



## **CITY OF KIRKLAND**

**Planning and Community Development Department**

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### **MEMORANDUM**

**Date:** April 6, 2011

**To:** Planning Commission

**From:** Dorian Collins, Project Planner  
Paul Stewart, Deputy Director

**Subject:** **DELIBERATION AND RECOMMENDATION FOLLOWING PUBLIC HEARING ON DRAFT AMENDMENTS TO THE ZONING MAP, ZONING CODE AND MUNICIPAL CODE FOR THE SOUTH KIRKLAND PARK & RIDE (FILE ZON10-00014)**

### **RECOMMENDATION**

1. Continue the discussion of the draft amendments to the Zoning Map, Zoning Code and Municipal Code for the South Kirkland Park and Ride. Provide direction on outstanding issues, including:
  - ❖ Building Height:
    - Should additional building height, to 65 feet above average building elevation, be allowed if the proposed design elements and public amenities are included?
  - ❖ Private Open Space:
    - Should the proposed regulation for common resident open space be included?
  - ❖ Design Guidelines:
    - Should the proposed changes to design guidelines related to roof form, parking structure design, design of structures in the gateway area and views of structures on site from various vantage points be included?
2. Following discussion and direction on any revisions to the amendments, make a recommendation on the proposed amendments to the City Council.

### **PURPOSE**

The proposed amendments would rezone the South Kirkland Park and Ride from PO to a new YBD 1 (Yarrow Bay Business District) zone, create new zoning standards for the YBD 1 zone to allow transit-oriented development, and add new design guidelines, referenced through the Municipal Code. Attachments 1 and 2 to this memorandum contain the proposed draft new regulations and guidelines for the area.

Revisions to the draft amendments requested by the Planning Commission and the Houghton Community Council following the March 24<sup>th</sup> public hearing have been incorporated into the draft amendments and are discussed in the following section. Additional discussion and direction is requested on other outstanding issues, described in the section that follows.

## **BACKGROUND**

The Planning Commission and the Houghton Community Council held a joint public hearing on the proposed amendments for the South Kirkland Park and Ride on March 24, 2011. The materials prepared for the public hearing can be viewed [here](#). At that time, public testimony was taken. Twelve people spoke at the hearing with approximately ten speaking in favor of the proposed amendments. E-mail comments and letters were included in the hearing packet. The Planning Commission and Houghton Community Council closed the public hearing to further oral testimony, but allowed the hearing to remain open for additional written comments until April 15, 2011.

### **Revisions to Draft Amendments**

The following revisions have been made to the draft amendments pursuant to direction from the Planning Commission and Houghton Community Council:

1. Changes to Zoning Regulations for the YBD 1 Use Zone Chart (see Attachment 1):
  - Proposed parking standards for residential use and accessory uses have been included in the use listing for *Attached or Stacked Dwelling Units*.
  - A requirement for an additional .05 stall/unit of residential use for guest parking has been added.
  - Special Regulation #6 is revised to clarify that gross floor area constructed above the ground floor must be dedicated to residential use. This change is due to discussion at the hearing regarding the possibility of retail uses located near the transit center. Due to the site's elevation, the first level of the building in this location may be one or more floors above the first level along NE 38<sup>th</sup> Place. The change is intended to clarify that retail space could be located in either location.
  
2. Changes to Design Guidelines (see Attachment 2):
  - Additional design guidelines to address structures that include parking facilities have been added (note that discussion of additional guidelines related to parking structures in the gateway follows in "Outstanding Issues"):
    - Portions of parking structures visible from the street should be constructed with high quality materials and be architecturally compatible with the character of surrounding buildings.
    - Parking structures shall be designed to obscure the view of parked cars at the ground level with parking preferably located to the back of buildings or underground.

- Upper-level parking structures shall use articulation treatments, landscaping and/or screening that break up the massing of the garage, add visual interest, and obscure the view of parked cars from adjacent properties.

### **Outstanding Issues**

The issues discussed in this section are ones that were raised at the public hearing, but require additional discussion by the Planning Commission and Houghton Community Council. In some cases, the Community Council and Planning Commission asked that staff provide additional information. The information requested is provided here, along with a staff recommendation on each topic.

#### **a. Building Height**

Staff representing King County Metro provided testimony at the public hearing that additional building height will be necessary to enable transit-oriented development to be feasible at the South Kirkland Park and Ride. King County staff requested that five stories of residential (above parking and retail floors), or a total of 65' in building height be permitted. The draft regulations presented at the hearing allowed for 53' in building height above average building elevation, although Planning Department staff suggested that the regulation be adjusted to 55'. Architects for King County have since confirmed for staff, however, that due to the site's topography and the need for the parking floor plates to align with the retail uses along NE 38<sup>th</sup> Place, a height limit of 55' would be necessary to construct four floors of residential use above one floor of commercial.

Discussion among members of the Houghton Community Council and the Planning Commission following the public hearing indicated openness to consideration of the additional height requested by King County. Comments from the Commission and Community Council indicated that they may be interested in considering additional height as a bonus in exchange for public amenities.

Direction provided to staff on this topic included the following requests for information:

- **Graphics**: Graphics demonstrating potential building massing on the site, particularly along NE 38<sup>th</sup> Place where the topography rises from the northwest portion of the site to the site's southeast corner, near 108<sup>th</sup> Avenue NE.
- **Options**: Options for public amenities to be provided on site in exchange for additional building height.

*Building massing and topography.* Attachment 3 contains graphics prepared by Mithun Architects, which illustrate how building massing might occur on the site, based on the conceptual site plan that has been presented by King County at earlier meetings. These conceptual plans indicate where retail use might occur (in red), residential (yellow) and parking (gray). The illustrations show the second story step back for a portion of the development, as well as the additional residential fifth story, reaching a total building height of approximately 65' above average building elevation. King County and Mithun Architects have confirmed that a total height of 65' would be necessary to construct five stories of residential use on the site. These illustrations are very conceptual and do not show details, modulation, etc. that would be required of actual development under the

proposed regulations and design guidelines. In addition, different building configurations could be proposed.

*Public amenities:* Discussion at the meeting on March 24<sup>th</sup> indicated that public amenities that ensured that open space is provided on site would be preferred to offset the impact of additional building mass and contribute to the desired site environment.

**Staff recommendation:** Staff recommends that several design elements aimed at reducing the building mass and ensuring useable public space be required if the additional building height is granted. The proposed regulation would state:

*Building height may exceed 55 feet and be increased to 65 feet above average building elevation if the following elements are included in development:*

- *Upper story setback, and*
- *Building separation, and*
- *Pedestrian connection, and*
- *Public Space.*

Each of these elements is discussed below, with proposed new regulatory text proposed for each.

- a. Upper Story Setback: The design guideline that calls for a step back above the second story (and currently exists within the “Building Scale & Massing” section of the Design Guidelines, see Attachment 2) would be supported with a new regulation in the Use Zone Chart, in order to specifically prescribe upper story setbacks. The Zoning Code includes a plate in Chapter 180 which illustrates how this setback is calculated (see Attachment 4). The term “setback” is used in this regulation rather than “step back”, since it regulates the distance from the property line to the wall of the building that is to be regulated. The proposed new special regulation would state:

*The upper story setback for all floors above the second story within 40' of the property line abutting NE 38<sup>th</sup> Place would average 15'. For the purpose of this regulation, the term “setback” shall refer to the horizontal distance between the property line and any exterior wall of the building. The measurements shall be taken from the property line abutting the street prior to any potential right-of-way dedication. The required upper story setbacks for all floors above the second story shall be calculated as Total Upper Story Setback Area, as shown on Plate 35.*

- b. Building Separation: Building separation, as indicated in conceptual plans for the South Kirkland Park and Ride ([click to view concept](#)) would be required. The proposed new special regulation would state:

*Any portion of a structure exceeding two stories in height above NE 38<sup>th</sup> Place may not exceed 200' in length as measured parallel to NE 38<sup>th</sup> Place, and shall be separated by at least 30 feet from any other portion of a structure exceeding two stories above NE 38<sup>th</sup> Place on the subject property.*

- c. Pedestrian Connection: A pedestrian connection between NE 38<sup>th</sup> Place and the transit center (and future extension to the Eastside Rail Corridor), as indicated in the conceptual plans for the South Kirkland Park and Ride ([click to view concept](#)) would be required. The pedestrian circulation plate in Attachment 5 would be revised to call this connection a “Through-Block Pathway” (see Attachment 6 for relevant standards). A new design guideline would also be added to address design issues related to the Through-Block Pathway, unique to this site (see Attachment 2). The proposed new regulation would state:

*A Through-Block Pathway, developed according to the standards in Section 105.19.3, must be installed to provide pedestrian access between NE 38<sup>th</sup> Place and the transit center.*

- d. Public Open Space: The draft design guidelines that call for public amenities and open space on the site would be revised to specify that public open space should be provided in close proximity to commercial and retail uses along NE 38<sup>th</sup> Place (see Attachment 2). The guidelines would be supported by a regulation that would define the minimum amount of public open space on site as follows:

*At least 2,500 square feet of public open space shall be provided in conjunction with new development. The space shall be in one continuous piece, and designed to be consistent with the design guidelines for public open space on site.*

#### **b. Private Open Space**

During the study sessions in February, the Planning Commission and Houghton Community Council expressed interest in addressing the need for common open space for the site’s residents. During the discussion following the public hearing on March 24<sup>th</sup>, the Planning Commission and Houghton Community Council directed staff to develop a regulation to ensure that private open space would be provided.

The Zoning Code does not typically regulate indoor common resident space, and floor plans are not generally reviewed by the Design Review Board, which focuses more on the site design and building aesthetics. However, a regulation could call for a minimum area to be set aside for common open space, and the DRB could review any proposed outdoor space.

**Staff recommendation:** Staff recommends that the following provision be included in the regulations:

*Common resident open space that is accessible to all residents of the development will be provided at a minimum of 5 square feet per unit. The minimum size of any common resident open space will be 500 square feet. Resident open spaces can be located outside or inside the building in multiple locations within the development. Common resident open space can be used for common patios, barbeques, play or exercise equipment, pools or spas, dog exercise areas, flower or vegetable*

*gardens, community rooms, exercise rooms or any other common resident space approved by the DRB.*

**c. Design Guidelines**

During the discussion following the public hearing, members of the Planning Commission and Houghton Community Council expressed concerns about a number of design topics. These included issues related to roof form, parking structure design, design of structures in the gateway, and views of structures on the site from a variety of vantage points. Additional comments were related to the need to clarify guidelines related to pedestrian and bicycle circulation. The design guidelines matrix (see Attachment 2) contains revisions to address the comments made by the Commission and Community Council.

***Staff Recommendation:*** Staff recommends that the Commission review the proposed changes to the design guidelines shown in Attachment 2, and provide direction to staff regarding the proposed revisions.

**ADDITIONAL PUBLIC COMMENTS**

Attachment 7 contains written comments received since the public hearing. The letter from Bill Fuller raises an issue for the Planning Commission to consider in its discussion on April 14<sup>th</sup>. Mr. Fuller asks the Planning Commission and Houghton Community Council to consider revising the draft regulations to allow a grocery store use to exceed the 7,500 square foot maximum proposed for retail uses in the zone.

If additional written comments are submitted, staff will forward these to the Planning Commission.

**NEXT STEPS**

Staff will prepare revised draft regulations and guidelines according to the direction provided by the Planning Commission at the meeting on April 14<sup>th</sup>. The revised documents will be reviewed by the chair of the Planning Commission, and then forwarded as the Planning Commission recommendation to the City Council for consideration at their study session in May. The City Council will also consider a recommendation from the Houghton Community Council (HCC) at that time, which is expected to be developed at the meeting of the HCC at their meeting on April 25<sup>th</sup>.

The City Council is expected to take action on the amendments in early June. The amendments will then be considered by the Houghton Community Council in late June for final action.

**Attachments**

1. Revised Draft Zoning Code Amendments
2. Revised Draft Design Guidelines Matrix
3. Conceptual Graphics, prepared by Mithun Architects
4. Zoning Code Plate 35 – Upper Story Setback
5. Revised Plate 34L – Pedestrian Circulation in YBD 1
6. Zoning Code Section 105.19
7. Public Comments received following public hearing

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**Chart for Residential (Mixed Use) Development Use  
(Otherwise use PO charts as modified)  
Yarrow Bay Business District 1 (YBD 1) USE ZONE CHART**

**56.05 User Guide.** The charts in KZC 56.10 contain the basic zoning regulations that apply in the YBD 1 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

**Section 56.08 - GENERAL REGULATIONS**

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
2. In addition to the height exceptions established by KZC [115.60](#), the following exceptions to height regulations in the YBD 1 zone are established:
  - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
  - b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.

**USE ZONE CHART**

**Section 56.010**

- 1) Use: Attached or Stacked Dwelling Units:

See Special Regulations.

Required Review Process: DR, Chapter 142 KZC.

Minimums:

Lot Size: None  
Required Yards:  
Front: 5' (see Special Regulation 2)  
Side: 0'  
Rear: 0'

Maximums:

Lot Coverage: 100%.  
Height of Structures: 53' above average building elevation.

Landscape Category: C

Sign Category: E. See Special Regulation 9.

Required Parking (See KZC 105.103):

- Residential use: 1.1 per unit. In addition, guest parking shall be provided at a rate of 0.05 stalls per unit.
- Restaurant/tavern: 1 per 125 square feet of gross floor area
- Retail: 1 per 350 square feet of gross floor area
- Office: 1 per 350 square feet of gross floor area
- Entertainment, Cultural, Recreational: Chapter 105.25

**Special Regulations:**

1. The required minimum front yard for any portion of the structure containing parking facilities shall be 10'.
2. The front setback may be reduced to 0' where retail uses or other ground floor space is designed to provide direct pedestrian access to the street are located adjacent to a pedestrian oriented street, major pedestrian pathway or adjacent to a transit facility.
3. May include one or more of the other uses allowed in this zone.

4. The following uses are prohibited:
  - a. Any retail establishment exceeding 7,500 square feet.
  - b. Drive-through facilities.
  - c. The outdoor storage, sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers.
5. At least 50% of the linear frontage of the ground floor along NE 38<sup>th</sup> Place must include one or more of the following uses: Retail uses selling goods or providing services, including restaurants or taverns; Banking and Related Financial Services; School, Day-Care or Mini School or Mini Day-Care Center; Government Facility; Community Facility; and retail establishments providing entertainment, cultural and/or recreational activities. The required uses shall have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building on the abutting right-of-way). The Design Review Board (or Planning Director if not subject to D.R.) may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and that the design of the retail frontage will maximize visual interest. Lobbies for residential are allowed within this space subject to applicable design guidelines. The minimum ground floor story height for these uses shall be 13 feet.
6. Gross floor area constructed above the ~~ground~~<sup>second</sup> floor must be dedicated to residential use.
7. Development of residential uses within the zoning district shall result in a minimum of 20 percent of total residential units being affordable with affordability levels as follows:
  - a. For rental housing:
    - o A minimum of 20 percent of the total residential units shall be affordable. A minimum of 10 percent of total residential units shall be affordable at 50% of median income. The remaining affordable units shall be affordable at no greater than and 70% of median income, with a minimum of 10 percent of total residential units affordable at 50% of median income. Affordable rent levels will be determined using the same methodology used in the definition of Affordable Housing Unit in Chapter 5 KZC.
  - b. For ownership housing:
    - o A minimum of 20 percent of total residential units shall be affordable housing units as defined in Chapter 5 KZC.
8. The following additional regulations apply to affordable housing units included in development:

- a. Alternative Affordability Levels – Subject to Director approval, an applicant may propose affordability levels different from those defined in this Chapter. In approving any different affordability levels, the Director shall use ratios similar to those in Chapter KZC 112.20.3.b.
- b. Affordable housing provided pursuant to this section shall also comply with the following sections of Chapter 112KZC: 112.15.4 (Rounding); 112.35.2 (Affordability Agreement)
- c. The following provisions of Chapter 112KZC do not apply to this zoning district: 112.15.5 (Alternative Compliance); 112.20 (Basic Affordable Housing Incentives); 112.25 (Additional Affordable Housing Incentives); 112.30 (Alternative Compliance).
- d. Other provisions for the affordable housing units and moderate income units include:
  - o The type of ownership of the affordable housing units shall be the same as the type of ownership for the rest of the housing units in the development.
  - o The affordable housing units shall consist of a range in number of bedrooms that are comparable to units in the overall development.
  - o The size of the affordable housing units, if smaller than the other units with the same number of bedrooms in the development, must be approved by the Planning Director. In no case shall the affordable housing units be more than 10 percent smaller than the comparable dwelling units in the development, based on number of bedrooms, or less than 500 square feet for a one-bedroom unit, 700 square feet for a two-bedroom unit, or 900 square feet for a three-bedroom unit, whichever is less.
  - o The affordable housing units shall be available for occupancy in a time frame comparable to the availability of the rest of the dwelling units in the development.
  - o The exterior design of the affordable housing units must be compatible and comparable with the rest of the dwelling units in the development.
  - o The interior finish and quality of construction of the affordable housing units shall at a minimum be comparable to entry level rental or ownership housing in the City of Kirkland.
- e. Applicants providing affordable housing units may request an exemption from payment of road impact fees for the affordable housing units as established by KMC 27.04.050.
- f. Applicants providing affordable housing units may request an exemption from payment of park impact fees for the affordable housing units as established by KMC 27.06.050.
- g. Applicants providing affordable housing units are eligible for exemption from various planning, building, plumbing, mechanical and electrical permit fees for the affordable housing and moderate income units as established in KMC 5.74.070 and KMC Title 21.

- h. Property Tax Exemption – A property providing affordable housing units may be eligible for a property tax exemption as established in Chapter 5.88 KMC
9. Signs for a development approved under this provision must be proposed within a Master Sign Plan application (KZC 100.80) for all signs within the project.
10. Development of the site and its buildings should be designed, built and certified to achieve or exceed the LEED Silver rating system requirements as defined by the United States Green Building Council.
11. This use must be part of a development that includes an increase in the number of parking stalls available exclusively to users of the Park and Ride facility.
12. Parking stalls to serve the use must be in addition to those provided as part of the expansion of capacity for the Park and Ride facility.

DRAFT



## South Kirkland Park & Ride TOD Design Guideline Matrix

Existing Comprehensive Plan Policies	Proposed Design Guidelines <sup>1</sup> - <i>Design Review Board Authority</i>	Proposed Zoning Regulations	Existing Zoning Regulations	Additional Guidelines Needed?	Specific Regulations Needed?
<p>1. <i>Ensure high quality building and design</i></p>	<ul style="list-style-type: none"> <li>• Building materials should exhibit permanence.</li> <li>• Building materials and color should be selected to integrate with each other and complement architectural design.</li> <li>• Ornament and applied art should be integrated with the structures and the site environment and not haphazardly applied.</li> <li>• Emphasis should be placed on highlighting building features such as doors, windows, and eaves, and on the use of materials such as wood siding and ornamental masonry. Ornament may take the form of traditional or contemporary elements</li> <li>• Original artwork or hand-crafted details should be considered in special areas.</li> </ul>	<ul style="list-style-type: none"> <li>• Require Design Review Board approval</li> <li>• A Master Sign Plan is required for signs on the subject property.</li> </ul>	<ul style="list-style-type: none"> <li>• Design Review Board provisions in KZC Chapter 142</li> <li>• Master Sign Plan provisions in KZC Chapter 100</li> </ul>		

<sup>1</sup> Proposed guidelines may address more than one policy.

Existing Comprehensive Plan Policies	Proposed Design Guidelines <sup>1</sup> - Design Review Board Authority	Proposed Zoning Regulations	Existing Zoning Regulations	Additional Guidelines Needed?	Specific Regulations Needed?
<p>2. <i>Ensure that regulations support appropriate building scale and massing throughout the site, produce buildings that exhibit high quality design and incorporate pedestrian features and amenities that contribute to a livable urban village character for the TOD.</i></p>	<p><b>Building Scale &amp; Massing</b></p> <ul style="list-style-type: none"> <li>• Large window areas should be avoided. Instead smaller window units should be used to achieve human scale.</li> <li>• Above the street level, buildings above the 2<sup>nd</sup> story should use upper story step backs to create receding building forms as building height increases to maintain human scale. A rigid stair step of “wedding cake” approach to upper story step backs is not appropriate.</li> <li>• Decks and/or balconies should be designed so that they do not significantly increase the apparent mass of the building.</li> <li>• <u>The location of the subject property makes any new multi-story building highly visible from the surrounding streets and properties. Building design should be conscious of these viewpoints or vantages which should be identified through the Design Review process.</u> The final arrangement of building mass should <u>therefore address the key vantage points and respond to the</u> <del>be placed in context with</del> <del>of</del> existing and/or planned improvements, gateway features, <u>and</u> location of plazas and open space, <del>and orientation with the public realm.</del></li> <li>• <u>All building facades should be designed carefully, i.e. there should be no “backside” of a building.</u></li> </ul>	<ul style="list-style-type: none"> <li>• Limit size of any retail establishment to 7,500 sq. ft.</li> <li>• Limit height to 53’ above average building elevation</li> <li>• Require limited types of street level uses which include retail and restaurant uses</li> <li>• Allow for decorative parapets and peaked roofs to extend above the height limit</li> <li>• Create new Plate 34L which shows pedestrian connections in the YBD and future connection to Eastside Rail Corridor</li> </ul>	<ul style="list-style-type: none"> <li>• Various provisions in KZC Section 105.18 – Pedestrian Access <ul style="list-style-type: none"> <li>○ Pedestrian access from buildings to sidewalks and transit facilities</li> <li>○ Pedestrian access between uses on subject property</li> <li>○ Pedestrian connections between properties</li> <li>○ Pedestrian access through parking areas</li> <li>○ Pedestrian access through parking garages</li> <li>○ Overhead weather protection</li> </ul> </li> <li>• Various provisions in KZC 110.19 – Public Pedestrian Walkways</li> <li>• KZC 105.32 – Bicycle Parking <ul style="list-style-type: none"> <li>○ Ratio of 1 bicycle space for each 12 required motor vehicle spaces. Planning official may modify this requirement based on development size and anticipated pedestrian and bicycle activity.</li> <li>○ Contains requirements for bike racks or enclosed storage container locations.</li> </ul> </li> <li>• 115.142 Transit Shelters and Centers, Public.</li> </ul>		

Existing Comprehensive Plan Policies	Proposed Design Guidelines <sup>1</sup> - <i>Design Review Board Authority</i>	Proposed Zoning Regulations	Existing Zoning Regulations	Additional Guidelines Needed?	Specific Regulations Needed?
	<ul style="list-style-type: none"> <li>• Building facades should be well modulated to avoid blank walls and provide architectural interest.</li> <li>• Landscaping should be used to provide visual interest and help soften building form at appropriate locations, including upper level terraces.</li> <li>• To help moderate the vertical scale of buildings, buildings should incorporate design techniques which clearly define the building's top, middle, and bottom.</li> </ul> <p>Examples include using a sloped roof and strong eave lines to help define the top; using windows, balconies, and material changes to define a building's middle; and pedestrian-oriented storefronts, awnings, and use of 'earth' materials such as concrete and stone to help define the building's bottom.</p> <ul style="list-style-type: none"> <li>• <u>Roof forms should be varied and attractive. Where appropriate, roof forms should also help reinforce the modulation or articulation interval of the building façade.</u></li> <li>• <u>Roof forms should be designed to screen rooftop mechanical units</u></li> <li>• <u>A predominantly flat roof design is discouraged. For portions of the building where a flat roof design is used, architectural details such as eaves, cornices, or other articulation elements should be used to provide</u></li> </ul>		<p>Public transit shelters and centers are allowed in all zones and shall not exceed 15 feet above average building elevation in low density zones. The public transit shelters and centers must not unreasonably impede pedestrian movement or create traffic safety problems. Transit route and information signs and markers may be installed. One hundred percent lot coverage is allowed. There are no specific requirements for review process, minimum lot size, minimum required yards, landscaping, or parking for this use.</p>		

Existing Comprehensive Plan Policies	Proposed Design Guidelines <sup>1</sup> - <i>Design Review Board Authority</i>	Proposed Zoning Regulations	Existing Zoning Regulations	Additional Guidelines Needed?	Specific Regulations Needed?
	<p><u>interest at the ground level.</u></p> <ul style="list-style-type: none"> <li>Vertical building modulation should be used to add variety <u>by avoiding monotonous design. A technique that may be used is to</u> <del>and to</del> make large buildings appear to be an aggregation of smaller buildings. <u>Different colors and/or materials may be used to help differentiate between facade planes.</u></li> <li>Horizontal building modulation should be used to reduce the perceived mass of a building and to provide continuity at the ground level of large building complexes. Building design should incorporate strong pedestrian-oriented elements at the ground level and distinctive roof treatments. <u>Different colors and/or materials maybe used to help differentiate between facade planes.</u></li> </ul> <p><b><i>High Quality Design</i></b></p> <p>See Policy #1</p> <p><b><i>Pedestrian Features &amp; Amenities</i></b></p> <ul style="list-style-type: none"> <li>Pedestrian walkways should be placed throughout the site to allow for efficient access between the residential, commercial, transit center uses, and adjacent streets. The walkways should be situated to minimize walking distance from the public sidewalk and transit facilities to building entrances.</li> <li>Pedestrian and bicycle <u>pathways and/or</u> connections should be well-</li> </ul>				

Existing Comprehensive Plan Policies	Proposed Design Guidelines <sup>1</sup> - <i>Design Review Board Authority</i>	Proposed Zoning Regulations	Existing Zoning Regulations	Additional Guidelines Needed?	Specific Regulations Needed?
	<p>defined and safe.</p> <ul style="list-style-type: none"> <li>• Pedestrian connections should be provided to adjacent properties to allow for efficient access to the transit facilities and commercial uses.</li> <li>• Landscaping should be used to help define and provide visual interest along pedestrian walkways.</li> <li>• Convenient and safe pedestrian areas should be designed in centralized locations to accommodate transit users.</li> <li>• Lighting should be provided to walkways and sidewalks through building mounted light and canopy or awning mounted lights.</li> <li>• <u>Low level lighting in the form of bollards or similar style of lighting should be encouraged along pedestrian pathways not adjacent to buildings.</u></li> <li>• <u>Through-block pathways should be designed so that it is clear that access by the general public is allowed. Because the subject property is steep along NE 38<sup>th</sup> Place, stairways may be used in the design of the through-block pathway where connecting to the street. If located along NE 38<sup>th</sup> Place, the stairway should function as a focal entry/exit point and contain design elements that make it a welcoming, safe, and attractive entry.</u></li> </ul>				

Existing Comprehensive Plan Policies	Proposed Design Guidelines <sup>1</sup> - Design Review Board Authority	Proposed Zoning Regulations	Existing Zoning Regulations	Additional Guidelines Needed?	Specific Regulations Needed?
	<ul style="list-style-type: none"> <li>◆ Vehicular (car and bus) circulation should not conflict with bicycle and pedestrian circulation throughout the site.</li> <li>◆ Safe crossing locations for pedestrians should be provided.</li> </ul>				
<p>3. <i>Provide guidance for the streetscapes along NE 38th Place and 108th Avenue NE to ensure buildings do not turn their backs on the streets and development provides a welcoming and attractive presence at this gateway to Kirkland.</i></p>	<p><b>Streetscape</b></p> <ul style="list-style-type: none"> <li>• Street trees species should be selected and spaced to allow for visual continuity along NE 38th Place, buffer pedestrians from the street, and provide visibility of ground floor retail uses.</li> <li>• Buildings should be oriented towards the street when located along NE 38<sup>th</sup> Place.</li> <li>• Design elements such as multiple storefronts, pedestrian-oriented signs, exterior light fixtures, glazing, landscaping, and awnings should be utilized to add human scale and interest at the street level.</li> <li>• Ground floor spaces along NE 38<sup>th</sup> Place should be transparent with windows of clear vision glass beginning no higher than 2' above grade to at least 10' above grade. Windows should extend across, at a minimum, 75% of the façade length. Continuous window walls should be avoided by providing architectural building treatments, mullions, building modulation, entry doors, and/or columns at appropriate intervals.</li> </ul>	<ul style="list-style-type: none"> <li>• Identify NE 38<sup>th</sup> Place as a Major Pedestrian Sidewalk area</li> </ul>	<ul style="list-style-type: none"> <li>• 110.52 - Sidewalks and Other Public Improvements in Design Districts</li> <li>• KZC 110.60.11 - Entry or Gateway Features in Design Districts – In Design Districts, if the Comprehensive Plan or Design Guidelines designate the subject property for an entry or gateway feature, then the applicant shall design and install an entry feature area on the subject property. The size of the entry feature area shall be at least 100 square feet, and may include landscaping, art, signage or lighting. The design shall be reviewed by the City and decided upon as part of the Design Review for the proposed development. The applicant shall provide an easement or dedication of property surrounding the entry feature.</li> </ul>		

Existing Comprehensive Plan Policies	Proposed Design Guidelines <sup>1</sup> - <i>Design Review Board Authority</i>	Proposed Zoning Regulations	Existing Zoning Regulations	Additional Guidelines Needed?	Specific Regulations Needed?
	<ul style="list-style-type: none"> <li>• Varied window treatments should be encouraged. Architectural detailing at window jambs, sills, and heads should be emphasized. Use of ribbon windows should be avoided.</li> <li>• A street wall is a wall or portion of a wall of a building facing a street. Continuous street walls should incorporate vertical and horizontal modulations into the building form.</li> <li>• Along pedestrian oriented streets, upper story building facades should be stepped back to provide enough space for decks, balconies, and other activities overlooking the street.</li> <li>• Awnings or canopies should be required on facades adjoining sidewalks. Blank walls should be avoided near sidewalks, open spaces, and pedestrian areas.</li> <li>• Blank walls should not be visible from the street or sidewalk. Where blank walls are unavoidable, they should be treated with landscaping, art, or other architectural treatments.</li> </ul> <p><b><i>Gateway</i></b></p> <ul style="list-style-type: none"> <li>• A gateway is an urban design feature that signifies a sense of place and arrival into a city or neighborhood. A gateway should be designed in the location shown in</li> </ul>				

Existing Comprehensive Plan Policies	Proposed Design Guidelines <sup>1</sup> - Design Review Board Authority	Proposed Zoning Regulations	Existing Zoning Regulations	Additional Guidelines Needed?	Specific Regulations Needed?
	<p>the Comprehensive Plan.</p> <ul style="list-style-type: none"> <li>• The design <u>elements</u> of the gateway should include a combination of landscaping, architectural features, and artwork which:               <ul style="list-style-type: none"> <li>○ Establishes a landmark that reflects the TOD elements of the site;</li> <li>○ Reinforces NE 38th Place and 108th Avenue NE as a focal point;</li> <li>○ Transitions between Kirkland and Bellevue and the Yarrow Bay Business District to the west; <u>and</u></li> <li>○ <u>Are integrated with the TOD building design</u></li> </ul> </li> </ul>				
<p>4. <i>Protect the vegetative buffers and significant trees along the site's eastern and southeastern borders through development standards.</i></p>	<p>None Proposed</p>		<ul style="list-style-type: none"> <li>• Tree retention standards in KZC Section 95.30</li> </ul>		
<p>5. <i>Minimize the visual impacts of parking facilities from adjacent rights-of-ways.</i></p>	<ul style="list-style-type: none"> <li>• Parking areas should not be located between NE 38<sup>th</sup> Place and buildings.</li> <li>• Access driveways to parking areas should be minimized.</li> <li>• Parking lots should be designed to provide for clear vehicular and pedestrian circulation and be well organized.</li> <li>• Screening and landscaping should be used to reduce the visual impact of parking lots and/or parking structures to the surrounding</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum 10' setback for parking structures along NE 38<sup>th</sup> Place</li> <li>• Add regulation to KZC 105.58 – Location of Parking Areas Specific to Design Districts</li> </ul>	<ul style="list-style-type: none"> <li>• KZC 95.44 – Internal Parking Lot Landscaping Requirements</li> <li>• KZC 95.45 – Perimeter Landscape Buffering for Driving and Parking Areas</li> </ul>		

Existing Comprehensive Plan Policies	Proposed Design Guidelines <sup>1</sup> - <i>Design Review Board Authority</i>	Proposed Zoning Regulations	Existing Zoning Regulations	Additional Guidelines Needed?	Specific Regulations Needed?
	<p>neighborhood.</p> <ul style="list-style-type: none"> <li>• <u>Parking structures shall be designed and located to obscure the view of parked cars from adjacent properties. Parking structures should be located to the back of buildings or underground with intervening uses, artwork, building setbacks, and/or dense landscaping should be used to reduce the visual impact of parking structures along streets.</u></li> <li>• <u>Portions of parking structures visible from the street that cannot be placed behind an intervening use due to site topography, should be designed to complement neighboring buildings constructed with high quality materials and be architecturally compatible with the character of surrounding buildings.</u></li> </ul> <p><u>In addition, architectural treatment, artwork, building setbacks, and/or dense landscaping should be used to further reduce the visual impact of parking structures along the street.</u></p> <p><u>If adjacent to the required gateway, the exterior of parking structure should reflect the design elements of the gateway. Design should avoid the appearance of a parking structure.</u></p>				

Existing Comprehensive Plan Policies	Proposed Design Guidelines <sup>1</sup> - <i>Design Review Board Authority</i>	Proposed Zoning Regulations	Existing Zoning Regulations	Additional Guidelines Needed?	Specific Regulations Needed?
<p>6. Foster the creation of vibrant and desirable living environment through the use of high quality design, public amenities, and open space.</p>	<p><b><i>High Quality Design</i></b></p> <p>See Policy #1</p> <p><b><i>Public amenities and Open Space</i></b></p> <ul style="list-style-type: none"> <li>Public open space should be provided on the subject property which can be used by the general public, residents, and transit users.</li> <li>Public open space should be open to the sky except where overhead weather protection is provided (e.g. canopies and awnings). The space should appear and function as public space rather than private space.</li> </ul> <p><del>Public open space should be designed in close proximity to adjacent shops and contain outdoor dining/seating areas, art, water features, and/or landscaping while still allowing enough room for pedestrian flow.</del></p> <ul style="list-style-type: none"> <li><u>Public open space should be located in close proximity to commercial and retail uses that are required along NE 38<sup>th</sup> Place. The public open space should be well defined and contain amenities such as outdoor dining, seating areas, art, water features, and/or landscaping. Adequate room for pedestrian movement through the space should be maintained. Additional public open space in a location convenient to the site's transit users may also be appropriate.</u></li> <li><u>Careful attention should be paid to the transition between transit</u></li> </ul>	<p>None Proposed</p>	<p>None</p>		

Existing Comprehensive Plan Policies	Proposed Design Guidelines <sup>1</sup> - <i>Design Review Board Authority</i>	Proposed Zoning Regulations	Existing Zoning Regulations	Additional Guidelines Needed?	Specific Regulations Needed?
	<p><u>operations and the building to create a well defined pedestrian space such as a small plaza with landscaping features.</u></p> <ul style="list-style-type: none"> <li>• A combination of lighting, access to sunlight, paving, landscaping, and seating should be used to enhance the pedestrian experience with the public open space.</li> </ul>				
7. Promote sustainable development through support of green building practices at the Park and Ride.	None Proposed	<ul style="list-style-type: none"> <li>• New regulation calls for LEED Silver Certification or better.</li> </ul>	None		



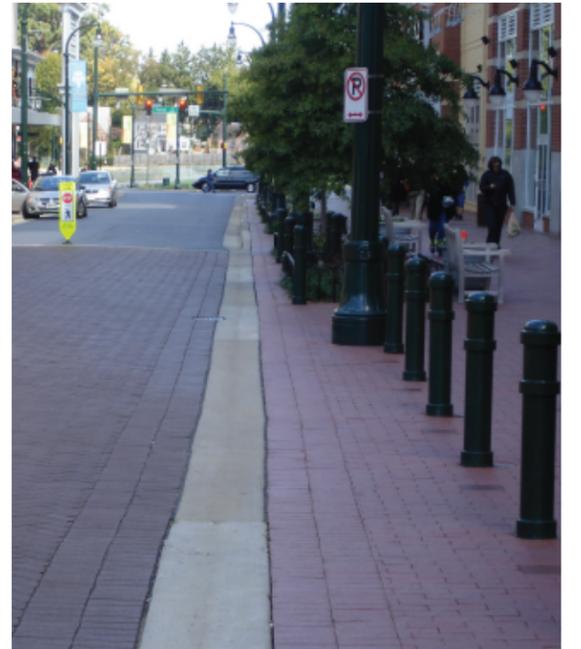
streetscape

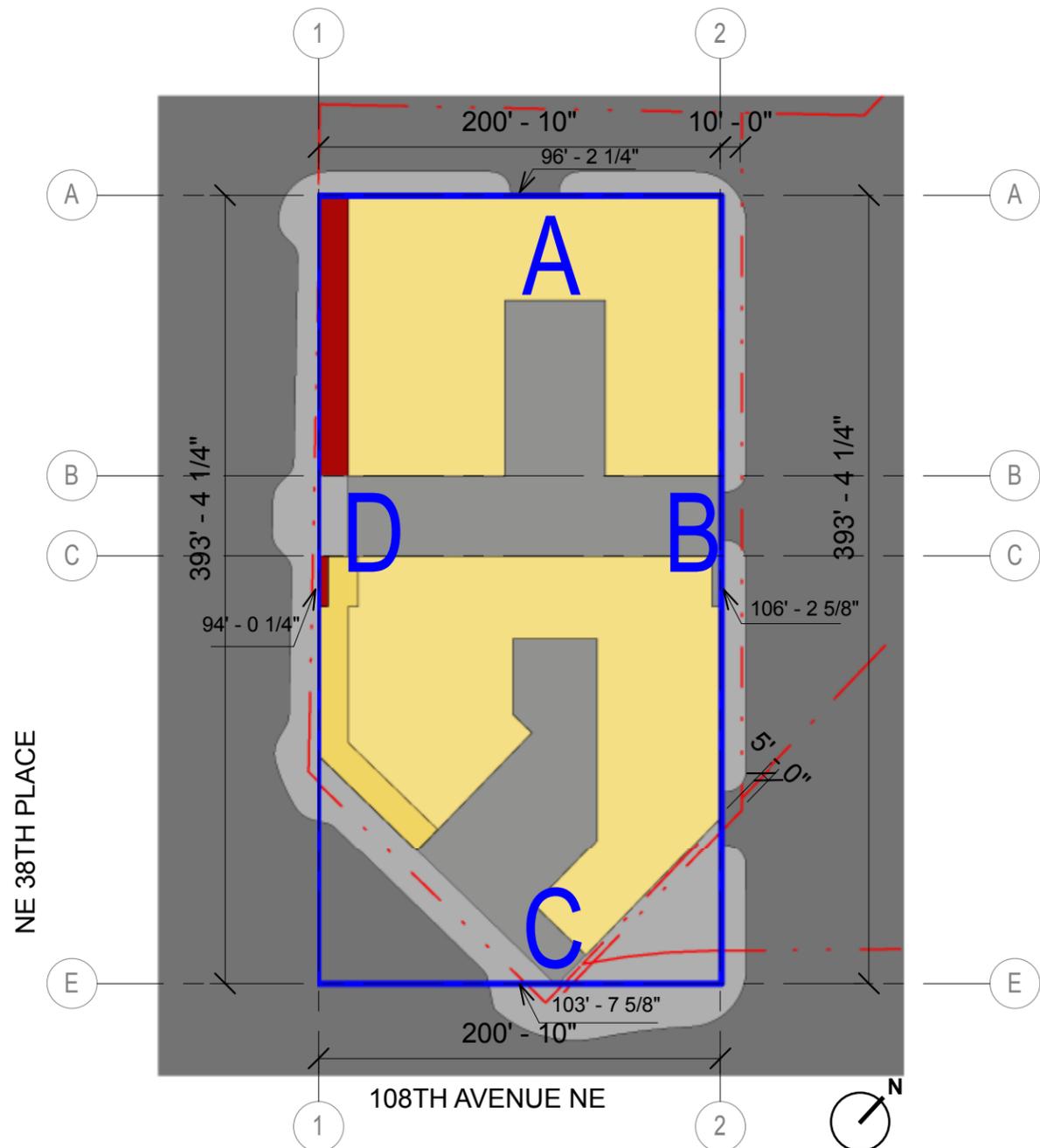


mixed use



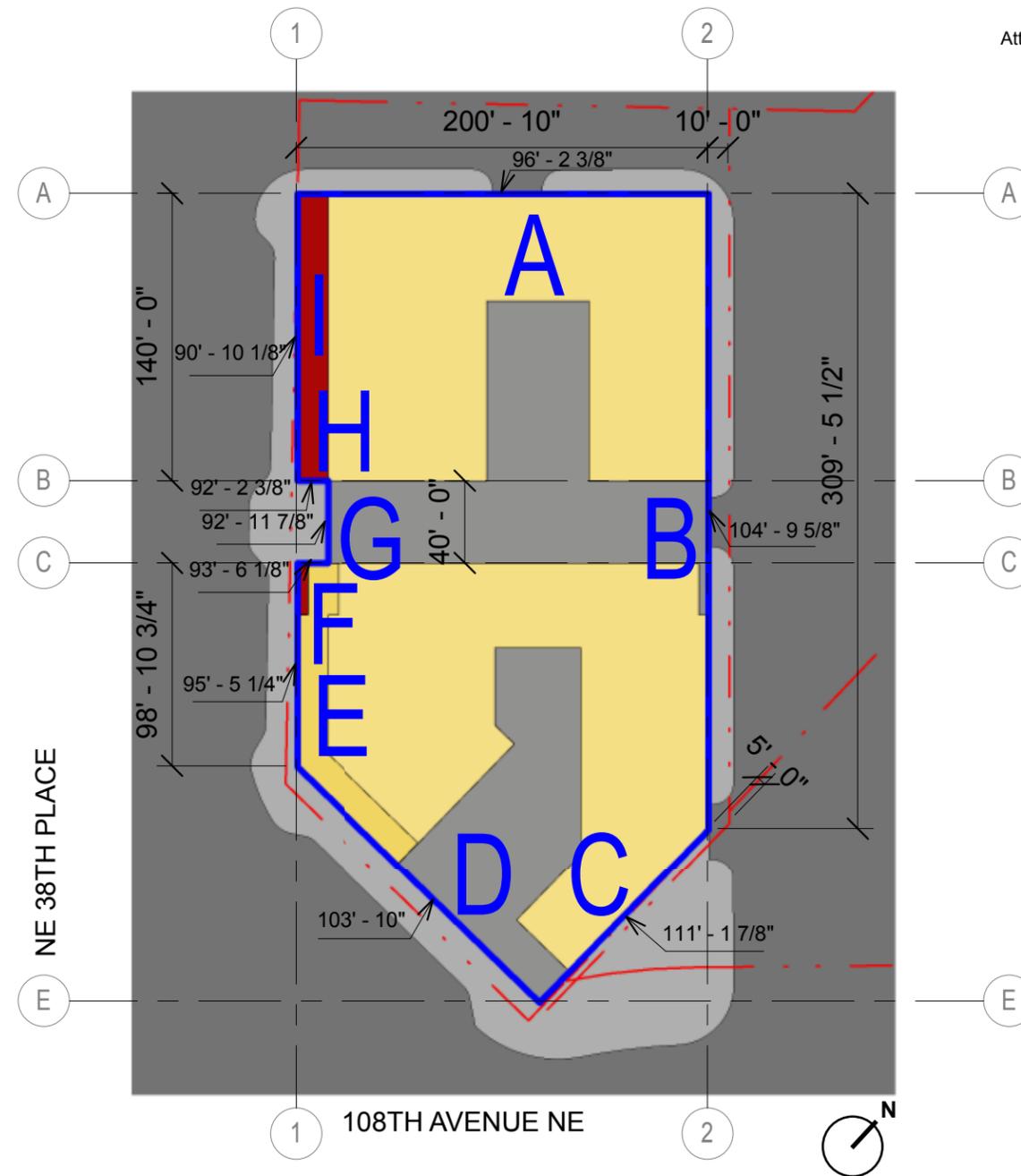
pedestrian connections





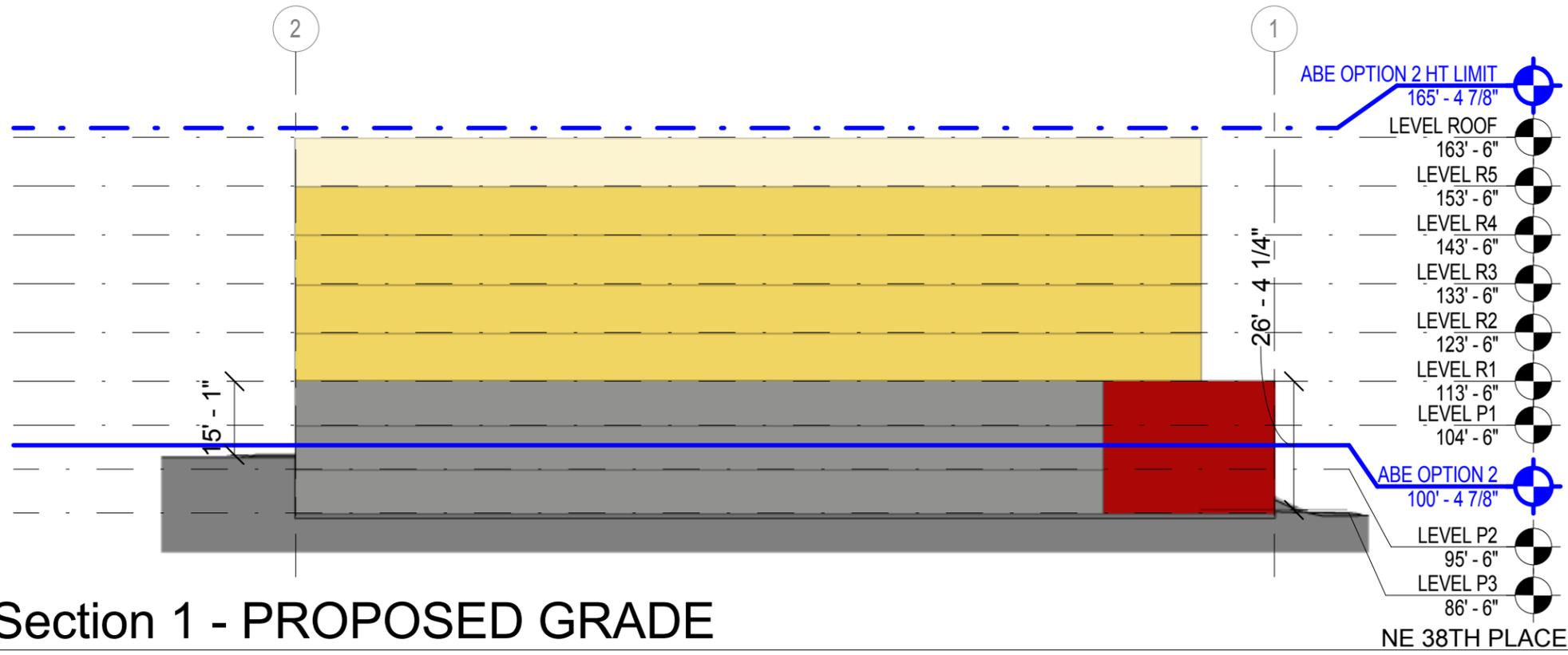
**1 ABE - OPTION 1 EXISTING GRADE**  
1" = 80'-0"

BLDG ELEVATION	MIDPOINT ELEVATION	SEGMENT LENGTH	product	sum	
A	96.188	200.830	19317.336	abe	118895.558
B	106.219	393.354	41781.669	abe	100.049
C	103.635	200.830	20813.017	max ht elevation	100.049'
D	94.021	393.354	36983.536		165.049'

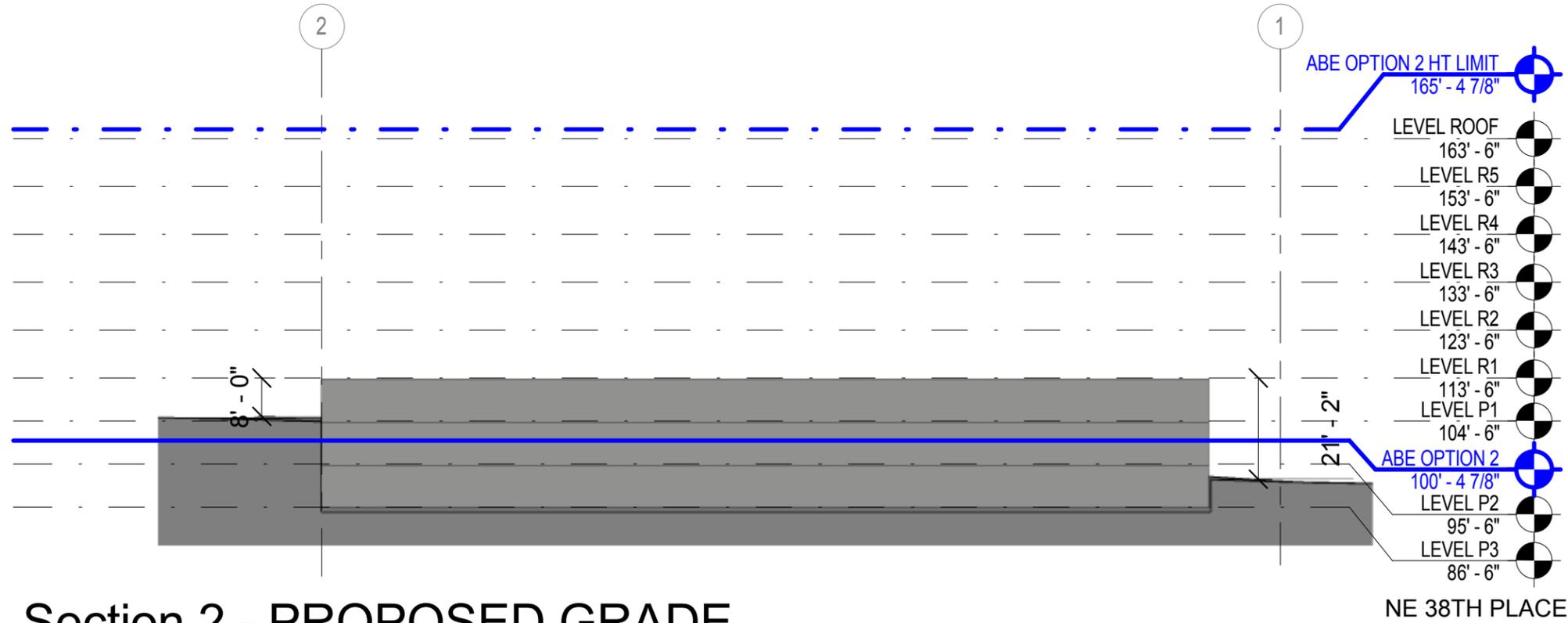


**2 ABE - OPTION 2 EXISTING GRADE**  
1" = 80'-0"

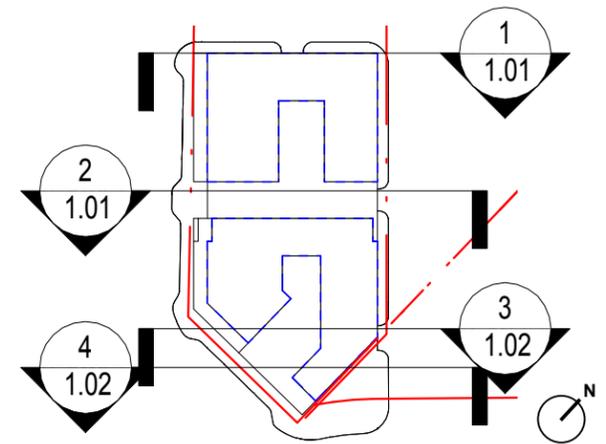
BLDG ELEVATION	MIDPOINT ELEVATION	SEGMENT LENGTH	product	sum	
A	96.198	200.830	19319.444	abe	110636.436
B	104.802	309.458	32431.817	abe	100.408
C	111.156	117.958	13111.739	max ht elevation	100.408'
D	103.833	165.395	17173.459		165.408'
E	95.438	98.896	9438.436		
F	93.510	14.667	1371.511		
G	92.990	40.000	3719.600		
H	92.198	14.667	1352.268		
I	90.844	140.000	12718.160		

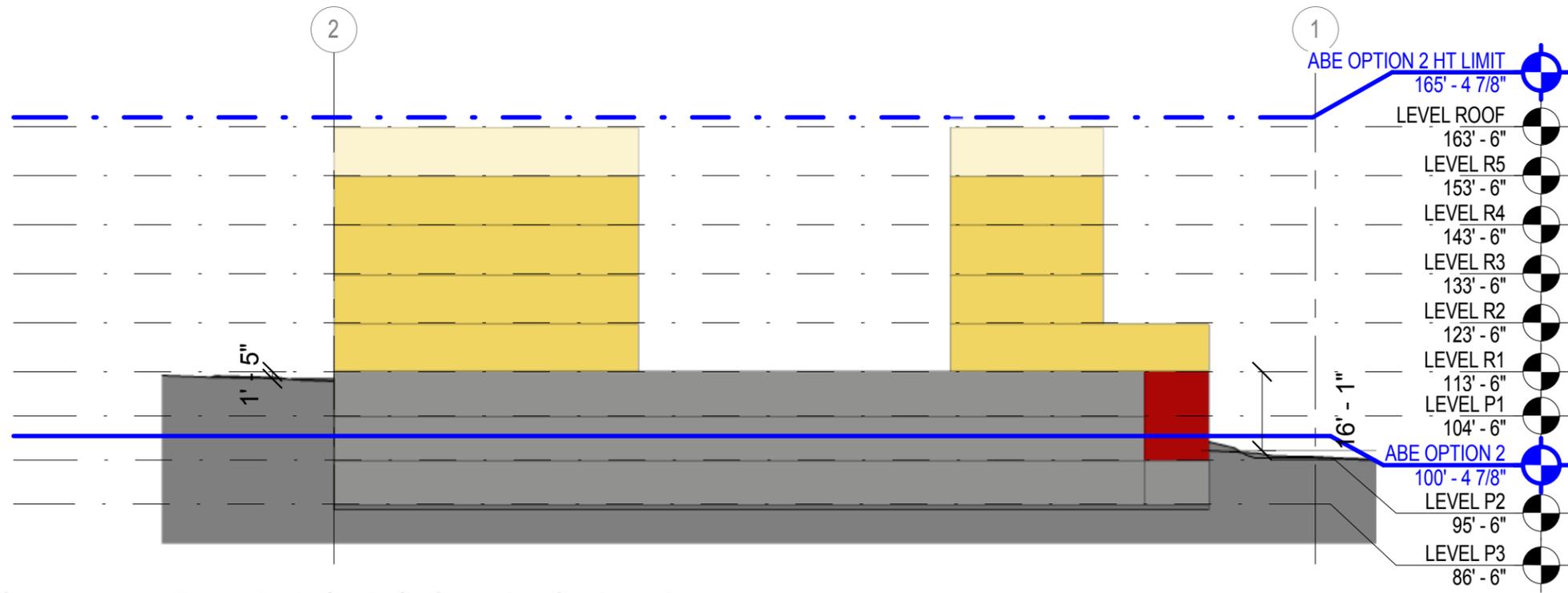


1 Section 1 - PROPOSED GRADE  
1" = 30'-0"



2 Section 2 - PROPOSED GRADE  
1" = 30'-0"



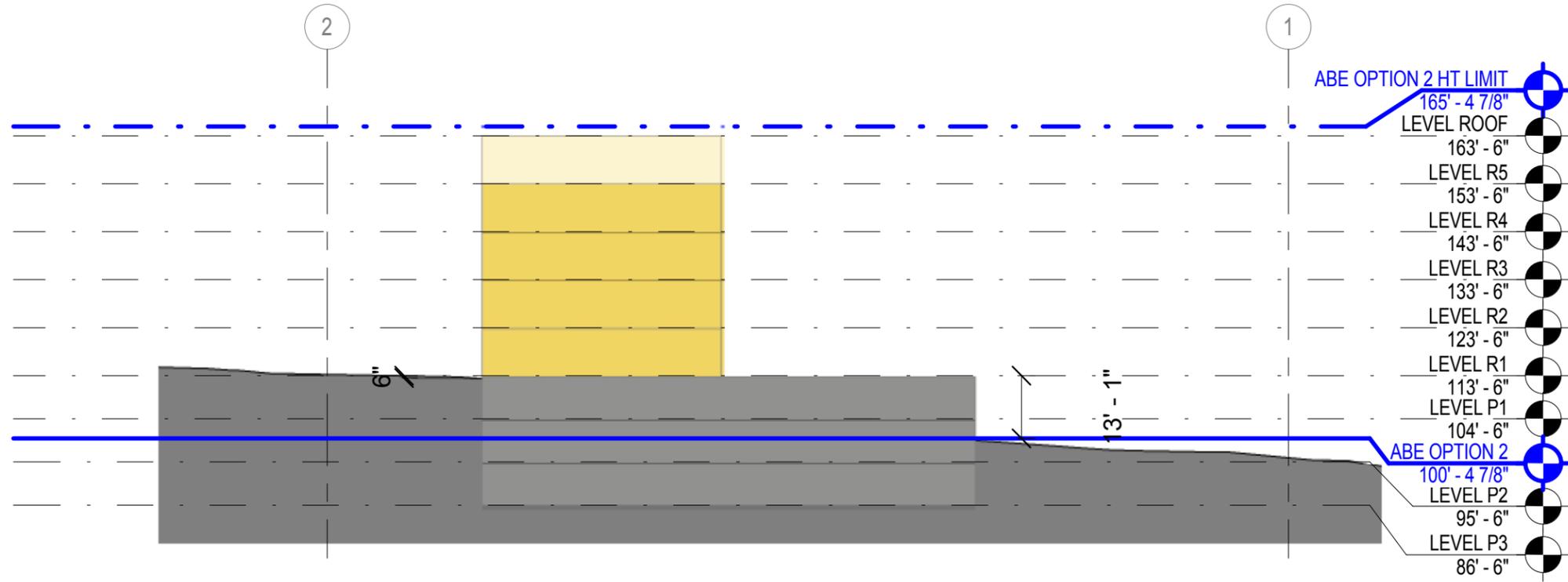


NE 38TH PLACE

3

Section 3 - PROPOSED GRADE

1" = 30'-0"

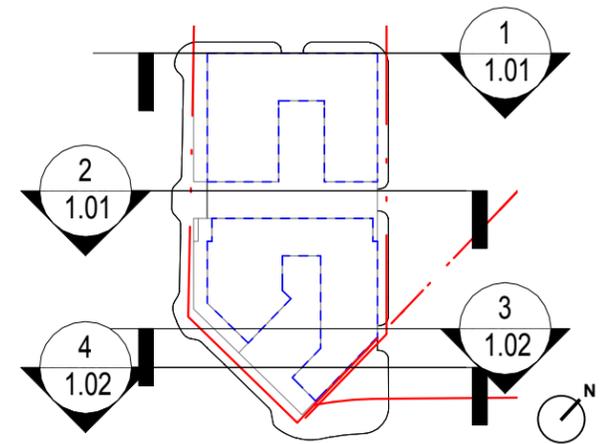


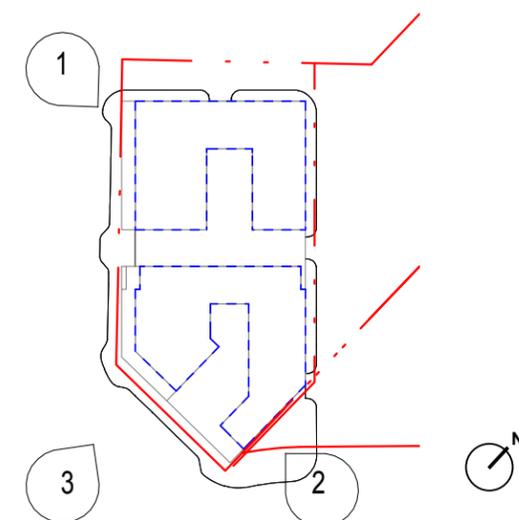
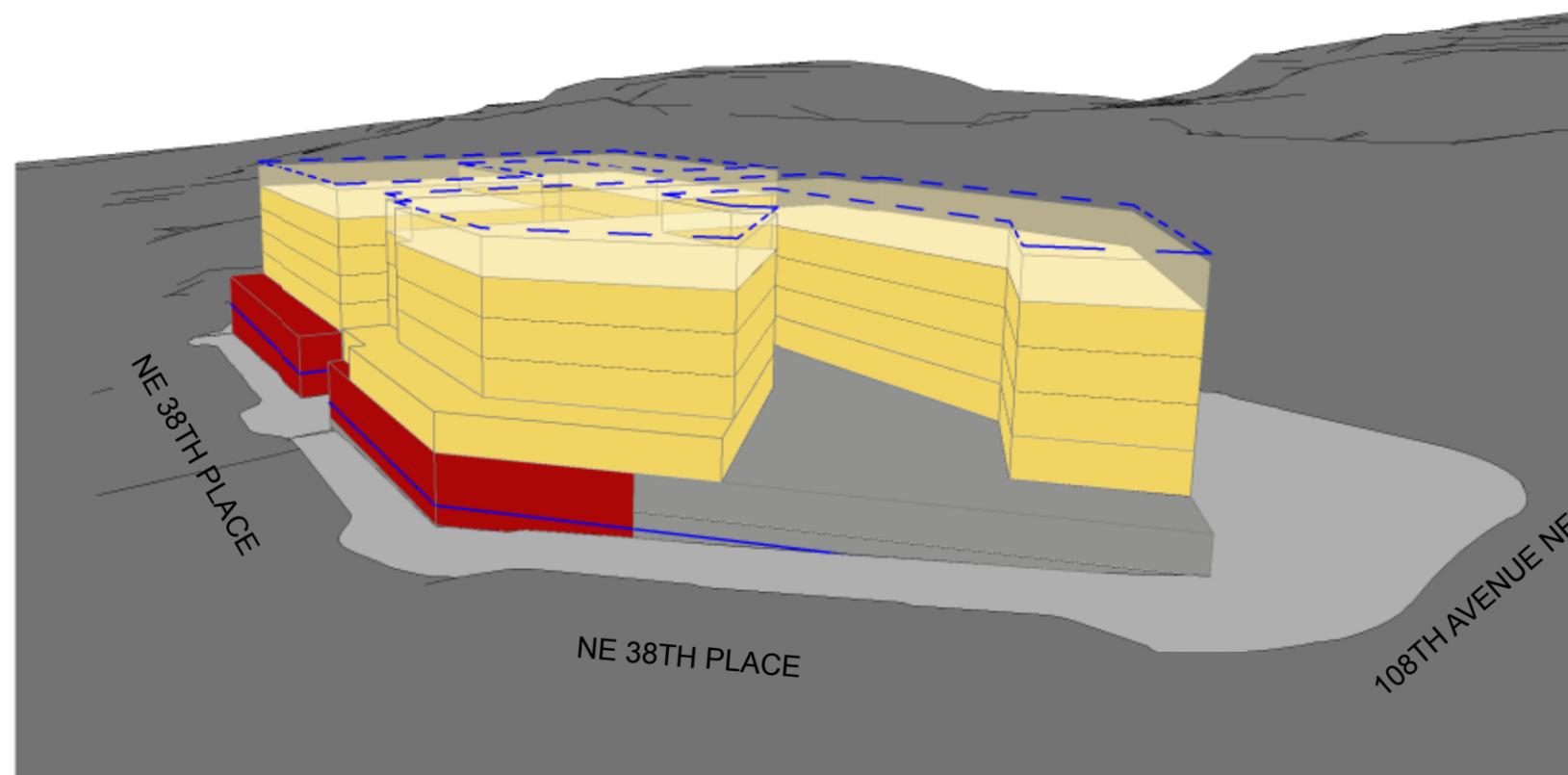
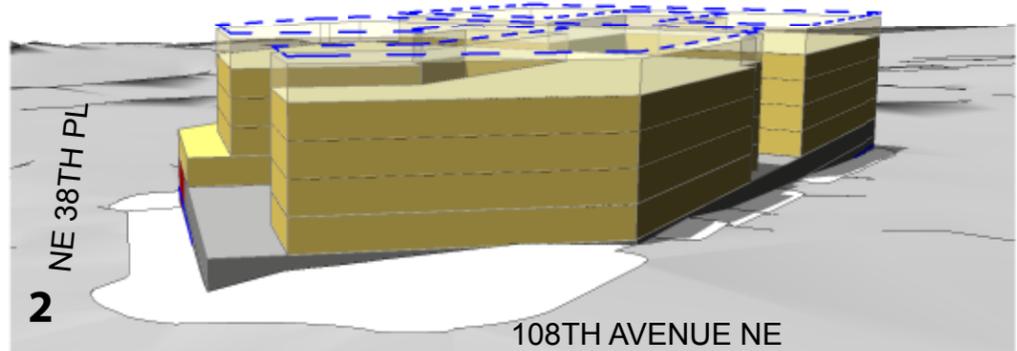
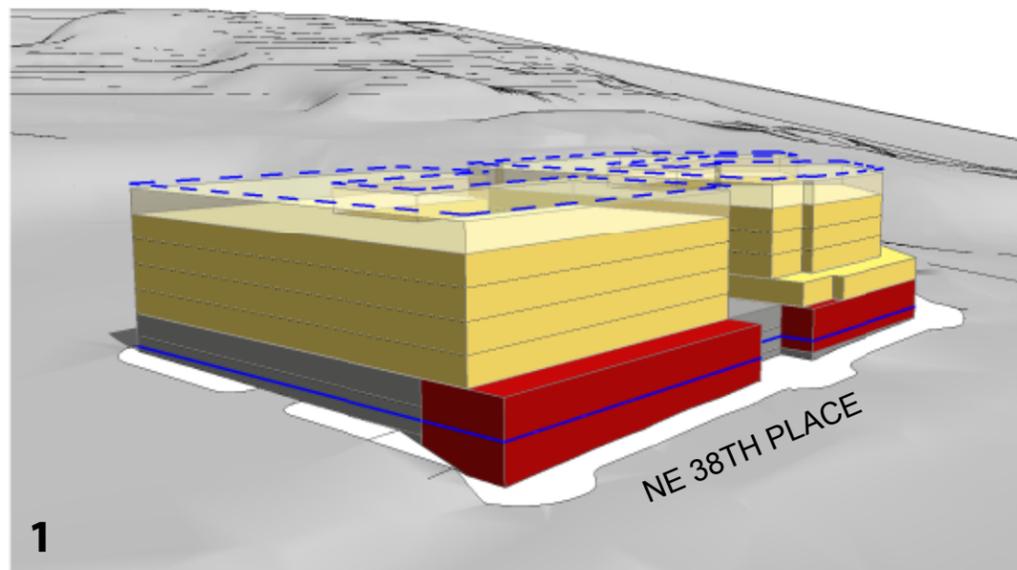
NE 38TH PLACE

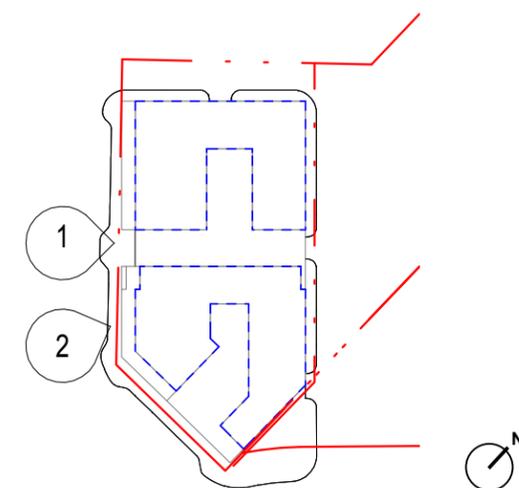
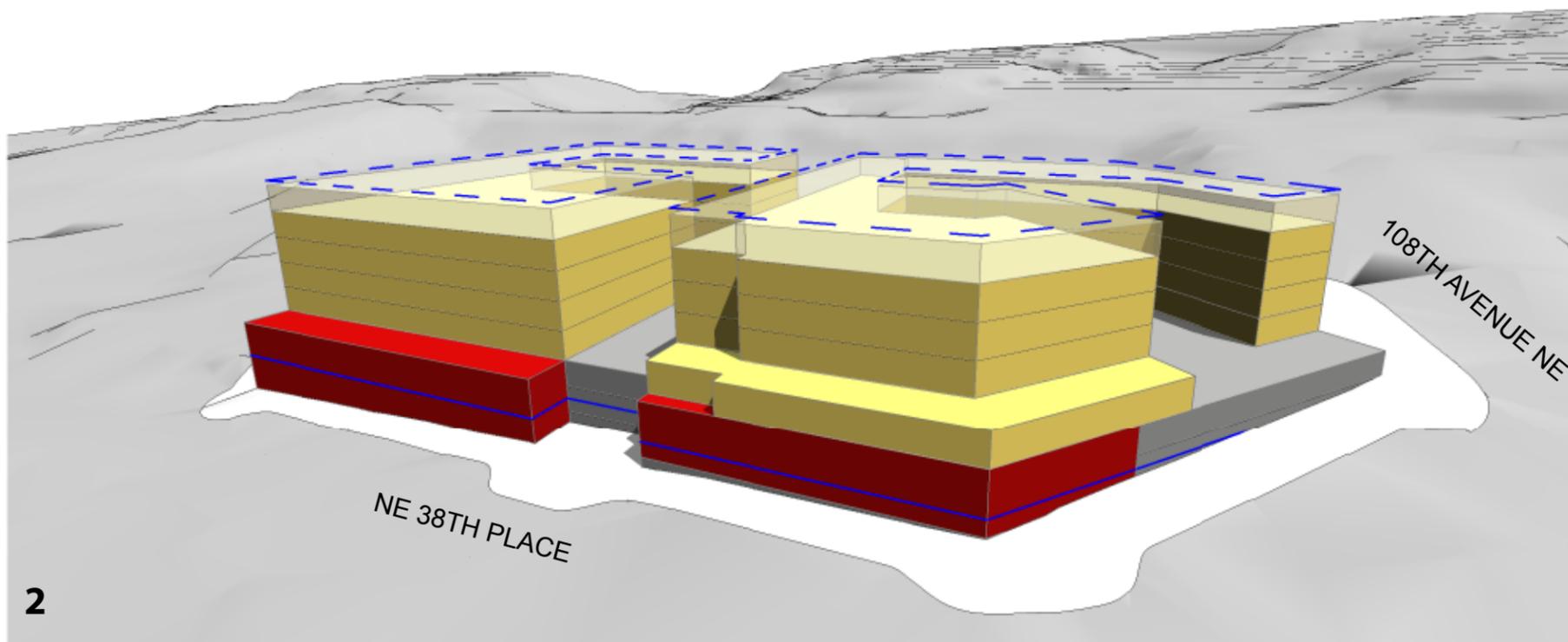
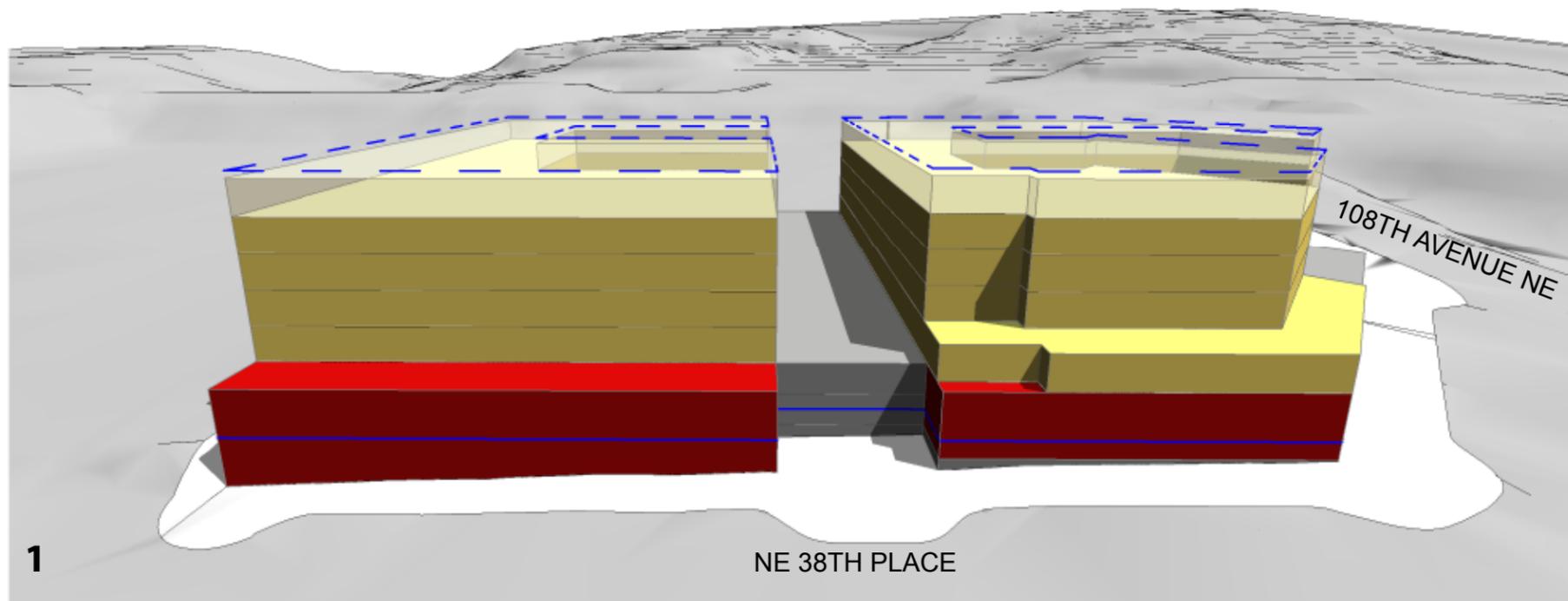
4

Section 4 - PROPOSED GRADE

1" = 30'-0"







## Plate 35 Total Upper Story Setback Area

The required upper story setback for all floors above the second story shall be calculated as Total Upper Story Setback Area as follows:

*Linear feet of front property line(s), not including portions of the site without buildings that are set aside for vehicular areas*

X

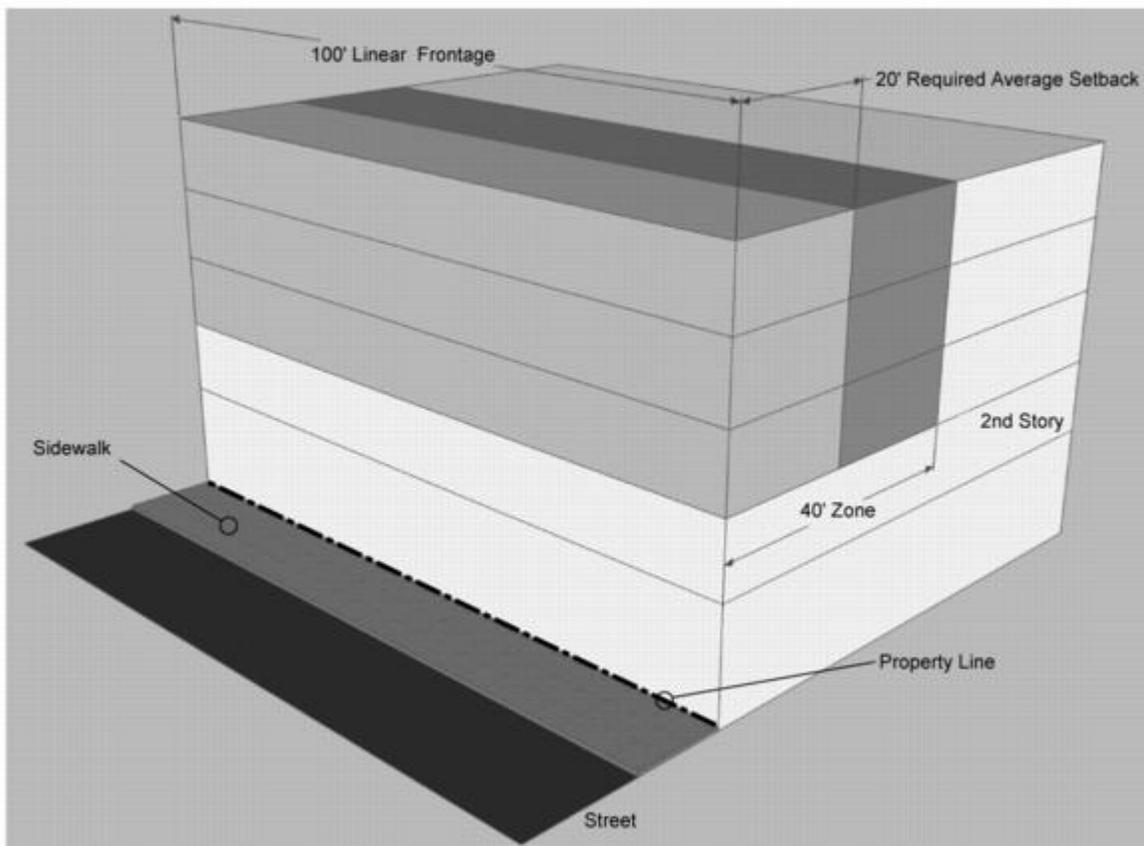
*Required average setback*

X

*Number of stories proposed above the 2nd story*

=

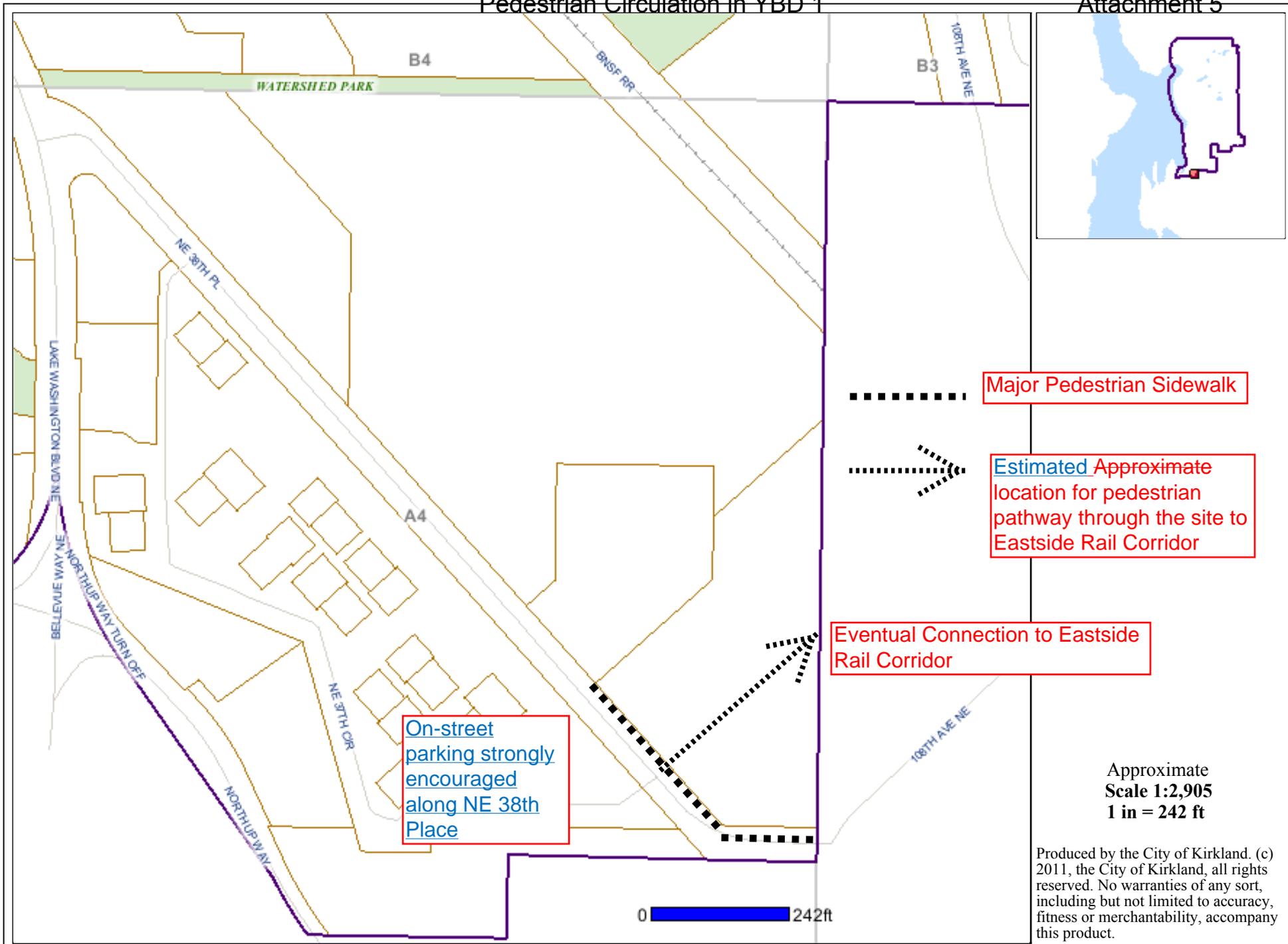
**TOTAL UPPER STORY SETBACK AREA**



**Example (for 5-story building with 100 linear feet along the front property line):**

- 1) The project would have 4,000 square feet of potential building space per story within the 40' zone (100 l.f. x 40' depth)
- 2) The upper 3 stories would have 12,000 square feet of potential building area within the 40' zone (100 l.f. x 40' depth x 3 stories)
- 3) The required average setback of 20' would equate to a setback area of 2,000 square feet per story (100 l.f. x 20' depth)
- 4) The upper 3 stories would have 6,000 square feet of Total Upper Story Setback Area [Total Upper Story Setback Area = 100' (lineal frontage) x 20' (required average setback) x 3 (stories above the 2nd story)] and 6,000 square feet of allowed building area (12,000 square feet - 6,000 square feet).







## 105.19 Public Pedestrian Walkways

1. Public Pedestrian Walkways Location – In addition to the pedestrian walkways required in KZC [105.18](#), the City may require the applicant to install additional public pedestrian walkways on the subject property in any of the following circumstances where the walkway is reasonably necessary as a result of the development activity:
  - a. A pedestrian connection is indicated as appropriate in the Comprehensive Plan or Nonmotorized Transportation Plan; or designated elsewhere in this code; or
  - b. A walkway is reasonably necessary to provide efficient pedestrian access to a designated activity center of the City or transit; or
  - c. Through-block pedestrian pathways may be required on properties if blocks are unusually long; or
  - d. Pedestrian access may be required to connect between existing or planned dead-end streets, through streets, or other pedestrian access; and
2. Standards – General – The applicant shall install public pedestrian walkways pursuant to the following standards, except for Design Districts listed in subsections (3) and (4) of this section (see Figure 105.19.A):
  - a. Pedestrian access shall be provided by means of dedicated rights-of-way, tracts, or easements at the City’s option;
  - b. The width of the access right-of-way, tract, or easement, and the walkway material and width, shall be determined per the Public Works Pre-Approved Plans;
  - c. The height of solid (blocking visibility) fences along pedestrian walkway that is not directly adjacent to a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors;
  - d. All new building structures shall be set back a minimum of five (5) feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent to a public or private street right-of-way;
  - e. The alignment of walkways shall consider the location of proposed and existing buildings (preferably along building fronts or property lines).
3. Through-Block Pathway Standards – General – If a through-block pathway is designated to be installed on the subject property, the applicant shall install a through-block pathway pursuant to the following standards, except for Design Districts listed in subsection (4) of this section:
  - a. A minimum unobstructed pavement width of eight (8) feet, paved with decorative concrete. A minimum of five (5) feet may be approved for residential uses.
  - b. Trees placed at an average of 30 feet on-center between the pathway and any parking or vehicular access area (see Figure 105.19.A). Exceptions:
    - 1) To increase business visibility and accessibility, the City may allow modifications in the required tree coverage adjacent to primary building entries; however, no less than one (1) tree per 60 lineal feet of the required pathway shall be provided.

- 2) The required trees must be placed in planting strips at least 4.5 feet in width or within tree grates.
- c. Adequate pedestrian lighting at a maximum of 12 feet in height shall be provided along the pathway.
- d. Barriers that will limit pedestrian access between the subject property and adjacent properties are not permitted.
- e. The through-block pathway may be retained within dedicated rights-of-way, tracts, or easements at the City's option. The width of the pathway right-of-way, tract, or easement will be determined by the Planning Official.
- f. If subject to Design Review the City will specifically review and approve the material and configuration of all through-block pathways as part of the Design Review decision