ALTA/NRPS LAND TITLE SURVEY
A PORTION OF THE NE¼ OF THE SW¼ OF SEC. 4, TWP. 26 NORTH, RGE. 6 EAST, WM.
CITY OF KIRKLAND, KING COUNTY, WASHINGTON

ALL TREES ON THIS PROPERTY SHOWN IN RED TO BE REMOVED AS PART OF THE URBAN PROJECT.

MADISON-CRESSY DEVELOPMENT, LLC
600 UNIVERSITY STREET, STE 902
SEATTLE, WA 98101

TREE RETENTION PLAN | 57
As part of the Rose Hill Neighborhood Plan update process, we would like the City of Kirkland to consider the following code amendments to help drive a vibrant urban mixed-use project:

**Increase in Coverage of the RH3 Zone**

With the conversion of the I-405 station at NE 85th Street, we believe Kirkland will benefit from transit-oriented developments such as ours. With almost 80% residential use, including some income-restricted, our Rose Hill development will bring other density with retail assets that can support the daily needs of its residents and the surrounding neighborhood. For providing this density, our project will provide a large public plaza and registral plaza, to serve as a public gathering area. We believe these elements will be vital public amenities and serve as the heart of the future urban neighborhood.

Examples of higher density include Totem Lake, Yarrow Bay, and the Central Business District. In Totem Lake (TLB) lot coverage of 85% can be increased by providing narrower setbacks in lower portions of structures or roofs. Similarly, the ability to provide public amenities in public plazas, or other opportunities that prevent for example green space (ZMP 5.0.0.3.1.6). The Central Business District (CBD) in Kirkland offers 100% lot coverage along Central Way. Here the needed setback is supported by visual and recreation areas that will allow the business community to use the space. In Kirkland’s Central Business District, Vanasse Hanlon provides 100% lot coverage next to the Kirkland 3rd Street Station, since Central Business District and Industry Apartments Center are high-density mixed-use development which provides the public with a landscaped place connection through the public corridors.

**Increase in Allowable Height from 10’-0” to 20’-0”**

We propose that the RH3 zoning regulations be modified to increase the overall building height from 10’-0” to 20’-0” to allow for diverse commercial, retail, place parking systems, open air living, and rooftop amenities. This increase to the allowable height requirement increases the number of people that can benefit from the increased density of urban centers or focus at the road face. Real estate values enjoyed by serving parking spaces enhances the building structures supporting the exterior design composition and providing visual interest from the surrounding community. Lastly, rooftop decks and boulevards of rooftop amenity areas will be required, upon design elements such as place parking, open air living, and rooftop amenities areas will allow elements to move and be utilized in a

**Sincerely,**

Jan Galashon
Principal
DEVELOPMENT STANDARDS LIST 
FILE: ROSE HILL MIXED USE, DRV18-00493

ZONING CODE STANDARDS

95.51.2.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.

95.52 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.

105.32 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.

105.19 Public Pedestrian Walkways. The height of solid (blocking visibility) fences along pedestrian pathways that are not directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors. All new building structures shall be setback a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent a public or private street right-of-way. If in a design district, see section and Plate 34 for through block pathways standards.

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.

115.95 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 Required Setback Yards. This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.

115.115.3.g Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.

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 into the roof form.

Prior to issuance of a grading or building permit:

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a “credit” for that unit shall apply to the first building permit of the subdivision.

Prior to occupancy:

95.51.2.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.

110.60.5 Landscape Maintenance Agreement. The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way. It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.
Public Works, Building and Fire Department comments were not completed prior to drafting of the Staff Report.

Comments will be provided at the DRB Meeting.
Section 53.32 – 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. Within required front yards, canopies and similar entry features may encroach; provided, that the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure.

3. Individual retail uses in this zone are limited to a maximum gross floor area of 65,000 square feet.

4. At least 50 percent of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels. These uses shall be oriented to NE 85th Street, a major pedestrian sidewalk, a through-block pedestrian pathway or an internal pathway (see also Chapters 105 and 110 KZC, and Plate 34K).

5. The ground floor of all structures on the subject property shall be a minimum of 15 feet in height. This requirement does not apply to:
   a. The following uses: vehicle service stations, automotive service centers, private lodges or clubs, attached or stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities.
   b. Parking garages.
   c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.

6. The Public Works Official shall approve the number, location and characteristics of driveways on NE 85th Street in accordance with the driveway and sight distance policies contained in the Public Works Pre-approved Plans manual. Taking into consideration the characteristics of this corridor, the Public Works Official may:
   a. Require access from side streets; and/or
   b. Encourage properties to share driveways, circulation and parking areas; and/or
   c. Restrict access to right turn in and out; or
   d. Prohibit access altogether along NE 85th Street.

7. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.

8. Access for drive-through facilities must be approved by the Public Works Official. See KZC 105.96 for requirements.

9. A through-block pedestrian pathway shall be installed pursuant to the through-block pathway standards in KZC 105.19; see Plate 34K:
   a. Along the north portion of the zone to make an east-to-west pedestrian connection between 124th Avenue NE and 120th Avenue NE as designated in the Comprehensive Plan; and
   b. Connecting the north end of the zone to NE 85th Street.

10. For lighting requirements associated with development, see KZC 115.85(2).

[link to Section 53.34 table]
### Section 53.34 USE ZONE CHART

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

<table>
<thead>
<tr>
<th>Required Review Process</th>
<th>MINIMUMS</th>
<th>MAXIMUMS</th>
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<td>Lot Size</td>
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<tr>
<td>REQUIRED YARDS</td>
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<tr>
<td>(See Ch. 115)</td>
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<td>Front</td>
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<td>Height of Structure</td>
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<tr>
<td>Lot Coverage</td>
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<tr>
<td>Landscape Category</td>
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<td>(See Ch. 95)</td>
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<td>Sign Category</td>
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<td>(See Ch. 100)</td>
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<tr>
<td>Required Parking Spaces</td>
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<td>(See Ch. 105)</td>
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</table>

**Special Regulations**
(See also General Regulations)

1. May also include one or more of the other uses allowed in this zone. Development regulations of this section apply to all uses developed within a Conceptual Master Plan (CMP).
2. Development must be part of a Conceptual Master Plan (CMP) for the entire subject property. The proposed CMP shall be reviewed using the Design Review process provisions of KZC 142.35. Subsequent development proposals shall follow DR or ADR as set forth in the Notice of Approval for the Conceptual Master Plan. The Conceptual Master Plan shall incorporate the design guidelines contained in the Design Guidelines for the Rose Hill Business District pertaining to the RH 3 zone.
3. Location of drive-through facilities will not compromise the pedestrian orientation of the development. See KZC 105.96 for other requirements.
4. Signs for a development approved under this provision must be proposed within a Master Sign Plan application pursuant to KZC 100.80 for all signs within the project.
5. Building height shall be 45 feet measured above the midpoint of the frontage of the subject property along NE 85th Street, or if the subject property does not front on NE 85th Street, at the midpoint of the property frontage along any other public right-of-way. If the property abuts more than one public right-of-way, the applicant may select the right-of-way from which to measure.
6. At least 10 percent of the units provided in new residential developments of four units or greater shall be affordable housing units, as defined in Chapter 5 KZC. See Chapter 112 KZC for additional affordable housing requirements and incentives.
7. Maximum building height for a development including residential use is 67 feet above average building elevation. However, the equivalent of the additional gross floor area constructed above 45 feet over ABE must be dedicated to residential use. Residential use may be located anywhere in the building above the ground floor.
8. Parcels smaller than six acres may be added to a previously approved Conceptual Master Plan (CMP) if the applicable criteria set forth in the Notice of Approval from the approved CMP are met.

**.010 Development containing:**
retail establishments selling goods, or providing services including banking and other financial services, restaurants, taverns

- D.R., Chapter 142 KZC.

- More than 6 acres
- See Spec. Reg. 7

- As established with design review process.

- 80% of 45’ – 67’ above average building elevation along the north end of the zone with a maximum of 45’ measured above NE 85th Street.
- See Spec. Regs. 5 and 7.

- 80% of 45’ – 67’ above average building elevation along the north end of the zone with a maximum of 45’ measured above NE 85th Street.


- As established in the CMP.

- As established in the CMP.

- As established in the CMP.
### USE ZONE CHART

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<th>Lot Size</th>
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<th>MAXIMUMS</th>
<th>Height of Structure</th>
<th>Landscape Category (See Ch. 95)</th>
<th>Sign Category (See Ch. 100)</th>
<th>Required Parking Spaces (See Ch. 105)</th>
<th>Special Regulations (See also General Regulations)</th>
</tr>
</thead>
<tbody>
<tr>
<td>.020 Vehicle Service Station</td>
<td>D.R., Chapter 142 KZC.</td>
<td>Less than 6 acres.</td>
<td>20'</td>
<td>0'</td>
<td>0'</td>
<td>80%</td>
<td>35' above average building elevation.</td>
<td>A</td>
<td>E</td>
</tr>
<tr>
<td>.030 Automotive Service Center</td>
<td>See Spec. Reg. 1.</td>
<td></td>
<td>10'</td>
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<td></td>
<td>1 per each 250 sq. ft. of gross floor area.</td>
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<td>.040 Restaurant or Tavern</td>
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<td>1 per each 100 sq. ft. of gross floor area.</td>
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<tr>
<td>.050 Any Retail Establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services.</td>
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<td>1 per each 300 sq. ft. of gross floor area.</td>
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REGULATIONS CONTINUED ON NEXT PAGE
### USE ZONE CHART

#### Section 53.34

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<td>Height of Structure</td>
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<td>Required Review Process</td>
<td>Lot Size</td>
<td>Lot Coverage</td>
<td>Landscape Category (See Ch. 95)</td>
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<td>Side</td>
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</table>

**.050 Any Retail Establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services. (continued)**

3. For a retail establishment involving the sale, lease, repair or service of automobiles, trucks, boats, motorcycles, recreational vehicles, heavy equipment, and similar vehicles, the following shall apply:
   a. For the number of required parking stalls see KZC 105.25.
   b. Parts must be stored entirely within an enclosed structure.
   c. See KZC 95.40 through 95.45, required landscaping, for further regulations.

**.060 Hotel or Motel**

3. May include ancillary meeting and convention facilities.

2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.

**.070 Entertainment, Cultural and/or Recreational Facility**

See KZC 105.25.

**.080 Office Use**

1. The following regulations apply to veterinary offices only:
   a. May only treat small animals on the subject property.
   b. Outside runs and other outside facilities for the animals are not permitted.

2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:
   a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.
   b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

(Revised 9/13)
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<td>Side</td>
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<tr>
<td>D.R., Chapter 142 KZC.</td>
<td><strong>Lot Size</strong></td>
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<tr>
<td>less than 6 acres.</td>
<td>10’</td>
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<tr>
<td><strong>1.</strong> May include accessory living facilities for staff persons.</td>
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<tr>
<td><strong>2.</strong> No parking is required for day-care or school ancillary to the use.</td>
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<td><strong>.100 Church</strong></td>
<td><strong>Lot Size</strong></td>
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<tr>
<td><strong>.110 School, Day-Care Center, Mini-School or Mini-Day-Care Center</strong></td>
<td><strong>Lot Size</strong></td>
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<td><strong>.120 Stacked Dwelling Units, Assisted Living Facility</strong></td>
<td><strong>Lot Size</strong></td>
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(Revised 9/15)
### Section 53.34

#### USE ZONE CHART

**Zone RH 3**

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<tr>
<td>.130</td>
<td>Convalescent Center or Nursing Home</td>
<td>D.R., Chapter 142 KZC.</td>
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<td></td>
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<td>Less than 6 acres.</td>
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<td>10'</td>
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<tr>
<td>.140</td>
<td>Public Utility</td>
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<td>.150</td>
<td>Government Facility Community Facility</td>
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<tr>
<td>.160</td>
<td>Public Park</td>
<td>Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.</td>
</tr>
</tbody>
</table>

**Special Regulations**

1. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.

1. See KZC 105.25.

(Revised 9/15)