



CITY OF KIRKLAND

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

MEMORANDUM

To: Planning Commission

From: Angela Ruggeri, AICP, Senior Planner

Date: May 22, 2008

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

RECOMMENDATION

Discuss design issues and give staff direction on preliminary preferred alternative for the Planned Action Final Environmental Impact Statement (FEIS).

TOPICS FOR MAY 29 PLANNING COMMISSION MEETING

The Planning Commission should develop tentative directions on each design issue as they are discussed. These conclusions will help determine the preferred alternative for the June 12 hearing.

- Compatibility of proposed and existing land uses (for three PARs)
- Building height and setbacks (for three PARs)
- Appropriate relationship of buildings to open space (Park Place)
- View corridor issues (Park Place)
- Access points and circulation (Park Place)
- Two proposals for Park Place: Office complex (5 stories maximum height) vs. mixed use with retail and open space (8 stories maximum height)

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 we proceed through the process.

- 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, and allowance of taller buildings next to Central Way and 6th Street. It 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. PROCESS

The Planning Commission is presently working on the preliminary preferred alternative for the PARs. The end result of the environmental review process will be a planned action environmental impact statement (EIS) which will include an analysis of the preferred alternatives for the PAR proposals. This analysis will be a tool used by the Planning Commission to help them determine an appropriate recommendation to the City Council on the Comprehensive Plan policies, development regulations and design guidelines for the area where the three PARs are located. The Planning Commission will also forward the Planned Action Ordinance to the City Council for their consideration. This ordinance will define the limits of development for the three proposals (total square footage, uses allowed, and total number of trips from the transportation analysis). It will also be the mechanism for requiring the mitigation measures necessary for the developments.

III. FUTURE PLANNING COMMISSION MEETINGS

A public hearing will be held on June 12 to hear public opinion on what the preferred alternative should be. After the hearing is closed, the Planning Commission will discuss the options for the preferred alternative. If a decision is made on the preferred alternative that will be analyzed in the final EIS that evening, it will push the end date of the project out by at least two weeks (moving the Planning Commission recommendation to City Council to the end of September). If the decision is not made until the following meeting on 6/26, there will be a longer delay in getting a recommendation to the City Council. Another option is to hold a special Planning Commission meeting on 6/19 to allow extra time after the hearing to decide on the preferred alternative.

The Planning Commission does not need to develop a complete draft of the amendments to the Comprehensive Plan, Municipal Code and Zoning at this stage, but will need to define the basic parameters sufficiently to allow the final EIS to be prepared. The following questions will need to be answered so that the preferred alternative can be analyzed in the final EIS.

Planning Commission meetings to develop recommended Comprehensive Plan policies, Zoning regulations, and Design Guidelines will continue through the summer. The Final Planned Action EIS will be issued in August or early September. A third public hearing will be held in August or September to take comment on the preferred alternative and the related Comprehensive Plan, Zoning, and Design Guidelines developed by the Planning Commission. The Planning Commission's final recommendation will go to the City Council this fall.

IV. TOPICS FOR DISCUSSION – PARK PLACE PROPOSAL

The Design Review Board (DRB) Recommendation will be the starting point for the discussion of many of the following topics. The full DRB recommendation is included as Attachment 2 to this memo.

- Are proposed and existing land uses compatible?
The site is surrounded by residential and commercial uses to the north; office uses to the east; office and residential uses to the south; and the park to the west. The DRB indicated that the way the development addresses the park is a key design issue. The DRB also felt that the impact of the south side of the project on adjacent existing residential and office buildings should be carefully considered.

The DEIS provides shade diagrams for summer and winter shading conditions for both the no action and proposed action alternatives (see Page 3.3-29 and Figures 3.3-8 and 3.3-9 in the DEIS). The proposed action has the potential to cause significant winter shading impacts on properties to the north of Central Way and lesser impacts on properties southeast and east of the area. It will also increase shading of the far eastern portion of Peter Kirk Park during the morning hours.

- What are the appropriate height requirements?
The DRB recommendation concluded that 8 story buildings could be accommodated in the SE portion of the site. It also recommended a three story height limit along Central Way and adjacent to the park with buildings stepped up to a medium height zone toward the center of the site.
- What amount of lot coverage (impervious surface) should be allowed?
The DRB felt that open space rather than lot coverage was the important factor. If the site is to have underground parking it will likely have 100% lot coverage. Staff recommends that the Planning Commission explore options for low impact development on the site with the applicant.
- Should there be open space requirements?
The DRB recommended a portal or entry way into the site and beyond near 6th Street and Central Way; a large central open space (greater than the one shown on the applicant's site plan) that connects to the park; and a hierarchy of open spaces that progress from 6th and Central through the site.
- What uses should be allowed in the zone and should there be a requirement for mixed use (for example retail and office)?
In addition to this private amendment request, the applicant has also submitted an alternative plan for the site which does not require Comprehensive Plan or Zoning Code amendments. This alternative plan is for a five story office only complex.

The Planning Commission will need to decide if retail (including uses like hotels and athletic clubs) should be an integral part of any redevelopment at this location. Staff recommends that the code establish a minimum amount of retail as a condition of allowing other uses such as offices. For example, this minimum could be the amount that exists today (140,000 sq. ft.). The amount of retail would be required to increase as the amount of other uses increases.

- What setbacks from property lines should be required?
The DRB suggested no setbacks along Central Way and 6th Street if there was 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 widest setback was recommended along the south portion of the site adjacent to the existing office and residential uses.
- What parking requirements are appropriate?
See DEIS for parking analysis. This will be discussed at Planning Commission meeting on 5/22/08.

- Are the proposed access points and circulation acceptable?
The majority of the DRB felt that the street adjacent to the park would provide an appropriate orientation for the development, rather than buildings turning their backs to the park as the existing QFC does. The DRB generally felt the access points proposed by the applicant were appropriate.
- What amount of square footage should be allowed?
This may or may not be explicitly stated in the Comprehensive Plan or Zoning. Rather the above issues will help to determine the amount of square footage that will be allowed on the site. The square footage will be used to analyze traffic impacts. The amount of permitted development may be critical in Touchstone's decision about whether to proceed with the "all office" alternative rather than pursuing a larger mixed use project.
- Any other key issues that that will impact the form or size of the development?

V. TOPICS FOR DISCUSSION –ORNI PROPOSAL

- Are proposed and existing land uses compatible?
There are three story (estimated to be approximately 35' high) multifamily residential buildings to the east of the site and the Post Office facilities are to the west. There is also residential development (both multifamily and single family) to the south of the site. Office and residential uses are compatible and have existed together in this location for some time. The topography of the area gently slopes down from the multifamily residential buildings to the east to the Post Office site on the west.

The DEIS provides shade diagrams for summer and winter shading conditions for both the no action and proposed action alternatives (see Page 3.3-32 and Figures 3.3-10 and 3.3-11 in the DEIS). While the building height would increase in this area under the proposed action, the highest point of development would be located in the interior of the area. Some shading of 5th Avenue and the multifamily residential buildings to the east would occur in the winter. The shading of these residential buildings to the east would potentially be greater under the no action alternative than under the proposed action.
- Should office be allowed in this location?
The site has contained office uses for over 25 years. The three existing legally nonconforming office buildings were allowed to be built because of a legal action that was taken when the zoning was originally put into place in 1979. Office and residential uses are compatible in this location.
- What building heights are appropriate?
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 lower. The requested zoning would allow up to 60 feet above average building elevation or 6 stories whichever is less. For comparison purposes the File Net office building to the west of the Post Office is 4 stories and 58 feet above average building elevation.

Four stories or approximately 60' of office on the site would be comparable to the File Net building, but would be significantly larger than the residential buildings to the east. It may be appropriate to allow three stories on the eastern portion of the site with an increase to four stories on the western portion.

If the Planning Commission feels that this location would be appropriate for affordable housing, height can be used as an incentive by allowing an extra story if affordable housing is added to the site.

- Should there be any special 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). The applicant is asking that this requirement be removed. This regulation was put in place originally to protect the single family homes in the area. Since that time, most have been rebuilt into multifamily developments and the regulation is no longer necessary.

It should be noted that City records show a stream on the south and west sides of the property and setbacks from these areas will be subject to the regulations in Chapter 90 of the Zoning Code (Drainage Basins).

- Should there be any additional requirements, such as design review?
Since this area is near the CBD, it is appropriate to have a Design Review requirement if additional development is allowed on the site.
- Are there any other key issues that that will impact the form or size of the development?

VI. TOPICS FOR DISCUSSION – ALTOM PROPOSAL

- Are proposed and existing land uses compatible?
The study area is adjacent to the 4 story File Net office building to the north and a 2 story (2 stories over parking on the north side adjacent to the site) office building to the south. There is also a 3 story office building to the east and Park Place development to the west. The 5 story Watermark Apartments are diagonally across 6th Street to the south of the site. Office and residential uses are compatible in this

location. The topography of the area slopes down from Kirkland Way (and the office building to the south) to the File Net building on the north.

The DEIS provides shade diagrams for summer and winter shading conditions for both the no action and proposed action alternatives (see Page 3.3-32 and 3.3-37 and Figures 3.3-12 and 3.3-13 in the DEIS). The increased height of buildings allowed under the proposed action represents a moderate increase in shading conditions over existing development, but when compared to the no action alternative, the increase in shading effects is minimal.

- What building heights are appropriate?
The existing office buildings on the sites are one and two stories high. The code presently allows office buildings up to 30 feet above average building elevation on the site. The requested zoning would allow up to 60 feet above average building elevation or 6 stories whichever is less (about the height of the File Net building to the north of the site). The proposed height increase would be consistent with buildings to the north and west, but would allow for buildings that are substantially higher than those to the east and south.
- Should there be lot size requirements related to additional height allowance?
The applicant has requested a change to the PLA 5C zoning of the area to the north of the site. That zoning allows up to 60' above ABE or 6 stories whichever is less for development that contains at least 1 acre. Otherwise 30' above ABE is the maximum height allowed. The applicant has asked that the 1 acre requirement be removed.

This is an old regulation that sought to aggregate land. Staff no longer sees a need for this type of incentive. The parking requirements will limit the size (height) of buildings on smaller lots. The Planning Commission has expressed some concern about removal of the requirement, however. One possibility is to allow less additional height for lots that are less than one acre. For example: 45' above ABE if the site is $\frac{3}{4}$ of an acre.

- Should there be any additional requirements, such as design review?
Since this area is near the CBD, it is appropriate to have a Design Review requirement if additional development is allowed on the site.
- Are there any other key issues that that will impact the form or size of the development?

ATTACHMENTS

1. PAR site map
2. DRB Recommendation on Park Place proposal

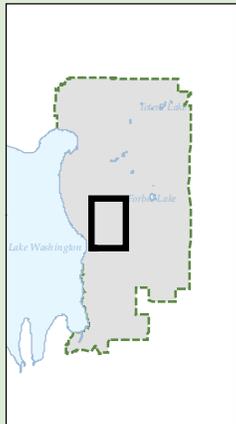
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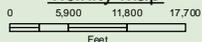
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Cc: Douglas Howe, 2025 1st Avenue, Suite 790, Seattle, WA 98121
Katherine Orni, 825 5th Avenue, Suite 202, Kirkland, WA 98033
Rhoda Altom, P.O. Box 22926, Seattle, WA 98122
File ZON07-00012
File ZON07-00016
File ZON07-00019

Vicinity Map



Vicinity Map



Map Legend

-  Planned Action Areas
- A = Touchstone (Park Place)
- B = Orni
- C = Altom



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