



CITY OF KIRKLAND
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MEMORANDUM

To: Design Review Board
From: Tony Leavitt, Senior Planner
Date: June 25, 2023
File No.: DRV23-00164
Subject: **MODERA BRIDLE TRAILS
DESIGN RESPONSE CONFERENCE**

I. MEETING GOALS

At the June 5, 2023 Design Review Board (DRB) meeting, the DRB should conduct a Design Response Conference and determine if the project is consistent with the design guidelines contained in the Design Guidelines for Pedestrian Oriented Business Districts, as adopted in Kirkland Municipal Code (KMC) Section 3.30.040.

During the Design Response Conference, the DRB should provide feedback on the following topics:

- Building Scale
- Pedestrian Oriented Elements
- Open Space and Landscaping
- Building Materials, Color, and Details
- Commercial Use Requirements along Through Block Pathways
- Residential Frontage Limitation along NE 70th Place

II. PROPOSAL

The subject property is located at 13033 NE 70th Place (see Attachment 1). The applicant is proposing to construct a 5-story mixed use project with approximately 368 residential units and 7,000 square feet of retail space. Parking is proposed within structured parking below the building (see Attachment 2). Vehicular access to the property is from 130th Avenue NE and NE 70th Place.

III. SITE

The subject property (approximately 2.9 acres) is currently developed with two commercial buildings. A majority of the site is relatively flat with significant downward slope along the northern edge of the property near NE 70th Place. The property has street frontage along 70th place NE (a minor arterial) and 130th Avenue NE (a neighborhood access street).

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

- South and East: BCX, 30 to 60-foot max height, currently developed as the Bridle Trails Shopping Center.
- West: RM 3.6, 30-foot max height, currently developed with residential apartments.
- North: RSX 7.2 and BN. The RSX 7.2 zoned properties contain single family residences and have a maximum height of 30 feet. The BN zoned property contains an existing commercial development with a maximum height of 30 feet.

Additional photographs prepared by the applicant that show the surrounding properties are contained in Attachment 2.

IV. CONCEPTUAL DESIGN CONFERENCE

Conceptual Design Conferences were held on June 20, 2022 and August 22, 2022. The DRB provided direction to the applicant in preparation for the Design Response Conference.

At the meetings, the DRB discussed:

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

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

V. DESIGN RESPONSE CONFERENCE

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

A. Pedestrian Oriented Design Guidelines

1. General

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

- Building Scale
 - Vertical and Horizontal Modulation
 - Architectural Scale
- Pedestrian Orientation
 - Pedestrian Friendly Building Fronts
 - Plazas
 - Blank Wall Treatments
- Landscaping
- Building Materials, Colors, and Details

See the adopted Design Guidelines for Pedestrian-Oriented Business Districts (Attachment 3) for complete text and explanations.

2. Special Considerations for the Bridle Trails Neighborhood Center

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

- Commercial Frontages: Continuous commercial building fronts should be provided along adjoining arterials and through-block pathways. Consideration should be made to maximize the usage of through-block pathways with commercial and other public activations. Any non-commercial building fronts should be located in areas where less successful commercial activity may occur. Special attention should be made in locating commercial building fronts near intersecting through-block pathways and where transit services are located.
- Plaza Locations: Plazas should be located facing pedestrian-friendly building fronts, near intersecting through-block pathways and where transit services are located. Plaza should be a focal point of public gather and seek opportunities to provide space for performances, passive and children's recreation.
- Through Block Pathway: The through-block pathway connecting NE 70th Place to shops and services within the neighborhood center should be designed with amenities and help transition pedestrian traffic from lower grade at the street to the more level grade within the neighborhood center. Design of this pathway should provide places for people to pause and gather and provide a planted buffer from vehicular traffic.
- Pedestrian Paths and Amenities: Streets and pathways should enhance the pedestrian experience and find opportunities to provide passive seating areas, cafe seating, green space, small scale performance area, public art, and children's recreation and small public gathering space. Sidewalks along 130th Avenue NE should enhance the City's Greenways connection.
- Upper Story Setbacks: Buildings above the second story should utilize upper story step backs to create receding building forms as building height increases, allow for additional solar access, and maintain human scale at the street level.
- Open Space at Street Level: Reductions to required upper story setbacks may be appropriate where an equal amount of beneficial public open space is created at the street level consistent with applicable principles.
- Use of Materials and Colors: Special attention to the use of colors and materials should be used on a building's upper stories to reduce the appearance of taller buildings.
- Visual Quality of Landscaping: A combination of both street and private trees with associated landscaping should be used to help mitigate the urban edges of the neighborhood center adjacent to residential neighborhoods.

B. Compliance with Design Guidelines

1. Building Scale

a. DRB Discussion

The DRB expressed a preference for Massing Option 3 presented at the August 22, 2023 Conceptual Design Conference. As part of their discussion, the DRB requested the following items as part of the DRC submittal:

- 3D Massing or Sketch Up model of the building to help visualize massing and design treatments.
- Further development of vertical and horizontal modulation to reduce the perceived mass of the building.

b. Supporting Design Guidelines

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

- Vertical building modulation should be used to add variety and to make large buildings appear to be an aggregation of smaller buildings.
- Encourage a combination of architectural building elements that lend the building a human scale. Examples include arcades, balconies, bay windows, roof decks, trellises, landscaping, awnings, cornices, friezes, art concepts, and courtyards. Window fenestration techniques can also be effective in giving humans clues as the size of the building. Consider the distances from which buildings can be viewed (from the sidewalk, street, parking lot, open space, etc.).
- Encourage a variety of horizontal building modulation techniques to reduce the architectural scale of the building and add visual interest. Horizontal building modulation is the horizontal articulation or division of an imposing building façade through setbacks, awnings, balconies, roof decks, eaves, and banding of contrasting materials. Elevations that are modulated with horizontal elements appear less massive than those with sheer, flat surfaces.
- Avoid blank walls near sidewalks, major internal walkways, parks, and pedestrian areas.
- Mitigate the intrusive qualities of parking garages. Along streets, pedestrian pathways and in pedestrian areas, ground-level commercial uses should be incorporated into parking structures. Extensive landscaping should be used to screen the parking garage near residential areas and in high visibility locations.

c. Staff Analysis

As requested by the DRB, the applicant has pursued Massing Option 3 from the August 22, 2022 CDC Meeting and has provided detailed plans for review (see Attachment 2).

- The applicant has provided multiple renderings of the building and will have their 3D model available at the meeting.

- The plans (Attachment 2) include building modulation diagrams on Sheets 25 and 26 that show the various elements used to break up the mass of the building. Additionally Sheets 27 through 32 provide articulation details for each façade.

Staff believes that the applicant has provided a good use of modulation techniques and materials that help to break up the mass of each façade.

- The applicant has provided a response to each of the applicable building scale design guidelines on Sheet 11.

Staff has reviewed these responses and believes that the applicant has adequately addressed the applicable guidelines.

- Staff has not identified any blank walls that need treatment.

The DRB should provide input on the following items:

- *Do the buildings provide enough horizontal and/or vertical modulation when viewed from key vantages?*
- *What recommendations does the DRB have about the upper floor modulation?*
- *Do the facades include enough fenestration and architectural building elements?*

2. Pedestrian Oriented Elements

a. DRB Discussion

The DRB supported the proposed plazas and pedestrian oriented elements, but requested the following items:

- Detailed plans for any pedestrian sidewalks or walkways.
- Additional development of pedestrian plaza areas along the east access road including amenities.

b. Supporting Design Guidelines

The Design Guidelines for Pedestrian Oriented Business Districts contain the following statements that pertain to pedestrian-oriented elements:

- Streets and pathways should enhance the pedestrian experience and find opportunities to provide passive seating areas, cafe seating, green space, small scale performance area, public art, and children's recreation and small public gathering space.
- Awnings or canopies should be required on facades facing pedestrian-oriented sidewalks. A variety of styles and colors should be encouraged on pedestrian-oriented streets, and a more continuous, uniform style encouraged for large developments on entry arterial streets.
- Successful pedestrian-oriented plazas are generally located in sunny areas along a well-traveled pedestrian route. Plazas must provide plenty of sitting areas and amenities and give people a sense of enclosure and safety.

- Plazas should be located facing pedestrian-friendly building fronts, near intersecting through-block pathways and where transit services are located. Plaza should be a focal point of public gather and seek opportunities to provide space for performances, passive and children's recreation.

c. Staff Analysis

The applicant has provided detailed plans for the pedestrian sidewalks, through block pathways and courtyards (see Attachment 2, Sheets 43 through 57) to address the DRB's comments. Additionally, the applicant provides the applicable design guidelines and their response to those guidelines on Sheets 9 and 10.

The proposed courtyards are located along the exterior pedestrian pathways and are placed in areas that will be inviting to residents and visitors.

The DRB should provide input on the following items:

- *Are the proposed sidewalk plans adequate?*
- *Do the proposed courtyards provide enough amenities for residents and visitors?*

3. Open Space and Landscaping

a. DRB Discussion

The DRB had the following requests regarding open space and landscaping:

- Provide detailed hardscape and landscape plans including species and size.
- Provide detailed lighting plans for plazas and sidewalk areas.
- Provide a final design for the trash staging area

b. Supporting Design Guidelines

The Design Guidelines and Zoning Regulations contain the following guideline addressing the visual quality of landscapes:

- KZC Chapter 95 requires that a landscape plan be approved as part of the Design Review Process.
- The placement and amount of landscaping for new and existing development should be mandated through design standards. Special consideration should be given to the purpose and context of the proposed landscaping. The pedestrian/auto landscape requires strong plantings of a structural nature to act as buffers or screens.
- The pedestrian landscape should emphasize the subtle characteristics of the plant materials. The building landscape should use landscaping that complements the building's favorable qualities and screens its faults.
- Landscaping around urban buildings, particularly buildings with blank walls, can reduce scale and add diversity through pattern, color, and form.

- All building entries should be well lit. Building facades in pedestrian areas should provide lighting to walkways and sidewalks through building-mounted lights, canopy or awning-mounted lights, and display window lights. Encourage variety in the use of light fixtures to give visual variety from one building facade to the next. Back-lit or internally lit translucent awnings should be prohibited.

c. Staff Analysis

Landscaping should be placed in areas to help mitigate building massing and enhance the pedestrian experience along the project frontages.

The applicant has submitted landscape material palettes, tree and plant concepts and a general location plan (see Attachment 2, Sheets 59 through 69) for the site. The applicant will provide more detailed plans after the Board has provided direction on the preliminary landscape plans.

The applicant will provide a lighting fixture and location plan at the meeting.

The applicant has provided a detailed plan for the trash staging area (see Attachment 2, Sheet 92).

The DRB should provide input on the following items:

- *What changes are needed to the landscape plan?*
- *Are there other opportunities for additional landscaping?*
- *Proposed lighting plan and trash staging area.*

4. Building Materials, Color, and Details

a. DRB Discussion

The DRB did not provide specific direction regarding building materials, colors, and details as part of the Conceptual Design Conference.

b. Staff Analysis

Attachment 2, Sheets 33 through 39 contain proposed materials and colors for the project. The DRB should provide feedback to the applicant regarding the proposed materials and colors.

VI. KEY ZONING REGULATIONS

The applicant's proposal is also subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, Fire and Building Code, and Public Works Standards. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 4, Development Standards, is provided to familiarize the applicant with some of these additional development regulations. These regulations and standards are not under the review authority of the DRB and will be reviewed for compliance as part of the building permit review for the project.

Development of the subject property is subject to the regulations for the BCX zone. Zoning regulations for uses in the BCX zone are found in the use-zone chart (see Attachment 5). The following regulations are important to point out as they form the basis of any new development on the site.

- A. Permitted Uses: Permitted uses in this zone include but are not limited to retail, office and stacked dwelling units (residential). Uses above the 3rd story are limited to Assisted Living Facility and Attached or Stacked Dwelling Units.

Staff Comments: The applicant is proposing commercial and residential uses. The uses above the 3rd story are limited to stacked dwelling unit uses.

- B. Commercial Depth Requirements: Except along NE 65th Street and 130th Avenue NE, residential uses, assisted living uses, and parking for those uses shall not be located on the street level floor unless an intervening commercial frontage is provided between the street and those other uses. The intervening commercial frontage 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). The Design Review Board (or Planning and Building Director if not subject to Design Review) 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 that the design of the commercial frontage will maximize visual interest.

Staff Comments: The plans show compliance with the minimum depth of 20 feet and an average depth of at least 30 feet. Staff will confirm compliance as part of the building permit application.

- C. Commercial Use Requirements: Development shall contain commercial uses oriented to adjoining arterials and through-block pathways. The location and frontages of these commercial uses shall be reviewed through Design Review for consistency with applicable guidelines or regulations.

Staff Comments:

- *The design guidelines state that continuous commercial building fronts should be provided along adjoining arterials and through-block pathways. Consideration should be made to maximize the usage of through-block pathways with commercial and other public activations. Any non-commercial building fronts should be located in areas where less successful commercial activity may occur. Special attention should be made in locating commercial building fronts near intersecting through-block pathways and where transit services are located.*
- *The applicant has provided commercial uses along NE 70th Place, which is a minor arterial.*
- *The applicant is requesting that commercial uses not be required along the through block pathways (on the east and south frontages of the structure). The applicant provides an analysis (see Attachment 2, Sheets 74 through 81) to support this request. The reasons for the request are:*
 - *Along the eastern frontage, the applicant states that the existing conditions (including the driveway on the neighboring property, lack of access to parking on the neighboring property, and steep grade changes) will make commercial uses along this façade impractical.*
 - *Along the southern frontage, the applicant states that the existing frontage conditions on the neighboring property (including loading areas, large blank façade, drive lane and restricted parking) do not create the visibility, pedestrian or vehicle access, and ambiance necessary for viable commercial uses.*

- *In the southeast corner of the development, the applicant is proposing residential amenity space that will help to active the corner of the development. The space will include meeting and work areas, a fitness center, and entrances to the residential building. The space will be designed to meet commercial standards (including glazing, weather protection and floor to floor height requirements) and would allow for conversion to commercial uses if it becomes viable in the future.*
- *Staff has reviewed the request and finds that the applicant makes a compelling argument for not requiring commercial uses along the east and south facades of the project. The proposed uses and design of the southeast corner may help to activate that corner of the building and provide an opportunity for conversion to commercial space in the future if redevelopment of the neighboring property occurs, potentially making the space more commercially viable.*
- *The Design Review Board will need to review the applicant's request and determine if it complies with the applicable design guidelines.*

D. Residential Linear Frontage Limitation: Lobbies and amenity space for residential or assisted living uses may be allowed within the commercial frontage provided they do not exceed 20 percent of the building's linear retail frontage along the street or through-block pathway. The Design Review Board (or Planning and Building Director if not subject to Design Review) may approve a minor increase to ground floor residential lobbies and amenities if they are connected to retail use and the design of the ground floor frontage will maximize visual interest.

Staff Comments:

- *The proposed plans show a total of 385.58 linear feet of building frontage along NE 70th Place. The proposed residential lobby and amenity space will take up 132.24 linear feet or 34.3 percent.*
- *The applicant is requesting a 14.3 percent increase in residential linear frontage (see Attachment 2, Sheets 71 through 73).*
- *The applicant states that the increase in residential linear frontage is a result of the open space carved out along NE 70th Place at the request of the DRB. Without this carve out, the project would comply with the requirement.*
- *Staff has reviewed the request and agrees with the applicant's analysis. The proposed open space will create an active and engaging frontage along NE 70th Place, will be connected to the retail spaces and the design of the frontage will maximize visual interest.*
- *The Design Review Board should review the applicant's request for an increase in ground floor residential uses along NE 70th Place and provide guidance.*

E. Height:

1. The BCX zone allows a maximum height of 60 feet as measured above the average building elevation (ABE).
2. No portion of a building within 40 feet of NE 70th Place shall exceed a height of 60 feet above NE 70th Place measured at the midpoint of the frontage of the subject property on the NE 70th Place right-of-way. The Design Review Board is authorized to allow rooftop amenities where this height limit is imposed.

3. The commercial floor shall be a minimum of 13 feet in height.
4. In addition to the height exceptions of KZC 115.60, the following height exceptions are established:
 - a. An additional 5 feet is allowed for buildings providing a grocery store.
 - b. Decorative parapets may exceed the height limit by a maximum of four feet provided that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
 - c. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal to or greater than four feet vertical to 12 feet horizontal.

Staff Comment: The applicant has submitted ABE height calculations and plans that show compliance with BCX height requirements. Staff will ensure continued compliance as part of the building permit application review.

F. Setbacks:

1. Attached or Stacked Dwelling Units and Assisted Living Facilities located at the street level floor along NE 65th Street and 130th Avenue NE shall have a minimum seven-foot required yard.
2. For all building facades facing and within 100 feet of the abutting right-of-way, all portions of a structure greater than three stories in height, as measured from the abutting right-of-way, shall be stepped back from the third story façade as follows:
 - a. From NE 70th Place and that portion of 132nd Avenue NE across from Snyder's Corner Park by an average of 8 feet;
 - b. From 130th Avenue NE, and NE 65th Street, and that portion of 132nd Avenue NE south of Snyder's Corner Park by an average of 12 feet;
 - c. The required upper story step backs for all floors above the third story shall be calculated as Total Upper Story Step Back Area as follows: Total Upper Story Step Back Area = (Linear feet of front property line(s), not including portions of the site without buildings that are set aside for vehicular areas) x (Required average step back) x (Number of stories proposed above the third story). The Design Review Board is authorized to allow rooftop amenities within the step back area.

Staff Comment: The applicant has submitted plans that show compliance with all setback and upper story step back requirements (see Attachment 2, Sheets 23 and 24). Staff will ensure continued compliance with the building permit application review.

G. Open Space:

1. The development shall provide publicly accessible pedestrian oriented open space(s) adjacent to the street or through-block pathway. The publicly accessible space(s) shall contain a minimum of 1,000 square feet or one square foot per 200 gross square feet of above grade building area, whichever is greater. The size calculation shall not include the required width of abutting sidewalks or pathways. Locations, dimensions, features and improvements (such as plazas, seating, public art, children's recreation space) shall be reviewed and approved through by the Design Review Board based on applicable guidelines.

2. Development shall provide for one north-south through-block pathway connection between NE 70th Place and NE 65th Street and two east-west through-block pathway connections between 130th Avenue NE and 132nd Avenue NE. The Design Review Board shall determine the final location and configuration of the through-block pathway connections based on convenience and utility for nonmotorized access and orientation toward commercial uses and pedestrian oriented open space.

Staff Comment:

- *The plans show compliance with the public open space size requirements (see Attachment 2, Sheet 42). The DRB will need to review the design of these spaces to ensure compliance with the applicable design guidelines.*
- *The applicant is showing pedestrian sidewalks along the east and south sides of the subject property as requested by the Public Works Department. As part of the Design Response Conference, the DRB will need review the location and design of these pedestrian sidewalks and the relationship to future connections on neighboring properties.*

- H. Parking: The project is required to comply with the following parking standards for the proposed uses:

Residential:

- 1.2 stalls per studio unit
- 1.3 stalls per 1 bedroom unit
- 1.6 stalls per 2 bedroom unit
- 1.8 stalls per 3 or more bedroom unit
- Guest Parking: A minimum 10% of the total number of required parking spaces shall be provided for guest parking and located in a common area accessible by guests. If the required number of guest parking spaces results in a fraction, the applicant shall provide the number of spaces equal to the next higher whole number.

Retail: 1 stall per 300 square feet of gross floor area

Restaurant: 1 stall per 100 square feet of gross floor area

Staff Comment: *The applicant will be required to demonstrate compliance with applicable City parking requirements as part of the building permit application.*

- I. High Performance Building Standards:

1. KZC Section 35.10.40.2.h states that development shall be designed, built and certified to achieve or exceed the High-Performance Building Standards described in KZC 115.62.
2. KZC Section 115.62 requires the following:
 - b. To be considered a high performing building, a development shall be certified to meet the current versions of one or more of the following programs: International Living Future Institute's (ILFI) Living Building Challenge™, Living Community Challenge™, Petal Recognition (energy, water and materials petals at a minimum), or Zero Energy™ (ZE) and Core programs; Built Green's 4-Star™ program; the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design™ (LEED) Platinum program.

- c. Proof of registration in one of the certification programs in subsection (2)(a) or (b) of this section must be provided prior to development permit submittal.
- d. Performance Standards – All projects shall adhere to the following performance standards and show compliance with them at the time of the development permit submittal:
 - In zones where a maximum density is specified the development shall attain that maximum density, or exceed the maximum density through allowed bonuses;
 - Provide an embodied carbon assessment of existing and proposed buildings and set embodied carbon limits and reductions;
 - At least 20 percent of all required parking spaces shall be electric vehicle (EV) ready parking spaces. In addition, at least 10 percent of all required parking shall be EV ready parking spaces that are complete with a functioning electric vehicle charger;
 - All bicycle storage areas shall include electrical outlets to charge electric bicycles and other micro-mobility modes;
 - Provide a deconstruction and material diversion plan;
 - Achieve a reduction in water use in buildings and development by at least 20 percent over Washington State code requirements;
 - Demonstrate that buildings are all-electric. Excepted from this requirement are gas commercial cooking appliances; provided, that a corresponding and appropriately sized electrical outlet and all related infrastructure are installed for future replacement appliances.

Staff Comment: The applicant will be required to demonstrate compliance with the high performing building standards as part of the building permit application.

- J. Affordable Housing Requirements: The project is required to provide at least 10 percent of the units as affordable housing units as defined in KZC Chapter 5.

Staff Comment: A review for compliance with the City's Affordable Housing Regulations will occur as part of the building permit.

I. STATE ENVIRONMENTAL POLICY ACT

SEPA is the state law that requires an evaluation of a development proposal for environmental impacts. The applicant has submitted an Environmental Checklist and Traffic Report to the City and that review is currently in process. The review will need to be completed before the Design Review Board makes a decision on the DRC application.

II. PUBLIC COMMENT

Prior to the finalization and distribution of this staff memo, no public comments were received.

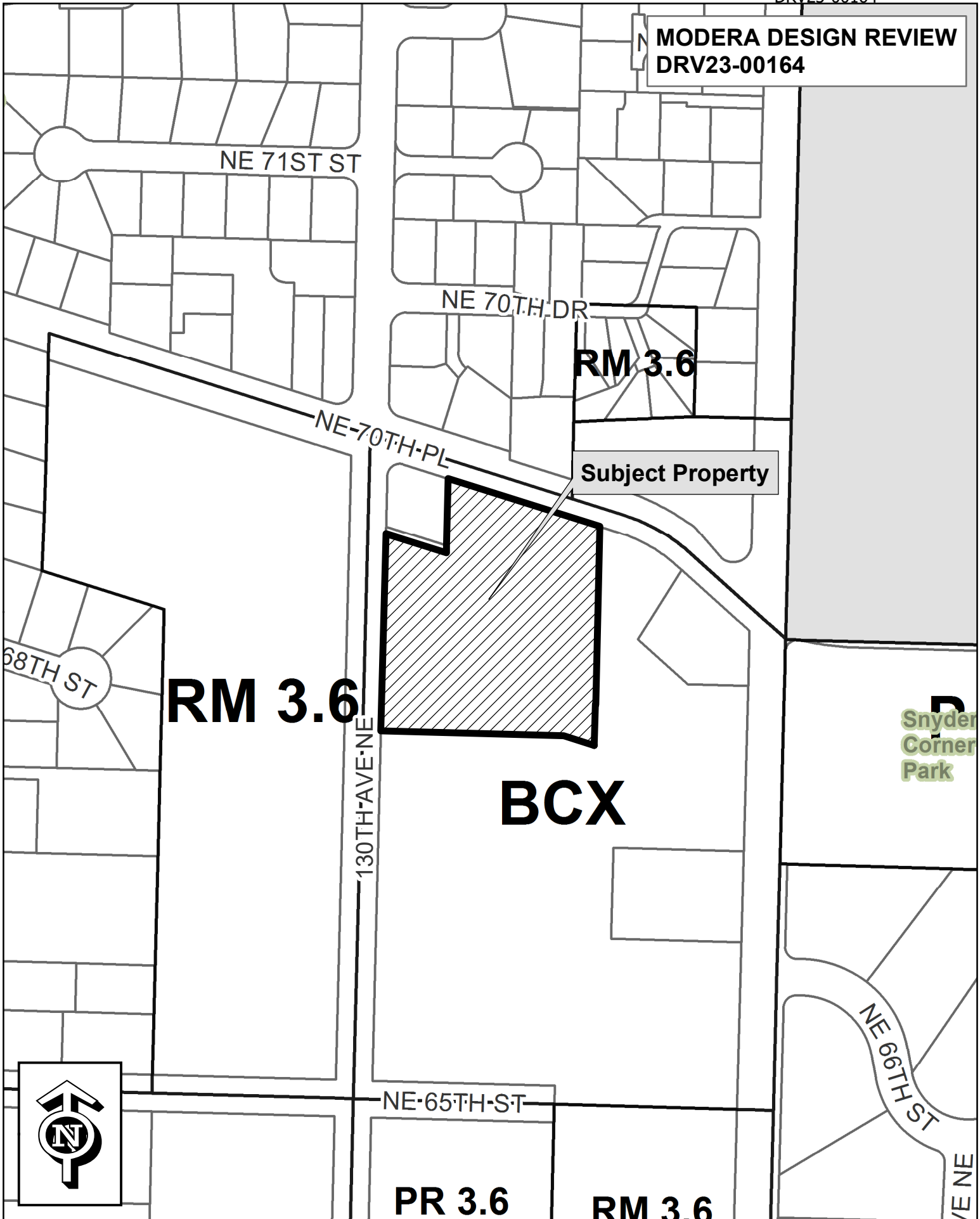
III. SUBSEQUENT MODIFICATIONS

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

IV. ATTACHMENTS

1. Vicinity Map
2. Development Plans
3. Design Guidelines for the Pedestrian Oriented Business Districts
4. Development Standards
5. BCX Use Zone Chart

**MODERA DESIGN REVIEW
DRV23-00164**



MODERA BRIDLE TRAILS – DESIGN RESPONSE CONFERENCE I

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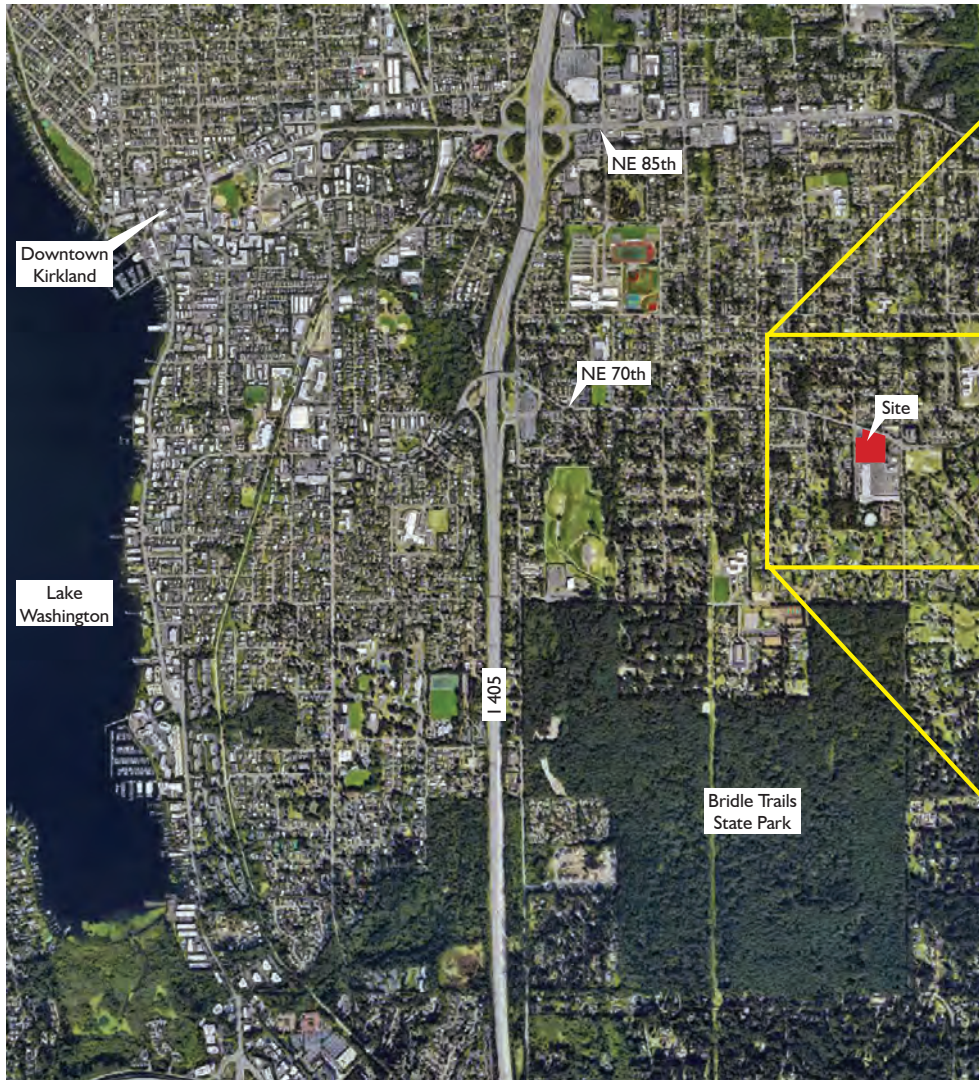
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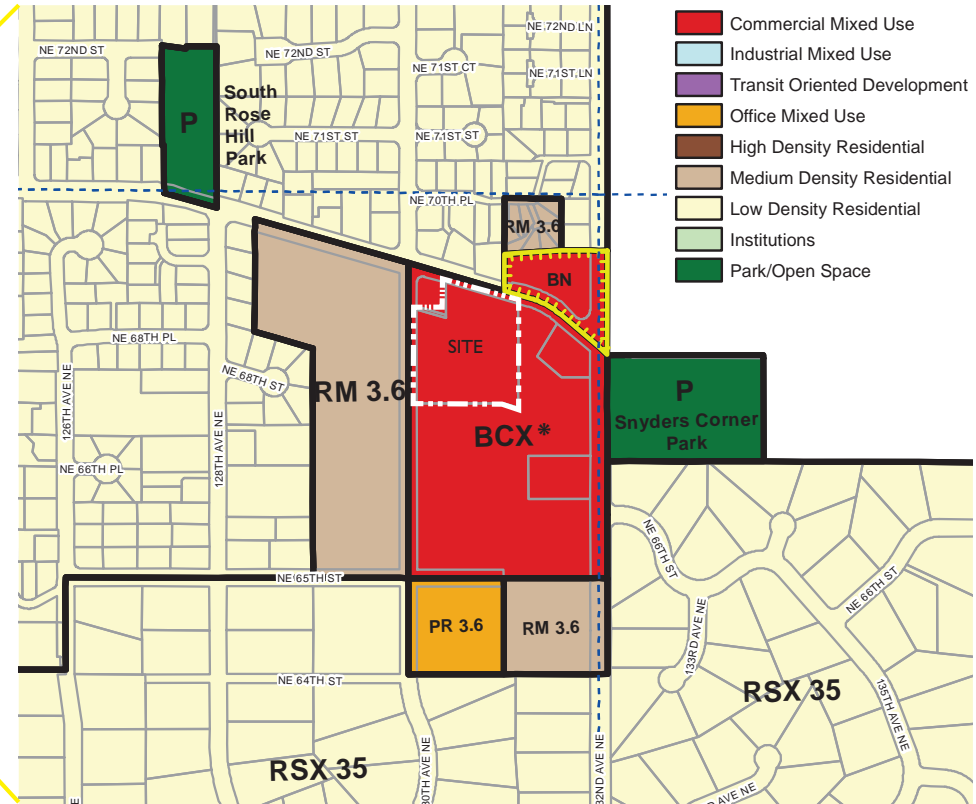
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SITE & CONTEXT

SITE WITHIN KIRKLAND



Kirkland Zoning



* Height in the Incentivized BCX zone is 60' above average grade elevation

SITE CONTEXT

- ARTERIAL ROAD
- RESIDENTIAL STREET
- DESIGNATED BIKE ROUTE
- BUS STOP
- PEDESTRIAN ORIENTED STREET
- MAJOR PEDESTRIAN SIDEWALK
- MOST HEAVILY USED VEHICLE ENTRY
- ADDITIONAL VEHICLE ENTRY

