



## CITY OF KIRKLAND

Planning and Building Department  
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### MEMORANDUM

**To:** Houghton Community Council

**From:** Angela Ruggeri, Senior Planner  
Jeremy McMahan, Deputy Director, Planning and Building Department

**Date:** May 20, 2019

**Subject:** Citizen Amendment Request, File Number CAM18-00444

#### **Staff Recommendation**

Review the Citizen Amendment Request for the property located at corner of Lakeview Drive & NE 64<sup>th</sup> Street. Provide a recommendation to the Planning Commission (PC) on whether the request should be studied in 2019; deferred to a future work program; or not considered further.

#### **Background**

The City uses a systematic process to amend the Comprehensive Plan, and to make changes to the Zoning Map or Zoning Code that are necessary to implement the Plan amendments. There are two ways changes can be made. The City can initiate the change, or a Citizen Amendment Request (CAR) may be initiated by the public.

CARs may be made by an individual, property owner, neighborhood organization, or other group. CARs are considered once every other year, during odd years. Each CAR that is submitted must go through a two-phase process as described below. The CAR applications received for the 2019 review included two applications for properties in the jurisdiction of the Houghton Community Council (HCC). The HCC reviewed one of the applications at its April 22, 2019 meeting. The other application is explained in this memo and will be reviewed at the May 30, 2019 HCC meeting.

#### Phase I

The Planning Commission and Houghton Community Council (if the site is in its jurisdiction), make a threshold review of the CARs and recommend to the City Council which ones should be considered further based on criteria specified in the Kirkland Zoning Code (see below). The City Council reviews the recommendation at a public meeting and determines which requests should be studied further. The Council also determines which requests will go to Phase II in the current year and which will be reviewed in a subsequent year, depending on the number of requests, available resources, and the Planning and Building Department's work program.

#### Phase II

Any CARs that are approved by City Council for additional study move to Phase II. During the second phase, the merits of the proposal are evaluated, and potential options

are considered. The City may expand the geographical study area beyond that which is proposed by the applicant. The Planning Commission holds a public hearing and makes a recommendation to the City Council. The City Council considers the recommendation and makes the final decision on the request. If the CAR is in Houghton, the Houghton Community Council may exercise its disapproval jurisdiction for any request that is approved by the City Council.

Criteria for approving changes to the Land Use Map and Zoning Map

As the HCC considers whether to recommend further study of this CAR, the following Zoning Code criteria need to be considered:

*130.20 Legislative Rezones – Criteria*

The City may decide to approve a legislative rezone only if it finds that:

1. Conditions have substantially changed since the property was given its present zoning or the proposal implements the policies of the Comprehensive Plan; and
2. The proposal bears a substantial relationship to the public health, safety, or welfare; and
3. The proposal is in the best interest of the community of Kirkland.

*140.25 Factors to Consider in Approving an Amendment to the Comprehensive Plan*

For both City and citizen-initiated amendments, the City shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:

1. The effect upon the physical, natural, economic, and/or social environments.
2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods.
3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools.
4. The quantity and location of land planned for the proposed land use type and density.
5. The effect, if any, upon other aspects of the Comprehensive Plan.

*140.30 Criteria for Amending the Comprehensive Plan*

The City may amend the Comprehensive Plan only if it finds that:

1. The amendment must be consistent with the Growth Management Act.
2. The amendment must be consistent with the countywide planning policies.
3. The amendment must not conflict with other goals, policies, and provisions of the Kirkland Comprehensive Plan.
4. The amendment will result in long-term benefits to the community and is in the best interest of the community.

**Project**

The property owner, Deborah McFarlane, has submitted a CAR for the property located at the corner of Lakeview Drive & NE 64<sup>th</sup> Street (see Attachments 1 &

2). The request is to change the Comprehensive Plan and zoning from low density single family, RS 5.0 (5,000 square feet per unit or 9 units per acre) to medium density multifamily RM 3.6 zoning (3,600 square feet of lot area per unit or 12 units per acre). The application states that the reason for the proposal is to provide the same zoning designation for the subject property as for the properties on the other three corners of the intersection at NE 64th Street and Lakeview Drive. It also states that the rezoning of the property would continue the multifamily designation to the south and act as a buffer between Lakeview Drive and the single-family zone to the east. The lot currently contains a metal garage and the owner explains that her goal, if the rezone is approved, would be to provide more housing capacity. Based on parcel size, the current zoning allows one unit with an accessory dwelling unit (ADU). The proposed zoning would allow two regular dwelling units (attached, detached, or stacked). A full explanation of the proposal is included in the application (Attachment 1).

The applicant proposed this rezone along with the rezone of the adjoining property to the east during the last CAR process in 2017. The property to the east is also owned by the applicant and it contains a home built in 1988. It was determined at the time that the proposal should not be studied further (should not proceed to phase 2), because of the following issues.

- The Lakeview Neighborhood Plan was updated in 2011 and staff recommended that the land use policies and boundaries be respected. It was also suggested that the applicant could explore adding an ADU on the property.
- It was determined that a rezone would carve out a corner notch of medium density zoning in an otherwise cohesive single-family district, because single-family zoning and development would abut the study area on its north and east boundaries.

### **Staff Analysis**

In a case like this where the CAR is for a specific site, the City generally looks at a larger area to determine how to proceed. The area map in Attachment 2 is provided to show existing development and lot sizes around the proposal site. The yellow area on the map is zoned single family residential and the brown area is zoned multifamily residential. The applicant also owns the adjacent lot to the east. Potential study areas include the full block outlined in a black dashed line; and a smaller area which lines up with the multifamily zoning to the south, outlined in a double blue line.

The property is in the southwest corner of an existing single-family neighborhood. The properties to the west and south are zoned for multifamily. The properties to the north and east are zoned for single family. The other three corners of the intersection of Lakeview Drive and NE 64<sup>th</sup> Street are zoned for multifamily.

The map in Attachment 2 shows the lot size, and year built for houses surrounding the subject property. This area of the neighborhood is made up of a mix of relatedly new homes and several older homes (many built in 1942 as housing for the shipyards). A

number of these older houses may be redeveloped soon. The proposed zoning of RM 3.6 would require a minimum lot size of 5,400 square feet to allow two residential units on a site. Some of the lots in the larger study area are less than 5,400 square feet and so would need to be combined with an adjacent lot in order to benefit from the change in zoning.

The applicant is requesting a change in zoning so that two units will be allowed on this property. The existing zoning allows for one single family home and an ADU on the proposal site.

Staff is currently proposing changes to the existing Zoning Code incentives that encourage duplex and triplex development in single family zones. These amendments are part of the "Missing Middle" project for housing in Kirkland and will provide increased duplex and triplex incentives. The Houghton jurisdiction does not presently have incentives for duplexes and triplexes. If the HCC decides in the future to include these new incentives in the Zoning Code for the Houghton jurisdiction, they would provide additional options for this property and for those properties in the single-family neighborhood adjacent to it.

#### **Staff Recommendation**

Staff recommends that this proposal be studied further as part of the Planning 2020 Work Program. There are potential logical boundaries for an expanded study area that would include more than the proposed CAR parcel. The expanded boundary could result in actual changes in land use in the foreseeable future to the age and extent of current development in the area. In addition, the City Council has expressed strong interest in providing more housing in Kirkland, especially in areas that are well served by shops, services, and transportation choices.

If the proposal is to be studied further, staff recommends that it not be done until 2020, since the City does not have the staff resources to include this in the work program for this year.

#### **Attachments:**

1. Application for CAR
2. Map of surrounding area

cc: File Number CAM18-00444  
Deborah McFarlane, 8512 122<sup>nd</sup> Ave. NE, PMB 225, Kirkland, WA 98033

### APPLICATION FOR AMENDMENTS TO THE COMPREHENSIVE PLAN, ZONING CODE AND ZONING MAP

**I. CONTACT INFORMATION:**

A. Applicant Name:	Deborah McFarlane
B. Mailing Address:	8512 122nd Ave NE, PMB 225
C. Telephone Number:	206-617-6160
D. Email Address:	winedivadeb@hotmail.com
E. Property Owner Name if different than applicant:	
F. Mailing Address:	
G. Telephone Number:	
H. Email Address:	

**Note:** If the applicant is the property owner or is representing the property owner, then the property owner must sign the last page. If the applicant is neither the property owner nor representing the property owner, then the affected property owner must be notified. Send or hand-deliver a copy of this completed application to all affected property owners. Complete the attached Affidavit of Service that this has been done.

Copies of staff reports and meeting agendas will be sent by email unless you request to the project planner that you want copies mailed to you.

**II. FOR SITE SPECIFIC PROPOSAL:**

A. Address of proposal (if vacant provide nearest street names):	Corner Lot at Lakeview Drive & NE 64th St
B. King County Tax Parcel number(s):	2,649,500,173
C. Describe improvements on property if any:	Metal garage on Parcel 264950-0173
D. Attach a map of site that includes adjacent street names:	See attached Appendix A
E. Current Zoning on subject property:	RS 5.0
F. Current land use designation & permitted density shown on appropriate neighborhood plan land use map:	LDR 9

### III. FOR ALL PROPOSALS

A. Description of Proposal:

See Attached Request Addendum

B. Description of the specific reasons for making the proposal:

See Attached Request Addendum

C. Description of how the proposed amendment relates to the following criteria:

See Attached Request Addendum

1. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.

See Attached Request Addendum



2. The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.

See Attached Request Addendum

3. The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan

See Attached Request Addendum

#### IV. PROPERTY OWNER'S SIGNATURE OR SERVICE OF AFFIDAVIT:

- A. If the applicant is the property owner, or is a legal representative of the property owner, then the property owner must sign below.

#### ORIGINAL SIGNATURES ONLY - NO COPIES

Name - Signature: Deborah A McFarlane

Name - Print: Deborah McFarlane

Property Owner or Legal Representative: Deborah McFarlane

Date: June 22, 2018

Address: 8512 122nd Ave NE, PMB 225, Kirkland, WA 98033

Telephone: 206-617-6160

- B. If the applicant is neither the property owner nor a legal representative of the property owner, then the affected property owner must be notified as follows: Send or hand-deliver a copy of this completed application to all affected property owners (Exhibit A or Exhibit B); and Complete the attached Affidavit of Service that confirms that a copy of the completed application form has been provided to all property owners. Submit the Affidavit of Service along with Exhibit A and/or Exhibit B with the application form and fee.

#### Attachments to include:

1. Affidavit of Service (available at the Planning Counter)
2. Exhibit A (see requirements above)
3. Exhibit B (see requirements above)

# Citizen Initiated Request Addendum

## III. FOR ALL PROPOSALS

### **A. Description of Proposal:**

Proposal is for the following:

- Comprehensive Plan Amendment to change the land use designation of parcel 264950-0173 from LDR 9 to MDR 12
- Zoning Map Amendment to change the zoning of parcel 264950-0173 from RS 5.0 to RM 3.6 zoning

### **B. Description of the specific reasons for making the proposal:**

This parcel is adjacent (to the east and south) to medium density zoning areas, including the two parcels directly across the street to the south. As a corner property facing medium density-zoned parcels, it is requested the zoning be changed to match. Rezoning this property would also continue the multiple family designation to the south that acts as a development buffer between the arterial and the single-family zone to the east. It is logical to have the same zoning designation on all four corners of this intersection.

Please see the Comprehensive Plan Analysis - Goals and Policies Compatibility Matrix in section C1.

### **C. Description of how the proposed amendment relates to the following criteria:**

1. **The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan.**

The following goals apply to this request and are further discussed in the Compatibility Matrix on the next page in detail:

- |              |              |
|--------------|--------------|
| • CC-4.1     | • LU-3.4     |
| • H-2.1      | • LU-3.8-3.9 |
| • LU-1.2-1.4 | • LU-4.4     |
| • LU-2.3     | • L3.1       |



"++" Highly Compatible	"+" Somewhat Compatible	"S" Subjective	"-" Somewhat Incompatible	"--" Highly Incompatible	"NA" Not applicable
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### COMPATIBILITY MATRIX\*

#### Analysis of Kirkland Comprehensive Plan & Lakeview Neighborhood Plan For COMPREHENSIVE PLAN AMENDMENT

<i>Kirkland Comprehensive Plan</i>	<i>Analysis of Proposed Zoning</i>	
CC-4.1 "Enhance City identity by use of urban design principles that recognize the unique characteristics of different types of development, including single-family, multifamily, mixed-use, and various types and sizes of commercial development."	The higher density zoning change will accomplish the desired community urban design principles by increasing waterfront access to more residents.	S
H-2.1 "Maintain an adequate supply of land zoned appropriately for a variety of housing types and densities."	Rezoning the subject property will allow infill development of an underutilized property to increase the type of housing and affordability for Kirkland Residents.	++
LU-1.2 "Create logical boundaries between land use districts that take into account such considerations as existing and planned land uses, access, property lines, topographic conditions, and natural features."	As the street frontage on the other three corners of the intersection is multi-family, changing the zoning would create a logical boundary, helping to have similar-zoned parcels facing each other.	++
LU-1.3 "Encourage attractive site and building design that is compatible in scale and in character with existing or planned development."	The change to higher density would be more compatible with the scale and character of the surrounding parcels that are all zoned multi-family.	++
LU-1.4 "Create effective transitions between different land uses."	Having the same density as surrounding parcels would provide a smoother transition at this intersection as the current situation makes the parcels appear out-of-sync with the surrounding parcels. This change would create a better transition into the single-family residential neighborhood.	++

- Reviewed by two certified planners (AICP knowledgeable of Kirkland's Land Use Regulations and Comprehensive Plan)

"++" Highly Compatible	"+" Somewhat Compatible	"S" Subjective	"_" Somewhat incompatible	"_" Highly Incompatible	"NA" Not applicable
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LU-3.4 "Locate higher density land uses in areas served by frequent transit service."	By providing higher-density zoning and more housing on this parcel, it would provide more access to the three bus lines serving Lakeview Dr NE, directly adjacent to the subject parcel.	++
LU-3.8 "Create a complementary relationship between adjoining land uses and the Cross Kirkland Corridor and Eastside Rail Corridor, both in terms of short term nonmotorized access and future opportunities for high capacity transit."	Increased density on this parcel would be a beneficial relationship to the adjacent transit line and the Cross Kirkland Corridor secondary trailhead at the end of NE 64 <sup>th</sup> Street.	++
LU-3.9 "Encourage vehicular and nonmotorized connectivity."	A bus stop serving three bus lines is located on Lakeview Dr NE right next to the subject parcel and a secondary trailhead for the Cross Kirkland Corridor is at the end of NE 64 <sup>th</sup> Street. By increasing the density of this parcel, more people would have direct access and be encouraged to use these alternate methods of transit.	++
LU-4.4 "Consider neighborhood character and integrity when determining the extent and type of land use changes."	As the subject parcel face multi-family zoning on the other three sides of the intersection, they seem to be more a part of that higher density neighborhood. This change in zoning would help to match the surrounding neighborhood character and land use.	+ to S
<b>Lakeview Neighborhood Plan</b>	<b>Analysis of Proposed Zoning</b>	
L-3.1 "Maintain Lakeview Terrace as a single-family residential area up to nine dwelling units per acre."	Being that the subject parcel are within the Lakeview Terrace area with a goal to maintain single-family land use, the change in zoning would not be compatible with this goal.	--

### MATRIX SUMMARY

7 key goals are highly compatible

2 key goals are somewhat compatible or subjective

1.0 key goal is incompatible

2. **The public interest would best be served by considering the proposal in the current year, rather than delaying consideration to a later neighborhood plan review or plan amendment process.**

As people continue to move into the Puget Sound, Kirkland continues to become a desired living area due to its close proximity to Seattle, Bellevue and Redmond employment hubs. Increasing the zoning to allow for more capacity would help Kirkland accommodate the growing housing needs and wide range of rental/market-rate housing options.

At the recent City Council meeting, on May 1, 2018, the council members have indicated not to wait for neighborhood plans and be more creative with adding housing units and to consider rezoning for a corner lots with duplexes.

As the council members stated that evening. "BE BOLD"

3. **The proposal would correct an inconsistency within or make a clarification to a provision of the Comprehensive Plan**

As the subject parcel appears to be more connected to the neighborhood to the south and west, expanding the boundary of the RM3.6 zoning and MDR 1 land use designation to incorporate this parcel would be more in keeping with the neighborhood character. This would create a smoother transition to the adjoining single-family zoned neighborhood.

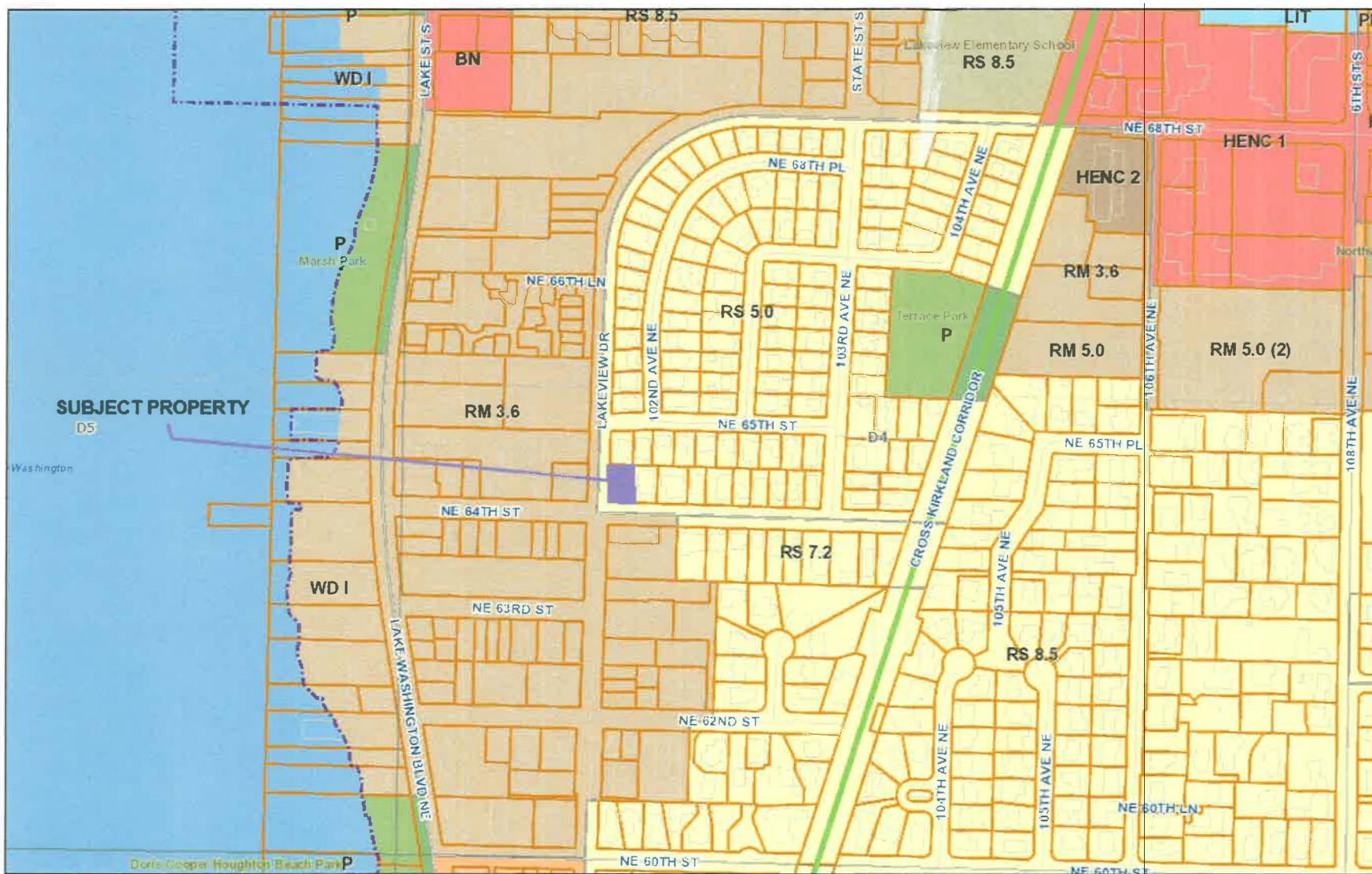
## KEY POINTS

1. Proposal is consistent with Goals and Policies of Comprehensive Plan (See C1)
2. Demand for proposed use (additional housing serving middle income users)
3. No adverse environmental impacts
4. Would be consistent with zoning on other three corners of that intersection
5. Develop a buffer between the arterial and the single-family zone to the east
6. Test case for corner lots when developing the Neighborhood plans
6. May be expanded to include adjacent parcel to the east, also owned by Deborah McFarlane (based on Kirkland Staff's Analysis)



# APPENDIX A

## Site and Zoning Map



## Photo Exhibit



View northwest on NE 64<sup>th</sup> St to subject parcel shows the incline and mostly vacant lot at the intersection.



View southeast at intersection of Lakeview Dr and NE 64<sup>th</sup> St to parcel to south. Aside from the small single-family home within the multi-family zoning, the large condo to the south is in stark contrast to the subject property's zoning.



## APPENDIX B



View southwest on NE 64<sup>th</sup> St to the back side of the properties to the south. Aside from the small house on the corner, the five level condominium to the south is most indicative of the neighborhood the subject parcels belong to.



View northwest on NE 64<sup>th</sup> St to the multi-family property directly to the west across Lakeview Dr that begins the multi-family zoned block.





View southwest on NE 64<sup>th</sup> St to the corner property with new condominiums and additional multi-family housing to the west. Changing the zoning of the subject parcel to match that of the surrounding properties on each corner of the intersection would make a more cohesive flow to the neighborhood design.



View northwest on NE 64<sup>th</sup> St to the large apartment complex further down the block.

## APPENDIX B

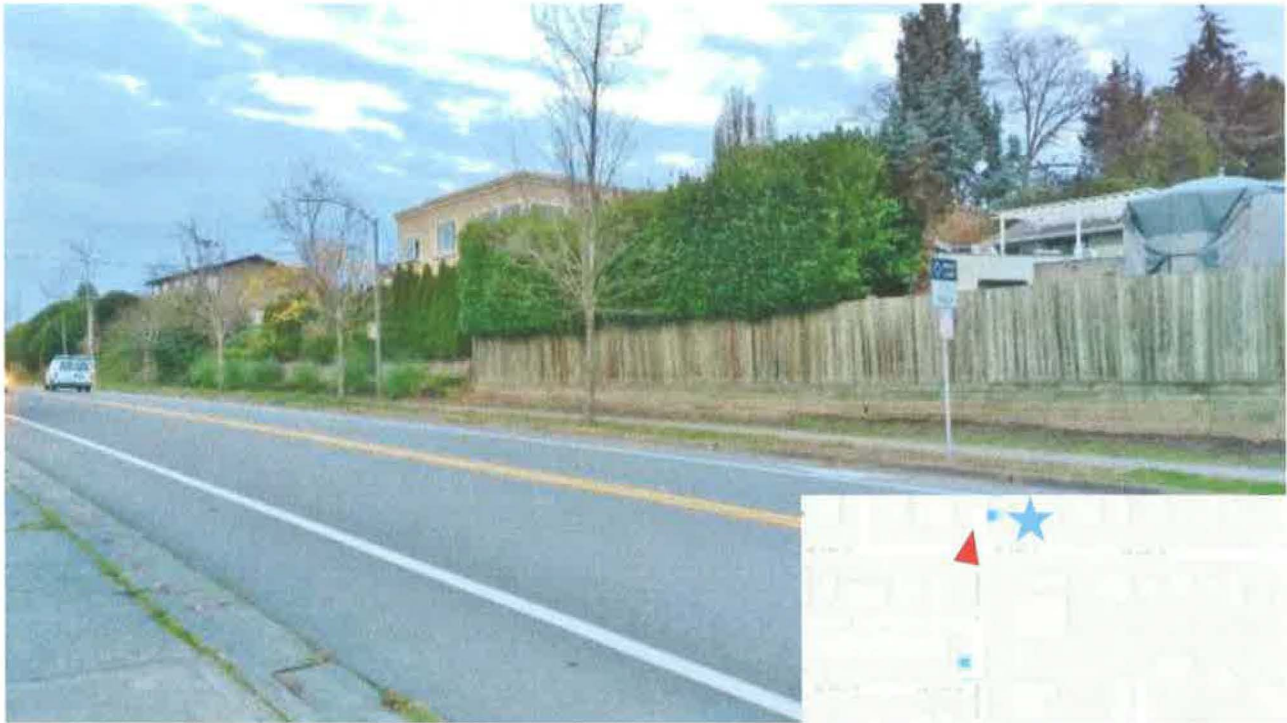


View northeast on NE 64<sup>th</sup> St to the single-family homes adjacent to the subject property. Due to the incline of this hill, a change to multi-family housing and subsequent structures built on the subject property would not affect the prized sightlines for the upper homes.



View north on Lakeview Dr to the block directly south of the subject parcels showing the heavily multi-family character surrounding the subject parcels.



**APPENDIX B**

View north on Lakeview Dr with the subject parcels on the right. This view demonstrates the single-family neighborhood to which the subject parcels are meant to belong is more inwardly focused. The outward southwest positioning of the subject parcels separate the character of them from the surrounding single-family neighborhood.



View east on NE 64<sup>th</sup> St at the end of the street with a view to the Cross Kirkland Corridor trailhead. Increasing the zoning of the subject parcels would provide access to more people due to the close proximity of this recreational trail.

**APPENDIX B**

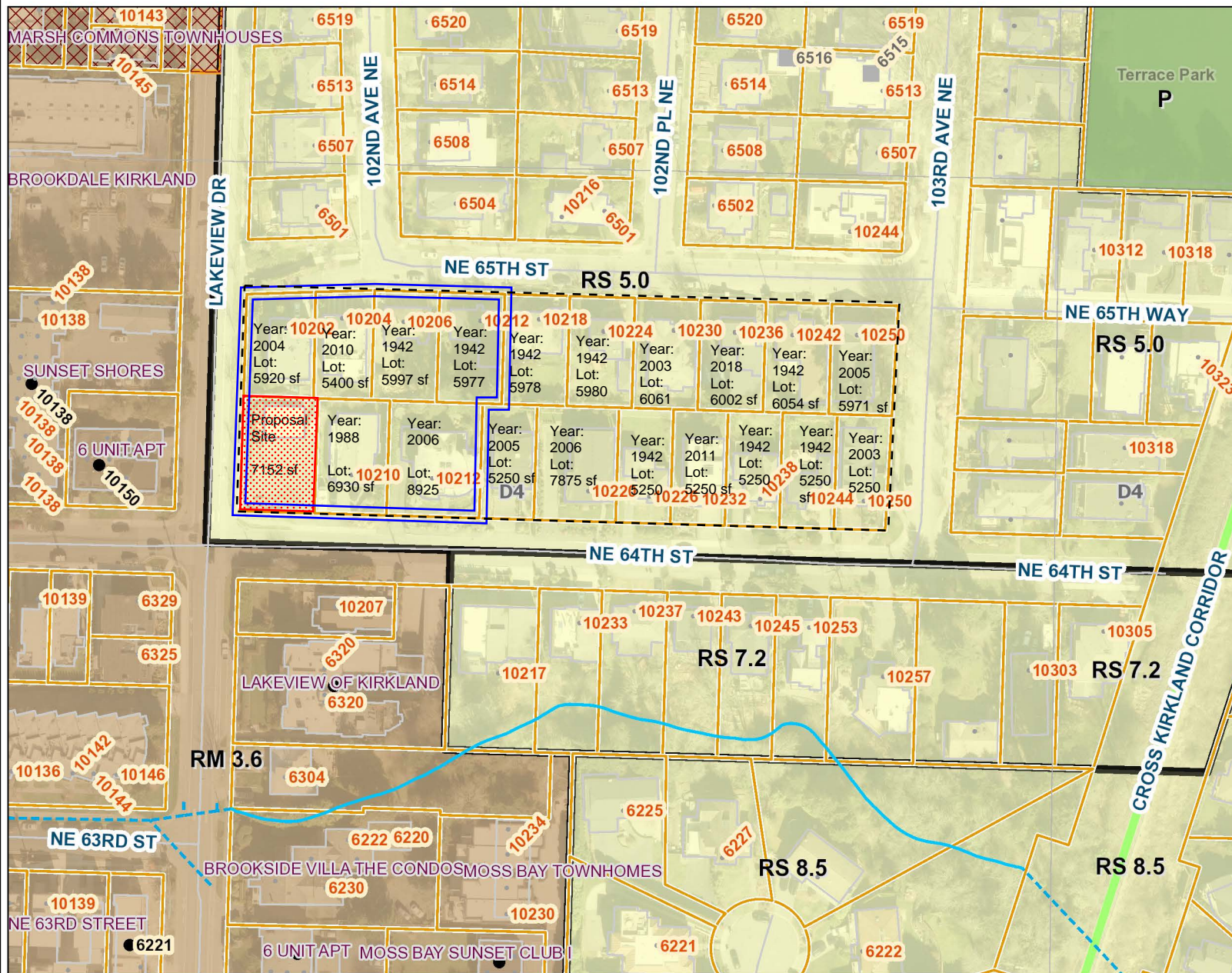


View north on Lakeview Dr to the bus stop adjacent to the subject parcels.





CAM18 00444



## Legend

- Streams
  - Open
  - Pipe
- Wetlands
- Address
  - Other Address
  - Current Address
  - Current ADU
  - Pending Address
- City Limits
- Grid
- QQ Grid
- Cross Kirkland Corridor
- Regional Rail Corridor
- Streets
- Parcels
- Place Names
- Buildings
- Lakes
- Parks
- Schools
- Overlay Zones
  - (EQ)
  - (HL)
  - (HP)
- Planned Unit Development

1 : 1,622



## Notes

Corner of Lakeview Drive & NE 64th Street

0.1 0 0.03 0.1 Miles

NAD\_1983\_StatePlane\_Washington\_North\_FIPS\_4601\_Feet

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