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Planning and Building Department
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MEMORANDUM

To: Design Review Board
From: Tony Leavitt, Senior Planner
Date: June 14, 2024
File No.: DRV24-00376
Subject: **177 CENTRAL WAY MIXED USE PROJECT
CONCEPTUAL DESIGN CONFERENCE**

I. MEETING GOALS

At the July 1, 2024, Design Review Board (DRB) meeting, the DRB should review the concept design for the 177 Central Way Mixed Use project. At the meeting, the DRB should determine:

- A. How the design guidelines affect or pertain to the proposed development.
- B. Determine which guidelines apply to the proposed development.
- C. Determine what other application materials are needed for the Design Response Conference.

II. BACKGROUND INFORMATION

The subject property is located at 177 Central Way (see Attachment 1) and zoned CBD (Central Business District) 1A. The applicant is proposing to construct a 4-story mixed-use project with approximately 4,000 square feet of ground floor commercial area and 25 to 30 residential units (see Attachment 2). Parking is proposed within an at grade and below-grade structured parking. Vehicular access to the property is proposed from Central Way and via an alley to the west of the property. The applicant has provided a program description and general project information which includes three building massing options (see Attachment 2). The applicant's preferred building massing option is shown as Massing Option C.

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.

IV. **KEY ZONING REGULATIONS**

Zoning regulations for uses in the CBD 1A zone are found in the use-zone chart (see Attachment 3). The following regulations are important to point out as they form the basis of any new development on the site.

A. Permitted Uses:

1. Permitted uses in this zone include, but are not limited to retail, restaurants, banking/ financial services, office, and stacked dwelling units. Office and residential uses may not be located on the ground floor of a structure unless there is a minimum 30 foot (in depth) intervening retail use.
2. 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 Design Review Board may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and that the design of the retail frontage will maximize visual interest.
 - c. Lobbies for residential uses may be allowed within this space subject to applicable design guidelines.
3. 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:

1. *The applicant is proposing ground floor nonresidential uses and a residential lobby. The DRB has the authority to allow residential lobbies on the ground floor subject to specific design guidelines. The DRB should review the proposed residential lobby area and provide guidance for the for the Design Response Conference.*
2. *The applicant is proposing a minor reduction in the depth requirements from 30 feet to 25 feet. The applicant states the following reason for the reduction: The depth of the parcel is 90' but due to the public benefit easements along Central Way and the south alley, the effective depth is 83'. The development*

is challenged to provide publicly accessible parking and robust retail within the effective depth of the parcel.

The DRB should provide input on the proposed reduction and outline submittal requirements for the Design Response Conference.

B. Height:

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.
 - e. The City may approve modifications for elevators and associated equipment and/or stair enclosures subject to the standards in KZC 115.120(4)(b) and the rooftop appurtenance modification criteria and procedures in KZC 115.120(4)(c) and (d) and 115.120(6). KZC Section 115.120.6 requires that the modification be decided on as part of the Design Review process.
 - f. Within CBD 1A, the height of rooftop amenities or rooftop common rooms that exceed the maximum applicable height limitation shall be reviewed pursuant to the standards and modification process described in KZC Section 115.122(5) through (7). KZC Section 115.122.7 requires that the rooftop common room be decided on as part of the Design Review process.

Staff Comments:

1. *The applicant will need to submit height calculations with the Design Response Conference application. Staff will review the project for compliance with the City's height regulations during the Design Response phase.*

2. *The proposal includes an elevator rooftop access, a rooftop common room, and a rooftop amenity area. As part of the Design Response Conference application, the applicant will need to submit a modification request that addresses the applicable criteria.*

C. 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 an awning above the fourth story that extends 5 feet into the required setback.
3. KZC Section 142.37 allows a minor variation of the required upper story setback as part of the Design Review process.
4. KZC Section 142.37.5 states that the Design Review Board may grant a minor variation only if it finds that all of the following requirements are met:
 - a. The request results in superior design and fulfills the policy basis for the applicable design regulations and design guidelines.
 - b. The departure will not have any substantial detrimental effect on nearby properties and the City or the neighborhood.

Staff Comment: As part of the Design Response Conference application, the applicant will need to provide detailed plans showing the proposed awning and provide a response to the minor variation criteria outlined in KZC Section 142.37.5.

D. Parking: The project is required to comply with the following parking standards:

- 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.
- 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.
- Restaurants and taverns must provide one (1) parking space for each 125 square feet of gross floor area.
- All other uses must provide one (1) parking space for each 350 square feet of gross floor area.

Staff Comment: The applicant will be required to demonstrate compliance with applicable City parking requirements.

E. 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. The sidewalk configuration shall be approved by the Design Review Board.
2. Pursuant to KZC Section 110.52.1, a building is allowed to extend over the sidewalk easement subject to design guidelines.

3. The associated design guideline states that buildings may be allowed to cantilever over sidewalks if a sidewalk dedication and/or easement is required consistent with following guidelines:
 - a. 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.
 - b. Unobstructed pedestrian flow should be maintained through the subject property to adjoining sidewalks.
 - c. Space under the building cantilever should appear and function as part of the public realm.
 - d. The sense of enclosure is minimized.

Staff Comments:

1. *The final sidewalk configuration will need to be reviewed by Public Works and approved as part of the Design Response Conference decision.*
2. *As part of the Design Response Conference, the applicant will need to show compliance with the requirements of KZC Section 110.52.1 and the associated design guideline.*

F. 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 and the material and configuration of all pedestrian walkways as part of the Design Review decision.

Staff Comments: *The proposed overhead weather protection will need to be reviewed as part of the Design Response Conference.*

V. **PEDESTRIAN ORIENTED DESIGN GUIDELINES**

In addition to the standard guidelines contained in the *Design Guidelines for Pedestrian-Oriented Business Districts*, the list in Attachment 4 highlights some of the key guidelines and special considerations that apply specifically to the project or project area. The following is a list of key design issues and/or design techniques that should be addressed with this project.

- Pedestrian-oriented Elements
- Public improvements and site features
- Blank wall treatment
- Vertical and horizontal definition
- Architectural scale

- Horizontal modulation
- Change in roofline
- Human scale
- Building material, color, and detail
- Signage

See adopted Design Guidelines for Pedestrian-Oriented Business Districts (Attachment 5) for complete text and explanations.

VI. CONTEXT

The context or setting in which the proposed development will be located is important in determining the appropriate design regulations that would apply. The following are several questions that are geared towards identifying the physical environment around and on the subject property. These questions will help supplement the discussion on the key design guidelines appropriate for the proposed project.

A. How does the site relate to its surroundings?

The applicant and Design Review Board should discuss the physical and built environment on and around the subject property. Topics include height of neighboring structures, topography, and landscaping.

B. What are the Opportunities and Constraints of the Site and Vicinity given the following topics?

- Streetscape
- Urban Form
- Activities and Uses in the area
- Pedestrian Patterns and Environment
- Character of Adjacent Buildings
- Landscaping/Open Space

VII. DISCUSSION ISSUES

The role of the DRB at the Conceptual Design Conference is to help determine how the design guidelines found in the Pedestrian-Oriented Design Guidelines apply to the proposed development. The following sections and questions below are representative of the City's design guidelines. These questions are to be used as a tool to help identify how design guidelines would apply to the proposed project.

A. Scale

1. What are the key vantages of the project?
2. Identify appropriate mitigation techniques for building massing of the proposed buildings. Possible techniques include vertical and horizontal modulation, corner treatment, and roof forms.

***Staff Comment:** The applicant has provided three massing concepts (summarized on Page 13 of Attachment 2) including a preferred option (Massing Option 3- Plaza) for the DRB's review and comment.*

Pages 28 through 30 in Attachment 5 contain specific massing guidelines for the CBD 1A zone. The DRB should review these guidelines and identify what

guidelines apply and how the applicant should address these guidelines as part of the Design Response Conference.

B. Pedestrian Access

1. How does the proposed massing and location of structures relate or respond to the pedestrian environment?
2. What are opportunities for pedestrian oriented spaces at the street level (plazas, outdoor dining)?
3. What are the key pedestrian connections?
4. How would the project engage pedestrians?

C. Open Space and Landscaping

What are opportunities for landscaping and/or open space on the subject property?

D. Zoning Code Modifications

Provide feedback on the proposed minor reduction of the required ground floor depth and the upper story setback reduction to allow the proposed awning.

Staff Comment: The DRB should outline submittal items (including plans and analysis) that the Board would like to see as part of the Design Response Conference application.

VIII. ITEMS REQUIRED FOR DESIGN RESPONSE CONFERENCE

The Design Review Board shall determine what models, drawings, perspectives, 3-D SketchUp model, or other application materials the applicant will need to submit with the design review application.

IX. ATTACHMENTS

1. Vicinity Map
2. CDC Plan Submittal
3. CBD 1A Use Zone Chart
4. Design Guidelines – Special Considerations for Downtown Kirkland
5. Design Guidelines for Pedestrian Business Districts