



CITY OF KIRKLAND
Planning and Building Department
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MEMORANDUM

Date: April 25, 2019

To: Kurt Triplett, City Manager

From: Janice Coogan, Senior Planner
Adam Weinstein, AICP, Planning and Building Director
Jeremy McMahan, Planning and Building Deputy Director

Subject: Rose Hill Neighborhood Amendments to Zoning Code and Zoning Map, File Number CAM19-00043

Recommendation

That the City Council adopt some version of Revised Ordinance O-4683, Options A or B below. If the Council adopts Option B, then it should consider O-4687, which includes only RH 8 amendments:

- a. Revised O-4683 Option A includes adoption of all amendments recommended by the Planning Commission, including proposed amendments to the RH 8 zone (Exhibit I) and other zones in the Rose Hill Neighborhood (Rose Hill Business District RH 3, RH 5A, RH 5B, RH 7 zones), PLA 14 zone (Lake Washington Institute of Technology), miscellaneous amendments (Exhibits B-I), and rezone of four parcels located at 8519, 8523, 8525, 8527 126th Ave NE from the RS 7.2 to RH 5B zone shown in Exhibit A. The original O-4683 was before the Council at the April 16 Council meeting and was tabled by the Council during the deliberations for several reasons, including public comment, the excused absence of Councilmember Asher, and the Planning Commission suggestion that the Council might want additional study of building height and setback regulations in the RH 8 zone. The version of O-4683 presented to Council in this report also includes a revision to exclude multi-family units within 30 feet of the property line along NE 85th Street in the RH 8 district in order to ensure the street level is primarily commercial along NE 85th Street. This change was added to the ordinance presented to Council on April 16 in response to public and Council comment.
- b. Revised O-4683 Option B **excludes** the RH 8 zone amendments but includes all the other amendments described above (Exhibits A-H). Council requested that this option be made available at the May 7 Council meeting for possible Council action.

Ordinance O-4687 includes **only** the RH 8 zone amendments recommended by the Planning Commission. The Council has several options related to O-4687: a) Council could pass O-4687 as drafted; b) Council could reject O-4687 and leave the current RH 8 zoning in place; c) Council could amend the ordinance at the May 7 or a future Council meeting, or d) Council

could send the RH 8 zone amendments back to the Planning Commission for future review and recommendations.

If the City Council concludes that the RH 8 zone amendments should be re-referred to the Planning Commission for additional study based on concerns expressed, Council should clearly scope the topics for further study and the identify which issues Council would like to see addressed. Staff has put together a chart in this memo that will help City Council's discussion of land use/transition issues related to the RH 8 zone.

Background

Background information for the original O-4683 amendments as recommended by the Planning Commission are included later in this memo under the heading "Background for O-4683." The next few paragraphs are related to Council options at the April 16 Council meeting.

The City Council heard public comment on April 16 under "Items from the Audience" expressing concerns about the RH 8 zoning amendments as recommended by the Planning Commission. One primary concern expressed was that the proposed amendments did not create an appropriate transition from the commercial/multi-family uses allowed on NE 85th Street and the single-family residential zoning north of the RH 8 zoning. Related, but more specific concerns expressed were that the height, bulk and mass of development allowed by the RH 8 zoning amendments would allow structures that would impact privacy and would shade the existing homes during winter months. The testimony stated that such shading would impact the quality of life for some home owners and would impact the solar panel investment of another homeowner. Many similar comments were presented to the Planning Commission during the March 28 public hearing on the RH 8 zoning amendments. Those comments are included in the Planning Commission record.

The original O-4683 RH 8 amendments recommended by the Planning Commission and staff did try to address these concerns. The existing development regulations in the RH 8 zone for mixed-use projects are already restrictive and are designed to promote appropriate transitions to surrounding single-family neighborhoods. A detailed chart explaining the mitigating regulations is included later in the memo under "City Council Discussion and Transition Options." The Planning Commission felt the proposed amendments clarify the City's intent in guiding development in the RH 8 zone and properly comply with the Comprehensive Plan requirements for the RH 8 zone, including transitions between single family zones and zones with more intensive uses. Additionally, the clarifications that are part of the proposed code amendments would be helpful for projects currently in the development review process to clarify ground floor uses, where residential uses are allowed on the subject property and that street level commercial uses should be oriented toward NE 85th Street. Option A allows the amendments, with the addition restriction on residential use on NE 85th Street, to move forward as originally recommended by the Planning Commission.

Option B excludes the RH 8 amendments but includes all the other Rose Hill zoning amendments. The Council requested this as an option to potentially allow the remaining amendments to be adopted on May 7 if the Council concludes that the RH 8 amendments need further deliberation.

Background for O-4683

The [Rose Hill Neighborhood Plan](#) was adopted on December 11, 2018 (O-4670). The proposed amendments are needed to bring the Zoning Map and Zoning Code regulations into compliance with the new policies in the Rose Hill Neighborhood Plan or clarify existing regulations in the Rose Hill Business District zones.

Planning Commission Review Process and Recommendation

On [February 28, 2019 the Planning Commission](#) held a study session and on [March 28, 2019](#) a public hearing on the proposed amendments. Most of the public comments received focused on how the proposed amendments will affect a proposed development that is currently vested under the existing RH 8 zoning. After closing the public hearing, the Planning Commission recommended to approve all the proposed code amendments (including RH 8 zone) and rezones with the caveat that City Council should consider adding a task to a future Planning Department work program for additional study of the building height and setback regulations in the RH 8 zone.

Below is a summary list of the proposed amendments recommended for approval by the Planning Commission (included in the enclosed Ordinance 4683):

Zoning Map Amendment:

- Rezone four properties at 8519, 8523, 8525, 8527 126th Ave NE from RS 7.2 zone to RH 5B zone (Exhibit A)

Zoning Code Amendments:

- RH 5B zone amendments related to the four parcels above describing the allowed uses and development standards consistent with policies in the Rose Hill Neighborhood Plan (Exhibit B). The properties could be developed as detached, attached or stacked medium density residential development at twelve dwelling units per acre or limited commercial development (depending on the parcel location). Development standards for height, setbacks, etc. are similar to the RM 3.6 zone. If parcels are consolidated with lots abutting NE 85th Street (and not adjoining a low-density zone), the commercial uses allowed in RH5B would be permitted.
- RH 3, RH 5A, RH 5B, RH 7 zones (Exhibit B, C, D): Change the term "ground floor" use to "street level floor" use in all of these zones to better reflect the desired orientation of commercial uses to the street (especially with sloped properties) and to clarify use restrictions based on the "street level floor" along NE 85th Street, allowing residential uses on the ground floor with commercial uses oriented along NE 85th Street and restricting commercial uses above the "street level floor." This change in terminology is consistent with other amendments made to commercial district regulations in the city.
- RH 3 zone (Exhibit D) amendments include the following in response to a request from Madison Development during the Neighborhood Plan update process to refine and clarify regulations:

- Increase lot coverage from 80% to 100%
 - Increase maximum building height to 75 feet
 - Special regulation #7 allows flexibility to construct residential or office uses above the 50-foot building height. If office uses are constructed, payment in lieu of developing affordable housing would still be required based on a density of 7.25 units per acre (the density of the total number of residential units under the latest conceptual plans currently undergoing design review).
 - Special regulation #5 to clarify at what point buildings on the subject property may exceed 45 feet to the maximum building height of 75 feet above average building elevation (the proposed amendment would establish that the maximum building height is 45 feet within a 20-foot setback from a public right-of-way; then the building may go to the 75 above average building elevation)
 - Change ground floor to street level floor as described above
- PLA 14 zone (Exhibit E) related to Lake Washington Institute of Technology (LWIT) to implement policy guidance in the Neighborhood Plan for a future campus expansion to allow market rate, affordable, residential suites or dormitory residential uses per established development standards.
 - Miscellaneous Zoning Code Sections (Exhibit F, G, H) to replace references to the NE 85th Street Subarea Plan with Rose Hill Business District (RHBD) or North/South Rose Hill Neighborhood Plan with Rose Hill Neighborhood Plan.
 - RH 8 zone (Exhibit I) amendments including:
 - Change the term "ground floor" use to "street level floor" as described above.
 - Add a requirement for linear commercial uses oriented to NE 85th Street (not side streets) including offices.
 - Add that a minimum depth of the commercial use must be 20 feet with an average depth of at least 30 feet, allowing for a high-quality, retail-ready space.
 - Clarify the amount of commercial use along NE 85th Street, add a minimum 60% linear frontage of commercial uses at the street level floor oriented to NE 85th Street (this clarification was recommended after Planning Commission review in response to public concerns).
 - In response to public comments and a question from the City Council regarding concerns that a developer could add residential uses along the commercial frontage of NE 85th Street the additional amended text below is recommended for Special Regulation #1 to further restrict residential uses (and separate use listing of assisted living, convalescent center or nursing homes) within 30 feet of NE 85th Street. This amendment is included in the Option A ordinance:

Stacked Dwelling Units, Assisted Living Facility, Convalescent Center or Nursing Home uses are not permitted on the street level floor within 30' of the property line along NE 85th Street.

City Council Discussion and Transition Options

April 16, 2019 Meeting

At the [April 16, 2019 City Council meeting](#), Council considered the Planning Commission recommendation and deferred further consideration to the May 7, 2019 agenda. Rather than duplicate earlier information in this memo, the link to the staff memo from April 16, 2019 provides a more detailed description of each proposed amendment summarized above. City Council discussed that if the decision is not to move forward with the RH 8 code amendments at the May 7, 2019 meeting, then Council should provide direction to staff on the types of changes that should be studied for additional amendments.

May 7, 2019 Meeting

For City Council's discussion, and in response to many of the public comments received related to transition issues between mixed use commercial and single-family residential zones, staff has provided the chart below. The chart summarizes the comments; summarizes the existing zoning regulations for such topics as maximum building height, required setback yards, and landscape buffers; summarizes proposed amendments; identifies options for City Council consideration; and provides staff recommendations. Attachment 1 provides graphics or photos further explaining the development standards. If the Council decides to adopt changes to the RH 8 zone that differ substantially from the scope of the changes considered at the Planning Commission public hearing, a new public hearing and public notice may be required. Only one minor new change is recommended by staff to clarify the amendments and restrict residential use within the commercial linear frontage requirement. See conclusion section below. Attachments 2 and 3 include public comments received since the last meeting.

Comparison of Key Development Regulations in mixed-use commercial RH 8 zone and single-family residential RSX zone (located north and south of RH 8 zone)			
Public Comment or Concern	Existing Zoning Code Regulations	Options for City Council Discussion or Additional Study	Staff Comments/ Recommendations
<p><u>Building Height</u></p> <p><i>The maximum Building Height of 40 feet above average building elevation (ABE) is too tall adjacent to a low density use in RSX zone</i></p> <p><i>Change how height is measured on properties containing sloped topography higher than single family property</i></p> <p><i>Because the residential at street level does not have to be 15', then the allowed height for residential should be 30' rather than 35'</i></p>	<p>In the RH 8 zone, maximum building height for mixed use commercial allows the following: (See KZC 53, General Regulation #3, #5).</p> <ul style="list-style-type: none"> • 30' above average building elevation (ABE) (Same as adjoining RSX 7.2 zone north/south of RH 8). • 35' above ABE is allowed for larger property aggregation (>18,000 sq. ft.) • Within 30' of an RSX zone structures are limited to 30' high (beyond 30' setback, height may extend to 35'). • Additional 5' incentive for peaked roof is allowed for commercial and multi-family buildings • Allowed height is measured above ABE, consistent with how height is measured throughout the city with a few exceptions in pedestrian oriented business districts. • Structure size limitations of KZC 115.136 apply to mixed use commercial uses (see section below) <p>In the RSX zones the maximum building height allows:</p> <ul style="list-style-type: none"> • Single family use maximum building height is 30' above ABE <p>See Attachment 1:</p>	<p>A. Should the maximum building height be lowered below 35' above ABE for mixed use or commercial uses?</p> <p>B. Should the taller height allowance for property aggregation be eliminated?</p> <p>C. Should the peaked roof incentive be eliminated?</p> <p>D. Should the method for calculating building height be changed to something other than above ABE (i.e., measured above the elevation of the common property line of RSX zone)?</p> <p>E. Should an upper story stepback be required adjoining RSX zone (i.e., no portion of the structure shall exceed x' in height within y' of the RSX zone)?</p>	<p>The baseline maximum building height limit of 35' for mixed use or commercial uses is 5' taller than allowed in RSX/RMA zones. Averaging height across a site can result in greater apparent height differences between the low end and high end of a site, depending on the size of the site and the change in topography across the site.</p> <p>The incentive for peaked roofs encourages new buildings to incorporate more traditional residential roof forms</p> <p>It is not uncommon for single family homes on sloped lots to appear 2 or 3 stories, depending on slope of property and the vantage point.</p> <p>On the north side of NE 85th St., topography of low-density zoned parcels abutting the RH 8 zones tends to be lower in elevation than the RH 8 properties. On the south side of NE 85th Street, the</p>

	<ul style="list-style-type: none">• Plate 17 A illustrating how average building elevation is calculated.• Photos showing different rooflines and building heights on sloped lots.		<p>topography of low-density zoned parcels tends to be slightly higher than the RH 8 properties.</p> <p><u>Staff recommendation:</u> No additional study is needed. Make no changes to maximum building height or how it is measured. Changing the way ABE is measured would not be consistent with standard City-wide practice.</p> <p>Maximum building height for mixed use, commercial or multi-family structures is a small increase in height above what is allowed in adjoining RSX or RM zones. The taller height allows for the required 15' street level commercial floor to ceiling height (to provide for successful commercial tenant spaces).</p> <p>Existing additional limitations on structure size and landscape buffers help mitigate bulk and mass of structures. See discussion in next section</p> <p>If Council concludes that additional height transition restrictions</p>
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			are needed, then staff could explore the concept of additional upper story building setbacks.
Public Comment or Concern	Existing Zoning Code Regulations	Options for City Council Discussion or Additional Study	Staff Comments/ Recommendation
<p><u>Rear yard setbacks and landscape buffer</u></p> <p><i>Buildings on sites near rear yards of single-family residences would tower over single-family residences, reducing privacy and causing impacts related to shading and loss of solar access.</i></p>	<p>RH 8 zone:</p> <ul style="list-style-type: none"> The required rear yard building setback is 15’. The required landscape buffer is 15’ wide for all uses in the RH 8 zone (Landscape buffer Category A, standard 1, KZC 95.40). The 15’ wide buffer is the most restrictive landscape buffer in the Zoning Code. This landscape buffer category was chosen when the business district zoning was created in 2006, to minimize impacts of mixed-use and commercial uses on single family residential uses. Landscape Category A requires installation of a 6’ tall fence along the rear property line and the 15’ wide buffer planted with trees (70% evergreen) shrubs, and ground cover with specific size and spacing requirements. Administrative Design Review KZC 92 (applies to smaller projects, larger developments require Design Board Review) allows several options for rear yard building placement negotiated with single family property owners to provide options: <ul style="list-style-type: none"> -Reduced 0-15’ wide 	<p>A. Should the existing 15’ wide landscape buffer requirement be increased and why (compared to other areas of the city)?</p> <p>B. If increase setback or buffer, why is this area different than other zones of the city where mixed use commercial or industrial zones abut single family zones (see discussion below for other areas of the city)?</p> <p>C. Should there be an “upper-story setback” of the upper floors? If so, from the which floor? If so, how far? Only if the building is located at the required 15’ buffer/setback line but if beyond not require the upper story step-back?</p>	<p><u>Staff recommendation:</u> No change to the existing rear yard setback and landscape buffer regulations. The 15’ wide landscape buffer is the most restrictive buffer required between mixed use, or commercial/industrial uses and single family residential uses. It is also a requirement that is used throughout the city.</p> <p>Note that under current zoning, a proposed development in RH 8 would not be permitted to maximize allowed building mass because the proposed buffer and setback would exceed the 15’ minimum requirement.</p> <p>Prior to 2015, the northern-most parcels in the existing RH 8 zone located between 131st and 132nd Avenues were zoned RSX (height limit of 30’). The required setback for a home in</p>

	<p>landscape buffer (with agreement from property owner) -Limit building wall to 15' in height (same as KZC 115.136) -Provide 15' wide landscape buffer</p> <p>See graphic in Attachment 1 showing: Administrative Design Review process (KZC 92) - allowance for building placement options for rear yard setbacks/buffers in the RH 8 zone</p>		<p>the RSX zone would have allowed a 30' tall structure to be built within 5' (side yard setback) of adjoining RSX properties. The rezone to RH 8 increased those setbacks from 5' to 15'. If City Council desires for staff to undertake additional study of solar access, staff would note that there are no existing, adopted standards for solar access – meaning that a standard would need to be established to determine whether the impacts of a future development project on existing solar access are unacceptable.</p>
<p>Public Comment or Concern</p>	<p>Existing Zoning Code Regulations</p>	<p>Options for City Council Discussion or Additional Study</p>	<p>Staff Comments/ Recommendation</p>
<p><u>Structure size:</u> <i>Mixed use buildings may be too wide or too tall next to single family uses</i></p>	<p>RH 8 zones (and most commercial and multi-family zones):</p> <p>KZC 115.136 limits the structure height and length within 30' of a low-density zone or use:</p> <ul style="list-style-type: none"> A developer can either limit the building wall to a 15' height or provide a maximum structure length of 50'; <u>or</u> Set back the entire structure 30,' without further restrictions on structure length/height (a proposed 	<p>A. Should additional restrictions on the height and length of structures adjoining the RSX zone be considered?</p> <p>B. Should the code increase the rear yard setback from 15' to 30' or greater to mitigate the structure size?</p>	<p><u>Staff recommendation:</u> No change to the rear yard setback or requirement to limit structure size abutting a low-density zone. KZC 115.136 was originally adopted citywide to minimize impacts of larger structures adjacent to single family homes. The 15' height and structure width of 50' are intended to reflect single family scale modulations for larger</p>

	<p>project in RH 8 is using this option)</p> <p>See Attachment 1 showing how to determine if a property is adjoining and must meet building size limitations. This regulation applies citywide.</p>		<p>structures close to single family zones.</p> <p>Requiring a 30' rear yard setback would substantially restrict many of the parcels in the RH 8 zone that are approximately 150' deep.</p>
<p>Public Comment or Concern</p>	<p>Existing Zoning Code Regulations</p>	<p>Options for City Council Discussion or Additional Study</p>	<p>Staff Comments/ Recommendation</p>
<p><u>Types of commercial uses, location on site, size of use</u></p> <p><i>No residential uses should be allowed on ground/ street level floor.</i></p> <p><i>Require more commercial frontage than 60% or prohibit residential in remaining 40% portion along NE 85th Street.</i></p>	<p>The RH 8 zone allows mixed use commercial and stacked dwelling units.</p> <ul style="list-style-type: none"> • The Zoning Code definition of stacked dwelling units assumes there is another use or dwelling unit below it. • Current zoning in RH 8 does not permit residential use on the ground floor. • To clarify the intent where residential units may be located above or behind commercial street frontage, proposed amendments to the Stacked Dwelling Unit and Assisted Living, Convalescent Center or Nursing Home use listing clarify that these uses are allowed on the street level floor <u>behind</u> the commercial uses oriented to NE 85th Street. • Existing RH 8 zone regulations do not require a minimum percentage of commercial use along NE 85th Street or of the use on the ground floor. The Planning Commission did not 	<p>A. Should the code prohibit all residential uses behind the street level floor commercial uses along NE 85th Street?</p> <p>B. Should the code require that residential uses are not permitted at the street level floor within a specified distance of NE 85th Street frontage (as recommended above).</p> <p>C. Should the code prohibit residential entirely on the street level floor of structures?</p>	<p><u>Staff recommendation:</u> Staff recommends adopting the Planning Commission recommendation to change "ground floor" to "street level floor" to clarify that residential is an allowed use behind or above commercial street uses (as in most commercial districts in Kirkland).</p> <p>In response to concerns that the 60% commercial frontage implies that a developer could locate residential on the remaining 40% of the property frontage, staff recommends adding clarifying text to prohibit residential uses within 30' of the property line along NE 85th Street. As included in RH 8 zone, O-4683 Exhibit I.</p>

	<p>recommend such requirements for RH 8 because the desired intensity of commercial uses on the east side of the NE 85th Street corridor is distinctly different than the desired intensity of uses farther west, where larger floor plates, regional uses and employment centers are desired.</p> <ul style="list-style-type: none">• In response to public comments and to clarify the desired amount of commercial use along NE 85th Street, a code amendment would require at least 60% of the linear frontage of the property along NE 85th Street, and other commercial requirements (minimum 20'/average 30' depth and a ceiling height for street floor spaces of 15').• Certain uses are not permitted in RH 8 like they are in the west portion of the Business District, such as: vehicle service stations, automotive service stations, drive in facilities, retail sales, service, rental of vehicles (to minimize impacts of noise, light, and traffic on surrounding low density residential uses).• For the same reasons as above, the RH 8 zone limits the size of individual commercial uses to gross floor area of 4,000 sq. ft.• Some uses are limited on the second floor to avoid excessive light and noise		
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	<p>abutting single family homes. Restaurants may not be located above the ground floor (the proposed amendments would change term to street level floor)</p> <ul style="list-style-type: none"> • Applications for some uses must be accompanied by a noise and light study to minimize potential impact on single family uses (required in all Rose Hill Business District zones). • Rose Hill Business District Design Guidelines encourage buildings to orient to NE 85th Street and at the corners of 124th, 126th or 128th Avenues, with parking located to the side, rear or underground 		
<p>Public Comment or Concern</p>	<p>Existing Zoning Code Regulations</p>	<p>Options for City Council Discussion or Additional Study</p>	<p>Staff Comments/ Recommendation</p>
<p><u>No other area in City has commercial zoning abutting RS/R SX zones</u></p>	<ul style="list-style-type: none"> • According to the Kirkland Zoning Map, there are many other areas of the city where mixed use commercial (including PR zones similar to the RH 8 zone) or light industrial zones abut RSX or RS zones: portions of RH 5A and RH 5B (east of 126th Ave NE), CBD 6, Norkirk and Totem Lake LIT, Market MSC 1, MSC 2, MSC 3, Par Mac TL10C, 10D, Kingsgate Park and Ride PR 1.8, Juanita PRA zone (north of NE 132nd Street). These interfaces are why the current transition standards (buffers, heights, setbacks, building massing, etc.) are in place. 	<ul style="list-style-type: none"> A. Study rezoning low density residential RSX zone land adjacent to RH 8 to medium or high-density multi-family to create a transition zone between the commercial district and single family residential RSX zone. B. Consider additional development standards to enhance the transition between the mixed-use RH 8 zone and adjoining RSX zone. 	<p><u>Staff recommendation:</u> No change. It is true that medium- or high-density residential zoning provides a good transition from commercial to low density residential, but homes are newer in the RSX zone adjacent to the RH 8 zoning district and a rezone is not likely to be supported by the community. An upzoning could also create undesirable change in existing, established neighborhoods.</p>

	<ul style="list-style-type: none"> The RH 8 (formerly PO) zone has abutted single family uses since the area was annexed into the City of Kirkland in 1988. The boundaries of the RH 8 zone were expanded to the north in 2015 as part of the Griffis citizen amendment request. 		<p>RM medium- and high-density zoning is found adjacent to many of the mixed-use commercial Rose Hill Business District zones. Such zoning would not substantially alter the location/configuration of new residential uses on redeveloped properties.</p> <p>The existing RH 8 zoning already limits the scale of retail uses and allows multi-family uses.</p> <p>Size limitation requirements for mixed-use commercial and multi-family structures, maximum building height and landscape buffer requirements of existing zoning mitigate impacts on adjacent residential uses in the RSX zone.</p>
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Conclusions: As described above, staff believes the existing Zoning Code regulations for the RH 8 (and other RH zones) related to regulations of transitions between commercial/mixed-use and low-density residential uses – such as maximum building height, required setback yards, limitations on building size – are adequate to minimize adverse impacts to single-family uses. No further amendments are needed to maximum building height, required setback yards or landscape buffers. The proposed code amendments in Revised Ordinance O-4683 Option A and represent reasonable changes that will help clarify where commercial uses should be located on a site to orient toward NE 85th Street, the amount of commercial use along the street frontage, and where residential uses should be permitted on the site (behind or above street level commercial uses). Both O-4683 and Ordinance O-4687 (only the RH 8 amendments) include an additional amendment to RH 8 that clarifies that residential uses should not be permitted within 30’ of the property line on NE 85th Street. If the Council approves Option B (everything but RH 8 amendments) staff will be looking for direction on whether further discussion of RH 8 should be at the Council or at the Planning Commission.

Attachments:

1. Graphics and photos illustrating code requirements
2. Josh Lysen with Merit Homes letter received 4/25/2019
3. Olivia Ohna email received 4/30/2019

Enclosures:

Ordinance 4683:

Option A Exhibits A-I (includes RH 8 amendments):

- A. Zoning Map amendment
- B. RH 5A-5B amendments KZC 53.52, 53.54.090
- C. RH 7 amendments KZC 53.72
- D. RH 3 amendments KZC 53.32, 53.34.010
- E. PLA 14 amendments KZC 45.20 PU-18
- F. RM, RMA amendments KZC 20.10.020, 20.20 PU-2, PU-27, 25.10.020, 25.20 PU-1, PU-14, 30.20 PU-1, PU-12, PU-22
- G. LIT amendments KZC 40.10.010, 40.20 PU-7
- H. 142 amendments KZC 142.20, 142.25, 142.35, 142.35, 142.37
- I. RH 8 amendments KZC 53.82, 53.84.020, 53.84.040, 53.84.050, 53.84.060

Option B includes Exhibits A-H above; excludes RH 8 amendments:

- A. Zoning Map amendment
- B. RH 5A-5B amendments KZC 53.52, 53.54.090
- C. RH 7 amendments KZC 53.72
- D. RH 3 amendments KZC 53.32, 53.34.010
- E. PLA 14 amendments KZC 45.20 PU-18
- F. RM, RMA amendments KZC 20.10.020, 20.20 PU-2, PU-27, 25.10.020, 25.20 PU-1, PU-14, 30.20 PU-1, PU-12, PU-22
- G. LIT amendments KZC 40.10.010, 40.20 PU-7
- H. 142 amendments KZC 142.20, 142.25, 142.35, 142.35, 142.37

Ordinance 4687 includes RH 8 amendments only, as Exhibit A

cc: File Number CAM19-00043

Graphics and photos illustrating Zoning Code transition requirements

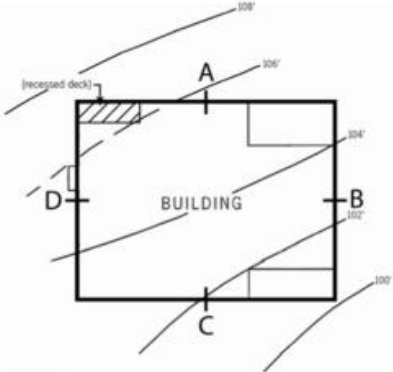
KZC Plate 17A Calculating Average Building Elevation

Plate 17A CALCULATING AVERAGE BUILDING ELEVATION, OPTION 1



A, B, C, D... Existing Ground Elevation at Midpoint of Rectangle Segment*
a, b, c, d... Length of Rectangle Segment*

*Rectangle includes the perimeter of a deck or porch, unless the deck or porch has no walls at or below the deck level and no roof above the deck or porch, as well as cantilevered portions of a building which enclose interior space.



Midpoint Elevation	Rectangle Segment Length
A = 105.6	a = 47'
B = 102.5	b = 40'
C = 101.9	c = 47'
D = 105.2	d = 40'

Site Plan
Not to scale

FORMULA:
$$\frac{(A \times a) + (B \times b) + (C \times c) + (D \times d)}{a + b + c + d} = \text{Average Building Elevation (ABE)}$$

EXAMPLE:
$$\frac{(105.6)(47) + (102.5)(40) + (101.9)(47) + (105.2)(40)}{47 + 40 + 47 + 40} = \frac{18,060.5}{174} = 103.80 \text{ ABE}$$



NOTE: PLEASE INCLUDE THE ELEVATION OF THE ROOFLINE ON THE SITE PLAN AND INDICATE ON THE ELEVATION DRAWINGS WHERE THE AVERAGE BUILDING ELEVATION (CALCULATED ABOVE) STRIKES THE BUILDING.

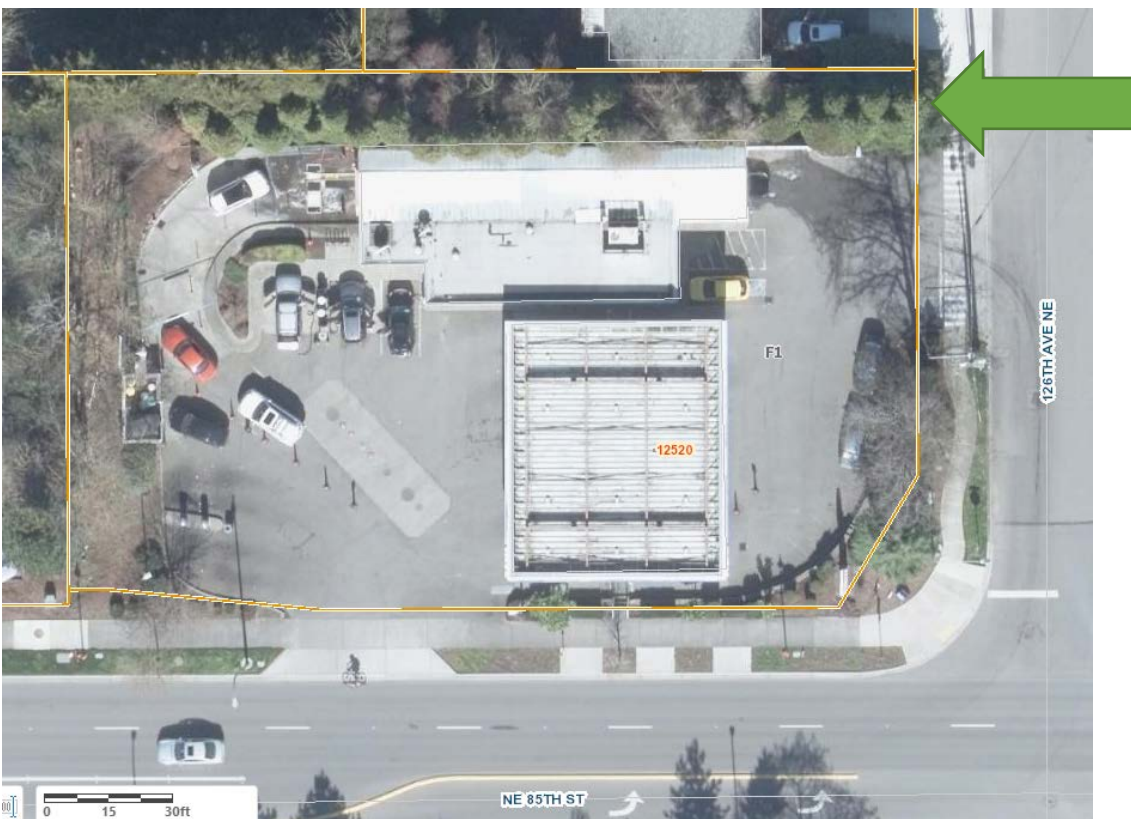
ATTACHMENT 1

Examples of 15 foot wide landscape buffer between commercial in Rose Hill Business District and adjacent single family residential uses

Safeway on NE 85th Street



Shell Gas Station



Rose Hill Mixed Use Building



Administrative Design Review (KZC 92 Design Regulations for East End/RH 8 zone and Totem Lake Business District options for rear yard building placement adjacent to low density zones

Rear Yard Building Placement Options in the RHBD

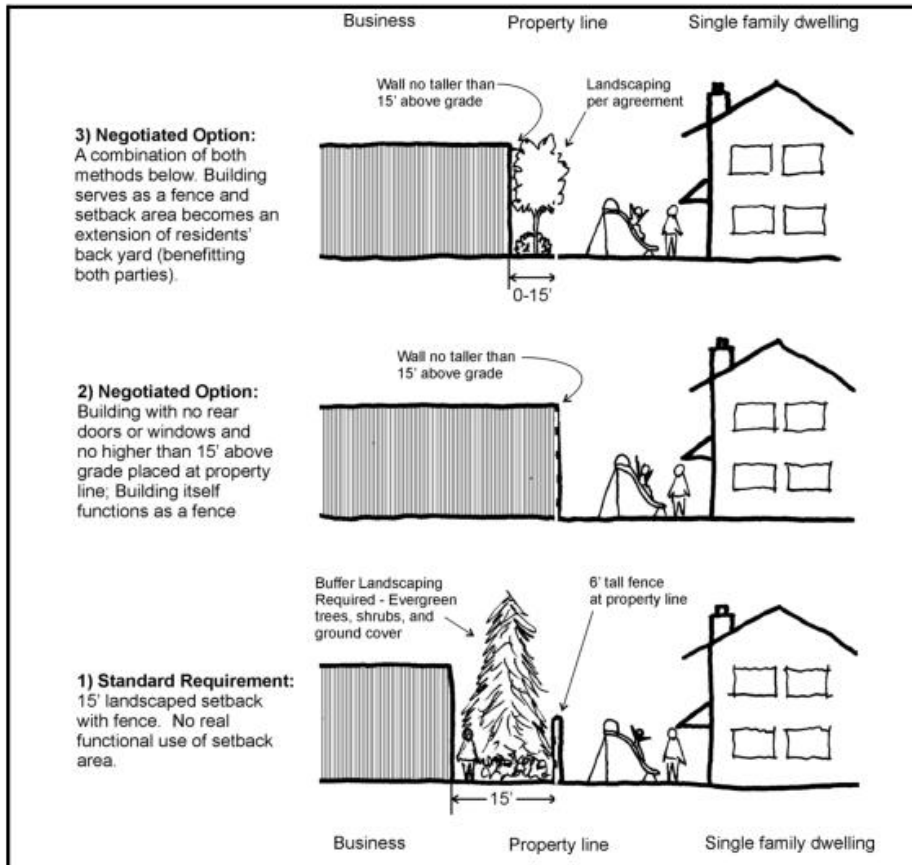
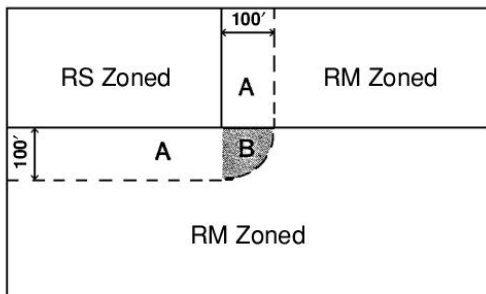


FIGURE 92.10.C

Plate 18 Determining Adjoining Properties and when building size limitations apply

Plate 18 ADJOINING PROPERTIES



- A Area to be considered adjoining property
- B Area not to be considered adjoining property

Photos showing flat and pitched rooflines homes

Flat roof houses on sloped lots



1306 3rd St, Kirkland, WA 98033 - MLS ...



1312 Market St, Kirkland, WA 98033 ...



9619 Slater Ave NE, Kirkland, WA 9803...



Homes for Sale in Norkirk: Kirkland...

Peak roof houses on slopes



Kirkland, WA | State Roofing | Roofing ...



Kirkland, WA Real Estate



Homes for Sale East of Market: Kirkla...

Rose Hill Neighborhood Code Amendments – CAM19-00043

RH8

Contents:

1. Planning Commission Unanimous decision to adopt proposed staff wording
2. Urgency
3. Shading
4. Commercial Space
5. Height & Density

1. Planning Commission Unanimous Recommendation to adopt proposed staff wording:

Staff has proposed and the Planning Commission has unanimously recommended City Council adopt RH8 code amendments now that:

- replaces the use of the defined term “Ground Floor” with the defined term, “Street Level Floor”.
- Additionally, a requirement is added that commercial space be provided oriented to NE 85th Street that is a minimum of 20’ deep, an average of 30’ deep, and at least 60% of the distance along NE 85th Street.

In addition to recommending City Council adopt the staff’s proposed wording now, they also asked that an item be placed into their workplan to consider height and setbacks in the RH8 zone at some point to be determined in the future.

At the 4/16/19 City Council meeting, one council member stated that, “With as much work as the Planning Commission has on their plate, for them to ask for more work must mean that they are uncomfortable with the current RH8 zoning.” This conclusion does not reflect the Planning Commission’s actual discussion or motion. Please view the actual discussion at:

http://kirkland.granicus.com/MediaPlayer.php?view_id=12&clip_id=4042

The Planning Commission discussion regarding RH8 is between 1:30:15 and 1:47:40.

Key comments may be found at the times listed below:

1:35:38 Move forward with changing Ground Floor to Street Level Floor and adding commercial requirements

1:36:00 Discussion about priority of RH8 review relative to other work program projects

1:37:00 Discussion of concern that they have 3 years of work program projects already

1:45:25 Proposed **future** workplan item to consider RH8 height and setbacks

1:45:40 Motion passed unanimously to recommend City Council adopt RH8 wording changes proposed by staff **now** and to put an item into the workplan to consider RH8 height and setbacks at some time in the future to be determined.

By listening to the actual discussion, it is clear that the Planning Commission **does** want the staff proposed wording changes to be adopted by City Council. They do not want that delayed until they get a chance to revisit height and setbacks.

2. Urgency

The reason that it is important to adopt the staff proposed wording for the RH8 zone is that under the current “Ground Floor” wording, it is possible to interpret the ground floor as the level below the level of NE 85th Street. With that interpretation, there would be no requirement for any commercial on the NE 85th Street level and apartments could go all the way to NE 85th Street.

We ask that the changes proposed by staff and unanimously supported by the Planning Commission for adoption by the City Council be adopted on May 7, 2019. Attached to such a motion could also be the direction for the Planning Commission to review the RH8 height and setbacks.

3. Shading

Enclosed are shading studies for:

- The existing condition prior to any development in the RH8 zone between 131st and 132nd
- Building houses along the northern portion of this property
- The vested proposal

The Shading Studies show that there is no impact from the vested building for 7 months of the year (March through September) and that shading during October through February is less than or equal to the current shading from existing trees or from what would result from 30’ tall houses 5 feet from the property line.

Design Review could easily request that where neighbors prefer more privacy, bigger, taller, faster growing trees could be specified in the landscape buffer. Where neighbors may have solar panels, Design Review could call for shorter trees or hedges of a limited height. As for a new multifamily building to code height, please remember that 100+ foot tall trees are currently on most undeveloped RH8 parcels and prior zoning allowed 30’ tall house with only a 5’ setback .

4. Commercial Space Requirement

There is some public input suggesting that the staff proposal does not require enough commercial space. They are suggesting some percentage of Street Level Floor be required to be commercial. There are many reasons why this would violate good planning, Some of the reasons are:

- 4.1 The underlying goal for the RH8 zone is to provide *less intensive commercial uses (not less residential density* as some are mis-stating) than the zones to the west. There is even a 4,000 sf maximum limit per commercial space. The goal for the RH8 zone is to provide viable commercial space along NE 85th Street and oriented to NE 85th Street. The 20’

minimum and 30' average depth along at least 60% of the NE 85th Street frontage accomplishes that goal and ensures that goal will be met.

4.2 Setting specific commercial depths and lengths is *consistent with what Kirkland wants and what tenants will rent*. Using a percentage of Street Level size will result in varying commercial depths based on the number of lots aggregated and the size of those lots *which has nothing to do with what tenants will rent*. In fact, a percentage condition will work against the stated goal of encouraging lot aggregation because the more lots a developer aggregates, the more of the deeper undesirable commercial space they will be required to build.

4.3 Other local jurisdictions have wrestled with this issue. Edmonds, for example, once required the entire street level floor to be commercial in their Business District zones. They discovered two major problems:

- this created a lot of vacant commercial space beyond 30 feet from the street.
- It drove commercial space into juxtaposition with the residential zones.

Edmond's solution was very similar to what Kirkland staff is proposing. Edmonds now requires commercial to a depth of 30' along commercial streets and then allows residential behind the commercial space. This makes a more viable development and results in new residential use facing the existing residential neighbors. Edmonds imposed a 15' setback between 30' tall mixed-use buildings and residential zones...*which is half* of what Kirkland's RH8 zoning requires.

4.4 Juxtaposition of Commercial/Residential vs Residential/Residential. If a developer had a commercial tenant or tenants that wanted 50% or 100% of the Street Level Floor in the RH8 zone, the public response would very likely (and appropriately) be alarmed.

Even with a 30' setback distance and a landscaping buffer, can you imagine placing next to the adjacent residential properties a great Mexican restaurant with outdoor seating and Mariachi music playing until closing time ??

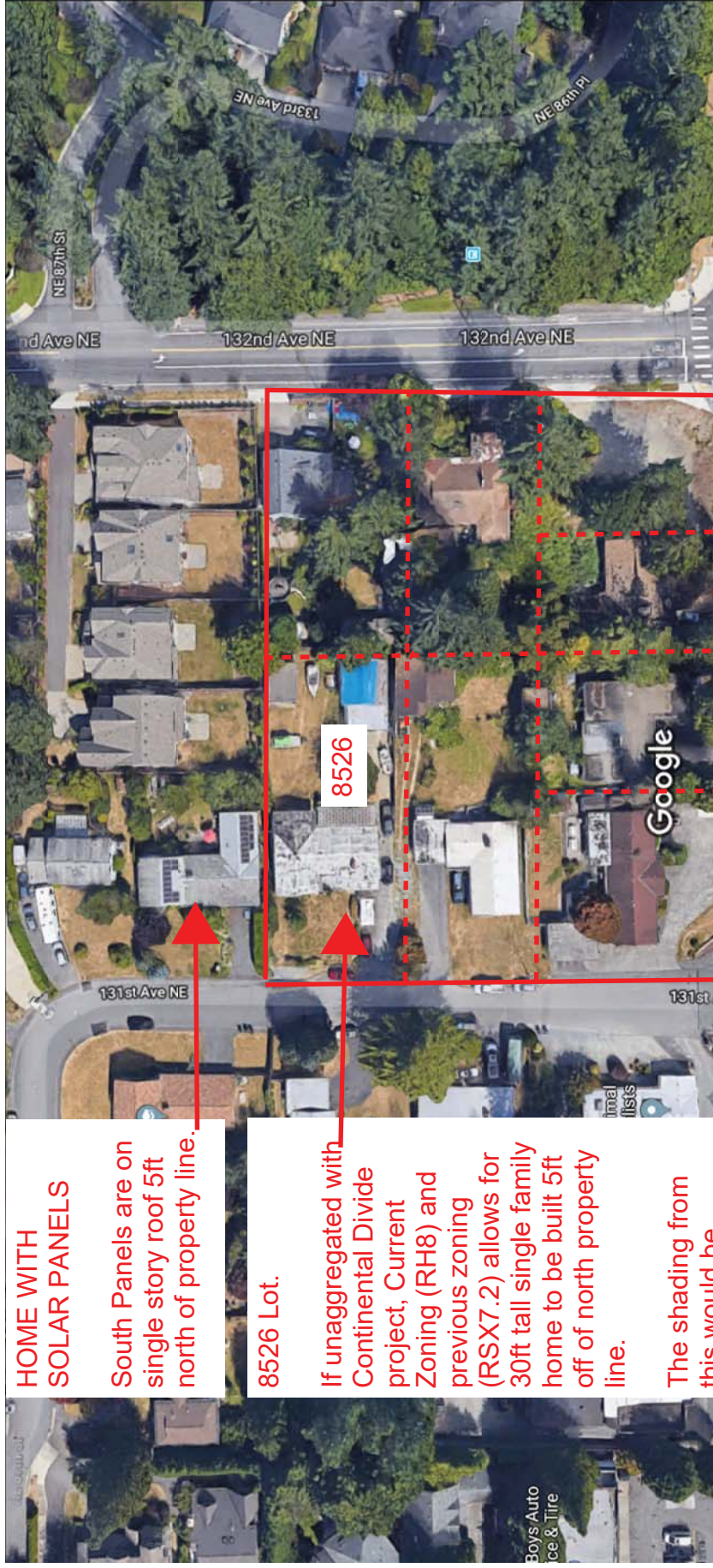
5. Other Issues:

- **Height:** This is a discussion we would like to have next time the RH8 zoning is reviewed. The current height limits restrict new development to 3 residential levels. This typically results in what are called "woody walkups" or "garden court" apartments which are accessed via external stairways and surrounded by surface level parking. This is far less compatible for adjacent residential neighborhoods compared to typically taller structures that have internal garages and the residents use elevators to access their apartments rather than walking from large, outdoor, surface level parking. Especially as close as the RH8 zone is to public transportation, a height of 6 stories (5 framed over 1 concrete level) is more appropriate in this Transit Oriented Development area.

- **Density:** A number of public comments have incorrectly said that Continental Divide is 75 units per acre. Three points:
 - At 2.28 acres, the project is actually 58 units per acre.
 - This density is considered “low rise” development.
 - Snohomish County has been actively converting areas to Urban Center adjacent to low density single family residential (SFR) zoning. They allow a 3.75 FAR for mixed use developments next to SFR. For Continental Divide, that would be 375 apartments.



**AERIAL VIEW
CONTINENTAL DIVIDE SITE**



**HOME WITH
SOLAR PANELS**

South Panels are on single story roof 5ft north of property line.

8526 Lot.

If unaggregated with Continental Divide project, Current Zoning (RH8) and previous zoning (RSX7.2) allows for 30ft tall single family home to be built 5ft off of north property line.

The shading from this would be substantially MORE than Continental Divide's Proposed Blvd, which is 30ft setback from north property line.

Imagery ©2019 Google, Map data ©2019 Google 50 ft

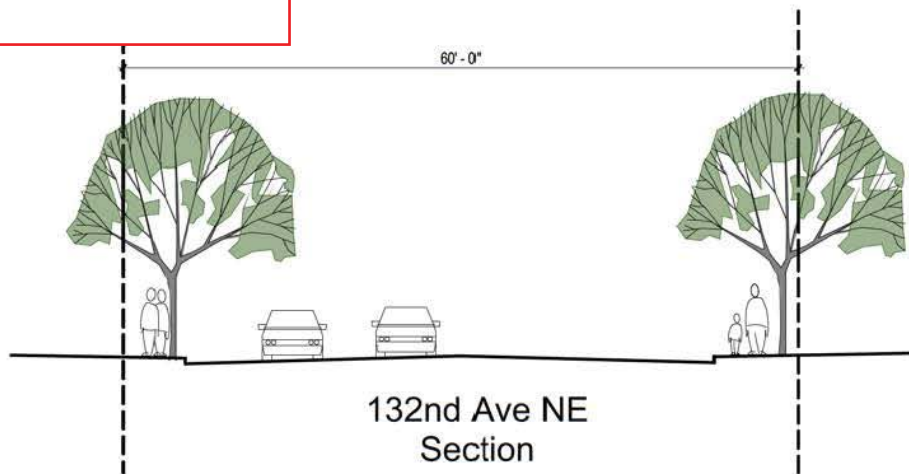
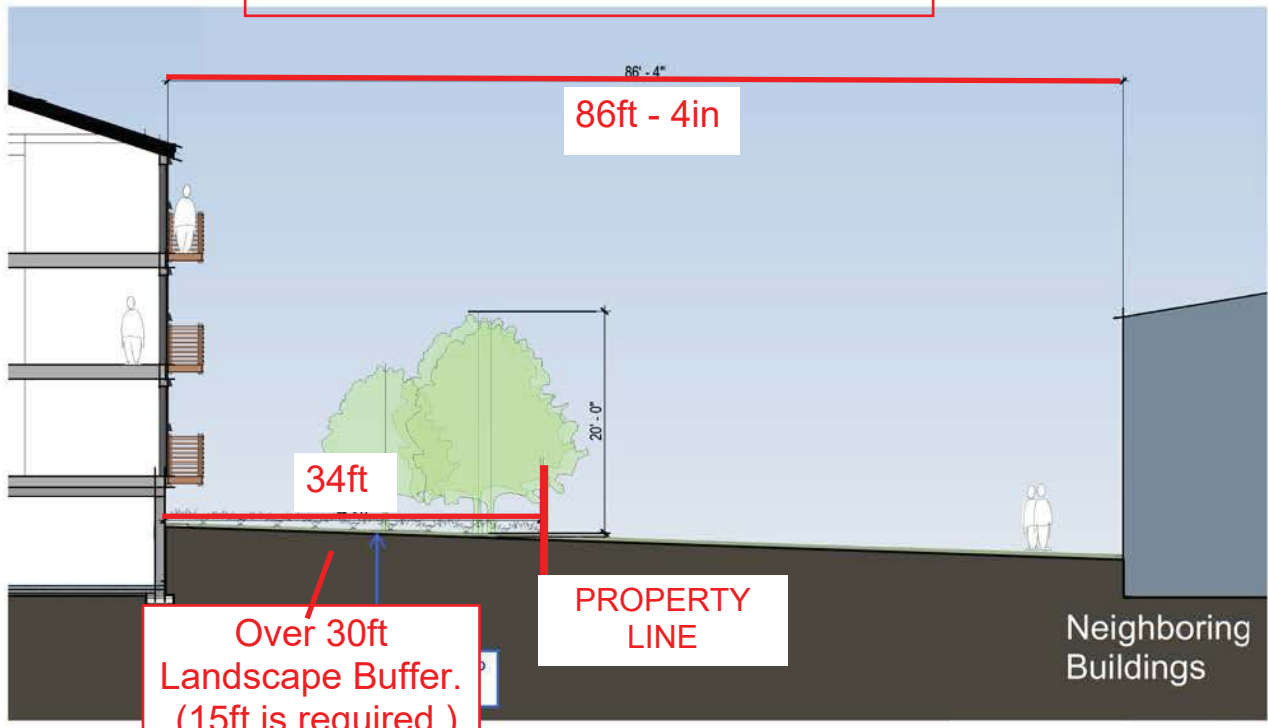
NORTH



**CONTINENTAL
DIVIDE SITE**



SEPERATION BETWEEN CONTINENTAL
DIVIDE BLD AND HOMES TO THE NORTH
VIEW FROM 132nd Ave



SOLAR STUDY

THE FOLLOWING SLIDES SHOW THE SHADING IMPACT FOR THE CONTINENTAL DIVIDE SITE ON TO THE PROPERTY TO THE NORTH.

THE STUDY COVERS THE ENTIRE YEAR FOR THREE DIFFERENT SCENARIOS.

SCENARIO 1 - EXISTING SITE CONDITIONS WITH TREES

SCENARIO 2 - PROPOSED CONTINENTAL DIVIDE BLD

SCENARIO 3 - SINGLE FAMILY HOME ALTERNATIVE ON THE NORTH MOST CONTINENTAL DIVIDE SITE, which is an allowed alternative in RH8 zoning, as well as the previous RSX 7.2 zoning.

THE SLIDES ARE GROUPED INTO TWO SECTIONS.

SECTION 1 - WINTER SOLISTICE. Period of the year with the most shading in all scenarios.

SECTION 2 - REMAINDER OF THE SLIDES, which show the majority of the year has NO or MINIMAL SHADING IMPACT or the shading impact from Continental Divide Bld is similiar or less than the existing condition or single family home alternative.

SOLAR STUDY COMPARISON

WINTER SOLSTICE

The time of year when sun is lowest
in the sky casting the largest
shadows.

COMPARISON OF THE FOLLOWING SCENARIOS:

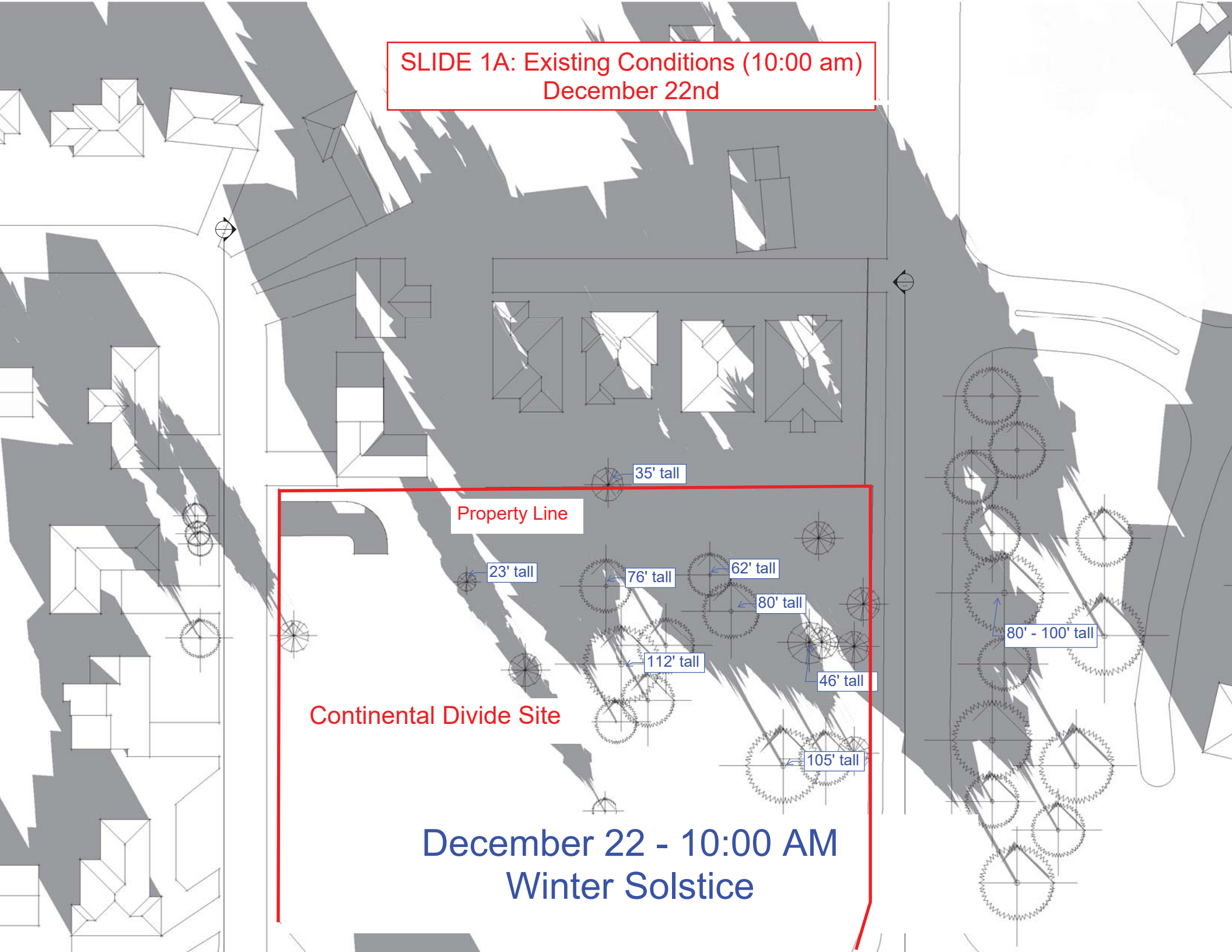
Slide 1a - Existing Conditions

Slide 1b - Continental Divide Bld

Slide 1c - Single Family Homes, as allowed if north lots are unaggregated into Continental Divide site.

CONCLUSION: Shading caused by Continental Divide Bld is equal to or less than Existing Conditions or Single Family Home Alternative.

SLIDE 1A: Existing Conditions (10:00 am)
December 22nd

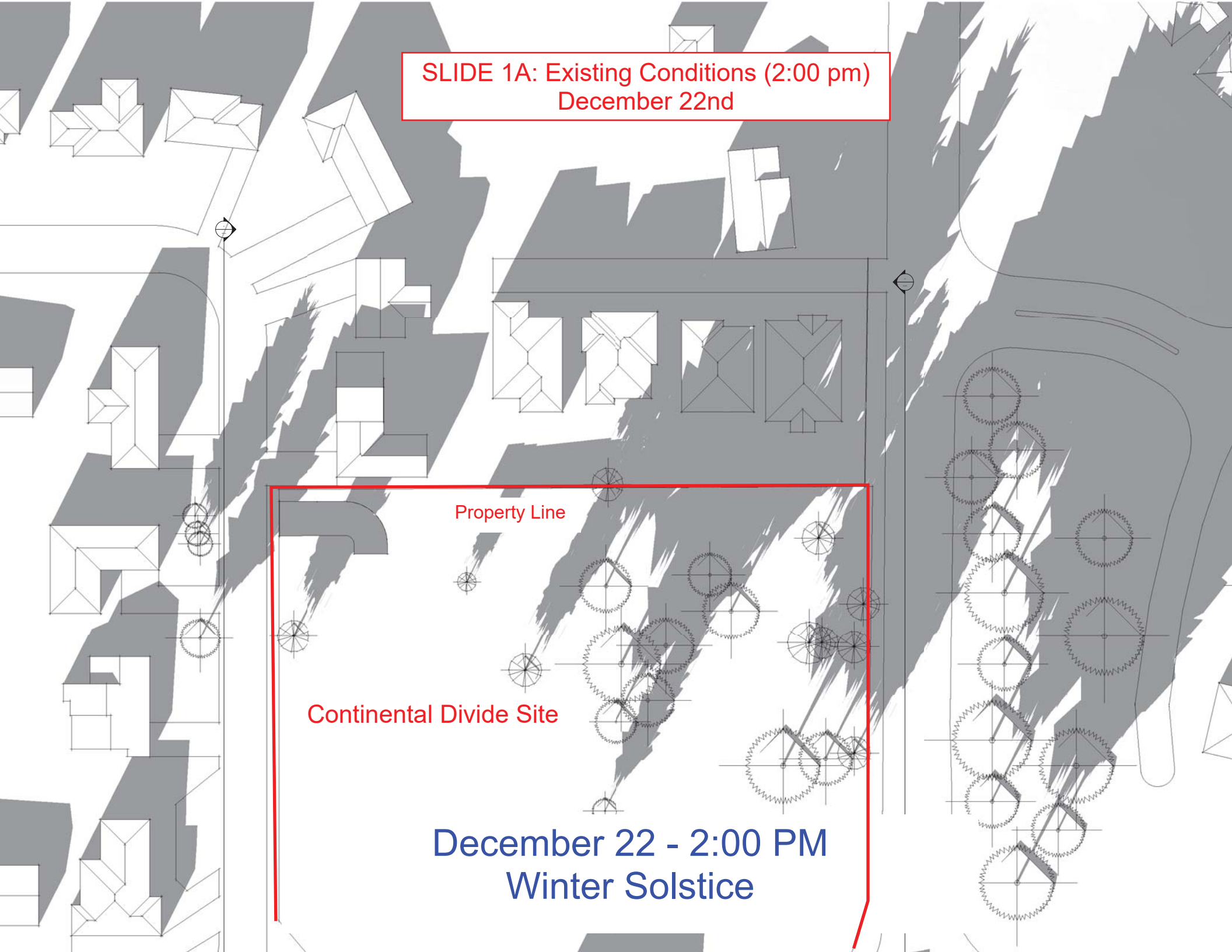


Property Line

Continental Divide Site

December 22 - 10:00 AM
Winter Solstice

**SLIDE 1A: Existing Conditions (2:00 pm)
December 22nd**

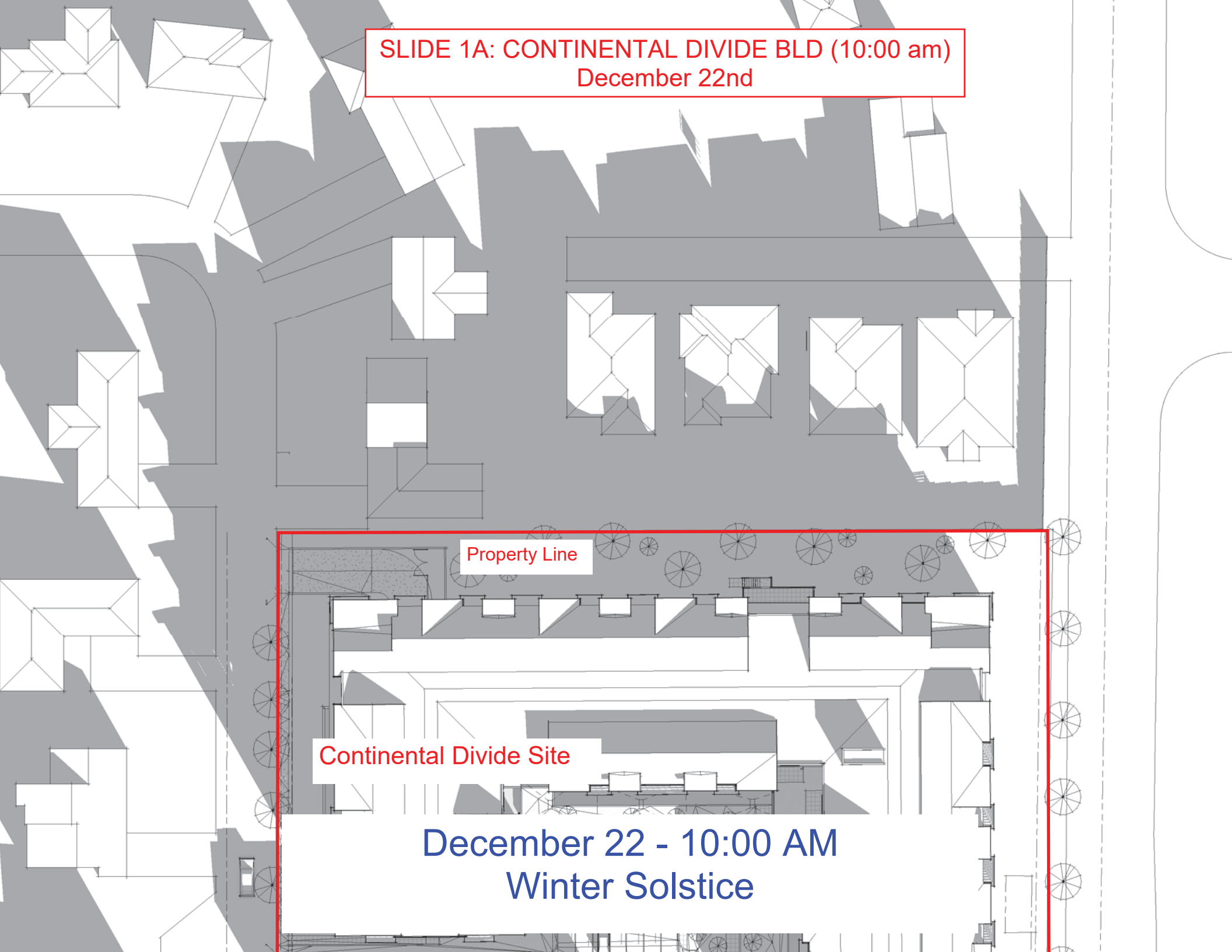


Property Line

Continental Divide Site

**December 22 - 2:00 PM
Winter Solstice**

SLIDE 1A: CONTINENTAL DIVIDE BLD (10:00 am)
December 22nd



Property Line

Continental Divide Site

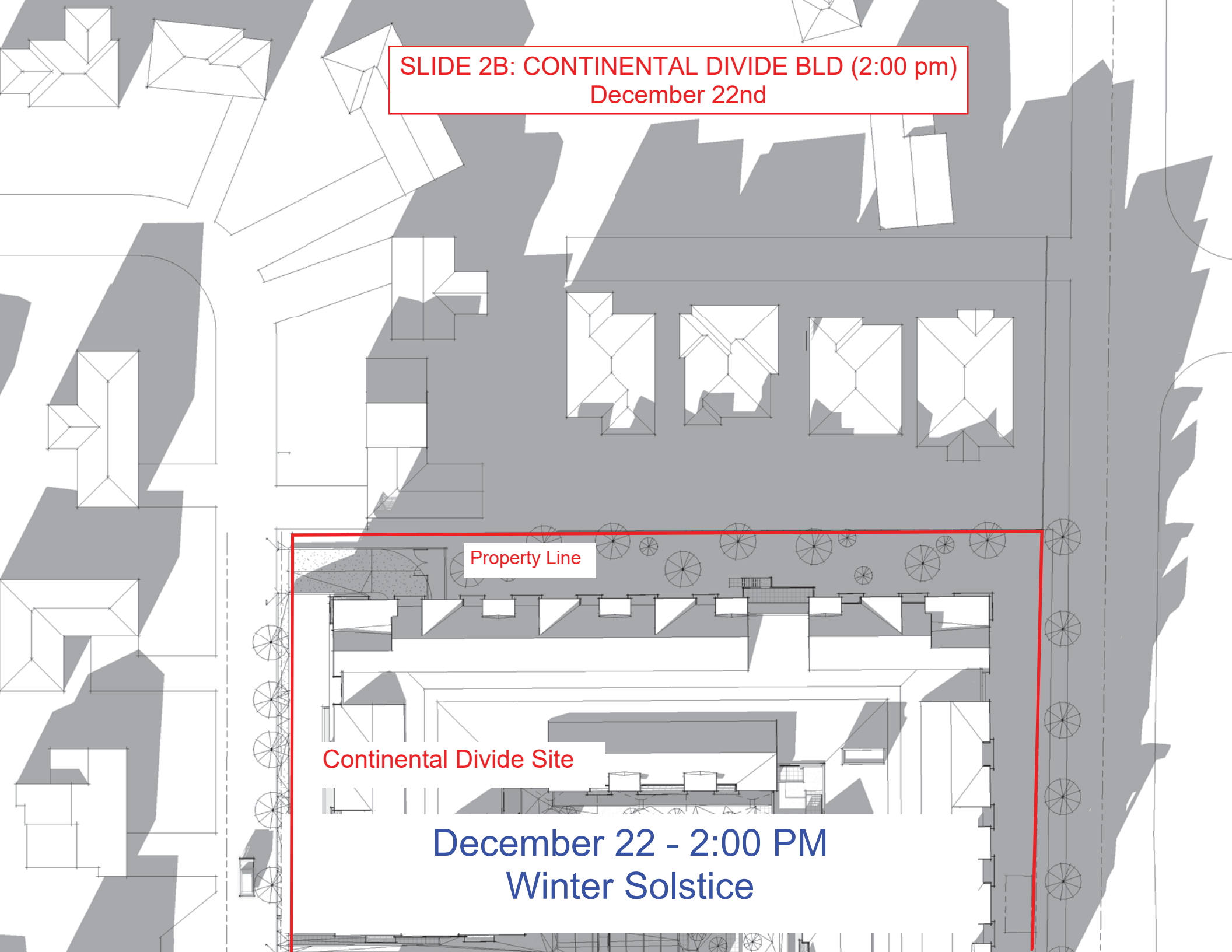
December 22 - 10:00 AM
Winter Solstice

SLIDE 2B: CONTINENTAL DIVIDE BLD (2:00 pm)
December 22nd

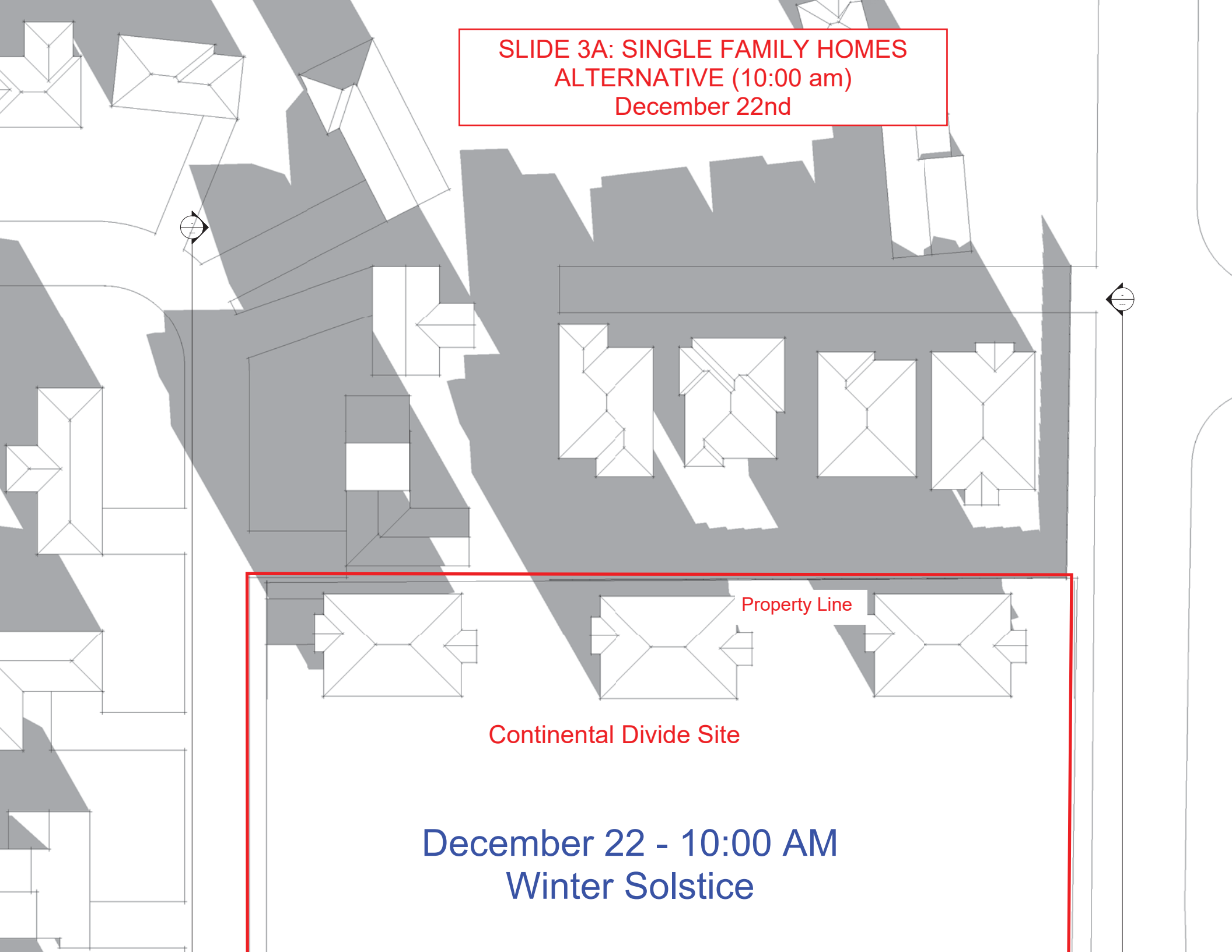
Property Line

Continental Divide Site

December 22 - 2:00 PM
Winter Solstice



SLIDE 3A: SINGLE FAMILY HOMES
ALTERNATIVE (10:00 am)
December 22nd

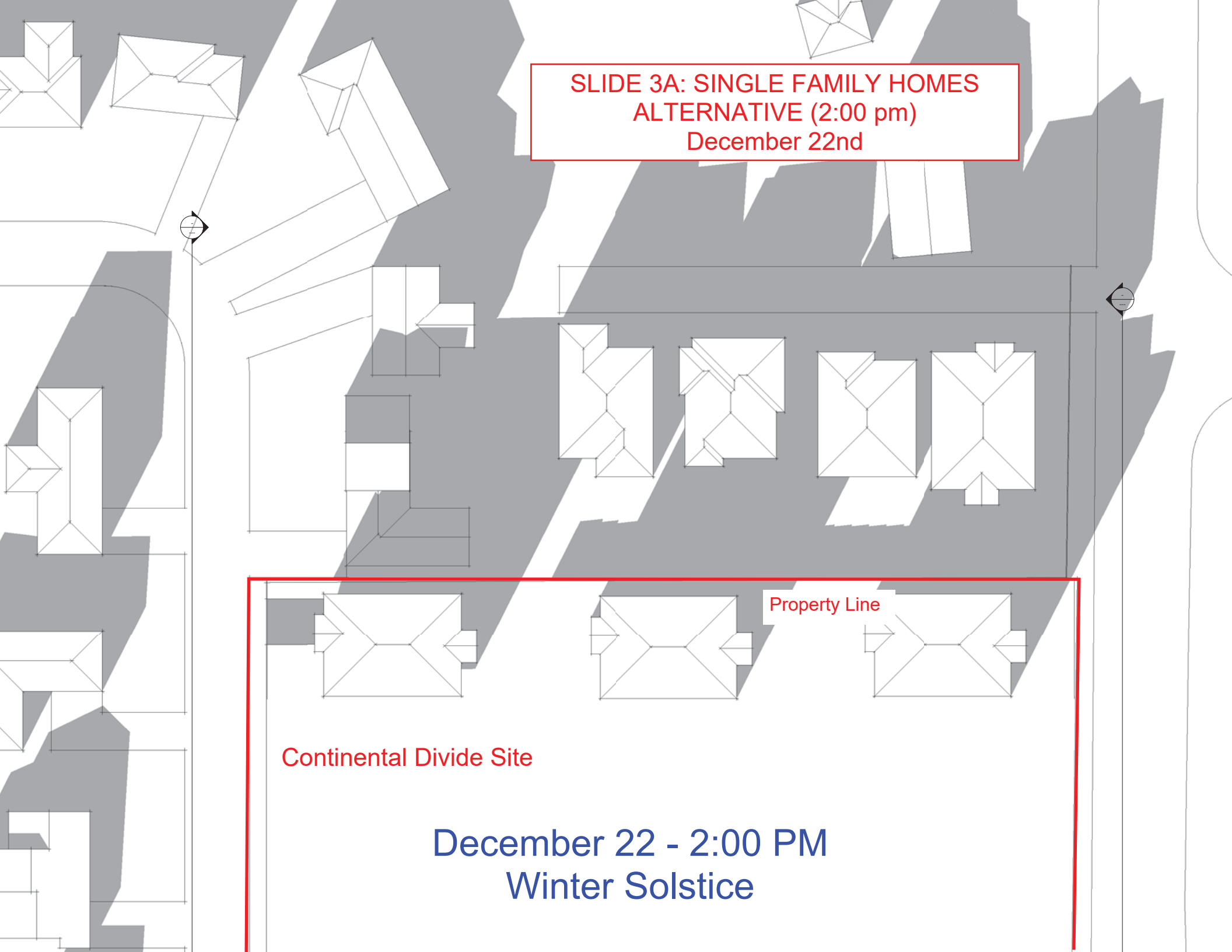


Property Line

Continental Divide Site

December 22 - 10:00 AM
Winter Solstice

SLIDE 3A: SINGLE FAMILY HOMES
ALTERNATIVE (2:00 pm)
December 22nd



Continental Divide Site

Property Line

December 22 - 2:00 PM
Winter Solstice

SOLAR STUDY

THE FOLLOWING ARE THE REMAINDER OF THE SLIDES FROM THE SOLAR STUDY.

THE MAJORITY OF THE YEAR THERE IS EITHER NO SOLAR IMPACT FROM THE CONTINENTAL DIVIDE BLD OR

THE SHADING IS LESS THAN OR EQUAL TO THE SHADING FROM THE CURRENT EXISTING CONDITIONS OR AN ALTERNATIVE SINGLE FAMILY HOME DEVELOPMENT, which is allowed if the adjacent lots were not aggregated into the Continental Divide project.

EXISTING CONDITIONS



Sep 22 and March 22 - 9:00 AM
Spring/Fall Equinox

EXISTING CONDITIONS



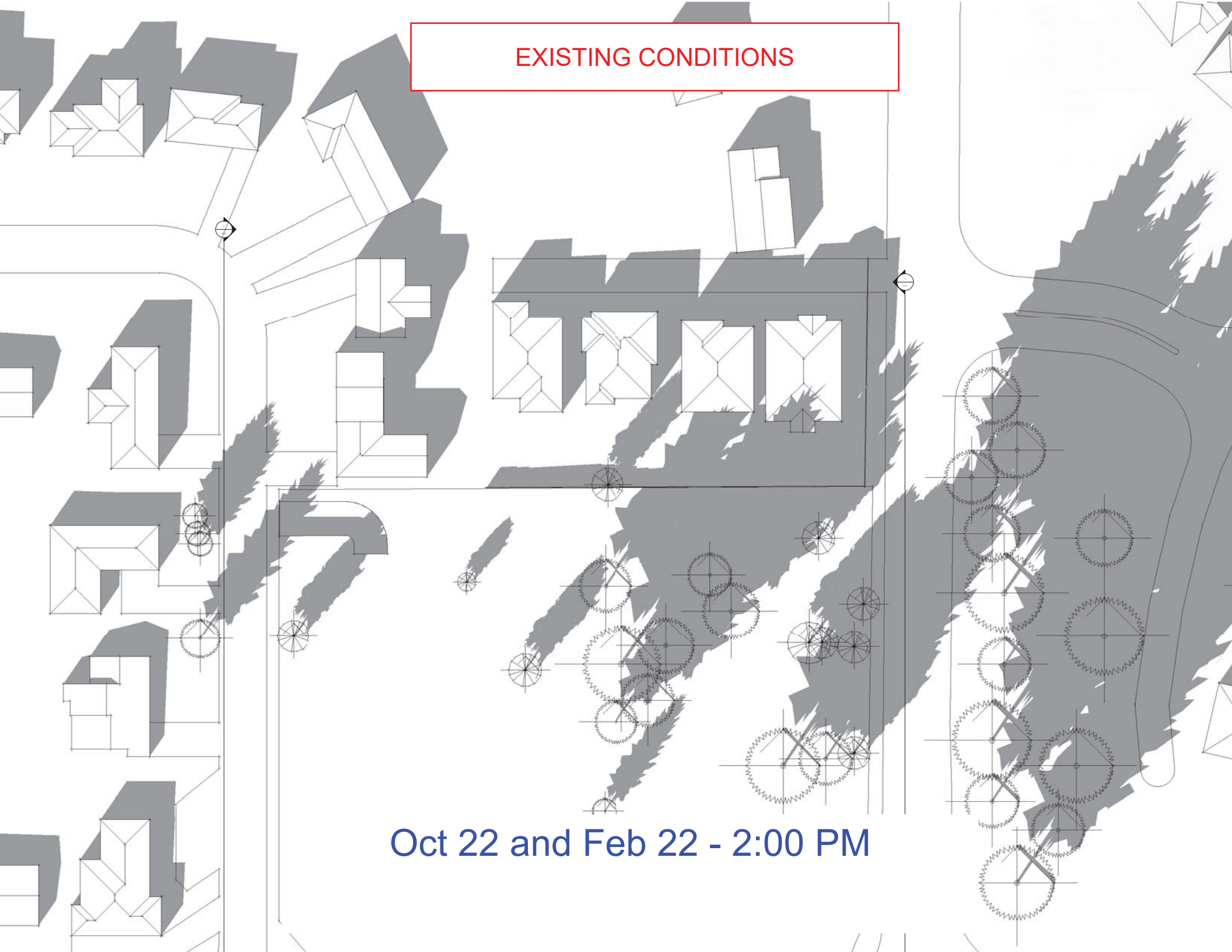
Sep 22 and March 22 - 3:00 PM
Spring/Fall Equinox

EXISTING CONDITIONS



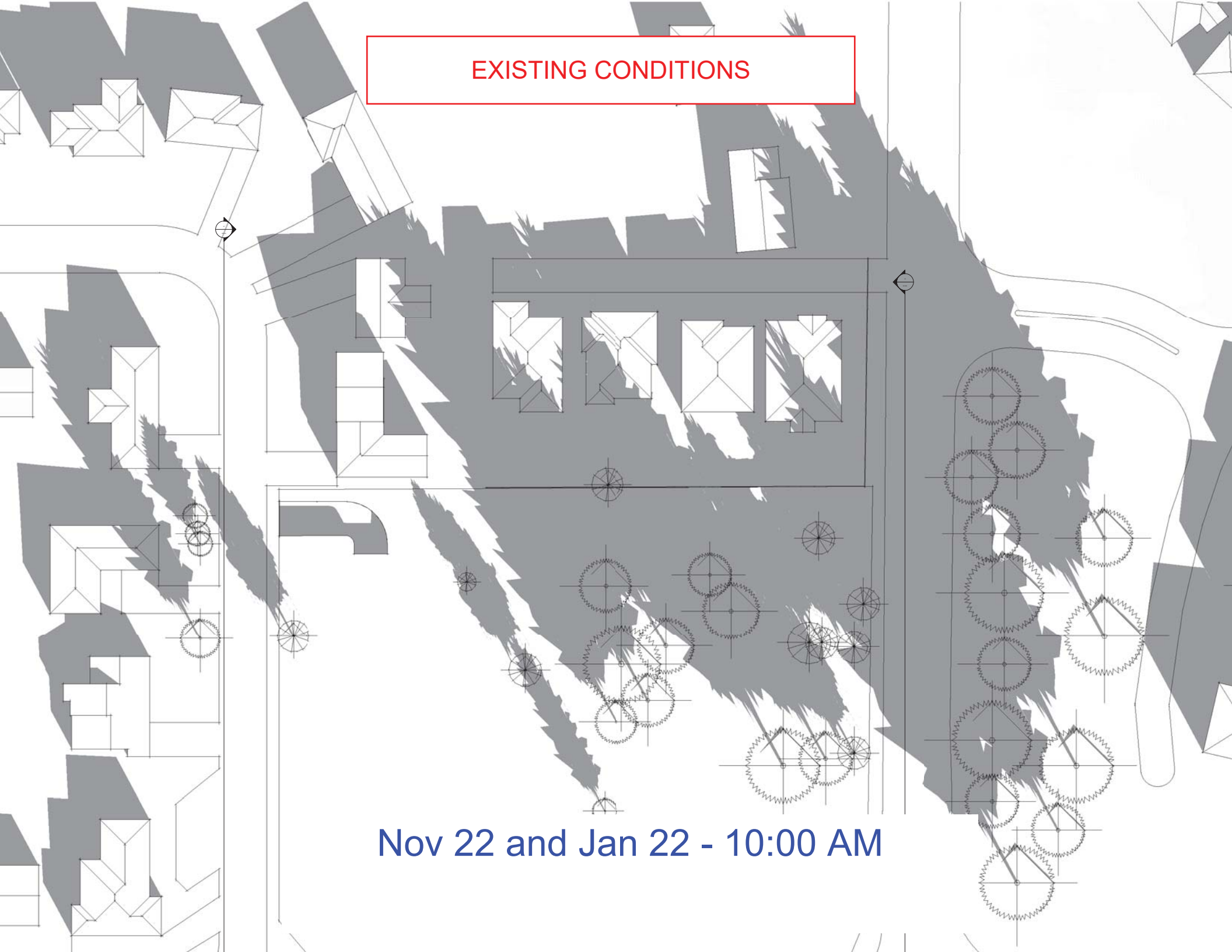
Oct 22 and Feb 22 - 10:00 AM

EXISTING CONDITIONS



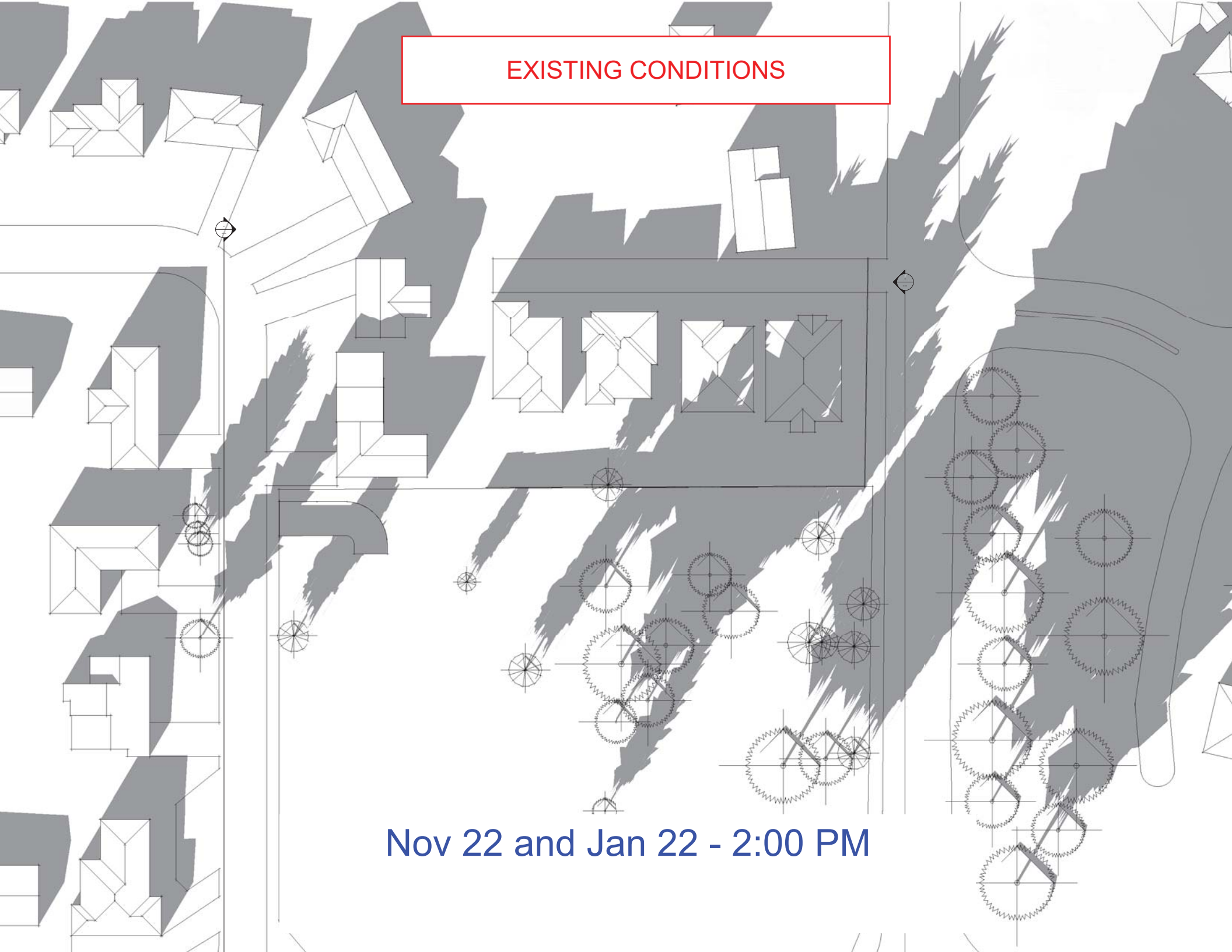
Oct 22 and Feb 22 - 2:00 PM

EXISTING CONDITIONS



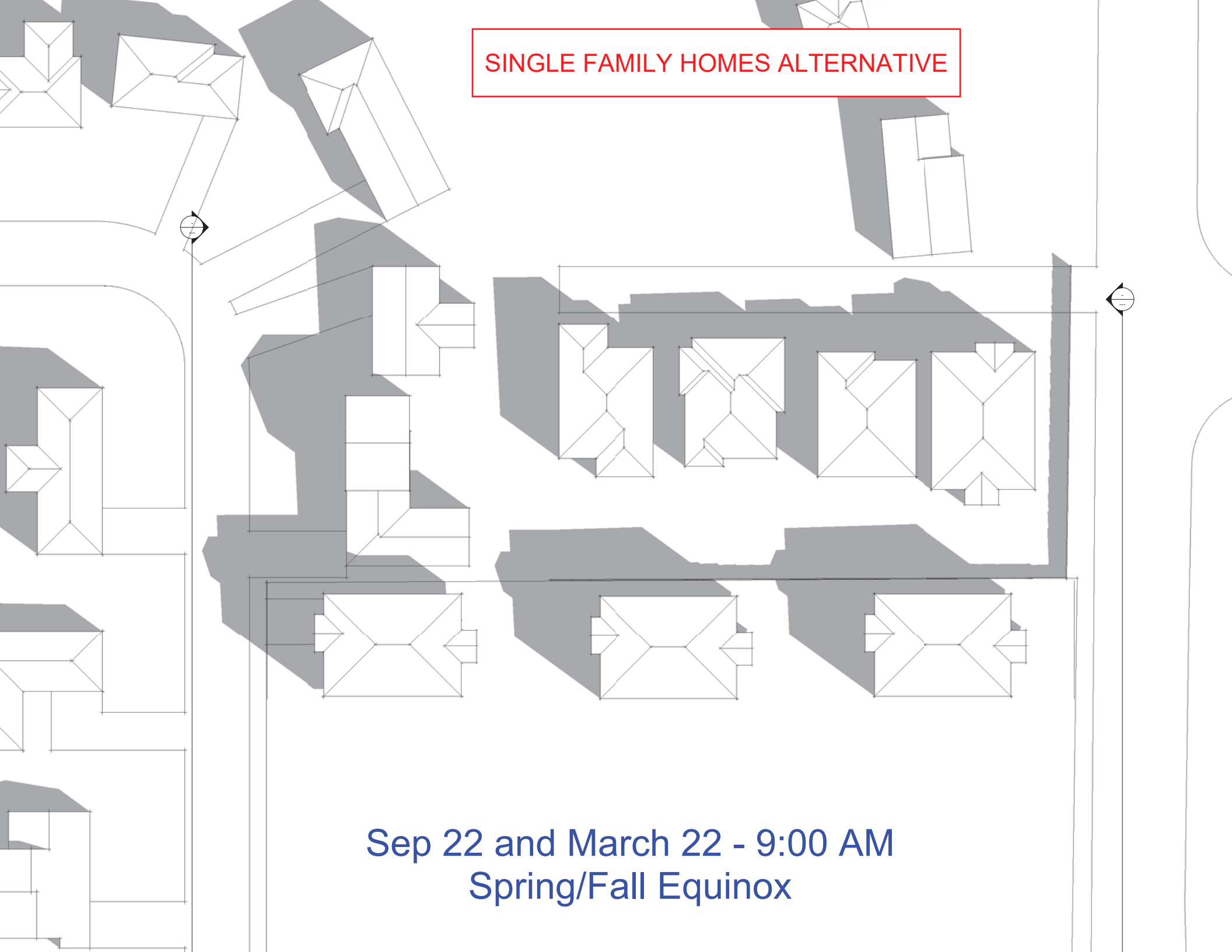
Nov 22 and Jan 22 - 10:00 AM

EXISTING CONDITIONS



Nov 22 and Jan 22 - 2:00 PM

SINGLE FAMILY HOMES ALTERNATIVE



Sep 22 and March 22 - 9:00 AM
Spring/Fall Equinox



SINGLE FAMILY HOMES ALTERNATIVE

Sep 22 and March 22 - 3:00 PM
Spring/Fall Equinox

An architectural site plan showing the layout of single-family homes. The plan includes several house footprints, each with a grey shadow cast to its right, indicating a light source from the left. The houses are arranged in a row, with some having more complex rooflines than others. The plan is bounded by a vertical line on the left and a vertical line on the right, with a horizontal line running through the middle. Two circular symbols with arrows are located on the vertical lines, one on the left and one on the right. A red-bordered box at the top center contains the text "SINGLE FAMILY HOMES ALTERNATIVE".

SINGLE FAMILY HOMES ALTERNATIVE

Oct 22 and Feb 22 - 10:00 AM

SINGLE FAMILY HOMES ALTERNATIVE

Single story roof
5ft away from
property line
with solar
panels is
shaded



Oct 22 and Feb 22 - 2:00 PM

SINGLE FAMILY HOMES ALTERNATIVE

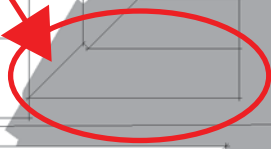
Single story roof
5ft away from
property line
with solar
panels is
shaded



Nov 22 and Jan 22 - 10:00 AM

SINGLE FAMILY HOMES ALTERNATIVE

Single story roof
5ft away from
property line
with solar
panels is
shaded



Nov 22 and Jan 22 - 2:00 PM



CONTINENTAL DIVIDE BLD

Sep 22 and March 22 - 9:00 AM
Spring/Fall Equinox



CONTINENTAL DIVIDE BLD

Sep 22 and March 22 - 3:00 PM
Spring/Fall Equinox

An architectural site plan showing a building complex. A red rectangular box highlights the name 'CONTINENTAL DIVIDE BLD' in red capital letters. The plan includes various building footprints, some with hatched roof patterns, and a series of circular symbols along the bottom edge of the main building area. The drawing is a technical line drawing with some grey shading for shadows.

CONTINENTAL DIVIDE BLD

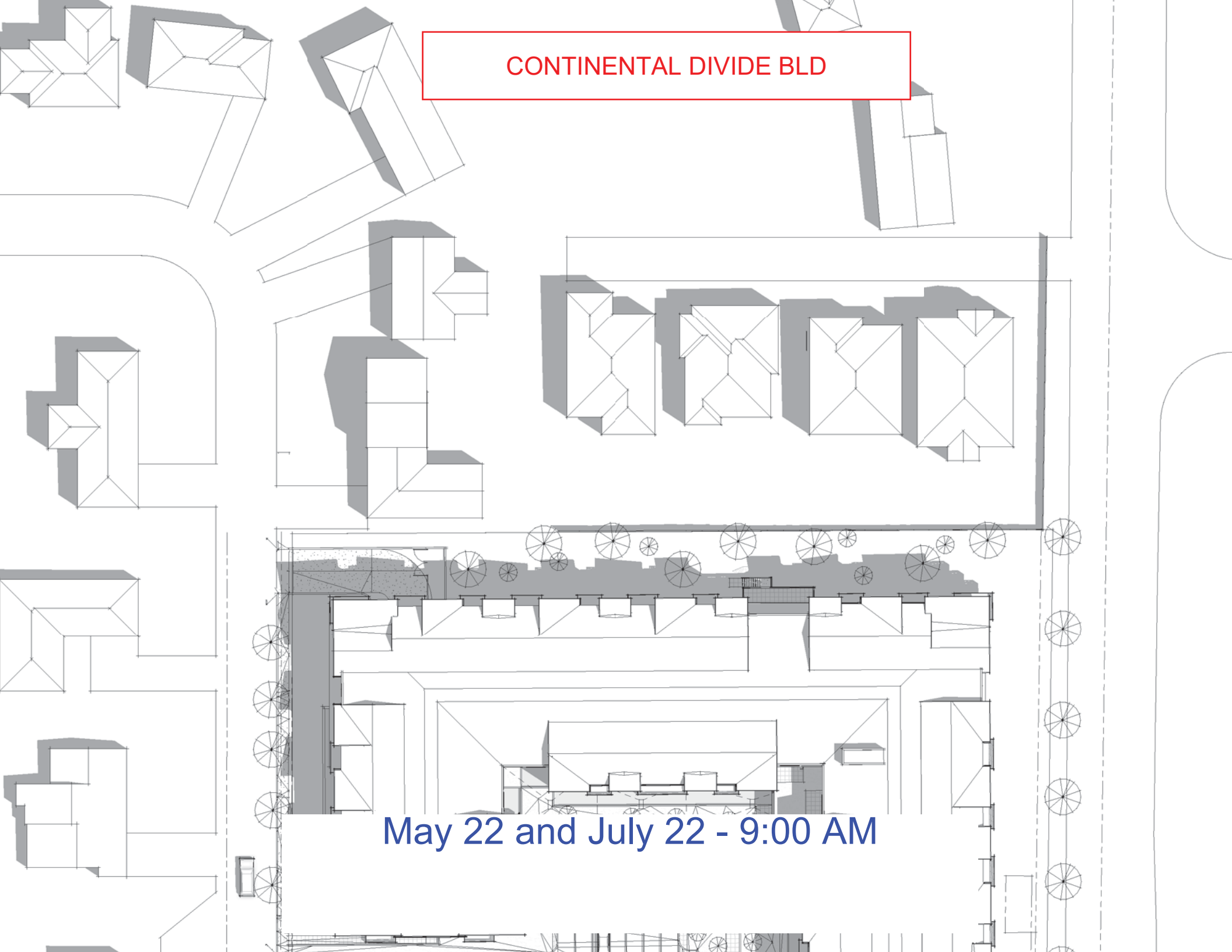
April 22 and August 22 - 9:00 AM



CONTINENTAL DIVIDE BLD

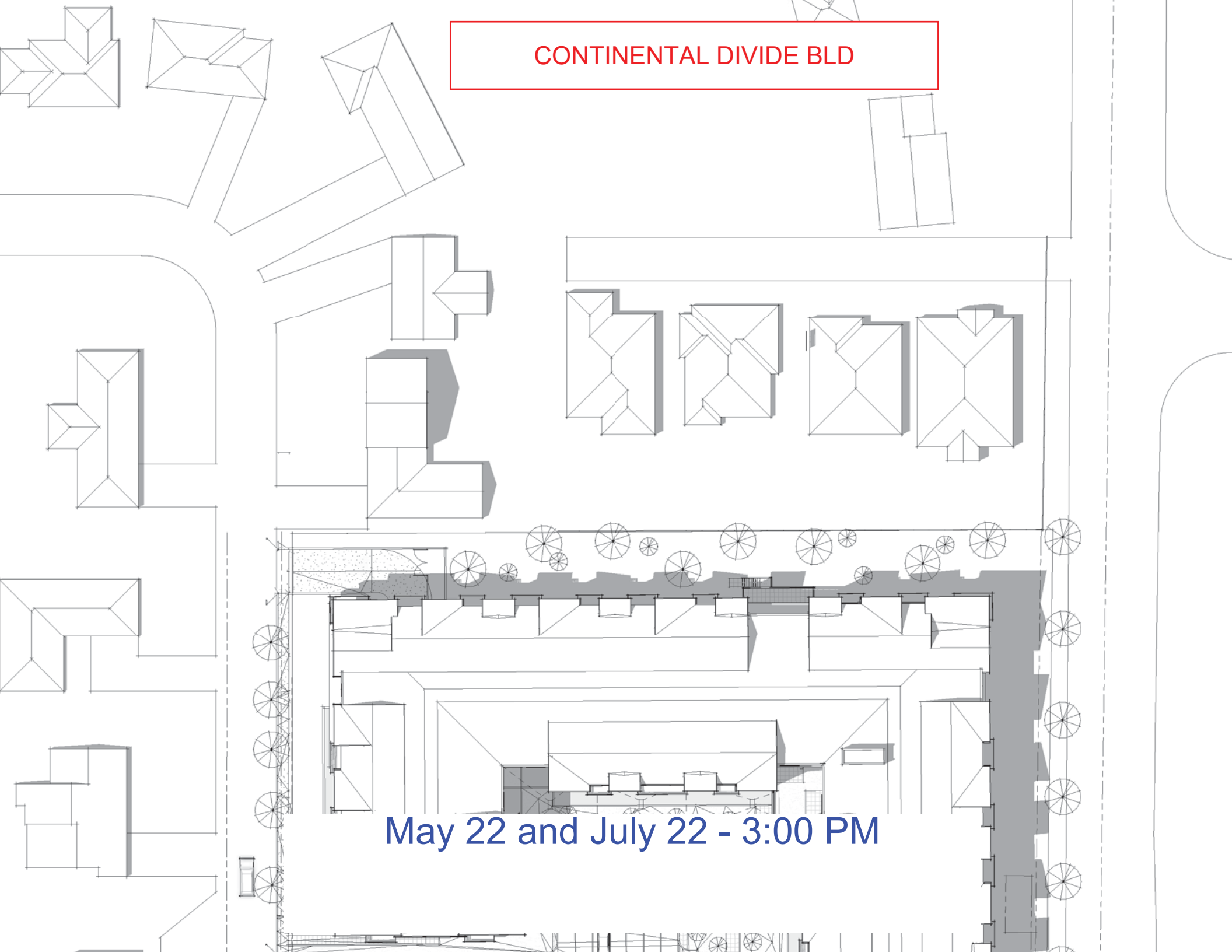
April 22 and August 22 - 3:00 PM

CONTINENTAL DIVIDE BLD



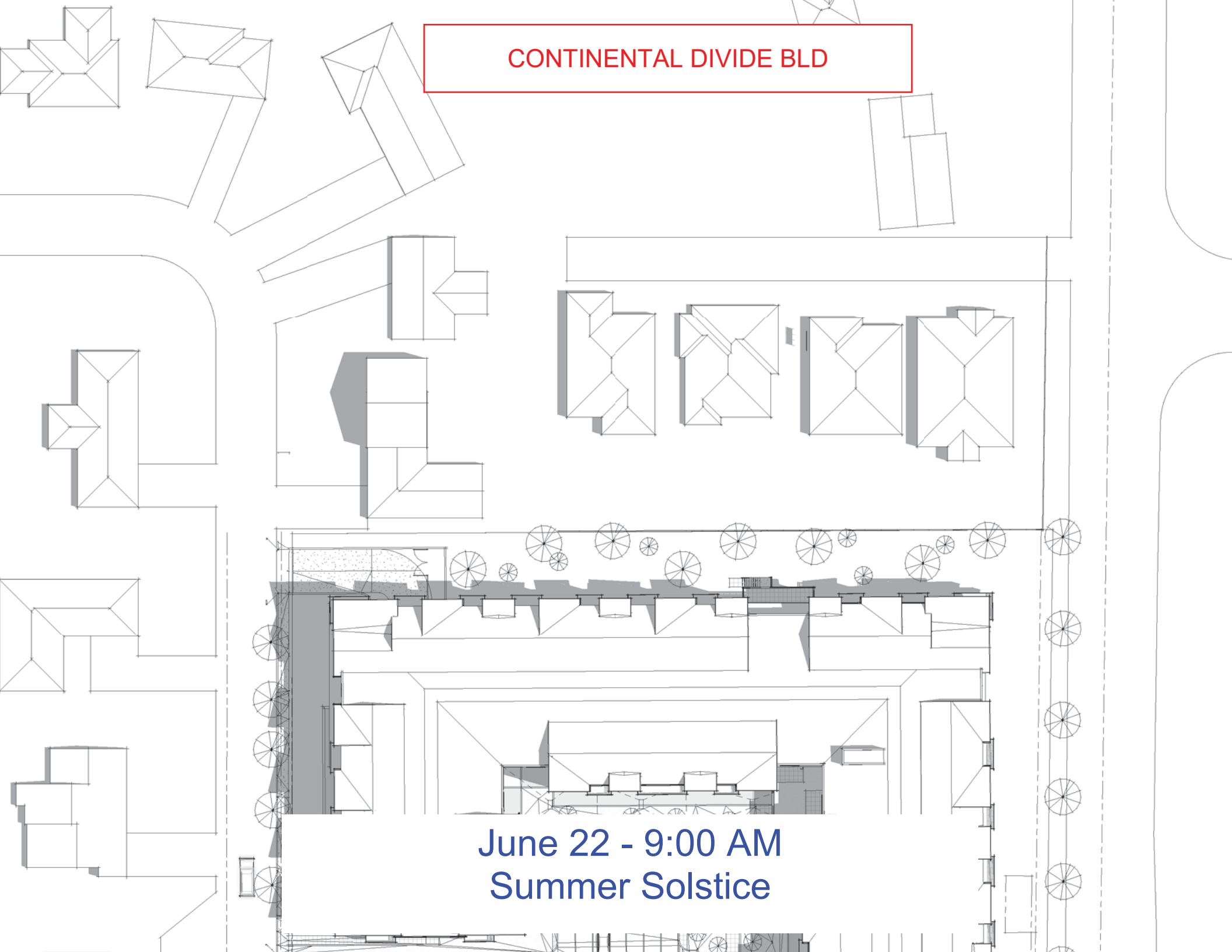
May 22 and July 22 - 9:00 AM

CONTINENTAL DIVIDE BLD



May 22 and July 22 - 3:00 PM

CONTINENTAL DIVIDE BLD



**June 22 - 9:00 AM
Summer Solstice**

An architectural site plan of the Continental Divide Bldg. The drawing shows the building's footprint and surrounding context. A red rectangular box at the top center contains the text "CONTINENTAL DIVIDE BLD". The building is shown with a complex, multi-faceted roofline. To the right of the building, a row of trees is depicted with circular symbols representing their canopies. The drawing includes shadows cast by the building and trees, indicating the sun's position. The overall style is a technical architectural drawing with clean lines and a focus on spatial relationships and light/shadow effects.

CONTINENTAL DIVIDE BLD

June 22 - 3:00 PM
Summer Solstice

An architectural site plan showing a building complex. A red rectangular box at the top center contains the text 'CONTINENTAL DIVIDE BLD'. The plan includes various building footprints, some with hatched roof patterns, and a large central area with circular symbols representing trees or landscaping. A white rectangular box at the bottom center contains the text 'Oct 22 and Feb 22 - 10:00 AM'.

CONTINENTAL DIVIDE BLD

Oct 22 and Feb 22 - 10:00 AM

The image is a detailed architectural site plan for a building complex. At the top center, a red-bordered box contains the text "CONTINENTAL DIVIDE BLD" in red. The plan shows a large, irregularly shaped building footprint with several distinct sections. The upper portion of the building features a series of four large, square-like units with complex rooflines. Below this, there is a long, narrow section containing numerous circular symbols, likely representing trees or landscaping. The lower portion of the building shows a more open area with a central structure that has a flat roof and two prominent cylindrical elements. The entire site is surrounded by other building footprints and streets, indicated by dashed lines. The drawing uses black lines for outlines and grey shading for shadows and specific site areas.

CONTINENTAL DIVIDE BLD

Oct 22 and Feb 22 - 2:00 PM

An architectural site plan for a building complex. The main building is a long, rectangular structure with a central section containing four distinct units, each with a gabled roof. Below this main structure is a lower-level area with a series of circular symbols, possibly representing trees or landscaping. The plan shows various rooms, corridors, and structural elements. A red box at the top highlights the building's name. A blue box at the bottom indicates specific dates and times. The drawing uses black lines for outlines and grey shading for solid areas.

CONTINENTAL DIVIDE BLD

Nov 22 and Jan 22 - 10:00 AM

An architectural site plan showing the layout of the Continental Divide Building and its surroundings. The building is a large, rectangular structure with a complex roofline. A red rectangular box at the top center contains the text "CONTINENTAL DIVIDE BLD". The plan includes various rooms, corridors, and outdoor areas. A large outdoor area in the center features several circular tables and chairs. The building is surrounded by other structures and a parking area with several cars. The plan is rendered in black lines on a white background, with some areas shaded in gray.

CONTINENTAL DIVIDE BLD

Nov 22 and Jan 22 - 2:00 PM

TREE
GND. = 394.74
TOP = 475.55
DIF. = 80.81

TREE
GND. = 399.12
TOP = 511.14
DIF. = 112.02

TREE
GND. =
TOP =
DIF. =

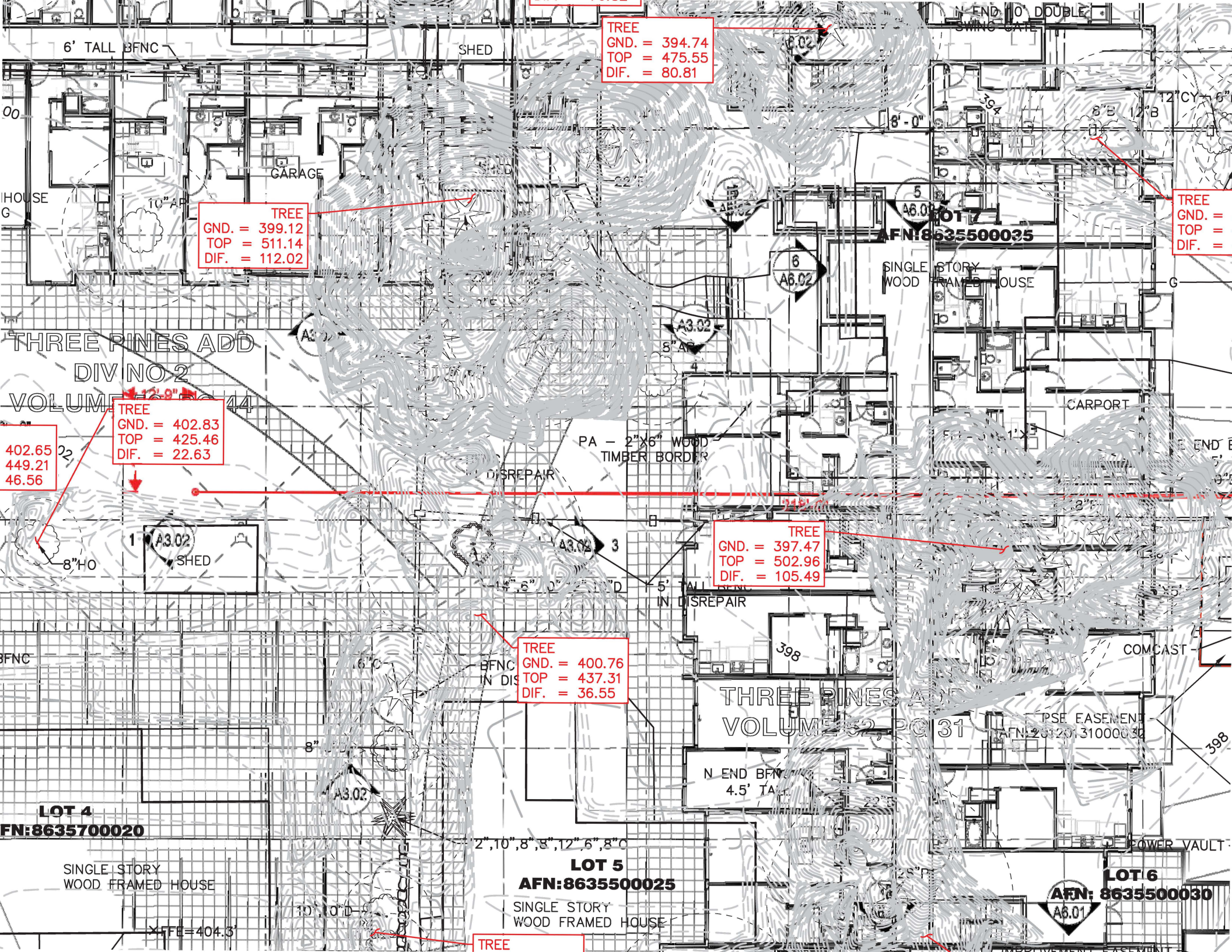
TREE
GND. = 402.83
TOP = 425.46
DIF. = 22.63

402.65
449.21
46.56

TREE
GND. = 397.47
TOP = 502.96
DIF. = 105.49

TREE
GND. = 400.76
TOP = 437.31
DIF. = 36.55

TREE



THREE PINES ADD
DIV NO 2
VOLUME 32, PG 44

THREE PINES ADD
VOLUME 32, PG 31

AFN: 8635500025

LOT 4
AFN: 8635700020

LOT 5
AFN: 8635500025

LOT 6
AFN: 8635500030

SINGLE STORY
WOOD FRAMED HOUSE

SINGLE STORY
WOOD FRAMED HOUSE

SINGLE STORY
WOOD FRAMED HOUSE

X FFE = 404.3'

A6.01

1 A3.02 SHED

3 A3.02

6 A6.02

5 A6.02

4 A3.02

A3.02

A3.02

6' TALL BFNC

SHED

GARAGE

SINGLE STORY
WOOD FRAMED HOUSE

CARPORT

PA - 2"X6" WOOD
TIMBER BORDER

IN DISREPAIR

5' TALL
IN DISREPAIR

BFNC

BFNC
IN DISREPAIR

N END BFNC
4.5' TALL

COMCAST

PSE EASEMENT
AFN: 26120131000030

POWER VAULT

MOBILE HOME EASEMENT

From: [Olivia A](#)
To: [Amy Bolen](#); [Adam Weinstein](#); [Janice Coogan](#); [Stephanie Croll](#); [James Lopez](#); [Kurt Triplett](#); [Penny Sweet](#); [Jay Arnold](#); [Tom Neir](#); [Toby Nixon](#); [Kelli Curtis](#); [Dave Asher](#); [Jon Pascal](#)
Subject: Rose Hill Code Amendments - Public Comment
Date: Tuesday, April 30, 2019 4:22:25 PM

Dear City Council,

My family lives near the RH-8 zone and the proposed Continental Divide project. I am intensely concerned about the proposed RH-8 code amendments. I agree with the following bullet points and want the City Council to direct the Planning Commission to adopt them in RH-8.

- Increase setbacks or implement a tiered approach to setbacks based on building height adjacent to residential zones.
- Require 50% of the gross street level floor be commercial and retain the prohibition of street level residential along 85th.
- Establish density limits. High Density Residential has similar reasonable limitations of 1,800 sq ft per unit.
- Hold developers responsible for street improvements to mitigate their impact to the surrounding community, including pedestrians, bicyclists, public transit, street parking, and vehicle traffic.
- Require multi-story buildings adjacent to low density zones to be designed and configured to minimize privacy impacts on low density usages, including by orienting windows away from surrounding low density uses.

Please note these justifications for our requests:

Setbacks - The surrounding RS/R SX zones as well as the CBD already have similar restrictions with a tiered setback design based on floor count. Blocking the sunlight for months at a time has substantial negative impact to neighboring properties.

Commercial - This 50% requirement matches most of the Rose Hill Business District, including RH-5A, 5B, and 7.

Density - High Density Residential has similar reasonable limitations of 1,800 sq ft per unit, this will make RH-8 4 times as dense as its neighbors. By removing the current prohibition on first floor residential, you are allowing substantial practical residential density increases in a zone that doesn't restrict residential density today.

Street Improvements - This intersection is already challenging during rush hour, and new flow in the right/straight holding area for 132nd will impact large numbers of residents north of us. 131st will experience similar disruption in a low speed intersection with a stop sign.

Privacy - This matches the Design Regulations codified under KZC 92.10.4 and should be enforced throughout the Rose Hill Business District.

Who gets hurt?

What kind of impact can it have when a high-density apartment complex is built next to single-family homes? Among my neighbors near the Continental Divide project are these stories:

- A longtime resident who bought solar panels through a Kirkland city program encouraging solar panel installation whose house will now be in the shadow of the complex all winter. The only entrance serving 134 units will be 5 feet from her property line and about 10 feet from her house. The garbage dumpster staging area and gravel pet waste area will be equally as close.
- A row of 4 houses abutting the project that were built in 2015 (not older homes) that will not get sun in their backyards all winter and one whose skylight will allow apartment-dwellers a view into their bathroom. Over 100 windows will look directly at these homes.
- A neighbor has already sold their home and left the neighborhood partially because of this project.
- Another neighbor will likely rent out their home because this project will make it a terrible place to live and decrease its value.

This is life-changing damage that will be done to Rose Hill and you have the opportunity, with the zoning code being amended, to stop this from happening. Please direct the Planning Commission to adopt these bullet points to protect our neighborhood's future. We are counting on you to hear us and make the vital changes necessary.

Sincerely,
Olivia Ahna