



CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033
425.587.3600 ~ www.kirklandwa.gov

MEMORANDUM

To: Design Review Board
From: Aoife Blake, Associate Planner
Date: August 6, 2020
File No.: DRV 20-00417
Subject: **WEBB BUILDING
DESIGN RESPONSE CONFERENCE**

I. MEETING GOALS

At the August 17th Design Review Board (DRB) meeting, the DRB should conduct a Design Response Conference and determine if the project is consistent with the design guidelines contained in Design Guidelines for Pedestrian Oriented Business Districts, as adopted in Kirkland Municipal Code (KMC) Section 3.30.040.

During the Design Response Conference, the DRB should provide deliberate on the applicant's proposed changes to the building facades, including the associated materials, colors, and details. If, after deliberation, the DRB decides that the application is consistent with the Design Guidelines for Pedestrian Oriented Business Districts, the DRB should approve the project. The DRB may decide to continue the meeting to a future date if the DRB determines that additional information is needed to decide on the project.

II. PROPOSAL

The subject property is located at 89 Kirkland Avenue (see Attachment 1). Rick Chesmore, with Chesmore Buck Architecture, has applied for a Design Response Conference to remodel an existing 1930's commercial building on the subject property (see Attachment 2). The project consists of an interior remodel on all floors and renovations to the north, west, and south facades.

III. SITE

The subject property (containing 2,886 square feet) contains a 2-story historic commercial building, known as the Webb Building, which is currently used as a restaurant on the ground floor with an outdoor seating area at street level. The upper floor is vacant and hasn't been occupied recently. The property has street frontage along Kirkland Avenue, which is designated as a minor arterial and a major pedestrian sidewalk.

The following list summarizes the zoning designation, uses, and allowed heights of properties adjacent to the subject property:

North: CBD 2, commercial use, 28 feet above the midpoint of the abutting right-of-way

South & East: CBD 2, commercial & residential uses, 28 feet a above the midpoint of the abutting right-of-way

West: CBD 2, residential use, 41' above the midpoint of the abutting right-of-way

IV. **CONCEPTUAL DESIGN CONFERENCE**

A Conceptual Design Conference was held on July 6, 2020. The DRB provided direction to the applicant in preparation for the Design Response Conference. At the meeting, the DRB discussed:

- A. How the design guidelines affect or pertain to the proposed development.
- B. Which guidelines applied to the proposed development; and
- C. The application materials that are needed for the Design Response Conference.

The DRB's feedback from the conference is summarized in Section V.B below under the DRB's discussion on the various design topics.

V. **DESIGN RESPONSE CONFERENCE**

The Design Review Board reviews projects for consistency with design guidelines for pedestrian-oriented business districts, as adopted in Kirkland Municipal Code Chapter 3.30. In addition to the standard guidelines contained in the *Design Guidelines for Pedestrian-Oriented Business Districts*, the following information summarizes key guidelines which apply specifically to the project or project area. See also Section VI for information regarding zoning regulations and how they affect the proposed development.

A. **Pedestrian-Oriented Design Guidelines**

1. General

The following is a list of key design issues and/or design techniques that should be addressed with this project as identified in the design guidelines.

- Building Scale
 - Architectural elements
 - Fenestration patterns
- Pedestrian-Orientation
 - Pedestrian friendly building fronts
 - Blank wall treatment
- Building material, color, and detail

See the adopted Design Guidelines for Pedestrian-Oriented Business Districts for complete text and explanations.

2. Special Considerations for Downtown Kirkland

In addition to the standard guidelines contained in the *Design Guidelines for Pedestrian-Oriented Business Districts*, the following list summarizes some of the key guidelines and special considerations that apply specifically to the project or project area.

- Fenestration Patterns: Breaking larger window areas into smaller units to achieve a more intimate scale is most important in Design Districts 1, 2, 4, 8, and the southwest portion of 3 where new buildings should fit with older structures that have traditional-styled windows. Architectural Elements Decks, Bay Windows, Arcades, Porches.
- Decks, Bay Windows, Arcades, Porches: Pedestrian features should be differentiated from vehicular features; thus fenestration detailing, cornices, friezes, and smaller art concepts should be concentrated in Design Districts

1 and 2, while landscaping and larger architectural features should be concentrated in Design Districts 3, 5, 7, and 8.

- Signs: The Downtown Plan's mandate for high-quality development should also be reflected in sign design. No internally lit plastic-faced or can signs should be permitted. All signs in the downtown should be pedestrian oriented.

B. Compliance with Design Guidelines

1. Scale

- DRB Discussion

DRB acknowledged that the building scale and mass is not proposed to be significantly altered with this project and supported all three options proposed at the Conceptual Design Conference. Other design direction provided by the DRB included:

- The scale and massing of the stair and elevator penthouse should be analyzed especially as it impacts views from Kirkland Avenue traveling west and the residences to the east of Lake St S.
- The Board suggested that fenestrations along the west façade match and/or be consistent with the north façade.

Supporting Design Guidelines

The *Design Guidelines for Pedestrian Oriented Business Districts* contain the following policy statements that address the use of these techniques:

- Architectural building elements such as arcades, balconies, bay windows, roof decks, trellises, landscaping, awnings, cornices, friezes, art concepts, and courtyards should be encouraged. All building entries should be well lit. Building facades in pedestrian areas should provide lighting to walkways and sidewalks through building-mounted lights, canopy- or awning-mounted lights, and display window lights. Encourage variety in the use of light fixtures to give visual variety from one building façade to the next. Back-lit or internally-lit translucent awnings should be prohibited.
- Pedestrian features should be differentiated from vehicular features; thus fenestration detailing, cornices, friezes, and smaller art concepts should be concentrated in Design Districts 1 and 2, while landscaping and larger architectural features should be concentrated in Design Districts 3, 5, 7, and 8.
- Staff Analysis

The applicant has omitted the rooftop deck with stair and elevator penthouse and the deck from the western façade from the project. The applicant is proposing to preserve the character of the front façade and mirror it along the west and south façades through the use of fenestration pattern and materials. The applicant has provided detailed plans for review (see Attachment 2).

- On pages 7 & 13, the applicant addresses the DRB comments regarding the type, size, and number of fenestrations along the west façade.

The applicant proposes to mirror the fenestration pattern on the north façade along the west façade. The double-hung windows proposed for the upper floor compliment the character of the

existing windows on the north façade. The spacing of these windows is not uniform but do align with the corresponding lower windows and door.

Staff recommends that the DRB discuss the design guideline recommendations that promote fenestration patterns when considering the proposal and staff's comments. See further staff analysis in the Building Materials, Color's and Details below.

- On page 13, the applicant illustrates continuity of the historical building details such as the parapet and rowlock brick (lighter colored horizontal brick pattern) along the west and south facades. The parapet along the west façade is proposed to mimic the rhythm of the north façade with "step-ups" at the north-west corner, the middle, and the south-west corner of the west façade. The rowlock brick detail from the front façade is continued around the building on the west and south facades.

Staff believes that the applicant has provided a good use of fenestration pattern, architectural detail, and a material choice to reflect the historical features of the building and achieve continuity in design across the west and south façade.

The DRB should provide input on the following items:

- What recommendations does the DRB have about the fenestration pattern along the west facade?
- What recommendations does the DRB have regarding the historical building elements such as the parapet and rowlock brick detail?

2. **Building Materials, Color, and Details**

- **DRB Discussion**

The DRB expressed interest in maintaining the brick veneer on the north façade and replicating it along the west façade.

The DRB also noted a number of elements of the building that attributed to the its essence and character, such as, the symmetry in fenestrations, the cornices located in the north-east and north-west corner along the front facade, the rounded edges of the windows on the north façade, the building plaque and the parapet. The DRB encouraged the applicant to incorporate these features in their design.

- **Staff Analysis**

In response to the DRB comments, the applicant has refined the façade renovations to maintain the historical character of the building. Attachment 2, page 7 contains elevation drawings that illustrates maintaining historical building details on the north façade, such as cornices, rounded edges of the windows on the north facade building plaque and parapet. Pages 7-8 and 14-15 show building details from the north facade being reflected on the west and south façade with fenestration pattern, rowlock brick detail, and the parapet design.

On page 15, the applicant has provided two color palette options for the brick veneer on the west and south building facades. The applicant's intent is to use a brick that compliments the existing brick on the front façade and is proposing a color similar to the darkest brick color on the front façade with a lighter shade for the rowlock detail.

The applicant is proposing the rooftop appurtenances be screened by a metal panel product with a vertical orientation (see pages 7 & 14). This screening will match the color of the brick used on the west and south facades.

The DRB should provide input on the:

- Building details proposed along the west and south façade,
- Building materials and colors

C. **Modifications**

a. Applicant Request

KZC Section 105.103 allows an applicant to request a modification to the overhead weather protection requirement in KZC 105.18. The DRB may grant a modification to this requirement if it finds that the following are met (KZC Section 105.103.3.3):

- The modification is necessary because of the size, configuration, topography or location of the subject property;
- The modification will provide for equal or improved pedestrian and bicycle safety and convenience; and
- The modification will not have any substantial detrimental effect on nearby properties and the City as a whole.

In the CBD zone, overhead weather protection is required along at least 80% of the frontage of the subject property on each pedestrian-oriented street. The overhead weather protection may be composed of awnings, marquees, canopies, building overhangs, covered porches, recessed entries or other similar features. The applicant has requested a modification to omit the overhead weather protection from the front façade of the building.

The applicant's response to the modification criteria above can be found in Attachment 2, page 18.

b. Staff Analysis

The applicants request for a modification to the overhead weather protection is supported by the design guidelines for Ornament and Applied Art. The specific Design Guideline states the following:

- *Significant architectural features should not be hidden*
- *Emphasis should be placed on the highlighting building features such as doors, windows, eaves and on materials such as wood siding and ornamental masonry.*

Staff concludes that a modification to the overhead weather protection is necessary to preserve the historic character of the existing front façade. The front façade has a number of key historic features that would be hidden if an awning/canopy was installed. This modification will provide equal pedestrian and bicycle safety and convenience to what currently exists. The entrance to

the building is proposed to be recessed by approximately 1.5 feet from the front facade which will provide some overhead weather protection to pedestrians entering and existing the building (see Attachment 2, page 5). Overall, this modification will not have a substantial detrimental effect on nearby properties and the City or the neighborhood.

II. KEY ZONING REGULATIONS

The applicant's proposal is also subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, Fire and Building Code, and Public Works Standards. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 3, Development Standards, is provided to familiarize the applicant with some of these additional development regulations. These regulations and standards are not under the review authority of the DRB and will be reviewed for compliance as part of the building permit review for the project.

Development of the subject property is subject to the regulations for the CBD 2 zone (see Attachment 4). The following regulations are important to point out as they form the basis of any new development on the site. Below are some of the key zoning standards that apply to the development followed by staff comment in italics.

- A. Permitted Uses: Permitted uses in this zone include but are not limited to restaurant and office.

Staff Comment: The applicant is proposing restaurant and office uses. The proposal is consistent with the permitted uses for the CBD 2 zone.

- B. Height: CBD 2 zone allows a maximum height of 28' measured above the midpoint from the abutting right-of-way. KZC section 50.62 allow the following exceptions to this height:

- Decorative parapets to exceed the height limit by a maximum of four (4) feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two (2) feet.

Staff Comment: The applicant must demonstrate compliance with the City's height requirements as part of any building permit.

- C. Street Use Permit: A portion of the public right-of-way abutting the building has been used as a sidewalk café in the past, but the permit has lapsed. A street use permit is required to continue the use of this space.

Staff Comment: The applicant must obtain a street use permit from the Public Works Department by demonstrating compliance with the sidewalk café standards in KMC 19.04.62 and subject to the conditions outlined in KMC 19.04.065.

III. STATE ENVIRONMENTAL POLICY ACT

SEPA is the state law that requires an evaluation of a development proposal for environmental impacts. The applicant has submitted an Environmental Checklist for the project. The City is in the review process and has reached out to agencies with expertise for comment on this proposal. The comments received from agencies with expertise can be found in Attachment 5.

IV. PUBLIC COMMENT

No public comment has been received as of the date of this staff report.

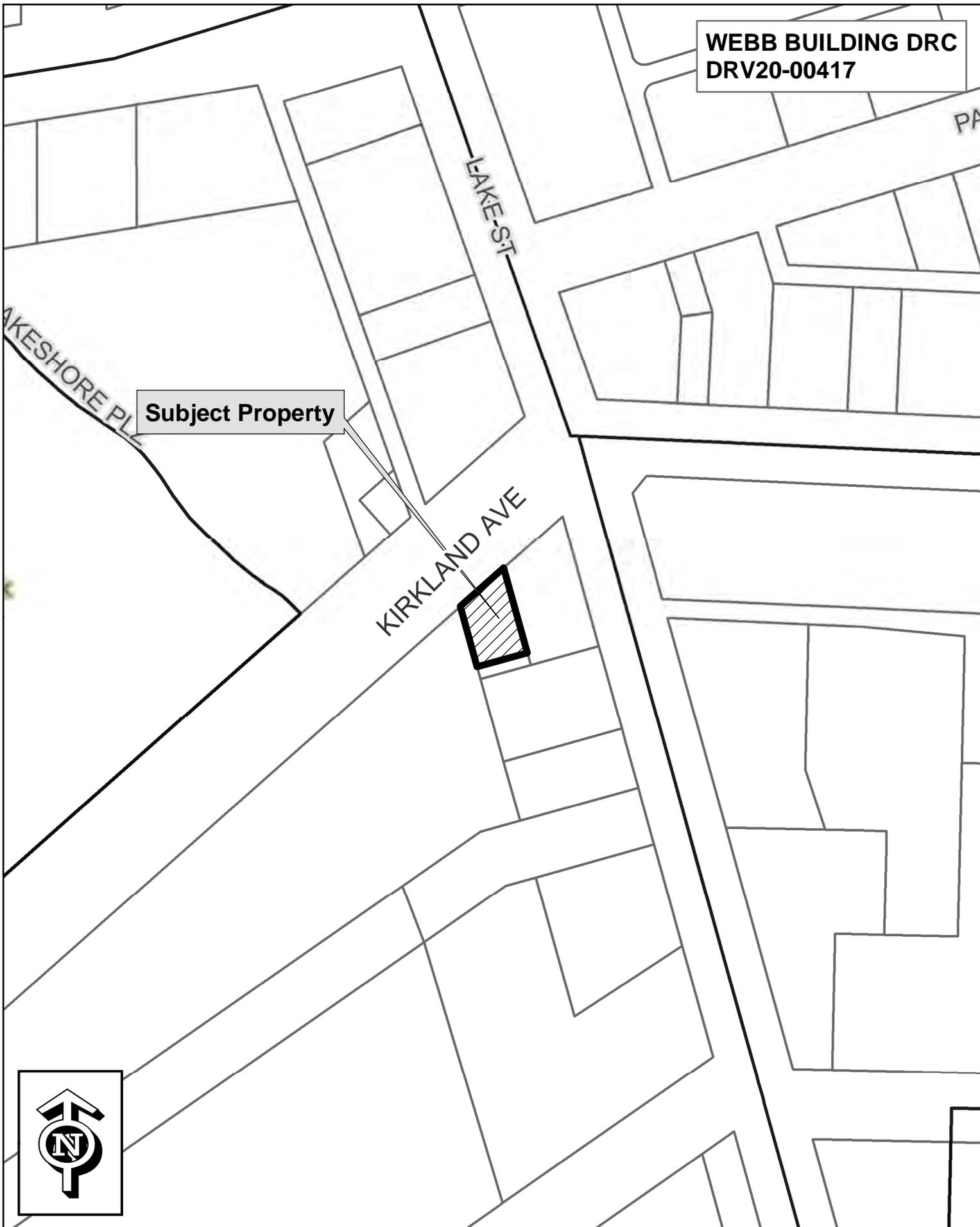
V. SUBSEQUENT MODIFICATIONS

Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification.

VI. ATTACHMENTS

1. Vicinity Map
2. Applicant Proposal
3. Development Standards
4. CBD 2 Development Regulations
5. SEPA Consultation Comments

**WEBB BUILDING DRC
DRV20-00417**



Subject Property

KIRKLAND AVE

LAKE ST

LAKE SHORE PL

PA

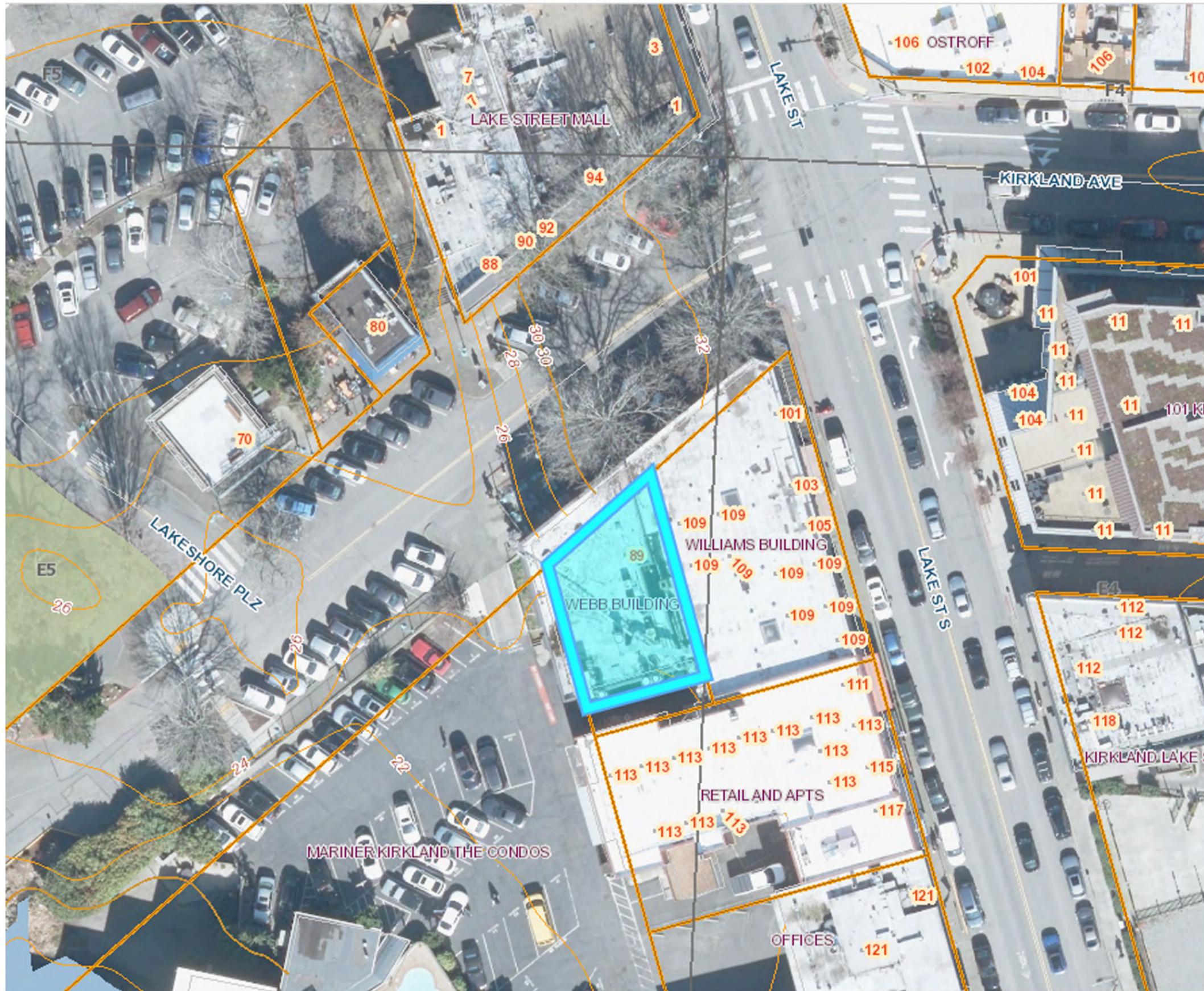


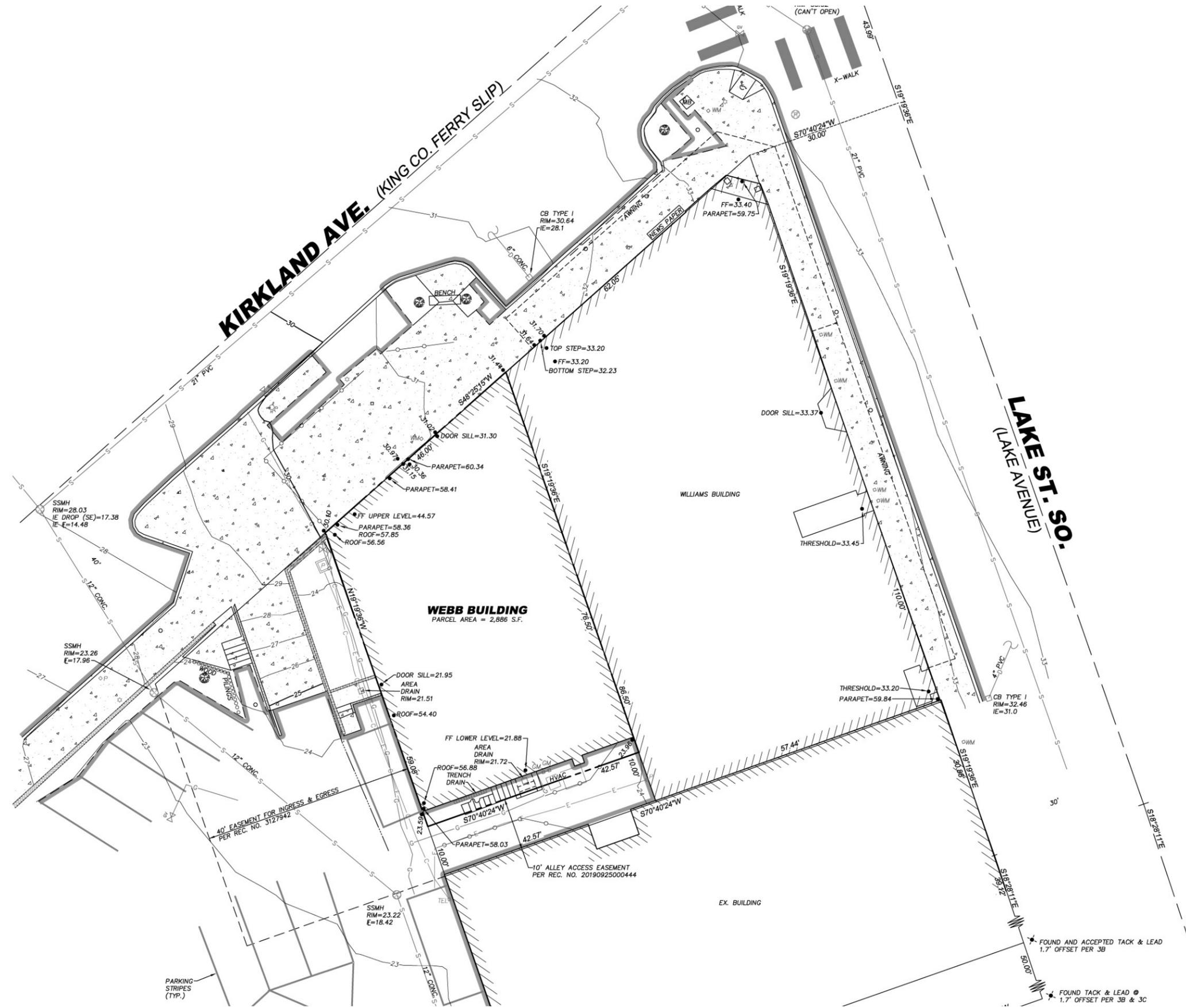
Webb Building

89 Kirkland Avenue



Design Response Conference





Project Description:

The Webb building is located at 89 Kirkland Avenue in the downtown Kirkland Central Business District and close to the Kirkland Marina. The building was built in 1930 and the primary use over the years has been a restaurant on the main floor with the basement used as support space and the upper floor use was residential but has been vacant for at least 30 years.

The Webb Building project is proposing to update the building to the current International Building Code including a complete structural seismic retrofit, new interior stairways and an elevator, a fire sprinkler system, and to meet all ADA requirements. In addition, we are also planning to upgrade all mechanical, electrical, and plumbing systems throughout the building and all existing and new door and window fenestrations will be installed to meet the current Washington state energy code. All the work to the main building will occur within the existing footprint except for the proposed exit landing and stair along the western façade.

Although we are not planning to add any new square feet, we are planning floor plan changes at each of the 3 floor levels and changes to all 3 exterior building facades- the west and south elevations and a minor modification to the north façade storefront within the masonry façade. No changes are planned to the brick veneer façade at the north historical elevation.

Proposed Floor Plan Changes:

Lower Floor Plan (Accessory Space for main floor Restaurant)

- Support space for main floor restaurant
- New stairway leading from new main floor entry corridor
- New ADA compliant restrooms
- New elevator
- New electrical Room
- New sprinkler riser room
- New exterior ramp leading to service entry on the west elevation

Main Floor Plan (Restaurant)

- New ADA entry at the northeast corner of the building
- New stairway leading to the upper floor level and to the lower floor level
- New elevator
- New exterior landing and stair to meet the requirement for a second exit from this floor

Upper Floor Plan (Business)

- New stairway leading to the new main floor exit located at the northeast corner of the building.
- New elevator

Roof

- New roof top mechanical equipment and duct terminations within 6' high screen walls
- Note: At the CDC DRB meeting we were proposing a rooftop deck for no more than 49 people. Due to the added dead and live load weights on the existing structure the rooftop deck became economically unfeasible and therefore has been removed from the scope of work.

Exterior Façade Changes:

North Elevation – Kirkland Avenue Elevation

Our intent is to maintain the character of the north façade brick veneer. The brick is unreinforced, so we are required to place steel bracing on the back side of the wall to seismically brace the wall. The original building had a central door with an arched window above leading to a stairway to the upper floor and that stairway was removed probably 30 years ago when the upper floor ceased being used. We are planning to install a window in this original entry location, and we are designing a new entry to the building at the northeast corner with a stair leading to the upper floor and to the lower floor from this stairway. There will be no changes to the brick veneer, the parapet and cornice details, the architectural ornament at the corners, and the building name plaque.

The Kirkland Zoning Code suggests pedestrian-oriented improvements for new developments which includes the desire for the façade to have the following:

- A canopy of awning providing weather protection at least 5' wide along at least 75% of the façade.

We are asking the DRB for a modification to this standard pursuant to the Kirkland Zoning Code as our preference is to not install a canopy along the north elevation. We share the DRB's concern that the canopy may visually cover-up and interrupt the unique architectural elements of the historical façade.

West Elevation – View facing Lake Washington

The current west elevation is oriented toward views of Lake Washington. The existing wall consists of a painted unreinforced hollow clay tile sitting on a full height concrete lower floor wall. The hollow clay wall has small window openings randomly placed throughout the facade.

As part of our seismic reinforcement for the building our intent is to replace the clay tile with a wood framed shear wall with a seismically braced brick veneer in a way that we can achieve bigger window openings. This would require the removal of all the cracked, brittle, and unreinforced hollow clay tile which is extremely difficult to connect to seismic bracing of the wall. Another reason for removing the hollow clay tile is that the pattern and profile of the material is no longer available and matching the product would be almost impossible.

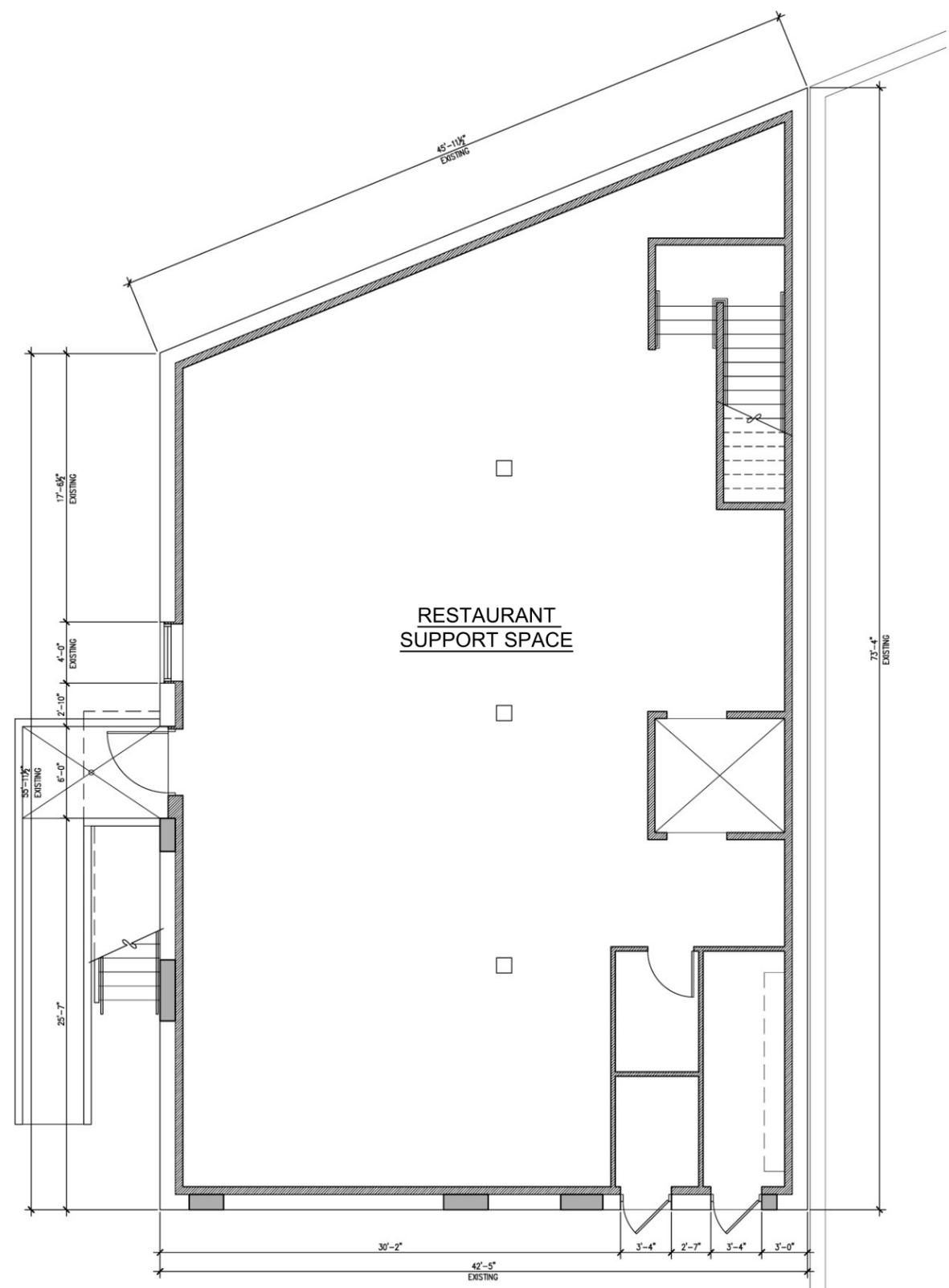
Our proposed design of the west elevation includes referencing the historical character of the north façade and incorporating those features in the new west façade. Beginning at the roof parapet those features include:

- Extending the cornice/parapet detail in a similar way at the corners and at the center of the wall.
- Installing a brick veneer that matches the color of the one of the darker warmer colors of the north elevation.
- Extending the two-horizontal roll-lock brick bands through the elevation.
- The upper and main floor windows are proportional to the north elevation fenestrations.
- The upper floor windows will be double hung windows.
- The exit door, landing, and stair will be centered on the elevation.
- The lower floor concrete wall will receive a plaster finish with a darker warmer tone.

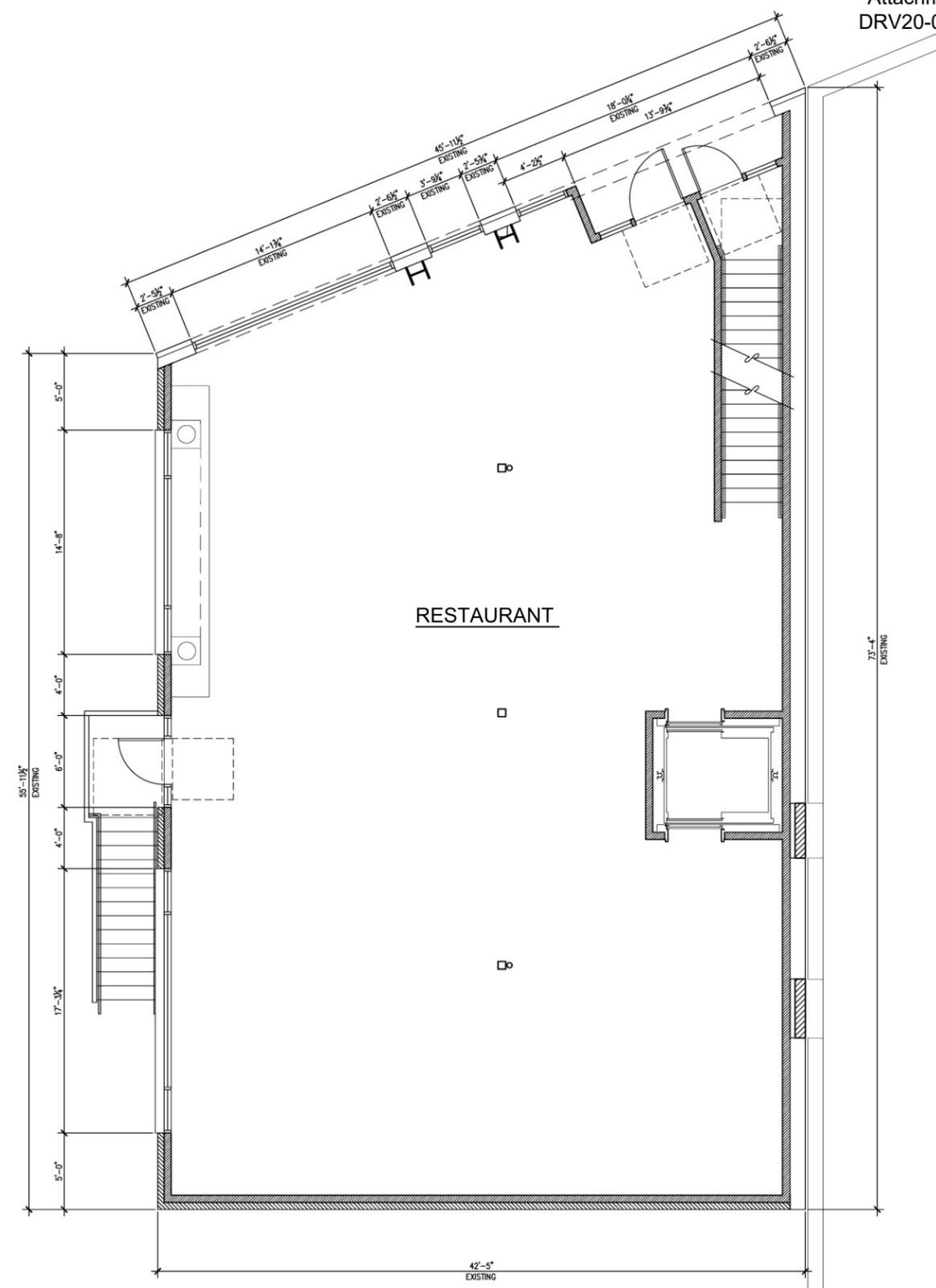
South Elevation – facing 10' wide "alley" egress easement

The existing south elevation is located only 3' from the south property line and from the property line it is only 10' from the 117 Lake Street Apartment building to the south and directly adjacent to the Williams building to the east and at the end of the "alley". The façade has centrally located exterior doorways for each of the floor levels that have been abandoned and the main floor duct work for kitchen equipment is mounted on the exterior façade extending above the roof parapet for exhaust. This wall consists of same unreinforced hollow clay tile resting on a concrete wall at the lower level.

Our proposal will rebuild the south wall from the top of the lower level concrete wall up to the roof parapet with a wood framed shear wall with a seismically braced brick veneer. All the mechanical ducts currently attached to the wall are very visible and will be removed as the new mechanical system will provide interior chases for duct work to the roof and the new hoods will be located within the rooftop screen walls. The openings in this south wall will consist of 4 windows at the upper floor and two doorways leading to new electrical and sprinkler riser rooms at the lower floor level.



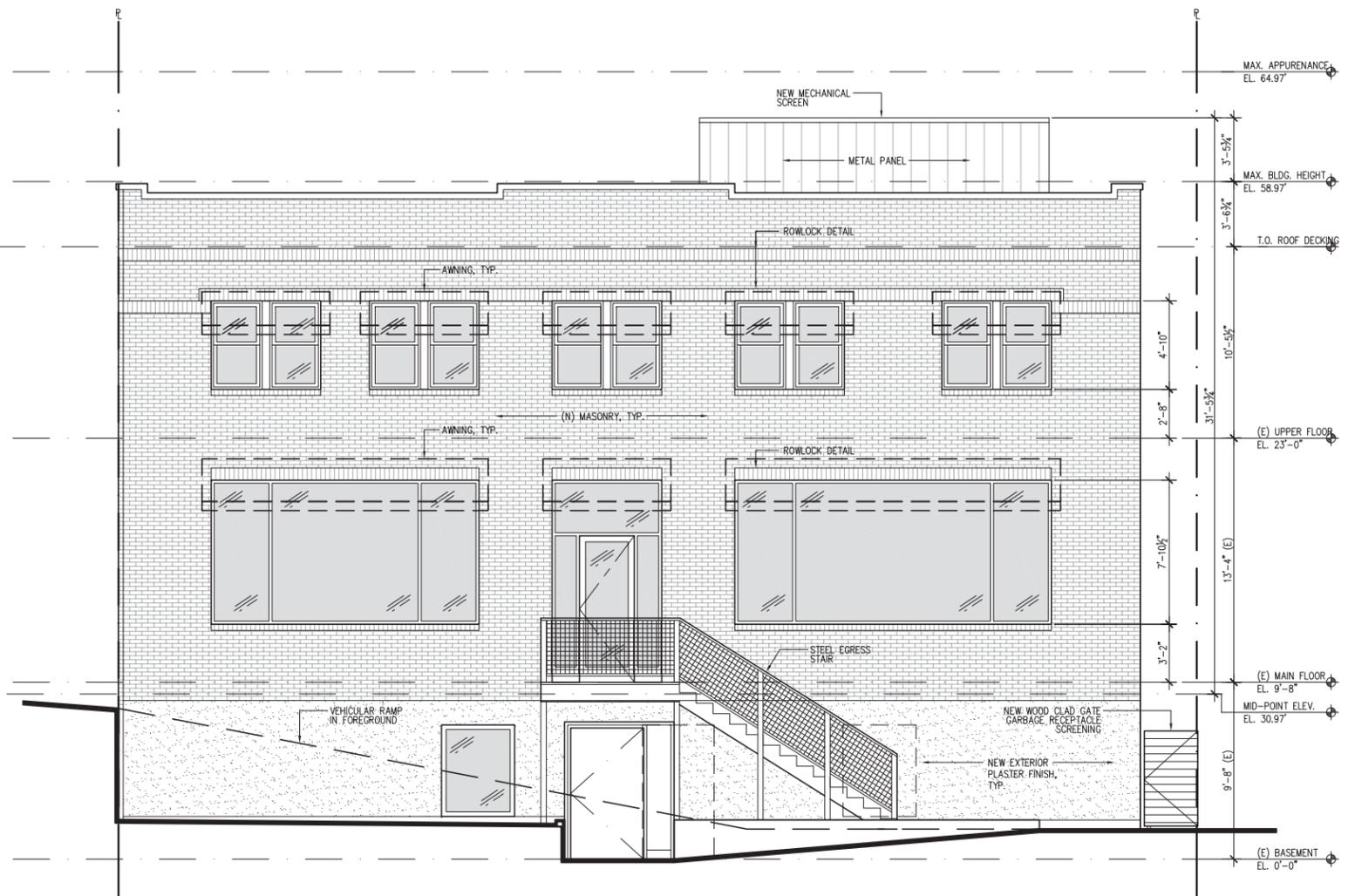
 **BASEMENT PLAN**
1/4" = 1'-0"



 **MAIN FLOOR PLAN**
1/4" = 1'-0"



1 NORTH ELEVATION
 1/4" = 1'-0"



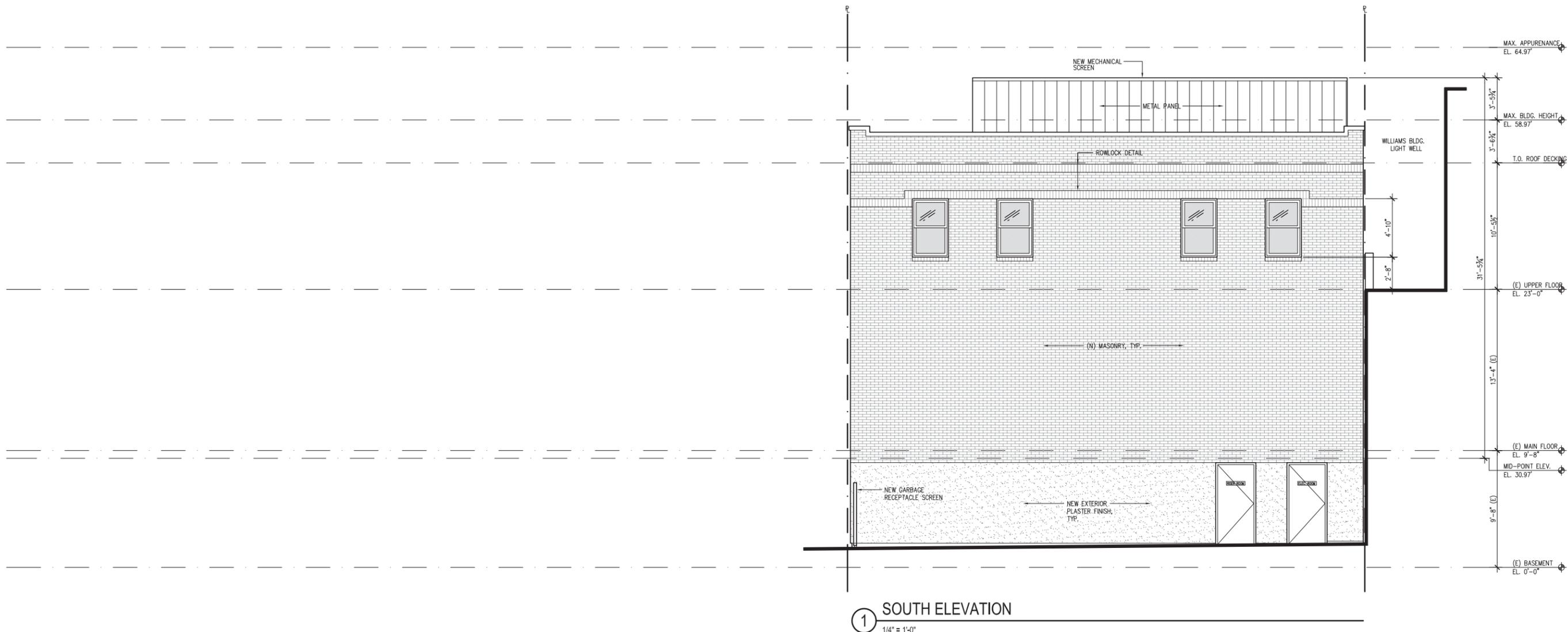
2 WEST ELEVATION
 1/4" = 1'-0"

DRB - DRC
 No. Date Revision

WEBB BUILDING - SHELL & CORE
 89 KIRKLAND AVE.
 KIRKLAND, WA 98033

BUILDING
 ELEVATIONS

Sheet No. 4.0
 Project No. 18
 Date: 07/23/20

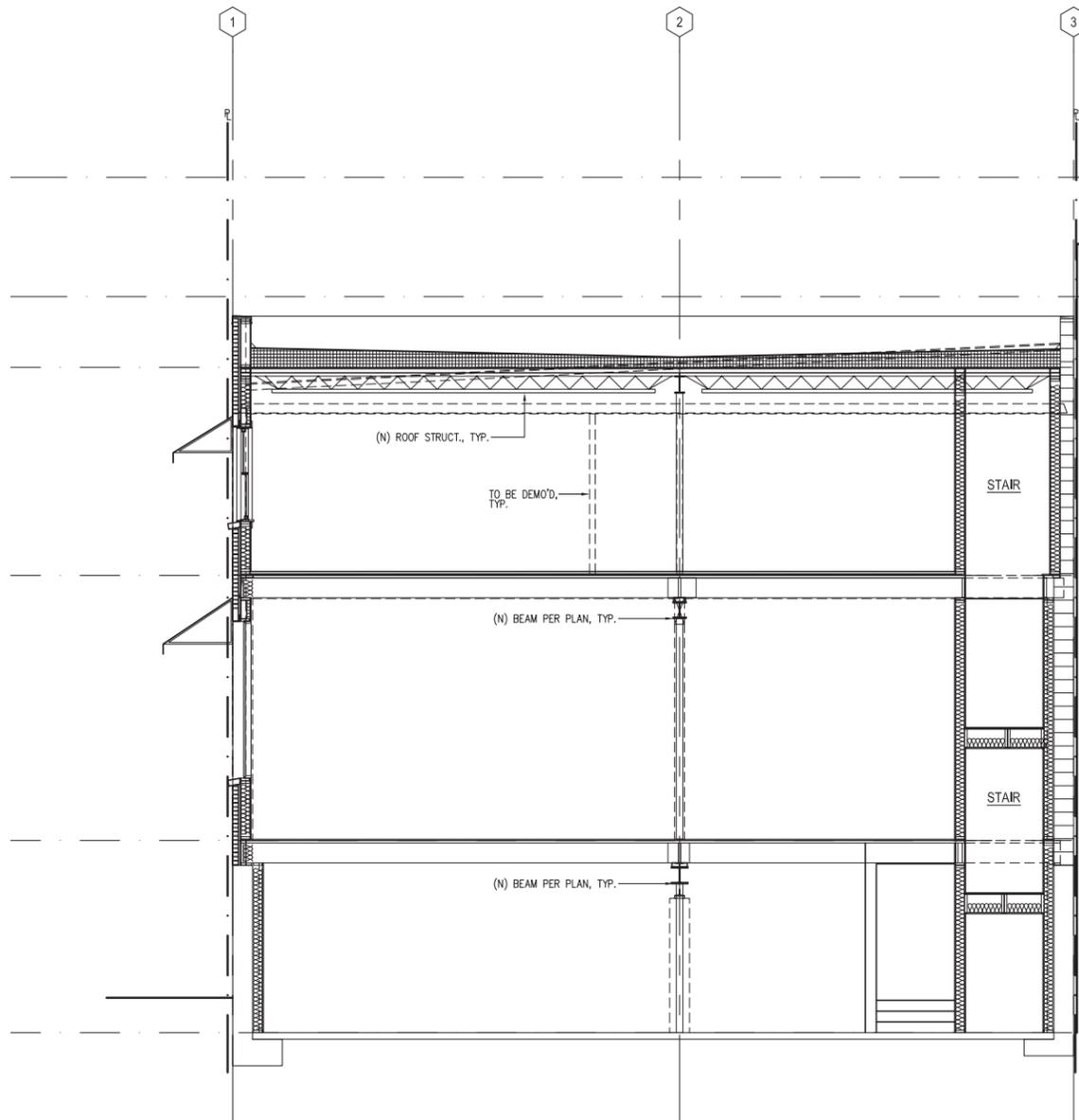


① SOUTH ELEVATION
 1/4" = 1'-0"

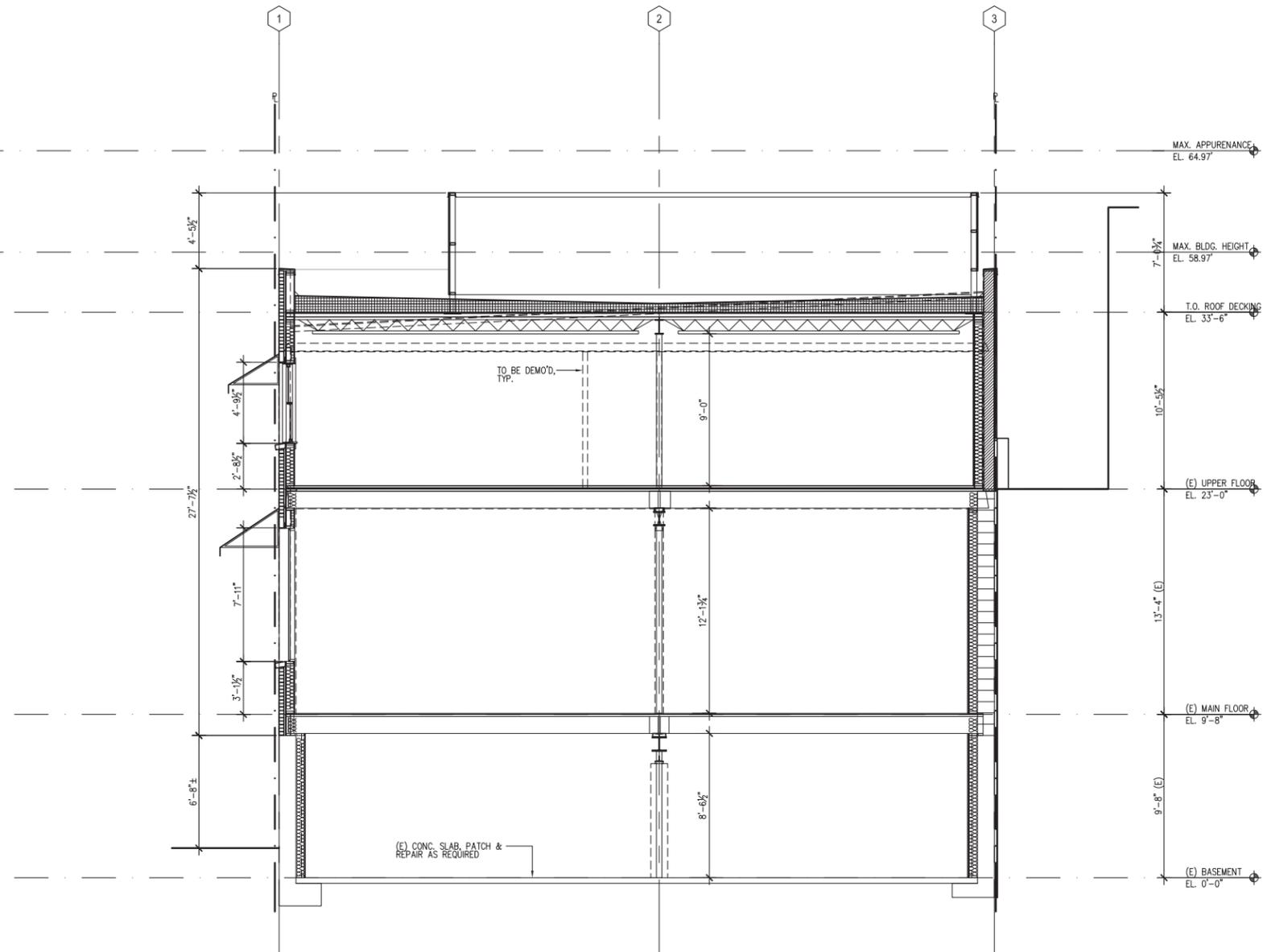
DRB - DRC
 No. Date Revision

WEBB BUILDING - SHELL & CORE
 89 KIRKLAND AVE.
 KIRKLAND, WA 98033

BUILDING
 ELEVATIONS



2 BUILDING SECTION
 1/4" = 1'-0"



1 BUILDING SECTION
 1/4" = 1'-0"

No.	Date	DRB - DRC	Revision

WEBB BUILDING - SHELL & CORE
 89 KIRKLAND AVE.
 KIRKLAND, WA 98033







NORTH ELEVATION



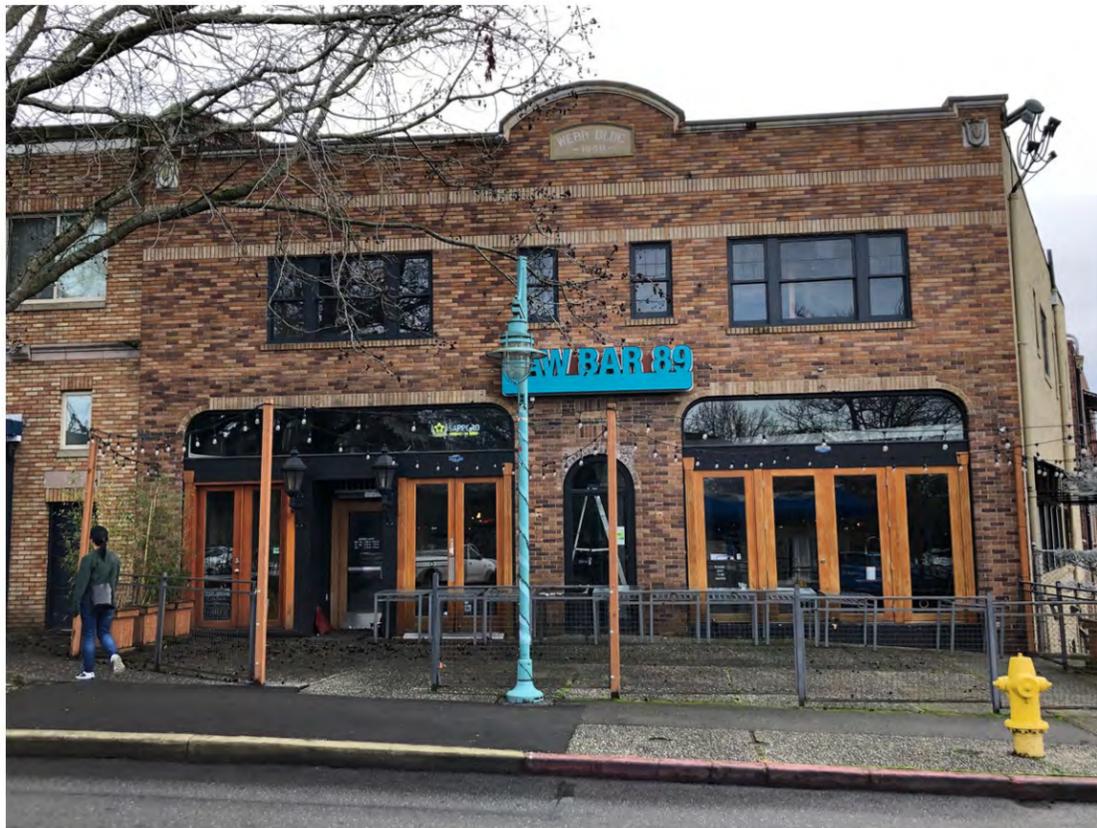
NORTHWEST PERSPECTIVE



WEST ELEVATION



MAX. ZONING ENVELOPE



Proposed improvements:

- Preserve existing north facade brickwork and ornament.
- Replace storefront and recessed building entry.
- Replace upper windows to resemble existing windows.
- Maintain existing temporary sidewalk cafe seating.

We would like to request a DRB modification to relieve the requirement for pedestrian overhead weather protection (awning/canopy over storefront) to maintain the historic character of the street frontage.

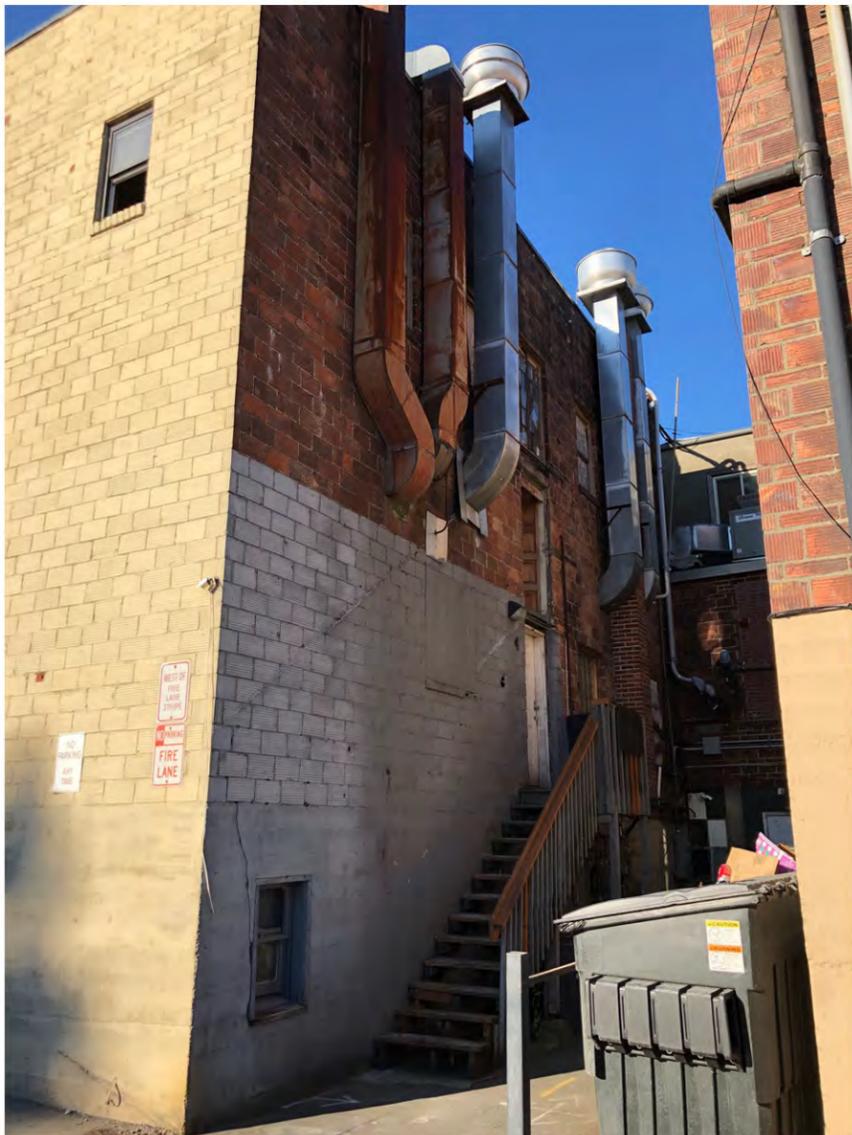




Proposed improvements:

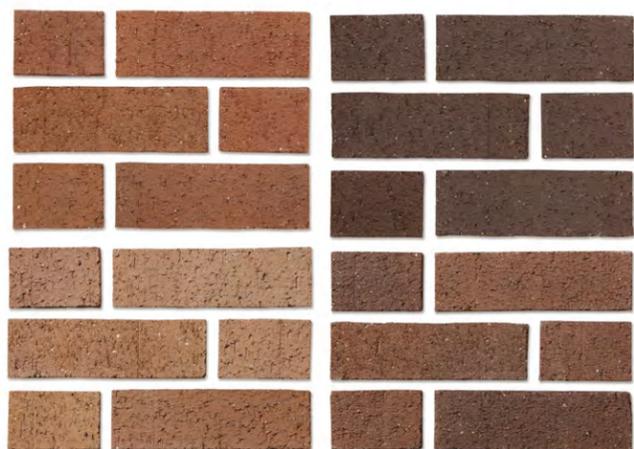
- New brick veneer to be complimentary to the north facade brick.
- New parapet details to reflect character of north facade parapet.
- New rowlock brick details to tie into existing north facade details.
- New upper floor double-hung windows to match proportions and character of existing north facade windows.
- New main floor windows to open up to views towards Lake Washington.
- New window awnings, color T.B.D. but complimentary with the new brick color.
- New egress stair from main floor to grade.
- New plaster finish over existing concrete base with darker color.





Proposed improvements:

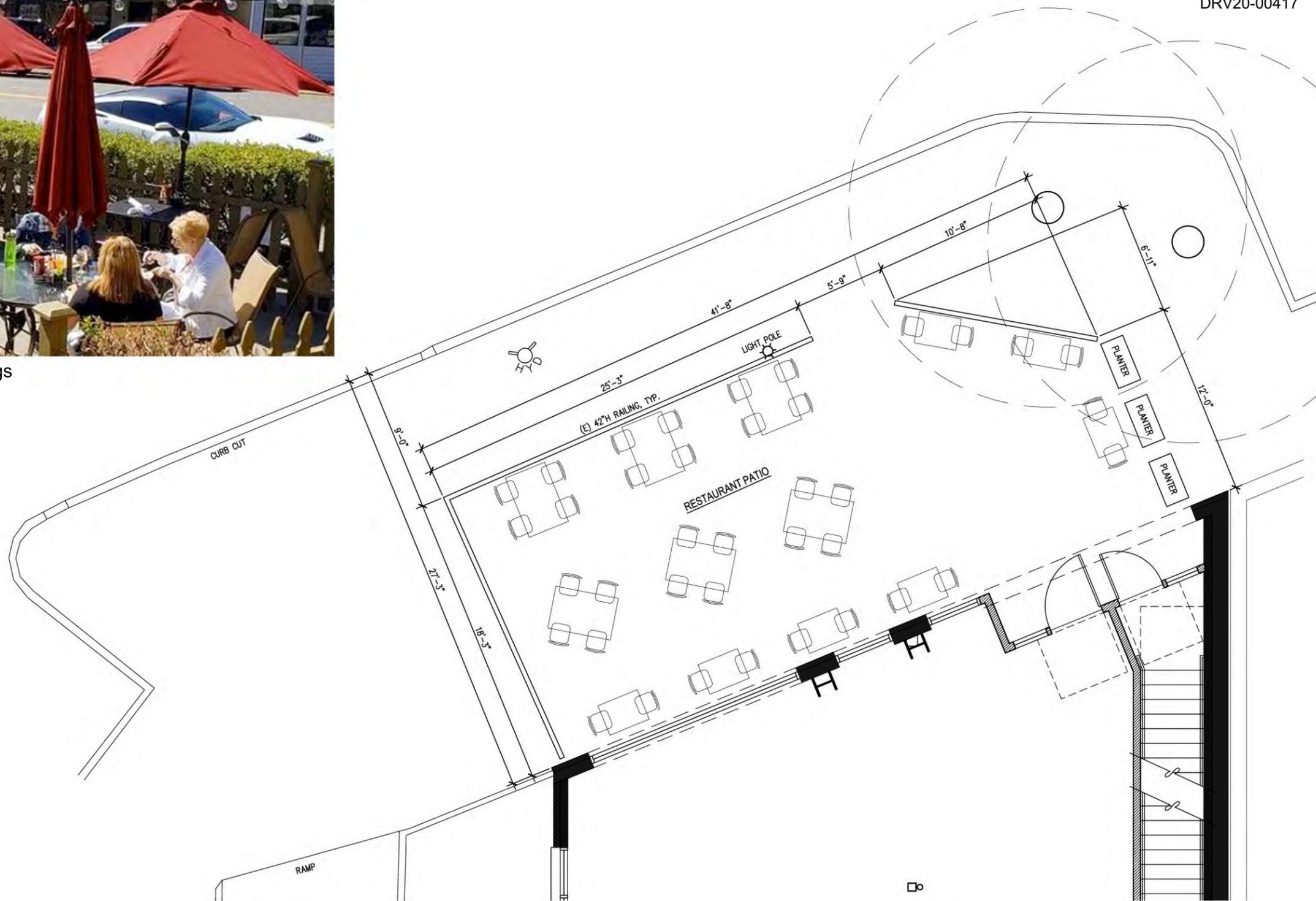
- Remove all existing mechanical ductwork from facade.
- New brick veneer, same as west facade.
- New rowlock brick details to tie into west facade.
- New upper floor double-hung windows to match proportions and character of existing north facade windows.
- New plaster finish over existing concrete base, same as west facade.



Proposed brick tones, T.B.D.

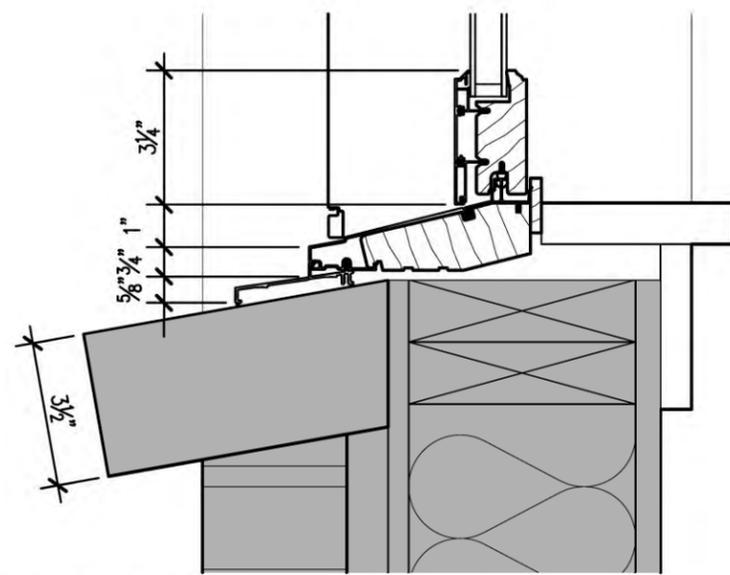
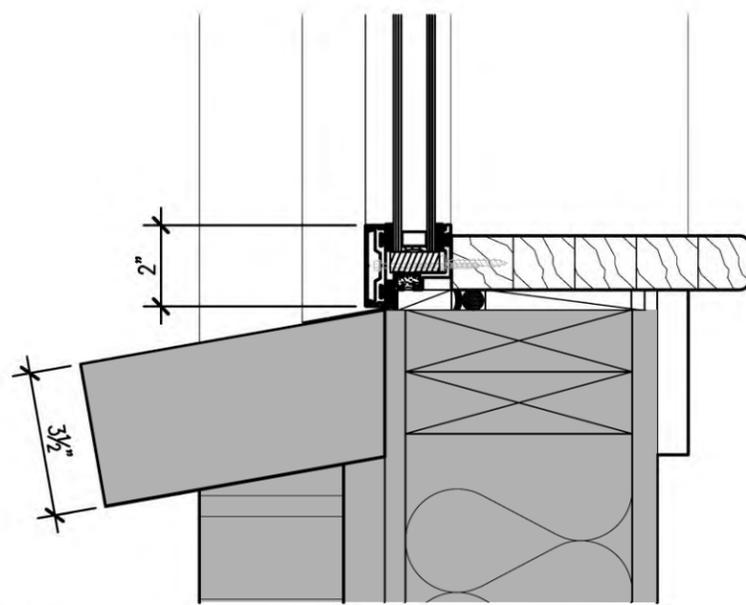
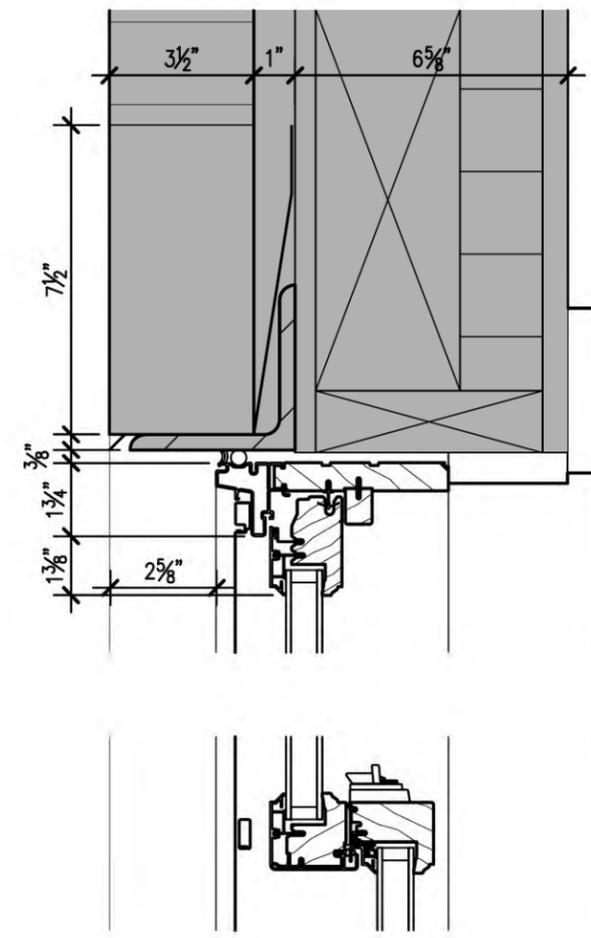
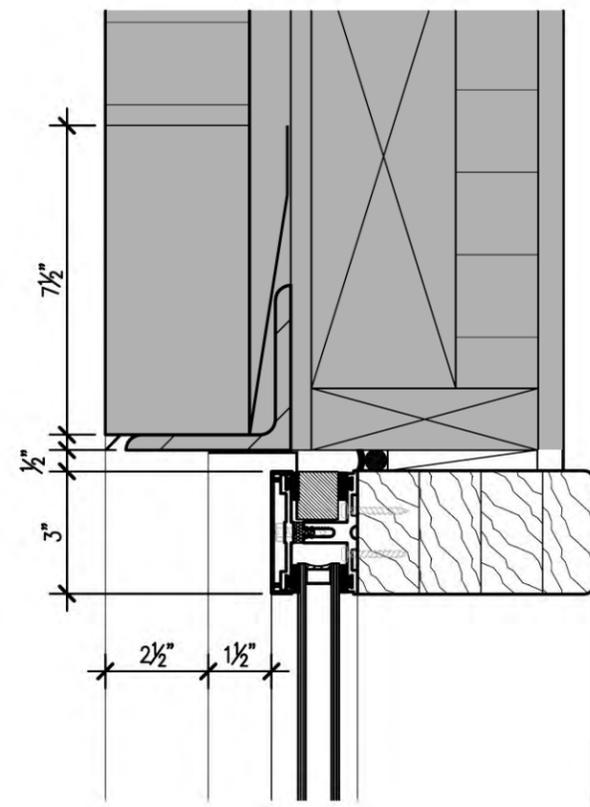


Example patio furnishings



EXISTING PATIO

1/4" = 1'-0"



Existing window character

MAIN FLOOR WINDOW DETAILS

UPPER WINDOW DETAILS

3" = 1'-0"

3" = 1'-0"

105.18 Pedestrian Access

b. Overhead Weather Protection – Location – The applicant shall provide pedestrian overhead weather protection in the following locations:

- 1) Along any portion of the building which is adjacent to a pedestrian walkway or sidewalk;
- 2) Over the primary exterior entrance to all buildings including residential units.
- 3) Exceptions in Design Districts:

In CBD Zones: Along at least 80 percent of the frontage of the subject property on each pedestrian-oriented street.

In RHBD, BN, BNA, MSC 2, FHNC, HENC 1, HENC 3 and TLBD Zones: Along at least 75 percent of a pedestrian-oriented building facade.

In JBD Zones: Along 100 percent of a building facade abutting a street or through-block pathway.

For more information regarding designated pedestrian-oriented streets see Plate 34 in Chapter 180 KZC, and pedestrian-oriented facades in Chapter 92 KZC.

c. Overhead Weather Protection – Configuration – The overhead weather protection may be composed of awnings, marquees, canopies, building overhangs, covered porches, recessed entries or other similar features. The overhead weather protection must cover at least five (5) feet of the width of the adjacent walkway and must be at least eight (8) feet above the ground immediately below it.

If development is subject to Design Review, the City will specifically review and approve the color, material and configuration of all overhead weather protection and the material and configuration of all pedestrian walkways as part of the Design Review decision.

For a modification to KZC 105.18 or 105.19 the requirements for pedestrian access may be modified if:

- 1) The modification is necessary because of the size, configuration, topography or location of the subject property;

Due to the historical nature of the Webb building façade we are asking for an exemption from the requirement to provide pedestrian overhead weather protection per KZC 105.18. Adding a canopy or awning would be out of character with the historical façade as it was originally constructed and has existed over the last 90 years. Historical photos from the 1930's (shortly after construction) do not show any evidence of awnings or canopies.

- 2) The modification will provide for equal or improved pedestrian and bicycle safety and convenience; and

The modification to not install overhead weather protection will not change the safety conditions for pedestrian and bicycle safety along Kirkland Avenue.

- 3) The modification will not have any substantial detrimental effect on nearby properties and the City as a whole.

Eliminating the requirement for the overhead weather protection will not be detrimental to nearby properties as the Williams building to the east has an existing canopy and there is no building to the west. Not placing overhead weather protection may help the sight lines as vehicles use and adjacent ingress/egress ramp just to the west of the northwest corner of the building.





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DEVELOPMENT STANDARDS LIST
File: WEBB BUILDING, DRV20-00417

ZONING CODE STANDARDS

92.35 Prohibited Materials In Design Districts. If in a design district the following building materials are prohibited or limited in use: mirrored glass or reflective materials, corrugated fiberglass, chain link fencing, metal siding, concrete block, backlit awnings. Water spigots are required along building facades along sidewalks for cleaning and plant watering. Commercial buildings with more than one tenant shall install a cornerstone or plaque.

100.25 Sign Permits. Separate sign permit(s) are required. In JBD and CBD cabinet signs are prohibited.

105.18 Overhead Weather Protection. All uses, except single family dwellings, multifamily, and industrial uses, must provide overhead weather protection along any portion of the building, which is adjacent to a pedestrian walkway.

105.18.2 Overhead Weather Protection Standards. Overhead weather protection must be provided along any portion of the building adjacent to a pedestrian walkway or sidewalk; over the primary exterior entrance to all buildings. May be composed of awnings, marquees, canopies or building overhangs; must cover at least 5' of the width of the adjacent walkway; and must be at least 8 feet above the ground immediately below it. In design districts, translucent awnings may not be backlit; see section for the percent of property frontage or building facade.

110.52 Sidewalks and Public Improvements in Design Districts. See section, Plate 34 and public works approved plans manual for sidewalk standards and decorative lighting design applicable to design districts.

115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.45 Garbage and Recycling Placement and Screening. For uses other than detached dwelling units, duplexes, moorage facilities, parks, and construction sites, all garbage receptacles and dumpsters must be setback from property lines, located outside landscape buffers, and screened from view from the street, adjacent properties and pedestrian walkways or parks by a solid sight-obscuring enclosure.

115.47 Service Bay Locations. All uses, except single family dwellings and multifamily structures, must locate service bays away from pedestrian areas. If not feasible must screen from view.

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90

lists exceptions to total lot coverage calculations See Section 115.90 for a more detailed explanation of these exceptions.

115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.

115.120 Rooftop Appurtenance Screening. New or replacement appurtenances on existing buildings shall be surrounded by a solid screening enclosure equal in height to the appurtenance. New construction shall screen rooftop appurtenances by incorporating them in to the roof form.

145.22.2 Public Notice Signs. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs.

Prior to issuance of a grading or building permit:

95.30(4) Tree Protection Techniques. A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans.

95.34 Tree Protection. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary protective chain link fence at least 6 feet in height around the protected area of retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.



PUBLIC WORKS CONDITIONS

Permit #: DRV20-00417

Project Name: Webb Building Remodel

Project Address: 89 Kirkland Ave

Date: July 26, 2020

Public Works Staff Contacts

John Burkhalter, Development Engineering Manager

Phone: 425-587-3846 / E-mail: jb Burkhalter@kirklandwa.gov

Tuan Phan, Development Engineering Supervisor

Phone: 425-587-3843 / E-mail: tphan@kirklandwa.gov

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the [City of Kirkland Public Works Pre-Approved Plans and Policies Manual](#). A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site.
2. This project will be subject to [Public Works Permit and Connection Fees](#). It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The applicant should anticipate the following fees.
3. All street and utility improvements shall be permitted by obtaining a [Land Surface Modification \(LSM\) Permit](#), including the required [LSM Checklist](#).
4. Subdivision Performance and Maintenance Securities:
 - If a Performance Security has not yet been posted, then prior to issuance of the Permit a standard right of way restoration security ranging from \$10,000.00 to 30,000.00 (value determined based on amount of ROW disruption) shall be posted with Public Works Department. This security will be held until the project has been completed.
 - Prior to Final Inspection there will be a condition of the permit to establish a two year Maintenance security.
5. This project is exempt from concurrency review.



6. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the [Public Works Policy G-7, Engineering Plan Requirements](#). This policy is contained in the Public Works Pre-Approved Plans and Policies manual.
7. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.
8. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).
9. Prior to issuance of any commercial or multifamily Building Permit, the applicant shall provide a plan for garbage, recycling and composting storage and pickup OR verify no change is proposed in the case of an existing building permitting a remodel. The plan shall conform to [Policy G-9](#) in the Public Works Pre-approved Plans and be approved by Waste Management and the City. Important feature is to provide enough storage area for recycling and composting; and being able to pick up containers without storing in the ROW overnight. Submit the plan with a cover letter to explain how Policy G-9 requirements will be met. Please contact John MacGillivray, 425.587.3804, if you have questions.
10. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

Sanitary Sewer Conditions:

1. Any businesses serving food or drink are required to have grease interceptor on the waste line prior to discharge to the City sewer system. The interceptor shall be sized per the Uniform Plumbing Code (minimum).

Water System Conditions:

1. The existing water main in the right-of-way is adequate to serve the project.
2. See Fire Department conditions for fire flow requirements.
3. In mixed-use projects each use shall have a separate water meter, i.e., the retail use shall have a separate water meter from residential use.

Surface Water Conditions:



1. Provide temporary and permanent storm water control in accordance with the [2016 King County Surface Water Design Manual \(KCSWDM\)](#) and the City of Kirkland Addendum (Policy [D-10](#)).
2. All roof and driveway drainage must be tight-lined to the storm drain system or utilize low impact development techniques on-site.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts Kirkland Ave. This street is a Collector type street. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:
 - A. No improvements required based on proposed work.
 - B. Applicant shall repair or replace any broken curb, gutter and sidewalk. New sidewalk shall have a broom finish per City standard plans.
 - C. Use of the ROW for outdoor seating requires a Sidewalk Café Permit, please contact your Planner for requirements; note 6 ft of sidewalk as measured from the back of curb must be available for pedestrians.

Related City Website Links

- [City of Kirkland Pre-Approved Plans and Policies](#)
- [Public Works Development Fees](#)
- [Stormwater FAQs](#)
- Application Forms ([Electronic](#), [Paper](#))
- [KZC105 – Private Drive, Private and Pedestrian Walkway Requirements](#)
- [KZC110 - Public Right-of-way Improvement Requirements](#)

50.14 User Guide – CBD 2 zones.

The charts in KZC 50.17 contain the basic zoning regulations that apply in the CBD 2 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 50.15**Section 50.15 – 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. Along Lake Street South, north of Kirkland Avenue, buildings exceeding one story above Lake Street South shall demonstrate compliance with the Design Regulations of Chapter 92 KZC and all provisions of the Downtown Plan. Through Design Review (D.R.) the City shall find that any allowance for additional height is clearly outweighed by identified public benefits such as through-block public pedestrian access or through-block view corridors (does not apply to Public Access Pier, Boardwalk, or Public Access Facility; Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit; or Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units).
3. In no case shall the height exceptions identified in KZC 50.62 and 115.60(2)(d) result in a structure which exceeds 28 feet above the abutting right-of-way (does not apply to Public Access Pier, Boardwalk, or Public Access Facility; Boat Launch; Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit; Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units; or Marina). See KZC 50.62 for additional building height provisions.
4. South of Second Avenue South, maximum height of structure is three stories above Lake Street South as measured at the midpoint of the frontage of the subject property on Lake Street South. Buildings exceeding two stories shall demonstrate compliance with the design regulations of Chapter 92 KZC and all provisions of the Downtown Plan (does not apply to Public Access Pier, Boardwalk, or Public Access Facility; Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit; or Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units).
5. For purposes of measuring building height, if the subject property abuts more than one right-of-way, the applicant may choose which right-of-way shall be used to measure the allowed height of structure (does not apply to Public Access Pier, Boardwalk, or Public Access Facility; Piers, Docks, Boat Lifts and Canopies Serving Detached Dwelling Unit; Piers, Docks, Boat Lifts and Canopies Serving Detached, Attached or Stacked Dwelling Units).
6. May not use land waterward of the ordinary high water mark to determine lot size or to calculate allowable density.
7. May also be regulated under the City's Shoreline Master Program; refer to Chapter 83 KZC.

[link to Section 50.17 table](#)

Section 50.17

Zone
CBD-2

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 50.17	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	A Retail Establishment, other than those specifically listed, limited, or prohibited in this zone, selling goods or providing services, including banking and related financial services	D.R., Chapter 142 KZC.	None	0'	0'	0'	100%	28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way.	D	E	One per each 350 sq. ft. of gross floor area. See KZC 50.60.	<ol style="list-style-type: none"> The following provisions, which supersede any conflicting provisions of this chapter, apply only if the subject property is within 200 feet of or includes a portion of Lake Washington: <ol style="list-style-type: none"> Chapter 83 KZC contains regulations regarding shoreline setbacks and public pedestrian walkways. No structure, other than moorage structures, may be waterward of the ordinary high water mark. For regulation regarding moorages, see the moorage listings in this zone and Chapter 83 KZC. The following uses are not permitted in this zone: <ol style="list-style-type: none"> Vehicle service stations. The sale, service and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. Drive-in facilities and drive-through facilities. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The assembled or manufactured goods are directly related to and dependent upon this use, and are available for purchase and removal from the premises. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. The parking requirement for hotel or motel use does not include parking requirements for ancillary meetings and convention facilities. Additional parking requirements for ancillary uses shall be determined on a case-by-case basis.
.020	Entertainment, Cultural and/or Recreational Facility									See KZC 50.60 and 105.25.		
.030	Hotel or Motel									One for each room. See Spec. Reg. 4 and KZC 50.60.		
.040	Restaurant or Tavern									One per each 125 sq. ft. of gross floor area. See KZC 50.60.		

(Revised 8/10)

Section 50.17



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 50.17	USE REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.070	Private Club or Lodge	D.R., Chapter 142 KZC.	None	0'	0'	0'	100%	28' above the abutting right-of-way measured at the midpoint of the frontage of the subject property on each right-of-way.	D	B	See KZC 50.60 and 105.25.	1. The following provisions, which supersede any conflicting provisions of this chapter, apply only if the subject property is within 200 feet of or includes a portion of Lake Washington: <ol style="list-style-type: none"> a. Chapter 83 KZC contains regulations regarding shoreline setbacks and public pedestrian walkways. b. No structure, other than moorage structures, may be waterward of the ordinary high water mark. For regulations regarding moorages, see the moorage listings in this zone and Chapter 83 KZC. 2. Ancillary assembly and manufacture of goods on premises may be permitted as part of an office use if: <ol style="list-style-type: none"> a. The ancillary assembled or manufactured goods are subordinate to and dependent on this office use; and b. The outward appearance and impacts of this office use with ancillary assembly and manufacturing activities must be no different from other office uses. 3. This use may be located on the street level floor of a building only if there is a retail space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the retail space if the applicant demonstrates that the proposed configuration of the retail use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. This special regulation shall not apply to properties located south of Second Avenue South. 4. Veterinary offices are not permitted in this zone.
.080	Office Use See Spec. Reg. 3.									D	One per 350 sq. ft. of gross floor area. See KZC 50.60.	

(Revised 9/15)



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

July 24, 2020

Aoife Blake
Planning and Building Department
City of Kirkland
ABlake@kirklandwa.gov

In future correspondence please refer to:
Project Tracking Code: 2020-07-04816
Property: Webb Building, 89 Kirkland Avenue, Kirkland
Re: Proposed Interior and Façade Rehabilitation

Dear Aoife:

The Washington State Department of Archaeology and Historic Preservation (DAHP) is in receipt of the City of Kirkland's Request for Consultation regarding the above referenced project at the Webb Building in downtown Kirkland. This proposal has been reviewed on behalf of the State Historic Preservation Officer (SHPO) under provisions of the State Environmental Policy Act (SEPA) Our review is based upon documentation contained in your communication. In response, we are providing the following comments for your consideration.

1. We support and commend the project proponent for preserving and rehabilitating the Webb Building. Rehabilitation of the building will contribute to the historic character of downtown Kirkland and contribute to downtown's walkability and the City's effort to achieve environmental sustainability through rehabilitation rather than new construction.
2. Based upon the Historic Property Inventory Form (HPI), the Webb Building may be eligible for listing in the National Register of Historic Places based upon the intact architectural character of the front façade and the building's role in the commercial development of downtown character in the first half of the 20th Century.
3. In view of our comment in (2), we recommend that the 1992 HPI be expanded and updated to provide additional information about the building in order to more fully evaluate its eligibility to the National Register, the Washington Heritage Register, and/or the local register of historic places. Updating the HPI should be completed by a historic preservation professional meeting federal qualifications in history and/or architectural history (https://www.nps.gov/history/local-law/arch_stnds_9.htm).
4. In implementing the project, we recommend that the rehabilitation work be designed to meet the *Secretary of the Interior's Standards for Rehabilitation* (Standards) (<https://www.nps.gov/tps/standards/rehabilitation.htm>). For questions about interpreting and applying the Standards, please contact DAHP's Historical Architect Nicholas Vann at Nicholas.Vann@dahp.wa.gov.
5. Please note that if rehabilitation work is found to meet the Standards and is listed in the local and/or National Register, the project may be eligible to benefit from historic preservation tax incentives. For more information about incentives, visit the DAHP web page at: <https://dahp.wa.gov/grants-and-funding/federal-historic-tax-credit>.



6. Finally, we recommend that, if not already, rehabilitation work include seismic retrofitting to make sure occupants and the building remain safe and intact in the event of an earthquake.

These comments are based on the information available at the time of this review. Should additional information become available, our comments may be revised.

Finally, please note that in order to streamline our responses, DAHP requires that Resource documentation (HPI, Archaeology sites, TCP) and reports be submitted electronically. Correspondence must be emailed in PDF format to the appropriate compliance email address. For more information about how to submit documents to DAHP please visit: <https://dahp.wa.gov/project-review>. To assist you in conducting a cultural resource survey and inventory effort, DAHP has developed Guidelines for Cultural Resources Reporting. You can view or download a copy from our website.

Thank you for the opportunity to review and comment. Please ensure that the DAHP Project Number (2020-07-04802) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. If you have any questions, please feel free to contact me.

Sincerely,



Gregory Griffith
Deputy State Historic Preservation Officer
(360) 890-2617
greg.griffith@dahp.wa.gov

c: Jennifer Meisner, King County Historic Preservation Officer
Todd Scott, KC HPO
Sara Steen, KC HPO



Aoife Blake

From: hawkdsi@ix.netcom.com
Sent: Wednesday, July 22, 2020 9:06 AM
To: Aoife Blake
Subject: RE: Request for Consultation - 89 Kirkland Ave
Attachments: CJ-1930-09-23-ESJ-Persons-Building.jpg; CK-1930-07-03-esj017.jpg; CK-1930-07-03-esj019.jpg; CK-1930-08-07-025.jpg; CK-1930-09-25-est-65.jpg; CK-1930-10-23-ESJ-72.jpg; CK-1930-11-27-esj-31.jpg; CK-1930-11-27-esj-33.jpg; CK-1930-11-27-esj-34.jpg; CK-1930-11-27-esj-36.jpg; CK-1933-08-17-esj-44.jpg; CK-1933-08-17-esj-48.jpg; CK-1933-09-07-esj-49.jpg; 1930-10-23-ESJ-72.jpg; 2005-2-83-300dpi.jpg; 2007-2-57-300dpi.jpg; 2007-06-75-pp.jpg; 2007-19-86-City-Negatives-21.jpg; 2008-13-68-Postcard-Kirkland-landing-looking-east.jpg; 2012-12-040.jpg

Hi. I have no input about the SEPA report but would like to give a brief history of this building which was built for George Webb. That entire corner burnedcause was thought to be ashes from a cigar or cigarette that dropped into a fireworks display. The owners of the buildings (Webb and Williams) decided to rebuild immediately using brick. By the end of the year the Pastime Café was open for business in the Webb building. I am attaching some newspaper clippings and photos. The file name for the clippings includes the dates they were published in the East Side Journal. The man reading the newspaper is George Bartsch who later owner the Pastime Café. He was the son of building John Bartsch who build the Shumway mansion, the original Central School and Peter Kirk's home. They came during the Kirk era and remained.

Loita Hawkinson, President
Kirkland Heritage Society

From: Aoife Blake [mailto:ABlake@kirklandwa.gov]
Sent: Tuesday, July 21, 2020 9:37 AM
To: Aoife Blake
Subject: Request for Consultation - 89 Kirkland Ave

Hello –

Please see attached a request for consultation to aid the SEPA review of a historic structure in downtown Kirkland at 89 Kirkland Ave. Attached are documents about the project but if you have specific questions, please feel free to contact me via phone or email. Your assistance and expertise in this review is greatly appreciated.

Thanks,

Aoife Blake | Associate Planner
Planning and Building Department
City of Kirkland
p: 425.587.3262

Planning Counter hours: 8:00 am – 5:00 pm Monday-Friday; 10:30 am – 5:00 pm Wednesdays only. Located in City Hall at 123 Fifth Avenue, Kirkland, WA 98033.

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including

Aoife Blake

From: Kim Hartman <dkks4h@gmail.com>
Sent: Thursday, July 23, 2020 12:35 PM
To: Allison Zike; Aoife Blake
Cc: Lynette Weber
Subject: Re: Request for Consultation - 89 Kirkland Ave

Hi Allison and Aoife,

Thank you for the clarification and for including me on the distribution list. I wanted to be sure there were no action items especially as I will be in Michigan on July 28th.

The plans look great as they are not altering the front facade. So glad they are keeping and putting effort into this building. The waterfront and downtown Kirkland will be better for it. Lynette has inquired if there is any interest in Landmarking this building as she is acquainted with the new owners. I am hoping they reach out for information regarding grants and Landmarking potential.

Also, I was wondering if Todd Scott or Sarah Steen are aware of this project more of a point of interest especially with Todd's background?

Thank you again for the update.

Sincerely

Kim

On Jul 22, 2020, at 7:27 PM, Allison Zike <AZike@kirklandwa.gov> wrote:

Hi Kim,

Hope you and your family are well. No action is required on this, I just added you to the distribution list as our Landmarks Commissioner so you get these as an FYI. What Aoife sent is an environmental checklist, and when there are any historic buildings (or buildings that may be eligible for listing) involved in a project, we distribute it to historic preservation organizations. No response is required, but as an example, King County's Historic Preservation Program will often suggest mitigating actions depending on what type of work is being proposed. We also send these to the Heritage Society- but they haven't come up very often.

We haven't sent these to our Landmark's Commissioner in the past, but I thought it would be good to add you to the distribution list so you are in the loop on any actions proposed on properties with historic properties. I'd be happy to call you if you want any additional details. I am available tomorrow before 3pm and Friday before 11am (PST).

Thanks,

Allison Zike, AICP | Senior Planner
City of Kirkland | Planning & Building Department
azike@kirklandwa.gov | 425-587-3259