



View of Corner of NE 85th St. and 132nd Ave. NE

## APPENDIX |

# APPENDIX

- FLOOR PLANS
- BUILDING SECTIONS
- ELEVATIONS
- LANDSCAPE PLAN
- TREE PLAN
- SURVEY
- SITE CONTEXT



## APPENDIX | SITE PLAN / LEVEL 1 FLOOR PLAN



## APPENDIX | LEVEL 2 FLOOR PLAN





## APPENDIX | LEVEL 3 FLOOR PLAN



## APPENDIX | PARKING / GROUND FLOOR PLAN



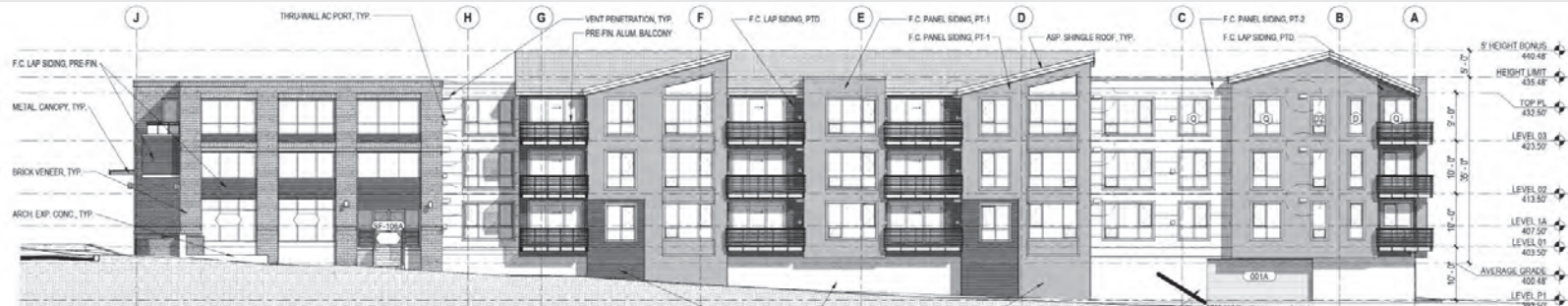


## APPENDIX | BUILDING SECTIONS



# APPENDIX | ELEVATIONS

^ EAST ELEVATION



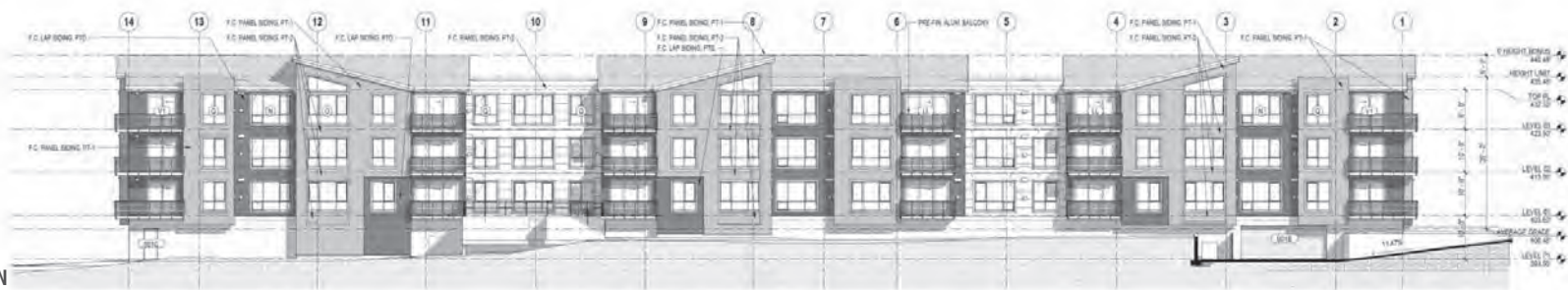
^ SOUTH ELEVATION



^ WEST ELEVATION



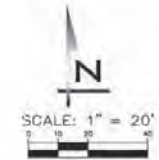
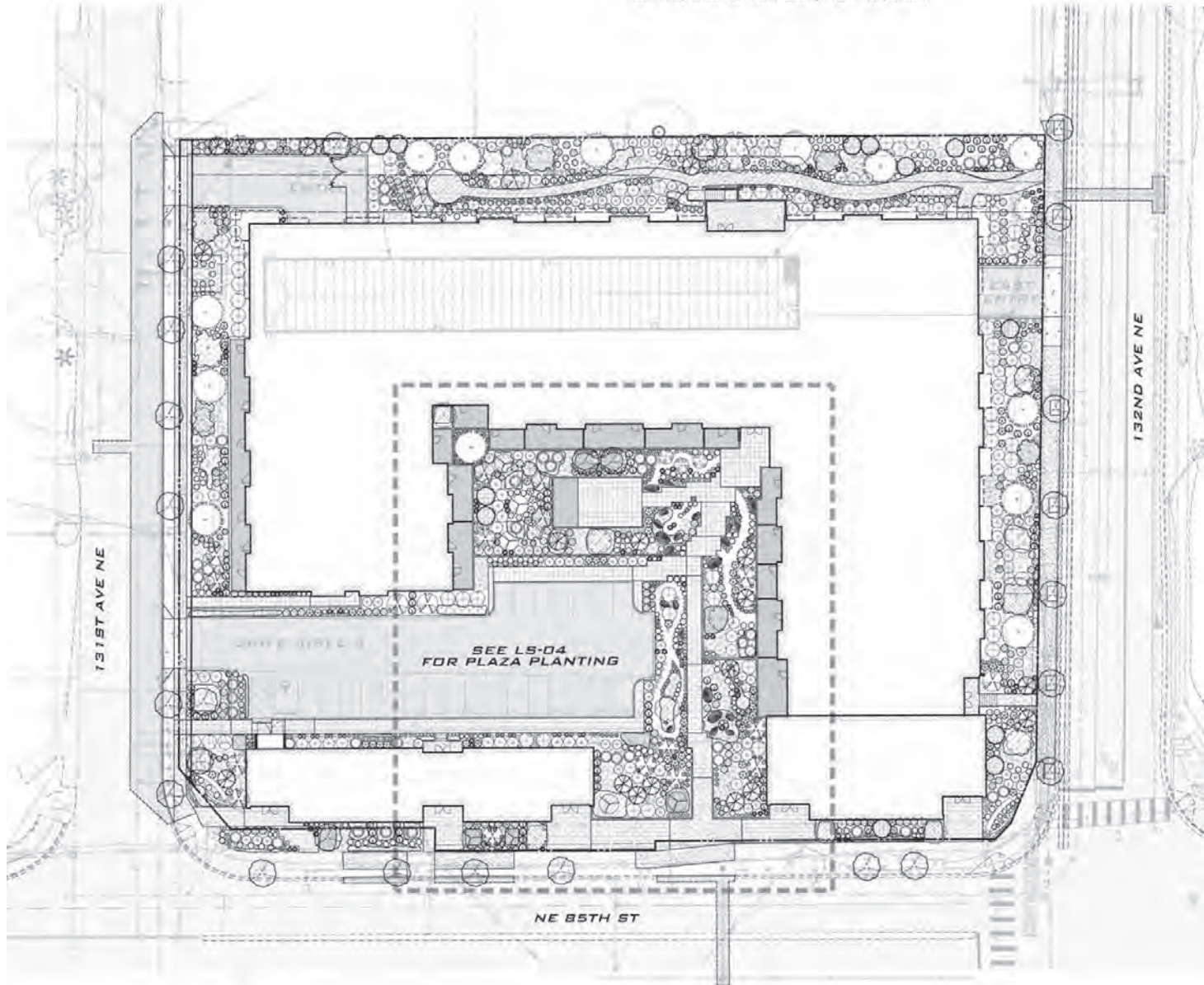
^ NORTH ELEVATION





# APPENDIX | PLANTING PLAN (PREVIOUS SUBMITTAL)

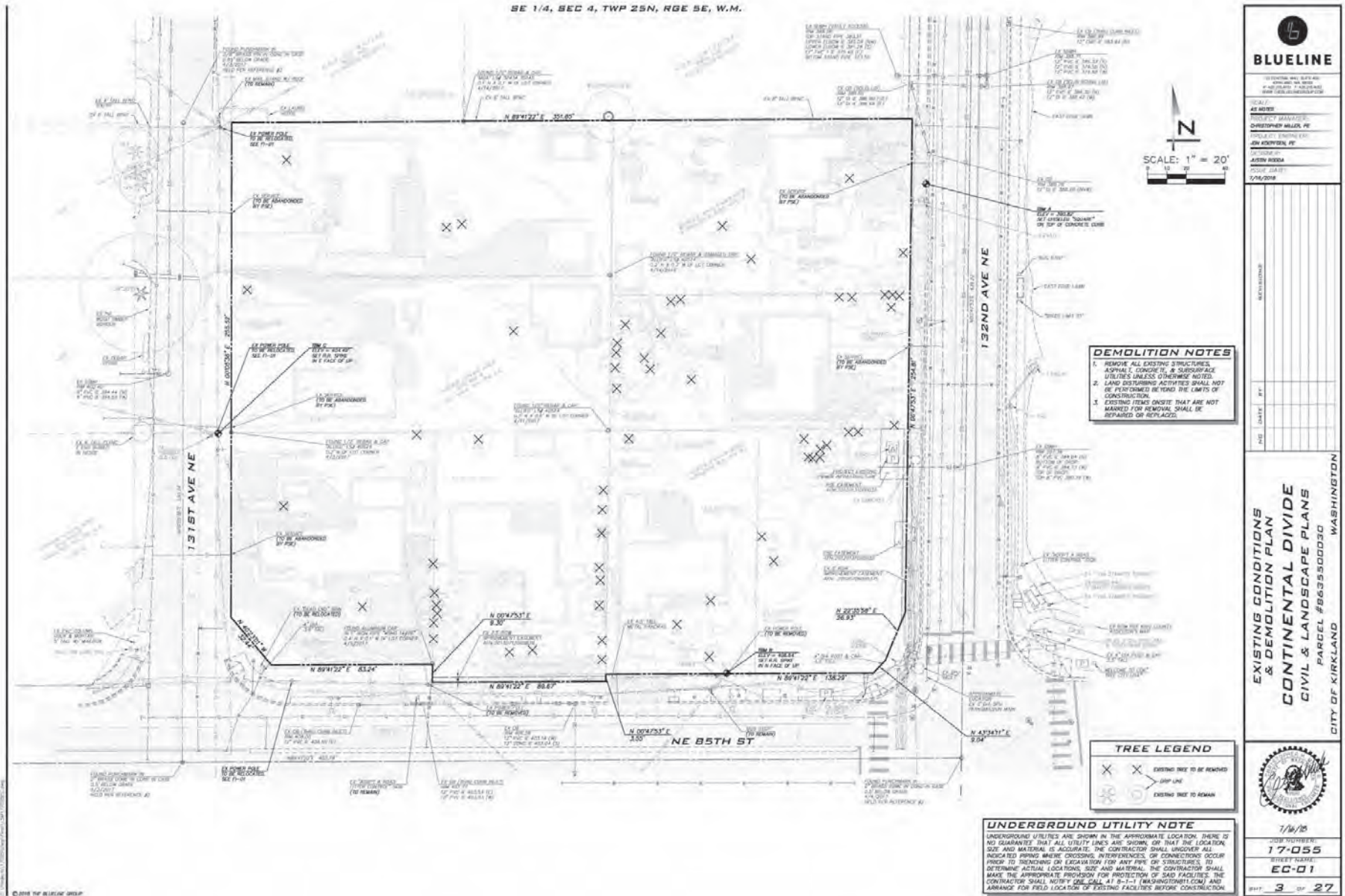
SE 1/4, SEC 4, TWP 25N, RGE 5E, W.M.



## PLANT SCHEDULE

SYMBOL	BOTANICAL NAME / COMMON NAME
	<i>Acer buergerianum</i> 'Spectabilis' TM / Island Maple
	<i>Acer chinensis</i> / Vine Maple
	<i>Acer macrophyllum</i> / Big Leaf Maple
	<i>Acer palmatum</i> 'Sango Kaku' / Coral Bark Maple
	<i>Corylus heterophylla</i> 'Cohimbata' / Oshumori European Hornbeam
	<i>Chamaecyparis horizontalis</i> 'Green Arrow' / Green Arrow Japanese Cypress
	<i>Ficus alba</i> 'Densata' / Chinese Banyan Tree
	<i>Ficus amabilis</i> 'Pendula' / Weeping Ficus Tree
	<i>Thuja occidentalis</i> / Western Red Cedar
	<i>Taxus heterophylla</i> / Western Hemlock
SYMBOL	BOTANICAL NAME / COMMON NAME
	<i>Calluna vulgaris</i> / Heather
	<i>Cornus sericea</i> / Red Twig Dogwood
	<i>Eucalyptus alba</i> 'Compacta' / Compact Gumming Bush
	<i>Eucalyptus torresiana</i> 'Eucalyptus' TM / Whitecypress
	<i>Festuca glauca</i> 'Elijah Blue' / Blue Fescue
	<i>Hedera helix</i> / English Ivy
	<i>Hydrangea macrophylla</i> / Ocean Spray
	<i>Kalmia latifolia</i> / Mountain Laurel
	<i>Leucodermis angustifolia</i> / English Lavender
	<i>Michauxia repens</i> / Deer Grass
	<i>Nandina domestica</i> 'Fire Power' / Firepower Nandina
	<i>Panicum virgatum</i> 'Mardi Gras' / Hurricane Windmill Grass
	<i>Pennisetum setaceum</i> 'Tropicana' / Tropical Fountain Grass
	<i>Pennisetum setaceum</i> 'Tropicana' / Tropicana Fountain Grass
	<i>Phytolacca americana</i> 'Mardi Gras' / Green Purple Haze
	<i>Phlox paniculata</i> / Lily of the Valley Bush
	<i>Polypodium medium</i> / Western Spleenwort
	<i>Rhododendron</i> 'Indica' / Indian Hawthorn
	<i>Rhododendron</i> x 'Scarlet Wonder' / Scarlet Wonder Dwarf Rhododendron
	<i>Ribes sanguineum</i> / Red Flowering Currant
	<i>Viburnum</i> x 'Burkwood' / Burkwood Viburnum
SYMBOL	BOTANICAL NAME / COMMON NAME
	<i>Anthriscus officinalis</i> / Bitter's Footprint
	<i>Anthriscus officinalis</i> / Bitter's Footprint
	<i>Diarrhea officinalis</i> / Bitter's Footprint
	<i>Diarrhea officinalis</i> / Bitter's Footprint
	<i>Diarrhea officinalis</i> / Bitter's Footprint

# APPENDIX | TREE PLAN

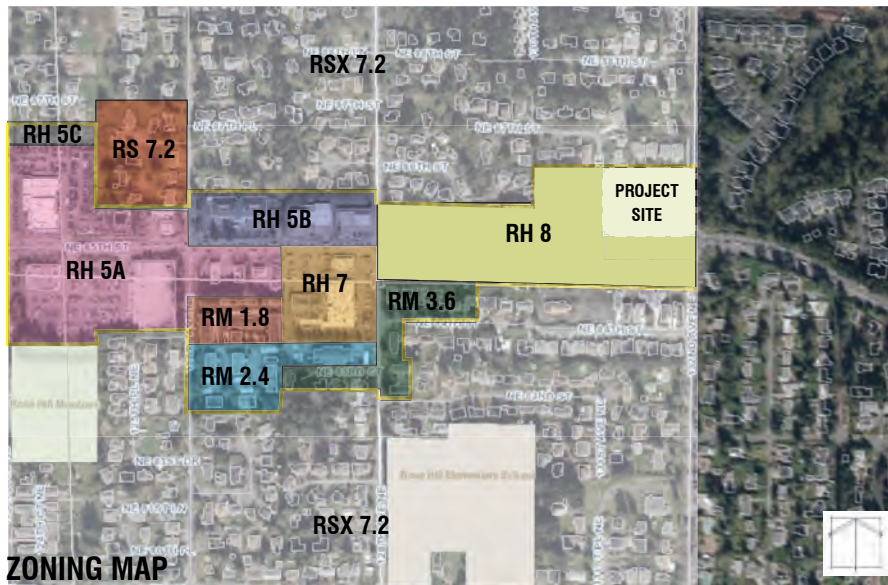
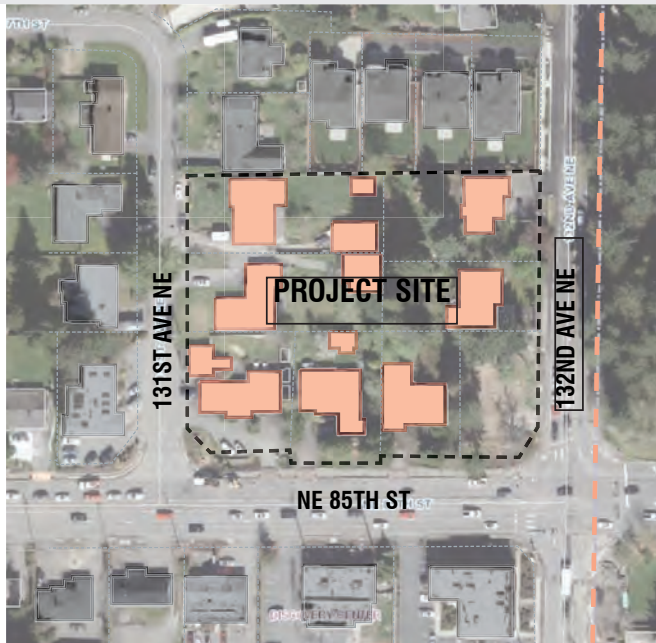








## APPENDIX | SITE CONTEXT



ZONING MAP

ENCORE architects



- OFFICE
- DAYCARE CENTER
- RETAIL STORE
- RESI-SINGLE FAM
- MEDICAL/DENTAL

- RESTAURANT
- CONV. WITH GAS
- SERVICE BUILDING
- CHURCH/ RELIG.

- CONDOMINIUM
- APARTMENTS
- SCHOOL
- PROJECT SITE

### ROSE HILL BUSINESS DISTRICT - EAST END

- LOWER BUILDING HEIGHTS & INTENSITY
- CONSOLIDATED SITES & ACCESS
- MORE RESIDENTIAL IN DESIGN
- FLEXIBLE SITE DESIGN
- SMALL FAMILY BUSINESSES
- SERVICE BUSINESSES
- SMALL-SCALE MIXED USE
- GENEROUS LANDSCAPING

### ROSE HILL DESIGN DISTRICT



## APPENDIX | SITE PHOTOS







## DESIGN RESPONSE CONFERENCE

**8505 132nd Avenue NE  
Kirkland, WA**

January 6, 2020



## TABLE OF CONTENTS | AGENDA

<b>1. SETBACK MODIFICATION</b>	<b>3</b>
<ul style="list-style-type: none"> <li>• Submit an updated formal setback modification request. The request should address the criteria in KZC Section 142.37. <ul style="list-style-type: none"> <li>a. Also include a site plan that highlights all the encroachments.</li> </ul> </li> </ul>	
<b>2. LIGHTING PLAN</b>	<b>5</b>
<ul style="list-style-type: none"> <li>• Submit a lighting plan that addresses the Design Guidelines contained in Section 9 - Lighting.</li> </ul>	
<b>3. COORDINATION</b>	<b>8</b>
<ul style="list-style-type: none"> <li>• Ensure that all plans are coordinated throughout the entire packet including landscape plans. <ul style="list-style-type: none"> <li>a. We would strongly recommend having the landscape architect at the next meeting.</li> </ul> </li> </ul>	
<b>4. ELEVATIONS</b>	<b>12</b>
<ul style="list-style-type: none"> <li>• Provide elevations for all facades for each building including the north facade of the standalone commercial building.</li> </ul>	
<b>5. SE STREET CORNER</b>	<b>20</b>
<ul style="list-style-type: none"> <li>• The design of the southeast street corner needs to ensure compliance with Design Guideline 3D. <ul style="list-style-type: none"> <li>a. The board requested that the lap siding be replaced with a more commercial material</li> <li>b. Include the proposed artwork in elevation drawings.</li> </ul> </li> </ul>	
<b>6. LANDSCAPE, SIDEWALK, AMENITIES</b>	<b>23</b>
<ul style="list-style-type: none"> <li>• Look at reduction in the width of the landscape strip along NE 85th Street, an increase in the sidewalk width, and including more pedestrian amenities and planters along the building facades. See Design Guideline 10 for ideas.</li> </ul>	
<b>7. PLAZA DEVELOPMENT</b>	<b>25</b>
<ul style="list-style-type: none"> <li>• More development of the plaza area. They would like to see more hardscape and less landscaping in the area north of the bus stop and between the two buildings. See Design Guideline Section 12 for ideas.</li> </ul>	
<b>8. COMMERCIAL FACADE DEVELOPMENT</b>	<b>28</b>
<ul style="list-style-type: none"> <li>• Additional development of the standalone commercial facade to create a superior design to offset the modification request. Ideas include material changes on the parapets and cornice treatments. We recommend looking at the Hectors Building on Lake Street and the Park Lane Public House for some ideas. <ul style="list-style-type: none"> <li>a. Also address any blank walls on the backside of the building (See Design Guideline Section 8)</li> </ul> </li> </ul>	
<b>9. FINAL PACKET</b>	<b>31</b>
<ul style="list-style-type: none"> <li>• Incorporate any plans that were submitted at the meeting into the final packet.</li> </ul>	
<b>10. APPENDIX</b>	<b>32</b>
<ul style="list-style-type: none"> <li>• NW Driveway Section</li> </ul>	



## ITEM 1 | SETBACK MODIFICATION

### 1. SETBACK MODIFICATION

- Submit an updated formal setback modification request. The request should address the criteria in KZC Section 142.37.
  - a. Also include a site plan that highlights all the encroachments.

### KZC 142.37 DESIGN DEPARTURE AND MINOR VARIATIONS

4. CRITERIA – The Design Review Board may grant a design departure or minor variation only if it finds that all of the following requirements are met:
- The request results in superior design and fulfills the policy basis for the applicable design regulations and design guidelines;
  - The departure will not have any substantial detrimental effect on nearby properties and the City or the neighborhood.

#### BACKGROUND:

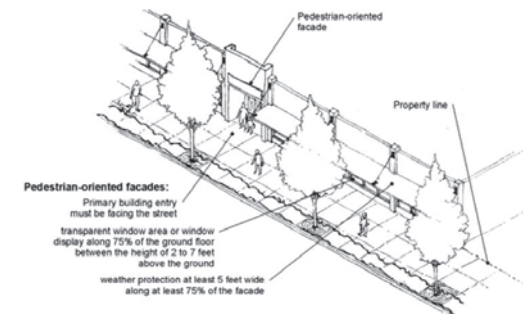
There were originally 4 Minor Variation Setback Requests (balconies facing 131st and 132nd, the NW driveway, and the buildings facing 85th Street). As shown by the red dashed line on the accompanying site plan, the balconies and driveway all comply with the prescribed setbacks and therefore no Design Departures or Minor Variations for these features are requested.

#### BUILDING PLACEMENT NE 85TH STREET FRONTAGE:

Criteria 4.a.: The most relevant aspect of design with regard to this request is the placement itself of the buildings on the site plan. The question regarding building placement on the NE 85th Street Frontage is,

“GIVEN THE 3 OPTIONS IN FIGURE 19, PAGE 15 OF THE DESIGN GUIDELINES FOR ROSE HILL EAST END NE 85TH STREET FRONTAGE, WHICH IS A SUPERIOR DESIGN TO THE STATED SETBACK REQUIREMENT?”

Considering that the goal of the policy basis is to create pedestrian friendly storefronts on NE 85th Street, the top option (shown below) is the one that conforms with best planning practices to have the storefronts right at the edge of the sidewalk. That is, at the property line where the pedestrian interface occurs; not setback from the property line. Note that in this Design Guideline recommended option, the building is placed such that the storefronts are at the property line.



#### CONCLUSION CRITERIA 4.A.:

The request does result in a superior design and fulfills the policy basis for the applicable design regulations and design guidelines. It is specifically implementing a recommended and preferred street frontage option directly from the Design Guidelines for Rose Hill East End NE 85th Street Frontage (page 15).

#### CONCLUSION CRITERIA 4.B.:

The departure request actually produces a better pedestrian experience and a more viable business environment. It will not have any detrimental (let alone substantial) effect on nearby properties, the City, or the neighborhood.

## ITEM 1 | SITE PLAN / LEVEL 1 FLOOR PLAN





## ITEM 2 | LIGHTING PLAN

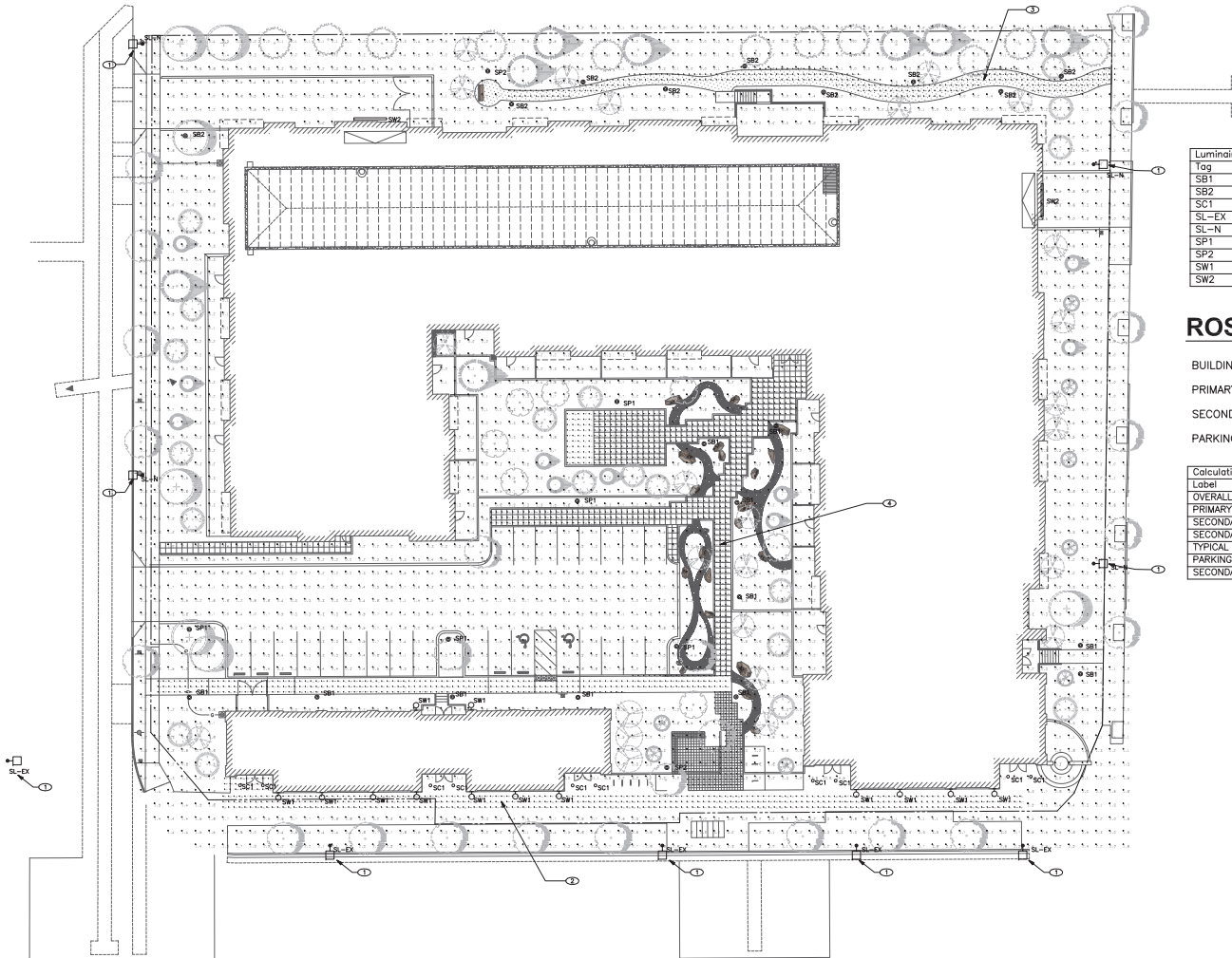
### 2. LIGHTING PLAN

- Submit a lighting plan that addresses the Design Guidelines contained in Section 9 - Lighting.

### DESIGN GUIDELINES SECTION 9 - LIGHTING

- Provide adequate lighting levels in all areas used by pedestrians and automobiles, including building entries, walkways, parking areas, circulation areas, and open spaces. Recommended minimum light levels:
  - Building entries: 4 foot candles
  - Primary pedestrian walkway: 2 foot candles
  - Secondary pedestrian walkway: 1-2 foot candles
  - Parking lot: .60 -1 foot candle
  - Enclosed parking garages for common use: 3 foot candles
- Lighting should be provided at consistent levels, with gradual transitions between maximum and minimum levels of lighting and between lit areas and unlit areas.
- 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 buildingmounted light fixtures to give visual variety from one facade to the next.
- Minimizing impacts of lighting on adjoining activities and uses should be considered in the design of lighting. This is particularly important adjacent to residential uses.
- Parking lot light fixtures should be non-glare and mounted no more than 15'-20' above the ground. Lower level light fixtures are preferred to maintain a human scale. Ideally, all exterior fixtures should be fitted with a full cut-off shield to minimize light spill over onto adjoining properties

## ITEM 2 | SITE PLAN - LIGHTING



Luminaire Schedule				
Tag	Description	Qty	Lum. Watts	Lum. Lumens
SB1	42-IN BOLLARD	11	13.2	671
SB2	22-IN PATHLIGHT	8	9	350
SC1	SURFACE MOUNTED DOWNLIGHT - MOUNTED @ 10' AFF	10	8,416	759
SL-EX	EXISTING STREET LIGHT - MOUNTED @ 32' AFF	5	176	17716
SL-N	NEW STREET LIGHT - MOUNTED @ 32' AFF	4	111	13000
SP1	POST-TOP POLE MOUNTED LUMINAIRE (TYPE 3) - MOUNTED @ 16' AFF	5	36	3134
SP2	POST-TOP POLE MOUNTED LUMINAIRE (TYPE 5) - MOUNTED @ 16' AFF	3	36	3370
SW1	DECORATIVE WALL SCONCE - MOUNTED @ 10' AFF	14	9.43	919
SW2	WALL MOUNTED LINEAR DOWNLIGHT - MOUNTED @ 10' AFF	2	19.1	2000

### ROSE HILL LIGHTING DESIGN GUIDELINES

BUILDING ENTRIES: 4FC MINIMUM AVERAGE

PRIMARY PEDESTRIAN WALKWAYS: 2FC MINIMUM AVERAGE

SECONDARY PEDESTRIAN WALKWAYS: 1-2FC MINIMUM AVERAGE

PARKING LOTS: .60-1FC MINIMUM AVERAGE

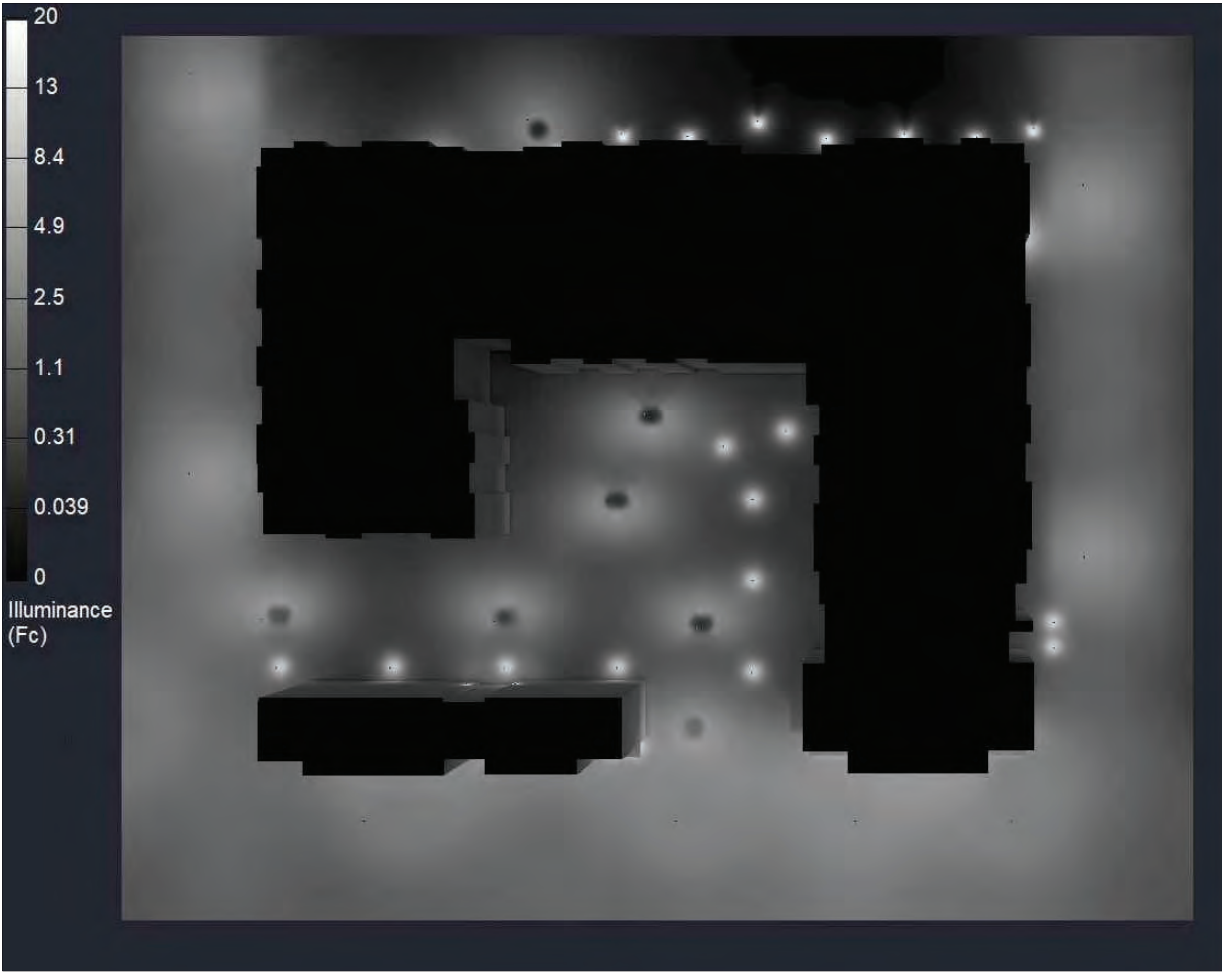
Calculation Summary						
Label	CalcType	Units	Avg	Max	Min	Avg/Min
OVERALL SITE	Illuminance	Fc	1.16	17.3	0.0	N.A.
PRIMARY WALKWAY (SIDEWALK)	Illuminance	Fc	3.33	6.4	1.9	1.75
SECONDARY WALKWAY (COURTYARD)	Illuminance	Fc	1.39	9.9	0.1	13.90
SECONDARY WALKWAY (GARDEN PATH)	Illuminance	Fc	1.00	17.9	0.0	N.A.
TYPICAL BUILDING ENTRY	Illuminance	Fc	10.52	14.6	4.9	2.15
PARKING LOT	Illuminance	Fc	0.94	3.6	0.2	4.70
SECONDARY PEDESTRIAN WALKWAY 2	Illuminance	Fc	1.05	17.9	0.0	N.A.

1 SITE PLAN - LIGHTING  
SCALE: 1/16"=1'-0"





ITEM 2 | SITE PLAN - PHOTOMETRIC



**GLUMAC**  
engineers for a sustainable future

1601 Fifth Ave, Suite 2210  
Seattle, WA 98101  
206.382.1010 glumac.com  
merit manager  
engineer/esquisse  
0.18.00

Issue	Date	Description

PROJECT NAME  
CONTINENTAL DIVIDE  
KIRKLAND, WA

SHEET TITLE  
SITE PLAN - PHOTOMETRIC

SCALE  
AS NOTED

DATE  
12.15.2019

SHEET NUMBER



1 SITE PLAN - PHOTOMETRIC  
SCALE: NTS

PELLETIER + SCHAAR ARCHITECTS

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## ITEM 3 | COORDINATION

### 3. COORDINATION

- Ensure that all plans are coordinated throughout the entire packet including landscape plans.
  - a. We would strongly recommend having the landscape architect at the next meeting.

**PLANS, INCLUDING LANDSCAPE PLANS, HAVE BEEN COORDINATED PER COMMENT 3.**

**LANDSCAPE ARCHITECT IN ATTENDANCE.**

## ITEM 3 | LANDSCAPE MASTER PLAN



- (A) ER EA E A ER A A (B) SSHE TER (C) ENTR GATE A FEAT RE (D) EDESTRIAN ATH A  
(E) GARAGE ENTR (F) A ART ENT A ENIT S ACE (G) ANDSCA E ANTING, T .

PELLETIER + SCHAAR ARCHITECTS

### Rose Hill Business District Design Guideline #22:

Continental Divide's landscape planting enhances the visual quality of the urban environment. The site contains pedestrian/auto, pedestrian, and building-oriented landscapes. Pedestrian/auto landscapes focus on robust plantings to protect pedestrians from traffic with street trees, creating a more hospitable environment. The pedestrian landscape emphasizes plant materials that provide color, texture, shape, and year-round interest. Finally, the building landscape serves to complement the building while screening any faults and maintaining views. Over the site there is a colorful mix of drought-tolerant and low-maintenance plantings including roses in many highly visible locations.

(Design Guidelines for Rose Hill Business District - <https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Rose+Hill+Design+Guidelines.pdf>)

### Land Use Buffer Summary:

The applicant shall provide a 15' wide landscape strip to be planted with trees spaced at a rate of 1 tree every 20'. Deciduous trees are to be 2.5" caliper minimum and coniferous trees are to be 8" minimum in height, and at least 70% of trees shall be evergreen. A mix of various shrubs are to be planted to obtain at least 60% coverage within 2 years.

(KZC 95.42.1 Minimum Land Use Buffer Requirements)

### Landscape plan data:

Types of plantings: The site is composed of a mix of evergreen and deciduous trees, shrubs, and groundcover to provide year-round structure and interest. While various grasses and perennials add seasonal interest and character. A few prominent plants in the proposed landscape plan are: Vine Maple, Vanderwolf Pine, Western Red Cedar, Western Hemlock, Red & Yellow Twig Dogwood, Rugosa Rose, Flowering Currant, Japanese Pieris, Mountain Laurel, Viburnum, Switch Grass, Lavender, Coreopsis, and Creeping Mahonia, among many others.

### Proposed landscape plan by the numbers:

Trees: 119 - Avg. size: 2" cal. / 8' high min.

Shrubs/Grasses: 2,633 - Avg. size: Shrub 5-gal / Grass 2-gal

Groundcover: 2,528 - Avg. size: 4" pot

Total number of plants on site: 5,280

Evergreen tree coverage in 15' buffer (Min. 70% Req.): 87.2%

\*Plant totals represented are approximate and are subject to change\*





## ITEM 3 | PLAZA DEVELOPMENT



- (A) PERMEABLE PLAZA (B) BICYCLE RACKS (C) BENCH SEATING (D) BUS SHELTER (E) LANDSCAPE PLANTING (F) PEDESTRIAN AMENITIES



### PEDESTRIAN AMENITIES

The site frontage and plaza along NE 85th creates an active and comfortable pedestrian environment that incorporates many amenities such as various seating options, mixed planting beds of trees, shrubs, and groundcover creating year-round interest, bicycle racks, lighting, varied paving types defining spaces and adding interest, as well as easy access to commercial spaces and public transportation.



## ITEM 3 | PLAZA DEVELOPMENT

### DECIDUOUS TREES



ARMSTRONG MAPLE



VINE MAPLE



CALLERY PEAR



IN SPRING



CORAL BARK MAPLE



IN SPRING

### EVERGREEN TREES

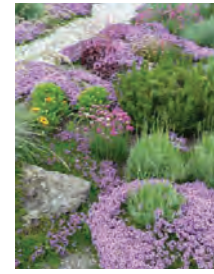


VANDERWOLF PINE



WEEPING ALASKA CEDAR

### GROUND COVER



CREeping THYME



LILY TURF

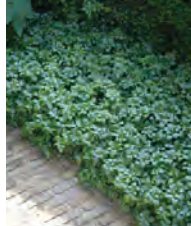
### SHADE PLANTINGS



WESTERN RED CEDAR



WESTERN HEMLOCK



PACHYSANDRA



BUNCHBERRY DOGWOOD

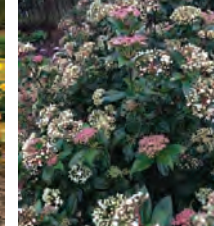
### EVERGREEN SHRUBS



MOUNTAIN LAUREL



HEAVENLY BAMBOO



SPRING BOUQUET VIBURNUM



RHODODENDRON

### SHRUBS + GRASSES



BLUE OAT + LAVENDAR



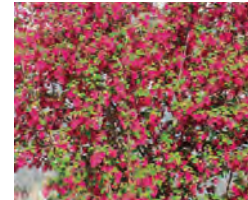
DWARF FOUNTAIN GRASS



MOONLIGHT TICKSEED



RUGOSA ROSE



FLOWERING CURRANT



NINEBARK



## ITEM 4 | ELEVATIONS

### 4. ELEVATIONS

- Provide elevations for all facades for each building including the north facade of the standalone commercial building.

SEE FOLLOWING ELEVATIONS.



## ITEM 4 | SITE PLAN / LEVEL 1 FLOOR PLAN



## ITEM 4 | MATERIALS & ELEVATIONS



^ EAST ELEVATION



^ SOUTH ELEVATION



## ITEM 4 | MATERIALS & ELEVATIONS



^ WEST ELEVATION



^ NORTH ELEVATION

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## ITEM 4 | MATERIALS & ELEVATIONS



^ NORTH OFFICE ELEVATION

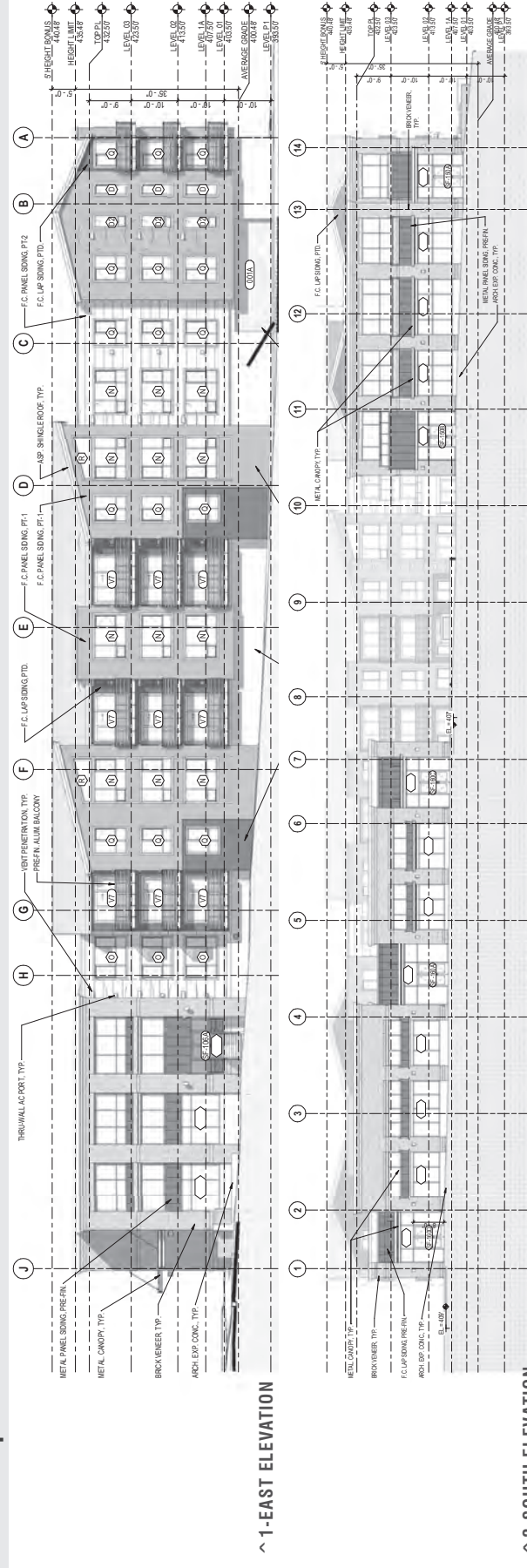


^ EAST OFFICE ELEVATION

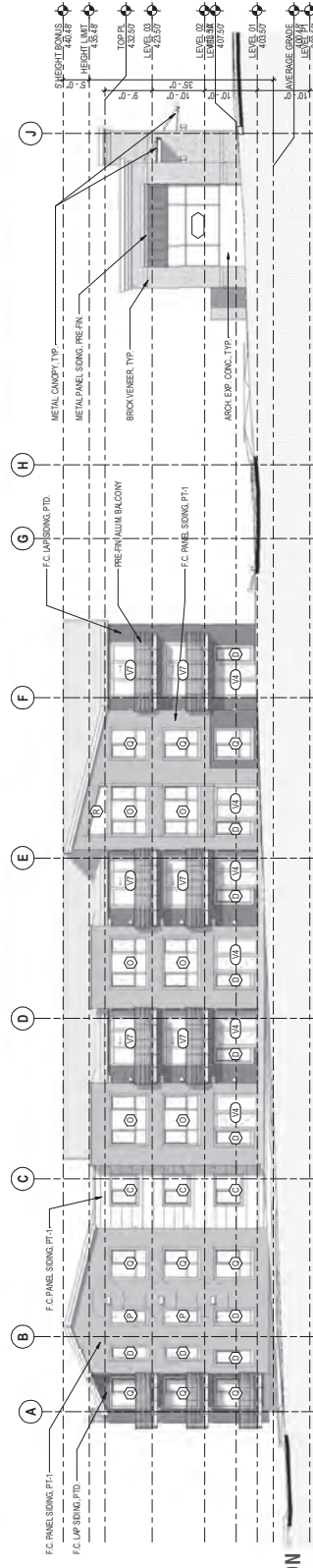


^ WEST OFFICE ELEVATION

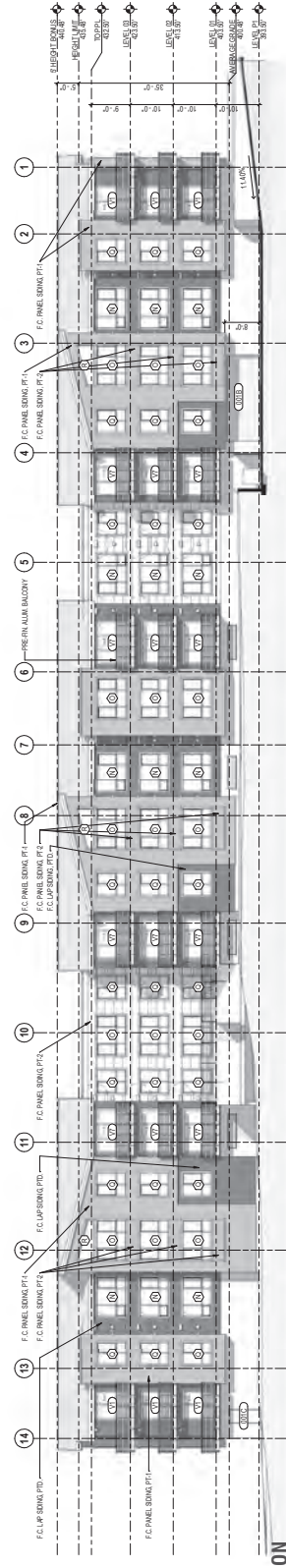




^ 2-SOUTH ELEVATION

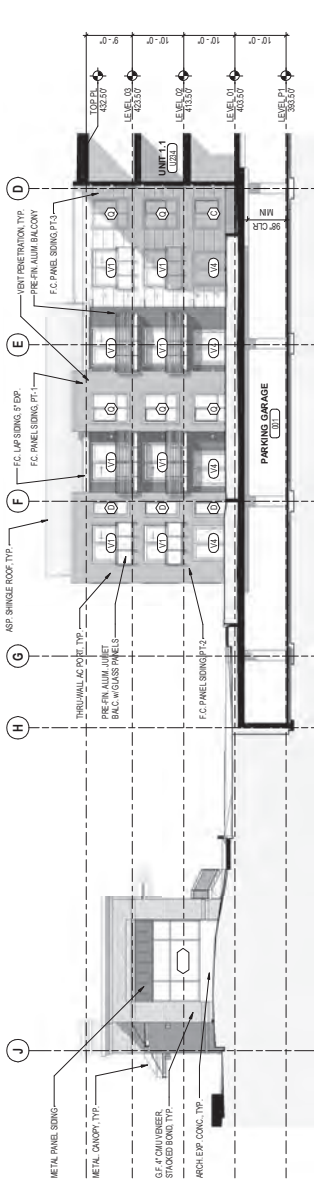


^ 3-WEST ELEVATION

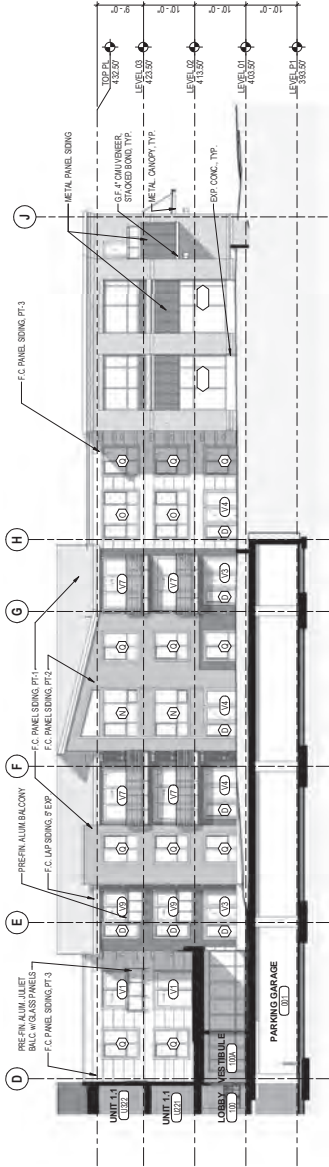


^ 4-NORTH ELEVATION

ITEM 4 | ELEVATIONS



~ 5-EAST COURTYARD ELEVATION



~ 6-WEST COURTYARD ELEVATION



~ 7-EAST COURTYARD INSIDE CORNER ELEVATION

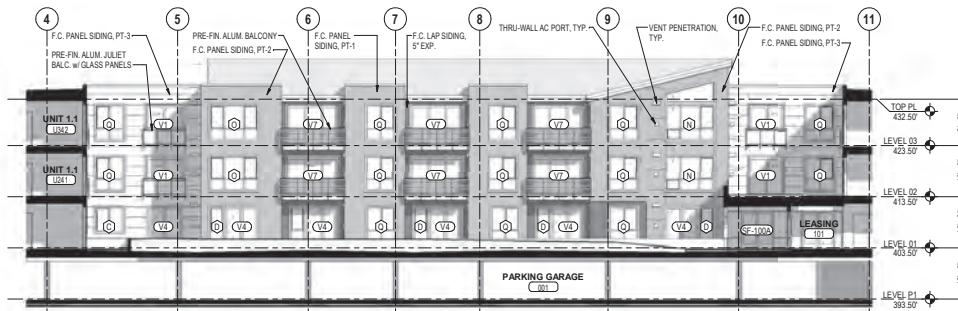
~ 8-WEST COURTYARD INSIDE CORNER ELEVATION



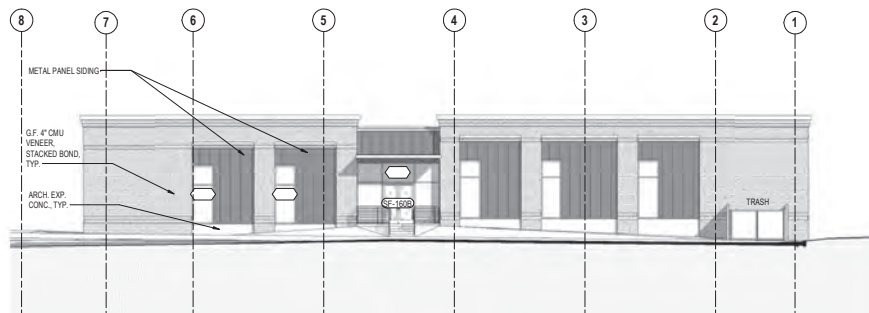
## ITEM 4 | ELEVATIONS



^ 9-SOUTH PARTIAL ELEVATION



^ 10-SOUTH COURTYARD ELEVATION



^ 11-NORTH OFFICE ELEVATION

PELLETIER + SCHAAR ARCHITECTS

## ITEM 5 | SE STREET CORNER

### 5. SE STREET CORNER

- The design of the southeast street corner needs to ensure compliance with Design Guideline 3D.
  - a. The board requested that the lap siding be replaced with a more commercial material
  - b. Include the proposed artwork in elevation drawings.

### DESIGN GUIDELINE #3:

Objective: Encourage all buildings located at or near street corner to incorporate special architectural elements that add visual interest and provide a sense of human proportion and scale. This could include a raised roofline, turret, corner balconies, bay windows, special awning or canopy design, and/or distinctive use of building materials

#### Incorporate entry gateway features in new development on NE 85th St. at 120th AND 132nd

**Avenues.** Gateway features should include the following:

- Distinctive landscaping including an assortment of varieties of roses
- Artwork (e.g. vertical sculpture)
- A gateway sign with the city logo
- Multicolored masonry forming a base for an entry sign
- Decorative lighting elements

3d. Encourage all buildings located at or near street corner to incorporate special architectural elements that add visual interest and provide a sense of human proportion and scale. This could include a raised roofline, turret, corner balconies, bay windows, special awning or canopy design, and/or distinctive use of building materials (see the following examples).

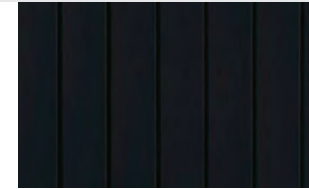


## ITEM 5 | ROSE HILL NEIGHBORHOOD GATEWAY



View of Corner of NE 85th St. & 132nd Ave. NE

## ITEM 5 | MATERIALS & ELEVATIONS



A  
METAL PANEL SIDING  
DARK GREY



B  
MODULAR BRICK  
MUTUAL MATERIALS "PEWTER"



C  
ARCHITECTURAL CONCRETE  
FINE / SACKED FINISH



D  
STOREFRONT  
BLACK ANODIZED

^ PARTIAL ELEVATION @ COMMERCIAL SPACES

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## ITEM 6 | LANDSCAPE, SIDEWALK, AMENITIES

### 6. LANDSCAPE, SIDEWALK, AMENITIES

- Look at a reduction in the width of the landscape strip along NE 85th Street, an increase in the sidewalk width, and including more pedestrian amenities and planters along the building facades. See Design Guideline 10 for ideas.
  - a. Proposed 85th Street public plaza updated and developed with more benches, tables, bike racks and landscaped edges and treatments to enhance the public space and appeal.

### DESIGN GUIDELINE #10:

Provide pedestrian amenities along all sidewalks, interior pathways, and within plazas and other open spaces. Desired amenities include:

- a. Pedestrian-scaled lighting (placed between 12'-15' above the ground).
- b. Seating space. This can include benches, steps, railings and planting ledges. Heights between 12" to 20" above the ground are acceptable, with 16" to 18" preferred. An appropriate seat width ranges from 6" to 24".
- c. Pedestrian furniture such as trash receptacles, consolidated newspaper racks, bicycle racks, and drinking fountains.
- d. Planting beds and/or potted plants.
- e. Unit paving such as stones, bricks, or tiles.
- f. Decorative pavement patterns and tree grates.
- g. Water features.
- h. Informational kiosks.
- i. Transit shelters.
- j. Decorative clocks.
- k. Artwork.

## ITEM 6 | LANDSCAPE MASTER PLAN



- (A) AREA (B) STREET (C) ENTRANCE (D) PEDESTRIAN PATH (E) GARAGE ENTRANCE (F) ART INSTALLATION SPACE (G) LANDSCAPE PLANTING, TREES

### Rose Hill Business District Design Guideline #22:

Continental Divide's landscape planting enhances the visual quality of the urban environment. The site contains pedestrian/auto, pedestrian, and building-oriented landscapes. Pedestrian/auto landscapes focus on robust plantings to protect pedestrians from traffic with street trees, creating a more hospitable environment. The pedestrian landscape emphasizes plant materials that provide color, texture, shape, and year-round interest. Finally, the building landscape serves to compliment the building while screening any faults and maintaining views. Over the site there is a colorful mix of drought-tolerant and low-maintenance plantings including roses in many highly visible locations.

(Design Guidelines for Rose Hill Business District - <https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Rose+Hill+Design+Guidelines.pdf>)

### Land Use Buffer Summary:

The applicant shall provide a 15' wide landscape strip to be planted with trees spaced at a rate of 1 tree every 20'. Deciduous trees are to be 2.5" caliper minimum and coniferous trees are to be 8" minimum in height, and at least 70% of trees shall be evergreen. A mix of various shrubs are to be planted to obtain at least 60% coverage within 2 years.

(KZC 95.42.1 Minimum Land Use Buffer Requirements)

### Landscape plan data:

Types of plantings: The site is composed of a mix of evergreen and deciduous trees, shrubs, and groundcover to provide year-round structure and interest. While various grasses and perennials add seasonal interest and character. A few prominent plants in the proposed landscape plan are: Vine Maple, Vanderwolf Pine, Western Red Cedar, Western Hemlock, Red & Yellow Twig Dogwood, Rugosa Rose, Flowering Currant, Japanese Pieris, Mountain Laurel, Viburnum, Switch Grass, Lavender, Coreopsis, and Creeping Mahonia, among many others.

### Proposed landscape plan by the numbers:

Trees: 119 - Avg. size: 2" cal. / 8' high min.

Shrubs/Grasses: 2,633 - Avg. size: Shrub 5-gal / Grass 2-gal

Groundcover: 2,528 - Avg. size: 4" pot

Total number of plants on site: 5,280

Evergreen tree coverage in 15' buffer (Min. 70% Req.): 87.2%

\*Plant totals represented are approximate and are subject to change\*





## ITEM 7 | PLAZA DEVELOPMENT

### 7. PLAZA DEVELOPMENT

- More development of the plaza area. They would like to see more hardscape and less landscaping in the area north of the bus stop and between the two buildings. See Design Guideline Section 12 for ideas. Blueline to handle considering max impervious surfaces as well.

### DESIGN GUIDELINE #12:

#### Objectives

- To provide a variety of pedestrian-oriented areas to attract shoppers to commercial areas and enrich the pedestrian environment.
- To create gathering spaces for the community.
- To configure buildings and uses to encourage pedestrian activity and pedestrian focal points.

#### Guidelines

- Provide pedestrian plazas in conjunction with nonresidential uses.
- Position plazas in visible locations on major internal circulation routes, close to bus stops, or where there are strong pedestrian flows on neighboring sidewalks. For large sites, development should be configured to create a focal plaza or plazas. Plazas should be no more than 3' above or below the adjacent sidewalk or internal pathway to enhance visibility and accessibility.
- Incorporate plenty of benches, steps, and ledges for seating. A combination of permanent and moveable seating is encouraged. Seating areas should be provided with views of amenities, landscaping elements, or people watching.
- Provide storefronts, street vendors, or other pedestrian-oriented uses, to the extent possible, around the perimeter of the plaza.
- Provide landscaping elements that add color and seasonal interest. This can include trees, planting beds, potted plants, trellises, and hanging plants.
- Incorporate pedestrian amenities, as described in Section 10.
- Consider the solar orientation and wind patterns in the design of the open space and choice of landscaping.
- Provide transitional zones along building edges to allow for outdoor eating areas and a planted buffer.

## ITEM 7 | PLAZA DEVELOPMENT



- (A) PERMEABLE PLAZA (B) BICYCLE RACKS (C) BENCH SEATING (D) BUS SHELTER (E) LANDSCAPE PLANTING (F) PEDESTRIAN AMENITIES



### PEDESTRIAN AMENITIES

The site frontage and plaza along NE 85th creates an active and comfortable pedestrian environment that incorporates many amenities such as various seating options, mixed planting beds of trees, shrubs, and groundcover creating year-round interest, bicycle racks, lighting, varied paving types defining spaces and adding interest, as well as easy access to commercial spaces and public transportation.



## ITEM 7 | PLAZA DEVELOPMENT

### DECIDUOUS TREES



ARMSTRONG MAPLE



VINE MAPLE



CALLERY PEAR



IN SPRING



CORAL BARK MAPLE



IN SPRING

### EVERGREEN TREES



VANDERWOLF PINE



WEEPING ALASKA CEDAR

### GROUND COVER



CREEPING THYME



LILY TURF

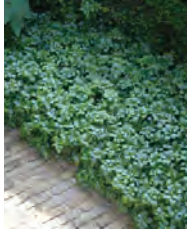
### SHADE PLANTINGS



WESTERN RED CEDAR



WESTERN HEMLOCK



PACHYSANDRA



BUNCHBERRY DOGWOOD

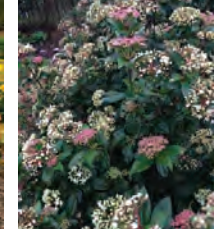
### EVERGREEN SHRUBS



MOUNTAIN LAUREL



HEAVENLY BAMBOO



SPRING BOUQUET VIBURNUM



RHODODENDRON

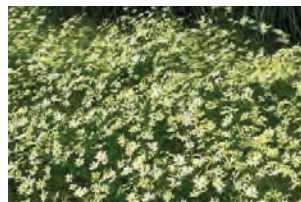
### SHRUBS + GRASSES



BLUE OAT + LAVENDER



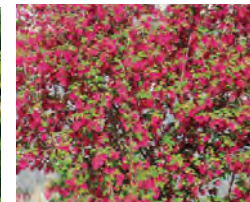
DWARF FOUNTAIN GRASS



MOONLIGHT TICKSEED



RUGOSA ROSE



FLOWERING CURRANT



NINEBARK





## ITEM 8 | COMMERCIAL FACADE DEVELOPMENT

### 8. COMMERCIAL FACADE DEVELOPMENT

- Additional development of the standalone commercial facade to create a superior design to offset the modification request. Ideas include material changes on the parapets and cornice treatments. We recommend looking at the Hectors Building on Lake Street and the Park Lane Public House for some ideas.
  - a. Also address any blank walls on the backside of the building (See Design Guideline Section 8)

### DESIGN GUIDELINE #8:

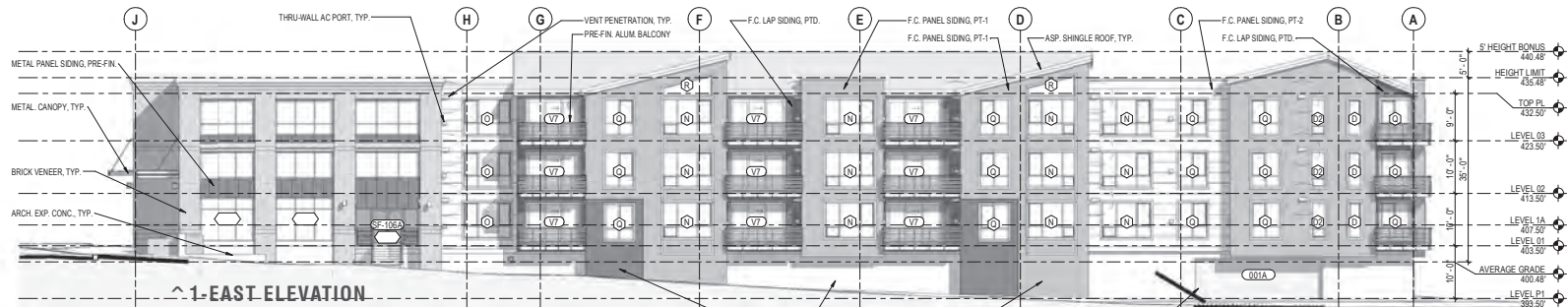
Avoid blank walls near sidewalks, major internal walkways, parks, and pedestrian areas. The following treatments mitigate the negative effects of blank walls (in order of preference):

- a. Configure buildings and uses to minimize blank walls exposed to public view.
- b. Provide a planting bed with plant material to screen most of the wall.
- c. Install trellises with climbing vines or plant materials to cover the surface of the wall. For long walls, a trellis or trellises should be combined with other design treatments to avoid monotony.
- d. Provide artwork on the wall surface.
- e. Provide architectural techniques that add visual interest at a pedestrian scale. This could include a combination of horizontal building modulation, change in building materials and/or color, and use of decorative building materials.
- f. Other treatments may be proposed that meet the intent of the guidelines.

## ITEM 8 | COMMERCIAL FACADES



## ITEM 8 | BLANK WALLS





## ITEM 9 | FINAL PACKET

### 9. FINAL PACKET

- Incorporate any plans that were submitted at the meeting into the final packet.

**FINAL PACKET HAS BEEN COORDINATED.**

## APPENDIX | NW DRIVEWAY SECTION



^ NW DRIVEWAY SECTION

### Tertiary Access to the Site:

- Tertiary egress from parking garage, one way traffic.
- Access only to minor, unclassified street.





**CITY OF KIRKLAND**  
**Planning and Building Department**  
**123 5th Avenue, Kirkland, WA 98033**  
**425.587.3600 ~ [www.kirklandwa.gov](http://www.kirklandwa.gov)**

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## **DEVELOPMENT STANDARDS LIST**

### **FILE: COMTINENTAL DIVID MIXED USE, DRV17-00312**

#### **ZONING CODE STANDARDS**

**95.51.2.a Required Landscaping.** All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City.

**95.52 Prohibited Vegetation.** Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

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

**105.32 Bicycle Parking.** All uses, except single family dwelling units and duplex structures with 6 or more vehicle parking spaces must provide covered bicycle parking within 50 feet of an entrance to the building at a ratio of one bicycle space for each twelve motor vehicle parking spaces. Check with Planner to determine the number of bike racks required and location.

**105.18 Entrance Walkways.** All uses, except single family dwellings and duplex structures, must provide pedestrian walkways between the principal entrances to all businesses, uses, and/or buildings on the subject property.

**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 Walkway Standards.** Pedestrian walkways must be at least 5' wide; must be distinguishable from traffic lanes by pavement texture or elevation; must have adequate lighting for security and safety. Lights must be non-glare and mounted no more than 20' above the ground.

**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.

**105.19 Public Pedestrian Walkways.** The height of solid (blocking visibility) fences along pedestrian pathways that are not directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors. All new building structures shall be setback a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent a public or private street right-of-way. If in a design district, see section and Plate 34 for through block pathways standards.

**105.58 Parking Lot Locations in Design Districts.** See section for standards unique to each district.

**105.65 Compact Parking Stalls.** Up to 50% of the number of parking spaces may be



designated for compact cars.

**105.60.2 Parking Area Driveways.** Driveways which are not driving aisles within a parking area shall be a minimum width of 20 feet.

**105.60.3 Wheelstops.** Parking areas must be constructed so that car wheels are kept at least 2' from pedestrian and landscape areas.

**105.60.4 Parking Lot Walkways.** All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location. Lots with more than 25,000 sq. ft. of paved area must provide pedestrian routes for every 3 aisles to the main entrance.

**105.77 Parking Area Curbing.** All parking areas and driveways, for uses other than detached dwelling units must be surrounded by a 6" high vertical concrete curb.

**105.96 Drive Through Facilities.** See section for design criteria for approving drive through facilities.

**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.

**110.60.5 Street Trees.** All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

**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.

**115.75.2 Fill Material.** All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

**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.

**115.115 Required Setback Yards.** This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.

**115.115.3.g Rockerries and Retaining Walls.** Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.

**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.

***Prior to issuance of a grading or building permit:***

**27.06.030 Park Impact Fees.** New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

***Prior to occupancy:***

**95.51.2.a Required Landscaping.** All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City

**110.60.5 Landscape Maintenance Agreement.** The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way. It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.



## DEVELOPMENT STANDARDS

### DRV18-00312

#### FIRE DEPARTMENT

##### FIRE DEPARTMENT COMMENTS

Contact: Grace Steuart at 425-587-3660; or [gsteuart@kirklandwa.gov](mailto:gsteuart@kirklandwa.gov)

##### ACCESS

The project fronts on 3 rights of way. The distance between 132nd and 131st is approximately 350 feet. The fire department has no additional requirements for vehicular access; access as proposed with a pedestrian pathway across the north side, is adequate. (i.e. a fire lane across the north part of the project is not required).

##### HYDRANTS

2 new hydrants are required to be installed; one on 131st near the northern property line; and one on 132nd, near the northern property line. Both new hydrants as well as the existing hydrant on 132nd shall be equipped with a 5" Storz fitting.

##### FIRE FLOW

Fire flow requirement is based on size of building and type of construction. For a 135,000 square foot building and based on worst case scenario for type of construction (V-1hr); from Table B105.1 of the IFC, the fire flow requirement will be 1,800 gpm.

Fire flow on NE 85th and 132nd Ave NE is 6500 gpm, which is adequate.

However, fire flow on 131st is less than 1,500 gpm due to 4" lines. The fire flow on NE 131st must be improved to at least 1,800 gpm.

##### FIRE SPRINKLERS

A sprinkler system is required to be installed throughout the large building and garage.

A separate permit is required from the Fire Department prior to installation. Submit three sets of plans, specifications and calculations for approval; or submit electronically. All plans shall be designed and stamped by a person holding a State of Washington Certificate of Competency Level III certification. The system shall be installed by a state licensed sprinkler contractor. REF RCW 18.60 State of Washington.

A dedicated sprinkler riser room is required and it shall be placed on an exterior wall. The underground line shall run from the outside directly up into the riser room (meaning, it shall not run under the slab for any distance nor through unheated space which would require the use of heat tape or insulation). If the riser room has direct access from the outside, a PIV is not required. The sprinkler riser room may be used for other mechanical equipment, but not for the main electrical room nor shall it be used for storage; it may be used to house the fire alarm panel.

NOTE: TWO PERMITS are required from the Fire Department for installation of the fire sprinkler system, one for the underground and one for the sprinkler system itself. No work shall be performed on the sprinkler system without a Fire Department permit.

The civil drawings may be used as reference but do not constitute permission to install the fire sprinkler underground. The underground permit is NOT over-the-counter, so should be applied for well in advance of the anticipated date of start of construction.



(If the small office building on the corner of NE 85th and 131st Ave NE is under 5,000 square feet, has no residential component, and it not connected to the underground parking, fire sprinklers are not required in this specific building.)

#### FIRE ALARM

A fire alarm system is required to be installed throughout the large building/garage. A separate permit is required from the Fire Department prior to installation. Submit three sets of plans and specifications for approval; or the permit may be applied for electronically at MyBuildingPermit.com. The system shall comply with Washington State Barrier Free requirements regarding installation of visual devices and pull stations. The specific requirements for the system can be found in Kirkland Operating Policy 10.

(If the small office building does not require a fire sprinkler system ((see above)), then a fire alarm system is also not required.)

#### FIRE EXTINGUISHERS

Portable fire extinguishers are required per Section 906 of the IFC. Travel distance to a fire extinguisher shall not exceed 75 feet as measured along the route of travel.

#### KEY BOX

A Key box is required (Knox Box). It shall be installed in an approved accessible location no higher than six feet above grade. In most cases it will be located at the front entrance to the building. The box may be purchased on-line at [www.knoxbox.com](http://www.knoxbox.com); or by filling out an order form which is available from the Fire Department office. Contact the Fire Prevention Bureau at 425-587-3650 for more information.

#### BUILDING RADIO COVERAGE

This is not a requirement for a radio system per se, only giving information that the building "may" need a radio system because it is not exempted outright from the requirement (via any of the below thresholds). During the construction process, the building shall be evaluated for radio coverage. If it is determined that a radio system is required, a fire department construction permit is required for installation.

IFC 510.1 (KMC amended) Emergency Responder Radio Coverage. All new buildings shall have approved radio coverage for emergency responders within any building meeting any of the following conditions.

1. There are more than five stories above grade plane (as defined by the International Building Code, Section 202);
2. The total building area is 50,000 square feet or more;
3. The total basement area is 10,000 square feet or more;

Exception:

1. Buildings and area of buildings that have minimum radio coverage signal strength levels of the King County Regional 800 MHz Radio System within the building in accordance with Section 510.4.1.

### PUBLIC WORKS DEPARTMENT

#### PUBLIC WORKS CONDITIONS

##### Public Works Staff Contacts

Land Use and Pre-Submittal Process:

Building and Land Surface Modification (Grading) Permit Process:

John Burkhalter, Development Engineer Supervisor

Phone: 425-587-3846 Fax: 425-587-3807

E-mail: [jb Burkhalter@kirklandwa.gov](mailto:jb Burkhalter@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:

- o Water, Sewer, and Surface Water Connection Fees (paid with the issuance of a Building Permit)
- o Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
- o Septic Tank Abandonment Inspection Fee
- o Water Meter Fee (paid with the issuance of a Building Permit)
- o Right-of-way Fee
- o Review and Inspection Fee (for utilities and street improvements).
- o Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s). Any existing buildings within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit and School Impact Fee Credit. This credit will be applied to the first Building Permits that are applied for within the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule. In addition, the Project has a \$35,775 impact fee credit for the land they gave as right-of-way for the NE 85th Street Corridor Improvements Project.

3. Performance and Maintenance Securities:

- There is a standard right of way Performance Security ranging from \$10,000.00 to 30,000.00 (value determined based on amount of right-of-way disruption). This security will be held until the project has been completed.
- Once the Project has been completed there will be a condition of the permit to establish a two year Maintenance Security. Value to be determined.

4. Prior to submittal of a Building or Zoning Permit, the applicant must apply for a Concurrency Test Notice. Contact Thang Nguyen, Transportation Engineer, at 425-587-3869 for more information. A separate Concurrency Permit will be created.

5. After Concurrency has passed a certificate will be issued that will read as follows: CERTIFICATE OF CONCURRENCY: This project has been reviewed and approved for water, sewer, and traffic concurrency. Any water and sewer mitigating conditions are listed within the conditions below. Any traffic mitigating conditions will be found in an attached memorandum from the Public Works Traffic Engineering Analyst to the Planning Department Project Planner. Upon issuance of this permit, this project shall have a valid Certificate of Concurrency and concurrency vesting until the permit expires. This condition shall constitute issuance of a Certificate of Concurrency pursuant to chapter 25.12 of the Kirkland Municipal Code.

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. A completeness check meeting is required prior to submittal of any Building Permit applications.

10. Prior to issuance of any commercial or multifamily Building Permit, the applicant shall provide a plan for garbage storage and pickup. The plan shall conform to Policy G-9 in the Public Works Pre-approved Plans and be approved by Waste Management and the City.

11. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

Sanitary Sewer Conditions:

1. The existing sanitary sewer main within the public right-of-way along the front of the property is adequate to serve all the lots within the proposed project.
2. The following is the status of the Emergency Sewer Program Liens according to our records for each property associated with this development. These Liens will need to be paid off prior to issuance of any permit. Some of these may have been paid off since 2013, but I didn't recheck their status for this meeting.
  - 8525 132nd Ave NE Released
  - 8519 132nd Ave NE Released
  - 8505 132nd Ave NE Lien - \$19,387.06
  
  - 8526 131st Ave NE Lien - \$14,735.44
  - 8520 131st Ave NE Released
  
  - 13104 NE 85th St Released
  - 13112 NE 85th St Released
  - 13112 NE 85th St Lien - \$19,387.06
3. Provide a side sewer stub sized to accommodate the Project.
4. All side sewer stubs serving the property shall be PVC type pipe per Public Works Pre-approved Plans Sanitary Sewer Design Criteria. Any side sewer not meeting this standard shall be removed and replaced.
5. 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 public right-of-way along the front of the subject property is adequate to serve domestic needs, but needs some upgrades to meet fire flow requirements. We will have RH2 model the system to provide a minimum of 2500 gpm in our system adjacent to the Project per Fire Department requirements. The specific area of concern is 131st Ave NE which only has a flow of approximately 1,500 gpm. The results will need to be incorporated into your Civil Design and constructed prior to Building Permit final.
2. Provide water service(s) from the water main to serve the Project; City of Kirkland will set the water meter(s). The water meter size is determined when the Building Permit is submitted and shall be sized per the Uniform Plumbing Code. Residential units typically require ¾" meters, but may be served by one large meter.
3. The existing water service shall be abandoned unless otherwise approved by the Development Engineer or Construction Inspector.
4. In mixed-use projects each use shall have a separate water meter, e.g., 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 (the Manual) and the City of Kirkland Addendum (Policy D-10).
2. To determine the drainage review level required, the target impervious surface area is the maximum allowable lot coverage area for the project, plus any offsite improved impervious areas. See Policies D-2 and D-3 in the Public Works Pre-Approved Plans for drainage review information, or contact Kirkland Surface Water staff at (425) 587-3800 for assistance. The Kirkland Drainage Review Flow Chart is a helpful tool to determine a project's



drainage review level. Drainage review levels are summarized below:

- Full Drainage Review
  - o Any non-residential project that creates more than 2,000 sf of new and/or replaced impervious surface, or greater than 7,000 sf of land disturbing activity will trigger a Full Drainage Review.
  - o For single family residential projects that do not fall under Simplified Drainage Review, they will be a Full Drainage Review.
- 3. If a stormwater detention system is required, it shall be designed to Level 2 standards. Historic (forested) conditions shall be used as the pre-developed modeling condition.
- 4. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater Low Impact Development (LID) facilities per the 2016 King County Surface Water Design Manual. If feasible, stormwater LID facilities are required. If LID is determined to be infeasible, a Surface Water Adjustment is required for the project. Also, if LID is infeasible, pervious pavement cannot be used to reduce overall impervious lot coverage.
- 5. Special inspections may be required for LID facilities on this project. Provide documentation of inspections by a licensed geotechnical professional that the facility will function as designed.
- 6. If the project will create or replace more than 5,000 square feet of new impervious area that will be used by vehicles (PGIS - pollution generating impervious surface). Provide stormwater quality treatment per the 2016 King County Surface Water Design Manual. The enhanced treatment level is required for multi-family residential, commercial, and industrial projects.
- 7. Because this project site is one acre or greater, the following conditions apply:
  - Amended soil requirements (Pre-Approved Plan CK-E.12) must be used in all landscaped areas.
  - If the project meets minimum criteria for water quality treatment (5,000 sf pollution generating impervious surface area), the enhanced level of treatment is required if the project is multi-family residential, commercial, or industrial. Enhanced treatment targets the removal of metals such as copper and zinc.
  - The applicant is responsible to apply for a Construction Stormwater General Permit from Washington State Department of Ecology. Provide the City with a copy of the Notice of Intent for the permit. Permit Information can be found at the following website: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>
    - o Among other requirements, this permit requires the applicant to prepare a Storm Water Pollution Prevention Plan (SWPPP) and identify a Certified Erosion and Sediment Control Lead (CESCL) prior to the start of construction. The CESCL shall attend the City of Kirkland PW Dept. pre-construction meeting with a completed SWPPP.
  - Turbidity monitoring by the developer/contractor is required if a project contains a lake, stream, or wetland.
  - A Stormwater Pollution Prevention and Spill (SWPPS) Plan must be kept on site during all phases of construction and shall address construction-related pollution generating activities. Follow the guidelines in the 2016 King County Surface Water Design Manual for plan preparation.
- 8. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).
- 9. Provide an erosion control report and plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 2009 King County Surface Water Design Manual.
- 10. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted rain event.
- 11. Provide collection and conveyance of right-of-way storm drainage.
- 12. Provide a plan and profile design for the storm sewer system.

13. Provide a 15' wide access easement to the storm detention control manhole; easement must be improved with 10' of asphalt and drainage control to protect against erosion.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts 132nd Ave NE, NE 85th St and 131st Ave NE. These streets are Arterial, Arterial and Neighborhood Access type streets, respectively. 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. 132nd Ave NE Improvements:

- Remove curb, gutter and sidewalk, and install an 8 foot wide buffered bike lane, Type A curb, 4.5' wide planter with street trees 30' on center, and a 5' wide sidewalk. (condition revised after discussions with RJ and JP; 5 foot bike lane to remain with current curb alignment and provide/enhance 8 foot sidewalk with street trees 30 foot on-center in 4x6 tree wells).
- The curb radius at the intersection with 85th may remain as is to maintain the existing 5' wide bike lane.

B. NE 85th Street Improvements:

- Replace and cracked or broken curb, gutter and sidewalk.
- Remove curb cuts and replace curb, gutter and sidewalk accordingly.
- The City of Kirkland is open to exploring the possibility of parallel parking along the NE 85th St frontage and would want to review a comprehensive traffic study before granting any approval. Please contact Thang Nguyen for details of the study requirements. In addition, the following improvements would be required.
  - o Move the face of curb back 8 feet to allow for the parking lane.
  - o Provide a 7 foot wide sidewalk, 6.5 foot wide planter with street trees 30 foot on-center, and pedestrian lighting every 60 feet on-center.
  - o Dedicate sufficient right-of-way to encompass the improvements.

C. 131st Ave NE Improvements:

- Install curb and gutter 18 feet from centerline of right-of-way to face of curb.
- Provide a 4.5 foot planter strip with street trees 30 foot on-center and a 5 foot sidewalk.
- Dedicate 5 foot of right-of-way along the frontage.

2. When three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline, the street shall be overlaid with new asphalt or the existing asphalt shall be removed and replaced per the City of Kirkland Street Asphalt Overlay Policy R-7.

- Existing streets with 4-inches or more of existing asphalt shall receive a 2-inch (minimum thickness) asphalt overlay. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
- Existing streets with 3-inches or less of existing asphalt shall have the existing asphalt removed and replaced with an asphalt thickness equal or greater than the existing asphalt provided however that no asphalt shall be less than 2-inches thick and the subgrade shall be compacted to 95% density.

3. Meet the requirements of the City of Kirkland Driveway Pre-Approved Policy R-4.

- Driveways along 132nd Ave NE and 131st Ave NE shall be located a minimum of 150 feet north of the intersections with 85th measured from the face of curb. The presubmittal documents are not dimensioned so this could not be verified. All driveways will be reviewed during SEPA as part of the traffic and parking analysis.
- No driveways from 85th are allowed.

4. For Multi-family projects, the garage access serving more than 1 unit shall be at least 20 ft. wide. This comment is in reference to any parking garage not individual garages for townhomes that may be requested.

5. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle. See Public Works Pre-approved Policy R.13 for the sight distance criteria and specifications.

6. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.

7. Underground all new and existing on-site utility lines and overhead transmission lines.

8. Underground any new off-site transmission lines.
9. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding by signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, the Public Works Director has determined that undergrounding of existing overhead utility on NE 85th Street, 132nd Avenue NE and 131st Avenue NE is feasible at this time and the undergrounding of off-site/frontage transmission lines should not be deferred with a Local Improvement District (LID) No Protest Agreement.
10. New LED street lights may be required along the 131st Avenue NE and 132nd Avenue NE Project frontages per Puget Power design and Public Works approval. Contact the INTO Light Division at PSE for a lighting analysis. If lighting is necessary, design must be submitted prior to issuance of a grading or building permit.
11. A striping plan for the street must be submitted with the building or grading permit.



**53.80 User Guide – RH 8 zone.**

The charts in KZC [53.84](#) contain the basic zoning regulations that apply in the RH 8 zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

**Section 53.82**


Zone  
RH 8

**Section 53.82 – 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. Development creating four or more new dwelling units that includes lots or portions of lots adjoining 131st Avenue NE or 132nd Avenue NE that are located more than 120 feet north of NE 85th Street shall provide at least 10 percent of the units as affordable housing units as defined in Chapter [5](#) KZC. See Chapter [112](#) KZC for additional affordable housing incentives and requirements.
  3. For structures located within 30 feet of a parcel in a low density zone (or a low density use in PLA 17), KZC [115.136](#) establishes additional limitations on structure size.
  4. On lots that are not abutting NE 85th Street or are not consolidated with at least one lot abutting NE 85th Street, development shall be subject to the permitted uses and regulations in the RSX zone, except that isolated parcels may be developed independently with office use.
  5. If the lot area of the subject property is equal to or greater than 18,000 square feet, maximum building height is 35 feet above average building elevation, except maximum building height is 30 feet within 30 feet of an RSX zone, on lots located more than 120 feet north of NE 85th Street, between 132nd Avenue NE and parcels abutting 131st Avenue NE.
  6. The street level floor of all structures on the subject property shall be a minimum of 15 feet in height. This requirement does not apply to:
    - a. The following uses: vehicle service stations, automotive service centers, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities.
    - b. Parking garages.
    - c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.
  7. Within required front yards, canopies and similar entry features may encroach; provided, that the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure.
  8. Some development standards or design regulations may be modified as part of the design review process. See Chapters [92](#) and [142](#) KZC for requirements.
  9. The Public Works Official shall approve the number, location and characteristics of driveways on NE 85th Street in accordance with the driveway and sight distance policies contained in the Public Works Pre-Approved Plans manual. Taking into consideration the characteristics of this corridor, the Public Works Official may:
    - a. Require access from side streets; and/or
    - b. Encourage properties to share driveways, circulation and parking areas; and/or
    - c. Restrict access to right turn in and out; or
    - d. Prohibit access altogether along NE 85th Street.
- (GENERAL REGULATIONS CONTINUED ON NEXT PAGE)
- (GENERAL REGULATIONS CONTINUED FROM PREVIOUS PAGE)
10. Drive-through and drive-in facilities are not permitted in this zone.
  11. See Chapters [100](#) and [162](#) KZC for information about nonconforming signs. KZC [162.35](#) describes when nonconforming signs must be brought into conformance or removed.
  12. For lighting requirements associated with development see KZC [115.85](#)(2).
  13. Prior to any of the following uses occupying a structure on a property adjoining a residential zone, the applicant shall submit a noise study prepared by a qualified acoustical consultant for approval by the Planning Official:
    - Establishments expected to operate past 9:00 p.m.
    - Retail establishment providing entertainment, recreational or cultural activities.
    - Veterinary offices.
    - Any establishment where animals are kept on site.
    - Establishments involving a large truck loading dock for deliveries.

The study shall verify that the noise expected to emanate from the site adjoining any residential-zoned property complies with the standards specified in KZC [115.95](#)(1) and (2) and WAC [173-60-040](#)(1) for a Class B source property and a Class A receiving property.
  14. A City entryway feature shall be provided on the parcel located at the northwest corner of the intersection of NE 85th Street and 132nd Avenue, or adjacent parcel under common ownership with such parcel. Entryway features shall include such elements as: a sign, art, landscaping and lighting. See Chapter [92](#) KZC, Design Regulations.

[link to Section 53.84 table](#)

## Section 53.84

Zone  
RH 8

## USE ZONE CHART

Section 53.84	<div>USE</div> <div>REGULATIONS</div>	DIRECTIONS: FIRST, read down to find use...THEN, across for 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	Office Use	D.R., Chapter 142 KZC	None	10' adjacent to NE 85th St., otherwise 20'.	0'	15'	70%	30' above average building elevation.  See Gen. Regs. 3 and 5.	A	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.020	Restaurant									E	1 per each 100 sq. ft. of gross floor area.	1. May not be located above the street level floor of a structure. 2. Must be oriented toward NE 85th Street. 3. Gross floor area for each individual use may not exceed 4,000 sq. ft.
.030	Entertainment, Cultural and/or Recreational Facility										See KZC 105.25.	1. Gross floor area for each individual use may not exceed 4,000 sq. ft.
.040	Any 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	1 per each 300 sq. ft. of gross floor area.	1. The following uses are not permitted in this zone: a. Vehicle service stations. b. Automotive service centers. c. Uses with drive-in facilities or drive-through facilities. d. Retail establishments providing storage services unless accessory to another permitted use. e. A retail establishment involving the sale, service or rental of motor vehicles, sailboats, motor boats, recreation trailers, heavy equipment and similar vehicles; provided, that motorcycle sales, service or rental is permitted if conducted indoors. f. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses. g. Storage of parts unless conducted entirely within an enclosed structure.
REGULATIONS CONTINUED ON NEXT PAGE												

REGULATIONS CONTINUED ON NEXT PAGE

Section 53.84	<div>USE</div> <div>REGULATIONS</div>	DIRECTIONS: FIRST, read down to find use...THEN, across for 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						
.040	Any Retail Establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services. (continued)										REGULATIONS CONTINUED FROM PREVIOUS PAGE  2. This use must be oriented toward NE 85th Street and may not be located above the street level floor of a structure except for personal service establishments that provide services involving the care of a person, or of a person's apparel, such as laundry and dry cleaning services, beauty shops, barber shops, shoe repair shops and tailors may be located above the street level floor; provided, that the use of exterior areas adjoining residential uses is prohibited. 3. Gross floor area for each individual use may not exceed 4,000 sq. ft. 4. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if: a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded. 5. Retail establishments selling marijuana or products containing marijuana are not permitted on properties abutting the school walk routes shown on Plate 46.	



## Section 53.84

Zone  
RH 8

## USE ZONE CHART

Section 53.84	<div>USE</div> <div>↓</div> <div>REGULATIONS</div> <div>↓</div>	DIRECTIONS: FIRST, read down to find use...THEN, across for 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							
.050	Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10' adjacent to NE 85th St., otherwise 20'.	0'	15'	70%	30' above average building elevation.  See Gen. Regs. 3 and 5.	A	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. At least 60% of the linear frontage of the property along NE 85th Street shall only include commercial use. The commercial use shall be at the street level floor and oriented toward NE 85th Street. Commercial uses shall have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building along the street). Stacked Dwelling Units are not permitted on the street level floor within 30 feet of the property line along NE 85th Street. The Planning Director or Design Review Board may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and the design of the retail frontage will maximize visual interest. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.	
.060	Assisted Living Facility, Convalescent Center or Nursing Home See Spec. Reg. 1.										Independent unit: 1.7 per unit. Assisted living facility: 1 per unit. Convalescent Center or Nursing Home: 1 per each bed.	1. At least 60% of the linear frontage of the property along NE 85th Street shall only include commercial use. The commercial use shall be at the street level floor and oriented toward NE 85th Street. Commercial uses shall have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building along the street). Assisted Living, Convalescent Center or Nursing Home is not permitted on the street level floor within 30 feet of the property line along NE 85th Street. The Planning Director or Design Review Board may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and the design of the retail frontage will maximize visual interest. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.	
.070	Church										1 per every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to the use.	

## Section 53.84


 Zone  
RH 8

## USE ZONE CHART

Section 53.84	<div>USE</div> <div>REGULATIONS</div>	DIRECTIONS: FIRST, read down to find use...THEN, across for 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						
.080	School, Day-Care Center, Mini-School or Mini-Day-Care Center	D.R., Chapter 142 KZC.	None	10' adjacent to NE 85th St., otherwise 20'.	0'	15'	70%	30' above average building elevation.  See Gen. Regs. 3 and 5.	A	B	See KZC 105.25.	<div>1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</div> <div>2. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</div> <div>3. May include accessory living facilities for staff persons.</div> <div>4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</div> <div>5. For school use, structure height may be increased, up to 35 feet, if:<div>a. The school can accommodate 200 or more students; and</div><div>b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and</div><div>c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan.</div><div>d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.</div></div>
.090	Public Utility											
.100	Government Facility Community Facility								C See Spec. Reg. 1.	<div>1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.</div>		
.110	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review process.										

**Tony Leavitt**

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**From:** Cassandra Stout <sagansjagger@gmail.com>  
**Sent:** Friday, November 22, 2019 10:28 AM  
**To:** Design Review Board; Tony Leavitt; Kurt Triplett  
**Subject:** Public Comment on Continental Divide Project DRV18-00312

To whom it may concern,  
I am a resident of North Rose Hill on 127th Pl NE. I am against the Continental Divide project and would like to appeal it based on the negative impact on my neighborhood and already overcrowded schools. Before approving this project, please consider that the people who live in the North Rose Hill area do not want an apartment building of this scale in their neighborhood.

Thank you,  
Cassandra Stout  
425 442 8067



## Tony Leavitt

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**From:** Dan Xu <xudanusa12345@gmail.com>  
**Sent:** Wednesday, November 20, 2019 12:46 PM  
**To:** Design Review Board  
**Cc:** Tony Leavitt; Adam Weinstein; Kurt Triplett  
**Subject:** Continental Divide Mixed Use project

Dear Design Review Board Members,

My family lives in the house at 8539 132nd Ave NE, which is near the subject property for the Continental Divide Mixed Use project. I have concerns about the severe impact this project could have on our neighborhood. I request your help in mitigating the detrimental effects of this project before it is built.

### Our Architect's Review

My neighbors and I feel so strongly about the proposed project that we commissioned a Design Review Report from architect John Adams of Adams Architecture. Mr. Adams has analyzed the plans, cited specific design guidelines to support his conclusions, and made recommendations to the Design Review Board. Please see Mr. Adams' report in the attachment.

### Ignoring the Board

For a year and a half, the developer for the Continental Divide project has had a dream building in mind and has shown no willingness to compromise. Several Design Review Board meetings were held in 2018 in which the developer repeatedly seemed to ignore the feedback from this board. In the year since, the developer had the zoning code changed for the entire zone around this property so that this one project could be built according to their exact vision. Now we are all a year older, but the developer's unchanged proposals continue to disrespect this board and its purpose.

At the August 2018 meeting, the developer produced the revised design on the day of the meeting. This left no time for the city, the board members, or the community to review it.

Instead of the requested decrease of windows and balconies on the north side, by the developer's own count the current plan has the same number of windows and balconies as it did a year ago.

Despite the board's request, the windows were not made "more residential in nature."

The windows are also not of various types, but instead remain uniform and repetitious.

The project still includes long north and east facades with shallow recesses.

The exterior of the parking garage is still entirely blank walls.

The roofline along 85th is flat and featureless.

Guest and retail parking were not increased. The developer's claim that the businesses will use the spaces only during the day and guests will use them only at night and weekends is erroneous and impractical. No exceptions should be granted based on this claim.

Solar access for adjacent properties was not improved and the solar study has been omitted. The variance for roof height should not be granted because of the solar impact on the properties to the north.

Repeatedly ignoring the feedback of the Design Review Board should not be rewarded with exceptions nor approval of their design.

#### Violations of the Neighborhood Plan

Two violations of the Rose Hill Neighborhood Plan, which specifically apply to the East End, are still not reflected in the current proposal. Please insist that the developer's proposal adhere to the neighborhood plan.

The description of the project states it is "a four story mixed use building" however the Rose Hill Neighborhood Plan limits buildings to three stories by stating, "providing incentives including increased building heights up to three stories" (East End Policies, Policy RH-32). This project cannot have four stories if the limit is three stories.

This project includes a single-story commercial building, however the Rose Hill Neighborhood Plan prohibits such buildings by stating, "Discourage single-story retail buildings" (East End Policies, Policy RH-32). A design which includes a new single-story retail building should not be approved by the Design Review Board.

#### Please Do Not Approve

I am seeking the following solutions and intervention on the Design Review Board's part:

The design for this development should not be approved, because it violates the Neighborhood Plan and does not reflect the feedback from the board.

Upcoming Design Review Board meetings should be cancelled until:

The developer proves this development complies with the Rose Hill Neighborhood Plan.

The developer demonstrates a willingness to respond to requests from board members.

The developer makes concessions to address the concerns of the neighborhood of which this project wants to be a part.

If the developer does not provide a revised plan within the 7 days required by the city code, the corresponding Design Review Board meeting should be cancelled and rescheduled for no less than 30 days in the future. This will allow board members and community members enough time to be informed about the new meeting.

Please do not set a precedent by allowing this huge, out-of-place development in our neighborhood which does not reflect to the board's requests and clearly conflicts with the Rose Hill Neighborhood Plan. Please do what is in the power

of the Design Review Board to help our neighborhood keep its safety, traffic flow, and quality of life. We are counting on you to hear us and make the vital changes necessary before the Continental Divide project is built.

Sincerely,

Guangchang Xu  
Dan Xu

8539 132nd Ave NE,  
Kirkland, WA 98033



**Tony Leavitt**

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**From:** Junyan Lin <junyan\_lin@hotmail.com>  
**Sent:** Monday, November 18, 2019 5:35 PM  
**To:** Design Review Board; Tony Leavitt  
**Subject:** DRV18-00312

To whom it may concern,

My name is Junyan Lin and my house (8535 132nd Ave NE Kirkland WA 98033) is directly to the north of DRV18-00312. It's been a year since last design review meeting for this project and I'm very disappointed to find out that the builder made only minimum changes to their design without addressing one the biggest concerns of the community: negative impacts to adjacent single family residential areas.

According to the Rose Hill Design Guidelines  
(<https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Rose+Hill+Design+Guidelines.pdf>)

#### **5. Building Location and Orientation**

##### **Objectives**

***To encourage development configurations that minimize negative impacts to adjacent single family residential areas.***

##### **Guidelines**

***d. Site and orient multi-story buildings to minimize impacts to adjacent single family residents. For example, if a multistory building is located near a single family property, provide landscaping elements and/or minimize windows and openings to protect the privacy of adjacent homes. Another consideration is to increase upper level building setbacks.***

The builder ignores numerous feedback regarding to the privacy concern of their design. Their building is much taller than the single family houses around and they put a whole wall of windows and balconies facing single family homes. Their only remedy is greenbelt, which can't provide privacy protection for at least 10 years until the trees grow to certain height and density.

Please enforce the Rose Hill Design Guidelines and require the following changes to the north façade:

1. Remove balconies
2. Reduce the number and size of the windows
3. Ideally windows should not directly face single family houses

Best regards,  
Junyan Lin  
8535 132nd Ave NE Kirkland WA 98033

## Tony Leavitt

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**From:** 峰头浪尖 <1049541168@qq.com>  
**Sent:** Monday, November 18, 2019 7:00 PM  
**To:** Design Review Board; Tony Leavitt; Adam Weinstein; Kurt Triplett

Dear Design Review Board Members,

My family lives in the house at 8531 132nd ave ne, kirkland, which is near the subject property for the Continental Divide Mixed Use project. I have concerns about the severe impact this project could have on our neighborhood. I request your help in mitigating the detrimental effects of this project before it is built.

### Our Architect's Review

My neighbors and I feel so strongly about the proposed project that we commissioned a Design Review Report from architect John Adams of Adams Architecture. Mr. Adams has analyzed the plans, cited specific design guidelines to support his conclusions, and made recommendations to the Design Review Board. Please see Mr. Adams' report in the attachment.

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At the August 2018 meeting, the developer produced the revised design on the day of the meeting. This left no time for the city, the board members, or the community to review it.

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The windows are also not of various types, but instead remain uniform and repetitious.

The project still includes long north and east facades with shallow recesses.

The exterior of the parking garage is still entirely blank walls.

The roofline along 85th is flat and featureless.

Guest and retail parking were not increased. The developer's claim that the businesses will use the spaces only during the day and guests will use them only at night and weekends is erroneous and impractical. No exceptions should be granted based on this claim.

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Repeatedly ignoring the feedback of the Design Review Board should not be rewarded with exceptions nor approval of their design.

#### Violations of the Neighborhood Plan

Two violations of the Rose Hill Neighborhood Plan, which specifically apply to the East End, are still not reflected in the current proposal. Please insist that the developer's proposal adhere to the neighborhood plan.

The description of the project states it is "a four story mixed use building" however the Rose Hill Neighborhood Plan limits buildings to three stories by stating, "providing incentives including increased building heights up to three stories" (East End Policies, Policy RH-32). This project cannot have four stories if the limit is three stories.

This project includes a single-story commercial building, however the Rose Hill Neighborhood Plan prohibits such buildings by stating, "Discourage single-story retail buildings" (East End Policies, Policy RH-32). A design which includes a new single-story retail building should not be approved by the Design Review Board.

#### Please Do Not Approve

I am seeking the following solutions and intervention on the Design Review Board's part:

The design for this development should not be approved, because it violates the Neighborhood Plan and does not reflect the feedback from the board.

Upcoming Design Review Board meetings should be cancelled until:

The developer proves this development complies with the Rose Hill Neighborhood Plan.

The developer demonstrates a willingness to respond to requests from board members.

The developer makes concessions to address the concerns of the neighborhood of which this project wants to be a part.

If the developer does not provide a revised plan within the 7 days required by the city code, the corresponding Design Review Board meeting should be cancelled and rescheduled for no less than 30 days in the future. This will allow board members and community members enough time to be informed about the new meeting.

Please do not set a precedent by allowing this huge, out-of-place development in our neighborhood which does not reflect to the board's requests and clearly conflicts with the Rose Hill Neighborhood Plan. Please do what is in the power of the Design Review Board to help our neighborhood keep its safety, traffic flow, and quality of life. We are counting on you to hear us and make the vital changes necessary before the Continental Divide project is built.



Sincerely,

Gailian Qin

8531 132nd ave ne, kirkland

## Tony Leavitt

---

**From:** Diana Moore <Diana@TheBestAgent4U.com>  
**Sent:** Saturday, November 16, 2019 12:43 PM  
**To:** Design Review Board; Tony Leavitt; Adam Weinstein; Kurt Triplett  
**Subject:** Public Comment on Continental Divide Project DRV18-00312  
**Attachments:** Continental Divide\_Design Review Report\_Adams Architecture\_20181129.pdf

Dear Design Review Board Members,

Please read my added info at the end. I also agree with Mary Vax's letter. Thank you for your consideration.

My family lives in the house at 13022 NE 87<sup>th</sup> St which is 4 houses from subject property just off 131st Ave NE, for the Continental Divide Mixed Use project. I have concerns about the severe impact this project could have on our neighborhood. I request your help in mitigating the detrimental effects of this project before it is built.

### Our Architect's Review

My neighbors and I feel so strongly about the proposed project that we commissioned a Design Review Report from architect John Adams of Adams Architecture. Mr. Adams has analyzed the plans, cited specific design guidelines to support his conclusions, and made recommendations to the Design Review Board. Please see Mr. Adams' report in the attachment.

### Ignoring the Board

For a year and a half, the developer for the Continental Divide project has had a dream building in mind and has shown no willingness to compromise. Several Design Review Board meetings were held in 2018 in which the developer repeatedly seemed to ignore the feedback from this board. In the year since, the developer had the zoning code changed for the entire zone around this property so that this one project could be built according to their exact vision. Now we are all a year older, but the developer's unchanged proposals continue to disrespect this board and its purpose.

- At the August 2018 meeting, the developer produced the revised design on the day of the meeting. This left no time for the city, the board members, or the community to review it.
- Instead of the requested decrease of windows and balconies on the north side, by the developer's own count the current plan has the same number of windows and balconies as it did a year ago.
- Despite the board's request, the windows were not made "more residential in nature."
- The windows are also not of various types, but instead remain uniform and repetitious.
- The project still includes long north and east facades with shallow recesses.
- The exterior of the parking garage is still entirely blank walls.
- The roofline along 85th is flat and featureless.
- Guest and retail parking were not increased. The developer's claim that the businesses will use the spaces only during the day and guests will use them only at night and weekends is erroneous and impractical. No exceptions should be granted based on this claim.
- Solar access for adjacent properties was not improved and the solar study has been omitted. The variance for roof height should not be granted because of the solar impact on the properties to the north.
- Repeatedly ignoring the feedback of the Design Review Board should not be rewarded with exceptions nor approval of their design.

## Violations of the Neighborhood Plan

Two violations of the Rose Hill Neighborhood Plan, which specifically apply to the East End, are still not reflected in the current proposal. Please insist that the developer's proposal adhere to the neighborhood plan.

- The description of the project states it is "a four story mixed use building" however the Rose Hill Neighborhood Plan limits buildings to three stories by stating, "providing incentives including increased building heights up to three stories" (East End Policies, Policy RH-32). This project cannot have four stories if the limit is three stories.
- This project includes a single-story commercial building, however the Rose Hill Neighborhood Plan prohibits such buildings by stating, "Discourage single-story retail buildings" (East End Policies, Policy RH-32). A design which includes a new single-story retail building should not be approved by the Design Review Board.

## Please Do Not Approve

I am seeking the following solutions and intervention on the Design Review Board's part:

- The design for this development should not be approved, because it violates the Neighborhood Plan and does not reflect the feedback from the board.
- Upcoming Design Review Board meetings should be cancelled until:
  - The developer proves this development complies with the Rose Hill Neighborhood Plan.
  - The developer demonstrates a willingness to respond to requests from board members.
  - The developer makes concessions to address the concerns of the neighborhood of which this project wants to be a part.
- If the developer does not provide a revised plan within the 7 days required by the city code, the corresponding Design Review Board meeting should be cancelled and rescheduled for no less than 30 days in the future. This will allow board members and community members enough time to be informed about the new meeting.

Please do not set a precedent by allowing this huge, out-of-place development in our neighborhood which does not reflect to the board's requests and clearly conflicts with the Rose Hill Neighborhood Plan. Please do what is in the power of the Design Review Board to help our neighborhood keep its safety, traffic flow, and quality of life. We are counting on you to hear us and make the vital changes necessary before the Continental Divide project is built.

### My Personal Added Information:

I would add that since the homes at this building site have been torn down coyotes can come over from the raven on 132<sup>nd</sup> Ave NE very easily. It is now an open area to come through. A coyote came through this opening and killed a beloved cat & family member right on my front lawn! She was survived by a young cat & a dog that loved having her as a member of the family. So sad!

My other concern is that this building does not at all follow the city plan as written in regards to the residential homes. The families have **one** way out & **one** way in & that is onto the very busy NE 85<sup>th</sup> St. We don't need more traffic on this street & especially right in front of us, hampering our already difficult means to get out. The street (131<sup>st</sup>) is not even marked & a car may go up to the street to turn left, but block the right hand turn. There needs to be a line. I asked the city for this years ago, but was ignored. Plus the last time they re-did NE 85<sup>th</sup> st, they made it even more difficult for us to make a left hand turn. They made a longer turn lane (barriers) onto 132<sup>nd</sup> so for us to pull into the middle lane to wait for an opening to go all the way over, it is much harder to get to the middle and avoid the barrier. When it is wet the street glares, making visibility difficult. Once you get to the middle & try to get your car parallel, so as not to get hit by oncoming traffic, you have to turn your neck all the way back to see just to merge over. For me, I have constant neck

issues & this is very bad for me. But now I have no choice because of how the city set it up. I have asked before for the city & board members to drive this street after 3pm on any given day from my street, to see for yourself. You can try 11:15 am on a Sunday where the left turn is backed up for a mile with people waiting to turn left to go to the church. They act like they can't see you & nobody lets you in. The only thing you can do is turn right & go around the block. This project is going to make all of this congestion so much worse. I'm quite sure my neighborhood will not be as safe & my property values will go down because of lack of access to getting in & out of the neighborhood. Since there will not be enough parking for this project my street will be full of cars parked everywhere as well. Since there are no sidewalks or curbs neighbors landscaping will be damaged. The children will no longer be safe to play in the street anymore. The city will not give us a variance requiring only residing residences can park here. The current business at the end of the block already take up several parking spots on 131st. This is only going to escalate. So far nothing has been done to give the current residences a single thing. Nothing. The builder gets everything they want & they are now sending letters to everyone asking to buy their homes. I'm sure they see the entire neighborhood going commercial.

Warm Regards,

*Diana Moore*

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27 November 2018

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The Rose Hill Community Group  
info@comingtokirkland.com

Re: Continental Divide Mixed Use Project - DRV18-00312

Dear Rose Hill Community Group:

At your request, I have reviewed the "Continental Divide" mixed-use project, City of Kirkland project #DRV18-00312. The documents I have reviewed are the latest versions of documents posted on the internet including:

Continental Divide Mixed Use Project DRB Meeting Packet 07022018 - DRV18-00312.pdf

Design Guidelines for Rose Hill Business District, The City of Kirkland, Jan. 3 2006

The scope of my review has been limited to the compliance of the project proposal with the City of Kirkland design guidelines for the Rose Hill Design District. In particular, the site is located within the "East End" district of the Rose Hill neighborhood. This East End portion of the design area is intended to be the lowest scaled and least intensely developed of the areas in Rose Hill. Issues relatedly directly to the Land Use code such as parking and building height are not within the purview of this review.

My comments below are organized in the same order as the design guidelines are listed. In the document references below "DG" is the "Design Guidelines for Rose Hill Business District" and "DRB Packet" is the "Continental Divide Mixed Use Project DRB Meeting Packet 07022018".

Page numbers are just noted as p.5 or pp. 5-6. Specific sections of the Design Guidelines are referred to by the outline labeling; so section "5." paragraph "c" will be noted as "DG 5c".

### Introductory Sections

The Design Guidelines are consistent in suggesting that smaller scale development is appropriate at the "East End" portion of the Rose Hill District (DG pg. 7). The guidelines also suggest that new developments are "residential in character" and suggests that the "conversion of single-family homes" is an example of a properly scaled development. The proposal as presented is instead almost a "superblock" development with a massive single floor plate hidden behind a series of "western storefront" facade elements. This is clearly shown in the application's design parti diagrams (DRB Packet p. 10) showing a large c-shaped massing with "assembled pieces" shown dropping into place.



The guidelines go on to predict property consolidation but still refer to a “mix of storefronts” and “multi-stories buildings” implying a collection of smaller scale residential and commercial buildings. It is clear from DG Figure 18 and Figure 32 that the intent for the entire Rose Hill District is to front each street block with two or even three buildings. This would be especially applicable at the East End portion of the district where smaller scale building with less density is desired. Except for a mid-block break for the 85th Street plaza, the remaining facades are almost monolithic in their presentation to the neighboring sites (pp. 13-14 DRB Packet).

### 1. Entry Gateway Features

The design guidelines call for a unique landscaping treatment at the gateway corners of Rose Hill (DG 1a). No discernible “distinctive landscaping” with a rose garden or other distinctive soft-scape elements are visible.

The guidelines also call for an artwork element which is not shown (DG 1b). The southeast corner of the project has a masonry element shown, but it does not appear to be a monument sign nor an architectural “gateway element”. It is crowded by the massing of building directly behind it and is not unique as there is a copy of this element at the west end of the project. It also appears that the element is under-scaled as it is barely visible in the context of the building (DRB Packet p.8).

It is also unclear if the element is the same or different material as the building (see image on p35 vs p32 DRB Packet). Finally no gateway sign with City logo is visible or not sufficiently documented to understand (DG 1c, 1d).

No lighting is shown and needs to be submitted for review (DG 1e).

### 2. Street Trees

The street trees required by Section 2 of the design guidelines are not documented clearly as trees in the ROW and on the private property are simply shown as graphic elements without species callouts, planting information, tree grates, etc.

It is hard to tell if trees represent a unifying element as called out in Design Guidelines 2b.

### 3. Street Corners

There does not seem to be any discernible strategy to organize the corner of the building to emphasize the gateway quality of the eastern intersection. Statements made on p8 of DRB Draft Packet are not consistent with the images presented on the same page.

Design guidelines 3a, 3c, 3d suggest the following options (DG p10):

**Design treatments that emphasize street corners** (DG 3a). - These are not apparent in the proposal. The aspects suggested by the applicant (DRB Packet p8) are neither recognized treatments by the design guideline nor unique to the corner design which is



intended to be “distinctive” and “special”. (DG 3a 3c 3d). Also, no signage program either for the development or gateway element is shown. (DG 3A, DG 1c)

**Plaza spaces** (DG 3a) - No plazas are present at the corner in fact the corner feels crowded and not a good place for pedestrian gathering.

**Special landscaping elements** (DG 3c) These are not visible in DRB presentation. There is also no indication how seasonal interest will be provided. The applicant should prepare a planting diagram indicating plants species and which softscape elements will add seasonal interest in all four seasons.

The guidelines also call for visual interest, sense of proportion and human scale. (DG 3d) Suggestions include:

**Raised Roof Line** - roof line is not raised instead it is a continuation of the residential wing's roofline.

**Turret** - no typical corner type architectural element is present

**Corner Balconies** - a rooftop terrace is proposed but it is hidden behind a parapet wall

**Special Awning** - no awning or canopies are proposed at corner entry. Instead the entry is simply recessed under the parapet above. This treatment is repeated at all the commercial entries along 85th making the corner element totally indistinct from the other storefronts. Awnings that are proposed adjacent to the corner entry are exact copies of other awnings on building and are not sufficiently scaled to be identifiable as a special element.

**Distinctive Building Materials** - No special materials are suggested, just a repeat of the CMU and fiber-cement offered everywhere else on the project.

It should be noted that it is unfortunate that the public plaza has been placed at mid-block instead of at the corner. While the plaza is a good design feature, the design proposal has missed the opportunity to “hit two birds with one stone” and create the entry gateway element carefully described in the design guidelines and provide a successful urban gathering space. Figures 8 and 17 of the Design Guideline shows clearly how this can be accomplished. A much smaller corner building uniquely scaled and clearly differentiated from the adjoining residential bar could potentially better address these issues.

#### 4. Pedestrian-Friendly Building Fronts

The applicant is seeking a zoning code departure from KZC 53.84 to reduce the front setback suggesting a Pedestrian-Oriented Facade along 85th to compensate. However, the application is not meeting the intent of such a facade design as they are blocking the facade with a landscape strip, not relocating and/or widening the sidewalk and therefore keeping pedestrians away from the facade. This design compromises both approaches as a smaller planting strip is created, as opposed to the width suggested by the property setbacks and in Figures 15 and 16 of the Design Guidelines. Additionally,



the awnings provided do nothing for the pedestrian because they are located over the planting beds. The design clearly does not meet the intent of a pedestrian-oriented facade (DG figure 19) and the departure should not be granted on this basis.

## 5. Building Location and Orientation

Section 5 of the design guidelines address multi-story buildings adjacent to single-family residents (north, east, and west of the site in particular). Several suggestions were not incorporated into the design including, minimizing windows to protect privacy and increasing upper-level building setbacks.

It would also stand to reason that breaking the building up into smaller buildings on the site would also encourage the type of scale that would “minimize negative impacts to adjacent single-family residential areas” (DG 5 Objectives) and “Locate and orient building toward streets, **plaza or common open space, and major internal pathways** (emphasis mine) (DG 5a). The “super-block” aspect of the massing does not support the type of development suggested in Section 5 of the Design Guidelines. The mass and bulk of the design is made more imposing by the fact that the building has not been set back at any of the upper levels overlooking the residential neighbors.

The height and width of the unbroken mass of building render is totally out of scale with anything in the East End district if not within the whole of the Rose Hill Design District.

## 6. Sidewalk And Pathway Widths

Documents indicating that the sidewalks existing adjacent to the site are sufficient to meet the design guidelines were not available for review.

No “curb zone” is suggested or documented per DG 6a and 6b. This should be documented in the application.

A cross-section through these facades out to the roadway would be appropriate to validate if the guidance of DG Section 6 is being met.

## 7. Pedestrian Coverings

Very few functional pedestrian coverings are provided. Generally, the only pedestrian weather protection offered are roof overhangs directly above individual doorways. This may be appropriate for the design as it is further developed. But as presented, and as noted above, the opportunity for true pedestrian coverings in the form of awnings was missed when the applicant planted the facades. The metal awnings provided at the storefronts serve only to shade the glass (desirable) and the planting areas below (undesirable).

## 9. Lighting

Proper lighting plans or design were not available for review. Applicant should be required to submit an exterior lighting design for review by the DRB.





## 11. Interior Pedestrian Connections

As has been noted several times already the large block wide “superblock” type of structure presents a massive facade fronting the adjoining neighbors. In addition, it prevents the interior pedestrian connections envisioned by the design guidelines (see DG figure 32).

## 16. Architectural Style

DG 16b specifically encourage projects in the East End to adopt common residential styles, arguably low slung ranch-style house with shallow gable or hip roofs. The repetitive shed roofs set on highly vertical facade modulation bays is not in keeping with these types of homes.

In addition, very few opportunities to relate to human scale are offered on the east or west facade as there are few grade level doors, stoops, or porches; items that typically give large residential developments a more human scale. The location of the bottom level parking garage has the effect of creating long sections of blank facades along the east elevation.

## 17. Architectural Scale

The residential facades facing the surrounding neighborhood seem especially tall. This is emphasized by the proposal the break up the face into many vertical “assembled pieces” (DRB Packet p. 10). While this type of facade modulation is helpful, without a balanced amount of horizontal facade modulation the vertical breakup makes the project feel very tall. A more thoughtful approach to differentiating floors by changing the fenestration sizes and patterns, changing materials at upper levels, upper level set backs etc. should be considered to more effectively mitigate the apparent height of the building.

DG 17a suggests limiting the size of fenestration to 35 square feet (sf). A standard 6’x7’ double entry door would exceed this criterion.

As can be seen on the application (DRB Packet pp. 13-14) there are many windows well in excess of the size of the double entry doors. While the guidelines also call for a good deal of transparency facing 85th, the application shows a fenestration pattern and scale more typical in an office or large commercial building. In other words, the intent of the design guidelines is to encourage many, smaller “punched openings” and discourage larger “walls of glass” seen in more contemporary and larger scale buildings. The project proposed is in conflict with this intension.

Several of the windows in the residential section of the project also seem to be larger than 35sf but it is difficult to tell for sure with the application materials available.

Please see also the related discussion above to architectural scale under 5. Building Location and Orientation

## 18. Human Scale

On the commercial frontage, the size of the glazing and tall parapet wall combine to make the project feel scale-less. Few mitigating elements are present. Suggestions of these mitigating elements include arcades, balconies, bay windows, trellis, landscaping, awnings, cornices, friezes, art concepts, and courtyards (DG 18a).

Since the awnings do not cover pedestrians (as discussed above) only the landscape areas and the courtyard serve to help mitigate scale. However, these will be kept cut low as requested by the City and there will do less to mitigate the scale of the facades.

The elevations as presented (DRB Packet pp. 13-14) do not have scale figures placed in the drawings. This makes it difficult for reviewers to judge the scalar qualities of the building. Never-the-less given to apparent height of the glazing and tall parapet wall, lack of mitigating elements, and the fact that almost all of the entries seemed raised above the sidewalk, it is my opinion that the project does not have a desirable human scale as suggested in section 17b of the Design Guidelines.

The applicant should provide rendered elevations and perspective views with properly scaled human figures to better evaluate the human scale of the proposal.

## 19. Building Details and Materials

In reviewing page 12 of the DRB Draft Packet, it is unclear where building materials are located. In particular the two tan colors of fiber-cement siding vs fiber-cement panels.

The design guidelines section 19 suggests limiting the use of "concrete block, metal siding, stucco or similar materials..." (DG19c). Almost the entire project is made up of concrete block and fiber-cement panels (which is visually similar to stucco or EIFS). No natural brick, stone, timber, metal or other "quality building materials" are present as suggested in DG 19b and DG 9-Objectives.

No ornament nor any particular emphasis on "highlighting building features such as doors..." (DG 19a) is apparent in the design. Doors, for example, are for the most part incidental panels in a large storefront facade. These storefront doors are set deep into the building de-emphasizing them even more.

## 20. Signs

A visual representation of the signage program is missing. The large open expanses of concrete block parapet facing 85th suggest that an uncontrolled, mixed-bag of surface mounted tenant signs will be installed. Pedestrian-oriented blade signs do not seem possible with this design as suggested by DG 10a (for pedestrian-oriented facades).

Given the size of this project, the signage would ideally be combined together into a shared signage program integrated with the architecture as suggested in DG 20e. That suggestion does not seem to be considered in the application materials reviewed.



## Conclusion

The design guidelines seemed to anticipate that a project of larger scale than the current development density was inevitable. (DG p.7) However, the overall intent of the East End sub-district was to maintain lower scaled building, to emphasize a residential and small-business character (DG Fig. 3) and provide "a setting compatible with the surrounding residential uses" (DG p. 3). Several primary issues conspire to make this project, as designed, inappropriate for the site. These include:

**Huge floor plate and building bulk.** The project size dwarfs any other building footprint in the area creating a "superblock" feel to the proposal and creating a cascade of other design problems relating to the design guidelines include scale parity with neighboring houses, lack of interior connections, and missing human scale. This is exasperated by the number of stories proposed which is not addressed directly in the Design Guidelines but should be noted here due to the impact of the overwhelming sense of bulk that the project presents.

**Total lack of a gateway aspect to the design.** The very small corner arch element made out of concrete block seems totally dwarfed by the building that is crowding it at the corner. The building itself offers almost no clue to the pedestrian or driver that they are entering the Rose Hill Neighborhood or the City of Kirkland.

**Conflicted approach to the facades facing 85th.** The facades are neither pedestrian-friendly nor set back far enough to meet code and provide a large landscape buffer. The scale of the facade is not human-scaled and the awnings on the facade are too small and inaccessible to be of any value urbanistically.

Numerous other issues, such as material choices, further make the proposal out of step with the design guidance provided by the City of Kirkland. As the very real gateway project to Kirkland the project should, as much as any other proposal, meet the primary design objective of the district which includes "Ensure that new developments meet high standards building and site design." (Design Guidelines pg. 2, "Design Objectives")

I hope these observations help you understand the building proposal in front of you and give positive suggestions to help address your concerns. If you have any questions or comments on the above please do not hesitate to contact me.

Sincerely,

John H Adams, AIA

## Tony Leavitt

---

**From:** Susan Davis <SusanDavis@live.com>  
**Sent:** Monday, November 18, 2019 11:42 AM  
**To:** Tony Leavitt; Design Review Board  
**Subject:** Public Comment on Continental Divide Project DRV18-00312

Hello Design Review Board,

My family lives on North Rose Hill which is near the subject property for the Continental Divide Mixed Use project. I have concerns about the severe impact this project could have on our neighborhood. I request your help in mitigating the detrimental effects of this project before it is built. The developer and architect have repeatedly ignored the feedback of the Design Review Board should not be rewarded with exceptions nor approval of their design. The design has way too many large windows and balconies on the north side looking over the single family homes. The building's parking garage access is too close to single family homes (encroachment per required buffer). The neighborhood plan for RH8 allows buildings up to three stories. This is a four story mammoth of a building right next to small single family homes.

The developer and architect are using the elevation changes of the property to create a larger and taller building than should be allowed by having a single story building on the south side and another single story building attached to the 4 story building so ABE height calculation can be gamed. The building of this size was never intended for this area. They are not following our RH8 neighborhood plan with avoid single story buildings because they need the elevation so they can bulk up the 4 story building.

Some design items that need to be followed based on this design document

<https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Rose+Hill+Design+Guidelines.pdf>

The area this project is located in is the "east end". Per the design guidelines "the East End, between 128th Avenue NE and the eastern city limits at 132nd Avenue NE, will feature smaller scale businesses and mixed-uses in a setting compatible with surrounding residential uses"

I do not think the following design guidelines are being followed:

"Create effective buffers and transitions between commercial and multi-family land uses and the established residential neighborhoods to the north and south."

"Site and orient multi-story buildings to minimize impacts to adjacent single family residents. For example, if a multistory building is located near a single family property, provide landscaping elements and/or minimize windows and openings to protect the privacy of adjacent homes. Another consideration is to increase upper level building setbacks."

"To encourage development configurations that minimize negative impacts to adjacent single family residential areas. "

"Encourage buildings in the East End to utilize architectural styles common to neighboring residential areas. This includes gabled roofs, front porches or covered entries, and fenestration patterns that relate to adjacent single family homes."

"Maintaining public views and enhancing natural land forms is an important value to the design character of Kirkland. The scale relationships of built forms to their terrain should minimize visual barriers to views and lessen the impact on surrounding neighborhood"

Thank you, Susan



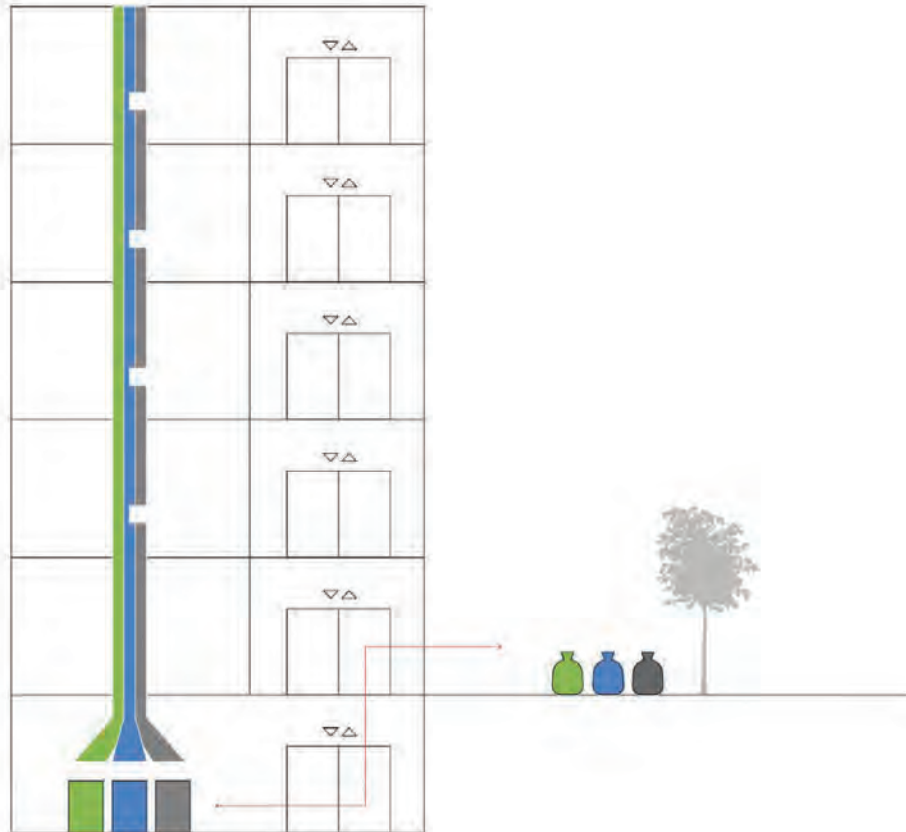
Dear Members of the Review Board,

I am Rajesh Kodali. the owner of the single family residence at 8534 131st ave NE. My wife, Jaya, two daughters, Srinidhi, 6 years old and Srinithya, 3 years old and I reside there. I am a Sr.DevOps Engineer at Maven Coalition Inc. My daughter attends Mark Twain Elementary.

I oppose the proposed design of the Continental Divide development, located at the corner of NE 85<sup>th</sup> St and 132<sup>st</sup> Ave NE, Continental Divide Project, permit DRV18-00312. I am most concerned for threats to my family's health, safety, privacy, and adverse impacts to my family's most valuable asset, our home. This project, if approved as proposed, will adversely affect our family a great deal. Here are the design concerns I have.

**Garbage bin next to my property:**

I am totally flabbergasted by the idea of locating garbage collection for 134 apartments and all the retailers from the new construction 15-50 feet from my property. I cannot accept the sanitary conditions (increased disease, pest infestation, foul odors) that come with locating huge dumpsters so close to my property. I wonder if the designers or members of the Merit Homes team would welcome those kinds of changes so close to their residences. All the modern apartment complexes I have lived in had underground garbage collection points which were moved out into the alley during the days of pickup. Why doesn't the City of Kirkland incorporate these best practices to all the new apartment complexes? I propose the design review board recommend chute boxes on each floor that feeds to the underground parking lot trash room.



### Garage Door:

There is a huge garage door proposed **fifteen feet** from my property. The increased traffic, noise and nuisance present real threats to my family's safety, health and privacy. The proposed design more than quadruples the number of vehicles on our quiet neighborhood street. With that traffic comes pollution, increases in encounters with persons who do not share the pride of ownership fostered in this neighborhood for decades, and noise from those coming and going late into the night.

I do not accept the city variance as my family is directly impacted by the decision. We lived in an apartment before and had sleep issues while we were living near garage doors even with double pane windows in the apartment. On doctor's orders, we had to move to a different part of the apartment. I do not want to revisit those same health issues again. The property I own was built in the 1960's and it is not very sound-proof. It hasn't needed to be as we are surrounded by quiet neighbors. I do not have money or time to retro-fit the property. I plead design review board to not accept the proposed design with the garage opening in the north of the property, 15 feet from my property.

### **Shadows from the building:**

The solar report that clearly shows my home will be in shadows for majority of hours for many months which make my property totally deprived of natural light. I am not totally sure if the solar study took into consideration that the property is almost 5 feet higher in elevation than my property. Which means Vitamin-D deficiency for all our family. All the 20-30 year old fruit bearing trees might be dying soon after the apartment construction. No more vegetables and fruits that I grow in my property. There is also huge implication to the solar installation and financial loss over the lifespan of the solar panels.

My property has solar panels installed in the year 2016 and <https://permitsearch.mybuildingpermit.com/PermitDetails/ESF16-02495/KIRKLAND> is the permit from the City for the installation. This is permitted by the City of Kirkland and an investment of \$15000 is made towards the project. The installation generates enough power to cover dark days in winter. On a typical summer month ~ 1050kWh (value based on current PSE rates: ~ \$100) is generated. It's a loss of ~1200/year. Considering the solar panels has a life span of 20 years which is till 2036, The total loss to me is ~ \$20000 and adding the cost of solar panels, it is a loss ~ \$35,000 not considering the increase in PSE rates in the next 16 years. I am wondering who will be compensating for the loss that's caused by the high-rise that's getting constructed violating the city code?

### **Windows directly pointed at my property:**

There are 69 windows in the north elevation of which 42 windows pointed at our property which makes us extremely exposed in my own property. Our comings and goings are visible to dozens of strangers. We spend much of our time in our backyard, tending gardens and fruit trees, barbecuing and playing soccer. With so many eyes peering down, I feel far less safe allowing my young daughters to play in the backyard. There have been multiple requests from the community about this and Merit homes is ignoring the concerns of privacy from the neighbors. I wonder if they even have a sense of belonging to the community except the profit-motive?

I also second the concerns express by my neighbors Olivia A, Mary Yax, Diana Moore and other community members who has valid concerns with the Continental Divide project.

I urge the design board to take into consideration the concerns of a middle class family which has invested so much of its blood sweat and tears into buying a first house in a neighborhood where they can feel safe. The City has been making extraordinary variations from the zoning code. As an immigrant who dreamed of the USA as a land of law and equal justice, it makes me cringe. The design board should consider the plight of middle class family before approving a design that threatens me and my family in so many ways.

## Tony Leavitt

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**From:** Carol Monsos <monsosc@hotmail.com>  
**Sent:** Thursday, November 07, 2019 2:14 PM  
**To:** Tony Leavitt  
**Subject:** Continental Divide

I will not be able to attend the upcoming Design Review meeting for the Continental Divide so wanted to submit this email with my concerns.

I have been attending as many meetings as I could for over a year now regarding the Continental Divide (I think I've only missed one). I started out very innocent by hoping that the city really wanted to get some input from community members but found out very quickly that was not the case. The city was going to push this development through no matter what was brought forward as concerns. It seemed to me pretty much right away that the developer had much more influence than anything that the community had to say.

I'm not someone who thinks that development should not happen in her neighborhood. We live close to a very busy street (85<sup>th</sup>) so it would have been very naïve of me to think that commercial buildings would not be going up close to us. But we had always thought that the lots adjoining 85<sup>th</sup> were the lots that were going to be developed as office/retail. We had no idea that the zoning was changed (no notice to neighbors) so that this office, retail, apartment complex would be put into what is, or was, a neighborhood community of single-family homes.

There is a row of four homes that sold for a million dollars that were put in about eight years ago that are now going to have this complex as their neighbors. I'm sure that they had no idea that this was going to happen when they purchased their properties. When I went to the City of Kirkland meeting and heard the mayor address concerns regarding privacy, she had the gall to say that she did not have complete privacy in her backyard so didn't think this concern was valid. Sure, she probably has a couple of neighbors that have some view into her yard, but she does not have three stories of balconies staring into her private space. I think it made her sound very foolish and I lost some respect after listening to her.

I have a couple of concerns on the design for the Continental Divide. The biggest concern is getting cars in and out of the parking garage. The design as I've seen it makes no sense. The developer is so set on having each inch of the lot used for apartments and is trying to squeeze an entry off of 131<sup>st</sup> and the entry/exit onto 132<sup>nd</sup>. Maybe he should give up some apartments to make the entry/exits really work instead of trying to get easements or purchase more properties for this purpose. From what I understand there will be a gate to the garage that cars need to open to access the garage. Will they be blocking 132<sup>nd</sup> to wait for the garage to open or will there be room for one to two cars to be off the street to wait for the gate. Also, with the entry/exit being so close to the 85<sup>th</sup> intersection will they be blocking lanes to try to get over to the left turn lanes to get to Redmond. I know that the developer could care less if their design causes problems after they build and are gone. I think it's up to the city to make sure that the design works before they sign off completely and I don't think it's there yet.

I have looked at the traffic studies that have been done. Of course, they are very hard to understand. But what I do know, since I live it every day, is that the traffic on the intersection of 85<sup>th</sup> and 132<sup>nd</sup> is horrible. In the morning on a typical workday the traffic on 132<sup>nd</sup> north of 85<sup>th</sup> is typically back up past 95<sup>th</sup> (10 blocks) waiting to get to the intersection. Most turn left onto 85<sup>th</sup> going towards Redmond. On any day that 405 is slow then the back up is much longer. The afternoon commute is no better with cars using 132<sup>nd</sup> as a major street to get north. We have lived here for 15 years and have been seeing this get continually worse. How adding a complex with over 100 units on this corner is OK is baffling.



I think this type of high-density building does not belong on this corner. There are no grocery stores close by. A couple of restaurants are close but that's it. I think that what is happening at Totem Lake is wonderful and can see where high density really can work. I think that density in downtown Kirkland makes sense. These areas have a lot of stores, restaurants and transit very close so that people can park their cars and walk. That will not happen at Continental Divide. People are going to be using their cars and add to the horrific traffic.

A smarter use for this corner would have been for stores along 85<sup>th</sup> and townhouses behind. Each townhouse could have their own garages and the look of the townhouse would have been a much better transition to the other houses in the neighborhood. I think that this huge complex will look so out of place.

So, I know that this email is not going to change any minds. The Continental Divide will happen and life will go on. But we will be living with this terrible decision for years. I hope that the Continental Divide complex stays the nice shiny complex that we keep seeing in pictures for many years. I hope that the landscape is kept up and not forgotten once the complex has been completed and the contractors move on like so many other areas that I see. I hope that the people live or work at the complex are respectful of the neighborhood. I hope that we are not the regret that the city feels later when they see this out of place, oversized complex complete.

Carol Monsos  
8604 134<sup>th</sup> Ct NE  
Redmond, WA  
monsosc@hotmail.com

Sent from [Mail](#) for Windows 10

## Tony Leavitt

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**From:** Reid Borsuk <reid.borsuk@gmail.com>  
**Sent:** Wednesday, November 13, 2019 6:52 PM  
**To:** Design Review Board; Tony Leavitt  
**Cc:** Sarah Yao  
**Subject:** In re: Permit No. DRV18-00312 – “Continental Divide Mixed Use.”

Design Review Board members;

We are the owners of 8543 132<sup>nd</sup> Ave NE, writing in regards to **Permit No. DRV18-00312** – “Continental Divide Mixed Use.” Our property shares a portion of the Subject Property’s northern boundary; the proposed structure would become our direct neighbor to our south.

While this process has been difficult on both sides of the debate, I am shocked to see how much Merit Home’s proposal continues to flout the Design Guidelines for the Rose Hill Business District.

### **Modulation & Bulk**

The “Techniques to Moderate Bulk and Mass in the RHBD [...] Zones” required under KZC 92.30.3 clearly state that any façade longer than 120 feet requires modulation of exterior walls by a 30-foot-wide (a.2), 20-foot-deep modulation (a.3). While the east wall is 234 feet, 1 inch long, it has no modulation deeper than 8 feet and this modulation is 15 feet wide, leaving 191 feet 4 inches uninterrupted bulk to the north of it. Most other modulations are an anemic 2 feet deep. (See page 93 of the packet)

The west elevation has 149 feet, 8 inches of bulk uninterrupted by substantial modulation patterns. None of the displayed modulations will meet the minimum width of 30 feet wide, and all are only 2 feet in depth (See page 94 of the packet)

The north elevation is even worse, 299 feet 5 inches wide with a single modulation on the east meeting width requirements (32 feet, 3 inches) but is only 8 feet in depth from the nearest walls. This leaves a bulk of 187 feet, 11 inches to the west of the modulation pattern, again recessed at only 2 feet deep. (See page 95 of the packet)

### **Building Location and Orientation**

Design Guideline #5d in the Rose Hill Business District requires:

Site and orient multi-story buildings to minimize impacts to adjacent single family residents. For example, if a multistory building is located near a single family property, provide landscaping elements and/or minimize windows and openings to protect the privacy of adjacent homes. Another consideration is to increase upper level building setbacks.

Yet this building continues to orient both windows and exterior balconies oriented directly to the rear of the property, maximizing impact to nearby single-family homes.

Although the design guidelines for the entryway specify “A gateway sign with the city logo” (DG 1c) and “multicolored masonry forming a base for an entry sign” (DG 1d), this design still neglects the corner of 85<sup>th</sup> and 132<sup>nd</sup> as a gateway to Kirkland’s Rose Hill district. It also neglects to submit a lighting plan. (DG 1e) The landscaping does not have any “distinctive” character and instead is a slapdash attempt to bypass the identity requirements in the design guidelines.

**Landscape Buffer**

The developers own documentation still demonstrates encroachment of the 131<sup>st</sup> driveway into the required 15-foot setback and landscape buffer granted to the northern neighbors, despite repeated rejection from variance requests by both northern owners as well as the city. (See page 99 of DRB packet.)

Additionally, while the land use buffer is intended to be a “structural, earth or vegetative form that is located along a boundary for the purpose of minimizing visual and noise impacts,” (KZC 5.085) this plan places a pedestrian path squarely within the mandatory land use buffer, which will maximize noise and visual impact to surrounding residential usages. The rendered design on page 100 directly contradicts the path that is detailed on page 99, indicating the Design Review Board’s request for renders continue to be answered with incomplete and inaccurate data.

**Solar Impacts**

The landscape design on page 100 also directly contradicts the solar studies presented on page 75. The landscape design depicts tall trees against the northern façade, noticeably taller than the surrounding building, however the solar study indicates that the building itself will be the only contributor to solar shading along the northern property line.

This sun study already indicates extreme light loss for their neighbors to the north. Our property, as well as the property of 4 other neighbors, will be shaded for the entire day at least at one point in the year (Page 74-75). The renderings for “Oct 22 and Feb 22”, as well as “Nov 22 and Jan 22” show that our house will have the back yard and windows entirely in shade for the majority of the day at these points in the year. This is of particular concern to us as we have a small garden at the southernmost edge of our property, closest to the proposed structure. Although sunlight is less in demand for plants in December, it’s also then that it’s at its most valuable with our limited Seattle sun.

**Under-width east driveway entrance**

These documents and elevations continue to represent the eastbound garage entrance as 20 feet wide, even though the required width of 2-way driveways in Kirkland is 24 feet wide.

With such a low quality of data and a lack of attention to the city of Kirkland’s fine design guidelines for the Rose Hill Business District, it’s not possible to fully evaluate this projects impact on the surrounding community. The Design Review Board should continue to require that this project adhere to all appropriate design regulations, including minimizing the impact of privacy violations on neighboring properties and encroachment onto required landscape buffers.

Reid Borsuk & Sarah Yao

8543 132<sup>nd</sup> Ave NE

Kirkland, WA 98033



## Tony Leavitt

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**From:** Mary Yax <maryyax@cbbain.com>  
**Sent:** Friday, November 15, 2019 7:31 AM  
**To:** Tony Leavitt  
**Subject:** Fw: Continental Divide Design Review

Please forward my comments to the DRB for review over the weekend prior to Monday evening's DRB meeting.

Mary Yax  
206-612-8722  
8624 133rd Avenue NE  
Redmond, WA

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**From:** Mary Yax  
**Sent:** Thursday, November 14, 2019 11:13 PM  
**To:** Designreviewboard@kirkland.gov <Designreviewboard@kirkland.gov>  
**Subject:** Continental Divide Design Review

### MY CONCERN FOR MY NEIGHBORHOOD

My house is directly east of this Merit project in The Pointe, a community of 81 homes. I have spoken several times before regarding this "block buster" project. What started out as a two story building zoned office, is now a huge apartment building looming behind two small "office" and "commercial" one story buildings acting as a facade to this huge apartment building surrounded on three sides by single family homes.

Through out the years of proposals and designs from Merit Homes, they never varied from the design they had in their minds. They even got the City to change the definition of "ground level" to fit their plan. They had been warned continuously that ground level apartments were not allowed. Well they are now! They even got the zoning changed to fit their plan.

I have high hopes and confidence that the DRB can get a handle of this situation. I have attended the DRB meeting and watched you tell the builder--consider the neighbors to the north, less windows, more residential in feel, different roof line, less balconies, no large flat walls, an interesting corner feature for Rose Hill, plaza and spaces for folks to sit. I heard you loud and clear, but highly doubt the builder was listening. They have their own plan. They come before you Monday night offering pretty pictures of somebody else's projects. Lots of visions and renderings of colorful flowers and happy people. That is not what they want to build. They have lots of renderings and pics of others' buildings, chairs, fire pits, artwork. But show little of plan.

### WHAT DO I SEE

- \*\*Same # of windows north side. Same # to invade privacy.
- \*\*Same number of balconies north side
- \*\*Additional balcony in the Club Room for even less privacy and more noise.
- \*\*No new review and report of lack of sunlight on neighbors
- \*\*Photos of others art work. No gateway sketch from them.
- \*\*Same design and style of all window-- rectangles Very ho hum.
- \*\*Hodgepodge roof-some flat, pitched, and shed (they got it all covered.)
- \*\*So few shed roofing left they should not be allowed a taller building

- \*\*Two foot modulation on a HUGE wall? Too shallow and too few
- \*\*Roofing with little or no "residential in nature" feel.
- \*\*Public spaces for folks to sit. A few benches and lots of planters for skateboarders. 1 table and a chair on the sidewalk. (Why not use space east of commercial building for tables and chairs and maybe fire pit.)
- \*\*Private area for residents activities. They rendered 1 table and a few chairs. Then added photos from somewhere else.
- \*\*No sample of landscape lighting and exterior lighting.
- \*\*Shared parking without applying for it.
- \*\*No landscaping strips in guest parking as required every 6-8 stalls.
- \*\*Stairwells be considered "residential amenity space"

#### WHAT I DON'T SEE

- \*\* Some dimensions of importance missing. Some drawings don't even show East driveway.
- \*\*The plans do not show the 12.5 foot ROW improvement easement along easterly lot line an the required right of way easement to relocate signal pole. Concern easements will conflict with their "vision" of the Gateway. How does it affect placement of sidewalk, landscaping, etc.
- \*\*Merit has not obtained a required variance from neighboring property.
- \*\*Merit homes has not applied with the City for Shared Parking.
- \*\*Merit homes does not show required garage exit driveway being designed to accommodate a commercial truck turnaround.
- \*\* City restrictions of height of landscaping at driveway on 132nd.
- \*\*SEPA being completed (it is still under review)

Merit Homes has violated the Neighborhood Plan. Merit Homes has ignored their neighbors' concerns. Merit Homes has discounted your requests and suggestions. They have their own plan.

The members of the Design Review Board work very hard to review all the projects and get them right. This one is a difficult, ever changing project that needs your full attention.

Look forward to being with you on Monday evening.

Mary Yax  
206-612-8722  
8624 133rd Avenue NE  
Redmond, WA

## Tony Leavitt

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**From:** Olivia A <okayall@outlook.com>  
**Sent:** Friday, November 15, 2019 10:04 AM  
**To:** Designreviewboard@kirkland.gov  
**Cc:** Tony Leavitt; Adam Weinstein; Kurt Triplett  
**Subject:** Public Comment on Continental Divide Project DRV18-00312  
**Attachments:** Continental Divide\_Design Review Report\_Adams Architecture\_20181129.pdf

Dear Design Review Board Members,

My family lives in the house at 8402 132nd Ave NE, which is near the subject property for the Continental Divide Mixed Use project. I have concerns about the severe impact this project could have on our neighborhood. I request your help in mitigating the detrimental effects of this project before it is built.

### Our Architect's Review

My neighbors and I feel so strongly about the proposed project that we commissioned a Design Review Report from architect John Adams of Adams Architecture. Mr. Adams has analyzed the plans, cited specific design guidelines to support his conclusions, and made recommendations to the Design Review Board. Please see Mr. Adams' report in the attachment.

### Ignoring the Board

For a year and a half, the developer for the Continental Divide project has had a dream building in mind and has shown no willingness to compromise. Several Design Review Board meetings were held in 2018 in which the developer repeatedly seemed to ignore the feedback from this board. In the year since, the developer had the zoning code changed for the entire zone around this property so that this one project could be built according to their exact vision. Now we are all a year older, but the developer's unchanged proposals continue to disrespect this board and its purpose.

- At the August 2018 meeting, the developer produced the revised design on the day of the meeting. This left no time for the city, the board members, or the community to review it.
- Instead of the requested decrease of windows and balconies on the north side, by the developer's own count the current plan has the same number of windows and balconies as it did a year ago.
- Despite the board's request, the windows were not made "more residential in nature."
- The windows are also not of various types, but instead remain uniform and repetitious.
- The project still includes long north and east facades with shallow recesses.
- The exterior of the parking garage is still entirely blank walls.
- The roofline along 85th is flat and featureless.
- Guest and retail parking were not increased. The developer's claim that the businesses will use the spaces only during the day and guests will use them only at night and weekends is erroneous and impractical. No exceptions should be granted based on this claim.
- Solar access for adjacent properties was not improved and the solar study has been omitted. The variance for roof height should not be granted because of the solar impact on the properties to the north.

Repeatedly ignoring the feedback of the Design Review Board should not be rewarded with exceptions nor approval of their design.

### Violations of the Neighborhood Plan

Two violations of the Rose Hill Neighborhood Plan, which specifically apply to the East End, are still not reflected in the current proposal. Please insist that the developer's proposal adhere to the neighborhood plan.

- The description of the project states it is "a four story mixed use building" however the Rose Hill Neighborhood Plan limits buildings to three stories by stating, "providing incentives including increased building heights up to three stories" (East End Policies, Policy RH-32). This project cannot have four stories if the limit is three stories.
- This project includes a single-story commercial building, however the Rose Hill Neighborhood Plan prohibits such buildings by stating, "Discourage single-story retail buildings" (East End Policies, Policy RH-32). A design which includes a new single-story retail building should not be approved by the Design Review Board.

### **Please Do Not Approve**

I am seeking the following solutions and intervention on the Design Review Board's part:

- The design for this development should not be approved, because it violates the Neighborhood Plan and does not reflect the feedback from the board.
- Upcoming Design Review Board meetings should be cancelled until:
  - The developer proves this development complies with the Rose Hill Neighborhood Plan.
  - The developer demonstrates a willingness to respond to requests from board members.
  - The developer makes concessions to address the concerns of the neighborhood of which this project wants to be a part.
- If the developer does not provide a revised plan within the 7 days required by the city code, the corresponding Design Review Board meeting should be cancelled and rescheduled for no less than 30 days in the future. This will allow board members and community members enough time to be informed about the new meeting.

Please do not set a precedent by allowing this huge, out-of-place development in our neighborhood which does not reflect to the board's requests and clearly conflicts with the Rose Hill Neighborhood Plan. Please do what is in the power of the Design Review Board to help our neighborhood keep its safety, traffic flow, and quality of life. We are counting on you to hear us and make the vital changes necessary before the Continental Divide project is built.

Sincerely,  
Olivia Ahna  
8402 132nd Ave NE





27 November 2018

Adams Architecture  
John & Anne Adams  
tel. 206-954-2885 Anne  
tel. 206-669-4852 John  
www.adamsarchitecture.net  
anne@adamsarchitecture.net  
john@adamsarchitecture.net

The Rose Hill Community Group  
info@comingtokirkland.com

Re: Continental Divide Mixed Use Project - DRV18-00312

Dear Rose Hill Community Group:

At your request, I have reviewed the "Continental Divide" mixed-use project, City of Kirkland project #DRV18-00312. The documents I have reviewed are the latest versions of documents posted on the internet including:

Continental Divide Mixed Use Project DRB Meeting Packet 07022018 - DRV18-00312.pdf

Design Guidelines for Rose Hill Business District, The City of Kirkland, Jan. 3 2006

The scope of my review has been limited to the compliance of the project proposal with the City of Kirkland design guidelines for the Rose Hill Design District. In particular, the site is located within the "East End" district of the Rose Hill neighborhood. This East End portion of the design area is intended to be the lowest scaled and least intensely developed of the areas in Rose Hill. Issues relatedly directly to the Land Use code such as parking and building height are not within the purview of this review.

My comments below are organized in the same order as the design guidelines are listed. In the document references below "DG" is the "Design Guidelines for Rose Hill Business District" and "DRB Packet" is the "Continental Divide Mixed Use Project DRB Meeting Packet 07022018".

Page numbers are just noted as p.5 or pp. 5-6. Specific sections of the Design Guidelines are referred to by the outline labeling; so section "5." paragraph "c" will be noted as "DG 5c".

### Introductory Sections

The Design Guidelines are consistent in suggesting that smaller scale development is appropriate at the "East End" portion of the Rose Hill District (DG pg. 7). The guidelines also suggest that new developments are "residential in character" and suggests that the "conversion of single-family homes" is an example of a properly scaled development. The proposal as presented is instead almost a "superblock" development with a massive single floor plate hidden behind a series of "western storefront" facade elements. This is clearly shown in the application's design parti diagrams (DRB Packet p. 10) showing a large c-shaped massing with "assembled pieces" shown dropping into place.



The guidelines go on to predict property consolidation but still refer to a “mix of storefronts” and “multi-stories buildings” implying a collection of smaller scale residential and commercial buildings. It is clear from DG Figure 18 and Figure 32 that the intent for the entire Rose Hill District is to front each street block with two or even three buildings. This would be especially applicable at the East End portion of the district where smaller scale building with less density is desired. Except for a mid-block break for the 85th Street plaza, the remaining facades are almost monolithic in their presentation to the neighboring sites (pp. 13-14 DRB Packet).

### 1. Entry Gateway Features

The design guidelines call for a unique landscaping treatment at the gateway corners of Rose Hill (DG 1a). No discernible “distinctive landscaping” with a rose garden or other distinctive soft-scape elements are visible.

The guidelines also call for an artwork element which is not shown (DG 1b). The southeast corner of the project has a masonry element shown, but it does not appear to be a monument sign nor an architectural “gateway element”. It is crowded by the massing of building directly behind it and is not unique as there is a copy of this element at the west end of the project. It also appears that the element is under-scaled as it is barely visible in the context of the building (DRB Packet p.8).

It is also unclear if the element is the same or different material as the building (see image on p35 vs p32 DRB Packet). Finally no gateway sign with City logo is visible or not sufficiently documented to understand (DG 1c, 1d).

No lighting is shown and needs to be submitted for review (DG 1e).

### 2. Street Trees

The street trees required by Section 2 of the design guidelines are not documented clearly as trees in the ROW and on the private property are simply shown as graphic elements without species callouts, planting information, tree grates, etc.

It is hard to tell if trees represent a unifying element as called out in Design Guidelines 2b.

### 3. Street Corners

There does not seem to be any discernible strategy to organize the corner of the building to emphasize the gateway quality of the eastern intersection. Statements made on p8 of DRB Draft Packet are not consistent with the images presented on the same page.

Design guidelines 3a, 3c, 3d suggest the following options (DG p10):

**Design treatments that emphasize street corners** (DG 3a). - These are not apparent in the proposal. The aspects suggested by the applicant (DRB Packet p8) are neither recognized treatments by the design guideline nor unique to the corner design which is



intended to be “distinctive” and “special”. (DG 3a 3c 3d). Also, no signage program either for the development or gateway element is shown. (DG 3A, DG 1c)

**Plaza spaces** (DG 3a) - No plazas are present at the corner in fact the corner feels crowded and not a good place for pedestrian gathering.

**Special landscaping elements** (DG 3c) These are not visible in DRB presentation. There is also no indication how seasonal interest will be provided. The applicant should prepare a planting diagram indicating plants species and which softscape elements will add seasonal interest in all four seasons.

The guidelines also call for visual interest, sense of proportion and human scale. (DG 3d) Suggestions include:

**Raised Roof Line** - roof line is not raised instead it is a continuation of the residential wing's roofline.

**Turret** - no typical corner type architectural element is present

**Corner Balconies** - a rooftop terrace is proposed but it is hidden behind a parapet wall

**Special Awning** - no awning or canopies are proposed at corner entry. Instead the entry is simply recessed under the parapet above. This treatment is repeated at all the commercial entries along 85th making the corner element totally indistinct from the other storefronts. Awnings that are proposed adjacent to the corner entry are exact copies of other awnings on building and are not sufficiently scaled to be identifiable as a special element.

**Distinctive Building Materials** - No special materials are suggested, just a repeat of the CMU and fiber-cement offered everywhere else on the project.

It should be noted that it is unfortunate that the public plaza has been placed at mid-block instead of at the corner. While the plaza is a good design feature, the design proposal has missed the opportunity to “hit two birds with one stone” and create the entry gateway element carefully described in the design guidelines and provide a successful urban gathering space. Figures 8 and 17 of the Design Guideline shows clearly how this can be accomplished. A much smaller corner building uniquely scaled and clearly differentiated from the adjoining residential bar could potentially better address these issues.

#### 4. Pedestrian-Friendly Building Fronts

The applicant is seeking a zoning code departure from KZC 53.84 to reduce the front setback suggesting a Pedestrian-Oriented Facade along 85th to compensate. However, the application is not meeting the intent of such a facade design as they are blocking the facade with a landscape strip, not relocating and/or widening the sidewalk and therefore keeping pedestrians away from the facade. This design compromises both approaches as a smaller planting strip is created, as opposed to the width suggested by the property setbacks and in Figures 15 and 16 of the Design Guidelines. Additionally,



the awnings provided do nothing for the pedestrian because they are located over the planting beds. The design clearly does not meet the intent of a pedestrian-oriented facade (DG figure 19) and the departure should not be granted on this basis.

## 5. Building Location and Orientation

Section 5 of the design guidelines address multi-story buildings adjacent to single-family residents (north, east, and west of the site in particular). Several suggestions were not incorporated into the design including, minimizing windows to protect privacy and increasing upper-level building setbacks.

It would also stand to reason that breaking the building up into smaller buildings on the site would also encourage the type of scale that would “minimize negative impacts to adjacent single-family residential areas” (DG 5 Objectives) and “Locate and orient building toward streets, **plaza or common open space, and major internal pathways** (emphasis mine) (DG 5a). The “super-block” aspect of the massing does not support the type of development suggested in Section 5 of the Design Guidelines. The mass and bulk of the design is made more imposing by the fact that the building has not been set back at any of the upper levels overlooking the residential neighbors.

The height and width of the unbroken mass of building render is totally out of scale with anything in the East End district if not within the whole of the Rose Hill Design District.

## 6. Sidewalk And Pathway Widths

Documents indicating that the sidewalks existing adjacent to the site are sufficient to meet the design guidelines were not available for review.

No “curb zone” is suggested or documented per DG 6a and 6b. This should be documented in the application.

A cross-section through these facades out to the roadway would be appropriate to validate if the guidance of DG Section 6 is being met.

## 7. Pedestrian Coverings

Very few functional pedestrian coverings are provided. Generally, the only pedestrian weather protection offered are roof overhangs directly above individual doorways. This may be appropriate for the design as it is further developed. But as presented, and as noted above, the opportunity for true pedestrian coverings in the form of awnings was missed when the applicant planted the facades. The metal awnings provided at the storefronts serve only to shade the glass (desirable) and the planting areas below (undesirable).

## 9. Lighting

Proper lighting plans or design were not available for review. Applicant should be required to submit an exterior lighting design for review by the DRB.





## 11. Interior Pedestrian Connections

As has been noted several times already the large block wide “superblock” type of structure presents a massive facade fronting the adjoining neighbors. In addition, it prevents the interior pedestrian connections envisioned by the design guidelines (see DG figure 32).

## 16. Architectural Style

DG 16b specifically encourage projects in the East End to adopt common residential styles, arguably low slung ranch-style house with shallow gable or hip roofs. The repetitive shed roofs set on highly vertical facade modulation bays is not in keeping with these types of homes.

In addition, very few opportunities to relate to human scale are offered on the east or west facade as there are few grade level doors, stoops, or porches; items that typically give large residential developments a more human scale. The location of the bottom level parking garage has the effect of creating long sections of blank facades along the east elevation.

## 17. Architectural Scale

The residential facades facing the surrounding neighborhood seem especially tall. This is emphasized by the proposal the break up the face into many vertical “assembled pieces” (DRB Packet p. 10). While this type of facade modulation is helpful, without a balanced amount of horizontal facade modulation the vertical breakup makes the project feel very tall. A more thoughtful approach to differentiating floors by changing the fenestration sizes and patterns, changing materials at upper levels, upper level set backs etc. should be considered to more effectively mitigate the apparent height of the building.

DG 17a suggests limiting the size of fenestration to 35 square feet (sf). A standard 6’x7’ double entry door would exceed this criterion.

As can be seen on the application (DRB Packet pp. 13-14) there are many windows well in excess of the size of the double entry doors. While the guidelines also call for a good deal of transparency facing 85th, the application shows a fenestration pattern and scale more typical in an office or large commercial building. In other words, the intent of the design guidelines is to encourage many, smaller “punched openings” and discourage larger “walls of glass” seen in more contemporary and larger scale buildings. The project proposed is in conflict with this intension.

Several of the windows in the residential section of the project also seem to be larger than 35sf but it is difficult to tell for sure with the application materials available.

Please see also the related discussion above to architectural scale under 5. Building Location and Orientation



## 18. Human Scale

On the commercial frontage, the size of the glazing and tall parapet wall combine to make the project feel scale-less. Few mitigating elements are present. Suggestions of these mitigating elements include arcades, balconies, bay windows, trellis, landscaping, awnings, cornices, friezes, art concepts, and courtyards (DG 18a).

Since the awnings do not cover pedestrians (as discussed above) only the landscape areas and the courtyard serve to help mitigate scale. However, these will be kept cut low as requested by the City and there will do less to mitigate the scale of the facades.

The elevations as presented (DRB Packet pp. 13-14) do not have scale figures placed in the drawings. This makes it difficult for reviewers to judge the scalar qualities of the building. Never-the-less given to apparent height of the glazing and tall parapet wall, lack of mitigating elements, and the fact that almost all of the entries seemed raised above the sidewalk, it is my opinion that the project does not have a desirable human scale as suggested in section 17b of the Design Guidelines.

The applicant should provide rendered elevations and perspective views with properly scaled human figures to better evaluate the human scale of the proposal.

## 19. Building Details and Materials

In reviewing page 12 of the DRB Draft Packet, it is unclear where building materials are located. In particular the two tan colors of fiber-cement siding vs fiber-cement panels.

The design guidelines section 19 suggests limiting the use of "concrete block, metal siding, stucco or similar materials..." (DG19c). Almost the entire project is made up of concrete block and fiber-cement panels (which is visually similar to stucco or EIFS). No natural brick, stone, timber, metal or other "quality building materials" are present as suggested in DG 19b and DG 9-Objectives.

No ornament nor any particular emphasis on "highlighting building features such as doors..." (DG 19a) is apparent in the design. Doors, for example, are for the most part incidental panels in a large storefront facade. These storefront doors are set deep into the building de-emphasizing them even more.

## 20. Signs

A visual representation of the signage program is missing. The large open expanses of concrete block parapet facing 85th suggest that an uncontrolled, mixed-bag of surface mounted tenant signs will be installed. Pedestrian-oriented blade signs do not seem possible with this design as suggested by DG 10a (for pedestrian-oriented facades).

Given the size of this project, the signage would ideally be combined together into a shared signage program integrated with the architecture as suggested in DG 20e. That suggestion does not seem to be considered in the application materials reviewed.



## Conclusion

The design guidelines seemed to anticipate that a project of larger scale than the current development density was inevitable. (DG p.7) However, the overall intent of the East End sub-district was to maintain lower scaled building, to emphasize a residential and small-business character (DG Fig. 3) and provide "a setting compatible with the surrounding residential uses" (DG p. 3). Several primary issues conspire to make this project, as designed, inappropriate for the site. These include:

**Huge floor plate and building bulk.** The project size dwarfs any other building footprint in the area creating a "superblock" feel to the proposal and creating a cascade of other design problems relating to the design guidelines include scale parity with neighboring houses, lack of interior connections, and missing human scale. This is exasperated by the number of stories proposed which is not addressed directly in the Design Guidelines but should be noted here due to the impact of the overwhelming sense of bulk that the project presents.

**Total lack of a gateway aspect to the design.** The very small corner arch element made out of concrete block seems totally dwarfed by the building that is crowding it at the corner. The building itself offers almost no clue to the pedestrian or driver that they are entering the Rose Hill Neighborhood or the City of Kirkland.

**Conflicted approach to the facades facing 85th.** The facades are neither pedestrian-friendly nor set back far enough to meet code and provide a large landscape buffer. The scale of the facade is not human-scaled and the awnings on the facade are too small and inaccessible to be of any value urbanistically.

Numerous other issues, such as material choices, further make the proposal out of step with the design guidance provided by the City of Kirkland. As the very real gateway project to Kirkland the project should, as much as any other proposal, meet the primary design objective of the district which includes "Ensure that new developments meet high standards building and site design." (Design Guidelines pg. 2, "Design Objectives")

I hope these observations help you understand the building proposal in front of you and give positive suggestions to help address your concerns. If you have any questions or comments on the above please do not hesitate to contact me.

Sincerely,

John H Adams, AIA



27 November 2018

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The Rose Hill Community Group  
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Re: Continental Divide Mixed Use Project - DRV18-00312

Dear Rose Hill Community Group:

At your request, I have reviewed the "Continental Divide" mixed-use project, City of Kirkland project #DRV18-00312. The documents I have reviewed are the latest versions of documents posted on the internet including:

Continental Divide Mixed Use Project DRB Meeting Packet 07022018 - DRV18-00312.pdf

Design Guidelines for Rose Hill Business District, The City of Kirkland, Jan. 3 2006

The scope of my review has been limited to the compliance of the project proposal with the City of Kirkland design guidelines for the Rose Hill Design District. In particular, the site is located within the "East End" district of the Rose Hill neighborhood. This East End portion of the design area is intended to be the lowest scaled and least intensely developed of the areas in Rose Hill. Issues relatedly directly to the Land Use code such as parking and building height are not within the purview of this review.

My comments below are organized in the same order as the design guidelines are listed. In the document references below "DG" is the "Design Guidelines for Rose Hill Business District" and "DRB Packet" is the "Continental Divide Mixed Use Project DRB Meeting Packet 07022018".

Page numbers are just noted as p.5 or pp. 5-6. Specific sections of the Design Guidelines are referred to by the outline labeling; so section "5." paragraph "c" will be noted as "DG 5c".

### Introductory Sections

The Design Guidelines are consistent in suggesting that smaller scale development is appropriate at the "East End" portion of the Rose Hill District (DG pg. 7). The guidelines also suggest that new developments are "residential in character" and suggests that the "conversion of single-family homes" is an example of a properly scaled development. The proposal as presented is instead almost a "superblock" development with a massive single floor plate hidden behind a series of "western storefront" facade elements. This is clearly shown in the application's design parti diagrams (DRB Packet p. 10) showing a large c-shaped massing with "assembled pieces" shown dropping into place.





The guidelines go on to predict property consolidation but still refer to a “mix of storefronts” and “multi-stories buildings” implying a collection of smaller scale residential and commercial buildings. It is clear from DG Figure 18 and Figure 32 that the intent for the entire Rose Hill District is to front each street block with two or even three buildings. This would be especially applicable at the East End portion of the district where smaller scale building with less density is desired. Except for a mid-block break for the 85th Street plaza, the remaining facades are almost monolithic in their presentation to the neighboring sites (pp. 13-14 DRB Packet).

### 1. Entry Gateway Features

The design guidelines call for a unique landscaping treatment at the gateway corners of Rose Hill (DG 1a). No discernible “distinctive landscaping” with a rose garden or other distinctive soft-scape elements are visible.

The guidelines also call for an artwork element which is not shown (DG 1b). The southeast corner of the project has a masonry element shown, but it does not appear to be a monument sign nor an architectural “gateway element”. It is crowded by the massing of building directly behind it and is not unique as there is a copy of this element at the west end of the project. It also appears that the element is under-scaled as it is barely visible in the context of the building (DRB Packet p.8).

It is also unclear if the element is the same or different material as the building (see image on p35 vs p32 DRB Packet). Finally no gateway sign with City logo is visible or not sufficiently documented to understand (DG 1c, 1d).

No lighting is shown and needs to be submitted for review (DG 1e).

### 2. Street Trees

The street trees required by Section 2 of the design guidelines are not documented clearly as trees in the ROW and on the private property are simply shown as graphic elements without species callouts, planting information, tree grates, etc.

It is hard to tell if trees represent a unifying element as called out in Design Guidelines 2b.

### 3. Street Corners

There does not seem to be any discernible strategy to organize the corner of the building to emphasize the gateway quality of the eastern intersection. Statements made on p8 of DRB Draft Packet are not consistent with the images presented on the same page.

Design guidelines 3a, 3c, 3d suggest the following options (DG p10):

**Design treatments that emphasize street corners** (DG 3a). - These are not apparent in the proposal. The aspects suggested by the applicant (DRB Packet p8) are neither recognized treatments by the design guideline nor unique to the corner design which is



intended to be “distinctive” and “special”. (DG 3a 3c 3d). Also, no signage program either for the development or gateway element is shown. (DG 3A, DG 1c)

**Plaza spaces** (DG 3a) - No plazas are present at the corner in fact the corner feels crowded and not a good place for pedestrian gathering.

**Special landscaping elements** (DG 3c) These are not visible in DRB presentation. There is also no indication how seasonal interest will be provided. The applicant should prepare a planting diagram indicating plants species and which softscape elements will add seasonal interest in all four seasons.

The guidelines also call for visual interest, sense of proportion and human scale. (DG 3d) Suggestions include:

**Raised Roof Line** - roof line is not raised instead it is a continuation of the residential wing's roofline.

**Turret** - no typical corner type architectural element is present

**Corner Balconies** - a rooftop terrace is proposed but it is hidden behind a parapet wall

**Special Awning** - no awning or canopies are proposed at corner entry. Instead the entry is simply recessed under the parapet above. This treatment is repeated at all the commercial entries along 85th making the corner element totally indistinct from the other storefronts. Awnings that are proposed adjacent to the corner entry are exact copies of other awnings on building and are not sufficiently scaled to be identifiable as a special element.

**Distinctive Building Materials** - No special materials are suggested, just a repeat of the CMU and fiber-cement offered everywhere else on the project.

It should be noted that it is unfortunate that the public plaza has been placed at mid-block instead of at the corner. While the plaza is a good design feature, the design proposal has missed the opportunity to “hit two birds with one stone” and create the entry gateway element carefully described in the design guidelines and provide a successful urban gathering space. Figures 8 and 17 of the Design Guideline shows clearly how this can be accomplished. A much smaller corner building uniquely scaled and clearly differentiated from the adjoining residential bar could potentially better address these issues.

#### 4. Pedestrian-Friendly Building Fronts

The applicant is seeking a zoning code departure from KZC 53.84 to reduce the front setback suggesting a Pedestrian-Oriented Facade along 85th to compensate. However, the application is not meeting the intent of such a facade design as they are blocking the facade with a landscape strip, not relocating and/or widening the sidewalk and therefore keeping pedestrians away from the facade. This design compromises both approaches as a smaller planting strip is created, as opposed to the width suggested by the property setbacks and in Figures 15 and 16 of the Design Guidelines. Additionally,



the awnings provided do nothing for the pedestrian because they are located over the planting beds. The design clearly does not meet the intent of a pedestrian-oriented facade (DG figure 19) and the departure should not be granted on this basis.

## 5. Building Location and Orientation

Section 5 of the design guidelines address multi-story buildings adjacent to single-family residents (north, east, and west of the site in particular). Several suggestions were not incorporated into the design including, minimizing windows to protect privacy and increasing upper-level building setbacks.

It would also stand to reason that breaking the building up into smaller buildings on the site would also encourage the type of scale that would “minimize negative impacts to adjacent single-family residential areas” (DG 5 Objectives) and “Locate and orient building toward streets, **plaza or common open space, and major internal pathways** (emphasis mine) (DG 5a). The “super-block” aspect of the massing does not support the type of development suggested in Section 5 of the Design Guidelines. The mass and bulk of the design is made more imposing by the fact that the building has not been set back at any of the upper levels overlooking the residential neighbors.

The height and width of the unbroken mass of building render is totally out of scale with anything in the East End district if not within the whole of the Rose Hill Design District.

## 6. Sidewalk And Pathway Widths

Documents indicating that the sidewalks existing adjacent to the site are sufficient to meet the design guidelines were not available for review.

No “curb zone” is suggested or documented per DG 6a and 6b. This should be documented in the application.

A cross-section through these facades out to the roadway would be appropriate to validate if the guidance of DG Section 6 is being met.

## 7. Pedestrian Coverings

Very few functional pedestrian coverings are provided. Generally, the only pedestrian weather protection offered are roof overhangs directly above individual doorways. This may be appropriate for the design as it is further developed. But as presented, and as noted above, the opportunity for true pedestrian coverings in the form of awnings was missed when the applicant planted the facades. The metal awnings provided at the storefronts serve only to shade the glass (desirable) and the planting areas below (undesirable).

## 9. Lighting

Proper lighting plans or design were not available for review. Applicant should be required to submit an exterior lighting design for review by the DRB.



## 11. Interior Pedestrian Connections

As has been noted several times already the large block wide “superblock” type of structure presents a massive facade fronting the adjoining neighbors. In addition, it prevents the interior pedestrian connections envisioned by the design guidelines (see DG figure 32).

## 16. Architectural Style

DG 16b specifically encourage projects in the East End to adopt common residential styles, arguably low slung ranch-style house with shallow gable or hip roofs. The repetitive shed roofs set on highly vertical facade modulation bays is not in keeping with these types of homes.

In addition, very few opportunities to relate to human scale are offered on the east or west facade as there are few grade level doors, stoops, or porches; items that typically give large residential developments a more human scale. The location of the bottom level parking garage has the effect of creating long sections of blank facades along the east elevation.

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The residential facades facing the surrounding neighborhood seem especially tall. This is emphasized by the proposal the break up the face into many vertical “assembled pieces” (DRB Packet p. 10). While this type of facade modulation is helpful, without a balanced amount of horizontal facade modulation the vertical breakup makes the project feel very tall. A more thoughtful approach to differentiating floors by changing the fenestration sizes and patterns, changing materials at upper levels, upper level set backs etc. should be considered to more effectively mitigate the apparent height of the building.

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The elevations as presented (DRB Packet pp. 13-14) do not have scale figures placed in the drawings. This makes it difficult for reviewers to judge the scalar qualities of the building. Never-the-less given to apparent height of the glazing and tall parapet wall, lack of mitigating elements, and the fact that almost all of the entries seemed raised above the sidewalk, it is my option that the project does not have a desirable human scale as suggested in section 17b of the Design Guidelines.

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Given the size of this project, the signage would ideally be combined together into a shared signage program integrated with the architecture as suggested in DG 20e. That suggestion does not seem to be considered in the application materials reviewed.



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I hope these observations help you understand the building proposal in front of you and give positive suggestions to help address your concerns. If you have any questions or comments on the above please do not hesitate to contact me.

Sincerely,

John H Adams, AIA

Reply to: Seattle Office

October 30, 2018

*VIA E-MAIL TO  
TLeavitt@kirkland.gov  
planninginfo@kirklandwa.gov  
Building\_Services@kirklandwa.gov  
SCroll@kirklandwa.gov*

Planning and Community Development  
123 5th Ave., Kirkland, WA 98033

**RE: Public Comment in Opposition to Continental Divide Mixed-Use**

Dear Planning Department:

On behalf our client, the Rose Hill Community Group, we submit the following for the City's consideration as it considers the "ground floor" issue and other land use code issues related to the proposed "Continental Divide" mixed-use development, File No. DRV18-00312 (formerly known as the Griffis Mixed Use Project, PRE16-00752).

This comment addresses only those factors relevant to the Planning Department's decision under the land use code to issue or deny a building permit. This comment does not address factors relevant to the design review guidelines. Comments regarding the design review guidelines may be separately submitted to the Design Review Board.

**I. Summary of Relevant Facts**

This project is in the RH8 zone. The project is not invoking the planned unit development process. Instead, it is proceeding under the normal zoning rules for RH8.

The project calls for two separate buildings surrounding a central parking lot / courtyard. One of the buildings is a one-story office building fronting 85<sup>th</sup>, the main arterial street. The other building is larger and has a more complicated shape. Most of the second building is three-story residential, forming a U-shape around the central parking lot/courtyard. However, the portion that fronts on 85<sup>th</sup> consists of a ground-level office building with a second story of residential. In addition to the three stories of residential use, there is also a below-grade parking garage beneath the residential building.

The outdoor parking lot appears to offer 26 parking spaces, of which one appears to be ADA van-accessible. Access to the parking lot is off 131<sup>st</sup>, a residential street.

The below-grade garage or garages will have entrances off 131<sup>st</sup> and 132<sup>nd</sup>, both residential streets. Site plans show 176 parking spaces in the garage, of which four appear to be ADA van accessible.

Existing structures at the site that will be removed are two small, single-story office buildings along 85<sup>th</sup>, plus four single-story, single-family homes along 131<sup>st</sup> and 132<sup>nd</sup>.

This project will be the only multi-story building on its block or on the surrounding blocks, with the exception of a two-story office building on the other side of 85<sup>th</sup>. This project will directly abut five remaining single-story, single-family homes on the north side. It will also be across 131<sup>st</sup> from a single-story office building and three single-story, single-family homes. It will also be across 132<sup>nd</sup> from several other single-family homes, also these homes are not in Kirkland and have a substantial vegetation buffer between the homes and 132<sup>nd</sup>.

There are no sidewalks on either side of 131<sup>st</sup>. There are sidewalks on both sides of all the other streets. However, the sidewalk on one side of 132<sup>nd</sup> (the project side) may be too narrow for wheelchairs and may lack at least one curb cut at the intersection with 85<sup>th</sup>.

Existing traffic along 85<sup>th</sup> is at level of service D.

There are trees present at the various properties on the project site, however, it is unknown whether they are significant trees, defined as a diameter at breast height of six inches or more. KZC 95.10.14.

According to the developer's study, the project will fully shade one of the northern houses for part of the day in the winter and will partially shade four of the northern houses for all of the day in winter. Around the equinox, the project will partially shade one of the northern houses for all of the day. During the summer, none of the neighboring houses or their yards will be shaded.

This project is subject to SEPA review, because it proposes the construction of more than 20 dwelling units, which is the SEPA threshold trigger. KMC 24.02.065.a. No SEPA review has been conducted. To our knowledge, no SEPA checklist has been prepared.

## **II. Land Use Code Violation: Residential Uses on Ground Floor**

### **A. Residential Uses Are Not Allowed on the "Ground Floor."**

Under KZC Chart 53.84, "stacked dwelling units" are the only residential use permitted in the RH8 zone. A stacked dwelling unit means a townhouse-like structure in which a unit shares at least one horizontal wall with another unit (and may share a vertical wall). KZC 5.05.265. The units proposed for this project are all stacked units.



However, in the RH8 zone, stacked units cannot be built on the “ground floor” of a structure. KZC Chart 53.84.

“Ground floor” mean the “floor” of a structure that is closest in elevation to the finished grade along the facade of the structure that is principally oriented to the street which provides primary access to the subject property. KZC 5.05.345.

“Floor” means the horizontal surface inside a structure designed and intended for human use and occupancy. KZC 5.05.325.

“Occupancy” is defined by the building code as the purpose for which a building, or part thereof, is used or intended to be used. KMC 21.06.025.14.

“Primary access to the subject property” is not defined.

#### B. Identifying a “Ground Floor.”

Under the rules above, the key element in identifying a “ground floor” is determining the street that provides the building’s “primary access.” The façade that faces this street is the façade whose floor defines the ground floor of the structure.

As a threshold question, it must be determined whether “primary access” refers to vehicle access or pedestrian access. There are several reasons to conclude that “primary access” refers to pedestrian access.

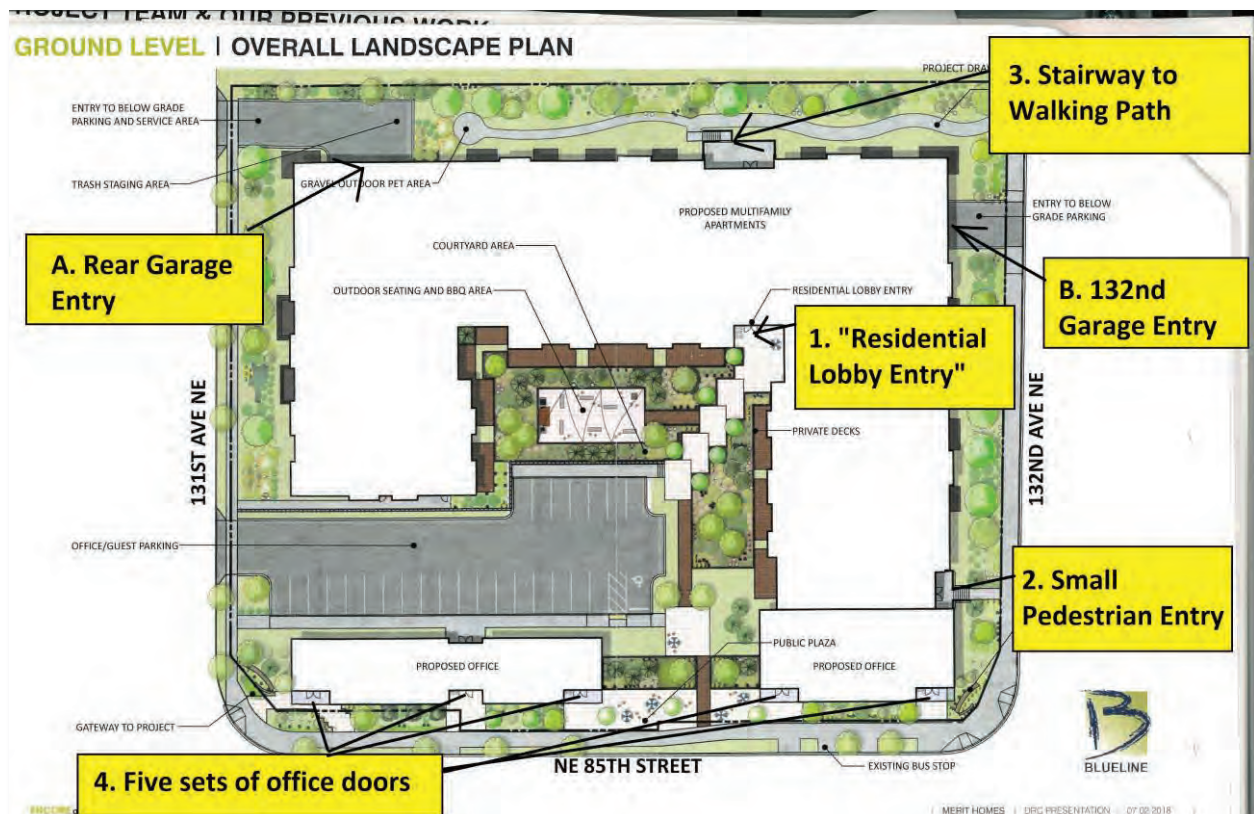
- i. Every building has a built-in pedestrian entrance, but not every building has a built-in garage. If “primary access” referred to vehicles, there would be some buildings that lacked primary access. The Code must be construed in a manner so that it has meaning in all reasonably contemplated situations. Because this code section would sometimes be impossible to apply if this term referred to vehicular access, that reading cannot be the correct one.
- ii. Even buildings that have a built-in garage sometimes have the garage behind the building, not facing a street. If “primary access” referred to vehicular access, the façade behind the building would be the primary access façade, because that is where the garage is. Construing a code should avoid implausible and absurd results. Construing the code to make the back of a building the building’s “primary access” because the garage is there is not likely reflective of the city council’s intent in adopting the “primary access” standard. This reading should be avoided.
- iii. In contrast, it is difficult to imagine a building that lacked pedestrian access to a street or whose main pedestrian access was relegated to the back or side of a building. Construing “primary access” to refer to pedestrian access avoids the

improbable and impossible to apply problems that would plague this provision if it were construed to refer to vehicular access.

- iv. The Rose Hill Design Review Guidelines state (at 15): “Office and residential developments are encouraged to locate and orient buildings towards an interior open space or courtyard, where space allows. In this scenario, **primary building entries may orient towards the open space provided there is direct visibility into the open space from the sidewalk.**” This guideline means that even if a building’s primary entrance is not directly on the sidewalk, the building’s primary entrance must be directly visible from the sidewalk. Since vehicles do not drive on the sidewalk but pedestrians walk there, this guideline indicates that it is pedestrian access that determines primary access.

For all of these reasons, it is evident the code’s reference to “primary access” refers to primary access for pedestrians.

### C. Finding this Project’s Primary Pedestrian Access



This project has the following pedestrian entrances: 1) The “Residential Lobby Entry” that opens onto the interior courtyard. The elevator is also located here. 2) A small pedestrian entry that opens

onto 132<sup>nd</sup> St. 3) A stairway that leads a walking path behind the building; 4) Five sets of office entrances on 85<sup>th</sup> St.

The project also has two garage entries: A) One in the rear of the building; B) One off 132<sup>nd</sup>.

By far the largest and most important pedestrian entrance is the “Residential Lobby Entry.” Not only is it bigger than the others, it is also the only centrally located entry. It also hosts the building’s only elevator. It also complies with the Rose Hill Design Review Guideline, in which developments are encouraged to “orient buildings towards an interior open space or courtyard...In this scenario, **primary building entries may orient towards the open space provided there is direct visibility into the open space from the sidewalk.**” The Residential Lobby Entry meets all these requirements.

The Residential Lobby Entry is also the only entry that does not require stairs, except for the five office entries along 85<sup>th</sup>. Disabled pedestrians have no choice but to use the Residential Entry Lobby, unless the office entrances have a connection with the residential portion of the main building, which the plans do not show.

Presumably, the Residential Lobby will also be where the residents’ mailboxes are located, so the post office delivery person will also be using the Residential Lobby.

In light of all these factors, it seems certain that the Residential Lobby Entry is the building’s “primary access” for purposes of determining the ground floor.

#### D. Finding this Project’s Street-oriented Façade and Ground Floor

The Residential Lobby Entry does not open directly onto any street. However, as noted, it does open onto a central courtyard that has direct visibility onto 85<sup>th</sup> and no other street. There is also a walkway connecting the Residential Lobby Entry with 85<sup>th</sup> but no walkway connecting it with any other street.

Thus, the Residential Lobby Entry is “principally oriented” toward 85<sup>th</sup>.

Therefore, the façade of the Residential Lobby Entry is the façade that will determine the building’s ground floor.

The floor closest to grade on the façade of the Residential Lobby Entry is the floor of the Residential Lobby Entry itself—as noted, the floor of the Residential Lobby Entry requires no stairs to reach. And that grade is the same grade as 85<sup>th</sup> St.

Therefore, the ground floor at the primary entrance is the floor of the Residential Lobby Entry. This is also the ground floor of the entire residential structure.

#### E. Dwelling Units along the Ground Floor

The entire first story of dwelling units shares the same floor as the ground floor, namely, the floor of the Residential Lobby Entry. All of these dwelling units are unlawful in the RH-8 zone. The project cannot be permitted as designed. The ground-floor residential dwelling units must be removed.

### **III. Land Use Code Violation: Parking**

According to plans, this project will have 8,444 s.f. of office space gross floor area. Office space must provide parking at a ratio of one parking space for every 300 gross s.f. KZC Chart 53.84. Thus, the project would need  $8444/300 = 28.14$  parking spaces. However, site plans seem to show only 26 parking spaces.

In addition, under the International Building Code (adopted with amendments per KMC 21.08), a parking lot with up to 25 spaces must provide one accessible parking space, but a parking lot with 26 to 50 must provide two. IBC § 1106.1. However, the site plans seem to show only one accessible parking space in the parking lot, even though there are 26 spaces (and should be 28, as noted above).

Because of the insufficient parking, the project cannot be permitted as designed. At least two additional parking spaces must be provided and at least one additional accessible space must be provided.

Parking must also be provided for the dwelling units at a ratio of 1.2 per studio unit, 1.3 per one-bedroom unit, 1.6 per two-bedroom unit, and 1.8 per three- or more-bedroom unit. KZC Chart 53.84. Project plans call for 176 parking garage spaces for 133 residential units, however it is difficult to tell from the project plans how many units of which type will be built. Depending on the configuration of the dwelling units, additional parking may be necessary in the below-grade garage.

### **IV. Land Use Code Violation: Parking Lot Landscaping**

Landscaping is required for the above-ground parking lot at a rate of 25 s.f. per stall. KZC 95.44.1. If the parking lot has 26 spaces as planned, this yields  $26 \times 25 = 650$  s.f. of required landscaping. However, if the parking lot has the 28 spaces as required, this yield  $28 \times 25 = 700$  s.f. of required landscaping.

In addition, the parking spaces must be interspersed with landscaped “islands” every eight stalls KZC 95.44.1.a.

It is unclear from plans whether the landscaping in the “open courtyard” meets the 700 s.f. requirement; it may not. What is clear is that the developer’s plans do not show the required interspersing every eight stalls.

## **V. Land Use Code Violation: Tree Retention**

The developer must submit a tree retention plan. KZC 95.30.3. It does not appear a tree retention plan has been submitted.

If there are any high-value trees—meaning “specimen trees” (six-inch-dbh significant trees in excellent health) located within a required yard or planting buffer, or on a slope greater than 10%—these high-value trees must be preserved “to the maximum extent possible.” KZC 95.30.5 Chart. All other six-inch-dbh significant trees are to be retained if feasible, meaning they must be preserved if they do not interfere with the intended development. KZC 95.30.5 Chart. It is unknown what significant trees exist in the required yards or buffers, however, current plans do not appear to call for the retention of any existing significant trees, which could be a violation of this provision, depending on whether the existing significant trees (if any) are healthy and sit within the required yards or buffers.

In addition to the tree retention plan, the developer must also file a tree maintenance plan aimed at preserving all retained trees and all planted trees. KZC 95.51. The developer does not appear to have filed a tree maintenance plan. This is another violation.

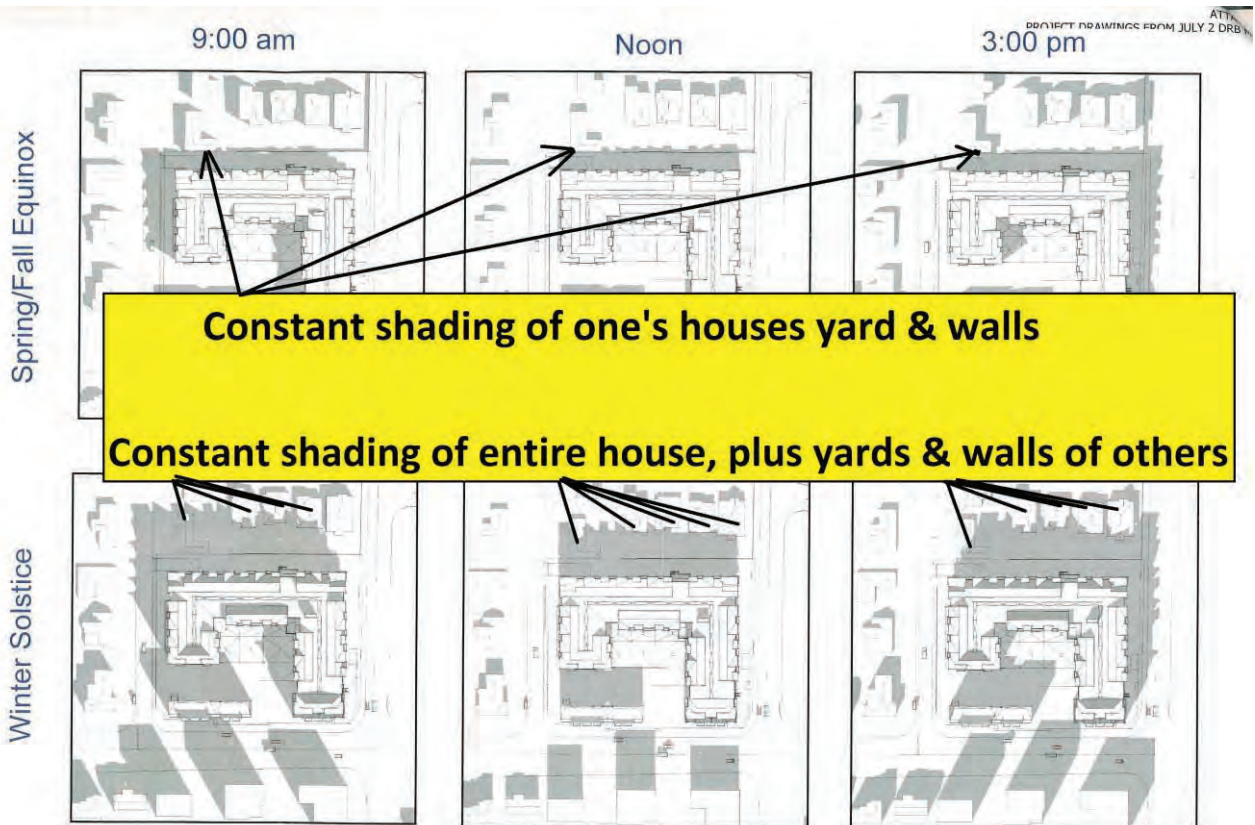
The developer must provide an accurate inventory of trees and a plan for retaining them. Until that happens, this project cannot be fully evaluated.

## **VI. SEPA Issues**

This project will have significant environmental impacts on the neighboring properties and the community at large. These impacts must be assessed as part of SEPA review.

- 1) There will be severe impacts on adjacent properties to the north from shade. The total shading of one of the houses for part of the day during winter is a particularly significant impact. The partial shading of four of the houses for part of the day during winter, spring, and fall is also significant. Shading from this project will last part or all of the day for the majority of days of the year, as the drawing below illustrates:





These severe shading impacts should be mitigating during SEPA by reducing the height of the building.

- 2) The neighbors immediately to the north will have their views blocked by the looming, 35- to 40-foot-tall building. Neighbors to the west across 131<sup>st</sup> will have suffer a reduction in views. The looming nature of the building will also affect the neighbors' privacy.

The view impacts should be mitigated, again by reducing the height of the building.

- 3) The project would create a dangerous condition for pedestrians along 131<sup>st</sup>. The developer proposes a parking garage entrance and a parking lot entrance, on 131<sup>st</sup>, but currently that street has no sidewalks. Nor does the applicant propose any sidewalks for 131<sup>st</sup>, even though 131<sup>st</sup> is the street with the fewest current sidewalks and the most entering/departing traffic. Pedestrians on 131<sup>st</sup> are already exposed to traffic due to the lack of sidewalks and this exposure will now worsen.

There will also be an increase in traffic along 132<sup>nd</sup>, including another parking garage entrance that will require cars to pass over a curb cut in the sidewalks. 132<sup>nd</sup> is also a safe route to school, as designated on the City's map at Plate 46. The movement of cars over the curb cut will likely be heavy in the morning commute hours—the very time children will also be most heavily using this supposedly safe route to school.

Obviously, cars cutting across sidewalks with children is not appropriate on a “safe” route to school.

These hazards should be mitigated by reducing the overall size of the development, which will reduce the hazardous vehicle traffic. In addition, the Department should require the developer to install sidewalks along 131<sup>st</sup>, remove the parking garage entrance on 132<sup>nd</sup> (the safe route to school), and install crossing lights at all remaining parking garage and parking lot entrances.

- 4) There will be increased traffic for the residents of the 20 or so single-family houses that use 131<sup>st</sup> as their sole outlet to 85<sup>th</sup>. As noted, the bulk of the project’s entering/departing traffic would travel on 131<sup>st</sup>, which has no streetlight. Residents attempting to turn onto 85<sup>th</sup> are likely to face increased delays from the project’s traffic on 131<sup>st</sup>.

This impact should be mitigated by installing a traffic light on 131<sup>st</sup>.

- 5) There will be increased noise, especially for the houses to the north, from the roughly 200 new parking spaces and roughly 130 new residential units (although, as noted, some of these residential units are unlawful due to the ground floor issue).

These impacts should be mitigated by reducing the height of the building, which will reduce the number of units and cars.

- 6) The demolished structures on housing represent affordable housing, because they are old. The new units will be new, and will likely charge a higher rent. This will result in a decrease in affordable housing in Kirkland.

This impact should be mitigated by requiring the developer to provide additional affordable housing units.

With sufficient mitigation, it may be possible for an MDNS to be issued. But as currently proposed, the project’s impacts are significant and an EIS should be required.

## CONCLUSION

This project is not lawful as designed. It also has substantial environmental impacts that should be mitigated, especially its severe shading impacts and its impact to a safe route to school. The solution for most of these violations and impacts is the same: reduce the size of the building, reduce the number of residential units, and remove the residential units from the ground floor.

Imposing these conditions would end the severe shading problem; create a much safer situation on the sidewalks for schoolchildren on 132<sup>nd</sup> and pedestrians on 131<sup>st</sup>; obviate the need for a traffic light on 131<sup>st</sup>; solve the parking deficiency; and bring the project into compliance with the code.

The primary purpose of the RH8 is to provide office space, not residential space. Likewise, the primary justification for adding RH8 along 85<sup>th</sup> is because 85<sup>th</sup> is a commercial street, not a residential street. Imposing the conditions suggested here—reducing the size of the project and deleting the ground-floor residential—would not only bring this project into compliance with the law, it would also bring this project into better compliance with the vision for this zone.

Very truly yours,

BRICKLIN & NEWMAN, LLP

A handwritten signature in black ink, appearing to read "Alex Sidles", with a long horizontal flourish extending to the right.

Alex Sidles

*Attorney for the Rose Hill Community Group*

cc: Stephanie Croll, Sr. Asst. City Attorney  
Client

## Tony Leavitt

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**From:** Olivia A <okayall@outlook.com>  
**Sent:** Friday, September 07, 2018 7:29 PM  
**To:** Design Review Board; Tony Leavitt; Kurt Triplett  
**Subject:** Public Comment on Continental Divide Project DRV18-00312

Dear Design Review Board Members,

My family lives in the house at 8402 132nd Ave NE, which is diagonally across the 85th/132nd intersection from the subject property for the Continental Divide Mixed Use project. I have serious concerns about the severe change this project could mean to our neighborhood. I request your help in mitigating the detrimental effects of this project before it is built.

The developer appears to be ignoring the feedback of the members of this board.

- During the July 2nd meeting, Senior Planner Tony Leavitt requested 7 business days before the August 6th meeting to distribute the revised design. The developer produced the revised design on the day of the meeting, leaving no time for the city, the board members, or the community to review it.
- Instead of the requested decrease of windows and balconies on the north side, the developer's plan on August 6th increased the number of windows and balconies.
- Guest and retail parking were not increased. The developer's claim that the businesses will use the spaces during the day and guests will use them only at night and weekends is a violation of the county zoning code because the code does not mention such an option (KZC 50.60.2). Please enforce all zoning codes for parking spaces, as referenced in a staff comment in the August 6th meeting packet: "The applicant must demonstrate compliance with the City's parking requirements as part of any building permit."
- Solar access for adjacent properties was not improved and inaccurate solar study visuals were presented.
- The project still includes long north and east facades.
- The proposed parking garage still includes blank walls.

Repeatedly ignoring the feedback of the Design Review Board should not be rewarded with exceptions nor approval of their design.

As a citizen, I continue to have objections to and concerns about this project, which still have not been addressed by the developer.

Violations of zoning codes and the Comprehensive Plan:

- The description of the project states it is "a four story mixed use building" however the NE 85th St Subarea Plan limits buildings to three stories by stating, "providing incentives including increased building heights up to three stories" (Policy NE85-4.8). This project cannot have four stories if the limit is three stories. If there is a conflict between zoning codes the most restrictive of these apply (KZC 170.50).
- This project includes residential units on the ground floor, but the Zone Use Chart for the zone where this project is located (RH-8) states that stacked dwelling units "may not be located on the ground floor

of a structure” (KZC 53.84 Zone RH8 Use Zone Chart .050 Stacked Dwelling Units). This violation should not be allowed and no exceptions should be granted.

- The description of the project states, “A single story commercial building will be located near NE 85th Street” however the NE 85th St Subarea Plan prohibits such buildings by stating, “Discourage single story retail buildings” (Policy NE85-4.8).

Jarring transition between houses and huge complex: If this project is approved as-is a towering wall of over 200 windows and balconies will overlook single-family homes, leaving some homes in shadow all winter. This horseshoe-shaped project has adjoining walls between residential units and commercial spaces. These both violate the city’s land use policy to “create effective transitions between commercial areas and surrounding residential neighborhoods” (Policy LU-5.1 Urban Design).

Safety: Bicyclists, joggers, and walkers could be endangered by the busy garage entrances. One of these garage entrances is next to a school bus stop and along schoolchildren's walking routes. Current neighbors on dead-end 131st and along 132nd already have trouble accessing their homes and this project adds busy driveways to both streets. The nearby megachurch traffic already requires a police officer to direct Sunday traffic at the intersection for this project. The city wants to encourage pedestrians and spending time in the gateway seating area of this project, however it is unsafe and will not be a popular place to sit and visit. The gateway design is close to the intersection and doesn’t include pedestrian protection from the passing vehicles, which endangers any children who are in the gateway area. This is not a destination for a leisurely cup of coffee and chatting with friends because it’s too close to the road, vehicles race by, semis loudly switch gears at the crest of the hill, and you will be breathing exhaust.

Less parking than required: The developer claims their parking spaces will be used by businesses during the day and as guest parking at night, however dual use parking spaces are not allowed by code (KZC 50.60.2). Surrounding streets have almost no street parking and new fire hydrants required because of this project mean even less parking. More parked cars on narrow 131st means less emergency access.

Family atmosphere: I am concerned about the family-oriented neighborhood we have now changing into big apartment complexes with studio apartments. New residents in this project will find themselves in an area with minimal bus service, very few businesses catering to them, and a steep hill bordered by forested ravines. The pedestrians in our neighborhood tend to be neighbors walking their dogs, retirees on a walk, commuters taking the bus to Redmond, and children going to and from school. I'm concerned that the young people attracted to this complex are not going to find the convenient amenities they want and 134 units of new people will change the character of our residential area.

Garbage collection: The dumpster for entire building is collected next to a neighbor's one-story home. When the garbage truck backs up into the driveway for collection, it will block access to one of only two entrances for the whole apartment complex. That seems inconvenient and even dangerous for that many people to be down to one entrance.

No moving truck loading zone: Studio apartments are for young people whose lives are ever-changing. This project has no loading zone for a moving truck. Just as with garbage collection, if a moving truck blocks either driveway, residents are down to one way in or out. If moving trucks choose to stop on 132nd, they will be impacting an already clogged intersection. If the moving truck parks on 131st, it will impact a dead-end street already overwhelmed by nearby businesses using their street to park.



No play area or open spaces for children: Children who live in this apartment complex will have no options for playing outside. The nearest public park is a 13-minute 0.7 mile walk almost entirely along busy 85th Street. The current proposal for this apartment complex doesn't include any playground equipment or even an open grassy area for children. The center courtyard will be a parking lot, which cannot be safe a play area.

Businesses that the community will frequent: With just 7% of the square footage for businesses, this project can just barely be considered mixed use. The developer's plan is to use the retail space for their own corporate office and a property management company, leaving one space for a business that the community may actually use.

Quality of life: In the city's FAQ document about this project, in response to our concerns about our quality of life, the city replied, "The City does not have a metric for quality of life." The developer has no incentive to preserve our quality of life and city officials say there is no metric for it. My neighbors and I are on the cusp of losing the quality of life in our neighborhood. It will come in the form of towering walls of windows, noisy apartments, busy driveways choking gridlocked intersections, loss of solar access all winter, children with nowhere to play, moving trucks and garbage trucks blocking roads, and so many people crammed into a once-quiet neighborhood. All of this on streets lined with modest houses and homeowners who were not given the chance to prevent it.

I am seeking the following solutions and intervention on the Design Review Board's part:

- The design for this development should not be approved. The development needs to decrease the size to three stories and replace residential units with retail on the ground floor, per the zoning code and Comprehensive Plan. Additional guest and retail parking spaces should be added.
- Upcoming Design Review Board meetings should be cancelled until:
  - The developer proves this development complies with zoning codes and the Comprehensive Plan.
  - The developer shows respect for the Design Review process.
  - The developer demonstrates a willingness to respond to requests from board members and city staff.
  - The developer makes concessions to address the concerns of the neighborhood of which this project wants to be a part.
- If the developer does not provide a revised plan within the 7 business days requested by the city, the corresponding Design Review Board meeting should be cancelled and rescheduled for no less than 30 days in the future. This will allow community members time to be informed about the new meeting.

Please do not set a precedent by allowing this huge, out-of-place development in our neighborhood that clearly conflicts with Kirkland's zoning codes and Comprehensive Plan. Please do what is in the power of the Design Review Board to help our neighborhood keep its current family atmosphere, the traffic flow of those passing through, the safety of our children, and our quality of life. We are counting on you to hear us and make the vital changes necessary before the Continental Divide project is built.

Sincerely,  
 Olivia Ahna  
 8402 132nd Ave NE