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## MEMORANDUM

To: Planning Commission

From: Dorian Collins, AICP, Senior Planner  
Adam Weinstein, AICP, Deputy Planning Director

Date: September 18, 2018

Subject: Amendments to the Kirkland Zoning Code and Comprehensive Plan for the Totem Lake Business District (File CAM18-00196)

### Staff Recommendation

Review the topics and suggested approaches to amendments, and provide direction to staff for revisions to the text of the Zoning Code and Comprehensive Plan. Based on Planning Commission direction, staff will develop draft amendments for consideration at a public hearing on October 25, 2018.

### Background

As part of the adopted 2018-20 Planning Work Program, the City is considering amendments to regulations and policies for the Totem Lake Business District. The proposed amendments include a variety of changes to the text and figures in the Zoning Code and Comprehensive Plan. The Planning Commission reviewed the purpose and preliminary study scope for amendments to be considered on April 26, 2018. Materials provided for that meeting can be reviewed [here](#).

The study scope (Attachment 1) presented at that meeting has been updated to reflect initial direction from the Planning Commission, and to summarize the preliminary recommendations from staff, described in more detail in this memorandum. The revised scope also notes changes to the amendments to be included for study. Most of the proposed changes to the scope are additional amendments in response to direction from the Planning Commission or identified by staff during the course of research and preparation of the initial list of amendments. The structure of the scope summary has also been revised slightly to be organized by the purpose of the change rather than the document to be amended.

### Changes to the Study Scope

Proposed amendments discussed at the Planning Commission meeting in April that are not included in the scope for consideration by the Planning Commission at the public hearing in October are listed below. This list comprises items that do not require a public hearing by the Planning Commission and/or are items that have been withdrawn from

consideration by development applicants.

- Design Guidelines: The design guidelines for the Totem Lake Business District are contained in the Kirkland Municipal Code (KMC). The review process for amendments to the Design Guidelines does not require that the Planning Commission hold a public hearing or prepare a recommendation to the City Council. However, KMC Section 3.30.040 states that the City Council shall consult with the Planning Commission prior to amending design guidelines. Proposed changes to the design guidelines that relate to development in the Totem Lake Business District will be presented to the Planning Commission for review and comment at a meeting in October. Changes proposed include corrections, updates and several revisions to text and figures to incorporate recommendations from the [Totem Lake Enhancement and Multimodal Transportation Network Plan](#).
- Kingsgate Park and Ride Transit Oriented Development (TOD): Approved by voters in November of 2016, the ST3 package includes a Bus Rapid Transit (BRT) Project on I-405. To serve transit on the I-405 BRT station at Totem Lake, the project includes a 600-stall parking structure on the site of the Kingsgate Park and Ride, increasing the parking capacity to a total of 902 parking spaces. The project also includes a BRT station at the Totem Lake inline freeway station, which is adjacent to the Kingsgate Park and Ride.

In April, 2018 a consultant team, funded by Sound Transit, began to explore the feasibility of transit-oriented development (TOD) to accompany the construction of the parking garage. The draft report has recently been completed, and indicates that changes to zoning regulations should include amendments to building height limits and the range of uses allowed at the site. The Planning Commission will likely begin its study of possible code amendments necessary to support TOD at the Kingsgate site in the first quarter of 2019.

- Residential Suites – Request from Robert Pantley and Angela Rozmyn:

The amendments under study include expanding the permitted uses within the Housing Incentive Areas (see [area 4 on map](#)) within the TL 10C and TL 10D zones to include residential suites. Robert Pantley and Angela Rozmyn of Natural & Built Environments had requested that the use be explored in these subareas during the 2017 code amendment process, and the City Council added the task to the scope for study in 2018. Typical multifamily residential development is already allowed in these areas, so changes to Comprehensive Plan policies would not be necessary to also allow residential suites.

This scope for the 2018 Totem Lake code amendments also included a new request from Natural & Built Environments to include the study of the expansion of the range of uses within TL 10A (an office/business park zone) to include residential suites. The development company had submitted plans for development on property owned by the Residence XII facility in two phases. The first phase would include transitional housing for Residence XII. Code

**amendments approved in 2017 had provided for “temporary transitional housing”** as an accessory use for the treatment facility. The second phase for the proposed project would include development of residential suites on the property, if the permitted uses were expanded to include the use within the TL 10A zone.

Natural & Built Environments has notified the City that it is no longer pursuing the development of residential suites at the Residence XII property. Representatives from Residence XII have also said that the facility is not able to pursue the transitional housing project on its own, and plans to sell the additional property. The representatives indicated that they will continue to evaluate asking the City to study changes to allow residential suites for a different developer to pursue in order to provide more land use options for a potential buyer of the property, and will notify the City of this interest within the next month. Unless the City is notified of this interest with sufficient time for study prior to the public hearing, the study of changes to the Comprehensive Plan and zoning regulations to allow residential use within the TL 10A zone will no longer be included within the scope of the 2018 Totem Lake amendments. Staff is not pursuing these potential amendments independently because residential use in the TL10A zone is not consistent with existing policy direction in the Comprehensive Plan, many other zones in the business district already allow residential suites, and they may be added to two additional zones with this set of amendments.

## Project

As discussed in the [materials for the April Planning Commission study session](#), the proposed amendments are intended to:

- Correct minor errors/provide minor updates to zoning regulations and Comprehensive Plan text.
- Provide more flexible regulations in response to requests from property owners and developers, consistent with [Resolution R-5254](#)
- Revise zoning regulations and design guidelines to be implement the recommendations of the [Totem Lake Enhancement and Multimodal Transportation Network Plan](#)

## Analysis

**Staff’s analysis and** an initial recommendations are provided for each topic. Questions for the Planning Commission and a request for Planning Commission direction are included for topics other than those that are intended to correct or update the Zoning Code and Comprehensive Plan. As noted above, additional changes proposed to the design guidelines, requiring amendments to the Municipal Code, will be presented to the Planning Commission at a subsequent meeting.

A. Corrections and updates

Zoning Code

1. TL 10B (Section 55.73.3)

Proposed amendment (Staff recommendation): Eliminate General Regulation 3 (see Attachment 2).

Purpose: General Regulation 3 requires the dedication and improvement of right of way as a condition of development to enable the construction of 118<sup>th</sup> Avenue NE through the TL 10B zone. The road is currently under construction and expected to open toward the end of 2019, or when the first building of the Lifebridge residential project is complete. The condition is no longer necessary.



2. Chapter 180, Plate 34C:

Proposed amendment (Staff recommendation): Eliminate Plate 34C which is now obsolete, due to the construction of 118<sup>th</sup> Avenue (see Attachment 3, page 1).

3. TL 4A/B/C (Sections 55.31.2 and 4), TL 5 (Sections 55.37.2,3,5 and 6) and TL 6A/B (Sections 55.43.3,4, 8 and 9)

Proposed amendment (Staff recommendation): Revise General Regulations to refer to revised Plates 34A and 34C. Add term **“paved”** to General Regulations (see Attachment 4). Eliminate General Regulation regarding ground floor space, already addressed in Chapter 92 (Design Regulations) and design guidelines.

Purpose: Several of the General Regulations contain requirements that use terms that are not defined. The added references to Plates 34A and 34C in Chapter 180 (plates are to be revised, as discussed in Sections C.3 and B.3 below) clarify the locations of required pedestrian and vehicular connections and through block pathways. The addition of the term **“paved”** clarifies that the regulations apply only to paved circulation routes. The elimination of a regulation that calls for design to **“encourage pedestrian activity and visual interest”** will eliminate confusion caused by vague language, and ensure that the appropriate design regulations and guidelines are used.

4. Multiple Zones (Section 92.15.3.b)

Proposed amendment (Staff recommendation): Add reference to the

Cross Kirkland Corridor (CKC) and Eastside Rail Corridor (ERC) to design regulations requiring screening or treatment for blank walls (see Attachment 5).

Purpose: Since the CKC and ERC run through much of the Totem Lake Business District, the Planning Commission asked that staff ensure that the design of walls adjacent to the CKC and ERC be addressed in design regulations and guidelines. The proposed change would apply the regulations for the treatment of blank walls for structures adjacent to the CKC and ERC throughout the district.

#### Comprehensive Plan

1. Western Mixed-Use Subarea Discussion (Totem Lake Business District Plan)

Proposed amendment (Staff recommendation): Eliminate text that calls for a new road connection linking NE 116<sup>th</sup> Street and NE 118<sup>th</sup> Street (see Attachment 6).

Purpose: As noted in Section A.1 above, the road connection was a requirement of the Lifebridge development.

#### B. Flexibility in regulations (Zoning Code)

1. Increased Building Height to Match Residential Height Limit (TL 6A/B and TL 10B)

Issue: Doug Waddell, of Waddell Properties, submitted a letter (Attachment 7) to the City Council that requests that the maximum building height for several non-residential uses in the [TL 6A](#) zone be increased to 65 feet to be consistent with the height limit for residential uses in the zone. The height limitation for office, hotel, and assisted living/convalescent center/nursing home uses is 45 feet. At the meeting in April, the Planning Commission directed staff to include zones with similar requirements in the analysis of this request.

Analysis: As discussed on page 3 of the [staff memorandum](#) for the Planning Commission meeting in April, the TL 6A and TL 6B zones are designated as [Housing Incentive Areas](#) 1, 2 and 3. An incentive for residential use is provided in these zones through the provision of a greater building height for residential use than for other uses. The same conditions exist in the TL 10B zone, designated as Housing Incentive Area 5.

The residential incentive was established at a time when private development was more likely to produce office than residential uses. That trend has changed in recent years, particularly in the Totem Lake Business District.

Residential development is outpacing non-residential development in Totem Lake. The table to the right from the Comprehensive Plan shows the number of dwelling units and employees in the Totem Lake Urban Center in 2014 and the number projected for the year 2035. At this time, the **number of residential units “in the pipeline” (either under construction or building permit applications are under review)** for Totem Lake is 1,894 (see [Major Development Projects Report](#)).

	Existing (2014)	Planned (2035)
Residents	4,680	8,678
Dwelling Units	2,943	5,457
Residential Density (units/gross acre)	3.50	6.49
Employees	14,806	20,602
Employee Density (jobs/gross acre)	17.60	24.49

*(Source: Comprehensive Plan, Totem Lake Urban Center, 2015)*

This increase in units represents 75% of the total number of units projected for the urban center for the entire 20-year period.

Non-residential development in Totem Lake since 2014 has been primarily in retail development at the Village at Totem Lake. A total of 313,130 square feet of commercial space is in the pipeline in Totem Lake. None of this square footage is proposed as office space. While there are some new office tenants moving to Totem Lake, all are reported to be occupying existing office space. Using standard assumptions, the total number of employees for this commercial space is estimated to be 626. **In other job totals reported through the City’s other sources, the number of jobs created since 2014 is 495.** Summing these job estimates, a total of 1,121 new jobs will be created once the pipeline development is occupied, representing about 19% of the total projected for the 20-year period to 2035.

Staff suggests that the residential incentive provided by the increased height allowed for residential development in the TL 6A/6B and TL 10B zones is no longer necessary. While a wide range of uses are permitted in these zones, office uses would provide the greatest number of jobs for the urban center.

**Staff Recommendation:** Staff recommends that the height limit for Office use in the [TL 6A/6B](#) zone be increased from 45 feet to 65 feet, and from 55 feet to 65 feet in the [TL 10B](#) zone. The increased heights would **match the existing building height maximums for the “Attached or Stacked Dwelling Units” use listing in these zones.**

Questions for the Planning Commission - Increased building height to match residential height limit:

- Does the Commission agree with the staff recommendations?
- Does the Commission have direction for changes to the

recommendations that would be considered at the public hearing?

## 2. 75 Foot Height Limit (Multiple Zones)

Issue: The City has received requests for an increase in the allowable building height to 75 feet for the area around the planned bus rapid transit stop on NE 85<sup>th</sup> Street (see Attachments 8 and 9). One request suggests that a building height of 75 feet provides more options for development, including allowing for the construction of five floors of residential use in wood frame construction over a two-story concrete podium. The request states that the height increase may allow for more housing and more efficient development. The other request argues for the increased height to allow for greater modulation of the roofline, decorative parapets, landscaped planters, barbecue areas and other rooftop amenities. Attachment 10 provides photographs showing examples of mixed use apartment buildings at heights of 75 feet, submitted to supplement one of the requests.

The Planning Commission could consider increasing the maximum building height for mixed use from 65 feet to 75 feet in Totem Lake as well. The increase would provide the flexibility cited above which would likely be welcomed by the development community. Attachment 11 includes comments submitted by Doug Waddell from an architect in support of the increased height, as a solution to satisfying requirements for parking and retail space.

City of Kirkland Building Division officials agree that the building types described above are possible with recent changes to the building codes that eliminated restrictions to various uses, including residential, within the concrete podium. They do note, however, that fire safety restrictions may limit the potential for residential use beyond 70 feet in height. Still, the increased height would provide flexibility and the potential for additional residential units where development can satisfy building and fire code standards.

Staff consulted ARCH for guidance regarding whether the increase in height should be accompanied by an increase in the affordability requirement in place in Totem Lake zones. Currently, 10 percent of the units in multifamily residential development (other than residential suites or development in the TL 2 zone) must be designated as affordable housing units. The ten percent set aside was determined to be appropriate through a financial analysis conducted by ARCH. Staff asked that ARCH determine whether the additional increment of building height to be considered with this potential code amendment might merit a greater set aside of affordable units. Attachment 12 provides the response from ARCH to this request.

The comments from ARCH highlight the complexity of analyzing whether

the additional increment of building height might support an increase in the set aside of affordable housing units. The use of the additional height may be to enable a two-story concrete podium occupied with uses other than additional residential units, or to allow for other flexibility in design. Another complicating factor is that the 10 percent set aside is in place in some zones that already allow building heights greater than 75 feet.

Staff Recommendation: Staff recommends that an increase in height to 75 feet be considered for Totem Lake zones located closest to the core of the urban center and away from single family residential areas (see Zoning Map, page 17 of [materials from April Planning Commission meeting](#)), where mixed use is currently allowed at heights below 75 feet. The recommended increases would be as follows:

Zone	Current Height Limit Attached or Stacked Dwelling Units	Proposed New Height Attached or Stacked Dwelling Units	Increase in Height
TL 4A/B/C	65'	75'	10'
TL 6A/B	65'	75'	10'

Staff does not recommend that the set aside for affordable units be increased in these zones, since the additional height may not be used for additional residential units. The requirement could also be inequitable since some Totem Lake zones with existing height limits greater than 75 feet have an established 10 percent set aside.

Questions for the Planning Commission - Building height increase to 75 feet:

- Does the Commission agree with the staff recommendations?
  - Does the Commission have direction for changes to the recommendations that would be considered at the public hearing?
3. Requirement for Ground Floor Commercial Use in Mixed Use Development (TL 4A/B/C, TL 5, TL 6A/B and TL 7A)

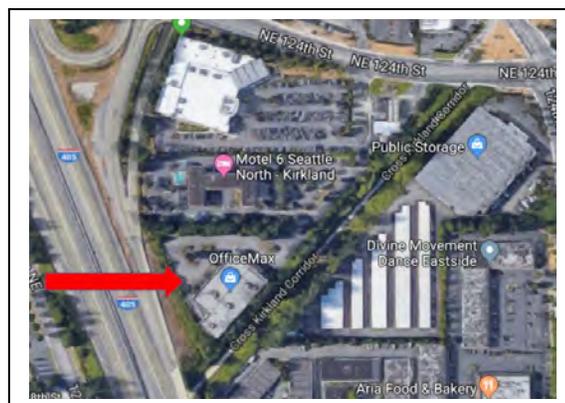
Issue: In his letter (Attachment 7), Doug Waddell also states that prospective developers have reported that the requirements for ground floor commercial use that apply to his property in the TL 6A zone are too high given the types of streets where the property is located. He

suggests that the development of ground floor commercial use be optional, determined by market feasibility rather than by requirements in the Zoning Code, or that the requirement be reduced. At the meeting in April, the Planning Commission directed staff to include zones with similar ground floor requirements in the analysis of this request.

Staff has also heard from developers that the location of a parcel in the TL 4A zone where the Office Max store was formerly located (see inset map below) poses unique challenges for commercial use in mixed use development due to a lack of visibility and access. This issue is also addressed in the analysis and recommendations below.



Analysis: The table in Attachment 13 provides the requirements for ground floor commercial use in mixed use developments in **many of Kirkland's** commercial zones. For comparison, information is also provided for commercial areas in several neighboring cities.



In the [TL 6A zone](#) where Mr. Waddell's property is located, the Zoning Code requires that Attached or Stacked Dwelling Units and Residential Suites include commercial use on the ground floor. The gross floor area of the commercial use must be equal to or greater than 20 percent of the area of the subject property. The same requirement exists for mixed use in the TL 4A/B/C, TL 5 and TL 7A zones.

Only the **City's** BC 1 and BC 2 (Community Business) zones and the Totem Lake commercial zones included in this analysis require that commercial space occupy a percentage of the *area of the subject property*. Other commercial zones, such as the BC, RH (Rose Hill) and Houghton Everest zones require that a percentage of the *gross floor area on the ground floor* be occupied by commercial use. **In the City's** pedestrian-oriented districts, such as the downtown and neighborhood business areas, regulations call for a minimum linear frontage of commercial uses.

The requirement for commercial use in the Totem Lake zones was intended to preserve commercial capacity in the area. Prior to the

adoption of a new plan for the neighborhood and its designation as an urban center in 2003, these subareas had been traditional "BC" zones, expected to develop primarily with commercial uses at heights of about 30 feet. When new policies were adopted to focus growth in the core of the Totem Lake Urban Center, policies also called for both preserving and intensifying commercial areas outside of the core. Other policies encouraged residential use (and affordable housing) in general commercial areas. Implementing regulations increased the building height for residential use, while requiring a substantial amount of the ground floor to be devoted to commercial use.

Since the amendments were adopted, developers have often maintained that the commercial requirement in mixed use development is not feasible for a variety of reasons. Some have suggested that a depth requirement, such as that in place in the pedestrian-oriented districts of **Kirkland's downtown, would be more appropriate.** When a study of the **City's neighborhood business family of zones** considered this issue in 2012, the regulations were revised from a requirement that 75% of the ground floor be in commercial use, to one requiring a minimum commercial frontage.

Staff suggests that the Planning Commission consider the objectives for commercial use in each zone, and determine the approach most likely to achieve them:

- Retention of commercial use/tax base. Where an area has traditionally been important to providing a strong commercial base **for the City, key to Totem Lake's role as the City's "economic engine," a requirement that commercial use occupy a percentage** of the subject property or ground floor may be appropriate.

Staff suggests that where this objective is identified, a percentage of the *ground floor* rather than a percentage of the *subject property* be selected as the approach for regulation. The subject property may be unusually large relative to the size of a proposed structure, parking areas may occupy a significant portion of the subject property, or environmental features may limit the area of the subject property to be developed. For these and other possible reasons, using the subject property to determine the square footage of commercial space to be developed on a site may diminish the desirability of redevelopment.

- Contribution to an active pedestrian environment. Both ground floor uses and building design at the street level contribute to the pedestrian environment. In **the City's very active commercial** areas such as downtown Kirkland and the Village at Totem Lake, street level uses are generally restricted to those that draw pedestrians: retail, restaurants/taverns and entertainment,

cultural or recreational activities. Design standards in these areas are also intended to ensure buildings orient to the pedestrian (including through the inclusion of weather protective design features, amenities, human scale elements, etc.). The streets in **these areas are also designated as “Pedestrian-Oriented Streets,”** which further defines the character of the pedestrian environment through sidewalk widths, plazas and design regulations specific to these streets (see **proposed revised “Pedestrian Circulation in Totem Lake map, Attachment 14).**

- Creation of a lively streetscape. In other less active commercial or mixed use areas outside of the core of the business district, the objective may be to simply create or enhance the streetscape to contribute to an interesting experience for pedestrians or other visitors. In these areas, a broader range of uses may be appropriate at the ground floor, including office uses. Most streets beyond the core of the Totem Lake Urban Center are ones where the streetscape is intended to be lively, but uses are not limited solely to retail along the street. As shown in Attachment 14, most of these **streets are designated as “Major Pedestrian Sidewalks”**.

The matrix below provides the objective for commercial use for each of the commercial areas included in this analysis, as described in the [Comprehensive Plan \(Totem Lake Chapter\)](#), [Totem Lake Design Guidelines](#) and the [Totem Lake Enhancement and Multimodal Transportation Network Plan](#). The map in Attachment 15 shows the locations of these subareas.

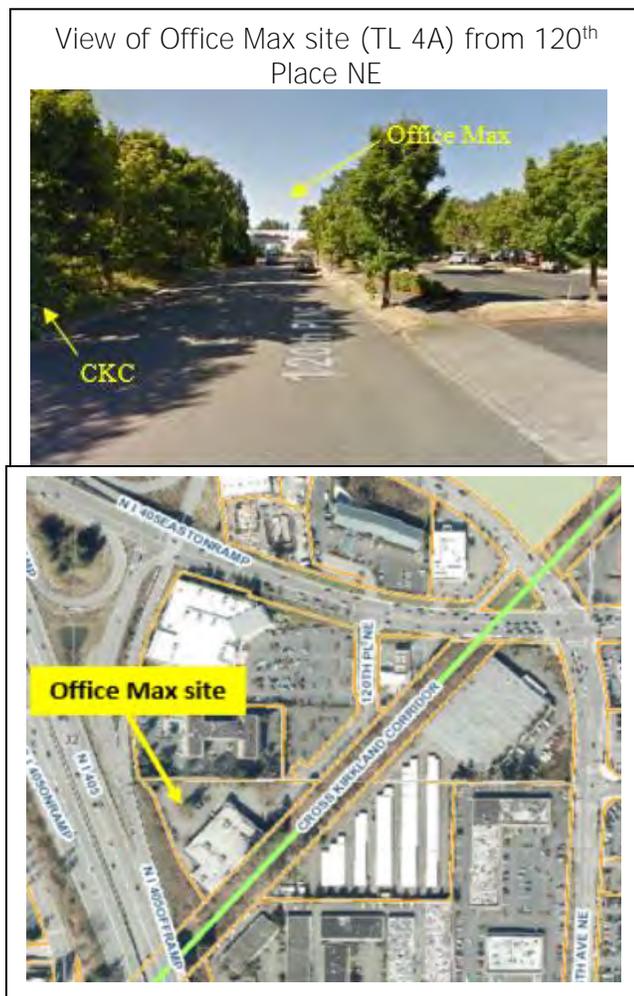
Relevant Commercial Capacity and Design Objectives in Totem Lake Districts					
Policy/Regulatory Document	Zoning District				
	TL 4A/B/C	TL 5	TL 6A	TL 6B	TL 7A
Comprehensive Plan	<ul style="list-style-type: none"> <li>• Commercial emphasis</li> </ul>	<ul style="list-style-type: none"> <li>• Strengthened retail</li> <li>• Support for pedestrian-orientation</li> <li>• New internal street grid</li> </ul>	<ul style="list-style-type: none"> <li>• Housing Incentive Area</li> </ul>	<ul style="list-style-type: none"> <li>• Housing Incentive Area</li> <li>• Potential for more intensive commercial and residential</li> <li>• Pedestrian-orientation</li> </ul>	<ul style="list-style-type: none"> <li>• Support for ground floor commercial</li> <li>• Pedestrian orientation not priority</li> </ul>
Design Guidelines	<ul style="list-style-type: none"> <li>• Identified for <b>“large site development”</b></li> <li>• Commercial use</li> </ul>	<ul style="list-style-type: none"> <li>• Emphasis on pedestrian orientation, new street grid</li> </ul>	<ul style="list-style-type: none"> <li>• Commercial along NE 124<sup>th</sup> St/124<sup>th</sup> Ave</li> <li>• Multifamily</li> </ul>	<ul style="list-style-type: none"> <li>• Emphasis on pedestrian orientation, new street grid</li> <li>• Retail at ground</li> </ul>	<ul style="list-style-type: none"> <li>• Commercial emphasis (Guide-</li> </ul>

	<ul style="list-style-type: none"> <li>emphasized</li> <li>• Orientation to "Circulator"</li> </ul>	<ul style="list-style-type: none"> <li>• Retail along internal streets</li> </ul>	toward Slater	level	lines have not been updated since residential was allowed in (2015).
Enhancement Plan	<ul style="list-style-type: none"> <li>• Placemaking opportunities along new through block pathways</li> </ul>	<ul style="list-style-type: none"> <li>• Placemaking and gathering space opportunities</li> <li>• New internal street grid</li> </ul>	<ul style="list-style-type: none"> <li>• Placemaking and gathering space opportunities along NE 120<sup>th</sup> Street</li> </ul>	<ul style="list-style-type: none"> <li>• Placemaking opportunities along new interior street grid</li> </ul>	<ul style="list-style-type: none"> <li>• Not identified for placemaking</li> </ul>

As noted above, one parcel located in the TL 4A zone has additional challenges due to its **"dead-end" location.**

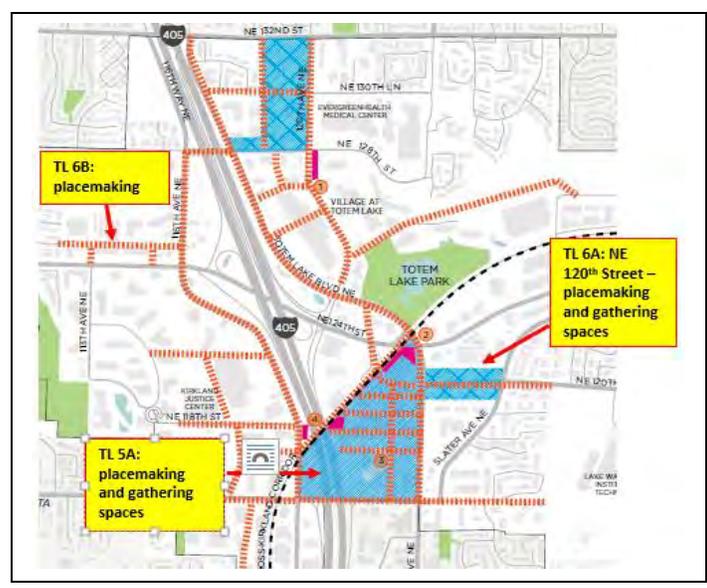
The parcel is unique in the zone in that it is the only parcel with no direct frontage on a street, other than the end of 120<sup>th</sup> Place NE (see photos at right) and the Cross Kirkland Corridor. While a destination commercial use may be successful in this location, developers have argued that challenges caused by **the site's lack of** visibility and pedestrian access make it difficult to find commercial tenants interested in locating in a mixed use project.

The TL 8 zone which borders Totem Lake on the north, provides



an exemption for similarly challenged parcels on NE Totem Lake Way, east of the Café Veloce restaurant and the (former) Yuppie Pawn property. While ground floor commercial uses are required for the westernmost parcels in this zone, they are not required for those that **about the “dead end” of the street, where visibility and access is very limited.**

Staff Recommendation: For the TL 5 and TL 6B zones, the Comprehensive Plan and Design Guidelines emphasize pedestrian orientation and new streets are envisioned. The Enhancement Plan further identifies these areas and the TL 6A zone, particularly along NE 120<sup>th</sup> Street, as having the potential for placemaking and the creation of gathering spaces. In these areas, commercial use is not identified as



a chief emphasis. Here, **staff recommends that a shift to the “liner commercial” approach** may be appropriate. This approach would ensure that commercial uses contribute to a lively streetscape along all of the existing and planned new streets in the area, while relieving the development community of the challenging requirement that commercial uses must occupy 20% of the area of the subject property. Staff suggests that the approach in the BN/BNA zones (see Attachment 13) be used, which requires that commercial uses be oriented toward the street, and that the commercial use occupy a depth of at least 20 feet, with an average depth of at least 30 feet. Residential use would be allowed behind the commercial frontage.

For the TL 4 and TL 7A zones, staff suggests that the existing approach best meets the established objectives for the subareas in maintaining a strong commercial presence. However, staff recommends that the regulations be revised to be based on the gross floor area of the ground floor, rather than the area of the subject property.

Staff also recommends that the regulations for the TL 4A zone include an exemption from the requirement for commercial use on the ground floor for the one parcel discussed above (former Office Max site) that has very

limited visibility and access. The regulation would be similar to the approach that is used for similar properties in the TL 8 zone.

Questions for the Planning Commission - Ground floor commercial:

- Does the Commission agree with the staff recommendations?
- Does the Commission have direction for changes to the recommendations that would be considered at the public hearing?

4. Expansion of Allowed Uses to Include Residential Suites (TL 10C and TL 10D and TL 4B)

Issue: Pages 6-7 of the [staff memorandum](#) prepared for the Planning Commission study session on April 26, 2018 provide background information about Residential Suites in Totem Lake. As noted in the memo, amendments to the Zoning Code adopted in December of 2017 included the addition of Residential Suites to the list of permitted uses in many zones in the core of Totem Lake (see Attachment 16). The use was added to areas defined as "[Commercial Zones](#)," but not to those defined as "[Office Zones](#)". The Residential Suites use was also not added **to the TL 4B zone, due to the area's distance from** frequent transit service.

The current set of potential amendments to the Zoning Code contemplates adding the Residential Suites use to the areas defined as [Housing Incentive Areas](#) within the TL 10C and TL 10D zones (both locations of Housing Incentive Area 4) south of NE 116<sup>th</sup> Street. These areas already allow Attached or Stacked Dwelling Units use. Staff has suggested that the TL 4B zone be included with this set of zones for consideration.

The key difference between the Residential Suites use and the Attached or Stacked Dwelling Units use is the difference in parking requirements. In other zones which allow residential suites, the parking requirement is 0.5 stall per unit, when parking is managed. No parking stalls for guests are required. Standards for parking management require that the property owner develop a Transportation Management Plan (TMP) for the property, to include charging for on-site parking, bus passes (or equivalent) for tenants without cars, designation of a Transportation Coordinator to manage the TMP, monitoring of parking performance and a variety of other standards. If the demand for parking is found to exceed the supply, the property owner may be required to restrict occupancy or limit occupancy to tenants without cars.

The parking requirement for typical multifamily development (Attached or Stacked Dwelling Units) is as follows: 1.2 stalls/studio unit, 1.3 stalls/1 bedroom unit, 1.6 stalls/2 bedroom unit, and 1.8 stalls/3 bedroom unit.

Additional parking stalls are required to be provided for guests, at a rate of 10 percent above the total number of stalls required for the development.

While residential **suites have been successful in Kirkland's** downtown and in other eastside cities where they have been located in close proximity to transit and goods and services, they have not yet been built in areas with **conditions similar to those that exist in the "Parmac" (TL 10C/D) area.** At the meeting in April, the Planning Commission asked staff to solicit input from ARCH regarding the suitability of the study areas for residential suites. Specifically, members of the Commission asked for input related to parking, housing affordability, and whether residential suites typically provide housing for seniors. Arthur Sullivan from ARCH prepared a memo which includes an analysis of these issues (see Attachment 17).

In summary, ARCH noted the following:

- Residential suites located in downtown areas appear to manage parking well. Residential suites projects studied have high walk scores (85-93, **considered "very walkable", according to the Walk Score methodology**) and relatively high transit scores (50-60, **considered "good transit", according to the methodology**).
- Locational considerations and the ability of residents to avoid car ownership may be issues in the TL 10C and TL 10D areas, where walk scores are lower (45 in TL 10C and 35 in TL 10D, considered **"car-dependent"**), and **fairly low transit scores (33-35, considered "some transit")**. No new transit routes are planned for the area south of NE 116<sup>th</sup> Street. The TL 10C zone has better access to transit east of I-405 on 124<sup>th</sup> Avenue NE and is closer to retail uses.
- Very limited on street parking exists within the immediate vicinity of the Housing Incentive Areas within the TL 10C and TL 10D zones. On-street parking areas that exist within ¼-½ mile are located on single family cul-de-sacs and on **"private" commercial use roads.**
- Residential suites provide affordable housing. Rents are generally affordable at less than 80% of median income and typically around 60% of median income. The ARCH memo notes that as the affordable units are not regulated, the affordability of the units may tend to diminish over time, particularly at a time when the demand for housing of all types outpaces supply. The memo notes that in Redmond, developers of residential suites are required to provide 10% of the units as affordable at 50% of median income, which will preserve affordability over time.

Robert Pantley of Natural and Built Environments reports that close to 10 percent of the residents in its communities are seniors over 55 years of age. Information regarding seniors residing at the properties not owned

by Natural and Built Environments was not available.

For the TL 4B zone included in this analysis, staff found the following:

- The walk scores within this zone are somewhat higher, ranging **from 49 (“car dependent”) at the south end of the zone where the Fred Meyer store is located, to 58 (“somewhat walkable”) at the Wendy’s restaurant at the north end.**
- The transit scores for the TL 4B zone are also higher, ranging from 41-**47, although still within the “some transit” category.**
- On-street parking opportunities are also very limited for development in this zone.

Another resource to consider in evaluating the suitability of these zones for residential suites use is the [10 Minute Neighborhood Analysis](#). A “10 minute neighborhood” is a community where residents can walk short distances from home to destinations that meet their daily needs. Attachment 18 **provides the “heat map” from this analysis, which** indicates how well the TL 4B and TL 10C/D study areas fare in terms of providing for daily needs within a walkable (1/2 mile) distance. Using this approach, the southern end of the TL 4B zone produces a mid-low walkability score, while the north end of the zone closest to NE 124<sup>th</sup> Street produces a mid-high score. The TL 10C/D zones, however, produce low walkability scores.

Staff Recommendation: The memorandum from ARCH notes that the City has used the same parking requirements for affordable housing that it uses for market rate residential development. As with market rate development, affordable housing projects have the option to provide a parking study that evaluates unique circumstances (such as location, types of households, etc.) to determine the appropriate requirements for each property.

The memo suggests that given the challenges to walking to services and transit in the TL 10C/D areas, the use of the standard multifamily parking ratios, with the option to provide a parking study, may be appropriate for the Residential Suites use in these zones.

Staff does not recommend adding the Residential Suites use to the TL 4B, TL 10C and TL 10D zones, due to the relatively limited access to transit and goods and services (particularly in the TL 10C and TL 10D zones), and the lack of on-street parking. If the Planning Commission elects to expand the use to any of these zones, staff agrees with the ARCH suggestion, and recommends that the standard multifamily parking ratios be applied to the Residential Suites use.

Questions for the Planning Commission - Expansion of Residential Suites use to TL 4B, TL 10C and TL 10D:

- Does the Commission agree with the staff recommendation?
- Does the Commission have direction for changes to the recommendations that would be considered at the public hearing?

C. Revisions to implement Totem Lake Enhancement and Multimodal Transportation Network Plan (Zoning Code)

As discussed in the [staff memorandum](#) prepared for the April meeting, a variety of amendments to the Zoning Code, Totem Lake design guidelines and Pre-Approved Plans are necessary to implement the recommendations of the [Totem Lake Enhancement and Multimodal Transportation Network Plan](#) (referred to **below as the "Enhancement Plan"**). The City Council approved Resolution R-5316 on May 15, 2018, adopting the Enhancement Plan. Proposed amendments to the Zoning Code are provided in this staff memorandum. Changes to the design guidelines will be presented to the Planning Commission at a subsequent **meeting in October**. **Changes to the City's Pre-Approved Plans** are handled on an annual basis by the Public Works Department.

Zoning Code

1. Clarification of Standards for Pedestrian-Oriented Space (TL 1A/B)

Issue: As part of the set of placemaking enhancement recommendations, the Enhancement Plan recommends that private developments provide:

**". . . publicly accessible spaces at their primary frontage which contributes to the character and quality of the community. These spaces shall have no dimension less than 15 feet and occupy approximately 20% of the lot frontage. Successful small "mini" public spaces should typically range from 500 square feet to 1,000 square feet. Larger pocket park and plaza spaces associated with larger residential or commercial developments should range from 1,500-2,000 square feet."**

A requirement for this type of space already exists within the TL 1A and TL 1B zones which **calls for "the development of pedestrian-oriented elements that exceed the requirements of KZC 92.15 and Chapter 105 KZC. Examples include pedestrian walkways through the subject property, public plazas, public art and fountains". The current requirement has been challenging for both staff and the development community, in that it does not provide clarity as to the expectations in terms of square footage to be devoted to the space.**

Two projects proposed for NE 128<sup>th</sup> Street in TL 1A have been designed to provide the required public space under the existing provisions. Although the developments will provide 134 and 339 dwelling units, the vague language has resulted in proposed public spaces that are relatively

small, each less than 600 square feet. These spaces do not fully meet the objectives of creating meaningful public gathering spaces through increased public amenities, enhanced sidewalk zones and urban plaza spaces.

The Placemaking Enhancements map from the Enhancement Plan (see Attachment 19) indicates areas where placemaking efforts are important along the street network.

Staff recommendation: Staff recommends that the approach to the requirement for public space within new developments in the TL 1A and TL 1B zones be revised as recommended in the Enhancement Plan. The new approach will remove the ambiguity in the existing regulations, and help the City and developers understand what is desired.

Proposed amendments to Sections 55.09 and 55.15 are shown in Attachment 20. The revisions provide a range for the area of public space to be provided, with modifications to be allowed through the design review process.

As noted in Attachment 20, staff also recommends that new text be added to the Totem Lake design guidelines to provide more specific direction for the elements to be included within the public space. The guideline would state: **"Examples include a combination of pedestrian/multi-use paths through the subject property, public plazas, public art and water features"**. In addition, the City Attorney recommends that the public space on private property be placed in a **"Public Access Easement"**.

Questions for the Planning Commission - Clarification of standards for pedestrian-oriented space in the TL 1A and TL 1B:

- Does the Commission agree with the staff recommendation?
- Does the Commission have direction for changes to the recommendations that would be considered at the public hearing?

2. New Regulations for Pedestrian-Oriented Space (TL 4B, TL 6A/B, TL 10B )

Issue: As shown on the Placemaking Enhancements map (Attachment 19), additional public space is desired in developments along streets and in gathering spaces within the TL 4B, TL 6A, TL 6B and TL 10B zones (see zoning map, Attachment 15). These zones do not have an existing requirement for public space. Adding a similar regulation to these zones will enable development in these areas to build upon the pedestrian, bike and vehicular networks to create public spaces and amenities along the existing and new streets.

In order to avoid adding a regulation for public space where no new development capacity is provided, this regulation should only be added to zones where additional height is supported, as discussed in Sections B.1 and B.2 of this memorandum.

Staff recommendation: Staff recommends that a regulation for public space with similar standards to those proposed for the TL 1A and TL 1B zones be added to the TL 4B, TL 6A/B and TL 10B zones, if additional height is supported for those zones in other amendments.

Questions for the Planning Commission - Addition of regulations for pedestrian-oriented space in the TL 4B, TL 6A/B and TL 10B zones:

- Does the Commission agree with the staff recommendation?
- Does the Commission have direction for changes to the recommendations that would be considered at the public hearing?

### 3. New Standards for Streets in Totem Lake (Multiple Zones)

Issue: The [Totem Lake Enhancement and Multimodal Transportation Network Plan](#) provides recommendations for improvements to each of the networks: bicycle, pedestrian and vehicular. The recommendations include specific dimensions and amenities for select street concepts. While many of these concepts will be implemented through the Public Works process of revisions to Pre-Approved Plans, others will require changes to the Zoning Code. The proposed changes are summarized below:

- Section 110.40: Addition of new type of collector street, called **the "Residential Commercial" collector street** (see Attachment 21).
- Chapter 180 (Plates): Revisions to Plates to:
  - Create new Plate 34A (see Attachment 22), to consolidate information from Plates 34A, 34B, 34F and 34G onto one plate (see Attachment 3).
  - Retain 34D, but rename as 34B (see Attachment 23).
  - Revise 34E, but rename as 34C (see Attachment 14).
  - Relocate conceptual information from Plates 34F and 34G to Totem Lake design guidelines.

Staff recommendation: Staff recommends that the proposed amendments be made to implement the recommendations of the Enhancement Plan.

Questions for the Planning Commission - New standards for streets in Totem Lake:

- Does the Commission agree with the staff recommendation?
- Does the Commission have direction for changes to the recommendations that would be considered at the public hearing?

4. Add new regulation for 120<sup>th</sup> **Avenue NE “Hill climb”** (TL 3)

Issue: A key recommendation for placemaking in Totem Lake from the Enhancement Plan is the development of a linear park along 120<sup>th</sup> Avenue NE. The “hill climb” would encourage movement between the Village at Totem Lake, the Totem Lake Transit Center and the Evergreen Health campus. The hill climb would also provide a more comfortable and interesting connection for pedestrians to points farther away, including the Kingsgate neighborhood to the north, the flyer stop and future Bus Rapid Transit stop to the east, the Kingsgate Park and Ride to the northeast, and the park at Totem Lake to the south. Pages 78-81 of the [Totem Lake Enhancement and Multimodal Transportation Network Plan](#) provide more information and a conceptual illustration for the hill climb.

Staff has contacted representatives at Evergreen Health to discuss the recommendation for the hill climb. Since the improvements would likely be located entirely on property owned by Evergreen, the participation of the hospital in providing an easement, and possibly improvements, will be important. Ty Heim, Executive Director of Design, Construction and Facilities Services may attend the Planning Commission meeting on September 27 to respond to questions and provide an initial response regarding the hill climb concept.

Staff recommendation: Staff recommends that the standards for the Evergreen Health hospital campus (TL 3 zone) be amended to include a requirement for some level of participation in ensuring that the hill climb may be provided in the future. The standards could be designed to be related to additional growth at the campus, which would bring a greater number of pedestrians to the area.

Questions for the Planning Commission - New regulation for 120<sup>th</sup> Avenue NE hill climb:

- Does the Commission agree with the staff recommendation?
- Does the Commission have direction for changes to the recommendations that would be considered at the public hearing?

Comprehensive Plan

1. Revisions to Figures (Figures TL 6 and TL 10)

Several changes to figures in the Comprehensive Plan are needed to implement the recommendations of the Enhancement Plan. The proposed changes are summarized below:

- Figure TL-6: The map should be revised to reflect the completion of 118<sup>th</sup> Avenue NE, as discussed above. Changes to acknowledge the new Residential Commercial collector streets throughout the district should also be made (see Attachment 24).
- Figure TL-10: This map should be revised to correct the alignment of the Circulator to show that the eastern leg follows 124<sup>th</sup> Avenue NE. The new recommendations for gateways identified on page 59 of the [Enhancement Plan](#) should also be added to the map (see Attachment 25).

Staff recommendation: Staff recommends that the proposed amendments be made to implement the recommendations of the Enhancement Plan.

Questions for the Planning Commission - Revisions to Comprehensive Plan figures:

- Does the Commission agree with the staff recommendation?
- Does the Commission have direction for changes to the recommendations that would be considered at the public hearing?

#### Attachments

1. Study Scope – Proposed amendments
2. KZC, TL 10B – General regulations
3. KZC, Chapter 180 – Summary of proposed amendments to plates
4. KZC, Chapter 55, TL 4,5,6 – proposed amendments to general regulations
5. KZC, Chapter 92, proposed amendments for blank walls along CKC and ERC
6. Comprehensive Plan, Totem Lake Business District Chapter, proposed text amendment – 118<sup>th</sup> Ave NE
7. Comment letter from Doug Waddell, February 6, 2018
8. Comment letter - from John C. McCullough, July 6, 2018
9. Comment letter from Jim Gallagher, July 13, 2018
10. Photographs submitted for Lee Johnson – 75 foot height examples
11. Comment from Doug Waddell, August 6, 2018
12. ARCH Comments – 75 foot building height
13. Table – commercial ground floor use comparison
14. KZC, Chapter 180 – Plate 34C
15. Totem Lake Zoning Map
16. Totem Lake zones allowing Residential Suites use
17. ARCH Comments – Residential Suites
18. 10 Minute Neighborhood Heat Map
19. Totem Lake Urban Center Enhancement & Multimodal Transportation Network Plan, Placemaking Enhancements map
20. KZC, Chapter 55, TL 1A/B – proposed amendments for public space
21. KZC, Chapter 110, proposed revisions for Residential Commercial Collector Street
22. KZC, Chapter 180 – Plate 34A

23. KZC, Chapter 180 – Plate 34B
24. Comprehensive Plan, Totem Lake Business District Chapter, proposed revised Figure TL-6: Planned Streets and Possible New Connections
25. Comprehensive Plan, Totem Lake Business District Chapter, proposed revised Figure TL-10: Totem Lake Urban Design

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<b>2018 PROPOSED TOTEM LAKE AMENDMENTS</b>		
<b>A. DESIGN GUIDELINES</b>		
<b>DESCRIPTION</b>	<b>PC DIRECTION</b>	<b>STAFF RECOMMENDATION</b>
<ul style="list-style-type: none"> <li>• Update graphics and outdated text references</li> <li>• Incorporate recommendations from Totem Lake Enhancement and Multimodal Transportation Network Plan.                             <ul style="list-style-type: none"> <li>○ Add new section on “Private commercial developments and public spaces” from TL Enhancement Plan (p. 56) – text and graphic</li> </ul> </li> <li>• Add graphics from Enhancement and Multimodal Transportation Plan</li> <li>• Add general guidelines for transit-oriented development (TOD) at Kingsgate P&amp;R</li> </ul>	<ul style="list-style-type: none"> <li>• Consider presenting to DRB</li> <li>• Consider design along CKC</li> </ul>	<ul style="list-style-type: none"> <li>• Draft revisions will be presented to PC after 9/27 study session.</li> <li>• Staff may present draft revisions to DRB for comment.</li> <li>• Proposed revised text will address CKC in guidelines, and proposed change to Chap 92 will address in regulations</li> <li>• Proposed revisions include conceptual plans for TL 5 and TL 6B. Elsewhere, will refer to TL Enhancement Plan</li> <li>• Kingsgate changes will</li> </ul>

						occur later in 2018/2019
<b>B. CORRECTIONS AND UPDATES</b>						
<b>1. ZONING CODE</b>						
<b>ZONE</b>	<b>SECTION(S)</b>	<b>DESCRIPTION</b>	<b>PROPOSED CHANGES/OPTIONS</b>	<b>SOURCE OF AMENDMENT</b>	<b>PC DIRECTION 4/26/18</b>	<b>STAFF RECOMMENDATION</b>
<b>TL 10B</b>	55.73.3	<b>Correction:</b> General Regulation 3 requires r-o-w dedication and improvement of 118 <sup>th</sup> Ave NE, as a condition of development. 118 <sup>th</sup> Ave NE is now under construction, so this requirement is no longer necessary.	<b>Recommended:</b> Eliminate General Regulation 3.	Staff	Yes, eliminate regulation.	<ul style="list-style-type: none"> <li>Eliminate regulation 3</li> <li>Correct references throughout use zone chart affected by change in numbering.</li> </ul>
<b>TL 10B</b>	Chapter 180, Plate 34C	<b>Correction:</b> Plate 34C provides requirements for the installation of 118 <sup>th</sup> Ave. NE.	<b>Recommended:</b> Eliminate Plate 34C since the road construction is now underway.	Staff	Need for correction noted by staff following 4/26 PC meeting.	<ul style="list-style-type: none"> <li>Eliminate Plate 34C since the plate is now obsolete.</li> </ul>

<p><b>TL 4A/B/C, TL 5 and 6A 6B</b></p>	<p>55.31, 55.37 and 55.43.</p>	<p><b>Correction:</b> General Regulations refer to undefined and vague terms (“pedestrian or vehicular circulation route” and do not refer to Plate 34A - street alignments).</p>	<p><b>Recommended:</b> Add references to revise Plate (Chapter 180). Add term “paved” to clarify that the regulations apply only to paved circulation routes. Eliminate vague General Regulation that is already addressed through design regulations (Chapter 92) and design guidelines.</p>	<p>Staff</p>	<p>Yes, clarify references.</p>	<ul style="list-style-type: none"> <li>• Clarify reference in General Regulations to refer to Plates (Chapter 180 - to be revised with these amendments).</li> <li>• Add “paved” to precede “pedestrian or vehicular circulation route”.</li> <li>• Eliminate vague General Regulation that calls for design to “encourage pedestrian activity and visual interest”. (Standards to address this exist in Chapter 92).</li> <li>• Correct all references in chart affected by change in numbering.</li> </ul>
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<b>Multiple Zones</b>	92.15.3.b	<b>Clarification:</b> Section in Design Regulations that requires screening or treatment for blank walls is lacking a reference to the CKC and ERC	<b>Recommended:</b> Add reference to “along the CKC and ERC” to ensure that structures along these corridors provide appropriate design treatments for blank walls.	Staff in response to PC direction.	PC directed staff to ensure that design along the CKC is addressed.	<ul style="list-style-type: none"> <li>Add reference. The proposed amendment to Section 92.15.3.b would ensure that requirements for blank wall treatments are applied to property along the CKC and ERC throughout the Totem Lake Business District.</li> </ul>
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**2. COMPREHENSIVE PLAN**

PLAN	SECTION/PAGE	PROPOSED CHANGE	SOURCE OF AMENDMENT	PC DIRECTION	STAFF RECOMMENDATION
<b>TOTEM LAKE BUSINESS DISTRICT PLAN</b>	Western Mixed Use Subarea Discussion	Update: Revisions to text to acknowledge development of parcel at southern end of subarea and completion of new road connection (118 <sup>th</sup> Ave. NE)	Revised text is necessary to eliminate outdated reference to conditions that no longer exist.	Revise text.	Revise text to eliminate reference to 118 <sup>th</sup> Ave NE.

**C. FLEXIBILITY IN REGULATIONS AND EXPANSION OF RESIDENTIAL SUITES USE IN RESPONSE TO REQUESTS**

ZONE	SECTION(S)	DESCRIPTION	PROPOSED CHANGES/OPTIONS	SOURCE OF AMENDMENT	PC DIRECTION	STAFF RECOMMENDATION

<p><b>TL 6A</b> <i>May include additional zones (see Options)</i></p>	<p>55.45</p>	<ul style="list-style-type: none"> <li>• Increase in building height for several uses other than residential from 45' to 65'</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Requested amendment:</b> <ul style="list-style-type: none"> <li>○ Increase building height for office, hotel and assisted living/nursing home uses.</li> </ul> </li> <li>• <b>Options:</b> <ul style="list-style-type: none"> <li>○ Include additional TL zones with similar conditions in study: TL 6B and TL 10B</li> <li>○ Limit building height increase to specific uses as an incentive.</li> <li>○ Expand height increase to all suggested uses.</li> <li>○ No change.</li> </ul> </li> </ul>	<p><b>Citizen Request: Doug Waddell</b> – No applications or development are associated with this request.</p>	<ul style="list-style-type: none"> <li>• Include similar zones and all suggested uses in study.</li> </ul>	<ul style="list-style-type: none"> <li>○ Limit increase in height to office use, to encourage jobs as well as housing.</li> <li>○ TL 6A/6B: Increase height limit from 45' to 65' for Office use.</li> <li>○ TL 10B: increase height limit from 55' to 65' for Office use.</li> </ul>
<p><b>Multiple</b></p>		<ul style="list-style-type: none"> <li>• Increase in maximum building height to 75'</li> </ul>	<ul style="list-style-type: none"> <li>• Increase maximum building height for mixed use multiple zones to 75'.</li> <li>• Options:             <ul style="list-style-type: none"> <li>○ Limit increase to certain zones</li> </ul> </li> </ul>	<p>Staff, based on citizen requests for areas near NE 85<sup>th</sup> Street BRT station, and comments submitted by Doug Waddell.</p>	<ul style="list-style-type: none"> <li>• (New item added to scope since 4/26 PC meeting)</li> </ul>	<ul style="list-style-type: none"> <li>○ TL 4A/B/C and TL 6A/B: Increase height limit from 65' to 75' for Attached or Stacked Dwelling Units (mixed use).</li> </ul>
<p><b>TL 6A</b> <i>May include additional zones (see Options)</i></p>	<p>55.45.100</p>	<p>Attached or Stacked Dwelling Units are required to provide ground floor</p>	<ul style="list-style-type: none"> <li>• <b>Requested amendment:</b> <ul style="list-style-type: none"> <li>○ Revise the requirement for ground floor commercial use to</li> </ul> </li> </ul>	<p><b>Citizen Request: Doug Waddell</b> – No applications or development are associated</p>	<ul style="list-style-type: none"> <li>• Include similar zones in study.</li> <li>• Discuss “goals and trade-offs”.</li> </ul>	<ul style="list-style-type: none"> <li>• Revise requirements as follows:</li> <li>• TL 5, TL 6A, TL 6B: Commercial use to be oriented to</li> </ul>

		commercial use equal to or greater than 20% of the area of the subject property. Minor reductions are allowed.	<p>be optional or reduced.</p> <ul style="list-style-type: none"> <li>• <b>Options:</b> <ul style="list-style-type: none"> <li>○ Include additional TL zones with similar conditions in study: TL 4A, 4B, 4C, and TL 5.</li> <li>○ Revise the requirement to be:                             <ul style="list-style-type: none"> <li>▪ Consistent with approaches used in other commercial zones in the City</li> <li>▪ Optional, or</li> <li>▪ Eliminate the requirement</li> </ul> </li> <li>○ No change.</li> </ul> </li> </ul>	with this request.	<p>Evaluate objectives for each zone and design regulations to advance objectives.</p> <ul style="list-style-type: none"> <li>• Develop criteria to determine which approach to use in each area.</li> <li>• Describe streetscape, etc.</li> </ul>	<p>the street, with a minimum depth of 20 feet and an average depth of 30 feet.</p> <ul style="list-style-type: none"> <li>• TL 4 and TL 7: Requirement for commercial use to be revised to be 20% of the gross floor area of the ground floor.</li> <li>• Provide exemption from ground floor commercial requirement for parcel in TL 4A where no pedestrian activity is likely (other than from CKC) and site location poses challenges for commercial use in mixed use development.</li> </ul>
<b>TL 10C, TL 10D and TL 4B</b>	55.77, 55.83, and 55.33.	Expansion of range of uses permitted in zone to include	<ul style="list-style-type: none"> <li>• <b>Requested amendment:</b> <ul style="list-style-type: none"> <li>○ Add residential suites as a permitted use in the</li> </ul> </li> </ul>	<b>Citizen Request:</b> <i>Angela Rozmyn and Robert Pantley</i>	<ul style="list-style-type: none"> <li>• Study expansion south of NE 116<sup>th</sup> Street.</li> </ul>	<ul style="list-style-type: none"> <li>• If the Planning Commission adds the Residential Suites use to the</li> </ul>

		residential suites	<p>TL 10C and TL 10D zones, within the Housing Incentive Areas.</p> <ul style="list-style-type: none"> <li>• <b>Options:</b> <ul style="list-style-type: none"> <li>• Add residential suites as a permitted use to one or both zones.</li> <li>• Add residential suites as a permitted use to the 4B zone.</li> <li>• No change.</li> </ul> </li> </ul>	<b>(Natural and Built Environments, LLC)</b> No applications or development are associated with this request.	<p>Include TL 4B in study.</p> <ul style="list-style-type: none"> <li>• Look at 10-minute neighborhood (proximity to groceries and services)</li> <li>• Use ARCH for background info on res suites</li> <li>• Provide information about how these do/don't serve seniors.</li> </ul>	TL 4B, TL 10C and TL 10D zones, require parking to be provided at the same ratios as those used for multifamily development in these zones. Note the opportunity to provide a parking study to address unique conditions.
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**D. AMENDMENTS TO IMPLEMENT ENHANCEMENT AND TRANSPORTATION PLAN**

<b>ZONE</b>	<b>ZC CHAPTER OR SECTION(S)</b>	<b>DESCRIPTION</b>	<b>PROPOSED CHANGES/OPTIONS</b>	<b>SOURCE OF AMENDMENT</b>	<b>PC DIRECTION</b>	<b>STAFF RECOMMENDATION</b>
TL 1A, TL 1B	55.09, 55.15	<ul style="list-style-type: none"> <li>• Clarification of standards for pedestrian-oriented space.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish specific standards for area (range of square footage).</li> <li>• Clarify expectations and improvements to be included in the space to remove ambiguity.</li> </ul>	<ul style="list-style-type: none"> <li>• Enhancement Plan</li> </ul>	Support of general concepts from Enhancement Plan.	<ul style="list-style-type: none"> <li>• Revise Sections 55.09 and 55.15 to specify square footage of public space to be provided by residential and non-residential development:                             <ul style="list-style-type: none"> <li>○ Residential under 50</li> </ul> </li> </ul>

						<p>units: 500-1,000 s.f. Larger projects: 1,500-2,000 s.f.</p> <ul style="list-style-type: none"> <li>○ Non-residential under 25,000 s.f.: 500-1,000 s.f. Larger projects: 1,500-2,000 s.f.</li> <li>● Use Public Access Easement” for new space (per City Attorney)</li> </ul>
<b>TL 4B, TL 6A/B, TL 10B</b>	55.33, 55.45 and 55.75	<ul style="list-style-type: none"> <li>● Add new provisions for pedestrian-oriented space.</li> </ul>	<ul style="list-style-type: none"> <li>● Establish specific standards for area (range of square footage).</li> </ul>	<ul style="list-style-type: none"> <li>● Enhance-ment Plan</li> </ul>	Support of general concepts from Enhancement Plan.	<ul style="list-style-type: none"> <li>● Add a new regulation for public space only if the maximum building height is increased in other amendments. The regulation should specify square footage of public space to be provided by residential and non-residential development:</li> </ul>

						<ul style="list-style-type: none"> <li>○ Residential under 50 units: 500-1,000 s.f. Larger projects: 1,500-2,000 s.f.</li> <li>○ Non-residential under 25,000 s.f.: 500-1,000 s.f. Larger projects: 1,500-2,000 s.f.</li> <li>● Use Public Access Easement” for new space (per City Attorney)</li> </ul>
<b>MULTIPLE TL ZONES (TBD)</b>	Chapter 110	New standards for streets in Totem Lake Business District.	<ul style="list-style-type: none"> <li>● Standards for rights of ways, sidewalks, travel lanes for vehicles and bicycles, transit facilities, landscaping and street trees, lighting and wayfinding elements will be addressed through amendments and changes to Pre-Approved Plans.</li> </ul>	<ul style="list-style-type: none"> <li>● Enhancement Plan</li> </ul>	Yes	<ul style="list-style-type: none"> <li>● Section 110.40 (Collector Streets):                             <ul style="list-style-type: none"> <li>○ Add Residential-Commercial Streets</li> </ul> </li> <li>● All other street concepts would occur on “Minor Arterial Streets” and “Principal Arterial Streets”.</li> </ul>

			<ul style="list-style-type: none"> <li>• Incorporate revised tree species recommendations from City’s Urban Forester.</li> </ul>			<p>Improvements for those streets are determined by the Public Works Director. Cross-sections for all other street typologies will be added to the PW Pre-Approved Plans (2018 Revisions)</p>
<b>Multiple</b>	Chapter 180	Plates for street concepts for the Totem Lake Business District need to be updated and revised.	<ul style="list-style-type: none"> <li>• Changes to Plates to correct and improve maps to clarify vision for Residential/Commercial Collector Streets.</li> </ul>	<ul style="list-style-type: none"> <li>• Enhancement Plan</li> </ul>		<ul style="list-style-type: none"> <li>• New 34A: Consolidate 34A, B, F and G into one map for Residential Commercial Collector Streets – map to be identical to Figure TL-6 from Comp Plan, but with references to ZC section in Chap 110.</li> <li>• Retain 34D (renamed 34B) and 34E (renamed 34C).</li> <li>• Conceptual info from 34F and 34G to be moved</li> </ul>

						to Design Guidelines.
<b>TL 3</b>	55.27.010	Enhanced sidewalk/bike path and new linear park to improve and encourage movement between the VTL and EH and to points north and west (BRT, etc.). Will also provide a key placemaking element in the business district.	<ul style="list-style-type: none"> <li>• Change to zoning to require dedication (or easement) on the hospital campus to enable the development of the hill climb improvements.</li> </ul>	<ul style="list-style-type: none"> <li>• Enhancement Plan</li> </ul>	(New item added to scope since 4/26 PC meeting)	Add requirement that hill climb improvements must be provided when an increase in square footage of development occurs on the hospital campus.
<b>COMPREHENSIVE PLAN</b>	Figure TL-10	Correction to alignment of Circulator Blvd and addition of gateways recommended in Enhancement Plan	<ul style="list-style-type: none"> <li>• Add four new gateways identified in Enhancement Plan</li> <li>• Correct alignment of Circulator to follow 124<sup>th</sup> Ave NE</li> </ul>	<ul style="list-style-type: none"> <li>• Enhancement Plan</li> </ul>	(New item added to scope since 4/26 PC meeting)	Add gateways to ensure they are noted during design review. Make map correction to Circulator.
<b>COMPREHENSIVE PLAN</b>	Figure TL 6	Corrections to map and add new Residential Commercial streets from	<ul style="list-style-type: none"> <li>• Change figure title to be more accurate</li> <li>• Revise to show completion of 118<sup>th</sup> Ave NE in TL 10B</li> </ul>	<ul style="list-style-type: none"> <li>• Enhancement Plan and update due to completion</li> </ul>	(New item added to scope since 4/26 PC meeting)	Make proposed changes to figure.

		Enhancement Plan	<ul style="list-style-type: none"><li>• Revise legend to include Residential Commercial streets</li><li>• Add all Residential Commercial collector streets from Enhancement Plan</li></ul>	of planned street		
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C. COMPREHENSIVE PLAN AND RELATED ZONING CODE CHANGES					
PLAN	SECTION/PAGE	PROPOSED CHANGE	SOURCE OF AMENDMENT	PC DIRECTION	STAFF RECOMMENDATION
TOTEM LAKE BUSINESS DISTRICT PLAN	Western Mixed Use Subarea discussion	<p><b>WITHDRAWN</b></p> <p><u>Residential Suites:</u></p> <ul style="list-style-type: none"> <li>• Revise discussion to describe where multifamily residential use is supported within the Western Mixed Use Subarea.</li> <li>• Consider developing new policy to support multifamily residential use and/or residential suites specifically.</li> <li>• Revise maps as needed.</li> <li>• <b>Options:</b> <ul style="list-style-type: none"> <li>○ No change</li> </ul> </li> </ul>	<p><b>WITHDRAWN</b></p> <p>Policy change is necessary to support request for Zoning Code amendments from <b>Pantley/Rozmyn</b></p>	<p><b>WITHDRAWN</b></p> <ul style="list-style-type: none"> <li>• Expand scope to look at multifamily (in addition to residential suites) throughout zone.</li> <li>• Look at 10-minute neighborhood (proximity to groceries and services)</li> <li>• Use ARCH for background info on res suites</li> <li>• Provide information about how these do/don't serve seniors.</li> </ul>	<ul style="list-style-type: none"> <li>• Remove from study scope.</li> <li>• If Residence XII requests that change in land use be considered prior to public hearing, Planning Commission may decide to include in scope.</li> </ul>

ZONE	SECTION(S)	DESCRIPTION	PROPOSED CHANGES/OPTIONS	SOURCE OF AMENDMENT	PC DIRECTION	STAFF RECOMMENDATION
TL 10A	55.69	<p><b>WITHDRAWN</b></p> <p><del>Expansion of range of uses permitted in zone to include residential suites</del></p>	<p><b>WITHDRAWN</b></p> <ul style="list-style-type: none"> <li>• <b>Requested amendment requires:</b> <ul style="list-style-type: none"> <li>○ Comprehensive Plan Amendment to support residential use in business park area.</li> <li>○ ZC change to add use(s)</li> </ul> </li> <li>• <b>Options:</b> <ul style="list-style-type: none"> <li>○ Limit new allowed uses to residential suites on Residence XII property</li> <li>○ Allow residential suites on more parcels in zone</li> <li>○ Allow multifamily development (in addition to residential suites) in zone.</li> <li>○ No change.</li> </ul> </li> </ul>	<p><b>WITHDRAWN</b></p> <p><del><b>Citizen Request: Pantley/Rozmyn</b> (Application submitted for development)</del></p>	<ul style="list-style-type: none"> <li>• See above.</li> </ul>	<ul style="list-style-type: none"> <li>• Remove from study scope.</li> <li>• If Residence XII requests that change in land use be considered prior to public hearing, Planning Commission may decide to include in scope.</li> </ul>

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**55.71** User Guide.

The charts in KZC 55.75 contain the basic zoning regulations that apply in the TL 10B zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

**Section 55.73**


Zone  
ITL 10B

## Section 55.73 – 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. For structures located within 30 feet of a parcel in a low density zone (or a low density use in PLA 17), KZC 115.136 establishes additional limitations on structure size.
- ~~3. New development on properties across which the planned extension of 118th Avenue NE to NE 116th Street is located, as shown on Plate 34C, Chapter 180 KZC, shall contribute to the creation of the street as follows:
 
  - ~~a. With all new development, the portions of this street crossing the subject property shall be dedicated as public right-of-way consistent with Plate 34C; and~~
  - ~~b. The street shall be improved as determined by the Public Works Director.~~~~

~~Minor deviations in the location and width of the street may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the street.~~
34. Vehicular access to NE 116th is permitted only via 118th Avenue NE, or if the subject property does not have access to 118th Avenue NE. (Does not apply to Public Park use.)
45. Development must be designed to retain the existing hill along NE 116th Street and retain, at a minimum, 25 percent of the viable significant trees. The City may require greater than 25 percent depending on the location and clustering of trees. (Does not apply to Public Park use.)
56. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.
67. Development adjoining the Cross Kirkland Corridor or Eastside Rail Corridor shall comply with the standards of KZC 115.24.

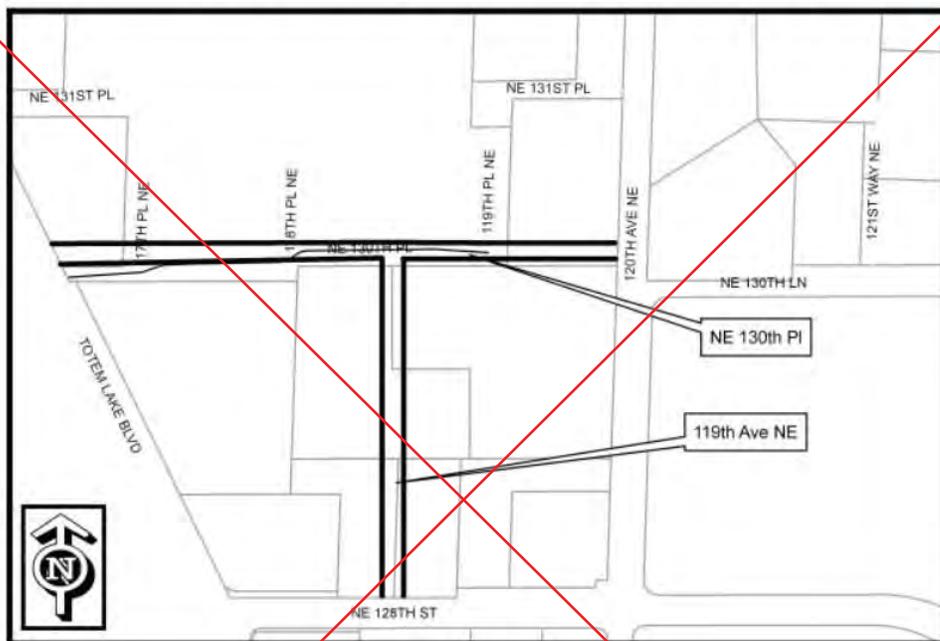


## Chapter 180 Summary of Amendments to Plates

1. Consolidate Plates 34A, B, F and G into one map for Residential/Commercial Collector Streets – See revised plate 34A – Totem Lake Business District Street Improvements, and clarifications to concepts for 34F and 34G in Totem Lake design guidelines.

Plate 34A 119th Avenue NE and NE 130th Place Street Improvements in TL 1A and TL 1B

SHARE



Required street improvements for 119th Avenue NE and NE 130th Place:

119th Avenue NE:

40 – 51 feet of public right-of-way

Specific improvements to be determined by the Public Works Director

NE 130th Place:

51 feet of public right-of-way

Specific improvements to be determined by the Public Works Director

Note: The precise right-of-way alignment may vary, and shall be determined by the Public Works Director.

Plate 34B 123rd Avenue NE and NE 120th Street Improvements in TL 5 Zone



Required street improvements for 123rd Avenue NE and NE 120th Street:

60 feet of public right-of-way. Right-of-way width may be modified by the Public Works Director.

Specific improvements to be determined by the Public Works Director

Plate 34F Vehicular Access and Pedestrian Pathway Concept for TL 5

SHPRE

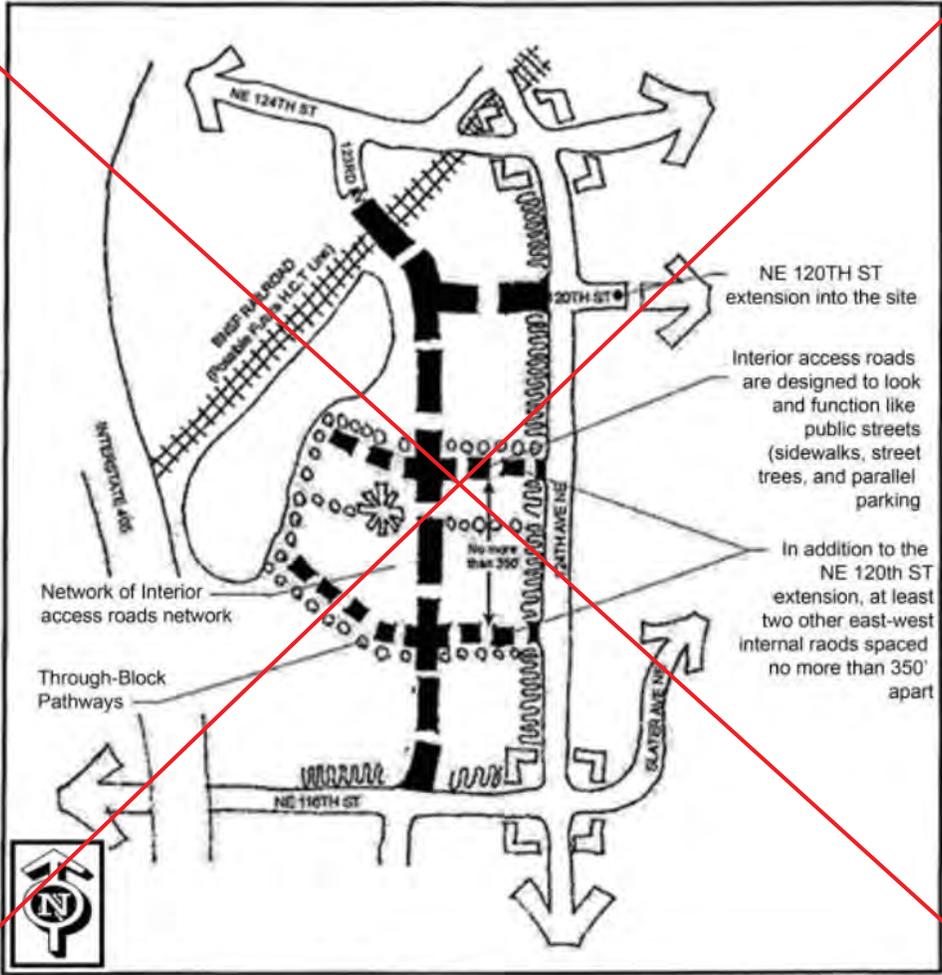
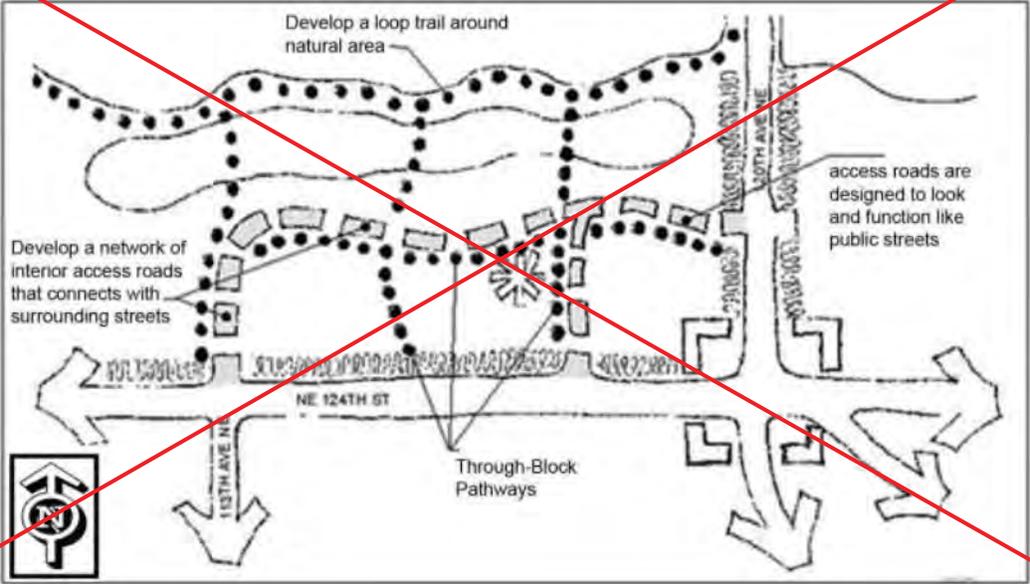
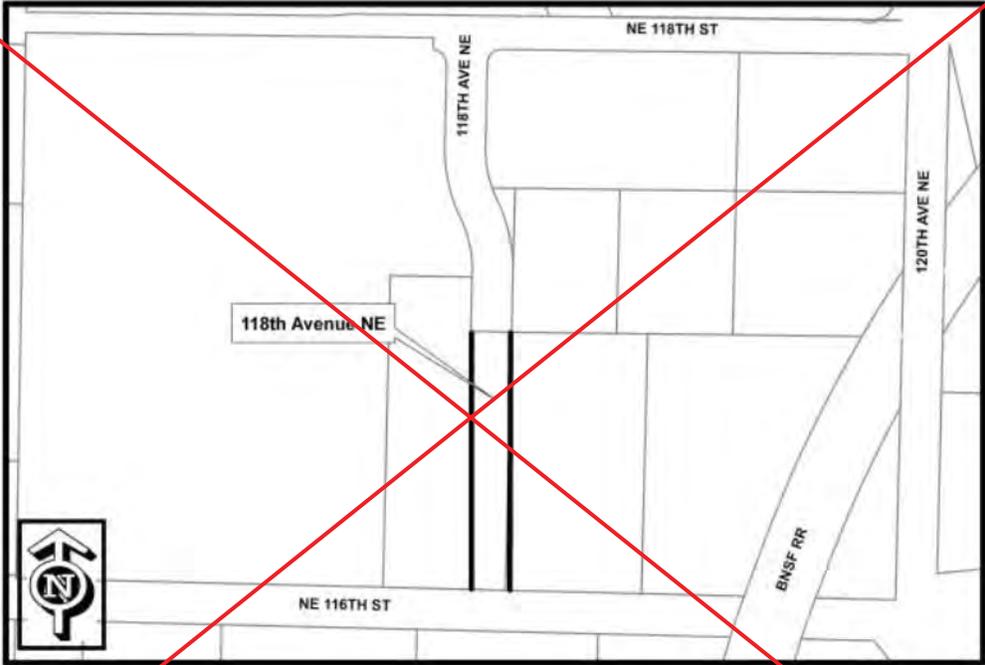


Plate 34G Internal Access Roads and Through-Block Pathway Concept for TL 6B



- 2. Eliminate Plate 34C. 118<sup>th</sup> Avenue NE is now under construction, associated with development of Lifebridge project in TL 10B.

Plate 34C 118th Avenue NE Street Improvements in TL 10B Zone SHARE



Required street improvements for 118th Avenue NE:

- 60 feet of public right-of-way
- A slope easement may be required, west of the 118th Avenue NE right-of-way, as determined by the Public Works Director
- Specific improvements to be determined by the Public Works Director

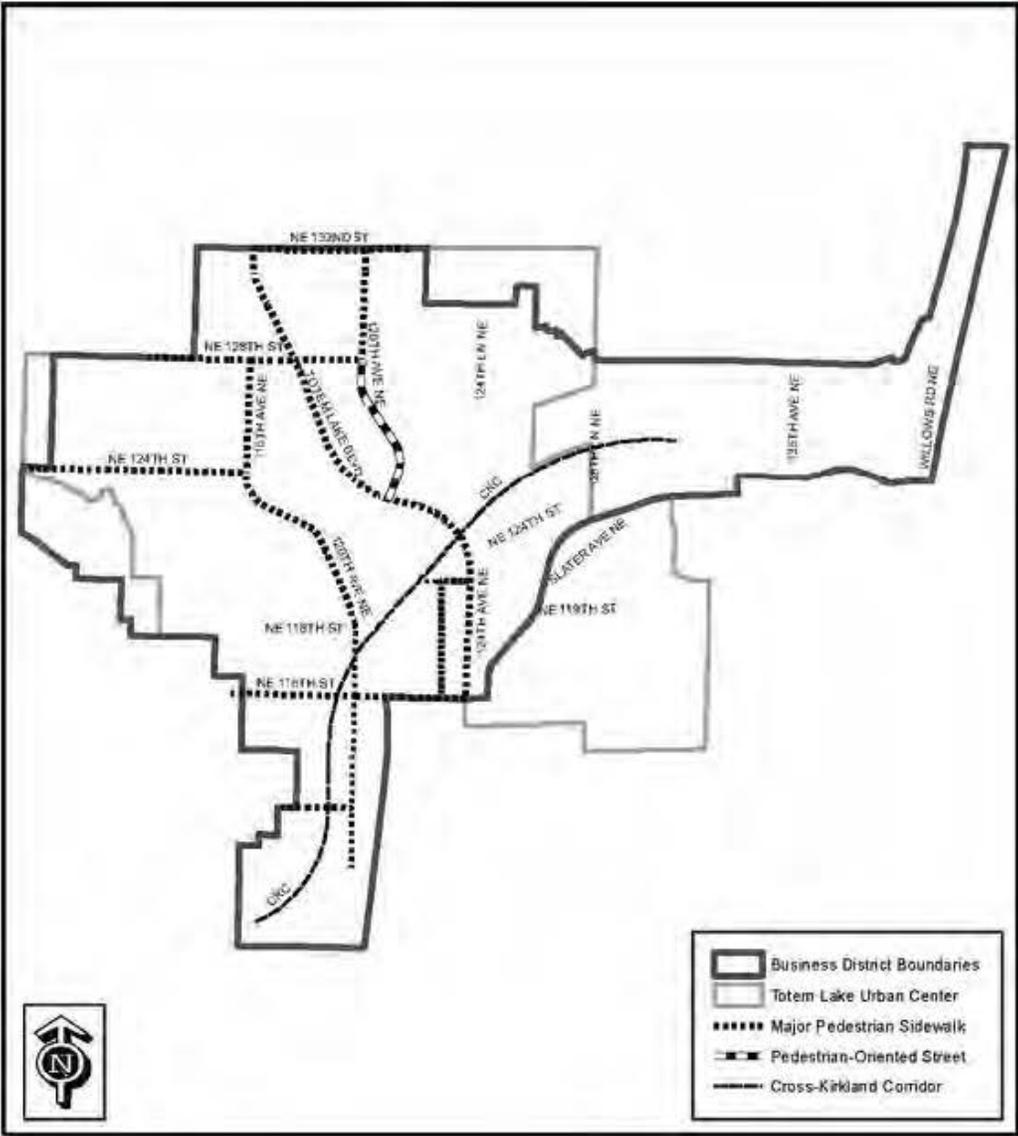


4. Retain Plate 34E, but renumber to 34C

34C

Plate 34C Pedestrian Circulation in Totem Lake

SHARE





**55.29** User Guide.

The charts in KZC 55.33 contain the basic zoning regulations that apply in the TL 4A, TL 4B and TL 4C zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

**Section 55.31**

## Section 55.31 – GENERAL REGULATIONS

## Zone

TL 4A, 4B,  
4C

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
2. The ground floor of all structures with frontage on a paved pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space, shall be a minimum of 13 feet in height (see Plate 34A, Chapter 180 KZC). Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five feet. This requirement does not apply to:
  - a. The following uses: vehicle service stations, private lodges or clubs, 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; or
  - c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.
3. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
  - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
  - b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.
- ~~4. Ground floor spaces in structures with frontage on a public right-of-way, interior access road, major pedestrian sidewalk, through-block pedestrian pathway, internal pathway or pedestrian-oriented space must be designed in a configuration which encourages pedestrian activity and visual interest (see also Chapter 105 KZC).~~
- ~~45.~~ Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
- ~~56.~~ Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.
- ~~67.~~ Development adjoining the Cross Kirkland Corridor or Eastside Rail Corridor shall comply with the standards of KZC 115.24.

## 55.35 User Guide.

The charts in KZC 55.39 contain the basic zoning regulations that apply in the TL 5 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

## Section 55.37



Zone  
TL 5

## Section 55.37 – 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 provision of this code may apply to the subject property.
2. The ability to accommodate new development in the TL 5 zone is dependent upon the construction of two new streets as shown on Plate 34~~AB~~:
  - 123rd Avenue NE extending north from NE 116th Street to a new extension of NE 120th Street.
  - NE 120th Street extending from 124th Avenue NE, connecting to the new 123rd Avenue NE and continuing across the Cross Kirkland Corridor to connect with 123rd Place NE.

Consistent with and to the extent authorized by applicable statutes and court decisions, new development on properties across which these streets in whole or in part extend shall contribute to the creation of the streets as follows:

  - a. With all new development, the portions of these streets crossing the subject property shall be dedicated as public right-of-way consistent with Plate 34~~AB~~. The Public Works Director may authorize that an access street can be within a private access easement if it is found that the private street allows for a superior site design that also maintains an effective street network. If a private access street is allowed, the standards for the street improvements should be similar to those of public streets, and the maintenance of such streets shall be the responsibility of the property owner. Additionally, if a private access street is allowed, design standards applicable to development abutting a major pedestrian sidewalk continue to apply; and
  - b. With all new development exceeding 35 feet in height, the streets shall be improved ~~as determined by the Public Works Director. Suggested cross sections for each of these roads would~~ as set forth in Section 110.40.20 include:
    - ~~1) Two travel lanes (one lane each way);~~
    - ~~2) On-street parallel parking;~~
    - ~~3) Bicycle lanes;~~
    - ~~4) Eight to 12-foot wide sidewalks on each side of the street with street trees placed toward the curb 30 feet on-center. Sidewalk width may be reduced where planting strips (minimum four feet wide) are maintained between the street and sidewalk. Minor deviations in the location and width of the streets may be approved by the Public Works Director if the deviations will not negatively affect the functioning of the streets.~~
3. In addition to the two streets required in General Regulation 2, development in TL 5 shall incorporate the following circulation features, as shown in Plate 34~~CF~~:
  - a. Internal east-west access roads extending westward from 124th Avenue NE. These may be public or private streets.
  - b. Through-block pathways or other pathways to link streets and/or activities. Through-block pathways may be integrated with internal access roads and/or provided within separate pedestrian-only corridors. See KZC 105.19 for through-block pathway standards.

4. Building and/or landscaping features that highlight the entryway to the Totem Lake Neighborhood shall be incorporated into redevelopment of the parcel located at the southeast corner of TL 5. The features shall contain elements such as a sign, art and/or lighting. See Chapter 92 KZC, Design Regulations.
5. The ground floor of all structures on the subject property with frontage on a paved pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 13 feet in height. Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five feet. This requirement does not apply to:
  - a. The following uses: vehicle service stations, private lodges or clubs, 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. ~~Ground floor spaces in structures with frontage on a public right-of-way, interior access road, major pedestrian sidewalk, through-block pedestrian pathway, internal pathway or pedestrian-oriented space must be designed in a configuration which encourages pedestrian activity and visual interest.~~
7. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.
8. Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.
9. Development adjoining the Cross Kirkland Corridor or Eastside Rail Corridor shall comply with the standards of KZC 115.24.

**55.41** User Guide.

The charts in KZC 55.45 contain the basic zoning regulations that apply in the TL 6A and TL 6B zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

**Section 55.43**

## Section 55.43 – 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. Where feasible, primary access for nonresidential uses within TL 6 shall be from 124th Avenue NE, NE 124th Street, or NE 120th Street.
3. The ground floor of all structures with frontage on a paved pedestrian or vehicular circulation route, or adjacent to a pedestrian-oriented space shall be a minimum of 13 feet in height (see Plate 34A, Chapter 180 KZC). Where necessary for the ground floor of the building to be at the elevation of an abutting street, the building may exceed the permitted maximum height of structure by up to five feet. This requirement does not apply to:
  - a. The following uses: vehicle service stations, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, residential development in TL 6A where over 80 percent of the total units in the development are affordable to households earning no more than 60 percent of the King County median income, 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; or
  - d. Parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE.
- ~~4. Within TL 6B, ground floor spaces in structures with frontage on a public right-of-way, interior access road, major pedestrian sidewalk, through-block pedestrian pathway, internal pathway or pedestrian-oriented space must be designed in a configuration which encourages pedestrian activity and visual interest. This regulation does not apply to parcels located more than 500 feet north of NE 124th Street, east of 116th Avenue NE (see Plate 34G).~~
45. In addition to the height exceptions established by KZC 115.60, the following exceptions to height regulations in TL zones are established:
  - a. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
  - b. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.

# USE ZONE CHART

## Section 55.45

56. Access for drive-through facilities must be approved by the Public Works Official. See Chapter 105 KZC for requirements.

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

(GENERAL REGULATIONS CONTINUED ON NEXT PAGE)

(GENERAL REGULATIONS CONTINUED FROM PREVIOUS PAGE)

78. In TL 6B, development must provide a grid of internal access roads ~~(see Plate 34G)~~ (see Plate 34A, Chapter 180 KZC) pursuant to the following standards:

- a. A centralized east-west connection that forms the spine for the site. Such a connection would reduce the need for vehicular circulation on NE 124th Street.
- b. Two to three north-south connections from NE 124th Street to the east-west connection noted above. A desirable distance between access roads is between 250 and 300 feet. The maximum allowable distance between access roads shall be 350 feet. These may be public or private streets. Wider separation (up to 500 feet) may be considered where properties dedicate a minimum 30-foot-wide public pedestrian corridor.
- c. Suggested cross-sections for each of these roads:
  - 1) Two travel lanes (one lane each way);
  - 2) On-street parallel parking;
  - 3) Eight- to 12-foot-wide sidewalks on each side of the street with street trees placed 30 feet on-center. Sidewalk width may be reduced where planting strips (minimum four feet wide) are maintained between the street and sidewalk.

The above access roads may be private or public.

89. The applicant shall install a through-block pathway or other pathways to link streets and/or activities (see Plate 34C, Chapter 180 KZC). ~~(See Plate 34G.)~~ Include at least one mid-block east-west pathway connecting uses to 116th Avenue NE and a network of north-south pathways at intervals no greater than 350 feet that link uses to NE 124th Street. Through-block pathways may be integrated with internal access roads and/or provided within separate pedestrian-only corridors. See KZC 105.19 for through-block pathway standards. Additional through-block pathways not shown in the Comprehensive Plan may be required by the City on parcels larger than two acres in order to enhance pedestrian access on large sites.

940. No portion of a structure on the subject property within 40 feet of Slater Avenue in TL 6A may exceed 30 feet above the elevation of Slater Avenue as measured at the midpoint of the frontage of the subject property on Slater Avenue.



## Amendments to Section 92.15.3.b

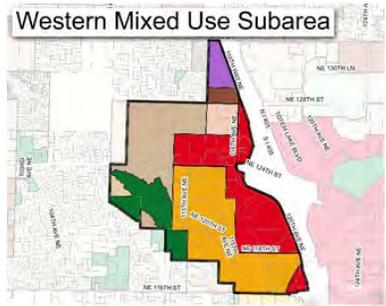
### 3. Blank Wall Treatment

- a. Blank Wall Defined – All Zones – A blank wall is any wall or portion of a wall that meets either of the following criteria (see Figure 92.15.C):
- 1) A wall or portion of a wall with a surface area of at least 400 square feet having both a length and a width of at least 10 feet without a window, door, building modulation at least one (1) foot in depth or other architectural feature.
  - 2) Any wall or portion of a wall between four (4) feet and 13 feet above ground level with a horizontal dimension longer than 15 feet without a window, door, building modulation at least one (1) foot in depth or other architectural feature.
- b. Blank Wall Treatments – All Zones – Each blank wall that is visible from any right-of-way, internal access road, pedestrian-oriented space, ~~or through-block pathway~~, the Cross Kirkland Corridor or the Eastside Rail Corridor must be screened or treated in at least one (1) of the ways listed in subsection (3)(c) of this section if it meets the criteria for a blank wall under subsection (3)(a) of this section. Internal roadways used primarily for service access and not visible from a street, pedestrian-oriented space ~~or through-block pathways~~, the Cross Kirkland Corridor or the Eastside Rail Corridor are exempt from this requirement.
- c. Blank Wall Treatment Standards in All Zones – At least one (1) of the following techniques must be used to treat or screen blank walls:
- 1) By the installation of a vertical trellis with climbing vines or plant material in front of the blank wall.
  - 2) By providing a landscaped planting bed at least five (5) feet wide or a raised planter bed at least two (2) feet high and three (3) feet wide in front of the blank wall and planted with plant materials that will obscure or screen at least 50 percent of the blank wall within two (2) years.
  - 3) By providing artwork, such as mosaics, murals, sculptures or bas-relief on the blank wall.
  - 4) By proposing alternative techniques as part of the Design Review process.



## Comprehensive Plan Totem Lake Business District

### Western Mixed Use Subarea



The Western Mixed Use Subarea contains a wide range of uses and activities. The Kirkland Justice Center, providing police and court services, is located here, just west of the general retail area along 120th Avenue NE, and just east of the large 405 Corporate Center, where much of the subarea's office and some flex industrial space is located. A mix of community recreational/cultural uses are clustered in the TL 10B zone at the southern end of the subarea. North of NE 124th Street lies the Totem Lake West shopping center and the Kingsgate Park and Ride lot. Medium density multifamily residential development remains at the subarea's western boundary.

Within the southern upland portion of the Heronfield Wetlands Open Space, community members built and operate Jasper's Dog Park, a two-acre, fenced site that provides an opportunity for dogs to play and socialize off-leash, and for citizens to visit and enjoy the natural setting.

The wooded hillside located at the south end of the Western Mixed Use Subarea is designated as a medium landslide hazard area (see Figure TL-4). Development in this area should be subject to the following conditions:

- (1) Lot coverage for development should be limited to ensure maximum preservation of existing vegetation.
- (2) Heavily vegetated visual and noise buffering should be maintained or developed where buffers are needed either for residential use of this site, or from nonresidential use of this site to residential use on neighboring properties.
- (3) Access to NE 116th Street should be limited due to the terrain and the desire to retain existing trees within the southern portion of the site.

~~A desired new road connection would link NE 116th Street and NE 118th Street through this part of the subarea (see Figure TL-6), providing more direct access to the Kirkland Justice Center, the office park, and points to the north and west.~~

North of NE 124th Street and west of 116th Avenue NE lies the Totem Lake West shopping center. This retail center has the potential for redevelopment to include more intensive commercial development as well as upper story residential use. Design guidelines establish redevelopment of the center as a pedestrian-oriented village, with a centralized plaza surrounded by storefronts oriented to internal private or public streets. Residential and/or office uses would be located on upper floors, with residential uses clustered at the north end of the site overlooking the natural greenbelt area.



February 6, 2018

Kirkland City Council  
c/o Dorian Collins  
City of Kirkland, Planning Department  
123 Fifth Ave.  
Kirkland, WA 98033

Kirkland City Council:

I am writing you to ask that you direct the planning department to look at updating the zoning code and guidelines for our property located at 12427 NE 124th Street, which is in the **TL6A** zone. There has been a recent interest in medical office however the height restrictions are actually 20 feet lower than stacked dwelling units. I am not really sure why that is, but I would request that the height restriction become consistent, at 65 feet, for apartments, office, hotel and assisted living/nursing home.

In addition, numerous developers have looked at it from an apartment development standpoint, and all have of them have come back stating that the ground floor commercial requirements are too high for such a thoroughfare. I think it would make more sense to let the amount of ground floor commercial be market driven versus code driven. In other words, have the code make that an option but not a requirement. At the very least, they should reduce the amount that is required.

Thank you for your consideration.

A handwritten signature in blue ink, appearing to read 'Doug Waddell', written over a faint circular stamp.

Doug Waddell  
President



# McCULLOUGH HILL LEARY, PS

---

July 6, 2018

VIA ELECTRONIC MAIL

Joan Lieberman-Brill, AICP  
Senior Planner  
Planning & Building Department  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, Washington 98033-6189

Re: Rose Hill Neighborhood Plan Update

Dear Joan:

We are writing on behalf of LMJ Enterprises, LP, owner of the property located at the southeast quadrant of the I-405 interchange at NE 85<sup>th</sup> Street (the "Property"). A vicinity map and relevant Property information are attached to this letter. The Property comprises zones 2A, 2B and 2C in the Rose Hill Business District in the Kirkland Zoning Code (the "Code").

Earlier this year, the City initiated a process to update the Rose Hill Neighborhood Plan, within which the Property is located. We are writing to request that as part of the Plan Update, the City consider certain changes to the Code to provide for some limited additional height and density for the Property. In addition, with the upcoming Sound Transit Rapid Ride station to be located at the adjacent interchange, we believe it is timely to consider a process for future transit-oriented development (TOD) of the Property. Our suggestions are set forth in the attached memorandum.

The Property is uniquely located to support such potential redevelopment. It is located at the intersection of an interstate highway and a major arterial. The future Sound Transit facility will connect it directly to the regional high-capacity transit system. The Property is of sufficient size to accommodate a meaningful mixed-use development while at the same time providing appropriate scale transitions to neighboring sites to the south.

As our regional light rail and high-capacity transit network builds out across the Puget Sound area, it is critical for cities to make smart use of well-located sites like this one to provide for future residential and job growth. Sites like this that can accommodate urban density need to be zoned for it, both to make good use of our investment in rail and to reduce redevelopment pressure on

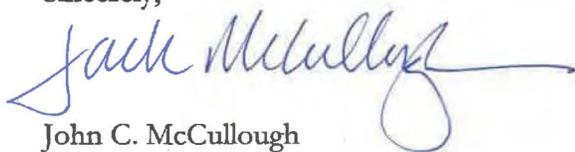
July 6, 2018  
Page 2 of 2

valuable single-family neighborhoods. Once a site is redeveloped, it is removed from our land use inventory for generations. Thus, it is important to get the density equation right today.

For this reason, we are making recommendations both for some modest immediate increases in height and density for the site, to bring those heights in line with prevailing development patterns on similar sites in the region. But we are also recommending adopting special overlay provisions that will create a process to consider an urban TOD proposal at this location, so that this potential opportunity is not lost.

We appreciate your consideration of these suggestions and we look forward to participating in the Plan Update process in the months ahead.

Sincerely,

A handwritten signature in blue ink, appearing to read "John C. McCullough", with a long horizontal flourish extending to the right.

John C. McCullough

JM:ldc

cc: Tod Johnson

**LEE JOHNSON CHEVROLET PROPERTY**  
*Property Information*

Principal Address: 11845 NE 85th St, Kirkland, WA 98033

Tax Parcel Nos.: 1233100200  
1233100198  
1233100190  
1233100145  
1233100141  
1233100197  
1233100080  
1233100075  
1233100151  
1233100150  
1233100155  
1233100161  
1233100161

Vicinity Map:



## Lee Johnson Chevrolet Property

### *Zoning Recommendations July 2018*

#### **Key Site Characteristics**

- Large site adjacent to I-405
- Limited land use compatibility issues
- Superior access to I-405 and arterial system
- Adjacent to future regional high-capacity transit station

#### **Objectives**

- Implement transit-oriented development (TOD) zoning
- Provide for short-term and long-term redevelopment options
- Coordinate building heights with building code allowances for mixed-use projects

#### **Proposal**

##### **1. Increase Heights Consistent with market and code allowances**

- Increase heights from 67'/45'/33' (north/middle/south) to 75' across entire site; site planning can address transition issues
- This height matches building code allowances. 75' equates to "5 over 2" construction
- 5-over-2 multifamily projects (75') are common in urban markets throughout the region
- This height increase allows for more housing, more efficient development in the short term

##### **2. Provide for TOD Overlay Zoning**

- Create a new overlay zone in the Code, available only for sites larger than 5 acres, located on a major arterial within ¼ mile of a high-capacity transit station
- Sites within the overlay can use existing zoning or opt to seek Master Plan approval under the overlay
- Master Plan application would be reviewed by Planning Commission and City Council
- Master Plan includes site plan, open space/landscaping plan, circulation plan, access plan, impact mitigation and phasing plan over 10 +/- years (long enough to accommodate more than one development cycle, in case a recession intervenes)

- TOD Overlay allows 160' heights for residential (with floorplate size limitations) and 75' for office/retail
- Mix of uses would be determined by the market, but must include some neighborhood-serving retail uses
- Final City Council approval is by Development Agreement



141 Front Street North  
Issaquah, WA 98027

T: 425.889.9500  
www.mdgllc.net



July 13, 2018

Janice Coogan  
City Planner  
City of Kirkland Planning and Building Department  
123 5<sup>th</sup> Ave  
Kirkland, WA 98033

Dear Ms Coogan:

We are writing to you as the developer of five parcels making up the RH 3 zone located at 12040 NE 85<sup>th</sup> Street. The King County parcel numbers for the property are as follows:

- 1238500110
- 1238500115
- 1238500125
- 1238500135
- 1238500140

This transit oriented development will be adjacent to the future I-405 BRT station and will provide over 200,000 square feet of retail including grocery, drug store and fitness center. Above the retail and underground parking structure, there will be four 5-6 level residential buildings totaling approximately 740 residential units with 10% being designated as affordable housing.

The design team and ourselves are excited about our design for this project, and optimistic on how it will contribute to transforming the Rose Hill Corridor District into a vibrant 24-hour neighborhood. Our vision is not only to provide retail and restaurants, health club, and apartment homes, but to create a place where people will truly want to congregate, visit, and enjoy the public spaces. We envision a place for residents to meet friends and family, to enjoy the surroundings and services, and for visitors to enjoy the plazas and gardens. In addition to the public amenities at ground level, we plan to provide residential amenities on the rooftops. This will include exterior plazas with generous landscaping providing opportunities for casual seating and barbecues. To successfully provide these pedestrian public spaces as well as the rooftop amenities areas, the design team is proposing two zoning code amendments for the Rose Hill 3 zone.

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 July 13, 2018

Page 2

As part of the Rose Hill 3 Neighborhood Plan update process, we would like the City of Kirkland to consider the following code amendments to help achieve a vibrant urban mixed-use project:

Increase Lot Coverage of the RH3 Zone to 100%

With the construction of the I-405 BRT station at NE 85<sup>th</sup> St, we believe Kirkland will benefit from transit oriented developments such as ours. With almost 800 residential units including low income housing, our Rose Hill development will bring urban density with retail anchors that can support the daily needs of its residents and the surrounding communities. For providing this density, our project will be providing a large public plaza and vegetated hill climb to serve as a public gathering space. We believe these elements will be valuable public amenities and serve as the heart of this future urban neighborhood.

Examples of higher density include Totem Lake, Yarrow Bay, and the Central Business District. In Totem Lake (TL 1B) lot coverage of 85% can be increased by providing superior landscaping on lower portions of structures or rooftop, visual and pedestrian access to public gardens, or other approaches that provide for usable green space (KMC 55.15.050.5.b). The Central Business District (CDB 8) allows 100% lot coverage along Central Way. Here the stacked residential is supported by retail and restaurant attractions that will make this business corridor a highlight of Kirkland's urban living. Lastly, Yarrow Bay (YBD 1) allows for 100% lot coverage next to the South Kirkland Park and Ride. Here Kirkland Crossing and Velocity Apartments create a high-density transit oriented development which provides the public with a landscaped plaza connection through the site.

Increase the Allowable Height Limit from 67'-0" to 75'-0"

We propose that the RH3 zoning regulations be modified to increase the overall building height by 8'-0" to allow for decorative parapets, roof plaza paving systems, open railings, and landscape planters. This increase to the allowable height would not increase the number of floors but instead allow for increased flexibility of architectural forms at the roof line. Roof modulation afforded by varying parapet heights enhances the building elevations by supporting the exterior design composition and providing visual interest from the surrounding community. Lastly, the quality and feasibility of roof top amenity areas will be dependent upon design elements such as plaza paving, opening railings and planters. Rooftop amenity areas will allow tenants to relax and barbeque in a

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 July 13, 2018

Page 3

park like setting while enjoying the surrounding views which is a hallmark of desirable residential buildings.

Decrease the required parking for Residential

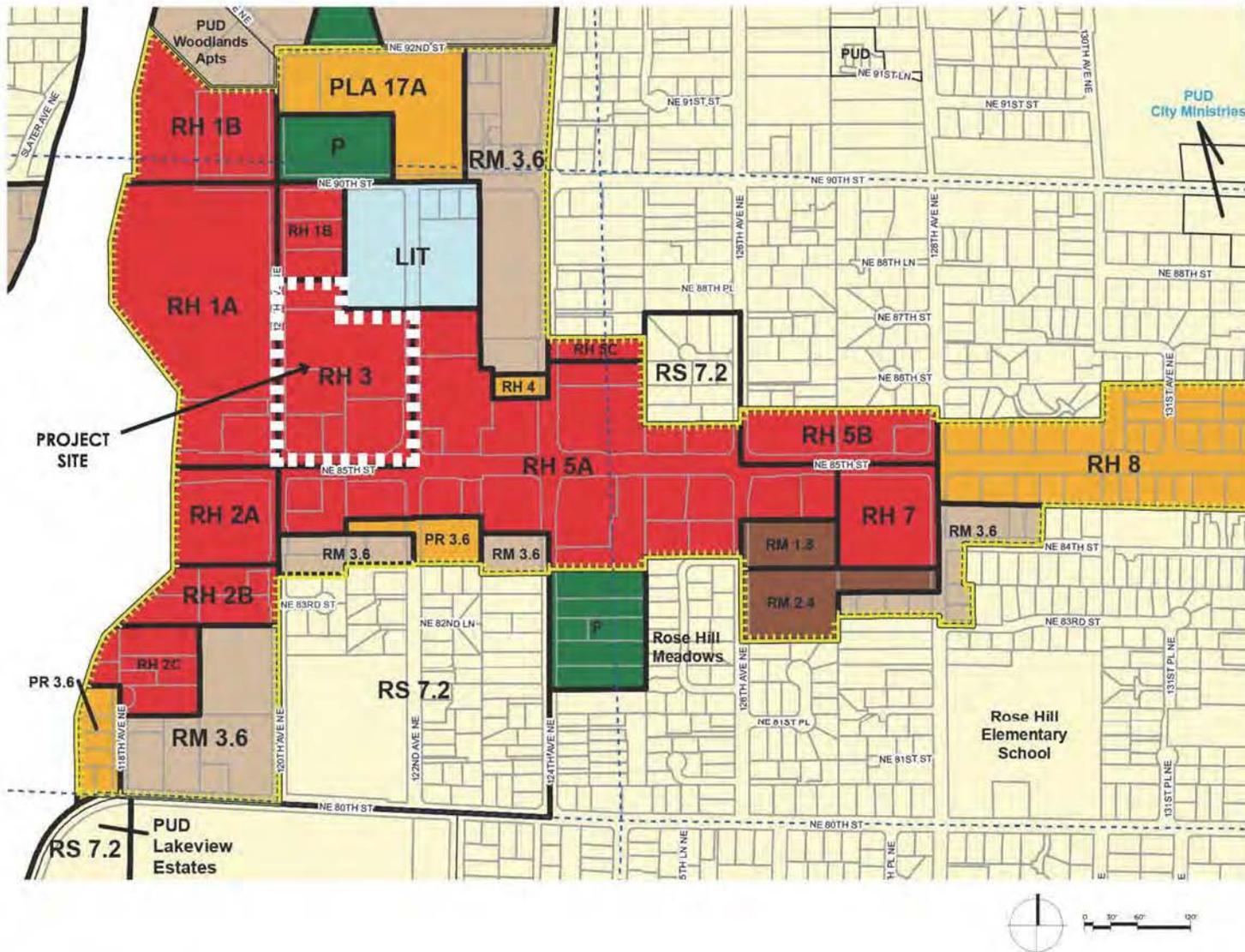
We propose that the RH3 zoning regulations be modified to decrease the parking requirements for mixed use developments containing multi-family residential use and retail uses. The land-use portion of the Kirkland comprehensive plan lists the importance of new innovative developments and changing household needs. We believe there will be a major reduction in car ownership as a result of car sharing services and expanding mass transit. The proximity of the planned new I-405 BRT station will provide a direct connection with downtown Bellevue which will make Seattle and other employment centers accessible via light rail. The BRT station makes our project a transit oriented development, and most all jurisdictions reduce the parking requirements for Transit oriented development. Specifically, the Kirkland comprehensive plan policy LU – 3.7 States that a reduction in parking requirements should be considered for walkable areas with convenient shops services and good transit service. The design team and project developer foresee the realistic parking demand to be lower than the parking requirements currently applicable to the RH3 zone. We have asked our traffic consultant to prepare a parking study that will forecast the parking demand for the RH3 zone. We will share that study with you as soon as it is finished. In the meantime, we request that you begin the amendment process holding open the exact parking ratios that will apply to the RH3 zone.

We hope that the City of Kirkland will support these modifications to the RH3 zoning regulations. The proposed revisions are consistent with many of the policies in the Kirkland Comprehensive Plan related to Community Character, Climate Change, Land Use (especially Land Use/Transportation Linkages), and the NE 85<sup>th</sup> Street Subarea. Policy NE85-3.5 provides for utilizing zoning incentives or other techniques to encourage commercial redevelopment in the Subarea. The requested amendments do precisely that as they will enable us to provide the City with a marquee project at the doorstep to its new rapid transit station. Thank you for your consideration.

Sincerely,



Jim Gallagher  
Principal



**ZONING CODE**

**SECTION 53.32 - GENERAL REGULATIONS**

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 dimensions 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.
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).



- 1 U-Haul
  - 2 Costco
  - 3 76 Gas Station
  - 4 Avio Office Building
  - 5 Arris Building
  - 6 Mercury's Coffee
  - 7 Rose Hill Plaza
  - 8 McDonalds
  - 9 Honda of Kirkland
  - 10 Taco Time
  - 11 Starbucks
  - 12 Walgreens
  - 13 Safeway
  - 14 Lee Johnson Mazda
  - 15 Kirkland Retail & Car Center
  - 16 Kirkland Court
  - 17 Jiffy Lube
  - 18 Jonesco Business Park
  - 19 Rose Hill Presbyterian Church
- Transit**
- Kirkland Way Park & Ride
  - Primary Transit Network
  - Secondary Transit Network
  - - - Planned Bus Rapid Transit Route
  - Bus Stop





1  
NW CORNER



2  
SE CORNER

**Examples of 75-foot mixed use apartment buildings**

**AXLE APARTMENTS**

Interbay, Seattle  
Lennar Multifamily



**THE WHITAKER APARTMENTS**

West Seattle  
Lennar Multifamily Communities



**AVA CAPITOL HILL**

Capitol Hill, Seattle

AvalonBay Communities



**MODERA CAPITOL HILL**

Capitol Hill, Seattle

Mill Creek Residential



**SPRING DISTRICT APARTMENTS**

Bellevue, Washington  
Security Properties



**MODA APARTMENTS**

Belltown, Seattle  
Equity Residential





## Dorian Collins

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**From:** Doug Waddell <doug@waddellpropertiesinc.com>  
**Sent:** Monday, August 6, 2018 6:07 PM  
**To:** Dorian Collins  
**Subject:** FW: Totem Lake

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Hi Dorian – please see below. Let me know if it needs more explanation.

Doug

---

**From:** Ann Williamson <[williamsona@baylisarchitects.com](mailto:williamsona@baylisarchitects.com)>  
**Sent:** Monday, August 6, 2018 4:07 PM  
**To:** Doug Waddell <[doug@waddellpropertiesinc.com](mailto:doug@waddellpropertiesinc.com)>  
**Cc:** Meredith Everist <[everistm@baylisarchitects.com](mailto:everistm@baylisarchitects.com)>  
**Subject:** RE: Totem Lake

Hi Doug,

Some brief thoughts:

2 of the items the City seems to want included in each new development is parking and retail space in sufficient quantity. The 75 foot height limit would allow an additional floor for a 5 over 2 building. The additional floor of concrete could help provide the additional parking and retail space the City requires.

Hope that helps,

Ann

**Ann Williamson** | RA  
 Architect



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---

**From:** Doug Waddell <[doug@waddellpropertiesinc.com](mailto:doug@waddellpropertiesinc.com)>  
**Sent:** Monday, August 6, 2018 2:50 PM  
**To:** Ann Williamson <[williamsona@baylisarchitects.com](mailto:williamsona@baylisarchitects.com)>  
**Subject:** Totem Lake

Hi Ann – They are once again looking at making changes to the zoning. Dorian at the city mentioned another developer asked that they go to 75 feet so that they could do 5 over 2. Would you agree and if so could you elaborate on the benefits so that I can pass those along to the city?

Thanks...

Doug Waddell

## COMMENTS FROM ARCH SEPTEMBER, 2018

### Increased Building Height Totem Lake

It has been suggested to increase building heights in Totem Lake to 75' (most are 65' now) to allow for two-story podiums with five stories of wood frame construction above. City staff has heard from a large property owner who says this is becoming a common construction type. One question is if the city should consider adding an incremental increase in the required set aside for affordable housing beyond the current 10% set aside (e.g. Increase affordability requirement to 12% or some other percentage).

Based on a more straightforward analysis of land costs, potential increased development capacity and reduced cash flow associated with affordable units, it could be reasonable to increase the affordability level to 11.5% of the total units for those zones where the allowed height is increased from 65 feet to 75 feet.

However, following are several considerations that have come to mind in trying to address the question of required affordability levels related to increasing heights from 65 feet to 75 feet. After reviewing this material, it may be helpful to have a discussion with City staff to see if there are any follow up questions, or consensus by staff on how to proceed.

What is the potential impact of this change in terms of type of building and to some degree are the value of increased height offset by these factors?

- How will the two story podium be used?
  - Parking, commercial/office or residential?
- If some of the podium is being used for parking (i.e. bringing it out of the ground) is the purpose to reduce development cost, and/or to create 'flexible parking space' that could be converted to other use in the future depending on future parking demand?
- Hard to fully assess the economic benefit based on the uses listed above
  - Will the extra height be used for the purpose of providing more residential, or other uses?
  - Even if used for residential purposes, the cost of the extra floor (podium), is likely to be more expensive than wood frame. However, rents achieved for that space will likely be similar to the rest of the building.
- Is there any discussion in the industry of trying to move to 6 story wood frame construction?
  - If so, it helps to offset potential additional cost of an extra podium level in a '5-2' configuration.

These factors potentially impact an economic analysis of the benefit of allowing additional height and could justify not increasing the affordability levels from current levels.

What consideration should be given to the variety of zoning districts within the Totem Lake area and current practice related to allowed development and required affordability?

There are approximately 24 distinct zoning districts within Totem Lake. It appears this policy could apply to 5 or 6 of these districts (4A, 4B, 4C, 6A, 6B, 10B). There are a variety of other circumstances in other zones:

- There are several districts that do not include residential use (3, 10A). It is assumed there is no discussion of allowing residential use in these zones. If that is being discussed, there should be consideration of adding an affordable housing requirement
- There are several districts that already allow residential heights at 75 feet or higher (7A, 10D, 10E)
  - Note, Zone 10D allows 80' if along the Cross Kirkland Corridor, and otherwise 65'. However, there is also a limitation of 30' height when adjoining residential zones, and that portion of the zone that is not along the Corridor, appears to be adjacent to residential zones.
- There is one zone (TL 2), that allows height in excess of 75 feet, and has no affordability requirement.
- There are several districts where the maximum (residential) height is less than 65 feet, so assume in those areas there are other considerations limiting height, and thus would not be considered for an increase to 75 feet. (7B, 9B, 11)

Given this circumstance, another potential consideration is current practice in other Totem Lake zones. Most notably, in those districts that currently allow heights greater than 75 feet, the affordability requirement is still 10% of the total units. Therefore, it could be more difficult to argue (or to explain later), why some areas of Totem Lake with the same height limits, have a higher affordability requirement. This would be less of a consideration if there was more uniform existing zoning across the entire neighborhood and all areas were receiving a similar benefit.

Based on a recent analysis of the Multifamily Property Tax Exemption for two current projects in Totem Lake, it appears some actual land sales appear to be at a higher cost as mathematical models would expect (e.g. land values on a per unit basis feel relatively high if based on the base density and affordability requirements). This is not necessarily shocking given all the variable that can go into establishing land prices for individual transactions. While the zoning requirements are known to developers when they are negotiating land prices, other factors such as competing against other allowed uses may have some impact on prices paid and thus being able to use the full potential value of the city's zoning incentives to help offset the costs of extra affordability requirements.

Finally, if a project elects not to use the extra height, it would be required to provide an increased level of affordability than is currently required.

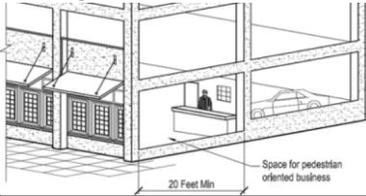
City	Mixed-Use Ground Floor Requirements <sup>12</sup>	Objectives
<b>Kirkland</b>		
<a href="#">CBD 1A, 1B</a>	<ul style="list-style-type: none"> <li>Street level uses: retail, restaurant/tavern, bank, entertainment/cultural/recreation</li> <li>≥20 foot depth and average depth of at least 30'</li> <li>Street level office use ok south of 2<sup>nd</sup> Ave S.</li> </ul>	Active pedestrian environment Lively streetscape in some areas.
<a href="#">CBD 2,3,7,8</a>	<ul style="list-style-type: none"> <li>Street level uses generally as above, however other uses allowed if there is a retail space extending a min of 30' between this use and the abutting r-o-w.</li> <li>Other street level uses generally allowed on streets not designated as pedestrian-oriented streets.</li> </ul>	Active pedestrian environment Lively streetscape in some areas.
<a href="#">BN, BNA</a>	<ul style="list-style-type: none"> <li>Street level uses: retail, restaurant, entertainment, office, and must be oriented toward fronting or arterial street.</li> <li>&gt;20 foot depth and average depth of at least 30'.</li> <li>Residential use allowed behind commercial frontage.</li> </ul>	Lively street-scape
<a href="#">BC</a>	<ul style="list-style-type: none"> <li>≥75% of total gross floor area located on ground floor of all structures must contain retail, restaurants, hotels, or office.</li> <li>Uses must be oriented to arterial major ped sidewalk, through block ped pathway or internal pathway.</li> </ul>	Retention of commercial use Lively streetscape
<a href="#">BC 1, BC 2</a>	<ul style="list-style-type: none"> <li>Commercial use with gross floor area on the ground floor must be ≥25% of area of subject property.</li> <li>Commercial use must be oriented to adjoining arterial</li> <li>Residential uses may be on ground floor if intervening commercial use exists, with a depth of at least 20' in depth</li> </ul>	Lively streetscape
<a href="#">RH 5A, 5B</a>	<ul style="list-style-type: none"> <li>At least 50% of gross floor area on ground floor must contain retail, restaurant/tavern, hotels, etc.</li> <li>General regulation requires ground floor uses to orient to NE 85<sup>th</sup> Street, major ped sidewalk, through-block ped pathway, or an internal pathway.</li> </ul>	Retention of commercial use Lively streetscape
<a href="#">FHNC</a>	<ul style="list-style-type: none"> <li>Uses on street level floor (<i>term used here and in some CBD zones</i>) of all buildings limited to retail, restaurant/tavern, entertainment/cultural/recreation or</li> </ul>	Lively streetscape

<sup>1</sup> Lists of uses and conditions may be slightly abbreviated. For complete list of uses and conditions in each zone, click on links provided.

<sup>2</sup> Requirements in many zones provide opportunities for the Design Review Board (or Planning Director, if not subject to DR) to approve minor reductions or modifications to standards.

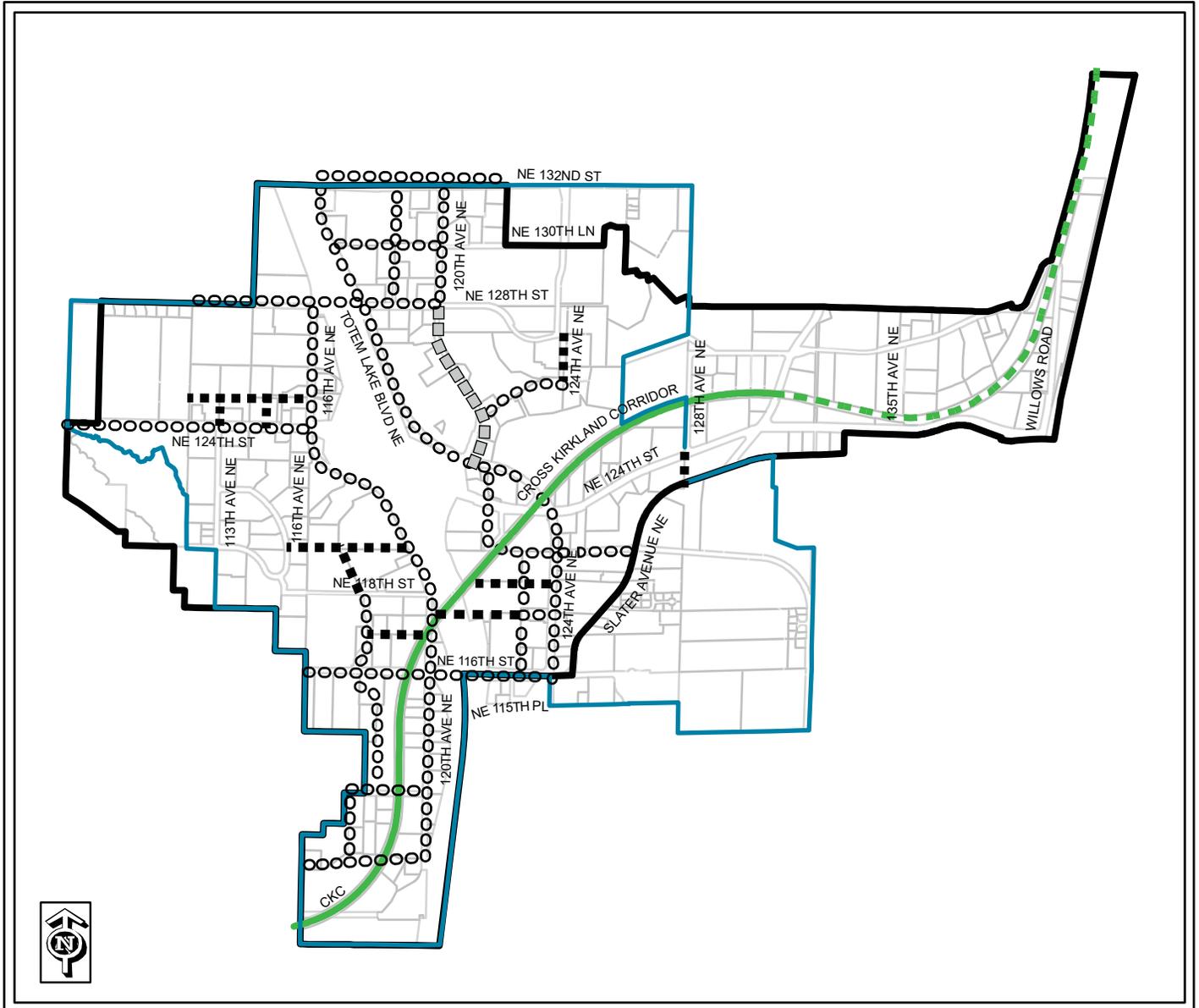
	<p>office. Other uses allowed when an intervening commercial frontage exists between the street and the other use, and</p> <ul style="list-style-type: none"> <li>○ Ground floor uses must be oriented to fronting streets and have a minimum depth of 20' and an average depth of at least 30'</li> <li>○ Commercial floor to be minimum of 15' in height Lobbies allowed within commercial frontage if less than 20% of building's linear commercial frontage on street.</li> </ul>	
<a href="#">HENC 1, 3</a>	<ul style="list-style-type: none"> <li>• ≥75% of gross floor area on ground floor of all structures must contain retail, restaurant/tavern, hotel or office. These uses must be oriented to a ped-oriented street, major ped sidewalk, through block pathway or the CKC.</li> <li>• If structure is over 35' in height, commercial floor must be at least 13' in height.</li> </ul>	Retention of commercial use Lively streetscape
<a href="#">TL 4A,4B,4C</a>	<ul style="list-style-type: none"> <li>• Attached or Stacked Dwelling Units use (and Residential Suites in TL 4A): Gross floor area of commercial use on ground floor must be ≥20% of the area of the subject property.</li> <li>• General regulation requires ground floor spaces with frontage on a public r-o-w, interior access road, major ped sidewalk, through-block ped pathway, internal pathway or ped-oriented space to be designed in a <i>configuration which encourages pedestrian activity and visual interest</i>. (Staff notes is vague. These issues are addressed in Chapter 92 (design regulations) and design guidelines). Ground floor of all structures with frontage on a pedestrian or vehicular circulation route (<i>not defined</i>) or adjacent to a pedestrian-oriented space must be a minimum of 13' in height.</li> </ul>	Retention of commercial use Lively streetscape
<a href="#">TL 5</a>	<ul style="list-style-type: none"> <li>• Master Plan requirements: Gross floor area of commercial use on the ground floor must be ≥20% of the area of the subject property.</li> <li>• General regulation requires ground floor spaces with frontage on a public r-o-w, interior access road, major ped sidewalk, through-block ped pathway, internal pathway or ped-oriented space to be designed in a <i>configuration which encourages pedestrian activity and visual interest</i>. (Staff notes is vague. These issues are addressed in Chapter 92 (design regulations) and design guidelines).</li> <li>• Ground floor of all structures with frontage on a pedestrian or vehicular circulation route (<i>not defined</i>) or adjacent to a pedestrian-oriented space must be a minimum of 13' in height.</li> </ul>	Retention of commercial use Lively streetscape

<a href="#">TL 6A, 6B</a>	<ul style="list-style-type: none"> <li>Attached or Stacked Dwelling Units and Residential Suites: Gross floor area of commercial use on the ground floor must be <math>\geq 20\%</math> of the area of the subject property.</li> <li>TL 6B: Ground floor spaces in structures with frontage on a public r-o-w, interior access road, major ped sidewalk, through block ped pathway or ped-oriented space must be designed in a <i>configuration which encourages pedestrian activity and visual interest</i>. (Staff notes is vague. These issues are addressed in Chapter 92 (design regulations) and design guidelines).</li> <li>Ground floor of all structures with frontage on a pedestrian or vehicular circulation route (<i>not defined</i>) or adjacent to a pedestrian-oriented space must be a minimum of 13' in height.</li> </ul>	Retention of commercial use Lively streetscape
<a href="#">TL 7A</a>	<ul style="list-style-type: none"> <li>Mixed Use Containing Attached or Stacked Dwelling Units: Gross floor area of commercial use on the ground floor must be <math>\geq 20\%</math> of the area of the subject property.</li> <li>Ground floor of structures must be a minimum of 13' in height.</li> <li>Residential use may not be located on the ground floor unless there is an intervening commercial use with a minimum depth of 20 feet.</li> </ul>	Retention of commercial use
<b>OTHER JURISDICTIONS</b>		
<b>Redmond</b>		
<ul style="list-style-type: none"> <li><a href="#">Overlake</a></li> </ul>	<ul style="list-style-type: none"> <li>Residential not allowed on ground floor (on defined/mapped "Retail" streets). Some lobby area ok (TBD)</li> <li>Where "Pedestrian-Oriented Use" requirement applies: <math>\geq 50\%</math> of linear sidewalk-level façade must be occupied by ped-oriented uses and shall be continuous and up to 50% of linear sidewalk-level frontage may be designed to accommodate future conversion to ped-oriented uses. <i>Any uses other than residential may be permitted until conversion of the space.</i></li> <li>Goal to ensure space is suitable for commercial/retail use in the future even if not viable now</li> </ul>	
<ul style="list-style-type: none"> <li><a href="#">Downtown</a></li> </ul>	<ul style="list-style-type: none"> <li>Residential not allowed on ground floor (on defined/mapped streets – Type 1 ped streets) OK on Type 2 ped streets. Some lobby area ok (TBD)</li> <li>Ground floor uses are negotiated through permit/design process. May allow some residential depending on street.</li> <li>Goal to ensure space is suitable for commercial/retail use in the future even if not viable now</li> </ul>	

	<ul style="list-style-type: none"> <li>• Parking must be behind:</li> </ul>  <p>The diagram illustrates a building facade with a 20-foot minimum setback for a pedestrian-oriented business area. A dimension line indicates a '20 Feet Min' setback from the building to a 'Space for pedestrian oriented business' area. A person is shown standing in this space, and a car is parked behind the building.</p>	
<p><b>Bellevue</b></p>		
<ul style="list-style-type: none"> <li>• <a href="#">BelRed</a></li> </ul>	<ul style="list-style-type: none"> <li>• Ground floor retail required in some areas (includes eating/drinking, merchandise sales, personal services)             <ul style="list-style-type: none"> <li>○ Continuous retail storefronts for 100% of frontage on designated streets</li> <li>○ Interruptions in storefronts allowed (<math>\leq 25\%</math>) for lobbies and required emergency access</li> <li>○ All other uses prohibited on ground floor</li> </ul> </li> <li>• Ground floor commercial required in other areas (includes all retail plus financial, real estate, insurance and hotels)</li> <li>• Certain nodes (e.g. 122 Ave): <math>\geq 50\%</math> of street level building edges must incorporate ground floor commercial (same interruptions, <math>\leq 25\%</math> of frontage)</li> <li>• Other nodes (130<sup>th</sup> Ave): 100% of street level building edges must incorporate ground floor commercial (same interruptions).</li> </ul>	
<ul style="list-style-type: none"> <li>• <a href="#">Downtown</a></li> </ul>	<ul style="list-style-type: none"> <li>• Staff not available for questions.</li> </ul>	
<p><b>Edmonds</b></p>	<ul style="list-style-type: none"> <li>• BD1 Zone: Only commercial uses are allowed on ground floor. Parking may be allowed if no located within the “designated street front” (45’ measured perpendicular to the street front of the building lot fronting on a mapped BD street).</li> <li>• BD2 and BD3 Zones: Only commercial uses are allowed within “designated street front” (see above).</li> <li>• BD4 Zone: Option 1: Only commercial use allowed within “designated street front”, or Option 2: If building does not meet this standard due to residential use, structure must be set back.</li> <li>• BD5 Zone: Options allow either standards of BD2 above, or if this is not met, additional standards regarding building orientation, entrance orientation, additional pedestrian-oriented architectural details/art, and if structure is set back: landscaping and/or artwork between building and street.</li> </ul>	

# Plate 34-C

## Pedestrian Circulation in Totem Lake



See Section 110.40.20 for Sidewalk Improvement Standards

-  Cross Kirkland Corridor
-  Major Ped Sidewalks
-  Pedestrian-Oriented Street
-  Through-Block Pathway (Location Estimated)











## MEMO

The Planning Commission has asked ARCH staff for insights relative to expanding the allowed use of Residential Suites to the Totem Lake TL-10C and TL-10D zones. In particular the Commission wanted thoughts related to Residential Suites at this location related to

- Having tenants without cars, or level of need for parking;
- Housing affordability;
- Profile of residents, including providing housing for seniors.

As has been pointed out by Robert Pantley and Angela Rozmyn of Natural and Built Environments, LLC (see attached information submitted to the City in 2017), they are essentially the only developer currently of this form of housing in East King County, which has included three properties in Redmond. In addition, a somewhat similar type of housing was developed in Downtown Bellevue in the 1990's. The following material summarizes information from these properties, and some supplemental information, that hopefully provide some insights related to residential suites, and in particular in the Totem Lake zones.

### A. PARKING RELATED ISSUES

As mentioned above, in East King County, the primary location of existing residential suites is in downtown Redmond and downtown Kirkland. In both these cities, suites are zoned to allow a reduced level of parking. There is one property developed by a different company (Pacific Inn) located in downtown Bellevue with many similarities to 'Residential Suites' in terms of size, month to month leases, and including items such as utilities directly in base rents. It also offers other services (furnishing, linens) at additional costs. In that property Bellevue allowed reduced parking for studios priced to be affordable at 60% of median income. These properties seem to be operating well in terms of managing parking demand, which in the case of the residential suites includes active parking management practices. Therefore, relative to the issue of parking requirements in the TL 10 zones, the primary issue seems more related to locational considerations and the ability of residents to not have a car. That is, a combination of transit access and pedestrian access to daily needs such as employment, shopping and parks. Following are several pieces of information that attempt to provide some insight on these topics relative to the Totem Lake TC-10C and TC-10D zones

### Walkability / Transit Access Scores

The following table compares Walk Scores and Transit Scores for the two Totem Lake Zones, and other Residential Suites and efficiency studios in Kirkland, Redmond and Bellevue. This indicates lower Walk and Transit scores for the Totem Lake areas compared to locations of existing properties with Residential Suites.

Property	Location	Walk score	Transit Score
TC-10C		~45	36
TC- 10D		~35	?
Slater 116	12340 NE 115th Pl, North Rose Hill, Kirkland	68	38
Arete	450 Central Way, Kirkland	89	50
Vision 5	8525 163rd Ct NE, Redmond,	90	51
Tudor Manor	16552 NE 84th Ct, Redmond	85	52
162 Ten	16180 NE 80th St, Redmond	93	52
Pacific Inn	225 112th Ave, Bellevue, WA	87	60

Source: walkscore.com

### **Walking Distance to area services**

Following is information on transit routes serving each area and walking distances (and times) to neighborhood walking destinations. This information indicates that TL-10C is close to one regular transit route and generally .3 miles closer to local destinations than TL-10D, which does not have a regular transit route.

#### Totem Lake TL-10C (North) Adjacent to NE 116th

Metro Route 236: 30-minute 5am-8 pm // weekend hourly (8 – 7 or 5)

Distances to:

- Fred Meyer: .6 miles
- Retail center on NE 124<sup>th</sup> west of I-495: .9 mile (18 minute)
- North Rose Hill center (124<sup>th</sup> Ave NE / NE 116<sup>th</sup> St): .5 miles (10 minute) and other buses
- Trader Joe (Totem Lake Center): 1.0 mile (via Connector) (20 minutes)
- Lake Washington Technical College: 1.4 miles (28 minutes)

#### Totem Lake (South) TL-10D Adjacent to Forbes Creek

Metro Route 893 (School bus route only - Lake WA High School route). One AM, one PM

On street parking—see map.

Distances to (.3 miles more than TL-10C zone):

- Fred Meyer: 1.2 miles (24 minutes)
- Retail center on NE 124<sup>th</sup> west of I-495: 1.2 miles (24 minutes)
- North Rose Hill center (124<sup>th</sup> Ave NE / NE 116<sup>th</sup> St): .8 miles (16 minutes)
- Trader Joe (Totem Lake Center): 1.3 mile (via Connector)
- Lake Washington Technical College: 1.7 miles (33 minutes)

Other Nearby Transit (across freeway, on 124<sup>th</sup> Ave NE: Route 235, 277 (Rt 235 has later evening coverage all days).

### **King County Right Size Parking Website**

The King County Right Size Parking website (<http://rightsizeparking.org>) includes a map of the county illustrating basic parking needs in different areas. A review of that map indicates that in much of Kirkland (including much of the Totem Lake area), lower parking needs correlate to areas along roads with better transit service, and in particular near transit stops. Related to the Totem Lake Zones, the TL-10C has better transit access and is closer to retail than the TL-10D parcel. However, the Right Size Parking map doesn't have significant variations in suggested parking levels for different areas of Kirkland. Therefore, there may be limitations to referring to this resource for a more nuanced analysis of parking needs.

**On-Street Parking.** In the area within and immediately adjacent to the TL 10C and TL 10D Totem Lake zones there is limited off-street parking. The immediate arterials have none or limited on-street parking. The limited on-street parking within ¼ to ½ mile of these zones is primarily on single-family cul-de-sacs, and possibly on 'private' commercial use roads (see map). This may create some sensitivity to ensuring adequate on-site parking.

### **Kirkland Residential Parking Requirements.**

Finally, while this rezone request is limited to Residential Suites, it may be helpful to look at general residential parking requirements in different areas of the city. There appears to be no difference in the base residential parking standards for residential uses in Totem Lake (including a project currently being permitted in TL 10B, immediately north of the TL-10C zone) and the downtown area. We understand that in 2017, the City Council approved amendments to the provisions for parking studies in Totem Lake which eliminated the “buffer” that is added to the result from a parking study in other areas of the city. This change acknowledged the business district’s location within an Urban Center.

Residential Parking Requirements

	<b>Lifebridge (Totem Lake) / Downtown</b>
Studio	1.2
One Bedroom	1.3
Two Bedroom	1.6
Three Bedroom	1.8
Visitor	10% of residential

**Summary.** The indicators above could lead to different conclusions regarding setting parking standards for Residential Suites. Some factors (e.g. walk score, transit score) indicate different conditions with the TL 10C and 10D zones which could argue for establishing higher parking ratios. As mentioned above, the City has provisions allowing parking needs studies to support approving lower parking requirements based on site specific conditions. Kirkland’s regulations establish the same base parking requirements for affordable housing as for market-rate residential uses. The approach used by affordable housing projects, such as the Imagine Housing development in Totem Lake, has been to do a parking needs study and has allowed parking requirements for each property to be based on their unique circumstances (e.g. location, type of households, affordability level).

Given the information about the challenges to walking to services and transit in the TL 10C and TL 10D zones, a suggested approach would be to retain the standard multifamily parking ratios for residential suites in these zones, but call out the ability to use a parking study to adjust the parking requirement. This approach would enable a site-specific analysis and opportunity for an applicant to propose a parking plan for this area which might be different from one designed for a downtown or more compact urban environment.

## **B. AFFORDABILITY AND TYPES OF HOUSEHOLDS.**

A general question was asked about the affordability of residential suites and types of households residing in them, particularly seniors. Attached is a table that summarizes rent levels for the various Residential Suites/efficiency studios located in Kirkland, Redmond and Bellevue. It includes information on advertised rent levels, rents per square foot, and affordability relative to median income. Most of these are owned by the applicant. One property, Pacific Inn, in downtown Bellevue, is owned by another private party, and has many similarities to the other residential suites. It was built in the late 1990's. It has received some public funding assistance and has a mix of affordability levels (60% and 80% of median income).

As the applicant has indicated, currently rents at the residential suites are consistently affordable at less than 80% of median income and typically around 60% of median income (plus or minus depending on unit sizes). It is common for market rate rents of one to three-bedroom units in East King County to be affordable at 90% to 100%+ plus of median income. So relative to median income, residential suites are more affordable. For the Pacific Inn, there is a different experience. Twenty percent (20%) of their units are limited at 60% of median income, and the balance have rents limited to 80% of median income, with no income restrictions. Currently, the rents for these later units are renting at the maximum level allowed, and in addition, they are actively marketed to include additional services.

We have been tracking rents on a couple of these properties over time. For one of the residential suites projects developed by Natural and Built Environments located in Redmond, when they first applied for permits around 2013, they indicated that lower end rents would be affordable at less than 50% of median. When they opened, lower end rents were affordable at just over 50% of median income, and currently their low end advertised rents are affordable at 56% of median income. This trend of rents increasing relative to median income has been experienced even more at Pacific Inn. When it was first built, the units with rents restricted at 80% of median income were renting at levels of affordability between 60% and 70% of median income. Over time, rents on those units approached 80% of median income limits, and currently they actively market the property with services that result in total housing expenses being greater than 80% of median income.

The applicant made the comment that 'to allow an affordability option in lieu of LEED certification is a false equivalency.....' In general, we would concur with that statement and their statement that residential suites provide relative affordability. Historically, evaluating affordability provisions has been based on looking at land use actions and linking affordability to those actions. Currently Kirkland does not require any affordability in the downtown area. Therefore it was consistent with that practice to not have a linkage to affordability for residential suites in downtown. Our understanding was that the LEED provisions were driven by other considerations, not as a trade-off to relaxing affordability requirements. In the Totem Lake TL 10C and TL 10D zones other residential uses are required to provide 10% affordable at 50% of median income. In Redmond, residential suites have been required to meet the same affordability provisions as any other residential property in the area where they are built. One purpose of having affordability requirements, even when the affordability levels are at or close to market rents, is to help preserve affordability over time. This occurred in some of the first properties in downtown Redmond where affordable rents were relatively close to market rents. But over time the affordable units have maintained their relative affordability while market rents have increased relative to median income. The Pacific Inn property in Bellevue also illustrates this objective to ensure that affordability is protected over time.

Relative to types of households who live in resident suites/efficiency units, the applicant has provided information relative to their experience. We do not track this information closely, but from conversations with managers, it is primarily one person, with some two-person households. There are very few children. Information on age of residents at the Pacific Inn is not available due to the need for privacy with this information. As a result, we were unable to get specific information regarding the number of seniors living at the property.

## LOCAL RESIDENTIAL SUITES / EFFICIENCY UNITS

**Arete: 450 Central Way, Kirkland**

				Size (sq ft)	Rent/sq ft	Aff Level *
Studio	1 Bath	\$980	\$250	167	\$5.87	57%
1 Bed 1 BR	1 Bath	\$1,800	\$250	715	\$2.52	103%
1 Bedroom	1 Bath	\$1,650	\$0	636	\$2.59	94%
3 BRs	2 Baths	\$2,700	\$0	1324	\$2.04	107%
1 Bedroom	1 Bath	\$1,600	\$0	527	\$3.04	92%

\* Does not include parking

**Vison 5 8525 163rd Ct NE, Redmond, WA 98052**

Studio	1 Bath	\$955	250	150	\$6.37	56%
Studio	1 Bath	\$1,010		300	\$3.37	59%

**Tudor Manor 16552 NE 84th Ct, Redmond**

No Availability

Studio	1 Bath			258	\$0.00	3%
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**162Ten 16210 NE 80th St, Redmond, WA 98052**

Studio	1 Bath	\$900		186	\$5.16	53%
Studio	1 Bath	\$965		216	\$4.75	57%
Studio	1 Bath	\$1,065		255	\$4.41	62%
Studio	1 Bath	\$1,140		312	\$3.85	66%

**Pacific Inn 225 112th Ave, Bellevue, WA**

Studio	1 Bath	\$1,395		330	\$4.23	80% **
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\*\* Provide a range of services at additional cost.

Source: Apartments.com, ARCH information