



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
DESIGN RESPONSE CONFERENCE

File No.: DRC09-00003
Project Name: Hector's Expansion
Applicant: Rick Chesmore, Chesmore/Buck Architecture
Project Planner: Jon Regala, Senior Planner
Date: October 5, 2009
Meeting Date and Place: 7:00 pm, Monday, October 5, 2009
City Hall Council Chambers
123 5th Avenue, Kirkland

I. DESIGN RESPONSE CONFERENCE

The DRB should conduct a Design Response Conference and determine if the project is consistent with the *Design Guidelines for Pedestrian Oriented Business Districts*. See Sections VI through VIII below for information regarding the zoning regulations and Design Guidelines that apply to the subject property.

In addition, the application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, Fire and Building Code, and Public Works Standards. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 1, Development Standards, is provided to familiarize the applicant with some of the additional development regulations.

II. BACKGROUND

The subject property is located at 118 and 124 Lake Street South (see Attachment 2). Rick Chesmore with Chesmore/Buck Architecture, representing the property owner, Stuart McLeod, has applied for a Design Response Conference for an expansion to the Hector's restaurant.

The applicant is proposing to retain the existing Hector's restaurant building (main dining area) along Lake Street South while demolishing the existing kitchen and seating area to the rear of the building. Also to be demolished is the neighboring World Wrapps building which includes the attached office/retail/storage L-shaped building to the east.

In place of the demolished structures, the applicant is proposing a 3-story addition behind the Hector's main seating area approximately 45' from Lake Street South. The first floor of the addition will contain a new Hector's kitchen, storage areas, restrooms, and additional restaurant seating area. The 2nd story will contain additional storage space, a mechanical room and additional restrooms. The existing office, at this level

fronting Lake Street South will remain. The 3rd story addition will contain a mechanical area, additional storage area, restrooms, and a bar/lounge area.

Adjoining the Hector's restaurant to the south, a two story addition is proposed. On the ground floor, two retail tenant spaces are proposed, separated by an east/west pedestrian walkway. Above these retail spaces, on the second story, office space is proposed. A rooftop deck containing a lounge and seating area associated with the Hector's restaurant and bar is proposed.

The parking area south of the World Wrapps building is proposed to be removed since it will contain a large portion of the new two-story building. In order to make up for the lost parking, the parking lot east of Hector's is being reconfigured and demolition of the existing Calabria building will allow for additional parking stalls. Information on the parking required by the Kirkland Zoning Code can be found in *Section VI* below.

II. PREVIOUS CONCEPTUAL DESIGN CONFERENCE

A Conceptual Design Conference for this project was held on June 15, 2009. At the meeting, the DRB (Design Review Board) provided feedback to the applicant as to how the design guidelines affect and pertain to the proposed project. The DRB asked that additional materials be submitted as the project moves towards the Design Response Conference.

At the conclusion of the Conceptual Design Conference, the DRB asked the applicant to provide the items in the list below. The applicant has provided a response to these items and can be found in Attachment 3. The applicant's proposal can be found in Attachment 4.

- A. Plans for trash/load and unload areas that clarify circulation, how it is managed, and screening
- B. Plans for east portion of Hector's where the east of end of the World Wrapps building is proposed to be demolished
- C. Parking information
- D. Design/massing of 3rd story
- E. Developed roof plan
- F. East/west building sections through courtyard and buildings
- G. Building elevation drawings of all sides
- H. Perspective drawings in context with surrounding buildings shown at street level
- I. Include general massing of 5-story building to east (Phase 2)
- J. Blank wall treatment
- K. Building details
- L. Materials palette - follow through on design elements of photo study
- M. Color palette

- N. Detail on frontage improvements to include trees and lighting – show continuity on adjoining properties
- O. Site plan should be expanded to include surrounding buildings and showing pedestrian access
- P. Landscape plan – include roof and street frontage
- Q. Lighting plan - roof and street
- R. Outdoor seating/walkway areas – information on function and safety. This can be relayed through detail callouts on site plan and perspective drawings.
- S. Information on how outdoor rooftop dining area will be managed

IV. SITE INFORMATION

The subject property is located in the CBD 1B (Central Business District 1B). The subject property is currently developed with a variety of retail, restaurant, and office uses. A surface parking lot is located in the middle and northeast areas of the subject property. The site is relatively flat and sits approximately 24' to 27' below the Portsmouth Condominiums to the east and southeast (see Attachment 4). A retaining wall, located on the property line, separates the two properties.

The following lists the uses, allowed heights, and zoning of properties adjacent to the subject property (see Attachment 5):

North: CBD 1B zone. Bank of America. 5-story building currently under construction.

East: CBD 4 zone. Portsmouth Condominiums. Maximum height is 55.4 feet above average building elevation west of 2nd Street South.

South: CBD 1B zone. Parking lot for Chaffey Building. Maximum building height is 55'. No portion of a building within 30 feet of Lake Street may exceed a height of 28 feet above Lake Street except as provided in KZC [50.62](#).

West: CBD 2 zone. Various retail/restaurant uses. Maximum building height is varies depending on location along Lake Street South. North of Kirkland Avenue, height limit ranges from 1 to 2 stories. South of Kirkland Avenue to 2nd Street South, height limit is 2 stories. South of 2nd Street South, height limit is 3 stories.

V. STATE ENVIRONMENTAL POLICY ACT (SEPA)

SEPA is the state law that requires an evaluation of a development proposal for environmental impacts. The issue most frequently addressed through SEPA is traffic. Design Review is not a project action and thus SEPA review is not required at the time of Design Review. SEPA review will occur prior to issuance of any building permit for the project.

VI. KEY ZONING REGULATIONS

Zoning standards for the subject property are found in the CBD 1B use-zone chart (see Attachment 7). The following regulations are important to point out as they form the basis of any new development on the site.

- A. **Permitted Uses:** Permitted uses in this zone include, but are not limited to retail, restaurants, office, and stacked dwelling units. Office and stacked dwelling units may not be located on the ground floor of a structure unless there is an intervening retail use

Staff Comment: *The applicant is proposing a mix of restaurant, retail, and office uses. Residential uses are not proposed.*

- B. **Setbacks:** There are no setbacks required in this zone.

- C. **Height:** Maximum height in the CBD 1B zone is 55', measured above the midpoint of the subject property frontage along Lake Street South. In addition, no portion of a building within 30 feet of Lake Street may exceed a height of 28 feet above Lake Street South except that additional height is allowed for parapets as described in KZC [50.62](#). 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.

The applicant is proposing a new two-story building along Lake Street South. The height of the new building is 25'-6" measured to the top of the roof deck at the property midpoint. The parapets 1.5' above the height limit.

A 3rd story addition is also being proposed at the eastern end of the Hector's building measuring 38' to the top of the parapet. Other structures at the 3rd story include an elevator shaft and mechanical unit enclosure. All structures at the 3rd story are setback no closer than 30' from Lake Street South.

Staff Comment: *As proposed, the applicant's proposal is consistent with the requirements for building height and upper story setbacks.*

- D. **Lot Coverage:** Lot coverage allowed is 100%.

- E. **Parking:** Restaurants and taverns must provide one parking space for each 125 square feet of gross floor area. All other uses must provide one parking space for each 350 square feet of gross floor area. The Zoning Code allows the following:

Regardless of use, the owner need not increase the number of parking spaces for any floor area that existed prior to May 12, 2002; provided, that the owner may not decrease the number of parking stalls on the subject property below the number of stalls that was required by any previous development permit.

Staff Comment: *Based on the above code provision, the applicant may utilize the parking 'credits' for the existing building gross floor area being demolished and apply them towards the new buildings, provided that the number of existing parking stalls (68) is not being decreased.*

Also, the applicant is creating 18 additional parking stalls in the area of the Calabria building which is to be demolished. Attachment 8 contains a spreadsheet detailing the amount of building area and parking that may be credited towards the new construction. Based on the spreadsheet, the applicant may count 96 parking stalls towards the new building gross floor area. This information will be confirmed as part of the building permit review process.

- F. **Sidewalks:** The Zoning Code requires that sidewalks be a minimum width of 12 feet. The average width of the sidewalk along the entire frontage of the subject property abutting each pedestrian-oriented street shall be 13 feet. The sidewalk configuration shall be approved through D.R.

Staff Comment: *Staff's review of the proposal shows that this sidewalk requirement has been met in terms of minimum dimensional standards. The DRB should review and decide upon the proposed configuration.*

- G. **Parking Lot Design:** Review of the landscape plan is required through the Design Review process. The parking lot landscaping requirement is listed below (Attachment 9 contains the full code section):

- a) *The parking lot must contain 25 square feet of landscaped area per parking stall planted pursuant to subsections (7)(a)(1)(b) and (c) of this section;*
- b) *The applicant shall arrange the landscaping required in subsection (7)(a)(1)(a) of this section throughout the parking lot to provide landscape islands or peninsulas to separate groups of parking spaces (generally every eight stalls) from one another and each row of spaces from any adjacent driveway that runs perpendicular to the row. This island or peninsula must be surrounded by a six-inch-high vertical curb, be of similar dimensions as the adjacent parking stalls and planted pursuant to the standards in subsection (7)(a)(1)(c) of this section.*

The existing parking lot, however, does not meet the above landscaping requirement and is therefore nonconforming as to these standards. KZC Section 95.40.8 contains the following provision for nonconforming landscaping:

- a. *The landscaping requirements of subsections (5) and (7) of this section must be brought into conformance as much as is feasible, based on available land area, in either of the following situations:*
 - 1) *An increase of at least 10 percent in gross floor area of any structure; or*
 - 2) *An alteration to any structure, the cost of which exceeds 50 percent of the replacement cost of the structure.*

Since the applicant's proposal meets the above threshold, the parking lot landscaping should be brought into conformance as much as is feasible based on available land area. The DRB is authorized to make a decision on the proposed parking lot landscape plan.

Staff Comment: *A landscape plan has been provided by the applicant (see Attachment 4). The applicant should provide site and landscape plan information that address how parking lot landscaping is being addressed. This information should be presented by the applicant to the DRB*

- H. **Lot Line Adjustment:** The applicant's proposal will require a lot line adjustment due to the location of the existing lot lines and the proposed structures. The lot line adjustment should be approved by the City and recorded

with King County prior to the issuance of any building permits for the new buildings.

VII. PEDESTRIAN ORIENTED DESIGN GUIDELINES

In addition to the standard guidelines contained in the *Design Guidelines for Pedestrian-Oriented Business Districts*, the following information summarizes some of the key guidelines or regulations which apply specifically to the project or project area.

Special Considerations for Downtown Kirkland

- *Most of the business core of Kirkland is already developed with fairly narrow sidewalks. New development should provide sidewalks at the recommended width. Providing wider sidewalks throughout downtown is a long-term endeavor.*
- *A strong street tree planting scheme is especially important in downtown because of the variety of scale and architecture encouraged in private development. Major entries into Kirkland, especially along Central Way, Kirkland Avenue, Lake Street, and Market Street, should be unified by a strong street tree program.*
- *Breaking larger window areas into smaller units to achieve a more intimate scale is most important in Design Districts 1, 2, 4, 8, and the southwest portion of 3 where new buildings should fit with older structures that have traditional-styled windows.*
- *Storefronts should be highly 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.*
- *Pedestrian features should be differentiated from vehicular features; thus fenestration detailing, cornices, friezes, and smaller art concepts should be concentrated in Design Districts 1 and 2, while landscaping and larger architectural features should be concentrated in Design Districts 3, 5, 7, and 8.*
- *Large-scale developments, particularly east of the core area, should stress continuity in streetscape on the lower two floors. Setback facades and varied forms should be used above the second stories.*
- *Special attention should be paid to both the design and detailing of new buildings on corner sites in the pedestrian oriented design districts. Existing buildings could incorporate some of these elements (human-scale and visual punctuation) through the use of such elements as awnings and well-designed signs at the corner.*
- *The Downtown Plan's mandate for high-quality development should also be reflected in sign design.*

Guidelines – Upper Story Setbacks

- *Buildings above the second story (or third story where applicable in the Downtown Plan) should utilize upper story step backs to create receding building*

forms as building height increases, allow for additional solar access, and maintain human scale at the street level.

- *The final arrangement of building mass should be placed in context with existing and/or planned improvements, solar access, important street corners, and orientation with the public realm.*
- *A rigid stair step or "wedding cake" approach to upper story step backs is not appropriate.*
- *Decks and/or balconies should be designed so that they do not significantly increase the apparent mass of the building within the required upper story setback area.*
- *In addition to applying setbacks to upper stories, building facades should be well modulated to avoid blank walls and provide architectural interest.*
- *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*
- *Landscaping on upper story terraces should be included where appropriate to soften building forms and provide visual interest.*
- *Continuous two or three story street walls should be avoided by incorporating vertical and horizontal modulations into the building form.*

Guidelines - Building Cantilevering Over Sidewalks

Buildings may be allowed to cantilever over sidewalks if a sidewalk dedication and/or easement is required consistent with following guidelines:

- *The total length of cantilevered portions of a building should be no more than 1/3rd of the entire length of the building façade. The cantilevered portions of a building should be spread out and not consolidated in a single area on the building façade.*
- *Unobstructed pedestrian flow should be maintained through the subject property to adjoining sidewalks.*
- *Space under the building cantilever should appear and function as part of the public realm.*
- *The sense of enclosure is minimized.*

General Guidelines

In addition, the following is a list of key design issues and/or design techniques that should be addressed with this project as identified in the design guidelines.

- Pedestrian-oriented space and plazas
- Blank wall treatment
- Vertical and horizontal definition
- Architectural scale
- Horizontal modulation

- Change in roofline
- Human scale
- Building material, color, and detail

See adopted Design Guidelines for Pedestrian-Oriented Business Districts for complete text and explanations.

VIII. COMPLIANCE WITH GUIDELINES

A. SCALE

1. DRB Discussion:

At the Conceptual Design Conference, the applicant provided several building massing options to the DRB for their consideration. After discussion, the DRB determined that additional information regarding how the proposed structures relate to the area context was needed as the project moved forward. The DRB asked for perspective drawings, elevation drawings, and a site plan to that should contain surrounding buildings. The DRB also wanted further refinement on the massing of the 3rd story addition behind the existing Hector's building.

2. Staff Analysis:

The applicant has submitted plans that provide additional contextual information for the DRB to review. The applicant has proposed the following techniques to mitigate the mass of the structure:

- Window size and placement
- Change of materials and colors
- Use of horizontal and vertical definition
- 3rd story setback from Lake Street South greater than code requirement
- Utilizing bay windows at the 2nd story

The DRB should provide additional direction to the applicant regarding the following questions:

- a. Are human and architectural scale elements successfully integrated into the building design?
- b. Are blank walls adequately treated?

B. PEDESTRIAN AND VEHICULAR ACCESS

1. DRB Discussion:

The subject property is limited in terms of pedestrian and vehicular access given that the property fronts on Lake Street South to the west and an alley to the north. The DRB was interested as to how the proposed project fits in with the overall context of existing and proposed pedestrian walkways. In addition, the DRB wanted information regarding the

proposed interior pedestrian walkways since they had concerns about the design, functionality, and use as an active pedestrian space.

In terms of vehicular access, the DRB expressed concern about the loading and unloading area at the east end of Hector's and how it will look and function given the adjoining uses and buildings.

2. Staff Analysis:

The DRB should provide feedback to the applicant on the following issues:

- a. Are the proposed pedestrian oriented areas consistent with the City's guidelines for pedestrian-oriented elements, to include weather protection, lighting, sitting areas, pedestrian amenities? Should additional details be provided?
- b. Are additional details needed regarding the layout and design of the proposed loading and unloading area?

C. OPEN SPACE AND LANDSCAPING

1. DRB Discussion:

The DRB requested details on the proposed landscaping at the ground level as well as on the proposed rooftop deck.

2. Staff Analysis

The DRB should review the proposed landscape plan and provide direction to the applicant in terms of any changes. The Zoning Code standard in described in Section VI.G, regarding parking lot landscaping, should also be addressed.

D. BUILDING MATERIALS, COLOR, AND DETAIL

1. DRB Discussion:

The DRB requested general information regarding the building materials, color, and detailing to be used for this project.

2. Staff Analysis:

The DRB should provide feedback to the applicant regarding consistency with the following guidelines:

- Use of only high-quality coatings for concrete.
- Emphasis of earth tones or subdued colors such as barn red and blue-gray for building walls and large surfaces.
- Reserve bright colors for trim or accents.
- Emphasis of dark, saturated colors for awnings, and avoid garish and light colors that show dirt.
- Avoid highly-tinted or mirrored glass (except stained-glass windows).
- Consider the color of neighboring buildings when selecting colors for new buildings.

IX. DEVELOPMENT REVIEW COMMITTEE

The applicant's proposal is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, Fire and Building Code, and Public Works Standards. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 1, Development Standards, is provided to familiarize the applicant with some of the additional development regulations.

X. MODIFICATIONS

The Planning Official may approve a modification to the D.R. approval for the proposed development if:

- A. The need for the modification was not known and could not reasonably have been known before the D.R. approval was granted;
- B. The modification is minor and will not, in any substantial way, change the proposed development or violate any requirement imposed by the Design Review Board. The Planning Official may consult with the Design Review Board in his/her decision; and
- C. The development that will result from the modification will be consistent with the design regulations, design guidelines, and Comprehensive Plan.

Any modification, other than as specified in subsection (1) of this section, must be reviewed and decided upon as a new D.R. approval under this chapter.

XI. APPEALS OF DRB DECISIONS AND LAPSE OF APPROVAL

A. APPEALS

Section 142.40 of the Zoning Code allows the Design Review Board's decision to be appealed to the City Council by the applicant and any person who submitted written or oral comments to the Design Review Board. The appeal must be in the form of a letter of appeal and must be delivered, along with any fees set by ordinance, to the Planning Department by 5:00 p.m., _____, fourteen (14) calendar days following the postmarked date of distribution of the Design Review Board's decision.

Only those issues under the authority of the Design Review Board as established by Kirkland Zoning Code 142.35(2) are subject to appeal.

B. LAPSE OF APPROVAL

Section 142.55.1 of the Zoning Code states that unless otherwise specified in the decision granting DR approval, the applicant must begin construction or submit to the City a complete Building Permit application for development of the subject property consistent with the Design Review approval within one (1) year after the final decision to grant the DR approval or that decision becomes void. Furthermore, the applicant must substantially complete construction consistent with the DR approval and complete all conditions listed in the DR approval decision within three (3) years after the final decision on the DR approval or the decision becomes void. Application and appeal procedures for a time extension are described in Sections 142.55.2 and 142.55.3.

XII. ATTACHMENTS

1. Development Standards
2. Vicinity Map
3. Applicant's Response to CDC
4. Applicant's Proposal
5. Survey
6. Aerial Photograph
7. CBD 1B Zoning Chart
8. Parking Spreadsheet
9. Parking Lot Landscaping Requirements

CITY OF KIRKLAND
123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189 (425) 587-3225

Date: 9/24/2009

DEVELOPMENT STANDARDS
CASE NO.: DRC09-00003
PCD FILE NO.:DRC09-00003

BUILDING DEPARTMENT CONDITIONS
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Building permits must comply with the 2006 International Building, Residential and Mechanical Codes and the 2006 Uniform Plumbing Code as adopted and amended by the State of Washington and the City of Kirkland.

Structures must comply with Washington State Energy Code; and the Washington State Ventilation and Indoor Air Quality Code.

Structures must be designed for seismic design category D, wind speed of 85 miles per hour and exposure B

Geotechnical report required to address development activity. The report must be prepared by a Washington State licensed Professional Engineer. Recommendations contained within the report shall be incorporated into the design of the subsequent structures.

The provisions of IBC Chapter 11 for Group R-3 shall apply to buildings with four or more dwelling units in the same structure per R322.1. Per IBC Section 1107.6.3, all such dwelling units shall be Type B units however the number Type B units is permitted to be reduced in accordance with Section 1107.7. A multistory dwelling unit which is not provided with elevator service is not required to be a Type B unit per Section 1107.7.2.

FIRE DEPARTMENT CONDITIONS

- A fire alarm and fire sprinkler system shall be installed in the building.
- A hood and duct suppression system is required
- Fire extinguishers shall be installed
- More information shall be provided on the rooftop fireplaces



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DEVELOPMENT STANDARDS LIST

File: DRC09-00003 - Hectors Expansion

ZONING CODE STANDARDS

92.35 Prohibited Materials In Design Districts. If in a design district the following building materials are prohibited or limited in use: mirrored glass or reflective materials, corrugated fiberglass, chain link fencing, metal siding, concrete block, backlit awnings. Water spigots are required along building facades along sidewalks for cleaning and plant watering. Commercial buildings with more than one tenant shall install a cornerstone or plaque.

95.50.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City.

95.40.7.a Parking Area Landscape Islands. Landscape islands must be included in parking areas as provided in this section.

95.40.7.b Parking Area Landscape Buffers. Applicant shall buffer all parking areas and driveways from the right-of-way and from adjacent property with a 5-foot wide strip as provided in this section. If located in a design district a low hedge or masonry or concrete wall may be approved as an alternative through design review.

95.45 Tree Installation Standards. All supplemental trees to be planted shall conform to the Kirkland Plant List. All installation standards shall conform to Kirkland Zoning Code Section 95.45.

95.52 Prohibited Vegetation. Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

100.25 Sign Permits. Separate sign permit(s) are required. In JBD and CBD cabinet signs are prohibited.

105.18 Pedestrian Walkways. All uses, except single family dwelling units and duplex structures, must provide pedestrian walkways designed to minimize walking distances from the building entrance to the right of way and adjacent transit facilities, pedestrian connections to adjacent properties, between primary entrances of all uses on the subject property, through parking lots and parking garages to building entrances. Easements may be required. In design districts through block pathways or other pedestrian improvements may be required. See also Plates 34 in Chapter 180.

105.32 Bicycle Parking. All uses, except single family dwelling units and duplex structures with 6 or more vehicle parking spaces must provide covered bicycle parking within 50 feet of an entrance to the building at a ratio of one bicycle space for each twelve motor vehicle parking spaces. Check with Planner to determine the number of bike racks required and location.

105.18 Entrance Walkways. All uses, except single family dwellings and duplex structures, must provide pedestrian walkways between the principal entrances to all businesses, uses, and/or buildings on the subject property.

105.18 Overhead Weather Protection. All uses, except single family dwellings, multifamily, and industrial uses, must provide overhead weather protection along any portion of the building, which is adjacent to a pedestrian walkway.

105.18.2 Walkway Standards. Pedestrian walkways must be at least 5' wide; must be distinguishable from traffic lanes by pavement texture or elevation; must have adequate lighting for security and safety. Lights must be non-glare and mounted no more than 20' above the ground.

105.18.2 Overhead Weather Protection Standards. Overhead weather protection must be provided along any portion of the building adjacent to a pedestrian walkway or sidewalk; over the primary exterior entrance to all buildings. May be composed of awnings, marquees, canopies or building overhangs; must cover at least 5' of the width of the adjacent walkway; and must be at least 8 feet above the ground immediately below it. In design districts, translucent awnings may not be backlit; see section for the percent of property frontage or building facade.

105.58 Parking Lot Locations in Design Districts. See section for standards unique to each district.

105.65 Compact Parking Stalls. Up to 50% of the number of parking spaces may be designated for compact cars.

105.60.2 Parking Area Driveways. Driveways which are not driving aisles within a parking area shall be a minimum width of 20 feet.

105.60.3 Wheelstops. Parking areas must be constructed so that car wheels are kept at least 2' from pedestrian and landscape areas.

105.60.4 Parking Lot Walkways. All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location. Lots with more than 25,000 sq. ft. of paved area must provide pedestrian routes for every 3 aisles to the main entrance.

105.77 Parking Area Curbing. All parking areas and driveways, for uses other than detached dwelling units must be surrounded by a 6" high vertical concrete curb.

105.96 Drive Through Facilities. See section for design criteria for approving drive through facilities.

110.52 Sidewalks and Public Improvements in Design Districts. See section, Plate 34 and public works approved plans manual for sidewalk standards and decorative lighting design applicable to design districts.

110.60.5 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.45 Garbage and Recycling Placement and Screening. For uses other than detached dwelling units, duplexes, moorage facilities, parks, and construction sites, all garbage receptacles and dumpsters must be setback from property lines, located outside landscape buffers, and screened from view from the street, adjacent properties and pedestrian walkways or parks by a solid sight-obscuring enclosure.

115.47 Service Bay Locations. All uses, except single family dwellings and multifamily structures, must locate service bays away from pedestrian areas. If not feasible must screen

from view.

115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations See Section 115.90 for a more detailed explanation of these exceptions.

115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.

115.115.3.p HVAC and Similar Equipment: These may be placed no closer than five feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

115.120 Rooftop Appurtenance Screening. New or replacement appurtenances on existing buildings shall be surrounded by a solid screening enclosure equal in height to the appurtenance. New construction shall screen rooftop appurtenances by incorporating them in to the roof form.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

Prior to occupancy:

95.50.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City

95.50.2.b Tree Maintenance. For detached dwelling units, the applicant shall submit a 5-year tree maintenance agreement to the Planning Department to maintain all pre-existing trees designated for preservation and any supplemental trees required to be planted.



You can review your permit status and conditions at www.kirklandpermits.net

PUBLIC WORKS CONDITIONS

Permit #: DRC09-00003

Project Name: Hector's Addition/Remodel

Project Address: 112 Lake Street

Date: September 14, 2009

Public Works Staff Contacts

Land Use and Pre-Submittal Process:

Rob Jammerman, Development Engineering Manager

Phone: 425-587-3845 Fax: 425-587-3807

E-mail: rjammer@ci.kirkland.wa.us

Building and Land Surface Modification (Grading) Permit Process:

John Burkhalter, Development Engineer Supervisor

Phone: 425-587-3846 Fax: 425-587-3807

E-mail: jb Burkhalter@ci.kirkland.wa.us

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site at www.ci.kirkland.wa.us.
2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The fees can also be review the City of Kirkland web site at www.ci.kirkland.wa.us. The applicant should anticipate the following fees:
 - Water and Sewer connection Fees (paid with the issuance of a Building Permit)
 - Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
 - Water Meter Fee (paid with the issuance of a Building Permit)
 - Right-of-way Fee
 - Review and Inspection Fee (for utilities and street improvements).
 - Traffic Impact Fee (paid with the issuance of Building Permit). For additional information, see notes below.
3. Prior to submittal of a Building or Zoning Permit, the applicant must apply for a Concurrency Test Notice. Contact Thang Nguyen, Transportation Engineer, at 425-587-3869 for more information.



4. Any existing building which is demolished will receive a Traffic Impact Fee credit. This credit will be applied to the first Building Permit that is applied for (and subsequent Building Permits if multiple buildings are demolished).
5. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.
6. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.
7. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).
8. A completeness check meeting is required prior to submittal of any Building Permit applications.
9. Prior to issuance of any commercial or multifamily Building Permit, the applicant shall provide a plan for garbage storage and pickup. The plan shall be approved by Waste Management and the City.

Sanitary Sewer Conditions:

1. The existing sanitary sewer main within the public right-of-way along the front of the property is adequate.
2. Provide a 6-inch minimum side sewer stub to the building. Parking garage drains shall be connected to the sewer.

Water System Conditions:

1. The existing water main in the public right-of-way along the front of the subject property is adequate.
2. Provide water service to each building sized per the Uniform Plumbing Code. In mixed-use projects each use shall have a separate water meter, i.e., the retail use shall have a separate water meter.
3. All unused existing water services shall be abandoned at the water main.
4. Provide fire hydrants per the Fire Departments requirements.



Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 1998 King County Surface Water Design Manual. Contact City of Kirkland Surface Water Staff at (425) 587-3800 for help in determining drainage review requirements.

Note: The City is required to adopt the 2005 Dept. of Ecology Surface Water Design Manual (or equivalent) by 2010. The earliest that we anticipate its adoption is January of 2010. This project will be required to meet the most currently adopted surface water design manual at the time of Building Permit application.

2. Provide an erosion control plan with Building Permit application per the most currently adopted Surface Water Manual.
3. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from April 1st to September 30th, all denuded soils must be covered within 15 days; between October 1st and March 31, all denuded soils must be covered within 12 hours. If an erosion problem already exists on the site, other cover protection and erosion control will be required.
4. All roof and driveway drainage must be tight-lined to the storm drainage system.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts Lake Street (an Arterial) and a public alley. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

Lake Street

- A. Remove and replace all of the existing curb and gutter.
- B. Along the frontage the existing Hectors Building, remove and replace the existing sidewalk.
- C. Along the new buildings (south of the existing Hectors building), remove the existing sidewalk and install a new 12 ft wide (minimum) sidewalk with street trees in tree grates 30 ft on-center.
- D. Install standard CBD pedestrian lighting 60 ft on-center.
- E. Install new storm drainage as necessary.
- F. The existing on-street parking shall be maintained and the bump-out at the existing crosswalk should be reduced in width if additional on-street parking can be gained.

Alley

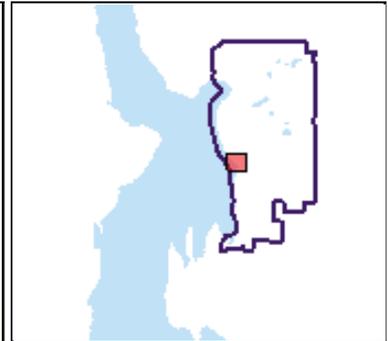
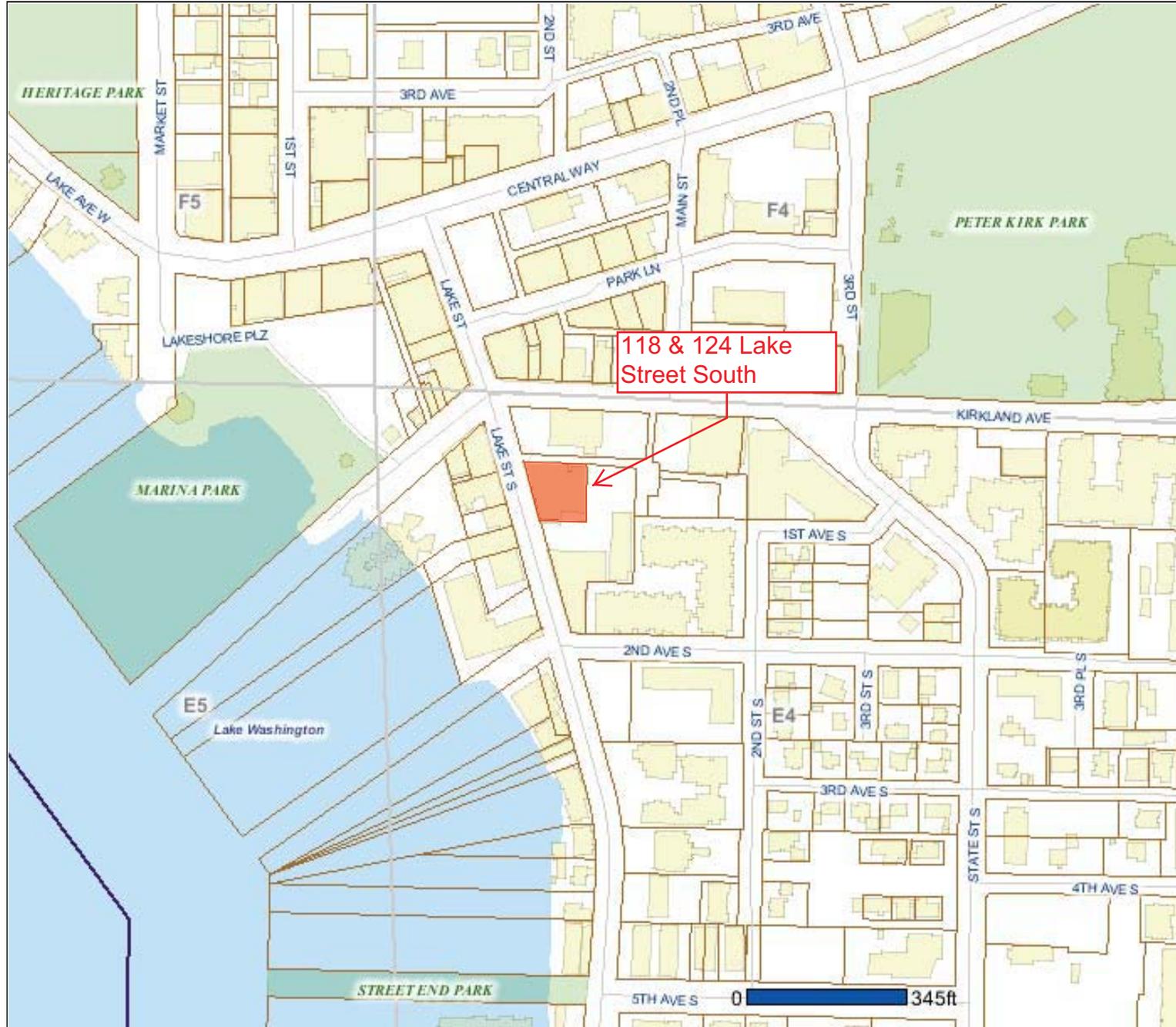
The existing alley that runs east/west between this property and the Bank of America property (which is being redeveloped) shall be widened to 22 ft in width minimum to accommodate the two new developments. Both property owners have agreed to dedicate right-of-way to achieve the 22 ft



width. Within the 22 ft. the City has agreed that a 4 ft wide sidewalk with a rolled curb and an asphalt paved alley will best serve both developments. The sidewalk will serve the pedestrian use in the alley and will also be mountable (with the rolled curb) in cases where two large vehicles need to pass. The entire 22 ft alley shall be kept clear for vehicular travel (no above grade structures such as utility vaults will be allowed).

2. A 2-inch asphalt street overlay will be required where three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
3. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.

Vicinity Map



118 & 124 Lake Street South

Approximate
Scale 1:4,151
1 in = 346 ft

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Hector's Property

August 7, 2009

Hectors Property Remodel and Expansion

Kirkland, Washington

Design Review Board requirements for the Design Response Conference

1. Plans for trash/load and unload areas that clarify circulation, how it is managed, and screening.
 - We are not planning to relocate the existing trash/load area. The current location is along the eastern property line and is screened on the north, east, and south sides by a cedar wood fence.
 - Please refer to Sheet 1.1- Site Plan for the location.
2. Plans for the east portion of Hector's where the building is proposed to be demolished.
 - The lot line will be adjusted to the east edge of the new building facade. Along the east edge where the building will be removed the owner will build a one-story and 10' wide storage area for Hectors Restaurant with a 4'-0" wide planter located in front of the storage building.
3. Parking Information.
 - The required parking calculations are noted the site plan sheet 1.1.
 - The parking lot east of the proposed project will be modified as shown on the site plan sheet 1.1. Currently the parking lot consists of parking for 69 vehicles. We will be modifying the lot to achieve parking for 88 parking stalls including 4 stalls for the disabled. We will discuss the parking ratios at our next presentation.
4. Design/Massing of the third story.
 - Please review the Roof Floor Plan sheet 3.2.
 - Also, review the north and east elevations and massing studies shown on sheets 4.0, 4.1, 4.2, and 4.3.
5. Developed Roof Plan.
 - Please review the Roof Floor Plan sheet 3.2 and the Roof Landscape Plan sheet 2.3.
6. East/West building sections through courtyard and buildings.
 - Please review the building sections drawn through the courtyard on sheet 4.1.
7. Building elevation drawings of all sides.
 - Please the exterior elevation drawings shown on sheets 4.0, 4.1, and 4.2.
8. Perspective drawings in context with surrounding buildings shown at street level.
 - Please review sheets 4.0, 4.1, 4.2, and 4.3.

9. Include general massing of 5-story building to east (Phase 2).
 - General massing of the future 5-story building is shown on sheets 4.2 and 4.3.
10. Blank Wall Treatment.
 - The east wall 3 story facade adjacent to the eastern property line will be broken up by a one story storage space that will be along the base of the wall. A 5' wide planter with trees and shrubs will be placed on the east side of the storage structure with trees growing as tall as 20'-0" high along this side of the building
 - The upper 2 stories of the wall will be built from alternating smooth and split face block to match the existing north wall of the Hectors building. The horizontal lines of the different block help reduce the tall mass of the wall.
11. Building Details.
 - The building details are shown on the exterior elevation sheets and massing studies shown on sheets 4.0, 4.1, 4.2, and 4.3.
12. Materials palette.
 - The exterior elevations on sheets 4.0, 4.1, 4.2, and 4.3 have material identifications and the model studies are shown with material and color studies for the different buildings.
13. Color palette.
 - The model studies on sheets 4.0, 4.1, 4.2, and 4.3 are shown with color studies for the different buildings.
14. Detail on frontage improvements to include trees and street lighting – show continuity on adjoining properties.
 - Please review sheet 2.0 the overall landscape plan.
15. Site Plan should be expanded to include surrounding buildings and showing pedestrian access.
 - Please review the vicinity map shown on sheet 1.0 and the site plan drawing sheet 1.1.
16. Landscape Plan- Include roof and street frontage.
 - Please review Landscape plan sheets 2.0, 2.1, 2.2, and 2.3.
17. Lighting Plan- Roof and Street.
 - Please review overall landscape plan sheet 2.0 and Roof level landscape plan sheet 2.3.
18. Outdoor seating/walkway areas.
 - Please review walkway paving patterns and bench seating located on the landscape plans sheets 2.0, 2.1, 2.2, and 2.3.
19. Information on how outdoor rooftop dining area will be managed.
 - The rooftop area will be managed by a restaurant and will operate under constant supervision and service.



Narrative and Design Objectives

The site is located in the downtown Kirkland Central Business District (CBD-1B Land Use Zone) and includes Hectors Restaurant and south of the Kirkland Waterfront Market Building along the east side of Lake Street South. A majority of the adjacent development is car oriented single use commercial development such as office and convenience retail with nearby street parking. To the immediate north of the site is the 101 Kirkland Avenue, 5 story, 66 unit mixed use building with 12,000 square feet of retail area on the main floor level and 4 stories of residential space on the next 4 floors. The two story Kirkland Waterfront Market Building and is located south of the site and consists of retail use on the street level and office use on the upper floor level. To the immediate west across Lake Street is a series of two story mixed use buildings with retail, office, and residential uses surrounded by surface parking. The site is generally flat along Lake Street and currently consists of one story retail and office building that will be demolished.

Program

The Program is divided into different projects. They consist of:

Addition to Hectors Restaurant:

The program identifies needs for additional seating, an enlarged kitchen area, and new restroom facilities for the restaurant area. The program also notes the need for a large outdoor seating roof top deck.

(2) Two-Story Buildings:

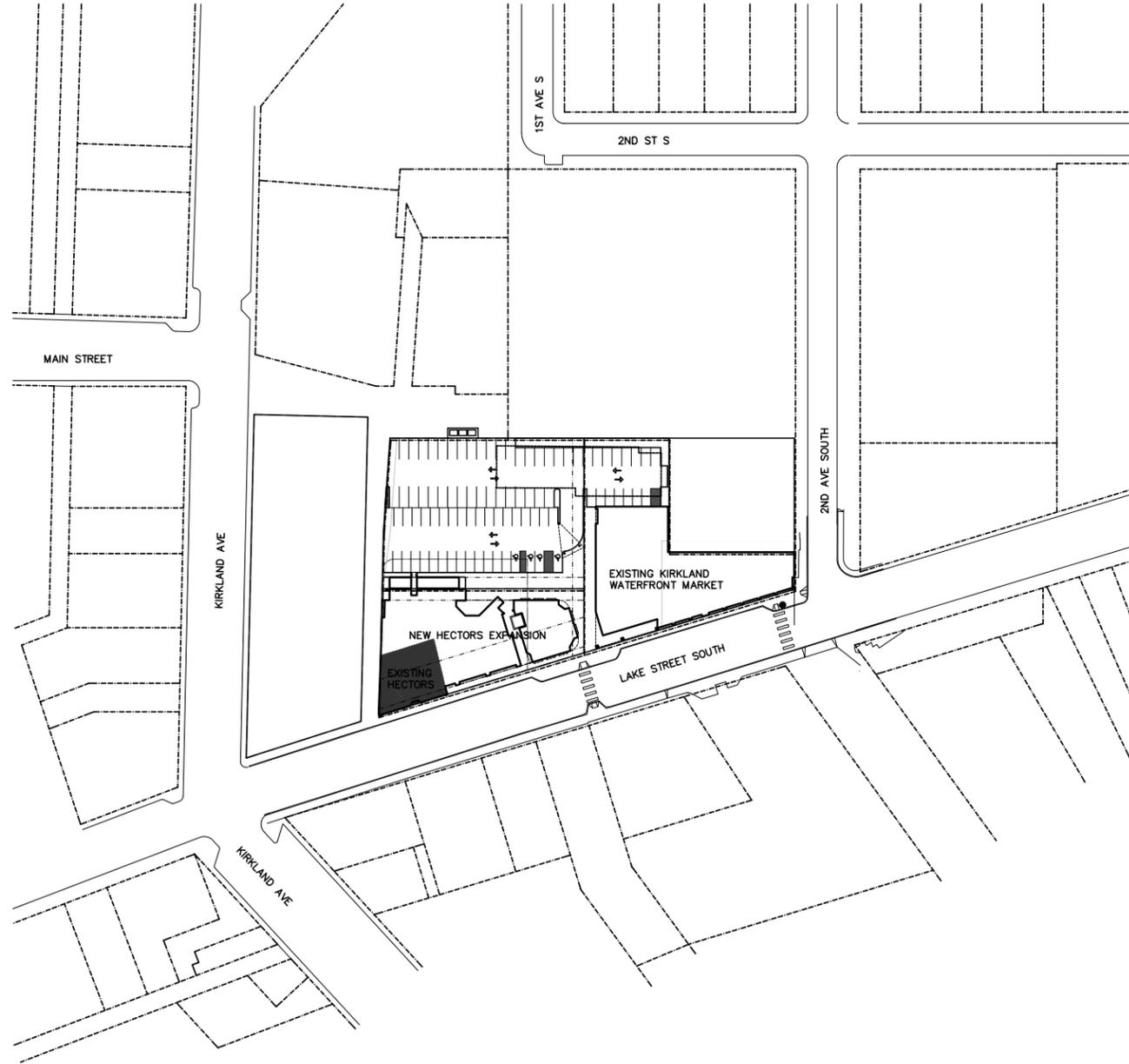
The program calls for retail space at the street level and office or restaurant space on the second level. One of the main goals for these buildings is to address the strong pedestrian presence along Lake Street South.

Objectives

The two story street facades of the building are intended to be in character with the human scale that is existing along the Lake Street pedestrian corridor. The concept of creating pedestrian walkways through the new (2) two story buildings is to allow for people to mingle and approach different street level storefronts from different areas along the walkway. The walkways are intended to create a "village" feel as different retail vendors are noticed by patrons from various viewpoints.

The street level additions to Hectors do not alter the appearance on the Lake Street elevation. The roof top deck spans across the new roofs of the two new buildings and a glass guardrail will be along the roof edge. The three story addition was placed along the east and north side of the existing Hectors building and will be space to support the roof top deck use with storage for chairs and tables when the deck is not in use.

The project will be compatible with the mixed-use retail and office goals of the Kirkland Central Business District and the appearance will be consistent with the nature of the downtown area and will encourage more pedestrian use.



VICINITY PLAN

1/64" = 1'-0"

SHEET INDEX

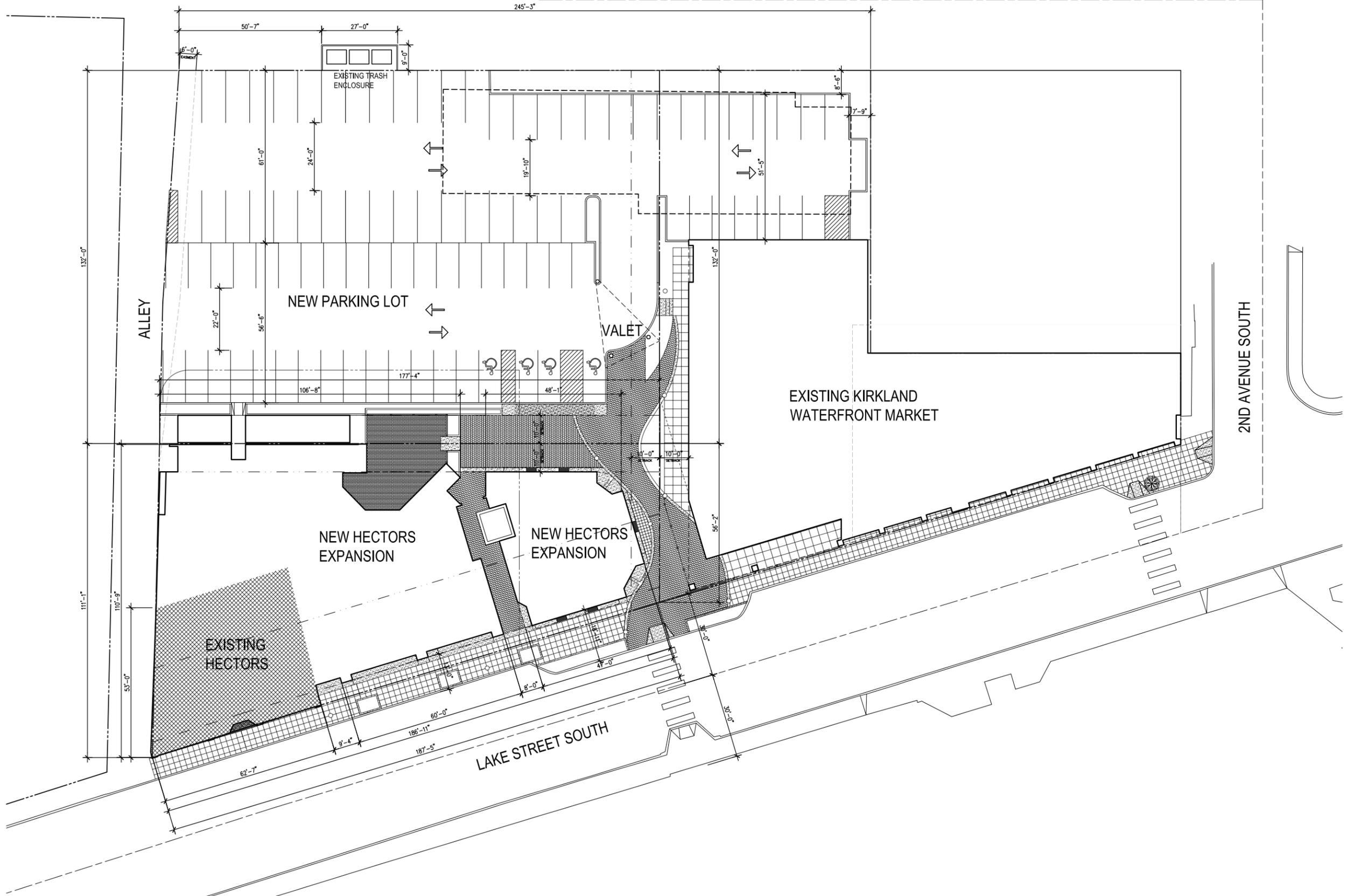
- 1.0 COVERSHEET
- 1.1 SITE PLAN
- 1.2 SITE SURVEY
- 2.0 OVERALL LANDSCAPE PLAN
- 2.1 WEST LANDSCAPE PLAN
- 2.2 EAST LANDSCAPE PLAN
- 2.3 ROOF LANDSCAPE PLAN
- 3.0 MAIN FLOOR PLAN
- 3.1 UPPER FLOOR PLAN
- 3.2 ROOF DECK FLOOR PLAN
- 3.3 ROOF PLAN
- 4.0 WEST ELEVATION SHEET
- 4.1 SOUTH ELEVATION & SECTIONS SHEET
- 4.2 EAST ELEVATION SHEET
- 4.3 PERSPECTIVE DRAWINGS



HECTORS PROPERTY REMODEL & EXPANSION

112 LAKE STREET SOUTH
KIRKLAND, WA

No.	Date	Revision



SITE PLAN

1/16" = 1'-0"

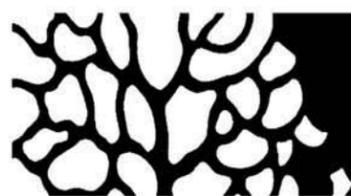
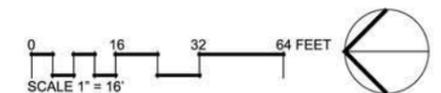
No.	Date	Revision

HECTORS PROPERTY REMODEL & EXPANSION

112 LAKE STREET SOUTH
KIRKLAND, WA



- TREES**
- Acer truncatum X A. platanoides 'Keithsform'/Norwegian Sunset Maple - 3" cal
 - Amelanchier X grandiflora 'Autumn Brilliance'/ Autumn Brilliance Serviceberry - multi-stem 12' ht 12" o.c.
 - Cercidiphyllum japonicum/Katsura Tree - basal branched 12' ht 12-15" o.c.
 - Cornus kousa chinensis/Korean Dogwood - multi-stem 12' ht
 - Cupressus nootkatensis 'Green Arrow' - Specimen18' ht
 - Prunus X yedoensis 'Akebono'/Akebono Cherry - 3" cal 30" o.c.
- SHRUBS/PERENNIALS/ORNAMENTAL GRASS**
- Azalea 'Girard's Hot Shot' - 5 gal 24" o.c.
 - Calamagrostis acutifolia 'Karl Foerster' - 5 gal 24" o.c.
 - Camellia X 'Fairy Blush' - 7 gal 24" o.c.
 - Carex testacea/Orange Sedge - 5 gal 24" o.c.
 - Hemerocallis X 'Stella de Orro' - 5 gal 24" o.c.
 - Hosta plantaginea 'Aphrodite' - 5 gal 24" o.c.
 - Lavandula stoechas/Spanish Lavender - 5 gal 24" o.c.
 - Miscanthus sinensis 'Morning Light'/Maiden Grass - 5 gal 24" o.c.
 - Myrica californica / California Wax Myrtle - 7 gal 36" o.c.
 - Nandina domestica 'Monum'/Plum Passion Heavenly Bamboo - 5 gal 24" o.c.
 - Rhododendron 'PJM' - 7 gal 24" o.c.
 - Rosa rugosa/Wild Rose - 5 gal 36" o.c.
 - Rudbeckia hirta 'Goldstrum'/Goldstrum Black-eyed Susan - 5 gal 24" o.c.
 - Sedum X 'Autumn Joy' - 5 gal 24" o.c.
 - Viburnum davidii - 5 gal 24" o.c.
- GROUND COVER**
- Fragaria chiloensis/Barren Strawberry - 4" pot 12" o.c.
 - Liriope spicata 'Big Blue'/Big Blue Lily Turf - 4" pot 12" o.c.

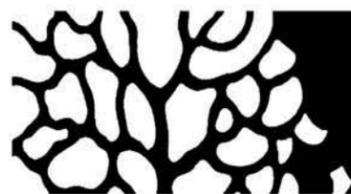
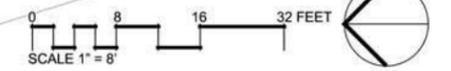
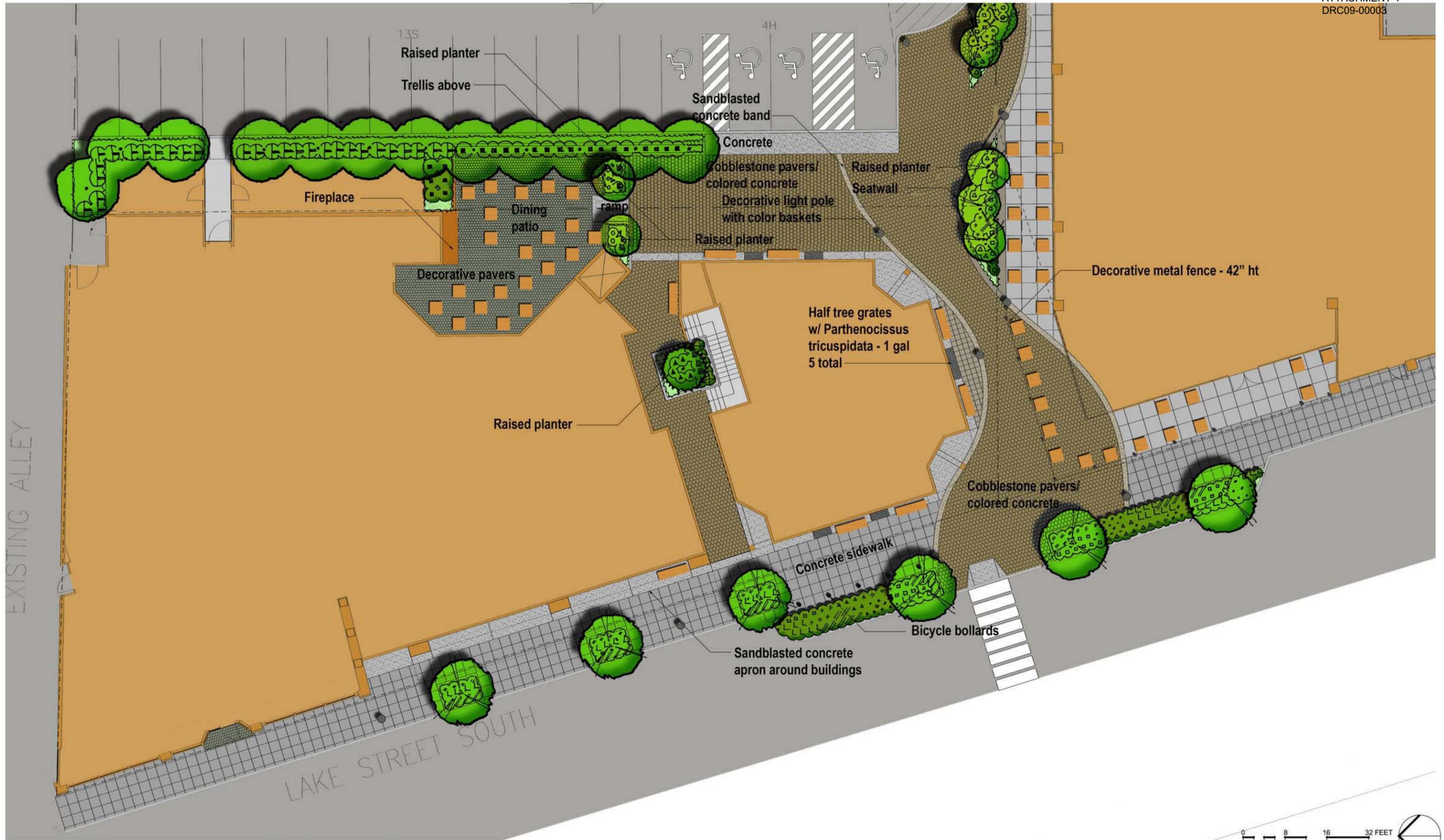


street level landscape plan - overall

september 2009

THOMAS V. RENGSTORF ASSOCIATES
SUITE 202
911 WESTERN AVENUE
SEATTLE WA, 98104
P: 206.682.7502
F: 206.682.4721

2.0

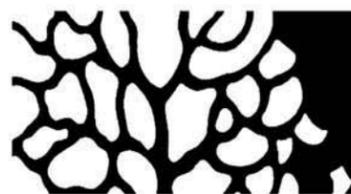


street level landscape plan - west

september 2009

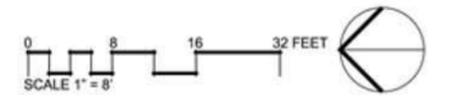
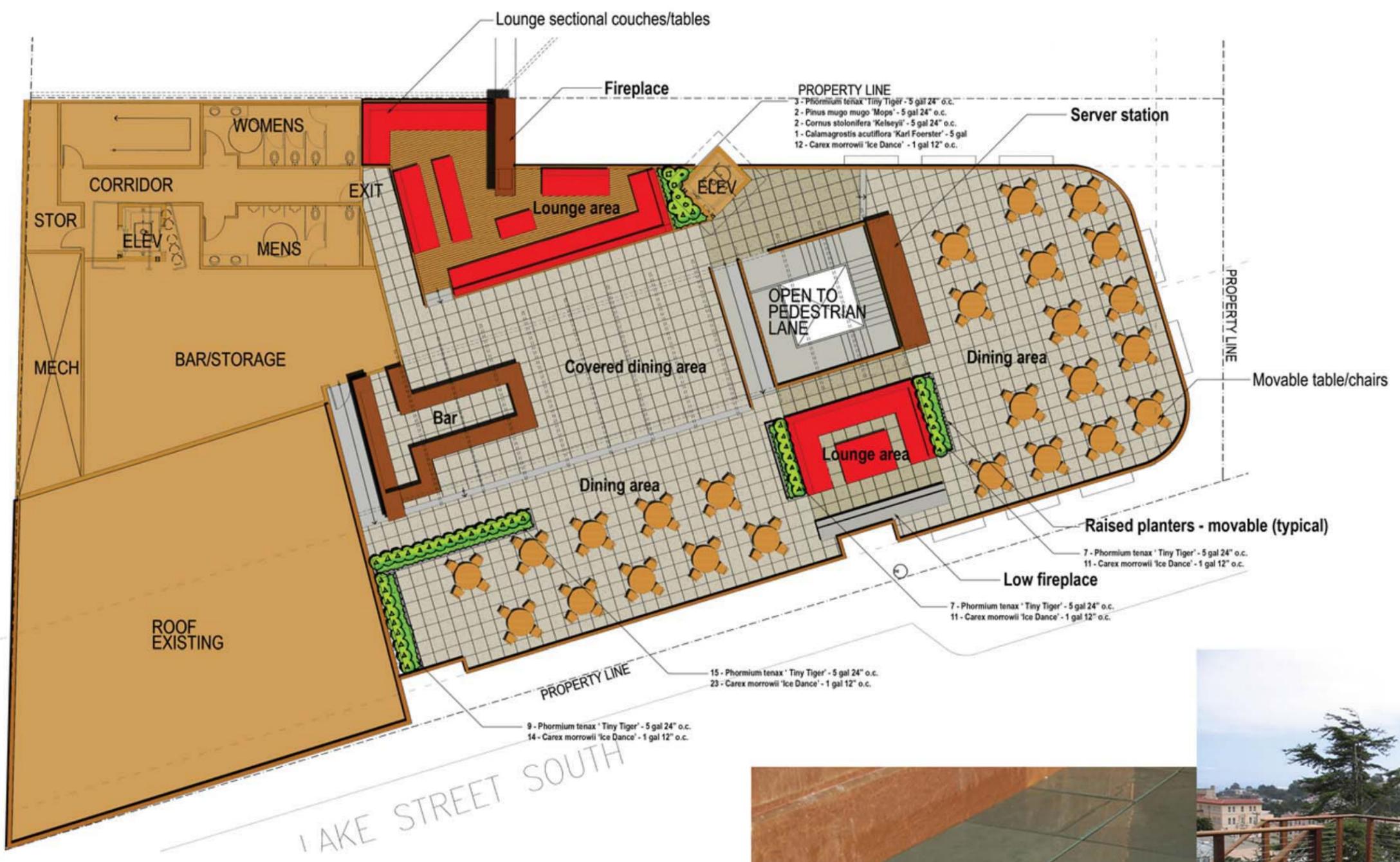
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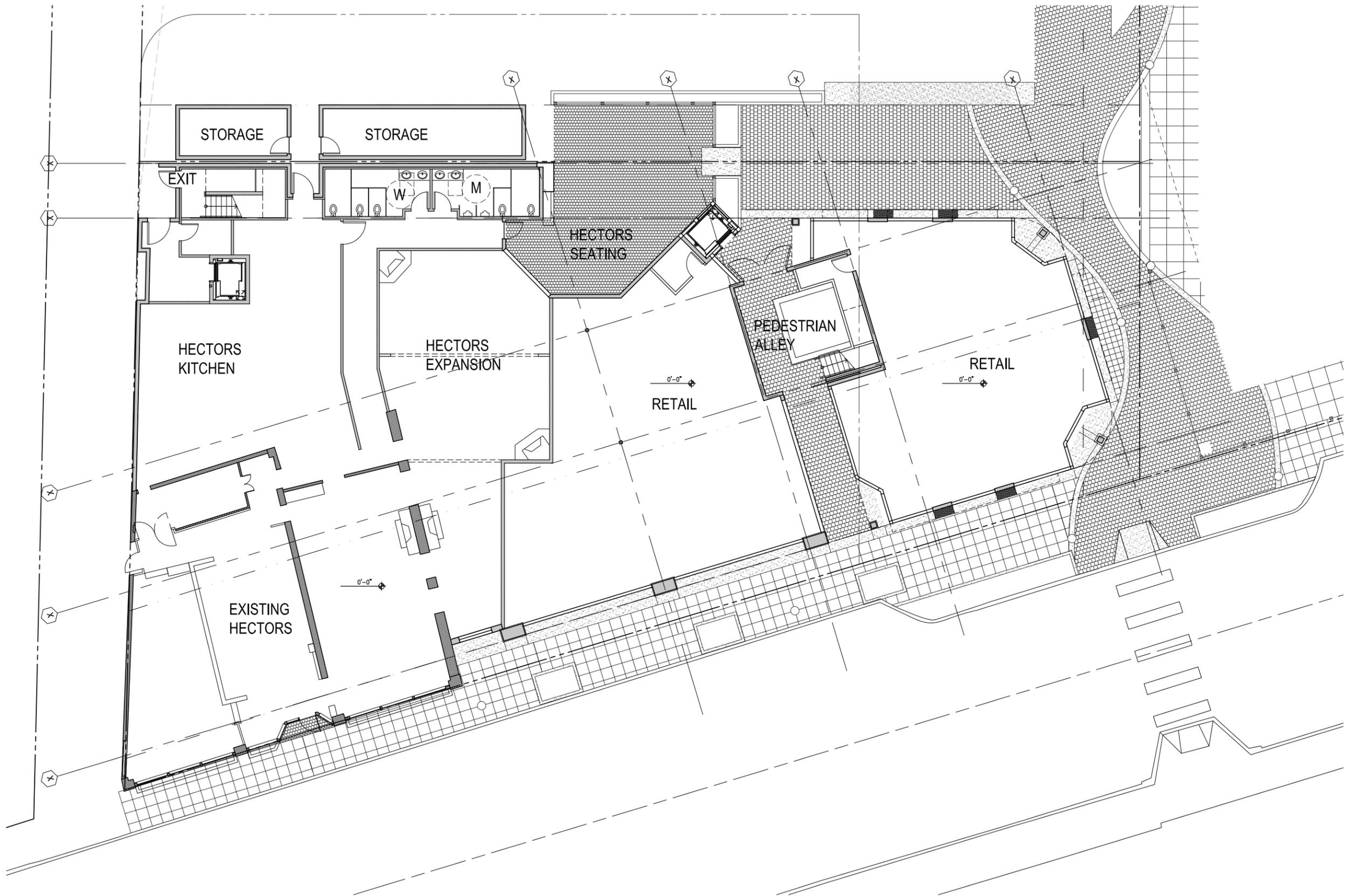
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street level landscape plan - east

september 2009



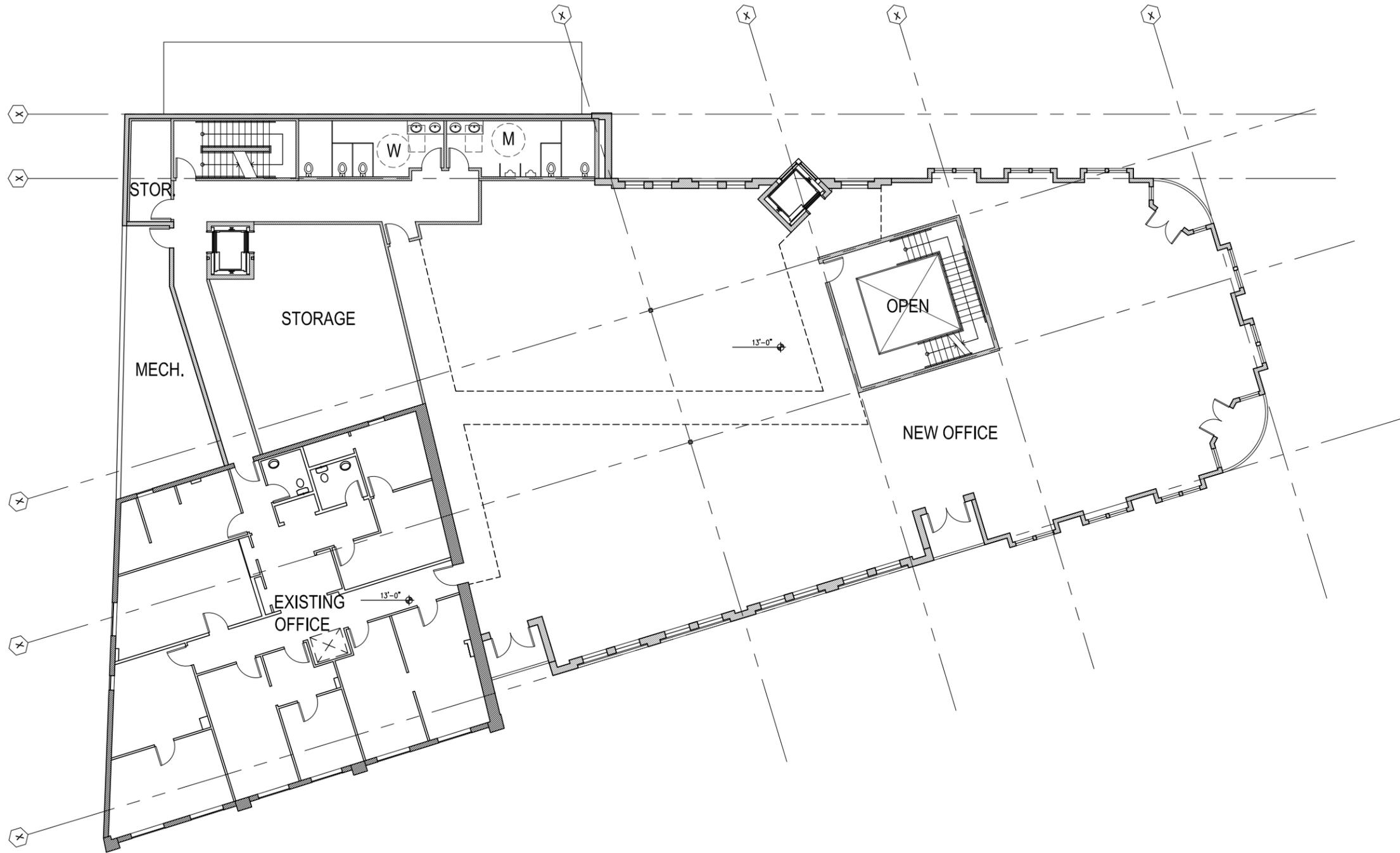


MAIN FLOOR PLAN

1/18" = 1'-0"

No.	Date	Revision

HECTORS PROPERTY REMODEL & EXPANSION
112 LAKE STREET SOUTH
KIRKLAND, WA



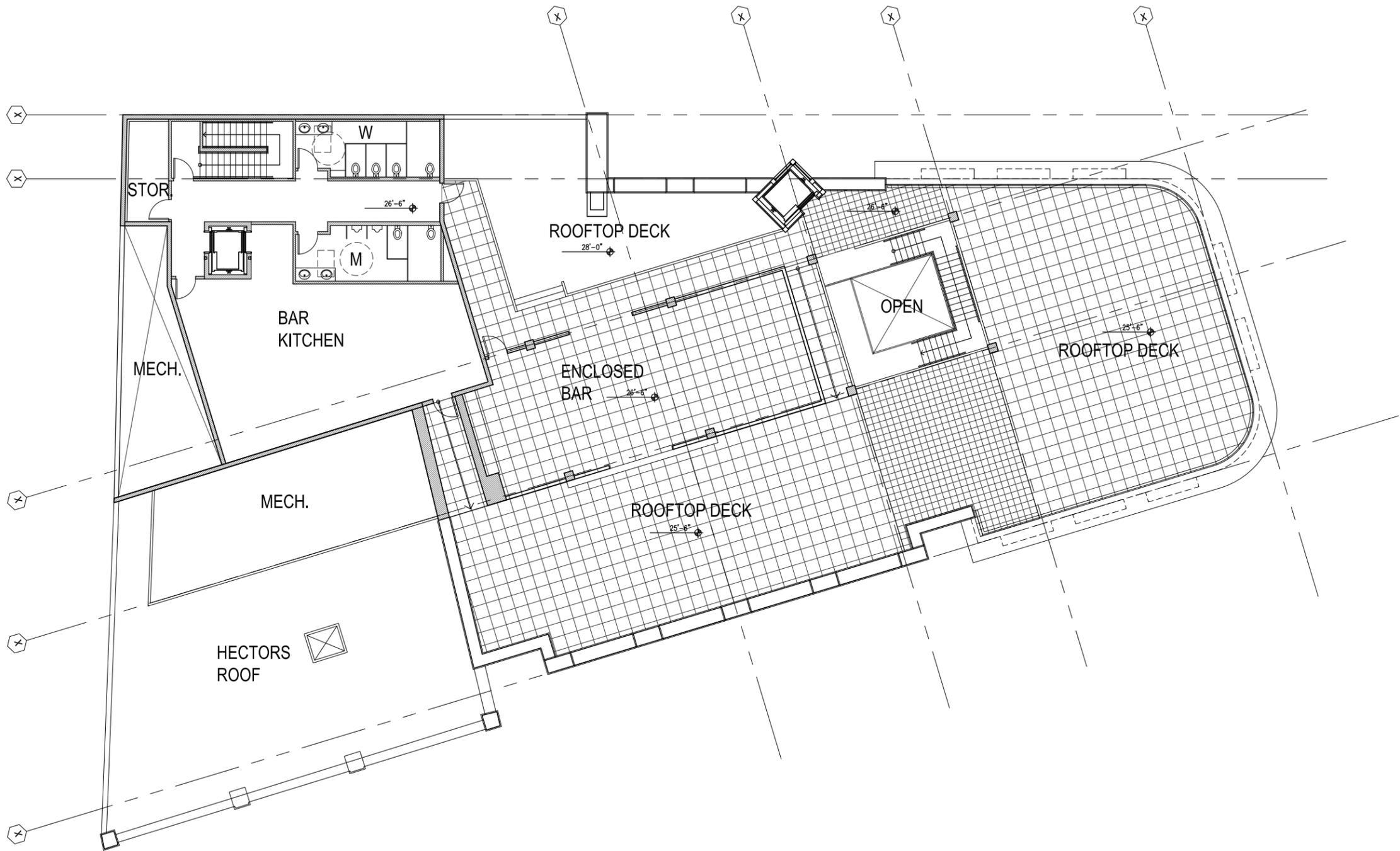
UPPER FLOOR PLAN

1/18" = 1'-0"

No.	Date	Revision

HECTORS PROPERTY REMODEL & EXPANSION

112 LAKE STREET SOUTH
KIRKLAND, WA

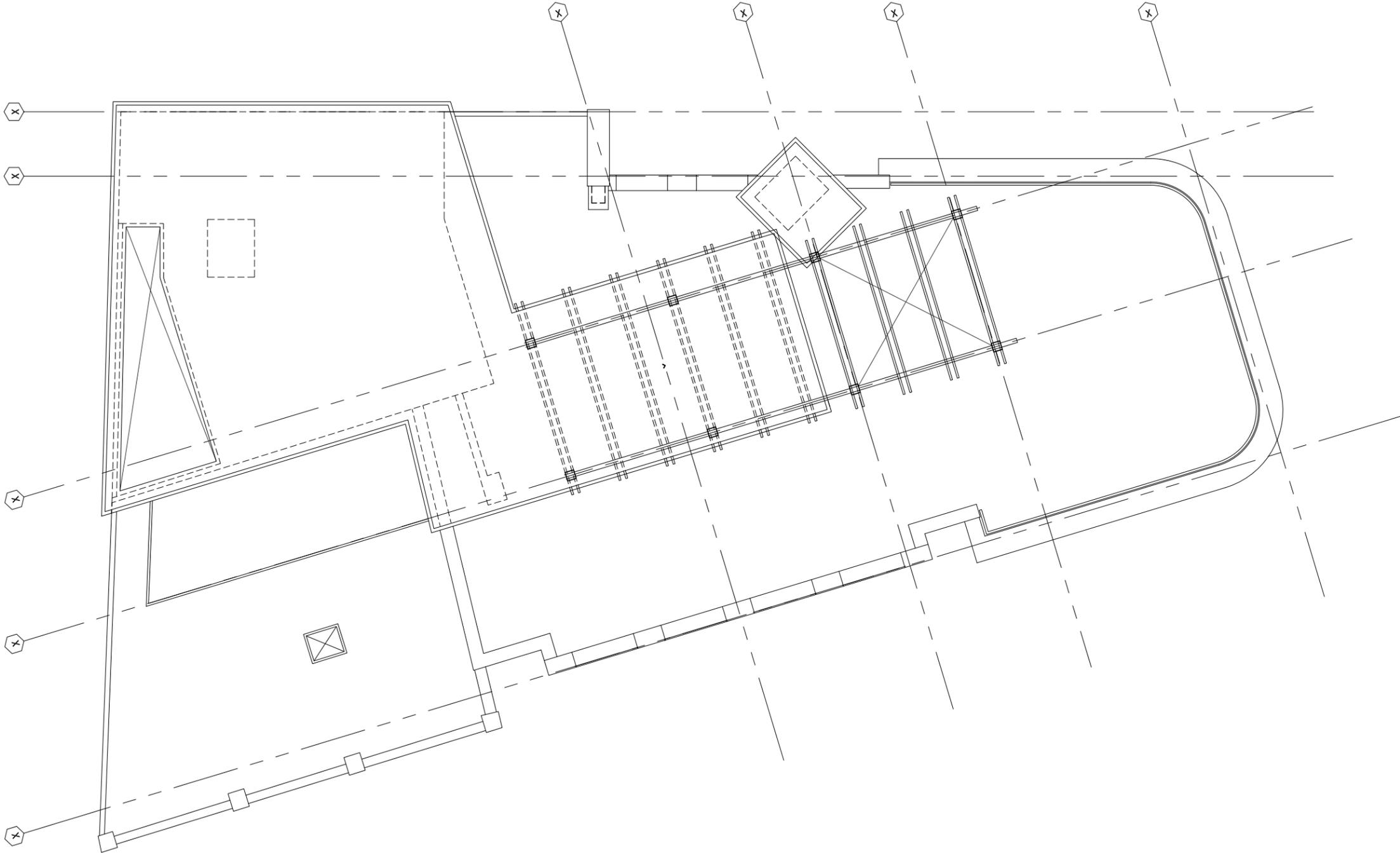


ROOF DECK PLAN

1/18" = 1'-0"

No.	Date	Revision

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112 LAKE STREET SOUTH
KIRKLAND, WA

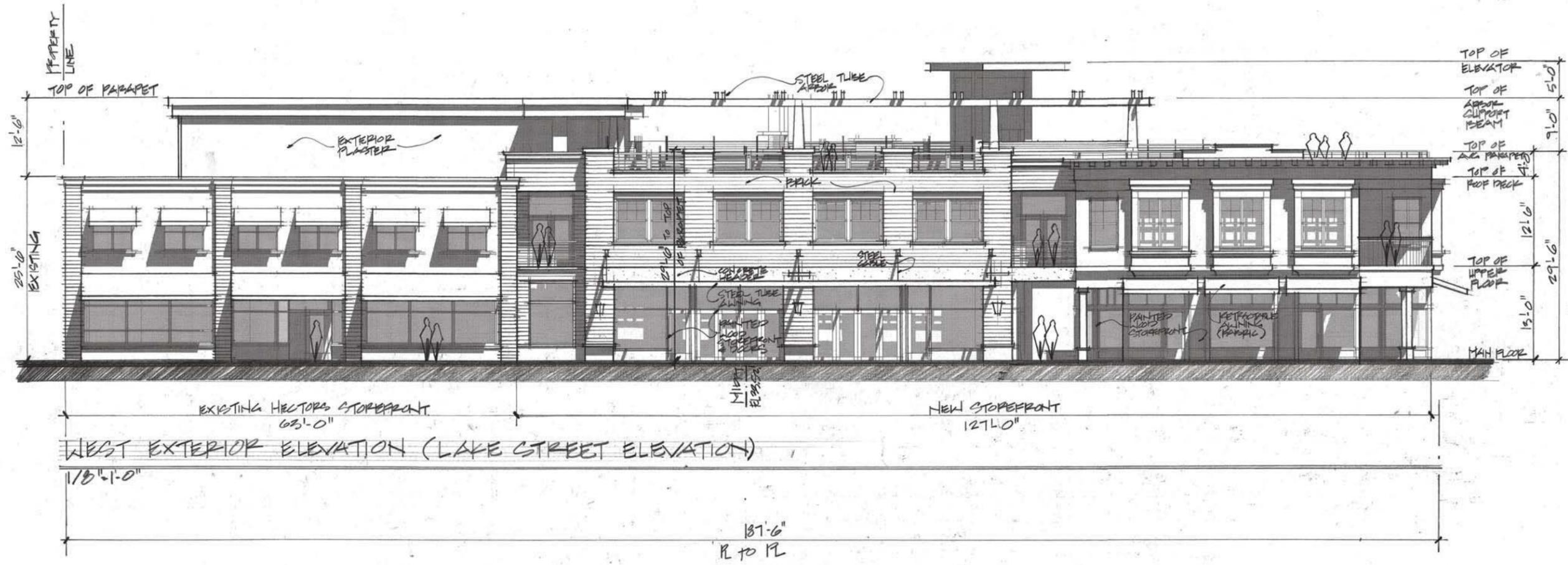


ROOF PLAN

1/18" = 1'-0"

No.	Date	Revision

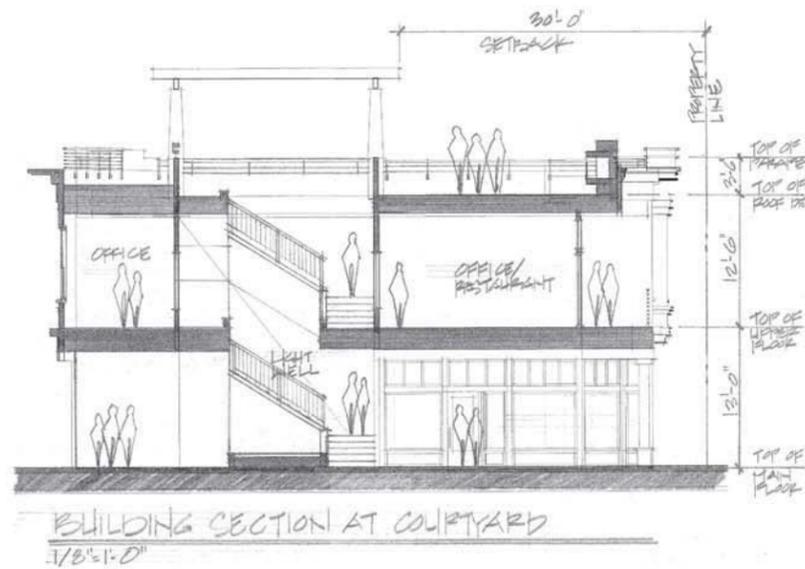
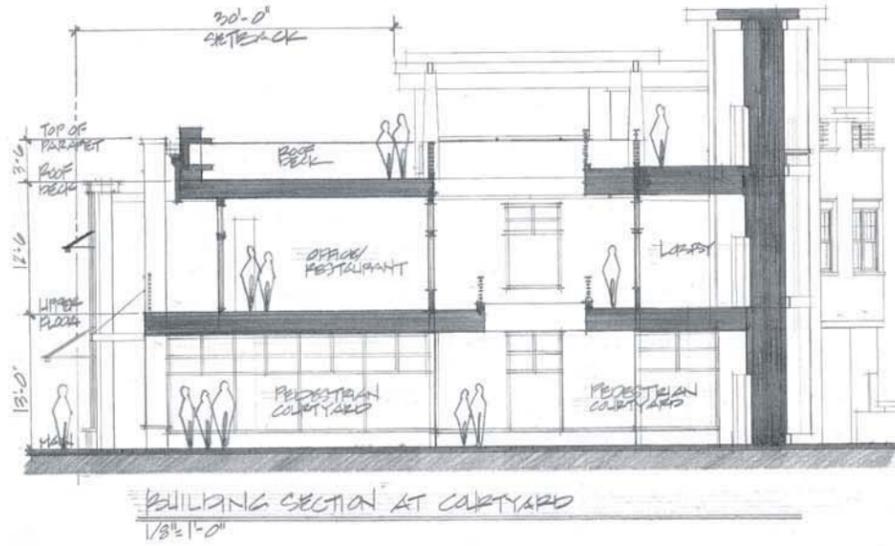
HECTORS PROPERTY REMODEL & EXPANSION
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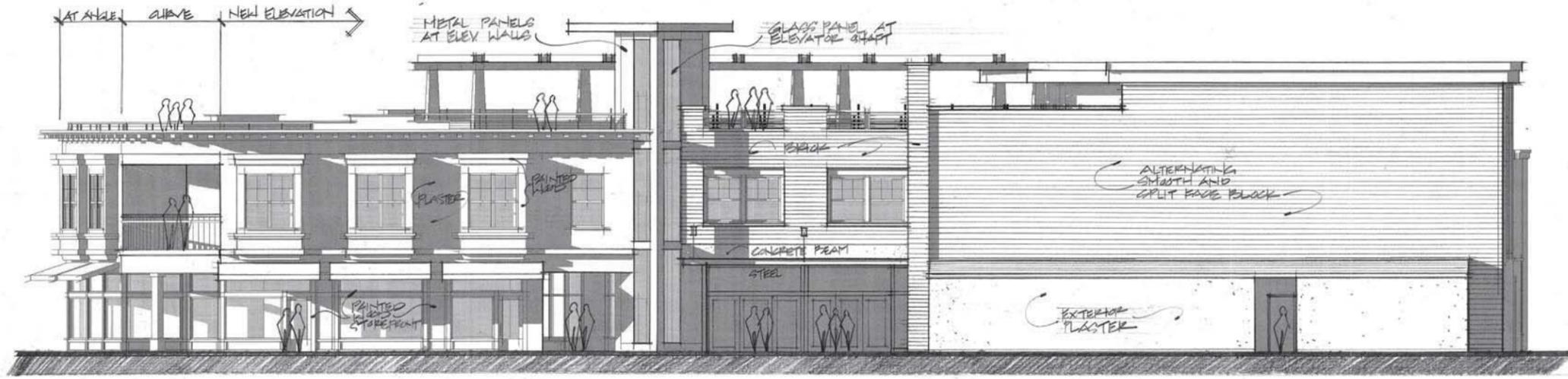
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112 LAKE STREET SOUTH
KIRKLAND, WA

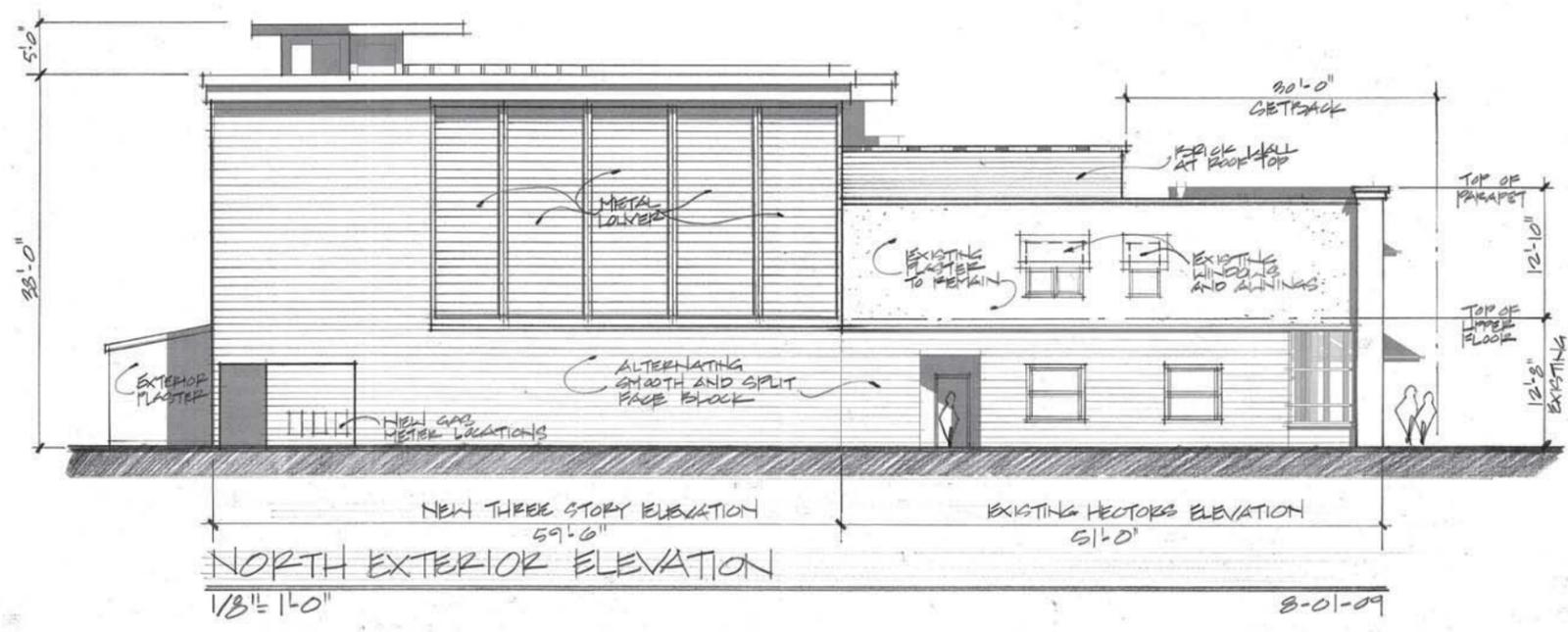
No.	Date	Revision



HECTORS PROPERTY REMODEL & EXPANSION
112 LAKE STREET SOUTH
KIRKLAND, WA



EAST EXTERIOR ELEVATION
1/8" = 1'-0"



NORTH EXTERIOR ELEVATION
1/8" = 1'-0"



HECTORS PROPERTY REMODEL & EXPANSION

112 LAKE STREET SOUTH
KIRKLAND, WA

No.	Date	Revision



No.	Date	Revision

HECTORS PROPERTY REMODEL & EXPANSION

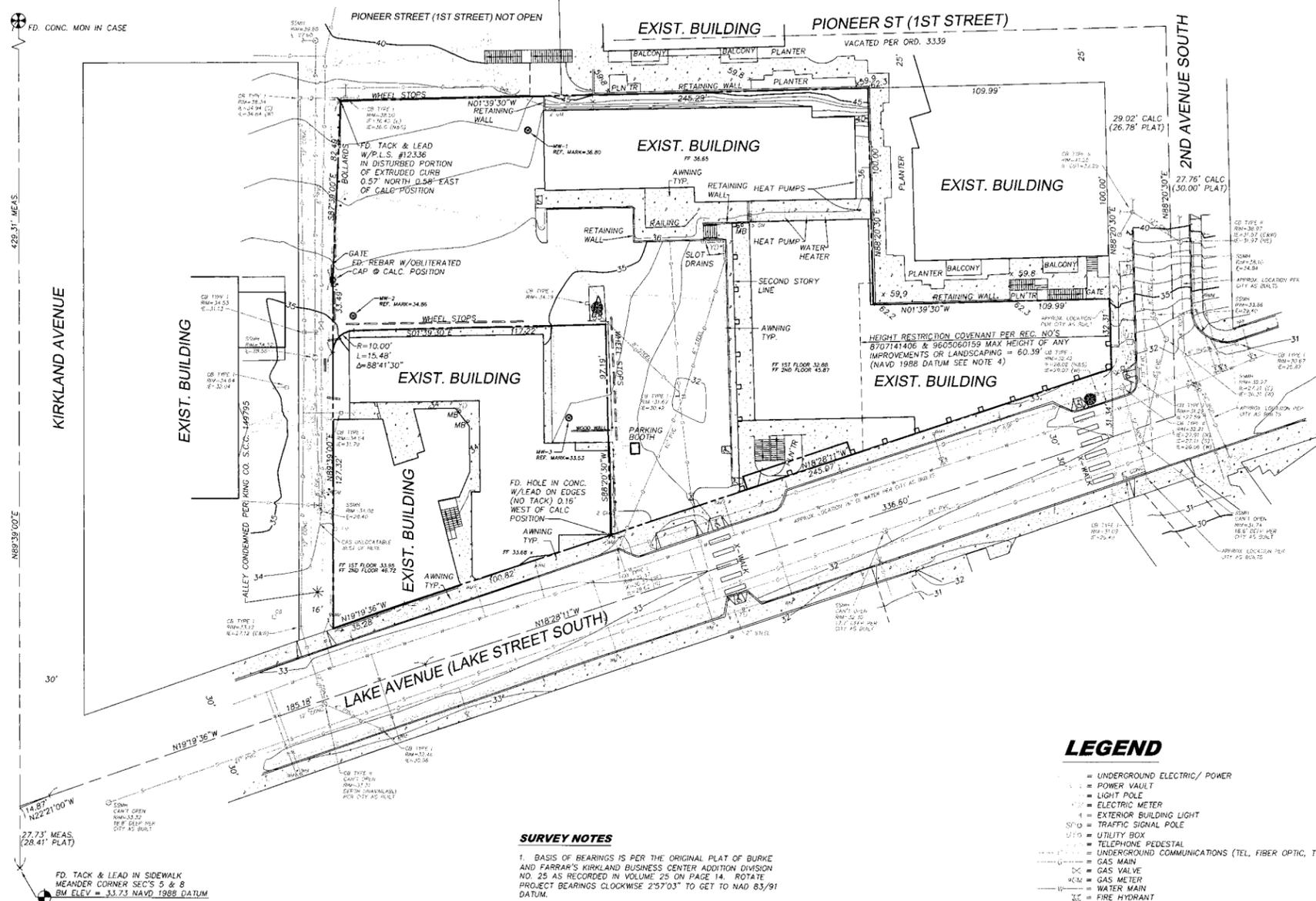
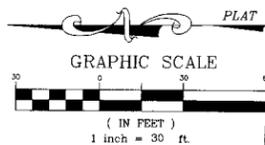
112 LAKE STREET SOUTH
KIRKLAND, WA

KIRKLAND WATERFRONT MARKET

SEC.8, T.25N., R.5E., W.M.

CITY OF KIRKLAND, WASHINGTON

ATTACHMENT 5
DRC09-00003



EXISTING LEGAL DESCRIPTIONS

PARCEL A:
PARCEL A OF CITY OF KIRKLAND LOT LINE ADJUSTMENT NO. LL-86-36 RECORDED MAY 5, 1986 UNDER RECORDING NO. 8605050588, DESCRIBED AS FOLLOWS:

PARCEL B:
LOTS 6 AND 7, BLOCK 1, LOGGIE & EVANS ADDITION TO KIRKLAND, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 7 OF PLATS, PAGE 87, RECORDS OF KING COUNTY, WASHINGTON.

PARCEL C:
THAT PORTION OF GOVERNMENT LOT 1 IN SECTION 8, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF LAKE AVENUE AS SHOWN ON THE PLAT OF BURKE & FARRAR'S KIRKLAND BUSINESS CENTER ADDITION DIVISION NO. 25, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 25 OF PLATS, PAGE 14, RECORDS OF KING COUNTY, WASHINGTON, AND THE SOUTHERLY LINE OF AN ALLEY CONDEMNED IN KING COUNTY SUPERIOR COURT CASE NO. 148795 AS PROVIDED BY ORDINANCE NO. 212 OF THE CITY OF KIRKLAND; THENCE ALONG SAID ALLEY LINE NORTH 89°39'00" EAST 127.32 FEET TO THE TRUE POINT OF BEGINNING; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 10 FEET 15.47 FEET; THENCE SOUTH 01°39'30" EAST 117.23 FEET; THENCE SOUTH 88°20'30" WEST 97.17 FEET TO SAID EASTERLY LINE OF LAKE AVENUE; THENCE ALONG SAID EASTERLY LINE SOUTH 18°28'11" EAST 78.50 FEET TO THE SOUTH LINE OF UNPLATTED BLOCK 88 AS SHOWN ON SAID PLAT; THENCE NORTH 88°20'30" EAST ALONG SAID SOUTH LINE 180.51 FEET TO THE WESTERLY LINE OF PIONEER STREET AS SHOWN UPON THE PLAT OF SAID BURKE & FARRAR'S KIRKLAND BUSINESS CENTER ADDITION, DIVISION NO. 25; THENCE NORTH 01°39'30" WEST 195.76 FEET TO THE SOUTHERLY LINE OF SAID ALLEY AS CONDEMNED; THENCE WESTERLY ALONG SAID SOUTHERLY ALLEY LINE 121.98 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL D:
THAT PORTION OF UNPLATTED BLOCK 88 AS SHOWN ON BURKE & FARRAR'S BUSINESS CENTER ADDITION, DIVISION NO. 25, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 25 OF PLATS, PAGE 14, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE EAST LINE OF LAKE AVENUE AND THE SOUTH LINE OF THE ALLEY CONDEMNED, AS PROVIDED BY ORDINANCE NO. 212 OF THE CITY OF KIRKLAND, BOTH AS SHOWN ON SAID PLAT; THENCE ALONG SAID SOUTH LINE, NORTH 89°39'00" EAST 127.32 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 10 FEET, A DISTANCE OF 15.47 FEET; THENCE SOUTH 01°39'30" EAST 117.23 FEET; THENCE SOUTH 88°20'30" WEST 97.17 FEET TO THE EASTERLY MARGIN OF SAID LAKE AVENUE; THENCE ALONG SAID EASTERLY MARGIN, NORTH 18°28'11" WEST 100.82 FEET; THENCE NORTH 19°19'38" WEST 35.20 FEET TO THE TRUE POINT OF BEGINNING.

(ALSO KNOWN AS LOTS 1 TO 5, INCLUSIVE, OF ALLEN'S POST OFFICE TRACTS, ACCORDING TO THE UNRECORDED PLAT THEREOF.)

(ALSO KNOWN AS LOT LINE ADJUSTMENT NO. LL-96-35 RECORDED MAY 2, 1996 UNDER RECORDING NO. 8605021058.)

LEGEND

- UNDERGROUND ELECTRIC/ POWER
- POWER VAULT
- LIGHT POLE
- ELECTRIC METER
- EXTERIOR BUILDING LIGHT
- TRAFFIC SIGNAL POLE
- UTILITY BOX
- TELEPHONE PEDESTAL
- UNDERGROUND COMMUNICATIONS (TEL, FIBER OPTIC, TV)
- GAS MAIN
- GAS VALVE
- GAS METER
- WATER MAIN
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- MANHOLE (STORM, SEWER, TELEPHONE, WATER)
- YARD DRAIN
- CATCH BASIN
- STORM DRAIN LINE
- SEWER LINE
- EDGE OF ASPHALT
- CONCRETE AREA
- MAIL BOX
- SIGN
- BOLLARD
- A.D.A./HANDICAP RAMP
- DECIDUOUS TREE
- SPOT ELEVATION
- MONITORING WELL
- FOUND LEAD AND TACK
- FOUND REBAR & CAP
- FOUND MONUMENT IN CASE

SURVEY NOTES

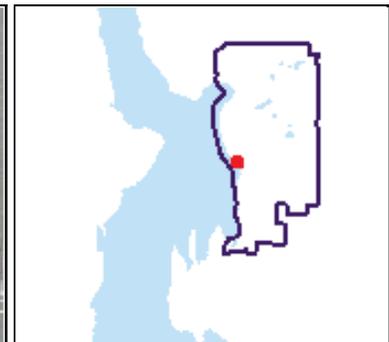
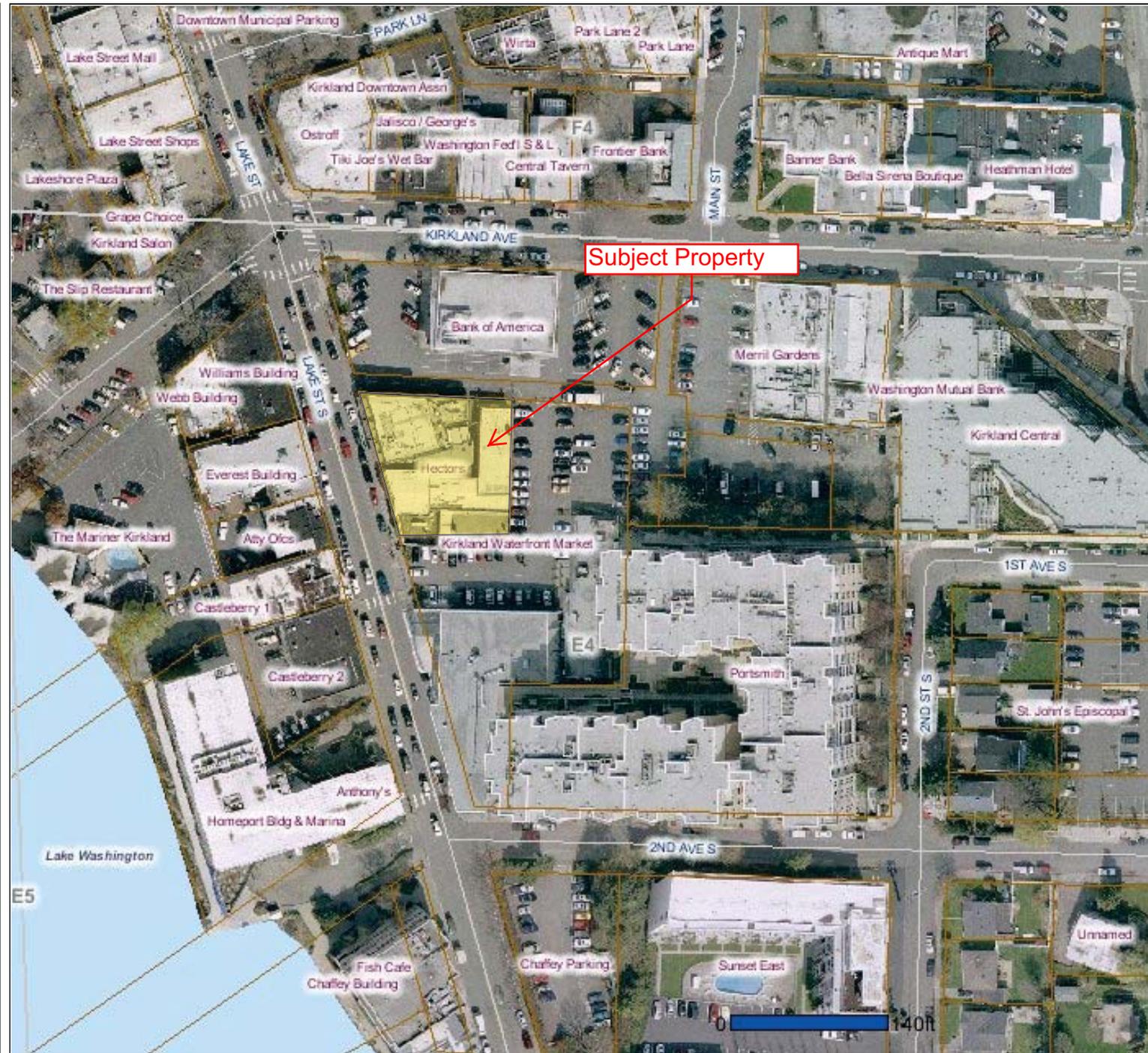
1. BASIS OF BEARINGS IS PER THE ORIGINAL PLAT OF BURKE AND FARRAR'S KIRKLAND BUSINESS CENTER ADDITION DIVISION NO. 25 AS RECORDED IN VOLUME 25 ON PAGE 14. ROTATE PROJECT BEARINGS CLOCKWISE 2°57'03" TO GET TO NAD 83/91 DATUM.
2. FIELD WORK WAS DONE IN MARCH AND APRIL OF 2005, AND JULY OF 2007 USING A PENTAX P15 - V3, THREE SECOND TOTAL STATION AND A SOKKIA SET 530R3 THREE SECOND TOTAL STATION WITH CLOSED TRAVERSE METHODS IN ACCORDANCE WITH W.A.C. 3320-1302.
3. BOUNDARY INFORMATION IS BASED ON THE FOLLOWING SURVEYS DONE BY TRIAD ASSOCIATES:
A) RECORD OF SURVEY PER REC. NO. 8203099002
B) RECORD OF SURVEY PER REC. NO. 8203099003
C) UNRECORDED A.L.T.A. SURVEY DATED 5/19/99
4. THE HEIGHT RESTRICTION COVENANT SHOWN PER RECORDING NUMBERS 8707141406 AND 9605060159 LISTS A MAXIMUM HEIGHT OF 56.9 FEET BASED ON U.S.C. & G.S. VERTICAL DATUM OF 1929/1947 ADJUSTED. THIS SURVEY IS BASED ON NAVD 1988 DATUM. THE DATUM CONVERSION FACTOR IS AS FOLLOWS (NAVD88 = [USCGS29/47] + 3.49). THE MAXIMUM RESTRICTIVE ELEVATION BASED ON NAVD 1988 DATUM IS 60.39'.
5. EXISTING UNDERGROUND UTILITY LOCATIONS ARE BASED ON A COMBINATION OF CITY AS BUILTS, SURFACE FEATURES, PAINTED LOCATIONS BY LOGGING, INC. IN JULY OF 2007, AND PAINTED LOCATIONS BY UTILITY DETECTION SERVICES, LLC IN DECEMBER OF 2007. ALL UNDERGROUND UTILITIES SHOWN ARE ONLY APPROXIMATE AND SHALL BE VERIFIED PRIOR TO ANY CONSTRUCTION ON OR AROUND THE SITE. ADDITIONAL UNDERGROUND UTILITIES MAY ALSO EXIST ON OR AROUND THE SITE WHICH ARE NOT SHOWN ON THE DRAWING AT THIS TIME.

Call Before You Dig
1-800-424-5555



SEC. 8, T.25N., R.5E., W.M.
8

BY DATE	
REVISIONS	
EXISTING SITE SURVEY	
KIRKLAND WATERFRONT MARKET	
150 LAKE STREET SOUTH	
KIRKLAND, WA 98033	
ENGINEERS - SURVEYORS	
EASTSIDE CONSULTANTS, INC.	
1320 N.W. MALL ST., SUITE B ISSAQUAH, WASHINGTON 98027 PH: 425.352.5351 FAX: 425.4076	
JOB NO. 05030	
DATE 7/09	
SCALE 1"=30'	
DESIGNED S.K.	
DRAWN S.K.	
CHECKED S.K.	
APPROVED	
SHEET C6 OF 6	



Approximate
 Scale 1:1,673
 1 in = 139 ft

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CHAPTER 50 - CENTRAL BUSINESS DISTRICT (CBD) ZONES

50.05 User Guide.

The charts in KZC [50.12](#) contain the basic zoning regulations that apply in the CBD 1 zones 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 50.10	Section 50.10 – 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. The maximum height of structure shall be measured at the midpoint of the frontage of the subject property on the abutting right-of-way, excluding First Avenue South. See KZC 50.62 for additional building height provisions.
	3. The street level floor of all buildings shall be limited to one or more of the following uses: Retail; Restaurant or Tavern; Banking and Related Financial Services; and Entertainment, Cultural and/or Recreational Facility use. 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). Buildings proposed and built after April 1, 2009, and buildings that existed prior to April 1, 2009, which are at least 10 feet below the maximum height of structure, shall have a minimum depth of 10 feet and an average depth of at least 20 feet containing the required uses listed above. 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, hotel, and office uses may be allowed within this space subject to applicable design guidelines.
	4. Where public improvements are required by Chapter 110 KZC, sidewalks on pedestrian-oriented streets within CBD 1A and 1B shall be as follows: Sidewalks shall be a minimum width of 12 feet. The average width of the sidewalk along the entire frontage of the subject property abutting each pedestrian-oriented street shall be 13 feet. The sidewalk configuration shall be approved through D.R.
	5. Upper story setback requirements are listed below. For purposes of the following regulations, 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. <ul style="list-style-type: none"> a. Lake Street: No portion of a building within 30 feet of Lake Street may exceed a height of 28 feet above Lake Street except as provided in KZC 50.62. b. Central Way: No portion of a building within 30 feet of Central Way may exceed a height of 41 feet above Central Way except as provided in KZC 50.62. c. Third Street and Main Street: Within 40 feet of Third Street and Main Street, all stories above the second story shall maintain an average setback of at least 10 feet from the front property line. d. All other streets: Within 40 feet of any front property line, other than Lake Street, Central Way, Third Street, or Main Street, all stories above the second story shall maintain an average setback of at least 20 feet from the front property line. (GENERAL REGULATIONS CONTINUED ON NEXT PAGE)
	(GENERAL REGULATIONS CONTINUED FROM PREVIOUS PAGE)

- e. The required upper story setbacks for all floors above the second story shall be calculated as Total Upper Story Setback Area as follows:
Total Upper Story Setback Area = (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 second story). See Plate 35.
- f. The Design Review Board is authorized to allow a reduction of the required upper story setback by no more than five feet subject to the following:
- 1) Each square foot of additional building area proposed within the setback is offset with an additional square foot of public open space (excluding area required for sidewalk dedication) at the street level.
 - 2) The public open space is located along the sidewalk frontage and is not covered by buildings.
 - 3) For purposes of calculating the offsetting square footage, along Central Way, the open space area at the second and third stories located directly above the proposed ground level public open space is included. Along all other streets, the open space area at the second story located directly above the proposed ground level public open space is included.
 - 4) The design and location is consistent with applicable design guidelines.
- g. The Design Review Board is authorized to allow rooftop garden structures within the setback area

Section 50.12

Zone
CBD-1A,
1B

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.12	USE ↓ REGULATIONS ↓	Required Review Process	MINIMUMS			MAXIMUMS		Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Restaurant or Tavern	D.R., Chapter 142 KZC	None	0'	0'	0'	100%	CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.	D	E	One per each 125 sq. ft. of gross floor area. See KZC 50.60.	1. Drive-in or drive-through facilities are prohibited.
.020	Any Retail Establishment, other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, excluding banking and related financial services										One per each 350 sq. ft. of gross floor area. See KZC 50.60.	1. The following uses are not permitted in this zone: a. Vehicle service stations. b. The sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. c. Drive-in facilities and drive-through facilities. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The assembled manufactured goods are directly related to and dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.

Section 50.12	 USE  REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
			Front	Side	Rear							
.025	Banking and Related Financial Services See Spec. Reg. 2.	D.R., Chapter 142 KZC	None	0'	0'	0'	100%	CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.	D	E	One per each 350 sq. ft. of gross floor area. See KZC 50.60.	1. Drive-through facilities are permitted as an accessory use only if: <ol style="list-style-type: none"> The drive-through facility is not located on a property that abuts either Park Lane or Lake Street. The drive-through facility existed prior to January 1, 2004, OR the drive-through facility will replace a drive-through facility which existed in CBD 1A or 1B on January 1, 2004, and which drive-through facility: <ol style="list-style-type: none"> Was demolished to allow redevelopment of the site on which the primary use was located; and Will serve the same business served by the replaced facility, even if that business moves to a new location; and Does not result in a net increase in the number of drive-through lanes serving the primary use; and The Public Works Department determines that vehicle stacking will not impede pedestrian or vehicular movement within the right-of-way, and that the facility will not impede vehicle or pedestrian visibility as vehicles enter the sidewalk zone; and The vehicular access lanes will not be located between the street and the buildings and the configuration of the facility and lanes is generally perpendicular to the street; and Any replacement drive-through facility is reviewed and approved pursuant to Chapter 142 KZC for compliance with the following criteria: <ol style="list-style-type: none"> The design of the vehicular access for any new drive-through facility is compatible with pedestrian walkways and parking access. Disruption of pedestrian travel and continuity of pedestrian-oriented retail is limited by minimizing the width of the facility and associated curb-cuts. 2. Unless this use existed on the subject property prior to January 1, 2004, Banking and Financial Services may not be located within the 30-foot depth (as established by General Regulation 3) on the street level floor of a building fronting on Park Lane and Lake Street.

Section 50.12

Zone
CBD-1A,
1B

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 50.12	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)			
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure		
				Front	Side	Rear								
.030	Hotel or Motel	D.R., Chapter 142 KZC	None	0'	0'	0'	100%	CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.	D	E	One for each room. See Spec. Reg. 2 and KZC 50.60.	<ol style="list-style-type: none"> The following uses are not permitted in this zone: <ol style="list-style-type: none"> Vehicle service stations. Vehicle and/or boat sale, repair, service or rental. Drive-in facilities and drive-through facilities. The parking requirement for hotel or motel use does not include parking requirements for ancillary meetings and convention facilities. Additional parking requirements for ancillary uses shall be determined on a case-by-case basis. 		
.040	Entertainment, Cultural and/or Recreational Facility										See KZC 50.60 and 105.25.			
.060	Private Club or Lodge										B		See KZC 50.60 and 105.25.	<ol style="list-style-type: none"> Ancillary assembly and manufacture of goods on premises may be permitted as part of an office use if: <ol style="list-style-type: none"> The ancillary assembled or manufactured goods are subordinate to and dependent on this office use; and The outward appearance and impacts of this office use with ancillary assembly and manufacturing activities must be no different from other office uses. The following regulations apply to veterinary offices only: <ol style="list-style-type: none"> May only treat small animals on the subject property. Outside runs and other outside facilities for the animals are not permitted. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the D.R. and building permit applications. A veterinary office is not permitted if the subject property contains dwelling units.
.070	Office Use										D		One per each 350 sq. ft. of gross floor area. See KZC 50.60.	
.080	Stacked or Attached Dwelling Units										A		1.7 per unit. See KZC 50.60.	
.090	School, Day-Care Center or Mini School or Day-Care Center										B		See KZC 50.60 and 105.25.	<ol style="list-style-type: none"> A six-foot-high fence is required along all property lines adjacent to outside play areas. Structured play areas must be set back from all property lines by at least five feet. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).

(Revised 3/09)

Section 50.12	 	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
			Front	Side	Rear							
.100	Assisted Living Facility	D.R., Chapter 142 KZC.	None	0'	0'	0'	100%	CBD 1A – 45' above each abutting right-of-way. CBD 1B – 55' above each abutting right-of-way.	D	A	1.7 per independent unit. 1 per assisted living unit. See KZC 50.60.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. A nursing home use may be permitted as part of an assisted living facility use in order to provide a continuum of care for residents. If a nursing home use is included, the following parking standard shall apply to the nursing home portion of the facility: a. One parking stall shall be provided for each bed.
.110	Public Utility, Government Facility, or Community Facility								D See Special Reg. 1.	B	See KZC 50.60 and 105.25.	1. Landscape Category B or C may be required depending on the type of use on the subject property and the impacts associated with the use on nearby uses.
.120	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

Existing Parking Analysis

9/24/2009

Existing Parking

68

Building/Use	Gross Floor Area	Parking Ratio	Required Parking	Existing Parking	Parking Credit
Hector's Building					
Restaurant (Hector's)	4559	1/125	36.5	0	
Office	2640	1/350	7.5	0	
Subtotal	7199		44.0	0	
Lakeside Building					
Restaurant (Hector's BoH)	2724	1/125	21.8	0	
Restaurant (World Wrapps)	1650	1/125	13.2	0	
Retail/Office	1656	1/350	4.7	0	
Subtotal	6030		39.7	0	
Kirkland Waterfront Market					
Restaurant (Szmania)	4287	1/125	34.3	46	
Restaurant (Sushi)	2030	1/125	16.2	0	
Restaurant (Thin Pan)	1374	1/125	11.0	0	
Retail (Tully's)	1695	1/350	4.8	11	
Retail (Studio 150)	598	1/350	1.7	0	
Retail (Ben & Jerry's)	674	1/350	1.9	0	
Office	9761	1/350	27.9	11	
Subtotal	20419		97.9	68	
Calabria Building					
Restaurant (Calabria)	4387	1/125	35.1	0	
Retail (Sasi)	876	1/350	2.5	0	
Subtotal	5263		37.6	0	
Total	38911		219.2	68	151.2
SUMMARY					
Parking per Use					
Restaurant	21011	1/125	168.1	46	
Retail	5499	1/350	15.7	11	
Office	12401	1/350	35.4	11	
Total	38911		219.2	68	
Parking Required	219.2				
Existing	68				
Parking Credit	151.2				

Demo Space/Parking Analysis

9/24/2009

Building/Use	Gross Floor Area	Parking Ratio	Required Parking
Hector's Building			
Restaurant (Hector's)	2314	1/125	18.5
Office	0	1/350	0.0
Subtotal	2314		18.5
Lakeside Building			
Restaurant (Hector's BoH)	2724	1/125	21.8
Restaurant (World Wrapps)	1650	1/125	13.2
Retail/Office	1656	1/350	4.7
Subtotal	6030		39.7
Kirkland Waterfront Market			
Restaurant	0	1/125	0.0
Retail/Office	0	1/350	0.0
Subtotal	0		0.0
Calabria Building			
Restaurant (Calabria)	4387	1/125	35.1
Retail (Sasi)	876	1/350	2.5
Subtotal	5263		37.6
Total	13607		95.8
SUMMARY			
Parking per Use			
Restaurant	11075	1/125	88.6
Retail/Office	2532	1/350	7.2
Total	13607		95.8
Demo Parking Credit	95.8		

New Space/Parking Analysis

9/24/2009

Building/Use	Gross Floor Area	Parking Ratio	Required Parking
Hector's Building Expansion			
Restaurant (Hector's)	7453	1/125	59.6
Retail/Office	12765	1/350	36.5
Subtotal	20218		96.1
Kirkland Waterfront Market Expansion			
Restaurant	1365	1/125	10.9
Retail/Office	1696	1/350	4.8
Subtotal	3061		15.8
Total	23279		111.9
SUMMARY			
Parking per Use			
Restaurant	8818	1/125	70.5
Retail/Office	14461	1/350	41.3
Total	23279		111.9
Parking required for Expansion	111.9		
Credit from Demo	95.8		
Required Parking	16.0		
New Parking Provided	18.0		
	2.0	Surplus	

7. Landscaping and Buffering Standards for Driving and Parking Areas.

a. Landscaping – General.

- 1) The following internal parking lot landscape standards apply to each parking lot or portion thereof containing more than eight parking stalls.
 - a) The parking lot must contain 25 square feet of landscaped area per parking stall planted pursuant to subsections (7)(a)(1)(b) and (c) of this section;
 - b) The applicant shall arrange the landscaping required in subsection (7)(a)(1)(a) of this section throughout the parking lot to provide landscape islands or peninsulas to separate groups of parking spaces (generally every eight stalls) from one another and each row of spaces from any adjacent driveway that runs perpendicular to the row. This island or peninsula must be surrounded by a six-inch-high vertical curb, be of similar dimensions as the adjacent parking stalls and planted pursuant to the standards in subsection (7)(a)(1)(c) of this section:
 - c) Landscaping shall be installed pursuant to the following standards:
 - 1) At least one deciduous tree, two inches in caliper or a coniferous tree five feet in height.
 - 2) Groundcover shall be selected and planted to achieve 60 percent coverage within two years.
 - d) Exception. The requirements of this subsection do not apply to any area that is fully enclosed within or under a building.