

CITY OF KIRKLAND
PLANNING AND BUILDING DEPARTMENT
123 5TH AVENUE, KIRKLAND, WA 98033
425.587.3600 - www.kirklandwa.gov

MEMORANDUM

DATE: February 15, 2017

To: Houghton Community Council

FROM: Joan Lieberman-Brill, AICP, Senior Planner
Paul Stewart, AICP, Deputy Director

SUBJECT: 2017 THRESHOLD DETERMINATION ON MCFARLANE CITIZEN
AMENDMENT REQUEST FOR AMENDING THE COMPREHENSIVE PLAN
(FILE CAM16-02775)

I. RECOMMENDATION:

Houghton Community Council (HCC) review and make a threshold determination recommendation for the McFarlane Citizen Amendment Request (CAR) to the City Council by the end of the meeting for its consideration this spring.

If the request satisfies the Threshold Determination criteria it will be eligible for Phase II, the Study Stage; based upon criteria in Attachment 1.

If the HCC recommends the request to proceed to Phase II and the City Council determines that it should move forward is there additional information to include at the future study sessions and public hearing?

Staff recommends that the CAR does not proceed to the Study Stage.

II. BACKGROUND:

A. **CAR's Proposed for 2017**

There are six CAR's being proposed this year. Only the McFarlane CAR is within **Houghton's jurisdiction.** Follow this [link](#) to the Planning Commission February 9, 2017 study session staff memorandum **for background information on all CAR's.** The Planning **Commission concurred with staff's** recommendation to not proceed to Phase II for the McFarlane CAR.

B. Citizen Amendment Request versus Neighborhood Plan

Individual property owners have two ways to request amendments to the Comprehensive Plan and associated Zoning Code and Zoning Map amendments.

1. Every other year, there is an opportunity for individual citizen amendment requests to be submitted, subject to a threshold review determination. If approved for further study, the CAR is typically considered as part of the annual Comprehensive Plan update process that is considered for approval by ordinance in December.
2. Requests have also been considered as part of the applicable neighborhood plan update. The tentative schedule for the next round of neighborhood plan updates will be discussed during the joint City Council/Planning Commission March 21, 2017 meeting on the 2017 Planning Department work program. Discussion on approaches to neighborhood plans will also be on the agenda at that meeting.

Any individual, neighborhood organization or other group may submit requests. The request may include related amendments to the Zoning Code or Zoning Map that are necessary to implement the Plan amendment.

In the past, only a few private requests have been selected for further study each year because the study process is time-intensive and, in some cases, warrants more public involvement than is typical of a City initiated amendment. Citizen amendment requests usually involve changes to land use and zoning map or zoning regulations, making them more complex and sometimes controversial.

For all six proposed **CAR's**, including the one in the HCC jurisdiction, the City has provided early public notice at the threshold determination phase. While the public notice requirement for the CAR process is limited to Phase II notice in the newspaper and public notice sign installation on the property prior to the public hearing, the City has provided courtesy notices during Phase I to the neighborhood associations, CAN and the Chamber of Commerce, along with general CAR process **information on the City's website, and handouts at City Hall**. Also, the City mailed notice to property owners and residents within 300 feet of the each CAR property. For those **CAR's advancing to Phase II**, continued public notice and will be given.

Neighborhood Plan updates provide additional extensive public notice. The neighborhood plan update process may include public workshops, open houses, numerous study sessions, and mailings to affected properties. The neighborhood level of community involvement makes the neighborhood plan update process an effective forum for the review of more complex and controversial land use changes. However, the disadvantage for those wishing to make changes to their properties through the neighborhood plan process is that the schedule for updates has meant long delays for most neighborhoods and the update process has historically taken 1½ to 2 years to complete.

C. Citizen Amendment Request Process

Chapter 140 KZC establishes a two-stage process for the review of CAR requests. **Phase I consists of a "Threshold Determination" process that** determines eligibility of each request for further consideration. Phase I does not require a full weighing of the merits of the request, or a decision or recommendation on whether the request should be ultimately approved. Instead, the purpose of this stage is solely to determine whether a request is eligible to continue to Phase II. Requests that do not meet the Threshold Determination criteria do not proceed to Phase II.

The criteria found in Chapter 140 provide guidance for selecting those requests that should be considered now and not deferred to the associated neighborhood plan process. The criteria are listed and discussed with each request below in Section IV and are provided in Attachment 1.

Phase II entails a full analysis and public review of each request that was determined through Phase I as eligible for consideration. Phase II consists of a **"Study" process that includes public** notice, preparation of staff analysis and optional draft amendments to the Plan, Zoning Code, and/or Zoning Map, review of additional criteria, a public hearing before the Planning Commission and Houghton Community Council, for those requests within its jurisdiction, leading to a recommendation to the City Council, and final action by the City Council. The City Council approves or denies each request as part of the annual City-initiated amendments to the Plan. Depending on available staff resources and the current work program, some requests may be deferred for study to a subsequent year.

When a request is made to change land use, increase density or change a current policy on one property and the circumstances are similar for other neighboring properties, it may be appropriate for the City to expand the study area because broader changes should be considered. In some circumstances, an expanded study area is more time consuming and has more complex issues, and thus is often better handled as part of a neighborhood plan update.

In the past years, the Planning Commission and HCC have conducted their Threshold Determination meeting by generally following these steps:

1. Individuals with citizen amendment requests who wish to speak sign up on the sign-in sheet at the beginning of the meeting.
2. Staff makes a brief presentation.
3. The chair calls on each applicant with a citizen request in the order noted on the sign-up sheet.
4. Members of the public are then allowed to comment on the request.
5. The hearing body may ask questions of each applicant, reviews the request by going through the criteria sheet provided (see Attachment 1) and has a discussion on each request.

6. The hearing body closes the public meeting and prepares a recommendation to the City Council.

III. 2017 COMPREHENSIVE PLAN AMENDMENTS PROCESS & OTHER WORK PROGRAM ITEMS:

Under State law, the Comprehensive Plan may be amended only once a year, except amendments to the Capital Facilities Plan may be amended with approval of a budget. The City adopts the City wide amendments, the citizen amendment requests, and any neighborhood plan updates at the same City Council meeting, generally in December.

Which requests to study is a decision the City needs to make based on the competing interests for the current year work program and looking ahead to the 2018 work program. Review of the requests through the Study Phase II will add to the already existing competition for funding, staff resources, and Commission and Council consideration. If a study area is expanded, the staff time on the study becomes much greater. The more complex the issues raised by the request are, the more impact it will have on City resources.

The 2017-2019 draft work program includes several projects already underway. The Planning Commission reviewed the draft work program at its [January 26th meeting](#). The City has already committed to completing several tasks by the end of 2017. Therefore, a key consideration on going forward with CAR review is whether the City has the resources, including staff and budget, necessary to review the proposal.

Given the work program items above, and the time that it takes to study the private amendment requests, there are limited resources to study the requests. Some of requests may be more appropriate to be considered as part of a neighborhood plan update. Therefore, unless there is a substantial public benefit, staff is **recommending that the number of CAR's to be studied be kept to a minimum.**

The staff recommendation for the request is noted below.

IV. 2017 PRIVATE AMENDMENT REQUESTS:

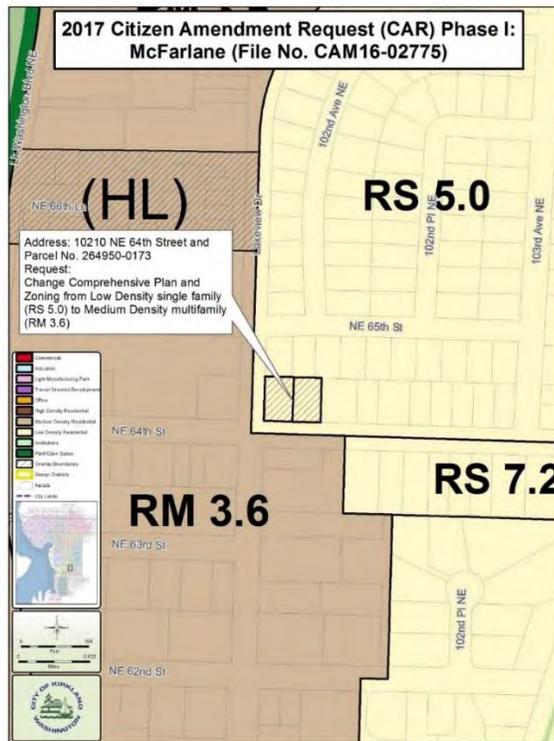
Below is a brief description and staff's analysis of the request, taking into consideration the Threshold Determination criteria. Keep in mind that the Houghton Community Council is not being asked to recommend approval or denial of the request, but only whether the request merits further study, based on the criteria. In any case, in order to be selected for further consideration, the proposal must **satisfy criteria "a" and either criteria "b" or "c" (see Attachment 1-Threshold Criteria sheet).**

NOTE: At the time of writing of this memorandum, the 2035 Comprehensive Plan, **adopted in December 2015, is not available on the City's website. In the interim,** follow links to the adopted [General Elements](#) (Ordinance 4493) and [Neighborhood](#)

[Plans](#) (Ordinance 4494). These versions still contain underlines (new text) and strikeouts (deleted text), which will be eliminated prior to finalizing and posting to the City's website.

McFarlane CAR: (File CAM16-02775) Attachments 7 and 7a.

1. Applicant: Robert W. Thorpe, AICP, R.W. Thorpe and Associates, INC.
2. Owner: Deborah McFarlane
3. Neighborhood: Lakeview
4. Request: Rezone two parcels under the same ownership from low density single family RS 5.0 zoning (5,000 square feet per unit, or 9 units per acre) to medium density multifamily RM 3.6 zoning (3,600 square feet of lot area per unit, or 12 units per acre). The application states that the reason for the proposal is to have the same zoning designation as those on the other three corners of the intersection at NE 6th Street and Lakeview Drive. Correspondence from the owner explains that her goal, should the rezone be approved, is to subdivide the corner lot for the purpose of building two attached units, and to retain the existing single family home on the easterly lot.



5. Existing Conditions and Zoning: Both parcels abut the Lakeview Terrace development, built in 1942 as housing for shipyard workers during World War II. The subject property slopes down from east to west about 14 feet.

The Southeast corner of Lakeview Drive and NE 64th Street is developed with a 1921 single family home, the Southwest corner is developed with a newly constructed duplex, and the Northwest corner is developed with a 6 unit apartment building, built in 1961.

a) Tax Parcel 2649500173

Land Use/Zoning: Low Density Residential Single Family RS 5.0 zoning (5,000 sq. ft. lots, or 9 du/acre).

Current Development: corner lot developed with a garage structure and Recreational vehicle parking/storage.

Terrain: Lot slopes down about 6 feet from the east to the west property line.

Surrounding development and zoning:

West - Lakeview Drive and six unit apartment across the street, Medium Density Residential multifamily RM 3.6 zoning (3,600 sq. ft. lots, or 12 du/acre).

East - Single family home in common ownership, Low Density Residential single family RS 5.0 zoning (5,000 sq. ft. lots, or 9 du/acre).

North - Single family homes in the Lakeview Terrace neighborhood, Low Density Residential

single family RS 5.0 zoning.

South - Single family home, multifamily RM 3.6 zoning.

b) 10210 NE 64th Street:

Street:
Land Use/Zoning:

same as other parcel under same ownership

Current Development:

1988 single family home.

Terrain: Lot slopes down about 8 feet from the east to the west property line.

Surrounding development and zoning:

West - garage structure and parking in common ownership, Low Density Residential single family RS 5.0 zoning (5,000 sq. ft. lots and 9 du/acre).

East - Single family homes, Low Density Residential single family RS 5.0 zoning.



North- Single family homes in Lakeview Terrace, Low Density Residential single family RS 5.0 zoning.
South - Single Family home, Multifamily RM 3.6 zoning (3,600 sq. ft. lots and 12 du/acre).

The following Google street view photos show conditions as of 2015:



Looking north to the subject property from NE 64th Street. Two lots, common ownership - garage and parking on corner CAR lot; single family home on eastern CAR lot.



Looking west along NE 64th Street toward Lake Washington. CAR to the right of the photo (north) and single family home across the street.



6. Comprehensive Plan: The [Lakeview Neighborhood Plan](#) policy regarding residential land use is to retain the residential character while accommodating compatible infill development.
7. Zoning Regulations: [RM 3.6 medium density multifamily zoning](#) (KZC 15.20) allows the following uses: Assisted Living Facility; Church, Community Facility; Convalescent Center; Single Family; Multifamily; Government Facility; School/Daycare; Nursing Home; Public Utility and Public Park.

The two parcels together equal 14,082 square feet which, if rezoned to RM 3.6, would allow up to 4 dwelling units to be developed on the subject property ($14,082 / 3,600 \text{ sq. ft.} = 3.91 \text{ units} = 4 \text{ units rounded up}$). Both lots

can accommodate two units each; either through a subdivision or condominium development. These may be rental or owner occupied units.

Existing [RS 5.0 low density single family zoning](#) (KZC 20.10) allows only two units since single family zones do not allow rounding up of fractions (14,082/5000 sq. ft. = 2.82 = 2 units rounded down). One detached dwelling unit may be developed on each lot.

Accessory Dwelling Unit (ADU) are a housing option that single family zones may utilize to add additional units. In this case, if an owner resides in a unit on either of the two parcels, an ADU may be developed on each lot in addition to the primary unit. However, if neither the primary unit nor the ADU is occupied by an owner of the parcel, no ADU is allowed on that lot.

8. Issues:

a) Recent neighborhood plan update: Because the Lakeview Neighborhood Plan was last updated in 2011, the land use policies and land use boundaries should be respected. The applicant may wish to explore adding ADU(s) on the subject property.

b) Irregular zoning boundary: If the rezone were approved it would carve out a corner notch of medium density zoning in an otherwise cohesive single family district that includes all of Lakeview Terrace. Single family zoning and development would abut it on its north and east boundaries.

9. Relation to Criteria: The following summarizes staff analysis of this request with the applicable criteria. In order to be selected for further consideration, **the proposal must satisfy criteria "a" and either criteria "b" or "c". The applicant's response to the criteria is** contained in Attachment 7.

a. The City has the resources, including staff and budget, necessary to review the proposal.

This is a decision the City needs to make, based on the competing interest for the current year work program and looking ahead to the 2017-2018 work program.

b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.

Under the current low density RS 5.0 zoning, there appears to be no inconsistency with the General Elements of the Comprehensive Plan, the Lakeview Neighborhood Plan or Zoning Map that this proposal would correct or clarify.

c. All of the following:

- 1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

The following Lakeview Neighborhood policy to ensure compatibility, would be implemented through appropriate development regulations:

Goal L-3: Retain the residential character of the neighborhood while accommodating compatible infill development.

The following [Housing Element](#) goal and policies are relevant to this CAR. The Housing Element recognizes the need to provide a variety of housing options. In the RS 5.0 zone, accessory dwelling units are available as an option to achieve different housing forms and approaches, while maintaining neighborhood compatibility.

Goal H-2: Ensure that Kirkland has a sufficient quantity and variety of housing to meet projected growth and needs of the community.

Policy H-2.1: Maintain an adequate supply of land zoned appropriately for a variety of housing types and densities.

Policy H-2.2: Promote the development of accessory dwelling units on single-family lots.

The [Land Use Element](#) establishes that current zoning has the capacity to meet the City's housing unit targets through 2035, without rezoning land in Kirkland. The current boundary between multifamily medium density and single family low density is on this corner of Lakeview Drive and NE 64th Street. Consistent with these policies, the existing boundary forms a logical land use district, without necessitating buffers between different intensity land uses that share common property lines (i.e. buffers are required between low and medium density residential zones). Policies do generally support higher densities along transit corridors such as Lakeview Drive.

Policy LU-1.2: Create logical boundaries between land use districts that take into account such considerations as existing and planned land uses, access, property lines, topographic conditions, and natural features.

Policy LU-1.3: Encourage attractive site and building design that is compatible in scale and in character with existing or planned development.

Policy LU-1.4: Create effective transitions between different land uses.

Policy LU-2.3: Ensure an adequate supply of housing units and commercial floor space to meet the required growth targets.

Policy LU-3.4: Locate higher density land uses in areas served by frequent transit service.

Goal LU-4: Protect and enhance the character and, quality, and function of existing residential neighborhoods while accommodating the City's growth targets.

Policy LU-4.1: Maintain and enhance the character of Kirkland's residential areas.

Policy LU-4.4: Consider neighborhood character and integrity when determining the extent and type of land use changes.

- 2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

There is no particularly compelling public interest to consider the request this year. The 2035 Comprehensive Plan established that the City can achieve housing targets without any rezone of property within the city. This may be accomplished with infill in existing zones. Because of the fairly recent update of the neighborhood plan there is not a strong argument for proceeding with studying this CAR.

- a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and

The Lakeview Neighborhood Plan was last updated in 2011.

- b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years); and

Other than the Houghton Business District review now underway, there is no plan to review the Lakeview Neighborhood Plan within the foreseeable future.

10. Threshold Decision Options:

- Proceed to Study Stage (Phase II) in 2017
- Defer to the Lakeview Neighborhood Plan
- Do not proceed to Study Stage (Phase II)

11. Staff Recommendation: Do not proceed to Study Stage (Phase II).

12. Public Comment(s): One comment was received from the owner of the CAR property (see Attachment 2a).

Attachments:

1. Threshold determination criteria for Phase I
2. McFarlane CAR application
- 2a. McFarlane letter

140.20 Threshold Determination for Citizen-Initiated Proposals

1. General – The Planning and Building Department can establish a deadline for submitting citizen-initiated proposals. Applicants will be required to submit an application, a review fee and any other pertinent information determined necessary to consider the request. The citizen-initiated proposals shall only be **considered in conjunction with the City’s regular review of the Comprehensive Plan** described in KZC [140.45](#).

2. Process – Citizen-initiated proposals require a 2-step review process using Process IV described in Chapter [160](#) KZC:

a. A threshold review to determine those proposals that are eligible for further consideration;
and

b. A final decision.

3. Criteria – The City shall use the following criteria in selecting proposals for further consideration. Proposals must meet subsection (3) (a) of this section, and either subsection (3)(b) or (3)(c) of this section:

a. The City has the resources, including staff and budget, necessary to review the proposal; and

b. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan; or

c. All of the following:

1) The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and

2) The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process; and

a) The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two (2) years); and

b) The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two (2) years).



Citizen Initiated Request

(also known as Private Amendment Request)
Planning Department

MEMORANDUM

TO: Interested Parties
DATE: April 2015
FROM: Planning Department
SUBJECT: CITIZEN INITIATED REQUESTS TO THE COMPREHENSIVE PLAN, ZONING CODE AND ZONING MAP

In General, the City considers citizen initiated proposals once every other year during odd years (2013, 2015 etc.) as part of the City's Annual review of the Comprehensive Plan. All citizen initiated amendment requests must be submitted by December 1, prior to the year of their consideration. The schedule is noted below.

The purpose of this memo is to describe the process to be used for citizen initiated amendment requests.

I. WHO MAY PROPOSE AN AMENDMENT?

Any individual, property owner, neighborhood organization or other group may propose to amend the Comprehensive Plan, The Zoning Code or the Zoning Map. For site specific requests, if the property owner is not making the request, then the property owner must be notified of the amendment (see attached Affidavit of Service). Before applying, we recommend that you contact the Planning Department to get a better understanding of the process and obtain any background information that might be relevant to the request. **Please contact either Joan Lieberman-Brill at 425-587-3254 or Teresa Swan at 425-587-3258 in the Kirkland Planning Department for more information.**

II. WHAT IS AN APPROPRIATE PROPOSAL?

The Comprehensive Plan is a document describing the long-range plan for the City. It consists of a land use map, and general elements such as Land Use, Housing, Transportation and Capital Facilities. It also includes 14 neighborhood plans. The Finn Hill Neighborhood Plan is in the process of being prepared - however there is an overall land use map and general elements that apply. Requests may be submitted to amend any aspect of the Plan -- the land use map, the general elements or a neighborhood plan.

A citizen initiated proposal may also amend the Zoning Map or the Zoning Code, if necessary to implement the Comprehensive Plan Change. If a rezone is requested, in order to qualify as a PAR the proposed residential density must be outside the density range shown on the applicable neighborhood plan land use map.

Citizen initiated amendment requests that involve a significant change in use or in density for a specific property or a major policy change in a neighborhood may be deferred to the applicable neighborhood plan.

III. HOW TO APPLY AND WHAT IS THE DEADLINE FOR SUBMITTING A REQUEST?

Complete the attached application and submit to the Department of Planning and Community Development at Kirkland City Hall, 123 5th Avenue, Kirkland, WA 98033 along with the required review fee for Phase 1. If you have any questions on completing the application, contact the Planning Department at 425-587-3225 and in particular Joan Lieberman-Brill at 425-587-3254 or Teresa Swan at 425-587-3258.

Citizen Initiated Request - Continued

Applications must be submitted no later than December 1, 2016. If that deadline is missed, then an interested party would need to wait t the fall of 2017 to ask the Planning Department if and when the City will consider requests again.

IV. WHAT IS THE REVIEW PROCESS FOR AMENDMENT REQUESTS?

Phase 1 or 2	Review Process	Timeline
1	Cut-off date for applications for citizen initiated amendment requests to be received by the city.	December 1, 2016
1	Houghton Community Council holds a study session to review the requests within their jurisdiction and prepares a threshold recommendation to the Planning Commission	February - March 2017
1	Planning Commission holds a study session and makes a threshold recommendation to the City Council.	February - April 2017
1	City Council reviews the recommendation at a public meeting and makes a threshold decision to determine which amendment requests should be further reviewed by the City. Also determined is which requests will go to Phase 2 in the current year of review or a subsequent year, depending on the number of requests, available resources and the Planning Department's work program.	April - May 2017
2	Houghton Community Council (if applicable) and Planning Commission study the selected requests, For site specific proposals, the study area may be expanded to include other adjacent properties, if appropriate.	June - July - August 2017 or 2018
2	Houghton Community Council (if applicable) and Planning Commission hold public hearings and formulate recommendations whether or not the Plan Zoning Code and/or Zoning Map should be amended.	July and October 2017 or 2018
2	City Council reviews amendment requests along with the recommendations from the Planning Commission and Houghton Community Council (if applicable) and then approves, denies or modifies the request. City Council may hold a study session on the request before final action is taken.	December 2017 or 2018
2	Houghton Community Council, if request within their Jurisdiction, approves or disapproves the ordinance adopted by the City Council	December or January 2018 or 2019
2	Requests that involve the Shoreline Area Chapter of the Comprehensive Plan and/or the shoreline regulation in Chapters 83 and 141 of the Zoning Code require a hearing and approval by the State Department of Ecology along with coordination with that department.	

All dates are approximate and subject to change.

In Phase 2, some requests may be carried over to the following year for study and a final decision.

Phase 1 Fee	Phase 2 Fee
Decision whether to further study request	Study and decision on the request
The fee is due with the application submittal. Check with the Planning Department for the current fee schedule.	The fee is due before the first study session in Phase. Check with the Planning Department for the current fee schedule.

If the request is from a recognized City Neighborhood Association for an amendment to the general city-wide elements or to a neighborhood plan, the fees are waived. Fees are not waived for amendments that affect specific properties, including Comprehensive Plan, Zoning Code and / or Zoning Map changes.

VI. WHEN CAN THE APPLICANT AND THE PUBLIC PROVIDE INPUT IN THE PROCESS?

During both Phase 1 and Phase 2, the applicant and the public may provide oral comments at the study sessions and public hearings before the Planning Commission and Houghton Community Council. Written comments may be submitted for all study sessions and the public hearings.

When the City Council considers the requests in either Phase 1 or Phase 2, the applicant and public may provide oral comments on request at the beginning of their meeting under "Comments from the Audience" section of the agenda. Written comments may be submitted in advance of the meeting preferably at least 15 calendar days before the meeting so that the written comments can be included in the City Council meeting packet. No oral comments are taken at the City Council study session or when the City Council is deliberating its final decision on the amendments.

In addition to the public meetings, interested parties may contact the Planning Department at 425-587-3225 to request information about the citizen initiated amendments or they may come to City Hall to review the official files.

VII. WHAT CRITERIA ARE USED FOR THE THRESHOLD DETERMINATION IN PHASE 1?

The City shall use the following threshold review criteria, found in Section 140.20 of the Zoning Code, in selecting proposals for further consideration. Proposals must meet 1 and either 2 or 3:

1. The City has the resources, including staff and budget, necessary to review the proposal.
2. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan.
3. **All of the following:**
 - a. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan; and
 - b. The public interest would best be served by considering the proposal in the current year rather than delaying consideration to a later neighborhood plan review or plan amendment process; and
 1. The proposal is located in a neighborhood for which a neighborhood plan has not been recently adopted (generally not within two years); and
 2. The proposal is located in a neighborhood for which a neighborhood plan will not be reviewed in the near future (generally not in the next two years). *See past and future neighborhood plan schedule attached.*

VIII. WHAT ARE THE CRITERIA USED TO APPROVE A REQUEST IN PHASE 2?**A. For a Comprehensive Plan Amendment, the City shall use the following criteria, found in Section 140.30 of the Zoning Code, in approving a request. Proposals must meet all for the following criteria:**

1. The amendment must be consistent with the Growth Management Act.
2. The amendment must be consistent with the countywide planning policies.
3. The amendment must not be in conflict with the other goals, policies and provision of the Kirkland Comprehensive Plan.
4. The amendment will result in long-term benefits to the community as a whole and is in the best interest of the community.
5. When applicable, the proposed amendment must be consistent with the Shoreline Management Act and the City's adopted Shoreline Master Program. (For properties or areas within 200 feet of Lake Washington or within wetlands associated with the lake, see Chapters 83 and 141 of the Zoning Code and the Shoreline Area Chapter of the Comprehensive Plan.)

B. For a Zoning Code Amendment, the City shall use the following criteria, found in Section 135.25 of the Zoning Code, in approving a request. Proposals must meet all of the following criteria:

1. The amendment is consistent with the applicable provisions of the Comprehensive Plan; and
2. The amendment bears a substantial relation to public health, safety or welfare; and
3. The amendment is in the best interest of the residents of Kirkland.
4. When applicable, the proposed amendment is consistent with the Shoreline Management Act and the City's adopted Shoreline Master Program. (For properties or areas within 200 feet of Lake Washington or within wetlands associated with the lake, see Chapters 83 and 141 of the Zoning Code and the Shoreline Area Chapter of the Comprehensive Plan.)

C. For a Zoning Map Amendment, the City shall use the following criteria, found in Section 130.20 of the Zoning Code, in approving a request. Proposals must meet all of the following criteria:

1. Conditions have substantially changed since the property was given its present zoning or the proposal implements the policies of the Comprehensive Plan; and
2. The proposed rezone bears a substantial relationship to the public health, safety or welfare; and
3. The proposed rezone is in the best interest of the community of Kirkland.

**APPLICATION FOR AMENDMENTS TO THE COMPREHENSIVE PLAN,
ZONING CODE AND ZONING MAP**

I. CONTACT INFORMATION:

A. Applicant Name:	Deborah McFarlane, C/o Robert W. Thorpe, AICP - R. W. Thorpe & Associates, Inc.
B. Mailing Address:	2737 78th Ave SE Ste 100, Mercer Island, WA 98040
C. Telephone Number:	206-624-6239
D. Email Address:	rwta@rwta.com
E. Property Owner Name if different than applicant:	Deborah McFarlane
F. Mailing Address:	10210 NE 64th St, Kirkland, WA 98033
G. Telephone Number:	206-617-6160
H. Email Address:	winedivadeb@yahoo.com

Note: If the applicant is the property owner or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand-deliver a copy of this completed application to all affected property owners. Complete the attached Affidavit of Service that this has been done.

Copies of staff reports and meeting agendas will be sent by email unless you request to the project planner that you want copies mailed to you.

II. FOR SITE SPECIFIC PROPOSAL:

A. Address of proposal (if vacant provide nearest street names):	10150 NE 64th St, Kirkland, WA 98033
B. King County Tax Parcel number(s):	264950-0173 & 264950-0175
C. Describe improvements on property if any:	One single-family home, owner occupied on Parcel 264950-0175, garage on Parcel 264950-0173
D. Attach a map of site that includes adjacent street names:	See attached Appendix A
E. Current Zoning on subject property:	RS 5.0
F. Current land use designation & permitted density shown on appropriate neighborhood plan land use map:	LDR 9

Citizen Initiated Request - Continued

III. FOR ALL PROPOSALS

A. Description of Proposal:

See Attached Request Addendum

B. Description of the specific reasons for making the proposal:

See Attached Request Addendum

C. Description of how the proposed amendment relates to the following criteria:

See Attached Request Addendum

1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

See Attached Request Addendum

Citizen Initiated Request - Continued

2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.

See Attached Request Addendum

3. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan

See Attached Request Addendum

IV. PROPERTY OWNER'S SIGNATURE OR SERVICE OF AFFIDAVIT:

- A. If the applicant is the property owner, or is a legal representative of the property owner, then the property owner must sign below.

ORIGINAL SIGNATURES ONLY - NO COPIES

Name - Signature:

Deborah McFarlane

Name - Print:

Deborah McFarlane

Property Owner or Legal Representative:

Robert W. Thorpe, AICP - R. W. Thorpe & Associates, Inc. (Agent of Record)

Date:

October 27, 2016

Address:

2737 78th Ave SE Ste 100, Mercer Island, WA 98040

Telephone:

206-624-6239

- B. If the applicant is neither the property owner nor a legal representative of the property owner, then the affected property owner must be notified as follows: Send or hand-deliver a copy of this completed application to all affected property owners (Exhibit A or Exhibit B); and Complete the attached Affidavit of Service that confirms that a copy of the completed application form has been provided to all property owners. Submit the Affidavit of Service along with Exhibit A and/or Exhibit B with the application form and fee.

Attachments to include:

1. Affidavit of Service (available at the Planning Counter)
2. Exhibit A (see requirements above)
3. Exhibit B (see requirements above)

Citizen Initiated Request - Continued

Alternate Formats: People with disabilities may request materials in alternate formats.

Title VI: Kirkland's policy is to fully comply with Title VI of the Civil Rights Act by prohibiting discrimination against any person on the basis of race, color, national origin or sex in the provision of benefits and services resulting from its programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with the City.

To request an alternate format, file a complaint or for questions about Kirkland's Title VI Program, contact the Title VI Coordinator at 425.587.3011 (TTY Relay: 711) or titlevicoordinator@kirklandwa.gov.

Citizen Initiated Request Addendum

III. FOR ALL PROPOSALS

A. *Description of Proposal:*

Proposal is for the following:

- Comprehensive Plan Amendment to change the land use designation of parcels 264950-0173 and 264950-0175 from LDR 9 to MDR 12
- Zoning Map Amendment to change the zoning of parcels 264950-0173 and 264950-0175 from RS 5.0 to RM 3.6 zoning

B. *Description of the specific reasons for making the proposal:*

This parcel is adjacent (to the east and south) to medium density zoning areas, including the two parcels directly across the street to the south. As a corner property facing medium density-zoned parcels, it is requested the zoning be changed to match. Rezoning this property would also continue the multiple family designation to the south that acts as a development buffer between the arterial and the single-family zone to the east. It is logical to have the same zoning designation all four corners of this intersection.

Please see the Comprehensive Plan Analysis - Goals and Policies Compatibility Matrix in section C1.

C. *Description of how the proposed amendment relates to the following criteria:*

1. **The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.**

The following goals apply to this request and are further discussed in the Compatibility Matrix on the next page in detail:

- | | |
|--------------|--------------|
| • CC-4.1 | • LU-3.4 |
| • H-2.1 | • LU-3.8-3.9 |
| • LU-1.2-1.4 | • LU-4.4 |
| • LU-2.3 | • L3.1 |

“++” Highly Compatible	“+” Somewhat Compatible	“S” Subjective	“-” Somewhat Incompatible	“- -” Highly Incompatible	“NA” Not Applicable
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COMPATIBILITY MATRIX*		
Analysis of Kirkland Comprehensive Plan & Lakeview Neighborhood Plan For COMPREHENSIVE PLAN AMENDMENT		
<i>Kirkland Comprehensive Plan</i>	<i>Analysis of Proposed Zoning</i>	
CC-4.1 “Enhance City identity by use of urban design principles that recognize the unique characteristics of different types of development, including single-family, multifamily, mixed-use, and various types and sizes of commercial development.”	The higher density zoning change will accomplish the desired community urban design principles by increasing waterfront access to more residents.	S
H-2.1 “Maintain an adequate supply of land zoned appropriately for a variety of housing types and densities.”	Rezoning the subject property will allow infill development of an underutilized property to increase the type of housing and affordability for Kirkland Residents.	+
LU-1.2 “Create logical boundaries between land use districts that take into account such considerations as existing and planned land uses, access, property lines, topographic conditions, and natural features.”	As the street frontage on the other three corners of the intersection is multi-family, changing the zoning would create a logical boundary, helping to have similar-zoned parcels facing each other.	++
LU-1.3 “Encourage attractive site and building design that is compatible in scale and in character with existing or planned development.”	The change to higher density would be more compatible with the scale and character of the surrounding parcels that are all zoned multi-family.	+
LU-1.4 “Create effective transitions between different land uses.”	Having the same density as surrounding parcels would provide a more smooth transition at this intersection as the current situation makes the parcels appear out-of-sync with the surrounding parcels. This change would create a better transition into the single-family residential neighborhood.	++
LU-2.3 “Ensure an adequate supply of housing units and commercial floorspace to meet the required growth targets.”	Increasing the supply of housing units by this zoning change is compatible with the growth targets for the housing unit supply in Kirkland, thereby being an efficient use of land.	+

*Reviewed by two certified planners (AICP) knowledgeable of Kirkland’s Land Use Regulations and Comprehensive Plan

"++" Highly Compatible	"+" Somewhat Compatible	"S" Subjective	"-" Somewhat incompatible	"--" Highly Incompatible	"NA" Not Applicable
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LU-3.4 "Locate higher density land uses in areas served by frequent transit service."	By providing higher-density zoning and more housing on these parcels, it would provide more access to the three bus lines serving Lakeview Dr NE, directly adjacent to the subject parcels.	++
LU-3.8 "Create a complementary relationship between adjoining land uses and the Cross Kirkland Corridor and Eastside Rail Corridor, both in terms of short term nonmotorized access and future opportunities for high capacity transit."	Increased density on these parcels would be a beneficial relationship to the adjacent transit line and the Cross Kirkland Corridor secondary trailhead at the end of NE 64 th Street.	++
LU-3.9 "Encourage vehicular and nonmotorized connectivity."	A bus stop serving three bus lines is located on Lakeview Dr NE right next to the subject parcels and a secondary trailhead for the Cross Kirkland Corridor is at the end of NE 64 th Street. By increasing the density of these parcels, more people would have direct access and be encouraged to use these alternate methods of transit.	++
LU-4.4 "Consider neighborhood character and integrity when determining the extent and type of land use changes."	As the subject parcels face multi-family zoning on the other three sides of the intersection, they seem to be more a part of that higher density neighborhood. This change in zoning would help to match the surrounding neighborhood character and land use.	+ to S
Lakeview Neighborhood Plan	Analysis of Proposed Zoning	
L-3.1 "Maintain Lakeview Terrace as a single-family residential area up to nine dwelling units per acre."	Being that the subject parcels are within the Lakeview Terrace area with a goal to maintain single-family land use, the change in zoning would not be compatible with this goal.	--

MATRIX SUMMARY

- 8.5 key goals are either somewhat or highly compatible
- 1.5 key goals are subjective
- 1.0 key goal is incompatible

2. **The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.**

As people continue to move into the Puget Sound, Kirkland continues to become a desired living area due to its close proximity to Seattle, Bellevue and Redmond employment hubs. Increasing the zoning to allow for more capacity would help Kirkland accommodate the growing housing needs and wide range of rental/market-rate housing options.

3. **The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan**

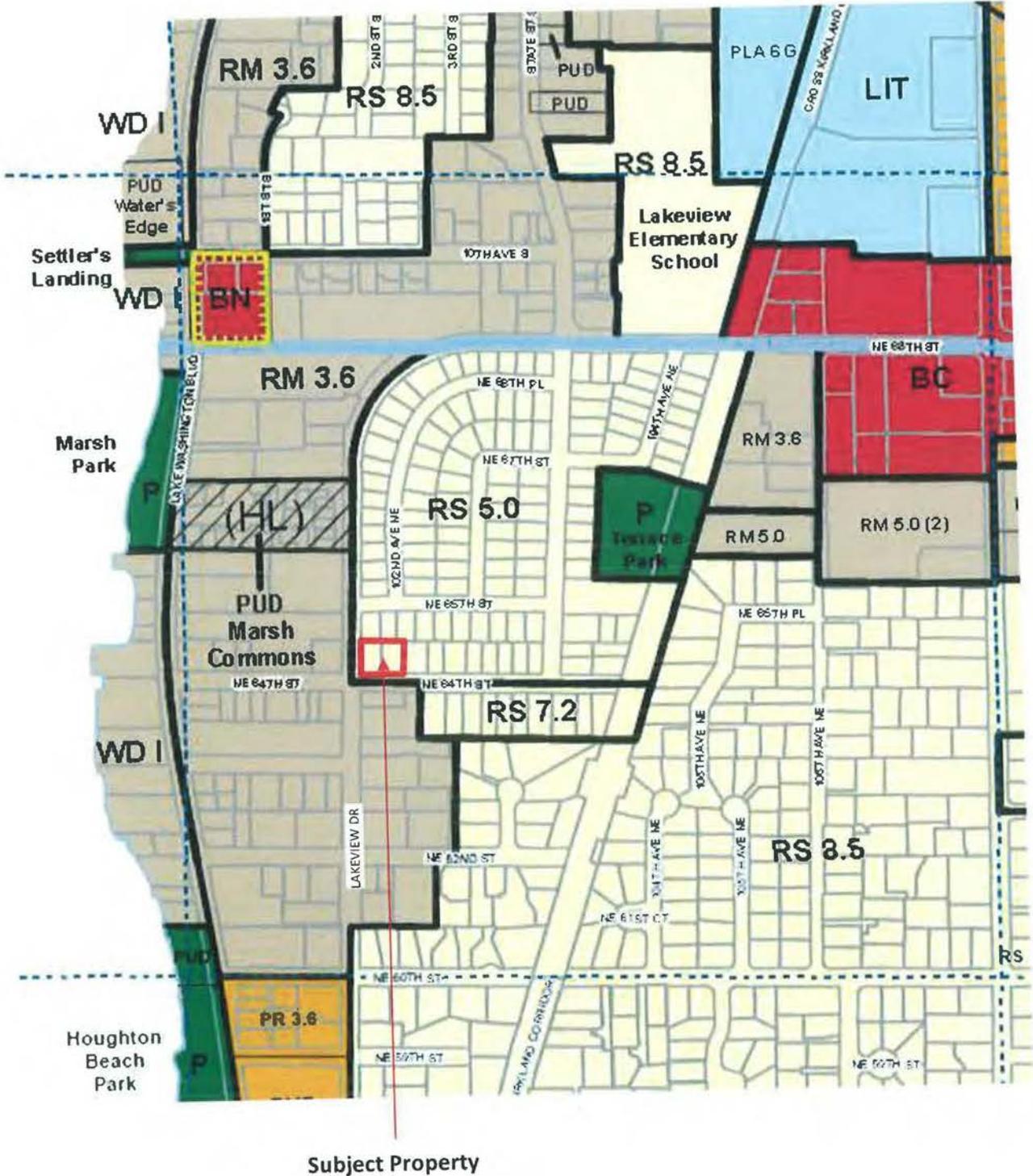
As the subject parcels appear to be more connected to the neighborhood to the south and west, expanding the boundary of the RM3.6 zoning and MDR 12 land use designation to incorporate these two parcels would be more in keeping with the neighborhood character. This would create a more smooth transition to the adjoining single-family zoned neighborhood.

KEY POINTS

1. Proposal is very consistent with Goals and Policies of Comprehensive Plan (See C1)
2. Demand for proposed use (additional housing serving middle income users)
3. No adverse environmental impacts
4. May be expanded to include adjacent parcel (based on Kirkland Staff's Analysis)
5. Would be consistent with zoning on other three corners of that intersection
6. New townhomes would have access off of NE 84th Street and not off main arterial road

APPENDIX A

Site & Zoning Map



APPENDIX B

Photo Exhibit



View northwest on NE 64th St to two subject parcels shows the incline and mostly vacant lot at the intersection.



View southeast at intersection of Lakeview Dr and NE 64th St to parcels to south. Aside from the small single-family home within the multi-family zoning, the large condo to the south is in stark contrast to the subject property's zoning.

APPENDIX B



View southwest on NE 64th St to the back side of the properties to the south. Aside from the small house on the corner, the five level condominium to the south is most indicative of the neighborhood the subject parcels belong to.



View northwest on NE 64th St to the multi-family property directly to the west across Lakeview Dr that begins the multi-family zoned block.

APPENDIX B



View southwest on NE 64th St to the corner property with new condominiums and additional multi-family housing to the west. Changing the zoning of the subject parcels to match that of the surrounding properties on each corner of the intersection would make a more cohesive flow to the neighborhood design.



View northwest on NE 64th St to the large apartment complex further down the block.

APPENDIX B



View northeast on NE 64th St to the single-family homes adjacent to the subject property. Due to the incline of this hill, a change to multi-family housing and subsequent structures built on the subject property would not affect the prized sightlines for the upper homes.



View north on Lakeview Dr to the block directly south of the subject parcels showing the heavily multi-family character surrounding the subject parcels.

APPENDIX B



View north on Lakeview Dr with the subject parcels on the right. This view demonstrates the single-family neighborhood to which the subject parcels are meant to belong is more inwardly focused. The outward southwest positioning of the subject parcels separate the character of them from the surrounding single-family neighborhood.



View east on NE 64th St at the end of the street with a view to the Cross Kirkland Corridor trailhead. Increasing the zoning of the subject parcels would provide access to more people due to the close proximity of this recreational trail.

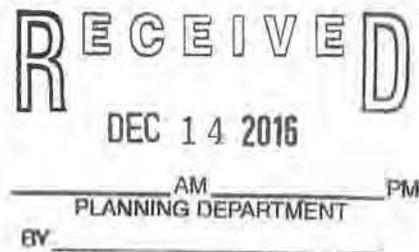
APPENDIX B



View north on Lakeview Dr to the bus stop adjacent to the subject parcels.

December 7, 2016

City of Kirkland
 Planning and Building Department
 123 Fifth Avenue
 Kirkland, WA 98033



Re: Deborah McFarlane Application for amendments to the comprehensive plan, zoning code and zoning map – King County Parcel #2649500173 - Project Number #CAM16-02775

Dear Council Members and Planning Commissioners,

In August 2001, 15 ½ years ago, I purchased my home at 10210 NE 64th St, Kirkland, WA 98033 (Parcel #2649500175). I love Kirkland and our community. I consulted with R. W. Thorpe & Associates, Inc. to assist me with my application for amendments to the comprehensive plan, zoning code and zoning map as I wanted to make sure it was done properly. I own both my personal residence at 10210 NE 64th St (Parcel #2649500175) and the vacant lot next door (Parcel #2649500173). I would like to build two townhouses on this vacant lot.

My vision is to have a townhouse with 2 tax properties sharing a common wall. The front townhouse would become my personal residence and the other townhouse a separate property. I would still retain ownership of my existing house 10210 NE 64th St (Parcel #2649500175), above the lot, so any impact to having a new building would not impinge on other neighbors. My driveway would come in from 64th St.

My vacant lot is located on a corner and faces 3 other corners that are zoned Medium Density. I would like to be compatible with existing density zoning on the intersection.

Directly diagonal from my vacant lot is a brand-new construction that is almost exactly what I would envision to build. That address is 10143 NE 64TH ST 98033 and the project name is LAKEVIEW DRIVE LLC.

I believe amending my vacant lot and possibly personal residence to Medium Density Zoning agrees with Kirkland's plan to create more livable housing. It would increase more housing in the perfect location next to a bus line that serves 3 buses, and one block from the Cross Kirkland Corridor.

The Plan states it "encourages attractive site and building design that is compatible in scale and in character with existing development". Presently the lot has an old metal garage with a motorhome parked on it. Building the townhouses like the property diagonally would enhance the area immeasurably.

I know a huge concern in new construction is the view corridor. Because the lot is located on the bottom of a slope, the construction of the townhouses would not impede anyone's existing view. Everyone in the area presently have a great view corridor down to the lake as the main view is from the street. My new townhouses would not obscure the view down the street.

I hope you will consider granting me a Medium Density Zoning for my vacant lot and possibly for my current personal residence. I would like to build my forever home and add to the wonderful housing available to the Houghton area.

Thank you so much for all your time and consideration. I look forward to continuing being a long-term member of our wonderful Kirkland community.

Sincerely



Deborah A McFarlane
10210 NE 64th St
Kirkland, WA 98033
206-617-6160

Email: winedivadeb@yahoo.com