



CITY OF KIRKLAND

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MEMORANDUM

To: Planning Commission

From: Angela Ruggeri, AICP, Senior Planner

Date: July 1, 2008

Subject: TOUCHSTONE (PARK PLACE), ORNI, AND ALTOM PRIVATE AMENDMENT REQUESTS (PARs) FILE NO. ZON07-00016, ZON07-00012, AND ZON07-00019

RECOMMENDATION

- Give direction on preferred alternatives to be studied in the Planned Action Final Environmental Impact Statement (FEIS). Discuss the Orni and Altom PARs first and then the Touchstone PAR.
- Give direction on parking and traffic issues to be discussed at the Planning Commission meeting on 7/31.
- Review timeline and discussion topics for Planning Commission meetings through October.

BACKGROUND DISCUSSION

I. PRIVATE AMENDMENT REQUESTS

The three private amendment requests are summarized below and a map showing their locations is included as Attachment 1. Staff and the Planning Commission may propose additional requirements and changes to the Comprehensive Plan and Zoning Code as the process proceeds.

- A. Touchstone Corporation (Park Place)** has submitted a private amendment request for the redevelopment of the existing Kirkland Park Place Center. The request includes a building height increase from 3-5 stories, as measured from the existing grade of the site, to up to 8 stories as measured from the grade of 6th Street and Central Way. These taller buildings would be allowed next to Central Way and 6th Street as well as in other areas of the site. The request also includes a building setback reduction from 20 feet to 0 feet on Central Way and 6th Street, and possibly from 10 feet to 0 feet next to Peter Kirk Park. There may also be requests for flexibility in other regulations such as lot coverage. These amendments would be reflected in changes to the Comprehensive Plan, Zoning and Design Guidelines for the site.

- B. Katherine Orni** has submitted a private amendment request for the properties located at 825, 903 and 911 5th Avenue, east of the Post Office in the Moss Bay Neighborhood. The request is to change the zoning from PLA 5D which does not allow office to PLA 5C which allows office and additional height up to 60 feet above average building elevation or 6 stories whichever is less. The existing zoning allows 40' above average building elevation or 4 stories whichever is less. The Zoning Code amendment would also allow a reduction of building setbacks where PLA 5C development abuts low density uses in the PLA 5A zone. The site contains three legally nonconforming office buildings, which were allowed to be built because of a legal action that was taken when the zoning was originally put into place in 1979.
- C. Rhoda Altom** has submitted a private amendment request for the property located at 220 6th Street in the Moss Bay Neighborhood. She is requesting a change in zoning from PLA 5B to PLA 5C to allow additional height up to 60 feet above average building elevation or 6 stories whichever is less. She is also asking that the minimum lot size requirement of one acre for this additional height in PLA 5C be removed. The study area for this PAR includes the site to the north of the Altom property (605 4th Avenue). This site is between the Altom property and PLA 5C and contains two 2 story office buildings.

II. ENVIRONMENTAL IMPACT STATEMENT (PLANNED ACTION)

The environmental review process for the Touchstone (Park Place), Orni, and Altom PARs began last fall and the DEIS was issued on 4/4/08. An open house was held on 4/16/08 to give the public an opportunity to ask questions relating to the DEIS. The Planning Commission and SEPA Responsible Official held a public hearing at the 4/24/08 Planning Commission meeting to take comments on the DEIS and the potential changes to the Comprehensive Plan, Municipal Code, and Zoning Code. The comment period on the DEIS ended on 5/19/08. All comments received on the DEIS will be responded to and included in the FEIS document which is tentatively scheduled for issuance on 10/6/08.

The Planned Action Draft EIS evaluates two alternatives for each site: (1) a “no action” alternative that describes development of the sites under the existing Comprehensive Plan, and (2) the applicants’ proposals. The existing conditions have also been taken into account. The draft EIS is one of the tools used by the Planning Commission to help decide on a preferred alternative for each of the three PARs. These preferred alternatives will be further analyzed in the Planned Action Final EIS.

III. ALTERNATE TOUCHSTONE PROPOSALS

In addition to their original Private Amendment Request, Touchstone Corporation has been refining their 8 story mixed use proposal. Their latest submittal with information on this proposal is included as Attachment 2.

Touchstone has also submitted for design review a redevelopment proposal for Park Place Center with the intention of meeting the current CBD-5 Zoning Code regulations and Comprehensive Plan policies. The current CBD-5 Zone provides for a range of heights from 3-5 stories above average building elevation. The Downtown plan states that:

“Buildings over two stories in height should be reviewed by the Design Review Board for consistency with applicable policies and criteria. Within the district, massing should generally be lower toward the perimeter and step up toward the center. Facades facing Central Way, Kirkland Way, and Peter Kirk Park should be limited to between two and three stories, with taller portions of the building stepped back significantly. Buildings over three stories in height should generally reduce building mass above the third story.”

The applicant has decided to pursue design review approval of this current zoning proposal while the City considers the request to amend Kirkland's Zoning Code regulations and Comprehensive Plan policies to achieve additional height and reduced building setbacks.

This new proposal is to redevelop the existing Park Place Center in two phases. Phase I consists of 6 or 7 office buildings at five-stories in height located in the north and northeast portion of the site. All existing buildings, except those retained until Phase II, would be removed. The plans include between 895,000 and 935,000 square feet of office space.

The proposal would contain very little retail. The QFC store and the existing retail building directly east of the grocery store would be retained and redeveloped at a later date in Phase II. The building southeast of QFC that contains the two restaurants (Pancake House and prior Thai Restaurant) will also be retained and redeveloped in Phase II.

IV. PLANNING COMMISSION PRELIMINARY DIRECTION ON PREFERRED ALTERNATIVE FOR THREE PRIVATE AMENDMENT REQUESTS

The Planning Commission will need to define the basic parameters sufficiently to allow the final EIS to be prepared. Staff has begun to work on drafting the amendments to the Comprehensive Plan, Municipal Code and Zoning. Jeremy McMahan will begin the discussion of these amendments later in this meeting and they will be developed over the summer. The following topics were discussed at the 5/29 meeting and the preliminary conclusions about the preferred alternatives are outlined below.

The PC held public hearings on June 12th and June 26th to obtain feedback on the preferred alternative. Now that they have heard the public testimony, they will need to give staff direction on what is to be studied in the final EIS.

A. Touchstone (Park Place) Preliminary Preferred Alternative

At the May 29th study session, the Planning Commission provided preliminary direction on crafting a preferred alternative. The Commission was aware that

Touchstone has proposed an alternative plan that is going through the design review process. The Commission expressed a desire to provide a strong retail component within the project. They also discussed maintaining a pedestrian oriented design along Central Way by potentially lowering heights along the street. With that in mind, the Commission explored the possibility of adjusting the heights throughout the site while retaining the overall square footage requested by Touchstone. The Design Review Board (DRB) Recommendation which was used as a starting point for the discussion has been adjusted by the Planning Commission accordingly. A comparison of Touchstone's office proposal (shown as Plan A); Touchstone's mixed use proposal (shown as Plan B); and the Planning Commission's mixed use, 11 story option (shown as Plan C) is included as Attachment 3.

1. Uses: The Planning Commission indicated that office and mixed use are appropriate for the site. The Commission also believes that retail is an essential component for redevelopment of the Park Place site and should be required.
2. Open space requirements: The Planning Commission agreed with the Design Review Board recommendation that a large central open space should be required in exchange for the additional height proposed. The Planning Commission feels that there should be some flexibility to allow for creative treatment of the entry way corner at 6th Street and Central Way.
3. Lot Coverage: The Planning Commission suggested 100% lot coverage (impervious surface) as is allowed in many areas of the downtown.
4. Setbacks: The Planning Commission agreed with the Design Review Board's recommendation (see Attachment 4) for no setbacks along Central Way and 6th Street if there is a relationship between the building and the pedestrian (retail uses for example), otherwise some setback should be required. A medium setback was recommended adjacent to the park. If a road is located on the property along the park's eastern edge, a lesser setback would be necessary. The Planning Commission should determine if this road will be required. The widest setback was recommended along the south portion of the site adjacent to the existing office and residential uses.
5. Square footage: The Planning Commission felt that retaining the overall square footage requested by Touchstone was important in order to provide a mixed use project on the site.
6. Height Allowances: The developer seeks to build 1.2 million square feet of office which he believes he can accomplish under existing regulations. He would like to include retail, a hotel and an athletic club in the development, but has stated that this will only occur if it is in addition to the 1.2 million

square feet of office. Touchstone has proposed a mixed use project with a total of 1.8 million square feet. In response to this the Planning Commission discussed the concept of increasing the height up to 11 stories in some areas of the site while reducing it in other areas. These other areas could have building heights in the range of 3 to 7 stories (see Attachment 3). Additional environmental review in the form of a supplemental EIS will be required if the Planning Commission decides to include more than 8 stories in the preferred alternative to be studied in the final EIS.

The Planning Commission's preliminary concept included the following heights:

Low Height Areas

- 3 stories within 20 feet of Central Way before stepping up to the next height zone
- 4 stories within 20 feet of Peter Kirk Park before stepping up to the next height zone
- 2 to 3 stories in the area to the south of the central open space (low enough to allow for sun to reach the open space plaza)

Medium Height Areas

- 5 stories along the eastern portion of the site parallel to Central Way.
- 5 to 7 stories along the western portion of the site parallel to Central Way.
- 7 stories for the next height zone parallel to the park.
- 7 stories along the very southern most portion of the site.

Maximum Height Areas

- Up to 11 stores along 6th Street
- Up to 11 stories in the southeast portion of the site

B. Orni Preliminary Preferred Alternative

1. Uses: The Planning Commission has not come to an agreement on the appropriate uses for the site. Residential and mixed use (office and residential) were both discussed. The site presently contains office uses and has for nearly 30 years. The three existing legally nonconforming office buildings were allowed to be built because of a legal action that was taken when the property was rezoned from office to residential. The existing Comprehensive Plan designation is for high density residential. The proposed designation would include office and multifamily uses, including mixed use.
2. Height Allowances: The existing office buildings on the site are two stories high. The code presently allows multifamily buildings up to 4 stories or 40 feet above average building elevation, whichever is less. The requested zoning would allow up to 60 feet above average building elevation or 6 stories

whichever is less. The Planning Commission has tentatively concluded that the 40' height limit that is currently allowed should be maintained.

3. Setback Requirements: The existing code requires an additional setback from single family uses in PLA5A for buildings over 30' above average building elevation (ABE). There is one older single family home to the south of the project that would require this additional setback of 120' (if the building is 60 feet above ABE). This regulation was put in place originally to protect the single family homes in the area as the area transitioned to office and multifamily uses. Since that time, most have been rebuilt into multifamily developments and so the Planning Commission is proposing that this requirement be removed.
4. Design review: The Planning Commission proposes that design review be a requirement if office or mixed use are allowed, but not for residential uses.

C. Altom Preliminary Preferred Alternative

1. Uses: Both the existing Comprehensive Plan designation and the proposed designation are for office/multifamily uses and so a change in use is not necessary.
2. Height Allowances: The Planning Commission is considering up to 52' above average building elevation (ABE) for this area.
3. Lot size requirements: The Planning Commission expressed concern about allowing the additional height on lots smaller than 1 acre. The proposed zoning presently allows up to 6 stories or 60' above ABE if the site is at least 1 acre, otherwise, 30' above ABE. The Commission has suggested that if only the site at 220 6th Street (approximately .4 acres) is developed, 40' above ABE or 3 stories whichever is less should be allowed. If both sites (approximately .83 acres) are developed together then 52' above ABE or 4 stories whichever is less should be allowed.
4. Design review: The Planning Commission proposes that design review be a requirement if additional height is allowed. The Planning Commission also stated that if design review is required for the site, it should be a requirement for the entire PLA5C zone (not just the specific PAR location).

V. TRAFFIC DISCUSSION ISSUES

The Planning Commission has indicated that there are still a number of traffic issues to be discussed. Staff will prepare for that discussion to occur on 7/31/08. The following is the list of remaining transportation issues that staff is aware of. The Planning Commission

should give direction on any other outstanding issues that they would like to address at the 7/31 meeting.

1. Parking modification request for Park Place
2. Traffic mitigations
3. LOS results with mitigations (an example is the intersection mitigation at NE 85th and 114th Avenue NE).

VI. PLANNING COMMISSION MEETINGS

Planning Commission meetings to develop recommended Comprehensive Plan policies, Zoning regulations, and Design Guidelines will continue through September. The Final Planned Action EIS is tentatively scheduled to be issued in early October if a height limit of 8 stories or less is proposed for the preferred alternative. If any height above 8 stories is proposed a supplemental EIS will be required and the environmental review will not be completed until December or January. A third public hearing will be held after the EIS is issued to take comment on the preferred alternative and the related Comprehensive Plan, the Zoning regulations, Design Guidelines and Planned Action Ordinance developed by the Planning Commission. The Planning Commission's final recommendation will go to the City Council after the Planning Commission holds this hearing and completes their recommendation.

If heights remain at 8 stories or less, the timeline that will apply is included as Attachment 5. If the Planning Commission decides to look at more than 8 stories for the preferred alternative, 2 to 3 months should be added to this timeline.

ATTACHMENTS

1. PAR site map
2. Touchstone submittal
3. Comparison of Park Place proposals
4. DRB Recommendation on Park Place proposal setbacks
5. Timeline

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File ZON07-00012
File ZON07-00016
File ZON07-00019