filed by MRM Kirkland until the City's overall update to its Comprehensive Plan in 2013-14.

My client is the owner of the Emerald Building, which is located immediately adjacent to the property owned by MRM Kirkland at 434 Kirkland Way. These properties are designated in the existing Comprehensive Plan and Zoning Code provisions for CBD-5 as the City's major employment center, where office use is intended to be maximized and where the City can attract employers paying above average wages.

These policies and code provisions have been very successful, resulting in the development of Class A office space in CBD 5 including my client's Emerald Building, Continental Plaza and the 570 Building. Global businesses, including Microsoft, Nokia, Hitachi, Data Systems and BDO Seidman have located in these buildings. Other national and regional engineering, law, accounting and high tech firms have selected this area of downtown Kirkland to locate. The high paying jobs at these firms has helped boost the local economy and raise the identity of downtown Kirkland as a superior destination for professional employment.

This success is jeopardized by MRM Kirkland's PAR.

MRM Kirkland has requested elimination of the office preference for its property and proposes that multi-family use predominate its entire site. Allowing large multi-family development in CBD 5 will reduce the land available for continued office development and will reduce the attractiveness of this existing office zone to existing and future tenants.

MRM Kirkland also seeks to eliminate the 5-story height limit in CBD – 5 and allow it to build an 8-story structure looming 100 feet above Kirkland Way.

MRM Kirkland's request presents a major departure from existing Kirkland land use policy. The Planning Commission will need to give careful consideration to the significant implications of this request.

The questions that the Planning Commission should be considering with this request include:

- Does the City need more multifamily zoned property?
- Does this City have sufficient zoning for multifamily uses in the City as a whole, in the Moss Bay Subarea, in the CBD?
- Is the City on target for achieving its GMA goals for development of multi-family units?
- Can the City afford to lose property now zoned for Class A office?
- Does this City have sufficient zoning for first-class office development in the City as a whole, in the Moss Bay Subarea, in the CBD?
- Is the City on target for achieving its GMA goals for employment in the City?
- Would MRM Kirkland's request adversely affect the City's ability to retain and attract high-wage jobs to the City?
- What areas of the City should be built to eight stories or higher?
- What are the adverse consequences to existing properties and to the overall built-environment from allowing eight-story or higher development?

These and other critical questions can best be answered during the City's overall Comprehensive Plan update. During that process the City would be expected to complete a buildable lands inventory to assess the adequacy of existing zoning for meeting GMA targets. We understand that the City is currently on target to achieve its multi-family goals but is far below its employment objectives. The process to update the overall comprehensive plan gives the City the opportunity to reflect upon its broad goals and policies for employment and economic development. A rush to consider MRM Kirkland's request could have grave consequences for attracting and retaining employers in the CBD who pay high-wage jobs. It could also have a dramatic impact on the City's built environment.

It is not unreasonable to delay MRM Kirkland's request until it can be considered in the proper land use context.

For those on the Planning Commission who do not remember, MRM Kirkland's application is the third private amendment request in the last 10 years or so for this one parcel. Each of the last two requests to drastically modify land use controls applicable to this property was denied. How many private requests must the City have to consider for one parcel? What is

so compelling now about the MRM Kirkland parcel that the City should have to unnecessarily advance its consideration of critical land use policy for this area? The existing building on the MRM Kirkland parcel is fully leased to Microsoft, which invested millions of dollars in building upgrades and in a fiber optics line to connect this building with Microsoft's other leased space in Continental Plaza.

It is clear that the Planning Commission has many more important and broader land use policy issues that it needs to address this year than MRM Kirkland's private request. We suggest that the Planning Commission remove consideration of the MRM Kirkland PAR from its 2012 work plan and postpone consideration of this request until the overall comprehensive plan is updated.

Thank you for your consideration.

Very truly yours,



Brent Carson

BC:bc





February 8, 2012

**City of Kirkland Planning Commission**

123 Fifth Avenue  
Kirkland, Washington 98033

**Attn:** Jay Arnold – Chair  
Mike Miller - Vice Chair  
C. Ray Allshouse  
Karen Tennyson  
Andy Held  
Byron Katsuyama  
Glenn Peterson  
Jon Pascal  
George Pressley

*[Handwritten signature]*  
Joe Kazore  
Manager  
MRM Kirkland, LLC  
Cc: Paul Stewart

**Re:** MRM Kirkland, LLC-PAR – 434 Kirkland Way

**Subject:** Planning Commission Meeting February 23, 2012

Dear Planning Commission Members:

Deputy Planning Director Paul Stewart informed me that at your February 23, 2012 meeting you will be discussing your recommendations for the work program and priorities for 2012. Paul tells us that at the Jan. 26, 2012 Planning Commission retreat, the Commission reviewed the projects for 2012 and there was discussion about possibly deferring the MRM request to 2013 given other priorities.

We believe that it is in both the city of Kirkland’s and MRM’s interest to proceed on this PAR as soon as possible. Until land use is settled, we are unable to move forward with plans to develop our site. Even after this PAR is complete it will require many months to develop plans, receive Jurisdictional approvals and construct our project.

3927 Lake Washington Blvd NE  
Kirkland, Washington 98033

3927 Lake Washington Blvd NE  
Kirkland, Washington 98033



We encourage you to approve the MRM PAR for study during 2012. Our architect, Baylis Architects, I or both of us will plan to address your commission at your February 23<sup>rd</sup> meeting.

Sincerely,

Joe Razore,  
Manager  
MRM Kirkland, LLC

Cc: Paul Stewart

City of Kirkland Planning Commission  
123 Fifth Avenue  
Kirkland, Washington 98033

Attn: Jay Arnold - Chair  
Mike Miller - Vice Chair  
C. Ray Althouse  
Karen Johnson  
Andy Hold  
Byron Katsayama  
Glenn Peterson  
Jon Pascal  
George Presley

Re: MRM Kirkland, LLC PAR - 454 Kirkland Way

Subject: Planning Commission Meeting February 23, 2012

Dear Planning Commission Members:

Deputy Planning Director Paul Stewart informed me that at your February 23, 2012 meeting you will be discussing your recommendations for the work program and priorities for 2012. Paul tells us that at the Jan. 26, 2012 Planning Commission retreat, the Commission reviewed the project for 2012 and there was discussion about possibly deferring the MRM request to 2013 given other priorities.

We believe that it is in both the city of Kirkland's and MRM's interest to proceed on this PAR as soon as possible. Until land use is settled, we are unable to move forward with plans to develop our site. Even after this PAR is complete it will require many months to develop plans, receive jurisdictional approvals and construct our project.

RECEIVED

FEB 09 2012

DAVIDSON, CZEISLER &  
KILPATRIC, P.S.

LAWYERS

520 KIRKLAND WAY, SUITE 400  
KIRKLAND, WASHINGTON 98033

AM PM  
PLANNING DEPARTMENT (425) 822-2228  
FAX (425) 827-8725

Mailing Address: PO Box 817  
Kirkland, WA 98083-0817

Kenneth H. Davidson  
Robert T. Czeisler  
Dan W. Kilpatric

February 9, 2012

VIA DELIVERY

Kirkland Planning Commission  
Kirkland City Hall  
123 - 5<sup>th</sup> Avenue  
Kirkland, WA 98033

*Re: Planning Commission Work Plan and the MRM PAR*

Dear Commission Members:

I have lived in the annexation area since 1985. A few years after we moved into our neighborhood, King County undertook a review and re-writing of its Comprehensive Plan for the Northshore planning area, which included the entire Kirkland annexation area. To my knowledge, no Comprehensive Plan review has occurred in the annexation area for over 20 years.

Similarly, my clients Carey Odegard and David Montgomery found that the zoning on their Kirkland Professional Center on State Street was outdated and had not been reviewed in well over 20 years. When they submitted a private amendment request for their property, the City declined to entertain it because the City preferred to consider their property in conjunction with a review of their neighborhood plan.

By contrast, the downtown Comprehensive Plan and zoning have been reviewed on several occasions over the last decade and the property at 434 Kirkland Way (popularly referred to as the Old Hardware Store or Bungie site) has twice had the same PAR considered by City Council. MRM Kirkland's PAR brings the same issue before you for the third time within the last 12 years. Each of the last three owners of this property has filed a PAR requesting a change in use to allow a large apartment building. After buying the property, Westwater Development filed a PAR to permit an apartment use and additional height, which the City Council denied. About five years later, Quadrant Corporation took over the property and filed a similar PAR. The City Council again determined that the original provisions of the Comprehensive Plan were sound and denied the PAR. Should the Planning Commission spend its precious time on a third review of the same issue for this particular property when Comprehensive Plan provisions affecting many areas throughout the City have not been reviewed in over 20 years? Should the Planning Commission tell MRM Kirkland, as it did Dr. Odegard and Dr. Montgomery, that its property should be reviewed as part of a larger review of the Comprehensive Plan beginning next year?

As a professional who has worked in CBD 5 for 30 years and as a part owner of the

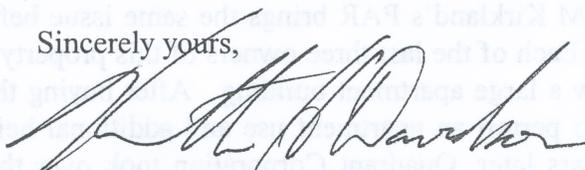
February 9, 2012

Page 2

Emerald Building, I testified at hearings on the two prior PAR's on this property and explained to City Council members that the Comprehensive Plans' identification of CBD 5 as an employment center for Kirkland furthered the goals of the Economic Development component of the Comprehensive Plan and was critical to the vitality of the business community. The central theme of the Economic Development component of the Comprehensive Plan is attracting employers to Kirkland who pay above average wages. To attract these employers, the City needs a critical mass of Class A office buildings which are attractive to major corporations, professionals and technology companies. Class A office buildings in CBD 5 and Central Way Plaza adjacent to the east have earned a positive reputation among leasing brokers and their clients as a desirable place to locate businesses with highly paid staff. Publicly traded companies with highly paid staff who have located in these buildings include Microsoft, Google, IBM, Nokia, Hitachi Data Systems and Brocade Communications. These buildings have also housed local companies with well-paid staff in the areas of engineering, accounting, law, finance, insurance, real estate and technology. In short, the vision of attracting employers with well-paid staff is working. Introducing an apartment complex into this successful office zone would detract from its appeal and reputation. We have recently convinced Hitachi Data Systems to move to the Emerald Building from Bellevue. I doubt that we would be able to attract this quality tenant, if its executives are looking out their window at lawn furniture on an apartment balcony rather than another office building. I do not relish elaborating on these points for a third time before the Planning Commission and City Council. In my line of work, court rules allow a losing party to bring a motion for reconsideration. A judge will hear argument on the same issue a second time to make sure his or her ruling is correct, but will not hear the same issue a third time.

In conclusion, I urge you to tailor your work plan for 2012 to address issues affecting larger areas of the City and to defer the issues raised by the MRM Kirkland PAR to a larger review of the Comprehensive Plan beginning next year.

Sincerely yours,



Kenneth H. Davidson

KHD\aal

cc: Eric Shield

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## Caryn Saban

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**From:** Turner, Helen [helen.turner@pse.com]  
**Sent:** Monday, February 13, 2012 1:42 PM  
**To:** Planning Commissioners  
**Subject:** RE. PAR for 8 stories on 434 Kirkland Way

To: Kirkland Planning Commission

Regarding the requested PAR at 434 Kirkland Way, I believe 8 stories is just too much. I chose to purchase a home and live in Kirkland largely because it is **not** Bellevue. Kirkland has character; Bellevue has high-rise buildings. Kirkland has a soulful downtown; Bellevue has a mall. I am happy to leave work in Bellevue each day and spend my money in Kirkland whenever possible because it is not Bellevue.

I encourage you all to follow the existing code heights and not approve 8 stories. Please don't blight Kirkland with huge new developments that will don't fit our fair city. Thanks!

Helen Turner  
206 - 3rd Ave S  
Kirkland



## Caryn Saban

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**From:** Cheryl Sayed [cherylntan@earthlink.net]  
**Sent:** Monday, February 13, 2012 3:02 PM  
**To:** Planning Commissioners  
**Subject:** 434 Kirkland Way

Commissioners,  
Please! No more multi-family structures in downtown Kirkland! We are choking and are starting to look like Bellevue. No to 434 Kirkland Way!

Thank you,  
Cheryl Sayed



## Caryn Saban

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**From:** Kmittererlaw@aol.com  
**Sent:** Monday, February 13, 2012 3:35 PM  
**To:** Planning Commissioners  
**Subject:** (no subject)

Please preserve the unique charm & character of downtown Kirkland. Refuse to allow multi-story building.

*Karen L. Mitterer  
Attorney at Law  
206 669-6167 Voice  
1 425 952-0444 Efax*

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## Caryn Saban

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**From:** Dennis Welch [dennist@seanet.com]  
**Sent:** Tuesday, February 14, 2012 7:35 AM  
**To:** Planning Commissioners  
**Subject:** Old Hardware Site

Dear Commissioners

I am opposed to the magnitude of the proposal to build 8 stories on this site. This in spite of mitigating setbacks, mixed use, retail first floor, offsite improvements, European Village, etc. In my opinion it is time to await the completion of the impact of the Parkplace rebuild and take fully absorb that condition. At that time we can assess the merits of a rezone.

Dennis Welch  
829-18th Ave W  
Kirkland, Wa 98033



## Caryn Saban

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**From:** elaine darling [ejdarling@yahoo.com]  
**Sent:** Tuesday, February 14, 2012 5:54 PM  
**To:** Planning Commissioners  
**Subject:** rezone=8-stories??

Planning Commission: Are you seriously considering giving another 8 story development in the heart of downtown Kirkland? Are you trying to turn this town into another Bellevue? And what about Parkplace? I heard that Touchtone cant find merchants in the first floor. Are you back to the table to tell them NO ONLY 5 stories. That is why you gave him 8 stories because he PROMISED to get merchants. The ball is in your court now and we will be watching, Elaine Darling, MSW 9330 Juanita Drive NE Kirkland, WA 425-821-2560



## Caryn Saban

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**From:** laverne smith [laverne\_ks@yahoo.com]  
**Sent:** Tuesday, February 14, 2012 12:59 PM  
**To:** Planning Commissioners  
**Subject:** NO, NO, NO!!!

PLEASE, PLEASE, No eight-story (8) buildings in Kirkland!! We are a delightful, family-oriented, small town right now. We do NOT want to become another Bellevue ("Little New York") with high-rises and so much more traffic!! PLEASE, turn down this ridiculous request from money-hungry developers who don't care about our wonderful, lovable Kirkland. PLEASE.... Three-story buildings should be more than adequate for our way of life.

Laverne and Syd Smith  
120 - 5th Ave S, #201  
Kirkland, WA 98033  
[laverne\\_ks@yahoo.com](mailto:laverne_ks@yahoo.com)



## Caryn Saban

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**From:** 22redlips@comcast.net  
**Sent:** Friday, February 17, 2012 6:17 PM  
**To:** Planning Commissioners  
**Subject:** the 8 story apt.

Please do not allow this project. Kirkland doesn't need 8 story buildings.

Connie



## Caryn Saban

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**From:** Brian Berg [whonu@frontier.com]  
**Sent:** Monday, February 20, 2012 1:41 PM  
**To:** Planning Commissioners  
**Cc:** ken@kirklandlaw.com  
**Subject:** MRM Kirkland development request

City of Kirkland Planning Commissioners:

MRM Kirkland project should not be granted the PAR request for 8 stories. The present zoning codes of Kirkland have maximized the density of the city. An exception was granted to Kirkland Parkplace. The Kirkland Parkplace project, which is both office and retail, provided a solution to allow growth that Kirkland and the downtown merchants had requested. There is no compelling reason to allow a residential development to exceed these restrictions. There is no shortage of condominium projects in Kirkland. Providing greater density and height will compound the problems now facing Kirkland, that of uncontrolled traffic, lack of parking, and vacant multi-family and single family dwellings.

I request that the Planning commission defer a decision on the MRM Kirkland and address the Comprehensive Plan for the City.

Deborah Berg  
300 7<sup>th</sup> Avenue South #14  
Kirkland, WA 98033

425-828-6871



**Caryn Saban**

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**From:** ken thomas [virken@hotmail.com]  
**Sent:** Monday, February 20, 2012 2:08 PM  
**To:** Planning Commissioners  
**Subject:** Private Amendment Request (PAR) for 434 Kirkland Way

**Hello,**

**I hear that MRM Kirkland has submitted their Private Amendment Request (PAR) to get 8 stories on their property at 434 Kirkland Way**

**I would ask the council NOT to entertain ANOTHER such request.**

**Let's defer consideration of this rezone issue to the complete review of the Comprehensive Plan for the entire City in 2013-15.**

**The last thing we need is another 8 story apartment on this site.**

**Ken Thomas**



## Caryn Saban

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**From:** Gary [bighamgary@comcast.net]  
**Sent:** Wednesday, February 22, 2012 7:47 PM  
**To:** Planning Commissioners  
**Subject:** rezone of 434 Kirkland Wy

Dear Commissioners,

Please reconsider the decision to rezone 434 Kirkland Way until the comprehensive plan has been reviewed. We need to focus on the overall development and changes to Kirkland rather than changing zoning piecemeal.

Thank you.

Christine Bigham

224 18<sup>th</sup> Ave

[Bigham\\_christine@comcast.net](mailto:Bigham_christine@comcast.net)

