



City of Kirkland
Planning and Building Department
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MEMORANDUM

To: Design Review Board
From: Tony Leavitt, Senior Planner
Date: October 14, 2024
File No.: DRV24-00649
Subject: **CENTRAL PEAK MIXED USE
DESIGN RESPONSE CONFERENCE**

I. MEETING GOALS

At the October 21, 2024 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
- Central Way Upper Story Setback Reduction
- Central Way Street Level Residential Lobby
- Street Level Depth Reduction
- Rooftop Common Room
- Central Way Sidewalk and Overhead Weather Protection

II. PROPOSAL

The subject property is located at 177 Central Way (see Attachment 1). The applicant is proposing to construct a 4-story mixed use project with 26 residential units and 3,396 square feet of retail space. Parking is proposed within structured parking below the building (see Attachment 2). Vehicular access to the property is from Central Way (to the residential parking garage) and the alley to the west of the building (to the retail and guest parking garage).

III. SITE

The subject property (containing 19,279 square feet) currently contains a single-story US Bank building. The site elevation is relatively flat. The property has street frontage along Central Way, which is designated as a principal arterial. An unimproved alley exists to the west of the subject property (currently part of the Lake and Central Parking lot) and an improved alley to the south of the subject property.

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

North: CBD 8, multi-story mixed use developments, 30 feet above the elevation of 3rd Avenue or 4th Avenue as measured at the projected midpoint of the frontage of the subject property on the nearest applicable right-of-way

South: CBD 1A, Single story mixed commercial, 45 feet above average building elevation

East: CBD 1A, Single story retail building, 45 feet above average building elevation

West: CBD 1A, City owned parking lot, 45 feet above average building elevation

Additional photographs prepared by the applicant that show the surrounding properties are contained in Attachment 2, Pages 6 and 7.

IV. CONCEPTUAL DESIGN CONFERENCE

Conceptual Design Conferences were held on July 1, 2024 and August 5, 2024. 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. Additionally, the applicant provides a Board feedback summary Page (see Attachment 2, Page 19).

V. DESIGN RESPONSE CONFERENCE

The DRB 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

2. Special Considerations for Downtown Kirkland

In addition to the standard guidelines contained in the Design Guidelines for Pedestrian-Oriented Business Districts, there are key guidelines and special considerations that apply specifically to Downtown Kirkland (see Attachment 3 for complete text). These items are discussed in the design guideline compliance sections.

B. Compliance with Design Guidelines

1. Building Scale

a. DRB Discussion

The DRB expressed a preference for Massing Option C that was presented at the August 5, 2024 Conceptual Design Conference.

As part of their discussion, the DRB requested the following items to address building scale as part of the DRC submittal:

- 3D Massing or Sketch Up model of the building to help visualize massing and design treatments.
- Provide vertical modulation to add variety and visual relief to long north and south facades.
- Address treatment of any blank walls with the art, murals or landscaping.
- Consider the design of highly visible rooftop and terrace elements.
- Utilize fenestration patterns and deck placement to introduce human scale elements that will help to reduce the mass of the building.
- Incorporate a strong building base and distinctive roofline treatments.
- Consider the design of the south façade as it relates to the potential redevelopment of the properties to the south.

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.

Special Considerations for Downtown Kirkland:

- Breaking larger window areas into smaller units to achieve a more intimate scale is most important in Design Districts 1, 2, 4, 8, and the southwest portion of 3 where new buildings should fit with older structures that have traditional-styled windows.
- Pedestrian features should be differentiated from vehicular features; fenestration detailing, cornices, friezes, and smaller art concepts should be concentrated in Design Districts 1 and 2, while landscaping and larger architectural features should be concentrated in Design Districts 3, 5, 7, and 8.
- Buildings above the second story (or third story where applicable in the Downtown Plan) 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.
- The final arrangement of building mass should be placed in context with existing and/or planned improvements, solar access, important street corners, and orientation with the public realm.
- A rigid stair step or “wedding cake” approach to upper story step backs is not appropriate.
- Decks and/or balconies should be designed so that they do not significantly increase the apparent mass of the building within the required upper story setback area.
- In addition to applying setbacks to upper stories, building facades should be well modulated to avoid blank walls and provide architectural interest.

- Along pedestrian-oriented streets, upper story building facades should be stepped back to provide enough space for decks, balconies and other activities overlooking the street.
- Landscaping on upper story terraces should be included where appropriate to soften building forms and provide visual interest.
- Continuous two- or three-story street walls should be avoided by incorporating vertical and horizontal modulations into the building form.
- Limited areas of vertical three, four, or five story walls can be used to create vertical punctuation at key facades. Special attention to maintain an activated streetscape is important in these areas.
- Buildings may be allowed to cantilever over sidewalks if a sidewalk dedication and/or easement is required consistent with following guidelines:
 - The total length of cantilevered portions of a building should be no more than 1/3rd of the entire length of the building façade. The cantilevered portions of a building should be spread out and not consolidated in a single area on the building façade.
 - Unobstructed pedestrian flow should be maintained through the subject property to adjoining sidewalks.
 - Space under the building cantilever should appear and function as part of the public realm.
 - The sense of enclosure is minimized.

c. Staff Analysis

As requested by the DRB, the applicant has pursued Massing Option 3 from the August 5, 2024 CDC Meeting and has provided detailed plans for review (see Attachment 2). Staff has reviewed the plans and has the following comments regarding the scale of the building and the use of the applicable design guidelines:

- The applicant has provided multiple renderings and elevations of the building and will have their 3D model available at the meeting.
- The applicant has provided a response to each of the applicable building scale design guidelines on Attachment 2, Pages 20 and 21. Staff has reviewed these responses and believes that the applicant has adequately addressed the applicable guidelines.
- To address blank walls along the west and south alley facades, the applicant is proposing high quality siding with a subtle variegated pattern with openings and inlays (see Attachment 2, Page 29).
- The cantilevered portion of the building that extends over the Central Way sidewalk easement complies with the length and consolidation requirements in the applicable design guidelines (see Attachment 2, Page 21). Additionally pedestrian flow within the sidewalk is not obstructed and extends the public areas.

The DRB should provide input on the following items:

- *Do the buildings provide enough horizontal and/or vertical modulation when viewed from key vantages?*
- *Do the facades include enough fenestration and architectural building elements?*
- *Are the blank walls adequately addressed?*
- *Does the cantilevered portion of the building comply with the applicable design guidelines?*

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 the central and northwest plazas.
- Provide public improvements and site features (including landscaping, benches, etc.) that will enhance the frontage character. Also include weather protection details.
- Minimize the use of fixed elements and landscape planters that interfere with pedestrian movement.

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.

Special Considerations for Downtown Kirkland:

- Most of the business core of Kirkland is already developed with fairly narrow sidewalks. New development should provide sidewalks at the recommended width. Providing wider sidewalks throughout downtown is a long-term endeavor.

- Building frontages along pedestrian-oriented streets in the Central Business District should be configured to have a 15-foot story height to ensure suitability for diverse retail tenants and enhance the pedestrian experience. Where these taller retail stories are required, special attention to storefront detailing is necessary to provide a visual connection between pedestrian and retail activity.
- Lobbies for residential, hotel, and office uses may be allowed within the required retail storefront space provided that the street frontage of the lobby is limited relative to the property's overall retail frontage and that the storefront design of the lobby provides continuity to the retail character of the site and the overall street.

c. Staff Analysis

The applicant is seeking an upper story setback reduction in exchange for the proposed central plaza. Staff address the request in Section IV.E.

The applicant has provided detailed plans for central and northwest plaza (see Attachment 2, Pages 22 through 24) to address the DRB's comments. The plans include plaza amenity and landscaping details.

The plans include a sidewalk plan that minimize pedestrian conflicts and protects pedestrians with overhead weather protection.

The street level frontage along Central Way includes a residential lobby. Staff addresses this in Section IV.B.

The DRB should provide input on the following items:

- *Are the proposed sidewalk plans adequate?*
- *Do the proposed public plazas provide enough sitting areas and amenities?*

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 areas.

b. Supporting Design Guidelines

The Design Guidelines and Zoning Regulations contain the following statements 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. Backlit or internally lit translucent awnings should be prohibited.*

Special Considerations for Downtown Kirkland:

- *A strong street tree planting scheme is especially important in downtown because of the variety of scale and architecture encouraged in private development. Major entries into Kirkland, especially along Central Way, Kirkland Avenue, Lake Street, and Market Street, should be unified by a strong street tree program.*

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 landscape plan (see Attachment 2, Pages 24 to 26) for the site. The applicant will provide more detailed plans after the Board has provided direction on the preliminary landscape plans.

The applicant has provided a lighting fixture and location plan (see Attachment 2, Pages 27 and 28)

The applicant has provided a detailed plan for the trash staging area (see Attachment 2, Page 13).

The DRB should provide input on the following items:

- *What changes are needed to the landscape plan?*
- *Are there other opportunities for additional landscaping?*
- *Provide feedback on the 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. Supporting Design Guidelines

The Design Guidelines and Zoning Regulations contain the following statements addressing the building materials, color and details:

- Ornament and applied art should be integrated with the structures and the site environment and not haphazardly applied. Significant architectural features should not be hidden, nor should the urban context be overshadowed. Emphasis should be placed on highlighting building features such as doors, windows, eaves, and on materials such as wood siding and ornamental masonry. Ornament may take the form of traditional or contemporary elements. Original artwork or hand-crafted details should be considered in special areas.
- Color schemes should adhere to the guidelines enumerated above. The use of a range of colors compatible within a coordinated color scheme should be encouraged.
- Buildings should be designed to architecturally enhance building corners.

Special Considerations for Downtown Kirkland:

- Special attention should be paid to both the design and detailing of new buildings on corner sites in the pedestrian oriented design districts. Existing buildings could incorporate some of these elements (human-scale and visual punctuation) through the use of such elements as awnings and well-designed signs at the corner.
- The Downtown Plan's mandate for high-quality development should also be reflected in sign design. No internally lit plastic-faced or can signs should be permitted. All signs in the downtown should be pedestrian oriented.

c. Staff Analysis

Attachment 2, Pages 32 and 33 contain proposed materials and colors for the project. The applicant will provide a material board at the October 21, 2024 meeting.

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 CBD 1A zone. Zoning regulations for uses in the CBD 1A 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. Street Level Depth Requirement

1. KZC Section 50.10, General Regulation 3 requires the following:
 - a. Except along alleys and similar service access streets, the street level floor of all buildings shall be limited to one or more of the following uses:

Retail; Restaurant or Tavern; Banking and Related Financial Services; Entertainment, Cultural and/or Recreational Facility; Parks; Government Facility; or Community Facility.

- b. The required 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 on the abutting right-of-way, not including alleys and similar service access streets). The DRB 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 retail frontage will maximize visual interest.
2. The applicant is requesting a minor reduction in the required average depth requirement. The request is a reduction from an average of 30 feet to an average of 25 feet. The applicant provides a response to the approval criteria on Attachment 2, Page 10.

Staff Comments: The applicant's request notes the relative narrowness of the lot (83 feet after dedication of public easements) and the need to provide onsite parking are the main reasons for the requested street level depth reduction. The required design elements of the parking area (including proper parking stall depth and drive aisle width) limits the amount of depth left for the retail space. The applicant has successfully designed the street level floor to achieve the minimum depth of 20 feet in both retail tenant spaces. A portion of the western retail tenant space has a depth of 37.33 feet.

Additionally, the design of the building's retail frontage will maximize visual interest with the use of the central and west public plaza areas, 10-foot-high transparent storefronts, the use of columns and mullions, and areas for seating.

B. Residential Lobby

1. KZC Section 50.10, General Regulation 3 allows lobbies for residential uses may be allowed within the street level retail space subject to applicable design guidelines.
2. The applicable guideline states that lobbies for a residential use may be allowed within the required retail storefront space provided that the street frontage of the lobby is limited relative to the property's overall retail frontage and that the storefront design of the lobby provides continuity to the retail character of the site and the overall street.

Staff Comments: During the Conceptual Design Conference, the DRB reviewed the proposed residential lobby location and was accepting of the preliminary design. The DRB requested that the applicant submit a final design as part of the DRC application. The DRB will need to review the proposed residential lobby to ensure that it complies with the applicable design guidelines.

C. Height Allowances

1. The CBD 1A zone allows a maximum height of 45 feet above each abutting right-of-way.
2. KZC Section 50.10, General Regulation 2 states that the maximum height of structure shall be measured at the midpoint of the frontage of the subject property on the abutting right-of-way. For purposes of measuring building height above the abutting right(s)-of-way, alleys are excluded.

3. KZC Section 50.10, General Regulation 5 No portion of a building within 30 feet of Central Way may exceed a height of 41 feet above Central Way except as provided in KZC 50.62.
4. KZC Section 50.62.2 includes the following building height provisions:
 - a. Where retail frontage is required along pedestrian-oriented streets, the minimum ground floor story height for retail; restaurant and tavern; entertainment, cultural, and/or recreational facility uses shall be 15 feet.
 - b. Decorative parapets may exceed the height limit by a maximum of four (4) feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two (2) feet.
 - c. For structures with a peaked roof, the peak may extend five (5) feet above the height limit if the slope of the roof is greater than three (3) feet vertical to 12 feet horizontal and eight (8) feet above the height limit if the slope of the roof is equal or greater than four (4) feet vertical to 12 feet horizontal.
 - d. Within CBD 1A, the height of rooftop appurtenances and related screening shall not exceed the maximum applicable height limitation beyond the height exceptions established for parapets and peak roofs. Rooftop appurtenances and screening shall be integrated into the design of the parapet or peaked roof form.
5. KZC Section 115.122.5 permits rooftop amenities and approved guard rails to exceed the height limit by 4 feet. Guards or railings enclosing rooftop amenities space shall be set back from the building edge a minimum of five feet. Railings shall be of a transparent or majority-open design such as glass, cabling, picket, or other similar types of railings. Where the applicable zone allows parapets to exceed the maximum height of structure, setback and transparency standards do not apply to the parapet when it is used as the railing.
6. KZC Section 50.62.3 states that the City may approve modifications for elevators and associated equipment and/or stair enclosures subject to the standards in KZC 115.120.4.b.
7. KZC Section 115.120.4.b states that for stacked dwelling units and commercial buildings, rooftop appurtenances necessary to access rooftop amenities, such as elevators and associated equipment and/or stair enclosures, may extend above the maximum height of structure for the zone, provided:
 - a. The elevator and associated equipment and/or stair enclosure height is the minimum necessary for rooftop access and does not exceed 15 feet above the maximum height of structure. The height allowances for elevators and/or stair enclosures shall be measured above the roof of the rooftop amenity room if they provide access to a rooftop amenity room.
 - b. Elevators and associated equipment may include an enclosed entry/exit vestibule matching the height of the elevator, but not exceeding the minimum area required by the building code.
 - c. The stair enclosure, including the top landing of stairs, does not exceed the minimum area required by the building code.

Staff Comments: The applicant has submitted ABE height calculations and plans that show compliance with CBD 1A height requirements, building height provisions, rooftop amenity requirements, and the elevator and stair enclosure requirements. Staff will ensure continued compliance as part of the building permit application review.

D. Rooftop Common Room

1. Within CBD 1A, the height of rooftop common rooms that exceed the maximum applicable height limitation shall be reviewed pursuant to the standards described in KZC Section 115.122.6.
2. KZC Section 115.122.7 requires that the rooftop common room be decided on as part of the Design Review process.
3. KZC Section 115.122.6 requires states that the DRB may approve the addition of a rooftop common room if:
 - a. The applicant submits accurate graphic representations or other information that demonstrates that:
 - (1) Views from adjoining properties will not be significantly blocked by the rooftop common room; and
 - (2) The location and orientation of the rooftop common room is such that the visibility of the rooftop common room from adjoining properties and streets will be minimized; and
 - (3) All walls of the rooftop common room must contain transparent windows comprising at least 75 percent of the area of the facade between two (2) feet and seven (7) feet above floor level. This requirement does not apply to elevators and stair enclosures attached to a rooftop common room; and
 - (4) The rooftop common room is architecturally integrated with the building design; and
 - b. The height of the rooftop common room shall not exceed 15 feet or the height of the story immediately below the rooftop common room, whichever is less; and
 - c. The area of the rooftop common room, measured to the outermost exterior element, shall not exceed 500 square feet or 10 percent of building footprint, whichever is less. The minimum floor area required by building code for elevators and associated equipment and/or stair enclosures shall be exempt from the maximum area calculation for the rooftop common room; and
 - d. The rooftop common room is set back from any building edge at a distance equal to the height of tallest point of the room above the roof deck; and
 - e. The applicant provides one (1) of the following public benefit items in addition to the rooftop common room:
 - (1) A landscaped and vegetated area, or an area designed and constructed as a green roof, equal to the square footage of the rooftop common room and showing the landscape plan requirements set forth in KZC 95.40(3), or

- (2) A street-level public plaza equal to the square footage of the rooftop common room, or
 - (3) Public use of the rooftop common room, either as public access or as use of the rooftop common room as publicly accessible retail, restaurant, or similar space.
4. The proposed project includes a rooftop common room for use by the residential residents of the development (see Attachment 2, Pages 11 and 12).

***Staff Comments:** The applicant has submitted plans that show compliance with the requirements of KZC Section 115.122.6.*

The proposed rooftop common room meets the height, square footage and setback requirements (see Attachment 2, Page 11).

The rooftop common room also meets the transparency requirements and is architecturally integrated with the building design. Additionally, a green roof area (approximately 2,000 square feet in size) is being provided as a public benefit in addition to the rooftop common room (500 square feet).

The applicant has submitted a view analysis (see Attachment 2, Page X) that shows the impacts of the rooftop common room. As noted in section VI.6, the proposed elevator and stair penthouse are permitted by the code to access the rooftop amenity spaces including the outdoor deck, grill and dining areas. As a result, the view analysis only needs to look at the impacts of the rooftop common room.

The view analysis shows no additional impacts from location 2. Views from location 1 are already impacted by developments to the south of the project including the Vela (located at 140 Lake Street S) and the Portsmouth Condos (located at 109 2nd Street S) projects, so the common room will not significantly block the views from adjoining properties. Additionally, the location and orientation of the rooftop common room minimizes the visibility of the rooftop common room from adjoining properties and streets. The common room is located south of the taller elevator and stair penthouse and near the center of the rooftop area.

E. Central Way Upper Story Setback

1. KZC Section 50.10, General Regulation 5 outlines the upper story setback requirements for the CBD 1A zone. For structures along Central Way, the required upper story setback is 30 feet for any portion of the structure that exceeds 41 feet.
2. The applicant's preferred massing option includes building square footage that extends 5 feet into the required upper story setback (see Attachment 2, Page 10). The building area, approximately 1,029 square feet, is located on Residential Level 4.
3. KZC Section 50.10.5.f states that the DRB is authorized to allow a reduction of the required upper story setback by no more than five feet subject to the following requirements:
 - a. Each square foot of additional building area proposed within the setback is offset with an additional square foot of public open space (excluding area required for sidewalk dedication) at the street level.

- b. The public open space is located along the sidewalk frontage and is not covered by buildings.
 - c. For purposes of calculating the offsetting square footage, along Central Way, the open space area at the second and third stories located directly above the proposed ground level public open space is included. Along all other streets, the open space area at the second story located directly above the proposed ground level public open space is included.
 - d. The design and location are consistent with applicable design guidelines.
4. The applicable design guidelines state that 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 the following principles:
- a. Public open space should be open to the sky except where overhead weather protection is provided (e.g. canopies and awnings).
 - b. The space should appear and function as public space rather than private space.
 - c. A combination of lighting, paving, landscaping and seating should be utilized to enhance the pedestrian experience within the public open space.
 - d. Public open space should be activated with adjacent shops, outdoor dining, art, water features, and/or landscaping while still allowing enough room for pedestrian flow.
 - e. Where substantial open space “trade-offs” are proposed, site context should be the primary factor in the placement of the public open space (e.g. important corners, solar access).
5. The applicant is proposing a central public plaza area that totals 1,029 square feet (including the 2nd and 3rd stories) (see Attachment 2, Page 10). The design of the plaza is shown on Pages 23 and 24 of Attachment 2.

Staff Comments: The proposed upper story setback reduction meets the requirements of KZC Section 50.10.5.f. The setback reduction area is offset by the central public plaza area and the plaza meets the applicable design guidelines. The DRB will need to review the plaza for compliance with the applicable design guidelines.

F. Parking

1. The project is required to comply with the following parking standards:
 - a. Residential uses must provide a minimum of 1.2 stalls per studio unit, 1.3 stalls per one (1) bedroom unit, 1.6 stalls per two (2) bedroom unit, and 1.8 stalls per three (3) or more bedroom unit.
 - b. Residential 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.
 - c. Restaurants and taverns must provide one (1) parking space for each 125 square feet of gross floor area.

- d. All other uses must provide one (1) parking space for each 350 square feet of gross floor area.

Staff Comments: The applicant has submitted preliminary parking calculations as part of the DRC application (see Attachment 2, Page 13). Staff has reviewed the preliminary parking calculations based on the proposed uses and residential unit types and they comply with City requirements. The applicant will be required to demonstrate continued compliance with applicable City parking requirements as part of the building permit application.

G. Sidewalks

1. Central Way is designed as a pedestrian-oriented street. The required sidewalk along Central Way shall be a minimum width of 12 feet with an average width of 13 feet. A portion of the sidewalk is allowed to be located in a public easement provided that a minimum of five (5) feet from the curb shall be retained as public right-of-way and may not be in an easement.
2. The sidewalk configuration is required to be approved by the DRB.
3. The plans include the design of the Central Way sidewalk (see Attachment 2, Page 24).

Staff Comment: The final sidewalk configuration has been reviewed by Public Works and will need to be approved by the DRB.

H. Overhead Weather Protection

1. KZC Section 105.18.3 requires that the project provide pedestrian overhead weather protection along at least 80 percent of the frontage of the subject property on each pedestrian-oriented street.
2. The overhead weather protection may be composed of awnings, marquees, canopies, building overhangs, covered porches, recessed entries or other similar features. The overhead weather protection must cover at least five (5) feet of the width of the adjacent walkway and must be at least eight (8) feet above the ground immediately below it.
3. If development is subject to Design Review, the City will specifically review and approve the color, material and configuration of all overhead weather protection as part of the Design Review decision.
4. The applicant has submitted overhead weather protection plan for Central Way (see Attachment 2, Pages 22 and 24).

Staff Comment: The overhead weather protection plan will need to be reviewed and approved by the DRB.

VII. 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 DRB issues a decision on the DRC application.

VIII. PUBLIC COMMENT

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

IX. 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.

X. ATTACHMENTS

1. Vicinity Map
2. Development Plans
3. Design Guidelines: Special Considerations for Downtown Kirkland
4. Development Standards
5. CBD 1A Use Zone Chart