

CLERK FILE No. 301511

REPORT OF COMMITTEE

ion of Washington State Major League  
baseball Stadium Public Facilities  
istrict for the vacation of a portion  
f Occidental Avenue S..

Honorable President:

Your \_\_\_\_\_  
to which was referred the within \_\_\_\_\_  
would respectfully report that we have considered the same and respectfully recommend that

Sponsored by:  
MANNING

*Referred to  
COW*

10-21-96 Hold

10-28-96 Hold

11-~~1~~-96 Grant as Conditional



ACTION OF THE COUNCIL	
SEP 23 1996	To TRANSPORTATION
	To
OCT 7 1996	To COMMITTEE OF WHOLE
11-4-96	Disposition Grant as Conditional
	To
	Disposition

REPORT OF COMMITTEE

Honorable President:

Your \_\_\_\_\_ Committee

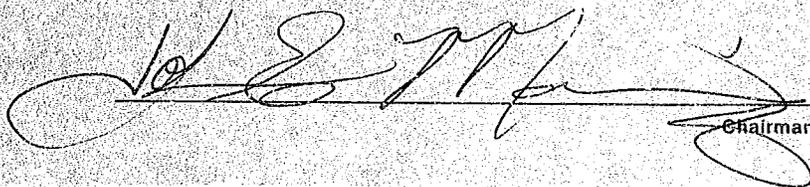
to which was referred the within \_\_\_\_\_  
would respectfully report that we have considered the same and respectfully recommend that

*Referred to  
COW*

10-21-96 Hold

10-28-96 Hold

11-7-96 Grant as Conditioned

  
Chairman

# City Council of the City of Seattle

Monday, November 4, 1996

## RESOLUTIONS FOR INTRODUCTION AND ADOPTION:

**Resolution No. 29484**, With regard to the City of Seattle's Major Institutions Policy.

Motion was made by Councilmember Donaldson, duly seconded and carried, to hold Resolution No. 29484 for one week.

**Resolution No. 29486**, Certifying the existence of a public works emergency for the purpose of carrying out repairs to the roof of the Mercer Arena.

Read final time and adopted by the following vote:

In favor: Choe, Chow, Donaldson, Kraabel, Noland, Pageler, Podlodowski, Drago - 8

Against: None.

The President signed the resolution.

Motion was made by Councilmember Choe, duly seconded and carried, to suspend the rules for the purposes of reverting to the Referral Calendar.

Motion was made by Councilmember Choe, duly seconded and carried, to re-refer Council Bill No. 111531 from Finance and Budget Committee of Full Council.

**Council Bill No. 111531**, Relating to the Finance Department, authorizing refund of the 1993-1995 street utility residential charges, payment of associated attorney's fees and administrative expenses, and issuance of debt and establishment of funds and accounts therefor; approving amendments to Ordinance 117749 to permit issuance of bonds and notes for general City purposes, including payment of street utility refunds; increasing expenditure authority for refund implementation costs in the Department of Finance 1996 Budget; and appropriating and transferring money from various City funds, including the Emergency Subfund; all by a three-fourths vote of the City Council.

Read first time and referred to Full Council.

## COMMITTEE OF THE WHOLE:

**Clerk File No. 301511**, Petition of Washington State Major League Baseball Stadium Public Facilities District for the vacation of a portion of Occidental Avenue S.

Item no. 9, Clerk File No. 301511 was placed on the Committee of the Whole agenda meeting scheduled for 4:00 p.m. for final discussion and approval.

## OTHER BUSINESS:

NONE.

Thereafter, the Council recessed at 3:40 p.m.

## COMMITTEE OF THE WHOLE: MONDAY, NOVEMBER 4, 1996 (PREPARED BY THERESA DUNBAR)

The recessed meeting of the City Council was called to order at 3:50 p.m., Monday, November 4, 1996.

On roll call, the following members were:

Present: Choe, Donaldson, Manning, Pageler, Podlodowski, Drago (President) - 6

Absent: Chow (late arrival), Noland (late arrival) Kraabel (late arrival) - 3

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

# Journal of Proceedings of the

Monday, November 4, 1996

---

On motion, duly seconded and carried, the Council resolved itself into a Committee of the Whole and Councilmember John Manning was elected Chair.

The Committee met for discussion and voting action on Clerk File No. 301511, the Petition of the Washington State Major League Baseball Stadium Public facilities District for the vacation of a portion of Occidental Avenue South.

Staff member present was: Theresa Dunbar, Legislative Committee Assistant

Others present were: Beverly Barnett, Daryl Grigsby and Mark Clemons, Seattle Engineering Department; Nancy Ousley, Office of Management and Planning; Ken Johnson and Tom Backer, Public Facilities District and Jerry Hillis and Paul Isaki, Seattle Mariners.

Councilmembers Noland, Kraabel and Chow entered the Council Chamber at 4:53 p.m., and took their seats at the Bar of the Chamber.

***Motion was made and duly seconded, to adopt Condition No. 1, which reads as follows:***

**Condition 1:**

**Vacation for Ballpark Purposes Only:** The vacation is granted to allow the PFD (the "PFD" is defined as the PFD, its successors or assigns), to design, develop, construct, and operate a ballpark substantially in conformity with the proposal presented to the City Council and for no other purpose. Should the proposal for a new ballpark not proceed for any reason, the conditional approval of the vacation will be rescinded.

In imposing these conditions the City recognizes that there is substantial ongoing development activity in the area of the proposed new ballpark and that there are opportunities for partnering between the PFD and other entities. The City seeks to encourage such partnerships because they often result in increased public benefits to all. The City also recognizes that implementation of the vacation conditions will be most effective when done with the cooperation and participation of other agencies, such as King County and WSDOT. The City recognizes that Kingdome area redevelopment may present opportunities for additional partnerships on area transportation management issues and street and pedestrian improvements; none of the conditions preclude future discussion that could establish such partnerships.

**Motion passed by the following vote:**

**In favor: Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9**

**Against: None.**

***Motion was made and duly seconded, to adopt Condition No. 2, which reads as follows:***

**Condition 2:**

**Utilities:** The utility issues shall be resolved to the full satisfaction of the affected utility. This may include easements, restrictive covenants, relocation agreements, or PFD acquisition of the facilities. The PFD may coordinate the utility work with any budgeted capital improvements in the area. The affected utilities include the following:

# City Council of the City of Seattle

Monday, November 4, 1996

- King County has a 96-inch diameter Elliott Bay Interceptor in the right-of-way and will need necessary access and access easements for maintenance and other functions;
- US West has telephone line ducts in the right-of-way that will need to be relocated outside of the ballpark building envelope;
- City Light has an overhead power line which will need to be relocated;
- MCI has a telephone conduit that will require relocation;
- Washington Natural Gas has a gas main that will need to be removed or relocated;
- The City has a combined sewer line that must be removed or relocated;
- The Water Department has a water main the right-of-way proposed to be vacated that will need to be removed or relocated; and
- SED has fiber optic cables on Seattle City Light poles on Occidental Avenue South between Royal Brougham Way and South Atlantic Street which will need to be relocated.

**Motion passed by the following vote:**

**In favor:** Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

**Against:** None.

*Motion was made and duly seconded, to adopt Condition No. 3, which reads as follows:*

**Condition 3:**

**Community Liaison:** The PFD shall provide a community liaison position during the construction and operation of the ballpark. This role shall be filled by a person who is fully responsible for carrying out the task. This person will work with the neighboring businesses and residents to resolve traffic, parking, noise and other environmental, construction, and operational issues arising from the project. This person will also be available to answer questions and keep the PFD Board and ballpark operator informed as to community issues. The telephone number of the liaison shall be posted at the stadium and shall be advertised in newspapers serving the adjacent communities at least once per month during the construction of the facility, and after construction, at least once per month during the baseball season.

**Motion passed by the following vote:**

**In favor:** Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

**Against:** None.

*Motion was made and duly seconded, to adopt Condition No. 4, which reads as follows:*

**Condition 4:**

# Journal of Proceedings of the

Monday, November 4, 1996

---

**Security and Emergency Access Plan:** The PFD shall provide the City with a plan detailing security and emergency access procedures. The PFD shall pay the cost of developing such a plan and shall coordinate with the Seattle Police Department, Seattle Fire Department, other government agencies and the adjacent communities. The plan, at a minimum, shall address security on adjacent streets before and after games and events, security at ballpark parking locations, emergency access to the ballpark and to the surrounding communities, and additional measures necessary for dual events. The emergency and security plan must be approved by SED and the plan shall be in place prior to opening day of the new ballpark. A summary of the plan shall be publicly available and any substantive changes to the plan shall be publicized. The plan may be modified with approval from the Fire Chief.

The PFD shall pay for equipment and services for security, emergency response, and crowd control, that are over and above what is provided in the absence of ball games and other events at the ballpark. Examples of such equipment and services include, but are not limited to: having crowd control around the ballpark, having paramedics on site; and having adequate security inside the ballpark during events. When such equipment and services are provided by the City of Seattle, the PFD shall reimburse the City annually for costs incurred by the City.

**Motion passed by the following vote:**

**In favor:** Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

**Against:** None.

***Motion was made and duly seconded, to adopt Condition No. 5, which reads as follows:***

**Condition 5:**

**Clean-up Plan:** The PFD shall provide the City with a plan detailing clean-up procedures following games and events. The PFD shall pay the costs of developing such a plan and shall coordinate with the City and the adjacent communities in preparing the plan. The PFD shall review an area within a 3,000-foot radius from the ballpark site. Major pedestrian and vehicular routes shall be identified and a specific clean-up program with a defined radius and routes shall be prepared. The PFD shall pay the cost of the clean-up activity after ballpark games and events. The PFD is encouraged to provide such clean-up services by contracting with the existing community clean-up programs in Pioneer Square and the International District. The plan must be approved by SED and shall be in place prior to opening day of the new ballpark. The plan may be modified only with the prior approval of SED.

**Motion passed by the following vote:**

**In favor:** Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

**Against:** None.

***Motion was made and duly seconded, to adopt Condition No. 6, which reads as follows:***

# City Council of the City of Seattle

Monday, November 4, 1996

## Condition 6:

**Route Signs:** The PFD shall ensure that permanent "route" signing improvements are made to the area. Changes to signage on I-5, I-90, SR 99, West Seattle Freeway and City streets shall be fabricated and installed to encourage northbound approaching vehicles to exit at South Spokane Street and approach the event venue from the south. Changes to southbound signs shall also be fabricated and installed to encourage exiting into the central business district or other exits in advance of South Dearborn Street or the I-90 downtown access ramps in order to distribute traffic to areas with parking and easy egress, and to reduce queuing and circulating traffic at the ballpark. The placement and location of the signs must be approved by SED and other appropriate jurisdictions. Such signage shall be in place prior to opening day of the new ballpark.

### Motion passed by the following vote:

In favor: Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

Against: None.

*Motion was made and duly seconded, to adopt Condition No. 7, which reads as follows:*

## Condition 7:

**Variable Message Signs:** The PFD shall work with WSDOT, King County and the City to effectively use variable and changeable message signs to assist event patrons to identify available parking. After the number of such signs necessary to serve both event venues in the area has been determined, the PFD shall fund (purchase and installation) a maximum of two variable message signs and one-half of the number of changeable message signs necessary to disperse traffic congestion by alerting motorists of parking availability and alternative routes. The PFD shall also fund 50% of the cost of a software module to operate variable message signs from the City's Traffic Management Center. The specific type and location of the signs must be approved by SED and the signs shall be installed and operational prior to opening day of the new ballpark.

### Motion passed by the following vote:

In favor: Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

Against: None.

*Motion was made and duly seconded, to adopt Condition No. 8, which reads as follows:*

## Condition 8:

**Pedestrian Overpass:** The PFD, with partners, shall ensure the construction of a grade-separated crossing over the BNSF tracks in the immediate vicinity of South Royal Brougham Way. The eastern end of this crossing is anticipated to be east of the tracks and west of Fourth Avenue South. The Kingdome Intermodal Access Project

# Journal of Proceedings of the

Monday, November 4, 1996

---

should be considered and coordinated with, in the planning and design of this pedestrian overpass.

The crossing shall be designed to serve ballpark patrons as well as other pedestrians. It shall be designed to encourage pedestrian use and shall be sized to allow efficient movement of event pedestrians. Appropriate end points for the overcrossing shall be determined during design and shall be approved by SED. Operational features of the crossing affecting safety and security (such as hours of operation) shall be determined in consultation with SED and the Seattle Police Department.

The City expects the PFD to enter into a partnership with King County and/or other partners to provide this crossing. The City will undertake to convene the project partners to develop an agreement on the appropriate share of responsibility for the pedestrian crossing or other improvements or services related to the ballpark. The City will also be an active participant in efforts to identify transportation grants or other potential funding sources for the crossing. This agreement should also include provisions for constructing interim or other safety measures, depending on the timing of construction of the grade-separated crossing. SED approved safety measures shall be in place by the opening of the ballpark.

The PFD and the Executive shall report to the City Council on the status of the agreement, and the Council must be satisfied, prior to the passage of the final street vacation ordinance (unless compliance with this condition is addressed in a Property Use and Development Agreement or other accountability mechanism), that the agreement(s) have the commitments in place to ensure the crossing will be constructed.

The City agrees that if the Kingdome renovations or other development in the area will benefit from these improvements, the City will seek to require the benefiting entities' participation in such improvements, either directly or through another mechanism.

Motion passed by the following vote:

In favor: Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

Against: None.

*Motion was made and duly seconded, to adopt Condition No. , which reads as follows:*

**Condition 9:**

**Traffic Signals:** If traffic signal warrants are met, as determined by the Seattle Engineering Department , within five years of opening day of the new ballpark, the PFD shall provide a new traffic signal at South Atlantic Street and First Avenue South. In addition, the PFD shall provide a proportional share of the costs of a new traffic signal at South Massachusetts Street and First Avenue South and at Occidental Way South and Holgate. The PFD's contribution shall be determined by SED.

Motion passed by the following vote:

In favor: Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

Against: None.

# City Council of the City of Seattle

Monday, November 4, 1996

*Motion was made and duly seconded, to adopt Condition No. 10, which reads as follows:*

## Condition 10:

**Pedestrian Connections:** The PFD shall provide substantial improvements to portions of the pedestrian linkages between the ballpark and Pioneer Square, the International District, the bus tunnel, and the ferry system and the waterfront. The PFD shall develop a plan for the pedestrian connections which shall be developed with the participation of the International District, Pioneer Square, and the SODO/North Duwamish Industrial area, and shall be reviewed by the Seattle Design Commission. For any changes and/or improvements to the public right-of-way in the Pioneer Square Preservation District or in the International Special Review District, a Certificate of Approval is required from the respective board per SMC 23.66. SED shall have final approval of the other portions of the plan. The plan shall identify existing improvements, and any improvements to be provided by other development activity, and shall pay particular attention to the needs of existing adjacent businesses. The plan shall demonstrate how the listed improvements will provide safe and attractive pedestrian access to the ballpark.

By July 1, 1997 the PFD shall provide SED and the appropriate review boards with a feasibility analysis and a conceptual plan for the design of the following improvements to the streets that provide pedestrian access to the ballpark (hereafter the "listed improvements"). The City will assist the PFD in working with the communities and Review Boards; specific responsibilities will be included in a Memorandum of Understanding to be completed by January 1, 1997. At a minimum, the plan shall review the following improvements:

### **Occidental Avenue South:**

- From King Street to Railroad Avenue add pedestrian lighting, add a gateway element from the 1991 Pioneer Square Plan.
- From Railroad Avenue to Royal Brougham Way widen sidewalk, replace existing lighting with pedestrian lighting, add street trees and grates, add benches and trash receptacles.
- From South Massachusetts Street to Holgate add street lighting and a ten-foot asphalt walkway on the east side.

### **First Avenue South:**

- From Royal Brougham Way to Highway 99 ramp widen sidewalks and add street trees and grates, if feasible.

### **Railroad Avenue:**

- From Alaskan Way to First Avenue South add lighting.
- From First Avenue South to Occidental Avenue South, add a twelve-foot-wide sidewalk, pedestrian lighting, and street trees and grates.

### **Royal Brougham Way:**

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

# Journal of Proceedings of the

Monday, November 4, 1996

---

- From First Avenue to Alaskan Way install missing segments of sidewalk on both sides of the street.

## South Holgate Street:

- From Occidental Avenue South to Third Avenue South widen the sidewalk to ten feet.

## South Jackson Street:

- From Second Avenue South to Fifth Avenue South a proportional share of pedestrian improvements as necessary.
- Or other comparable connection to or within the International District as identified in the plan.

## South Massachusetts Street:

- From First Avenue South to Occidental Avenue South provide lighting.

The listed improvements are intended as a starting point for the creation of a plan. It is expected that existing physical conditions, community wishes and the needs of existing businesses will require some additions and deletions to the elements of the plan. The plan may propose alternate improvements within the same area and within the estimated costs of the listed improvements. The estimated costs of the engineering design and construction, in 1996 dollars, is \$1.2 million dollars. The improvements as detailed in the approved plan, shall be completed to SED's satisfaction prior to the opening of the ballpark. No later than April 1, 1998 the PFD shall provide SED with a final estimate of the cost of completing any listed improvements that have not been completed or contracted for completion, by that date to SED satisfaction. No later than October 1, 1998 the PFD shall provide SED with a bond or letter of credit in a form approved by the Seattle City Attorney and in an amount equal to 125% of the cost of completing the listed improvements, as determined by SED. If the listed improvements are not completed to SED's satisfaction prior to the opening of the ballpark, the full amount of the bond, or such lesser amount as SED determines to be necessary, shall be forfeit on the opening date of the ballpark to SED to be used to complete the listed improvements. Any money forfeited to SED but not used to pay for the completion of the listed improvements shall be returned promptly and without interest.

Nothing in this condition is intended to preclude the PFD from entering into agreements with other entities to complete the listed improvements and the City shall encourage such agreements to complete or assist in funding the planned improvements. If in the opinion of SED other projects or changed circumstances in the area of the ballpark make it impossible, unnecessary, or undesirable to complete the listed improvements, then the conceptual plan may be modified with SED approval to omit listed improvements or to provide for alternative improvements.

In addition, the PFD shall provide the pedestrian facilities adjacent to the new facility substantially as provided in the approved MUP.

**Motion passed by the following vote:**

**In favor: Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9**

**Against: None.**

# City Council of the City of Seattle

Monday, November 4, 1996

---

*Motion was made and duly seconded, to adopt Condition No. 11, which reads as follows:*

**Condition 11:**

**Parking Management Plan:** The PFD shall work with the City, King County, Pioneer Square, the International District, and the SODO/North Duwamish area to develop a parking management plan that minimizes the impact of event parking while preserving the on-street parking in these districts for patrons of neighborhood businesses and area residents. The PFD shall pay the cost of a parking study to determine availability and usage of existing parking. The study shall at a minimum, explore the feasibility and neighborhood desire for a Residential Parking Zones (RPZ), coordinated parking management, and restrictions or extended hours for on-street parking. The study shall result in a plan that is ready to be implemented, prior to opening day of the ballpark. The PFD shall implement the portions of the plan designed to specifically mitigate the impacts from the ballpark, including a paying a proportional share of the costs of permits and petitions in determining the feasibility of an RPZ.

**Motion passed by the following vote:**

**In favor:** Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

**Against:** None.

*Motion was made and duly seconded, to adopt Condition No. 12, which reads as follows:*

**Condition 12:**

**Dual Events:** The PFD shall work to effectively manage and coordinate event scheduling and transportation management between the ballpark and Kingdome to prevent significant disruption to the traffic system and adjacent neighborhoods. For concurrent time specific events at the ballpark and the Kingdome (dual events), where there is less than four hours between the projected end time of one event and the scheduled start time of the next event, then a day-specific TMP shall be developed and submitted to the City for review. The specific goals and objectives for the dual event TMP shall be established by the City through the Master Use Permit Process (MUP). The TMP shall set progressively higher goals for dual events according to the projected attendance. The TMP shall also include specific measures for meeting the goals and objectives, including development of an event coordination/management strategy, and shall provide a process for review by the Parking and Access Review Committee.

The performance of the dual event TMP's shall be evaluated by the City on an annual basis. The criteria for evaluating the success of the event day TMP shall be established through the MUP process. If the City determines that the dual event TMP is not meeting the goals and that sufficient progress is not being made to meet the goals, the City will institute restrictions on dual events.

In the event that the City determines that the dual event TMP goals are not met and that sufficient progress is not being made to meet the goals, the City shall develop and institute restrictions on dual events. Such restrictions shall include the following:

# Journal of Proceedings of the

Monday, November 4, 1996

---

If any weekday time-specific events at the Kingdome and the ballpark are anticipated to generate combined attendance in excess of 58,000, there shall be a four hour time period between the projected end time of the first event and the scheduled start time of the second event. If any weekend time-specific events at the Kingdome and the ballpark are anticipated to generate combined attendance in excess of 65,000, there shall be a four hour time period between the projected end time of the first event and the scheduled start time of the second event.

**Motion passed by the following vote:**

**In favor:** Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

**Against:** None.

*Motion was made and duly seconded, to adopt Condition No. 13, which reads as follows:*

**Condition 13:**

**Hour and Day Game Restrictions:** No events or regular season games with a projected attendance exceeding 15,000 shall start between 4:00 p.m. and 7:00 p.m. on non-holiday weekdays. No more than six regular season games may be scheduled on non-holiday weekdays prior to 4:00 p.m. Exceptions may be permitted after review and approval by the Parking and Access Review Committee and DCLU.

After further analysis of the impacts of day games, potential mitigation measures have been identified, and any necessary environmental review has been conducted, the limitation on the number of day games may be reviewed by the City Council.

**Motion passed by the following vote:**

**In favor:** Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

**Against:** None.

*Motion was made and duly seconded, to adopt Condition No. 14, which reads as follows:*

**Condition 14:**

**TMP:** The PFD shall develop and implement a Transportation Management Plan (TMP), substantially in the form provided in the PFD's final EIS, subject to revisions through the MUP process and changes recommended in these vacation conditions. The purpose of the TMP is to reduce and manage the traffic and parking demand associated with the ballpark. The TMP shall include specific goals and objectives for reducing such demand. The goals and objectives shall be established by the City through the Master Use process.

The TMP shall also include specific measures for meeting the goals and objectives, including the event coordination/management strategy, dissemination of information regarding traffic access and parking, publicly displayed information, HOV incentives, enhanced transit services, off-site parking agreements, and other measures. The PFD

# City Council of the City of Seattle

Monday, November 4, 1996

shall be accountable for meeting the goals and objectives of the TMP, using the measures identified. The City recognizes that not all of the measures identified below will be implemented by the PFD and that other measures may be proposed as the initial TMP is developed through the MUP process. In order to ensure an aggressive and successful TMP all of the following measures must be reviewed during the MUP process and may be eliminated from the initial TMP if DCLU and SED determine the measure is not necessary or appropriate for inclusion in the initial TMP.

The TMP shall include the following objectives:

- If a sellout season is projected, additional steps shall be taken to further reduce overall traffic and parking demand.
- Traffic control measures, commensurate with the attendance levels at the ballpark, and in a dual-event scenario, shall be implemented. Traffic control measures will be based on attendance level and will include SED and Seattle Police Department collaboratively-specified and approved traffic control plan that will include, but will not be limited to, SPD sworn personnel and required support (setting up and collecting of barricades). All traffic control measures, related to ballpark events, shall be paid for by the PFD.
- The PFD shall work with King County, SPD, SED and the affected neighborhoods to review current traffic control measures and to revise as necessary. Particular attention shall be paid to providing local access for residents and area businesses.
- Significantly reduce ballpark-related on-street event parking to increase the availability of parking for residents and businesses in the International District and Pioneer Square on event days.
- Effectively publicize traffic and parking-reducing elements, including the availability and benefits of using HOV and transit modes.
- Provide incentives for the use of alternative modes of access to the ballpark, including walking, and use of ferries and bicycles.
- Provide incentives for ballpark attendees to park on-site or in the Seattle Central Business District outside of Pioneer Square and the International District.

The following measures shall be added to the list of measures to be reviewed for the TMP. The inclusion of the TMP measures is done with the understanding that no single measure or element will result in a successful TMP, but rather a combination of these measures is required to achieve the program goals. Monitoring and reporting requirements shall include surveys taken during the baseball season and an annual report at the end of each season (see Attachment B). A Parking and Access Review Committee (PARC) shall be established to review annual reports and any proposed revisions to the TMP. The PARC shall include representatives of adjacent communities as well as staff from appropriate government agencies, and shall make recommendations to the City. Any revisions to the TMP shall be approved by SED and DCLU.

When the goals and objectives for the TMP are established through the MUP process DCLU, together with SED, may alter the initial requirements for the TMP for the first year of operation. TMP measures may also be revised, altered, added or deleted

# Journal of Proceedings of the

Monday, November 4, 1996

---

following review by the Parking Access and Review Committee and approval of the City.

The TMP shall include the following measures::

- Published information. Develop and disseminate information regarding traffic accessibility and parking for events at the ballpark, including:
  - An Event Access and Parking Brochure/Guide. Develop and distribute an event transportation and parking access guide with all pre-sold (season and advance purchase) tickets to events, as well as other points-of-purchase, such as Ticketmaster and selected baseball-oriented retail outlets. This guide will include information on approach patterns, bicycle routes, transit routes (including origin and ballpark unloading locations), HOV parking incentives and parking locations, including all nearby HOV parking facilities to facilitate easier ingress and egress, and to reduce demand for parking and vehicular access. The guide will be updated annually to reflect changes in transit and HOV services and facilities, parking and other related issues.
  - Web page. Display information from the Event Access and Parking Brochure/Guide, as well as daily traffic information on an Internet Web Page whose site will be identified in any publicity.
  - Newspaper publicity. Publicize all upcoming event schedules through display advertising in both Seattle daily and Sunday newspapers.
  - Direct notification of affected areas. Provide direct notice to all affected area businesses and residents concerning event schedules. Annual direct mailings will provide schedules and periodic updates shall be mailed as necessary to provide revisions to the schedule.
- HOV pricing incentives: Provide a meaningful graduated differential pricing program that is consistent with existing Transportation Management programs for on-site and PFD controlled, High Occupancy vehicle parking that will increase the discount proportionately with increased vehicle occupancy.
- Develop and implement a parking voucher program (see attachment A) with parking operators in the Central Business District (CBD) that will provide meaningful parking discounts that are an incentive to park in the CBD. Parking discounts will be proportionately based on vehicle occupancy.
- Pay a proportional share of the cost of the transit service improvements necessary to increase the level and availability of transit service for event patrons. If the PFD is successful in effecting extension of the transit tunnel operating hours and the free-ride zone for the purpose of transporting game attendees, elimination of some of the TMP requirements will be considered after the first evaluation.
- Provide bus shuttle service from designated parking garages in the CBD participating in the parking voucher program.
- Secure shuttle service from other providers for shuttle operations as necessary.

# City Council of the City of Seattle

Monday, November 4, 1996

- Pay the cost of design, fabrication, and installation of ballpark destination signage at key downtown King County/Metro bus stops.
- Provide secure, on-site, weather-protected bicycle storage facilities for event patrons and ballpark employees as a means of encouraging this non-auto travel mode. The PFD shall work with the City to identify bicycle routes. The PFD shall pay to include this information on bus bicycle racks and in transit coaches whose routes serve the ballpark, and in any transportation-related publications prepared by the ballpark.
- Work with the City to develop and fund transit/HOV priority treatment with the goal of ensuring that these modes of travel are more convenient than the single-occupant vehicle.
- Enter into a joint-use parking agreement between the ballpark and the Kingdome to ensure that required on-site parking for each venue is recognized.
- Encourage broadcasts on radio stations that normally carry the event pre-game shows to supplement variable message signing in directing drivers to available parking areas and to help reduce circulating traffic.
- Offer pre-sold on-site parking with season tickets and ticket packages to result in guaranteed parking with those with parking passes which would reduce overall circulation associated with parking searches.
- Work with King County to establish and fund a dedicated event transportation coordinator position to manage the joint schedule and transportation management of the ballpark and Kingdome. The person in this position shall work with SED, SPD, and event management staff associated with the two venues to ensure that information is fully communicated and potential conflicts and impacts are minimized.

**Motion passed by the following vote:**

**In favor:** Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

**Against:** None.

*Motion was made and duly seconded, to adopt Condition No. 15, which reads as follows:*

**Condition 15:**

**Community Participation:** The PFD and ballpark operator should play a meaningful, ongoing role in the neighboring communities. The PFD should provide a minimum of \$90,000 per year (in 1996 dollars) for the two years of the construction period and a minimum of \$60,000 per year for the initial three years of ballpark operation, for use in equal amounts by non-profit organizations in the Pioneer Square, International District, and SODO/North Duwamish area for staff or consultant assistance to evaluate or plan for ballpark impacts or for economic development assessment.

The PFD shall develop a mechanism for disbursing the construction and initial operation funds to be approved by the Department of Neighborhoods or other appropriate City department. The PFD may propose an alternate plan by June 1, 1997

# Journal of Proceedings of the Monday, November 4, 1996

---

for part or all of the construction and initial operation commitment that demonstrates a long term investment and involvement in the communities. This plan could include membership in business improvement areas or community councils, marketing partnerships or other strategies that are acceptable to the principal community organization in each neighborhood. The alternate plan will be subject to review and approval by the appropriate review boards. The Director of the Department of Neighborhoods shall have final approval of any alternate plan.

At years five and ten of ballpark operation, the PFD shall contribute \$20,000 toward an evaluation of business retention, housing, land value, and development capacity for the surrounding area. The contract for the evaluation will be administered by the Office of Management and Planning or other appropriate City department; the report of the evaluation shall be made to the City Council and the Public Facilities District Board.

**Motion passed by the following vote:**

**In favor:** Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

**Against:** None.

*Motion was made and duly seconded, to adopt Condition No. 17, which reads as follows:*

**Condition 16:**

**Accountability Mechanisms:** Following conceptual approval of the vacation petition, the PFD shall work with SED and the City Attorney to identify a mechanism to ensure PFD compliance with the vacation conditions. For any conditions which cannot be fully satisfied prior to the passage of the final vacation ordinance, compliance shall be assured through a Property Use and Development Agreement (PUDA) a bonding requirement or other appropriate mechanism.

**Motion passed by the following vote:**

**In favor:** Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

**Against:** None.

*Motion was made and duly seconded, to adopt Condition No. 17, which reads as follows:*

**Condition 17:**

**Intermodal Access Project:** The PFD shall work with the City of Seattle, Washington State Department of Transportation, King County, the Port of Seattle and BNSF (all partners in the Kingdome Area Intermodal Access Project) to design and construct one or more grade separated roadways, over the mainline railroad tracks at South Royal Brougham Way and/or South Atlantic Street. The PFD shall support efforts to obtain state and federal funding for a design that meets the needs of all the project partners. The PFD shall design the ballpark in a manner that will not preclude reasonable alternatives for the future construction of elevated roadways on either South Royal Brougham Way or South Atlantic Street, which ultimately could include a total of six

# City Council of the City of Seattle

Monday, November 4, 1996

through lanes. The PFD shall work with the Kingdome Area Intermodal Access Project partners to reach an agreement on a preferred alternative prior to passage of the street vacation ordinance.

To provide the space needed for such roadway, the PFD shall provide a 130' wide right-of-way (surface and air rights) on the alignment of South Atlantic Street, between First Avenue South and the eastern property line of the ballpark site, in order to accommodate a grade-separated roadway, sidewalks and necessary structural supports. This corridor shall lie south of the northerly margin of South Atlantic Street between First Avenue South and Occidental Avenue South, and said margin extended easterly. This corridor would accommodate the future construction of an elevated roadway with six lanes and sidewalks that will connect First Avenue South to Fourth Avenue South and the freeway system, if that is the alternative chosen by the partners.

In the event that the PFD receives title to any property within the above described 130' wide corridor from King County necessary for constructing the Kingdome Intermodal Access Project,, the PFD shall convey to the public for street purposes the necessary air rights and rights for structural supports to accommodate said roadways and sidewalks, if that project proceeds.

**Motion passed by the following vote:**

In favor: Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

Against: None.

*Motion was made and duly seconded, to adopt Condition No. 18, which reads as follows:*

**Condition 18:**

**Reporting Requirement:** Six months prior to the expected opening of the ballpark the PFD shall report to the City Council on the status of the ballpark construction and progress on satisfying the vacation conditions. Should the Council determine that insufficient progress has been made toward fulfilling the vacation conditions, the Council will explore additional enforcement mechanisms, such as bonding or penalties, to ensure that all of the vacation conditions are fully satisfied prior to the opening of the ballpark. At year three of ballpark operations, the PFD shall brief the City Council on the ballpark operations, including the TMP.

**Motion passed by the following vote:**

In favor: Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

Against: None.

*Motion was made and duly seconded, to recommend that the Full Council grant the Petition as conditioned.*

**Motion passed by the following vote:**

In favor: Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski -

**Journal of Proceedings of the**  
**Monday, November 4, 1996**

---

9

Against: None.

The Committee of the Whole adjourned at 5:38.

The Council was called back to order at 5:39. On roll call, the following members were:

Present: Choe, Chow, Donaldson, Drago, Kraabel, Manning, Noland, Pageler, Podlodowski - 9

Absent: None.

**REPORTS OF STANDING COMMITTEES AND FINAL PASSAGE:**

**COMMITTEE OF THE WHOLE:**

Clerk File No. 301511, Petition of the Washington State Major League Baseball Stadium Public Facilities District for the vacation of a portion of Occidental Avenue South; committee recommends that the same be granted as conditioned.

The Report of the Committee was adopted by the following vote:

In favor: Choe, Chow, Donaldson, Drago, Manning, Noland, Pageler, Podlodowski - 8

Against: Kraabel - 1.

There being no further business to come before the Council, the meeting was adjourned at 6:00 p.m.

APPROVED



President of the City Council

mc.



Seattle City Council

PUBLIC HEARING SIGN-UP SHEET

VACATION OF A PORTION OF OPCC

INFORMATION ON THIS SIGN-UP SHEET IS PUBLIC RECORD

#	(PLEASE PRINT) NAME	ORGANIZATION	(OPTIONAL) ADDRESS
✓	Terrance Danysh	Cairncross & Hempelman	701 5th Ave S
✓	George Seligmann	Pioneer Square Properties	216 1st Ave
✓	Kandy Banneker	Greater Seattle Chamber of Commerce	1301 5th Ave
✓	Ken Cederstrand	Property Owner (B-Group)	7621 Rainier St
✓	Renee Tanner	Pioneer Square Planning Committee	210 Alaskan Way
✓	Dennis Haskell	Seattle Design Comm	2015 E. Newpark
✓	Paul Sikora	900 First Av. S. #202	→
✓	CARL BENNY	SPORTS & EVENTS Council	1301 5TH AVE #
✓	Barb Swift	Seattle Design Comm	710 Second Ave
✓	Michael Fajans		211 1/2 1st Ave
✓	BECKY BOGARD	PFED CITIZENS ADVISORY COMMITTEE	
✓	Tom McQuaid	Nordic Cold Storage Co.	547 Occident
	Charles Benny (or Renee Tanner)	PIONEER SQUARE PLANNING COMMITTEE	

①

October 15, 1996

### PUBLIC HEARING SIGN-UP SHEET

#### VACATION OF A PORTION OF OCCIDENTAL S.

#### PUBLIC RECORD

ORGANIZATION	(OPTIONAL) ADDRESS	ZIP	
Waincross & Hempelhan	701 5th Ave Ste 70	98104	58
Pioneer Square Properties	216 1st Ave S.	98104	68
Water Seattle Chamber of Commerce	1301 5th Ave Suite 2400	98101	521
Property Owner (B-Group)	7621 Rainier Ave S Seattle	98118	725
Pioneer Square Planning Committee	210 Alaskan Way S	98104	682
Seattle Design Comm	7015 E. Newton St	98112	624
100 First Av. S. #202	→	98134	5-87
PORTS & EVENTS Council	1301 5th Ave #2400	98101	589
Seattle Design Comm	710 Second Ave Ste 200	98104	684
	211 1/2 1st Ave S	98104	682
FD CITIZENS ADVISORY COMMITTEE			979
Nordic Cold Storage Co.	547 Occidental Ave. South	98104	623
PIONEER SQUARE PLANNING COMMITTEE			

①



Seattle City Council

PUBLIC HEARING SIGN-UP SHEET

VACATION OF A PORTION OF OCCIDENTAL

INFORMATION ON THIS SIGN-UP SHEET IS PUBLIC RECORD

#	(PLEASE PRINT) NAME	ORGANIZATION	(OPTIONAL) ADDRESS
✓	JACK ECKREM	NORTH DUWAMISH ORGANIZING COMMITTEE	
✓	John E. Martin <sup>representing</sup> (son)	Bay of Long Beach	Stadium fund
✓	ART SKOLNIK	HON. SR. PROPERTY OWNERS	P.O. Box 2005 SNOQUA
✓	Robert Steil	901 - Occidental S.	
✓	MICK WELCH	419 - OCCIDENTAL S.	
✓	SIGURD BORGERSEN	C.C. FIKSON Co	
✓	Irwin Treiger	Boyle + Gates	

2

October 15, 1996

PUBLIC HEARING SIGN-UP SHEET

VACATION OF A PORTION OF OPCCIDENTAL S.

PUBLIC RECORD

ORGANIZATION	(OPTIONAL) ADDRESS	ZIP	
North Duhamish Organizing Committee			
Boys for a Soq Baseball	Shawon fund		
N. SO. PROPERTY OWNERS	P.O. Box 2005 SNOQUALMIE WA.	98065	120
201 - Occidental S.		98034	20
419 - OCCIDENTAL S.		98104	
C.C. FICSON Co			
Boyle & Gates		98101	

(2)



Seattle City Council

PUBLIC HEARING SIGN-UP SHEET

VACATION OF A PORTION OF OPCC

INFORMATION ON THIS SIGN-UP SHEET IS PUBLIC RECORD

#	(PLEASE PRINT) NAME	ORGANIZATION	(OPTIONAL) ADDRESS
✓	DAVID BRUNNER	Pioneer Square Community Council	
✓	Susan Taoka	SCDPDA	
✓	<del>Andy</del> Glenn Chinu	International District Parkers Association	
✓	KEN KATAMURA	INTERUM	









THE MITIGATION MEASURES  
THAT ARE SET OUT WILL  
ENSURE THAT ~~THE~~ PUBLIC  
TRUST IS PROTECTED.

(2)



Petition No. 3870

### **Petition for Street Vacation**

The owners of real estate abutting a street may petition the City Council to vacate the street. Seattle Municipal Code 15.62.020; Revised Code of Washington Chapter 35.79.

This document is a petition to the Seattle City Council to vacate 660 feet of Occidental Avenue S. between S. Royal Brougham Way and S. Atlantic Street, for development of an open air, retractable roof baseball park with natural turf and associated facilities, including parking.

*Submitted by*

Washington State Major League Baseball Stadium Public Facilities District  
401 Second Avenue South, Suite 500  
Seattle, Washington 98104

## STREET VACATION PETITION

TO THE HONORABLE CITY COUNCIL OF THE CITY OF SEATTLE.

We, the undersigned, being the owners of more than two-thirds of the property abutting on that portion of:

Occidental Avenue S. between S. Royal Brougham Way and S. Atlantic Street

petition the City to vacate the street, which is legally described as follows:

*(See attached map and legal descriptions in Exhibit A),*

RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of any right-of-way abutting upon said property after said vacation; and further,

RESERVING to the City of Seattle the right to reconstruct, maintain and operate any existing overhead or underground utilities in said rights-of-way until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal.

**Contact Persons:**

Mr. Ken Johnsen, Executive Director  
Washington State Major League Baseball Stadium  
Public Facilities District  
401 Second Avenue South, Suite 500  
Seattle, WA 98104  
206-205-6200

Mr. Konrad Liegel  
Mr. Thomas Eli Backer  
Preston Gates & Ellis  
701 Fifth Avenue, Suite 5000  
Seattle, WA 98104  
206-623-7580

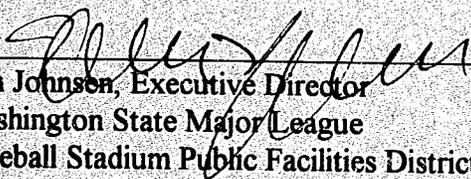
**Petitioner:**

Washington State Major League Baseball Stadium  
Public Facilities District  
401 Second Avenue South, Suite 500  
Seattle, WA 98104  
206-205-6200

Reason for Vacation: *See Exhibit B*

Supplemental information, including maps, site plans, and project sketches are provided in Exhibit B to assist in determining the merits of the proposed vacation.

The Washington State Major League Baseball Stadium Public Facilities District (the District) hereby acknowledges that the District will be solely responsible for the payment of all fees and costs associated with the street vacation, including the vacation fee. The District further acknowledges that any expense that may be incurred in preparing, applying for or obtaining any land use, construction or other permits in anticipation of such vacation is the sole risk of the District. Further, the District understands that the City Council decision on the street vacation is discretionary, and will be based on the City's Street Vacation Policies adopted by Resolution 28605 and other adopted policies; and that a Council decision to grant the vacation request does not exempt the property from the requirements of the City's Land Use Code or from conditioning of development pursuant to the State Environmental Policy Act (SEPA).

  
\_\_\_\_\_  
Ken Johnson, Executive Director  
Washington State Major League  
Baseball Stadium Public Facilities District

  
\_\_\_\_\_  
Date

Please return the completed petition, supplemental information and filing fee to the Seattle Engineering Department, Room 400, Seattle Municipal Building, 600 Fourth Avenue, Seattle, Washington 98104-1379. If you have any questions regarding the vacation process, please call the street vacation staff at 684-7564.

**PETITION NO.** \_\_\_\_\_

## **Exhibit A**

### **Legal Description**

**(Occidental Avenue S. between S. Royal Brougham Way and S. Atlantic Street)**

That portion of the right of way for Occidental Avenue South (formerly South Second Street) as shown on the plat of Seattle Tide Lands, in King County, Washington, according to the official maps thereof on file in the Office of the Commissioner of Public Lands in Olympia, Washington, lying northerly of the easterly extension of the south line of Block 323 in said plat, and lying southerly of a line extending from the northeast corner of said Block 323 to the northwest corner of Block 322 in said plat.



## **Exhibit B**

### **Reason for Street Vacation**

This exhibit explains the reason for this petition to vacate 660 feet of Occidental Avenue South between South Royal Brougham Way and South Atlantic Street. This petition is submitted by the Washington State Major League Baseball Stadium Public Facilities District for the Washington State Major League Baseball Stadium Project.

#### **I. The Project and Site**

##### **A. Project Description**

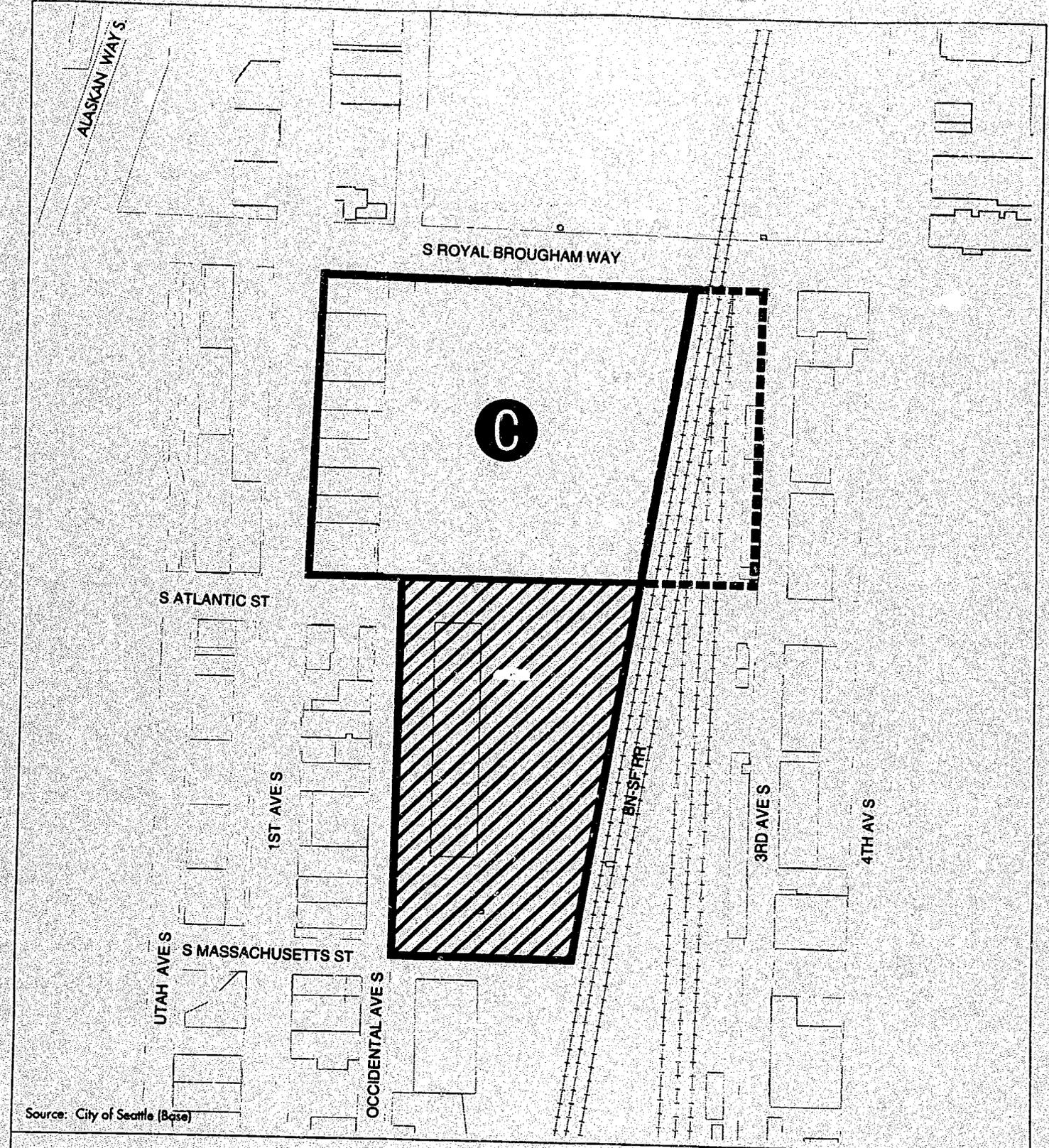
The Washington State Major League Baseball Stadium Public Facilities District (PFD or District) is proposing to build a new, publicly owned major league baseball stadium and associated facilities, including parking (the Ballpark). The PFD proposes to locate the Ballpark in the area bounded on the north by S. Royal Brougham Way, on the east by Third Avenue S. and the BNSF railroad tracks, on the south by S. Massachusetts Street, and on the west by Occidental Avenue S. and First Avenue S. (see Figures 1 & 2). The Ballpark site is labeled "Site C" in the final Environmental Impact Statement (EIS). The proposed Ballpark will have a retractable roof or canopy and will be home to a professional baseball team in Seattle.

The Ballpark will seat approximately 45,500 people, provide parking for approximately 3,900 vehicles on and off site, and serve as the venue for 81 regular season Major League Baseball games per year, as well as possible playoff and World Series games. The regular season will run from approximately April 1 to October 1. Playoff games and the World Series could run into November. The Ballpark would also accommodate other events throughout the year, including civic events, amateur athletics, private parties and gatherings, and other activities.

The Ballpark is designed to combine the look and feel of a traditional ballpark with the convenience, amenities, and revenue-generation features of a modern state-of-the-art ballpark. Traditional ballparks generally emphasize baseball's pastoral nature, incorporate unique and often asymmetrical design elements, and provide fans with a sense of intimacy and proximity to the players. Modern ballparks offer amenities such as enhanced lower deck seating, extensive retail and food services appealing to all fans and families, wide concourses, adequate restrooms, suites, club seating and related services, and easy access for operations. The Ballpark is designed to fit into the urban environment of the surrounding community and to complement neighborhood architecture.

Building such a ballpark requires a site that can accommodate a building with approximately 1.2 million square feet of developed space, 3 to 4 acres to store the retractable roof, and space for parking facilities. After reviewing the EIS and other relevant information, the District Board selected "Site C" as the site for the proposed Ballpark (see summary of site selection process below).

*Public Facilities District Submission*



Source: City of Seattle (Base)



0 500  
 Approximate Scale in Feet

**Legend**

- Ballpark Site Boundary
- Ballpark Roof Storage (when retracted) - two alternatives shown
- Parking Site

**FIGURE 1**

**SITE C**

**SHAPIRO**  
 & ASSOCIATES, INC.

WASHINGTON STATE  
 MAJOR LEAGUE BASEBALL STADIUM

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE  
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

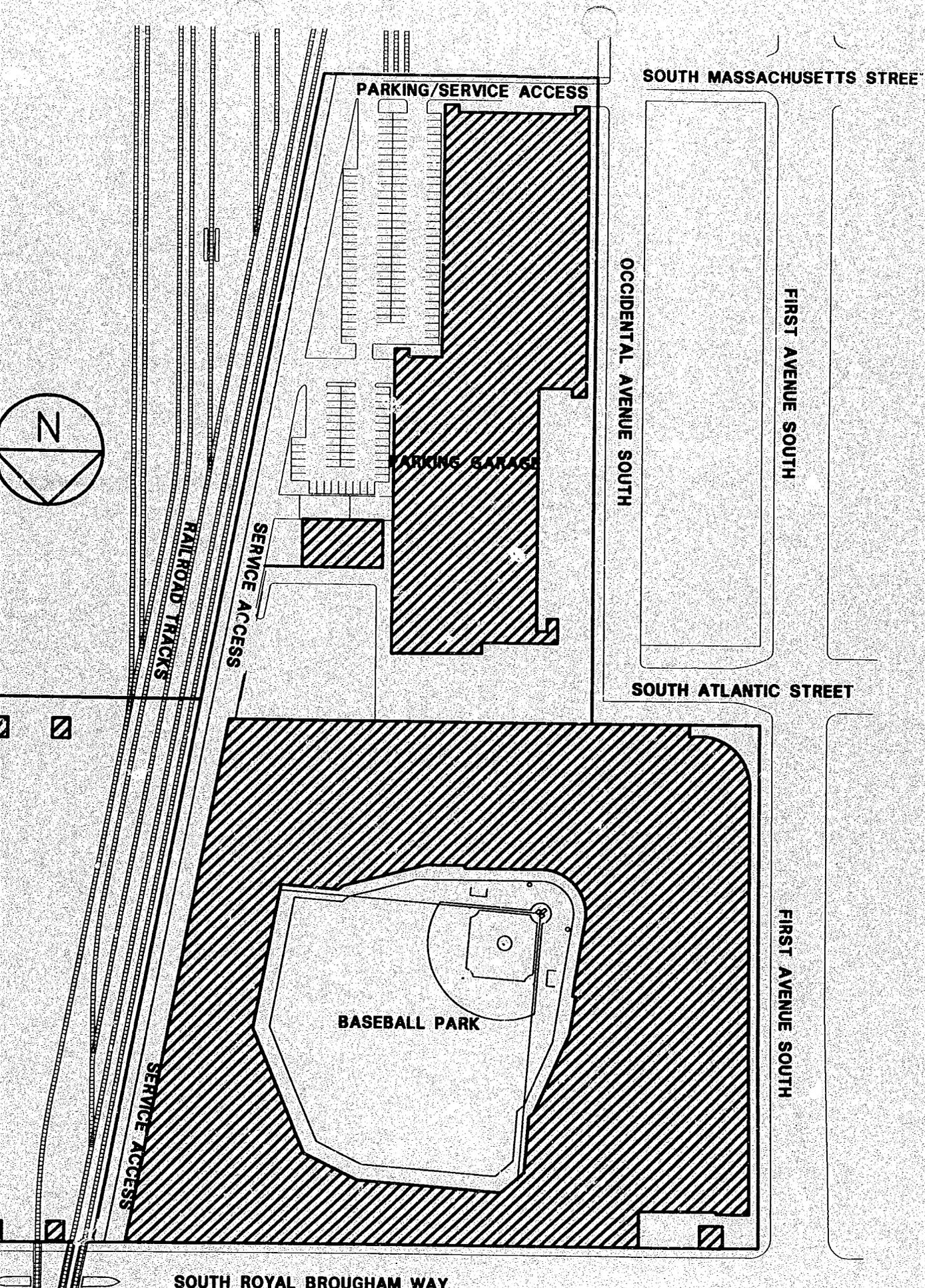


FIGURE 2

The irregularly-shaped site covers 19.65 acres. King County owns 12.59 acres of the site, 6.08 acres are privately owned, and the City owns .98 acres (the city street). State law requires King County to assemble the land that the District determines is necessary for the Ballpark. The County is required to contribute the portion of the site it owns to the District. The District is currently negotiating with the private landowners to acquire the portion of the site that is privately held. If acquisition efforts are unsuccessful, the District will work with the County to acquire the property through condemnation if necessary. The remaining portion is the Occidental Avenue S. right-of-way that the District now petitions the City to vacate. The street runs through the middle of the area where the proposed Ballpark would be constructed. The street vacation is therefore essential to the project to accommodate the necessary building footprint.

A new publicly-owned Ballpark in Seattle will provide substantial benefits to the public. It will create an attractive civic center where people can enjoy baseball and other events. The street vacation will allow the District to create a feature regional attraction--an open air ballpark that offers wholesome, family-centered entertainment and enhanced civic pride. In addition, the Ballpark will create high quality public open space as an additional benefit. The District is committed to incorporating public plazas into the Ballpark design, making sidewalk improvements, installing pedestrian-scale lighting to improve safety and visibility, providing crosswalk treatments and street trees adjacent the Ballpark, and to participating in creating pedestrian linkages to adjacent areas to accommodate pedestrians. Off-site improvements necessarily must be coordinated with improvements planned by other public or private projects in the vicinity.

The project also offers substantial financial benefits for the local and regional economies. Major League Baseball contributes millions of dollars to the state economy annually, supports thousands of jobs, and generates millions of dollars in state and local tax revenues.

#### B. Site Selection

After an extensive process of collecting and analyzing information on potential sites, the District Board decided on September 9, 1996 to select "Site C" for the proposed Ballpark. The EIS concludes that the ballpark and parking site alternatives differ, sometimes substantially, in their impacts on certain elements of the environment, including land use and zoning, economic and fiscal impacts, environmental health (noise), aesthetics, historic resources, recreation, and transportation/parking. The EIS indicates that overall, Site C would have the fewest adverse environmental impacts.

The site selection process began in earnest in May 1996, when the District Board adopted site selection criteria that were recommended by a Siting Criteria Task Force. The criteria, developed to evaluate site options, included aesthetics, air quality, construction impacts, earth, hazardous waste, historic/archaeological, land use, noise, parks and recreation, public services/public safety, and transportation. The District and the public first considered 13 potential sites throughout Seattle during EIS scoping, public meetings, and District Board hearings. Based on input from a Citizens Advisory Committee (CAC), the Siting Criteria Task Force, and District staff, the District Board narrowed the list of potential sites to five: three different sites near the

Kingdome, one site at Fourth Avenue S. and Lander Street (Post Office), and one site at Fifth Avenue N. and Mercer Street (Bus Barn).

After reviewing additional site evaluation information gathered on these five sites, recommendations of the CAC, and public testimony, the District Board selected three different Kingdome area sites for evaluation in the EIS, along with the no-action alternative. The three sites were: Site A (the Kingdome's north parking lot), Site B (the Kingdome's south parking lot and private properties west of Occidental Avenue S.), and Site C (as discussed above) (see Figures 3 & 4). The Board received public input and comment on the site selection decision at its September 4, 1996 Board meeting.

The Board formally selected Site C at a special meeting on September 9. The EIS indicates that overall, the site selected by the District Board would have fewer adverse environmental impacts than the other sites considered, including the No Street Vacation alternative. Building the Ballpark on Site C would least impact access and circulation. The streets that would require vacating for the other sites, unlike Occidental Avenue S. between S. Royal Brougham Way and Atlantic Avenue S., are used more frequently by through traffic and pedestrians, as well as for layover space for Metro buses during Kingdome events. And while no street vacation would have been required for one of the Site A options, a location closer to the congested downtown area would likely increase circulation difficulties in that area.

The Site A options, including the No Street Vacation alternative, would have adversely affected pedestrian access to King Street Station, and may have interfered with a proposed King Street Intermodal Terminal access ramp. Site B, which would entail vacating Occidental Avenue S. between S. King Street and S. Royal Brougham Way, would have impacts similar to those on Site C, but in addition would reduce pedestrian access to the Kingdome and prevent development of Occidental Avenue S. as a shared pedestrian/auto route between S. Jackson Street and S. Royal Brougham Way, as anticipated in the Pioneer Square Plan Update. Finally, the Site A options would have negative impacts on views in Pioneer Square, both of the King Street Station campanile and to the west.

Site C is also the most consistent with land use policies and regulations. The Site A options would have been the least consistent. A stadium on Site A would exceed the land use code height limit for that zone, and would have adverse view, bulk and scale impacts on the historic district, which would be inconsistent with City land use policies and the Pioneer Square Plan Update. A stadium on Site A would also not be consistent with the site's designation as a "buffer zone" designed to protect Pioneer Square from Kingdome-related traffic and development impacts. The Pioneer Square Plan Update calls for this area to be developed with housing and mixed use. In addition, the street vacation needed for one of the Site A options would be directly at odds with a City land use policy regarding access along Second Avenue S.

A Ballpark on Site B also would not be entirely consistent with land use regulations because a portion of the site is located in the Pioneer Square Preservation District. Using the site would require demolishing buildings within the Pioneer Square Preservation District, which in itself is contrary to City policies. Furthermore, some of the buildings that would have to be demolished

are designated as having special historical value. In short, the site selected by the District Board will have the fewest impacts on the area's historic qualities and is located farther from residential areas than the sites that were not selected.

### C. Project Purpose

Consistent with state legislation, the purpose of the project is to provide a new, publicly owned Washington State Major League Baseball Stadium (Ballpark), with retractable roof or canopy and associated facilities, including parking, to be the home field to a Major League Baseball team in Seattle. In the fall of 1995, the state legislature authorized, and the King County Council created, the Public Facilities District to evaluate the siting, design, development, and operation of a new baseball park in Seattle. The King County ordinance that created the District recognizes that there is a significant likelihood that the current ownership of the Seattle Mariners Baseball Club could be forced by economic circumstances to sell the franchise unless they can play in a facility that offers certain revenue generating capabilities not presently available at the Kingdome.

The legislation was passed in recognition of the valuable contribution that Major League Baseball makes to the quality of life in Seattle, King County and Washington State by providing entertainment for residents and visitors, bringing the traditions of our national pastime to the Northwest, and providing regional economic benefits. These benefits were acknowledged by the District, the City, and King County in their March 1996 Memorandum of Agreement for Intergovernmental Cooperation.

### D. Land Use

The proposed Ballpark site is zoned General Industrial (IG2 U/85). The applicable Seattle Land Use Code provisions are contained in Chapter 23.50 SMC (Industrial). Spectator sports facilities are a use permitted outright in the Industrial zone. There are no height limits for a spectator sports facility in this zone. None of the land in the site is within the Pioneer Square Preservation District.

The street to be vacated is classified as a local access street; it operates in two directions, has a 25 mph speed limit, is generally 30 feet wide, and the pavement surface is in poor-to-fair condition. There are no curbs, gutters, or sidewalks along the street. Parking is allowed generally on the east side of the street. The west side, which is a gravel surface, is used primarily for truck loading for the various adjacent businesses. Street lighting is provided by single luminaires spaced 110 feet apart along the east side of the street. The street is not in a slide prone area, wetlands, or flood plains. It is, however, located in a city-designated Environmentally Critical Area, because of the general susceptibility of the fill soils in the area to seismic liquefaction.

The bulk of the proposed Ballpark site is currently used for event and other parking east of Occidental Avenue S. and south of S. Royal Brougham Way. The site also includes the developed city block bounded on the west by First Avenue S., on the east by Occidental Avenue

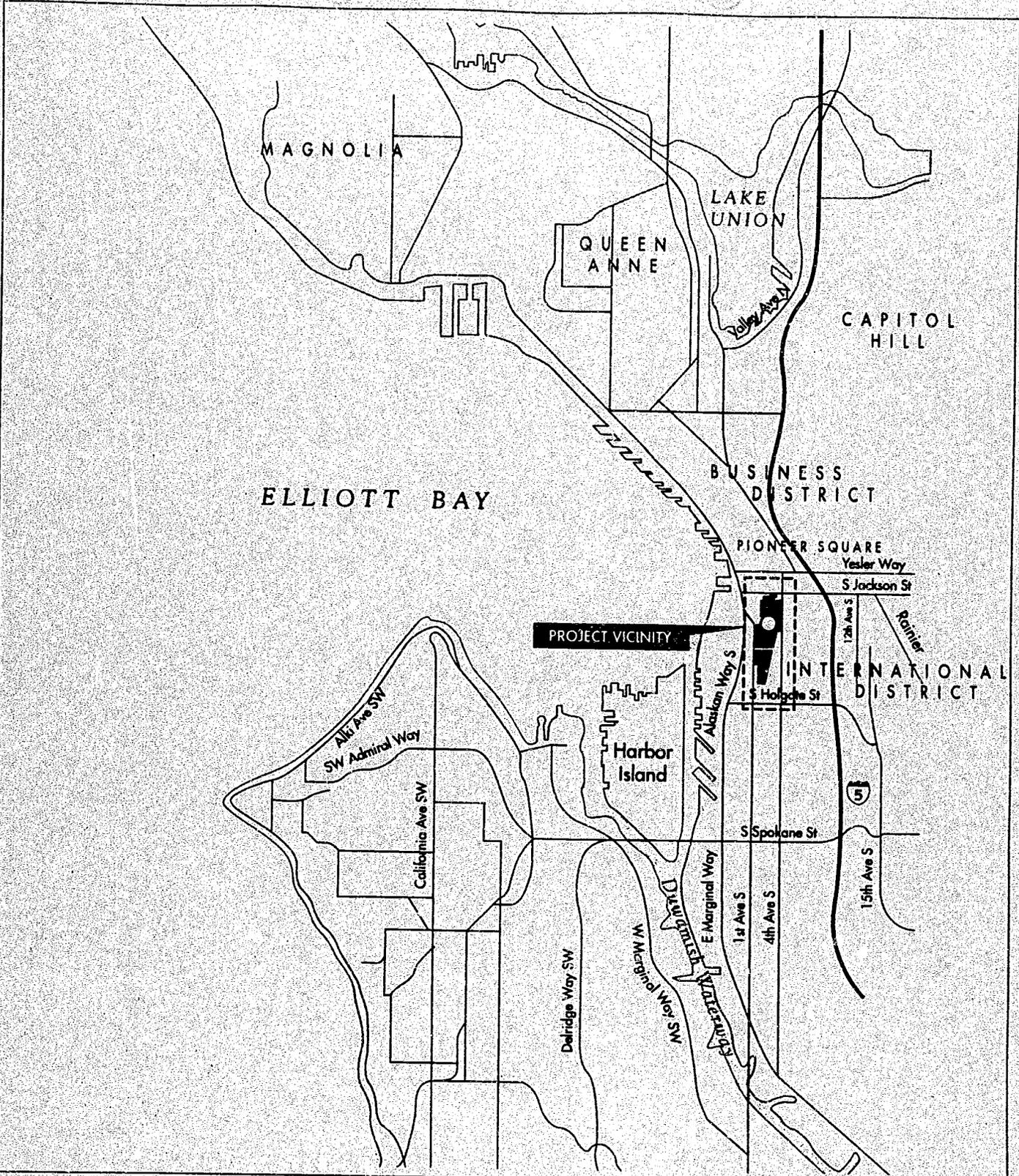


FIGURE 3

**PROJECT VICINITY MAP**



**SHAPIRO**  
& ASSOCIATES, INC.

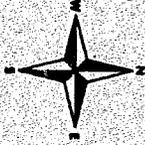
WASHINGTON STATE  
MAJOR LEAGUE BASEBALL STADIUM

# PROPOSED BALLPARK STREET VACATIONS

ALTERNATIVES A-C



April 09, 1996



Produced by the City of Seattle,  
Seattle Engineering Department,  
Street Use Mapping and Records

Coordinate System: State Plane (NAD83) 49, Washington North Zone  
Vertical Datum: North American Vertical Datum of 1988 (NAVD88)  
© 1996, THE CITY OF SEATTLE. All rights reserved.

No warranties of any kind, including accuracy,  
fitness or merchantability, accompany this product.  
Approved: [www.seattle.gov/transportation](http://www.seattle.gov/transportation)

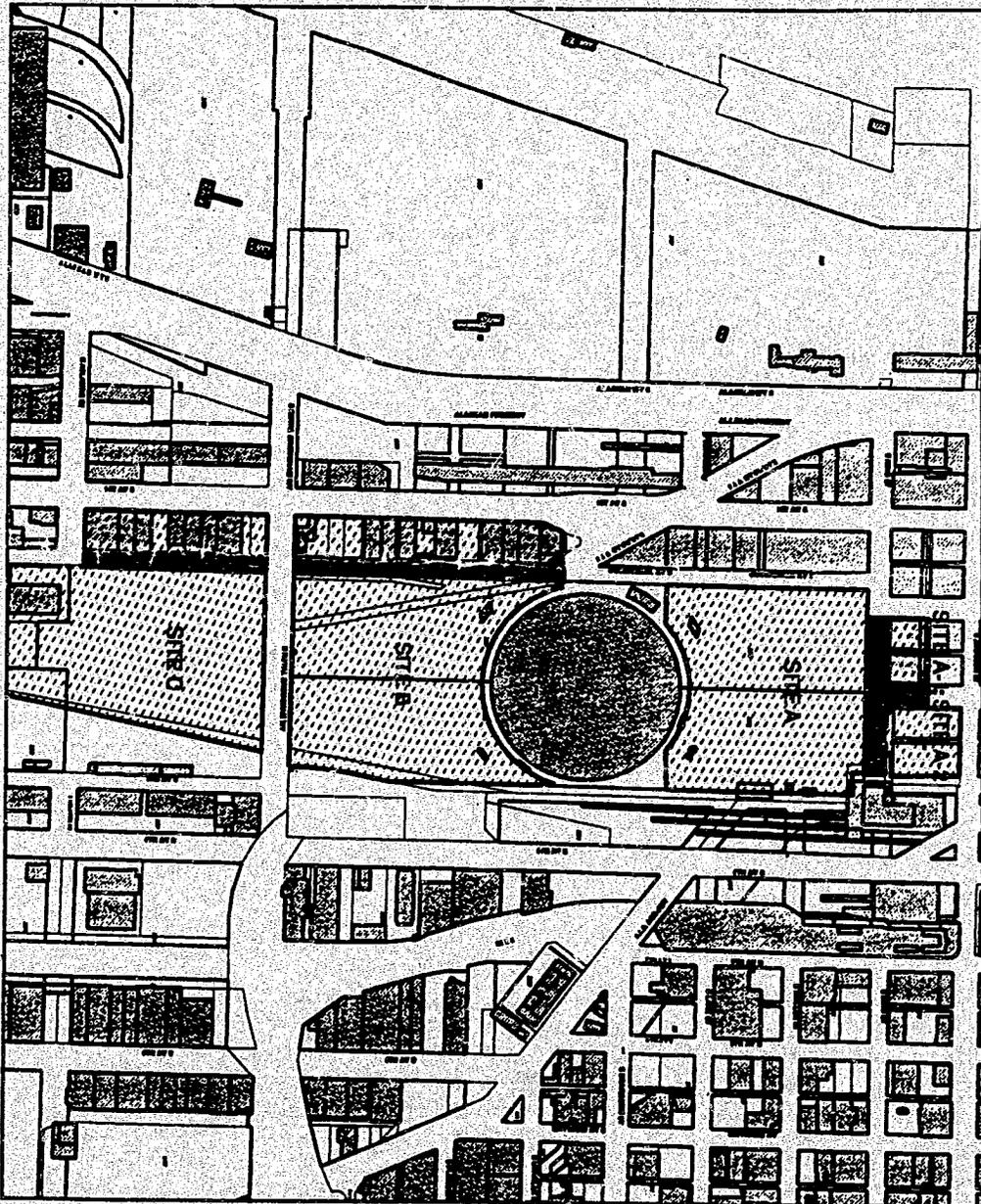


FIGURE 4

S., on the north by S. Royal Brougham Way, and on the south by S. Atlantic Street. These buildings are not located within an historic preservation district, and do not appear to be eligible for special historic status (EIS Vol. 1, Section 3.10 & Vol. 2, Section 7).

These buildings are currently used by: an outdoor clothing manufacturer (C.C. Filson Company); a recreational equipment sewing facility (Thaw Corporation); a drug treatment facility providing outpatient services to chemically dependent adults (Evergreen Treatment Services); a storage facility and offices (Money Saver Mini Storage and Offices); a mattress/box springs manufacturer and retailer (Crown Diamond); and a furniture warehouse/showroom (Victor & Patrick). The site also includes a large warehouse (including Ocean Cuts, Inc., Bainbridge Container, and CIBO), located south of the parking lot, south of S. Atlantic Street, and north of S. Massachusetts Street.

### E. Site History

The site is located in Seattle's Duwamish Valley Industrial Area. Prior to 1895, much of this area, including the site, was a swamp. The area was reclaimed from Elliott Bay after 1895 when a series of dredging, sluicing, and filling operations began. Fill from the Jackson Street Regrade in the early 1900's raised 678 acres of swamp land 2 feet above high tide. The area was developed to allow railroad cars direct access to berthed cargo ships. Spur trackage laid in the area for this purpose was also available to serve new businesses and industry in the filled tidelands, causing a growth boom.

Buildings in this area generally date either from the 1900 to 1910 boom period, or from the 1920s and 1930s. Development in the area is also associated with a range of subsequent development associated with the WWI industrial expansion and the post-WWI era up to 1930 when the tidelands fill was completed and a final historic period of industrial development occurred. The buildings are typically multi-storied warehouse and manufacturing buildings of concrete construction and clad with brick, stone, or metal.

Some of these buildings retain their original extensive glazing and exhibit distinctive architectural details or elements. Others have had major alterations and have been adapted to new or non-historic uses. The area in the immediate vicinity of the site lacks the continuity of scale, historic building fabric, or streetscape evident within the historic and preservation districts, as a broader variety of architectural styles and materials are used, and the wide streets and railroad infrastructure tend to diminish those human-scaled elements within the built environment. The City's Historic Preservation Office, Department of Neighborhoods, has determined that none of the buildings located on the Ballpark site would likely be eligible for designation as a Seattle Landmark (EIS Vol. 2, Section 7). Research carried out for the EIS confirms that none of the buildings on the site that would be displaced by the Ballpark were determined to be eligible for the National Register of Historic Places (EIS Vol. 1, Section 3.10).

## **II. Project Review**

### **A. Public Process**

At the beginning of the planning process for this project, the District, the City and King County signed a Memorandum of Agreement (MOA) for Intergovernmental Cooperation. One of the common objectives cited in the MOA is to involve the community in environmental review and project planning. The District has implemented this objective by carrying out a public involvement process for the Ballpark project. From December 1995 through August 1996, the District held over 100 public meetings (list of public meetings is provided in Volume 2, Section 8 of the EIS). The District published newsletters and conducted tours in communities near the sites. It also created a Citizen's Advisory Committee (CAC) to make recommendations to the Board on site evaluation and developing the Ballpark proposal.

In the EIS process, the scoping period resulted in written comments from 95 people, and oral comments from 41 people at the public scoping meeting held on February 15, 1996. Many comments also were received on proposed sites for the Ballpark. The draft EIS, which was issued May 29, 1996, was available for public review and comment for 30 days, with comments due to the District by June 28, 1996. A 14-day extension to the comment period was granted to anyone who submitted a written request for an extension. The extended comment period ended on July 12, 1996. During the comment period, the District held two public open houses on the draft EIS. A formal public hearing to receive oral comments on the draft EIS was held on June 19, 1996. The final EIS was issued on August 28, 1996. It considers all the comments received on the draft EIS and responds appropriately, in many cases providing additional analysis or information.

The City has participated in much of this community process, including attendance at District meetings and meetings of the CAC. City and District staff have held weekly coordination meetings through the pre-petition process.

### **B. Pre-Petition Review Process**

State law directed the District, the City and King County to enter into an agreement on Ballpark construction addressing expedited permit processing, expedited environmental review, and expedited processing of requests for street vacation necessary for construction of the project. The District, City, and County met this requirement by entering into the three-party MOA in March 1996. Recognizing that a street vacation may be necessary to provide an appropriate ballpark site, the City agreed to review pre-petition street vacation filings for multiple sites in order to expedite the process and keep the project on schedule.

The District and the Seattle Engineering Department (SED) entered into a more specific agreement regarding expedited processing of street vacations in May 1996. Consistent with the agreement, SED considered and provided simultaneous review of street vacation pre-petition applications relating to more than one site. SED reviewed the street vacation pre-petition application for each site alternative submitted by the District as if it were a formal petition,

including obtaining and summarizing comments from affected entities. The District evaluated the comments it received from SED and prepared a street vacation policy consistency analysis for the site alternatives under consideration (EIS, Vol. 2, Section 4). The analysis aided the District in identifying a preferred site alternative for the draft EIS and in evaluating potential mitigation measures for street vacation impacts associated with implementation of the site alternatives.

### C. Pre-Petition Circulation Comments and District Responses

The vacation pre-petitions were circulated to various City departments and outside agencies for their comments and recommendations. In addition, the vacation pre-petitions were circulated to more than 30 community groups and organizations for comments.

Pre-petition comments were received from City and County departments (including various SED offices, the Fire, Police, and Water Departments, City Light, Office for Management and Planning, DCLU, and Metro), outside utilities and agencies (including US West, Seattle Steam, Burlington Northern, and Amtrak), and relevant neighborhood groups (the Pioneer Square Community Council, Pioneer Square BIA, and Jackson Place Community Council). Generally, the comments reflect considerably stronger concerns with, and some agency and community lack of support for, the street vacations associated with the site alternatives not selected by the District.

The pre-petition comments reflect general support for vacating Occidental Avenue S. between S. Royal Brougham Way and S. Atlantic Street. (Of the agencies that expressed a preference, only the Jackson Place Community Council commented that it did not support the street vacation for Site C). Concerns expressed on the Site C street vacation pre-petition generally focused on the following:

- The overall vehicular and pedestrian transportation impacts associated with the Ballpark and how those impacts would be mitigated.
- The potential inducement of non-industrial development in the industrial area nearby the Ballpark and how such development could be limited.
- The need for the District to identify the public amenities that would be provided by the Ballpark so that such amenities could be evaluated by City staff and community groups and recommendations made as to appropriate conditions for the vacation.

Pre-petition comments on the Site C pre-petition are summarized below, along with District responses to concerns raised in the comments. Additional comments and District responses are contained in the EIS (Vol. 2, Section 1).

#### 1. City Departments

**Seattle Office of Management and Planning (OMP)** recognized, in its overall comments, that major league baseball brings significant cultural and economic benefits to the

citizens of Seattle and the region, and that sites in the South Downtown area, located near the interchange of I-5 and I-90, and served by the rail station and the downtown bus tunnel, are optimally located within the region in terms of accessibility. With respect to the Site C vacation of a portion of Occidental Avenue S., OMP stated that, "[t]raffic and pedestrian circulation would not be significantly impacted by the proposed street vacation, assuming that access to the businesses located between First Avenue S. and Occidental would no longer be needed." OMP expressed concerns that a Ballpark on Site C could induce other non-industrial development nearby in the industrial area, as a wide variety of uses are permitted in the zone. OMP also requested the opportunity to make specific comments on the proposed street vacation after a preferred site and design for that site were prepared. *Steve Pearce via Nancy Ousley, May 2, 1996.*

**District Response.** The Ballpark EIS analysis reflects the fact that protection of industrial areas was thoroughly considered as part of the City's recently adopted Comprehensive Plan. That Plan suggests that the size of certain incompatible uses, such as office and retail, be limited in industrial zones. The implementation regulations for the Plan carried forward these size limits as the City deemed appropriate. If the City believes there is new potential for conversions of industrial land, the City is uniquely able to enact additional, specific measures as described in the EIS and below to avoid such impacts. However, the EIS finds that there is no potential for significant adverse impacts for the reasons reiterated by OMP's EIS comment letter (a large amount of land in the vicinity of Site C is within public or railroad ownership and is used for essential port or transportation functions and thus not subject to conversion). Land use conversion impacts are expected to be limited to the immediate vicinity of the Ballpark on Site C, with the possible exception of surface parking lots. To address this latter possibility, the City Council very recently passed a one-year restriction on new principal use parking lots around the potential Ballpark sites. As a companion to this ordinance, the City has a work program to examine permanent regulations to replace the restrictions, which would be further protective of industrial areas around the Ballpark. Additional information can be found in the final EIS section on Comments and Responses on the draft EIS (EIS Vol. 2, Section 1).

The District has included in its street vacation petition specific information concerning Ballpark design and proposed pedestrian and street improvements. Additional Ballpark design information is also included in the Master Use Permit application for the Ballpark submitted to the City of Seattle concurrently with this petition, a copy of which has also been provided to SED along with this petition. In addition, the District has scheduled a workshop with the Seattle Design Commission to discuss the Ballpark proposal.

**Seattle Department of Construction and Land Use (DCLU)** noted the relevant land use policies, including the Industrial Areas Policies (which are designed to reserve land for industrial activity) and the Pioneer Square Plan Update (which calls for Occidental Avenue S. to be developed as a shared pedestrian/auto route from S. Jackson Street to S. Royal Brougham Way, in order to enhance its place as a major portal to Pioneer Square). DCLU also noted that the proposed use is permitted, and consolidation of the site for purposes of constructing a Ballpark, is reasonable. DCLU generally recommended that the project incorporate appropriate design treatment to acknowledge the importance of Occidental Avenue S. as a major portal to

Pioneer Square. DCLU also requested the opportunity to review a specific project design before making a recommendation or suggesting specific conditions for the vacation. *Mark Johnson, no date.*

**District Response.** The District believes that it would be reasonable for the City to impose a condition on approval of this street vacation petition requiring the District to work with the Kingdome, City of Seattle, and the Pioneer Square business and residential community to develop pedestrian improvements along Occidental Avenue S. from the Ballpark north to the Kingdome area and south to S. Massachusetts St. These improvements will help connect parking and public transit resources with the Ballpark, while still allowing appropriate local vehicular access. As submitted to DCLU, the Ballpark design provides architectural links between the Ballpark and its surrounding community through the use of design elements from Pioneer Square, the SODO neighborhood, and the International District. See also the District Response to OMP's comments.

**Seattle Design Commission** stated that it did not have sufficient information to evaluate the Site C vacation of a portion of Occidental Avenue S. as the street vacation pre-petition did not indicate the future uses of the vacated street. It welcomed future opportunities to review design proposals for the Ballpark. *Dennis Haskell, April 25, 1996.*

**District Response.** See the District Response to OMP's comments, which note that the District has scheduled a workshop with the Seattle Design Commission.

**Seattle Fire Department** stated that they had no concerns with the Site C vacation of a portion of Occidental Avenue S. The Fire Department indicated that any delays in responding to calls from the south would likely be minimal upon construction of the Ballpark. *Captain L. R. Wick, April 23, 1996.*

**Seattle Police Department (SPD)** expressed several specific concerns about the Site C vacation of a portion of Occidental Avenue S.: (a) where buses will be parked if the present "C" lot is developed into the Ballpark; (b) increased pedestrian volumes crossing S. Royal Brougham Way between First and Fourth Avenues, as well as crossing the BNSF railroad tracks at Third Avenue S. and S. Royal Brougham Way; and (c) increased vehicular traffic crossing the BNSF railroad tracks at Third Avenue S. and S. Royal Brougham Way during Ballpark event egress. To address these concerns, the Seattle Police Department suggested the following conditions: (a) the construction of pedestrian walkway overpasses across S. Royal Brougham Way to the present "B" lot and across the BNSF railroad tracks to connect to transit service on Fourth Avenue S.; and (b) the construction of a grade separation to allow vehicular traffic to cross over the top of the BNSF railroad tracks. *Lt. Richard Belshay, Lt. Mark Kuehn, Sgt. Jules Werner, Sgt. Jack Hanson, and Sgt. Debbie Nicholson, April 16, 1996.*

**District Response.** Bus parking and staging will be accommodated by a combination of on and off street locations. Exact locations will be determined in consultation with SED, SPD, King County and Washington State Department of Transportation (WSDOT). Ballpark project design incorporates, and the District believes that it is reasonable for the City to impose a condition on approval of this street vacation petition requiring the District to provide, a pedestrian linkage

along S. Royal Brougham Way over the BNSF railroad tracks using the inside of the Ballpark's northern roof track. The District also believes that it is reasonable for the City to impose a condition on approval of this street vacation petition requiring the District to work with WSDOT and other government agencies on the pedestrian improvement elements of the Kingdome Area Intermodal Access Project and the King Street Station Intermodal Project, as these projects are expected to provide the type of desired improvements. Planning for and construction of such improvements needs to be a coordinated effort between the public agencies involved.

The District does not believe a condition for a pedestrian overpass across S. Royal Brougham Way to the present "B" lot is warranted, based on impacts described in the EIS. An associated 1,525 space parking garage will be provided on Site C. The District also does not believe a condition for construction of a grade separation to allow vehicular traffic to cross above the BNSF railroad tracks is warranted as part of the Ballpark project based on both the direct incremental impacts of the Ballpark and because such a grade separation will be part of the Kingdome Area Intermodal Access Project.

The **Seattle Water Department** has a water main in the Site C portion of Occidental Avenue S. proposed for vacation. This water main would need to be cut/capped and abandoned from S. Royal Brougham Way to S. Atlantic Street. A shorter water main would need to be installed in S. Atlantic Street from Occidental Avenue S. to First Avenue S. to complete the grid to provide reliable service. *Audrey Hansen, April 22, 1996.*

District Response. The District is working to resolve utility issues with the Seattle Water Department. Based upon these discussions, the District anticipates removing the Seattle Water Department water main in the portion of Occidental Avenue S. proposed for vacation. The District believes that it is reasonable for the City to impose a condition on approval of this street vacation petition requiring the District to resolve utility issues resulting from the vacation to the full satisfaction of the affected utility. This may include easements, restrictive covenants, relocation agreements, or District acquisition of the facilities.

**Seattle City Light** has facilities in the Site C portion of Occidental Avenue S. proposed for vacation. City Light would need a replacement feed point for the Kingdome. The best route for this replacement feed would be underground from Alaskan Way S. along the north side of S. Royal Brougham Way to the east side of Occidental Avenue S. *Francis Tong, April 23, 1996.*

District Response. The District is working to resolve utility issues with Seattle City Light. Based upon these discussions, the District anticipates relocating the existing overhead power line in the portion of Occidental Avenue S. proposed for vacation to the outside of the Ballpark building envelope. The District believes that it is reasonable for the City to impose a condition on approval of this street vacation petition requiring the District to resolve utility issues resulting from the vacation to the satisfaction of the affected utility. This may include easements, restrictive covenants, relocation agreements, or District acquisition of the facilities.

The **Department of Administrative Services (DAS)** had no comments on the Site C vacation of a portion of Occidental Avenue S. *Comment form from DAS, April 17, 1996.*

**DHHS P-Patch Program** stated that they had no concerns with the Site C vacation of a portion of Occidental Avenue S. *Barbara Donnette, April 12, 1996.*

**Solid Waste Utility** stated that they had no concerns with the Site C vacation of a portion of Occidental Avenue S., but did express its objections to the Site A-1 and A-2 street vacations discussed in the pre-petition because of community concerns. *James Lowenstein, April 19, 1996.*

**SED Drainage and Wastewater Utility (DWU)** has combined sewers in the Site C portion of Occidental Avenue S. proposed for vacation. DWU indicated that the combined sewers would either need to be relocated or removed. *Bud McCormick to Bette Robbins, February 29, 1996; Greg Harrington, April 11, 1996; Tai Ovbieto, April 24, 1996.*

**District Response.** The District is working to resolve utility issues with the DWU. Based upon these discussions, the District anticipates removing the DWU combined sewer line in the portion of Occidental Avenue S. proposed for vacation. The District believes that it is reasonable for the City to impose a condition on approval of this street vacation petition requiring the District to resolve utility issues resulting from the vacation to the satisfaction of the affected utility. This may include easements, restrictive covenants, relocation agreements, or District acquisition of the facilities.

**SED Roadway and Structural Design** expressed concerns about traffic impacts on First Avenue S. and traffic circulation in the area around the Ballpark. SED Roadway and Structural Design recommended a more detailed traffic analysis, which would include consideration of alternatives such as grade separation, use of Holgate and Spokane Streets, and scheduling coordination of events between the Kingdome and the Ballpark. *Michael Johnson, May 1, 1996.*

**District Response.** The final EIS provides additional traffic analysis of the overall traffic impacts of the Ballpark and traffic impacts resulting from loss of the vacated street and associated parking. The District has developed a system to mitigate these impacts through providing its fair share of traffic improvements where warranted at key intersections in the area, and by implementing the Transportation Management Plan (TMP) adopted by the District (see EIS Vol. 2, Section 2). Among other things, the TMP seeks to reduce demand for vehicles and maintain parking for local Pioneer Square and International District businesses. As part of the plan, the District is working with King County and the Mariners to develop a program for minimizing concurrent dual events with a combined attendance over 65,000.

**SED Transportation Design** stated that they had no concerns with the Site C vacation of a portion of Occidental Avenue S. *Glenn K. Ono, April 16, 1996.*

**SED Street Use Permits** had no comments on the Site C vacation of a portion of Occidental Avenue S. *Leo Kaarrekoski, April 11, 1996.*

## 2. County Departments

**King County WPCD** owns and maintains the 96-inch diameter Elliot Bay Interceptor (EBI) in the Site C portion of Occidental Avenue S. proposed for vacation. This facility would need to be relocated or retained. If retained, the District would need to protect the facility and provide King County WPCD with necessary access and access easements for maintenance and other functions. *Eric Davison, April 25, 1996.*

District Response. The District is working to resolve utility issues with King County WPCD. Based upon these discussions, the District anticipates leaving the 96-inch diameter EBI in place, and providing King County WPCD with necessary access and access easements for maintenance and other functions. The District believes that it is reasonable for the City to impose a condition on approval of this street vacation petition requiring the District to resolve utility issues resulting from the vacation to the satisfaction of the affected utility. This may include easements, restrictive covenants, relocation agreements, or District acquisition of the facilities.

**King County Metro** expressed support for the Site C street vacation over the other site alternatives because it would have the least impact on daily and special event operations for Metro transit coaches. As to Site C, King County Metro added that it will need additional on-street layover space due to special event coaches and regular coaches not having adequate space on Fourth Avenue S. *Comment form from Metro Facilities, April 22, 1996.*

District Response. See the response to the Seattle Police Department comments.

## 3. Outside Utilities and Agencies

**Amtrak** expressed support for the Ballpark project, and indicated that it had no objections to the Site C vacation of a portion of Occidental Avenue S. Amtrak added that the location of the Ballpark and the Kingdome Area Intermodal Access Project will impact Amtrak's maintenance yards, and could require a vacation of S. Royal Brougham Way and Holgate between Third and Occidental Avenues. *Kurt Laird, April 23, 1996.*

District Response: The District will work with Amtrak on the relocation of its commissary facilities, consistent with the District's relocation policies. The vacations described in the comment are not required for the Ballpark project.

**Burlington Northern Santa Fe** expressed no objections to the Site C vacation of a portion of Occidental Avenue S. BNSF added that if Atlantic Street is chosen as part of the Kingdome Area Intermodal Access Project for the new overhead bridge, BNSF would recommend the vacation of S. Royal Brougham Way between Occidental Avenue S. and Third Avenue S., thereby removing the S. Royal Brougham Way railroad grade crossing. *J. M. Cowles, April 15, 1996.*

District Response: The potential vacation by others of S. Royal Brougham Way would create opportunities for additional pedestrian improvements in the vacated right-of-way.

**US West** has telephone line ducts in the Site C portion of Occidental Avenue S. proposed for vacation. These facilities would need to be relocated or retained. If retained, an easement would be required allowing access at any point along the route where the facilities are located. *Brooks Christensen, April 23, 1996.*

District Response. The District is working to resolve utility issues with U S West. Based upon these discussions, the District anticipates relocating the existing telephone line ducts in the portion of Occidental Avenue S. proposed for vacation to the outside of the Ballpark building envelope. The District believes that it is reasonable for the City to impose a condition on approval of this street vacation petition requiring the District to resolve utility issues resulting from the vacation to the satisfaction of the affected utility. This may include easements, restrictive covenants, relocation agreements, or District acquisition of the facilities.

**Seattle Steam** has no facilities in the areas of Site C proposed for vacation. *Randy Erickson, April 15, 1996.*

#### 4. Neighborhood Groups

The **Pioneer Square Community Council** expressed support for Site C vacation of a portion of Occidental Avenue S. but no support for the Sites A-1, A-2 and B street vacations. Their comments on Site C expressed concerns about utility access and servicing, loss of jobs and light industry in the area, impacts from staging and construction, and how access would be provided to and from the Ballpark. To meet these concerns, they recommended that the District do the following: buy the lot at King and 2nd and build a parking/industrial retail complex there; house displaced businesses for a good (fairly low) price; move the Evergreen Treatment Center to the Fourth & Lander Site; extend ride, free and bus tunnel operations to support Ballpark events; build replacement parking first; improve pedestrian connections along S. Jackson Street, Occidental Avenue S. and S. Royal Brougham Way, and east of the Ballpark; provide a rail stop within a quarter mile of the Ballpark; and design the Ballpark as a portal to Pioneer Square and the International District. *Tina Bueche, April 14, 1996.*

District Response. See the responses above to comments from OMP, DCLU SPD, and SED Roadway and Structural Design. Many of the Council's concerns are addressed by the Environmental Mitigation Program adopted by the District. The District has adopted relocation policies to mitigate impacts to businesses that may be dislocated by the Ballpark; it has developed a Transportation Management Plan with specific goals and objectives for reducing traffic and parking impacts, along with a variety of measure for meeting those goals; it has developed pedestrian improvements as part of the proposal; it has designed the Ballpark to be compatible with the architecture of the surrounding neighborhoods; and it is supportive of appropriate City actions to develop and implement steps to minimize non-industrial uses in the vicinity. Additional information is provided in the District's response to the Pioneer Square Community Council's comment letter on the draft EIS.

The **Pioneer Square Business Improvement Association** expressed support for the Site B and C street vacations but no support for the Site A-1 and A-2 street vacations. They stated that they had no concerns about the Site C vacation of Occidental Avenue S. *Comment form from the Pioneer Square BIA, April 30, 1996.*

The **Jackson Place Community Council** expressed no support for any of the Site alternatives. They indicated the area around the Kingdome already had too many traffic and parking problems and could not support a ballpark for additional events. *Diana L. Robbins, April 29, 1996.*

District Response. See the District's response to the Pioneer Square Community Council. The District is working with King County to develop an event coordination and scheduling agreement to minimize the occurrence of concurrent dual major events in the Ballpark and Kingdome.

### III. Street Vacation Analysis

The City's Street Vacation Policies provide that the City Council may vacate a street right-of-way where it determines that doing so is in the public interest. Three elements are used to determine whether a street vacation proposal is in the public interest: 1) how the proposal impacts and mitigates public rights to circulation, access, utilities, light, air, open space, and view (the public trust functions); 2) the consistency of the proposal with applicable land use policies and regulations; and 3) whether the proposal provides a long-term public benefit. Vacating Occidental Avenue S. between S. Atlantic Street and S. Royal Brougham Way to build the Ballpark is in the public interest when judged by these criteria, for the reasons summarized below. More detail on each of these points is presented in the Street Vacation Consistency Analysis, which is contained in Volume 2, Section 4 of the final EIS.

As discussed in the Site Selection section of this petition, the final EIS indicates that overall, the site selected by the District Board would have fewer adverse environmental impacts than even the No Street Vacation alternative (a ballpark in the Kingdome North Lot). Despite not requiring a street vacation, the No Street Vacation alternative on Site A would still have had adverse impacts on the public trust functions that the Street Vacation Policies are designed to protect (circulation, access, utilities, light, air, open space, and view). For instance, because Site A is located close to the congested downtown area, a ballpark on that site would likely increase circulation difficulties in that area, even without a street vacation. A ballpark on Site A would also have adversely affected pedestrian access to King Street Station, and could have interfered with a proposed King Street Intermodal Terminal access ramp. A large structure there also would have had negative impacts on views in Pioneer Square, both of the King Street Station campanile and to the west.

The No Street Vacation alternative also would have been inconsistent with some land use policies and regulations. A stadium on that site would have exceeded the land use code height limit for that zone, and would have had adverse view, bulk and scale impacts on the historic district, which would be inconsistent with City land use policies and the Pioneer Square Plan

Update. A stadium on Site A would also not be consistent with the site's designation as a "buffer zone" designed to protect Pioneer Square from Kingdome-related traffic and development impacts. The Pioneer Square Plan Update calls for this area to be developed with housing and mixed use.

When the District Board selected Site C, it also approved the Environmental Mitigation Program substantially as described in the final EIS (Vol. 2, Section 2). The Program includes a transportation management plan that includes specific goals and objectives for reducing traffic and parking impacts, along with a variety of measures for meeting these goals. The Environmental Mitigation Program was developed to mitigate the adverse environmental impacts that may result from the development and operation of the ballpark and associated facilities. The Board has also adopted a relocation assistance and real property acquisition policy to mitigate impacts to businesses that may be dislocated by the ballpark proposal and to reimburse dislocated businesses for certain costs of relocating.

#### A. Public Trust Functions

The Public Trust Policies recognize the importance of rights-of-way for: 1) circulation and access; 2) utilities; and 3) light, air, open space, and view.

##### 1. Circulation and Access

The City's Street Vacation Policies provide that vacations may be approved if they do not result in negative effects on the City's vehicular, bicycle, or pedestrian circulation systems or on access, or if the negative effects can be mitigated.

Localized Traffic Impacts and Mitigation. Functionally, the portion of Occidental Avenue S. proposed for vacation operates primarily as an access to the truck loading bays for the businesses that front along it, rather than as a link to arterials used by the general public. It lacks basic improvements; there are no curbs, gutters, or sidewalks. Many of the Street Vacation Policies related to access and circulation are not triggered by this petition, due to the localized nature of the block to be vacated. The street is not part of a transit route, would not result in diverting truck traffic to nearby residential streets, has no alleys, and is not a designated boulevard, truck route, truck street, or bicycle route. Any businesses along the street that use it regularly would be dislocated by the proposed Ballpark.

Occidental Avenue S. is classified as a "local access" street. Current traffic volumes on the segment to be vacated are low (approximately 2,000 vehicles per day). The EIS concludes that the current through traffic on this portion of Occidental Avenue S. would be diverted to an alternate route, with no appreciable difference in travel time. Vehicles traveling south on Occidental north of the vacation would be required to reroute along S. Royal Brougham Way to First or Fourth Avenues S. Approach and departure patterns of the larger truck/trailer combinations would require careful rerouting because of the constrained corner dimensions of the First Avenue S. intersections. S. Atlantic Avenue and S. Massachusetts Streets would remain

open between Occidental Avenue S. and First Avenue S., allowing some flexibility in approach and departure patterns for traffic from the south.

**Overall Traffic Impact and Mitigation.** Because the Mariners already play their home games in the same area as the proposed ballpark, there would not be a significant difference between current traffic circulation impacts and the impacts expected from the new ballpark. Under existing conditions, six intersections in the Kingdome area operate at Level of Service (LOS) F. Traffic modeling in the EIS indicates that with a ballgame in the Ballpark on any of the three potential Ballpark sites evaluated in the EIS, PM peak-hour traffic on the street system would increase by only 3% or less from current conditions, with no noticeable impact on LOS at key intersections. With a ballgame in the Ballpark plus a flat show (e.g., the home, auto and boat shows) in the Kingdome, traffic on the street system would increase by 10%, with no significant change in LOS. A ballgame in the Ballpark plus a simultaneous spectator event in the Kingdome assumed to begin and end at approximately the same time would increase traffic on the street system by 20%, which would result in long traffic backups.

The District has developed a system to mitigate these impacts through providing its fair share of traffic improvements where warranted at key intersections in the area, and by implementing the Transportation Management Plan (TMP) adopted by the District (see EIS Vol. 2, Section 2). Among other things, the TMP seeks to reduce demand for vehicles and maintain parking for local Pioneer Square and International District businesses. As part of the plan, the District is working with King County and the Mariners to develop a program for minimizing concurrent dual events with a combined attendance over 65,000.

**Parking Impacts and Mitigation** The proposed vacation would eliminate some free on-street parking used by employees of area businesses. Parking is allowed generally on the east side of the street, with the west side primarily used for truck loading for the various adjacent businesses. This is a minor impact as the on-street parking is primarily used by adjacent businesses that will be relocated as part of the Ballpark project. Any non-event parking lost from the street vacation and development of the Site C parking lot will be ameliorated by construction of a 1,525 space parking garage onsite and surface parking for 165 vehicles.

**Pedestrian Impacts and Mitigation.** Current pedestrian use on this portion of Occidental Avenue S. is minimal most of the time. During Kingdome events, pedestrian use increases substantially. After Kingdome events, the majority of the existing southbound pedestrian flows begin on Occidental Avenue S. near the Kingdome, and proceed to S. Royal Brougham Way. These flows then disperse from S. Royal Brougham Way onto the north-south streets from Alaskan Way to Airport Way and onto the east-west streets from S. Royal Brougham Way to Spokane Street. Construction of the Ballpark and its associated parking facilities would draw some of these people into the site itself, with its pedestrian amenities. In place of a street that is used mainly by adjacent landowners for truck loading, the Ballpark would provide a large area that is pedestrian friendly, with public plazas and pedestrian enhancements such as widened sidewalks, street trees, and enhanced lighting.

A ballpark on the selected site would result in higher pedestrian volumes around the site than presently occur due to Kingdome events. To address these impacts, the District has proposed various pedestrian and street improvements and is committed to coordinating with other programs to provide appropriately designed pedestrian linkages to the areas from which the majority of pedestrians will come. This is discussed in detail in Section III, C, 2 of this petition.

## 2. Utilities

The City's Street Vacation Policies provide that rights-of-way that have utility facilities may be vacated only when the utility can be adequately protected with an easement, relocation, fee ownership or similar agreement satisfactory to the utility owner. The utilities affected by the proposed vacation all supported the petition in their pre-petition comments and none of the affected utilities indicated strong concerns. The District anticipates being able to finalize necessary agreements to protect or relocate affected utilities before the vacation would be formally completed.

The various utilities affected by the proposed street vacation have reviewed the pre-petition materials and have worked to identify where the utility facilities are located. The area contains a number of facilities that will have to be removed, relocated or protected. The District has been working with the various utilities to determine the best way to address these issues. The District expects to enter into successful agreements with all of the affected utilities for relocations, covenants, or easements. The City's Policies require that all easements, restrictive covenants, and relocation agreements be executed before the vacation ordinance is passed. This would be an acceptable condition to approval of this vacation petition.

The following utility lines have been identified as being located under Occidental Avenue S. between S. Royal Brougham Way and S. Atlantic Street: the 96-inch-diameter Elliot Bay Interceptor (EBI) owned by King County; a 24-inch-diameter combined sewer line owned by the City of Seattle; a 12-inch-diameter water main owned by the Seattle Water Department (this pipe appears to be 60 to 70 years old with normal operating pressures ranging from 120 psi to 130 psi); an 8-inch-diameter gas main owned by Washington Natural Gas Company; between 24 and 30 telephone line ducts owned by US West; a telephone conduit owned by MCI (these former Western Union conduits are not live, but have been saved for future service); and an overhead power line owned by Seattle City Light.

The District anticipates retaining the EBI in place, and working with King County and the City of Seattle to provide necessary access and access easements for maintenance and other functions. The District anticipates removing the City of Seattle combined sewer line, the Seattle Water Department water main, and the Washington Natural Gas Company gas main. The District anticipates relocating all other existing utility lines (US West, MCI and Seattle City Light) to the outside of the ballpark building envelope with easements provided as required.

### 3. Light, Air, Open Space and View

The Street Vacation Policies require analysis of the loss of the light, air, open space or view provided by the street to be vacated. By any criteria discussed in the Policies, the street proposed for vacation does not serve any necessary light, air, open space or view function. In fact, the proposed Ballpark will actually create for the first time attributes of light, air, open space and view in the area of the vacation.

Occidental Avenue S. between S. Atlantic Street and S. Royal Brougham Way serves little, if any, open space function. The street is entirely within an area zoned for industrial use (IG2). It does not provide a buffer between incompatible land uses within a land use zone or between different land use zones. In addition, the street has none of the attributes typically identified under this policy. It is not an underdeveloped right-of-way identified for open space, a neighborhood play area or an area of neighborhood focus. It is not identified as a Green Street in an adopted neighborhood plan, nor is it a designated boulevard, within or adjacent to designated green spaces, a protected view right-of-way, or an existing or proposed urban trail. Finally, it is not along an urban trail.

#### B. Consistency with Applicable Land Use Regulations and Policies

The land use effect of the proposed vacation would be to allow for a consolidated use of contiguous properties. The advantage of such consolidation is that the land on the edges of the site can be used for public amenities, and can provide a substantial buffer along First Avenue S. Without the vacation, the Ballpark could not be developed on this site.

The proposed Ballpark would be consistent with applicable land use regulations and policies. The site is zoned General Industrial (IG2 U/85). Spectator sports facilities are a use permitted outright in the Industrial zone. There are no height limits for a spectator sports facility in this zone. None of the land in the site is within the Pioneer Square Preservation District. The purpose of the IG2 zone is to allow a broad range of uses where the industrial function of an area is less established than the IG1 Industrial zone, and where additional commercial activity could improve employment opportunities and the physical condition of the area, without conflicting with industrial activity.

In its pre-petition comments on this proposed street vacation, the City Office of Management and Planning (OMP) states that the City's Industrial Areas Policies are designed to reserve land for industrial activity and that uses that could negatively affect land availability for such activity are restricted. OMP notes that because a sports stadium is a permitted use in the IG2 zone, it should be considered to be compatible with the zone's character, without negatively affecting the overall availability of land for industrial activity.

There is concern, however, that the Ballpark could induce other non-industrial development in the vicinity. To the extent that Ballpark development could create pressure to convert neighboring industrial uses to nonindustrial uses, such conversions are expected to occur only in the immediate vicinity of the Ballpark. The City's policies allow a broader range of uses in

the IG2 zone where the industrial function of an area is less established and where additional commercial activity could improve employment opportunities and the physical condition of the area, without conflicting with industrial activity. The land use code imposes size restrictions on non-industrial uses in order to minimize potential incompatibilities. Any conversions from industrial to non-industrial use that occur as a result of Ballpark development would be limited by these existing size restrictions. In addition, the City has the authority to modify existing land use policies to modify the impacts of any conversions that occur as a result of construction of the Ballpark on the site. The City has already taken steps to limit such conversions with its interim parking regulations, which limit new principal use surface parking in the vicinity of the site.

The proposed vacation is also not inconsistent with the City's Industrial Areas policies because the street proposed for vacation does not separate different uses or zones. This portion of Occidental Avenue S. is entirely within a large industrial area, and thus does not provide a buffer between incompatible uses. The site is located within the Duwamish manufacturing/industrial center established under the Seattle Comprehensive Plan. This designation promotes manufacturing and industrial employment including manufacturing uses, advanced technology industries and a wide range of industrial-related functions, such as warehouse and distribution activities in manufacturing/industrial centers. By creating short-term construction opportunities and retaining permanent employment, development of the Ballpark on the site would contribute to achievement of the growth targets for employment established by the Comprehensive Plan. A subarea plan for the North Duwamish Area being coordinated through the City of Seattle Neighborhood Planning Office is still in the early stages of preparation.

Development of a ballpark on the site would be consistent with the Pioneer Square Plan Update, and could further the "southern portal" concept described in that plan through appropriate design treatment.

### C. Public Benefit

The Street Vacation Policies state that vacations may be approved where they provide a long-term public benefit. Street vacations will not be approved to achieve only short-term public benefits or for the sole benefit of individuals. Mitigation of the adverse effects of a vacation does not in itself constitute a public benefit. By allowing the proposed Ballpark to be built, this vacation would result in several long-term public benefits, consistent with the City's street vacation guidelines (Policy 5).

#### 1. Public Purpose

Vacating Occidental Avenue S. between S. Royal Brougham Way and S. Atlantic Street to allow the Ballpark to be built will serve a public purpose, providing a public benefit. The Ballpark will establish a new and attractive civic center for the public to enjoy baseball and other events. This will enrich City and State residents' quality of life by providing wholesome, family-centered entertainment and enhanced civic pride. By the year 2000, total attendance at the Ballpark is expected to exceed 2.5 million annually. The Ballpark will also be available as a venue

for five major events (30,000 attendees each) and 15 smaller events (approximately 10,000 attendees each) each year, as well as incidental activities such as tours and gatherings.

The vacated land will further be used for a public purpose as a governmental use. The vacation will allow the PFD to fulfill its governmental purpose of implementing the state legislature's goal of constructing a high-quality retractable roof ballpark in Seattle. The state legislature and the King County Council recognized the public benefits of baseball to the region by authorizing and creating the PFD to develop a new publicly owned ballpark.

The King County ordinance that created the PFD specifically states that "[t]he presence of a Major League Baseball team in King County provides a public benefit to the citizens of the county." The ordinance found there was a significant likelihood that the Mariner's current ownership would be forced by economic circumstances to sell the team after the 1996 baseball season unless a decision was made to construct the new ballpark through both public and private contributions on a basis that offers certain revenue generating capabilities not presently available at the Kingdome. The ordinance also found that "a new publicly-owned baseball stadium facility will provide a general public benefit as a possible venue for civic events, amateur athletics, concerts, and other activities."

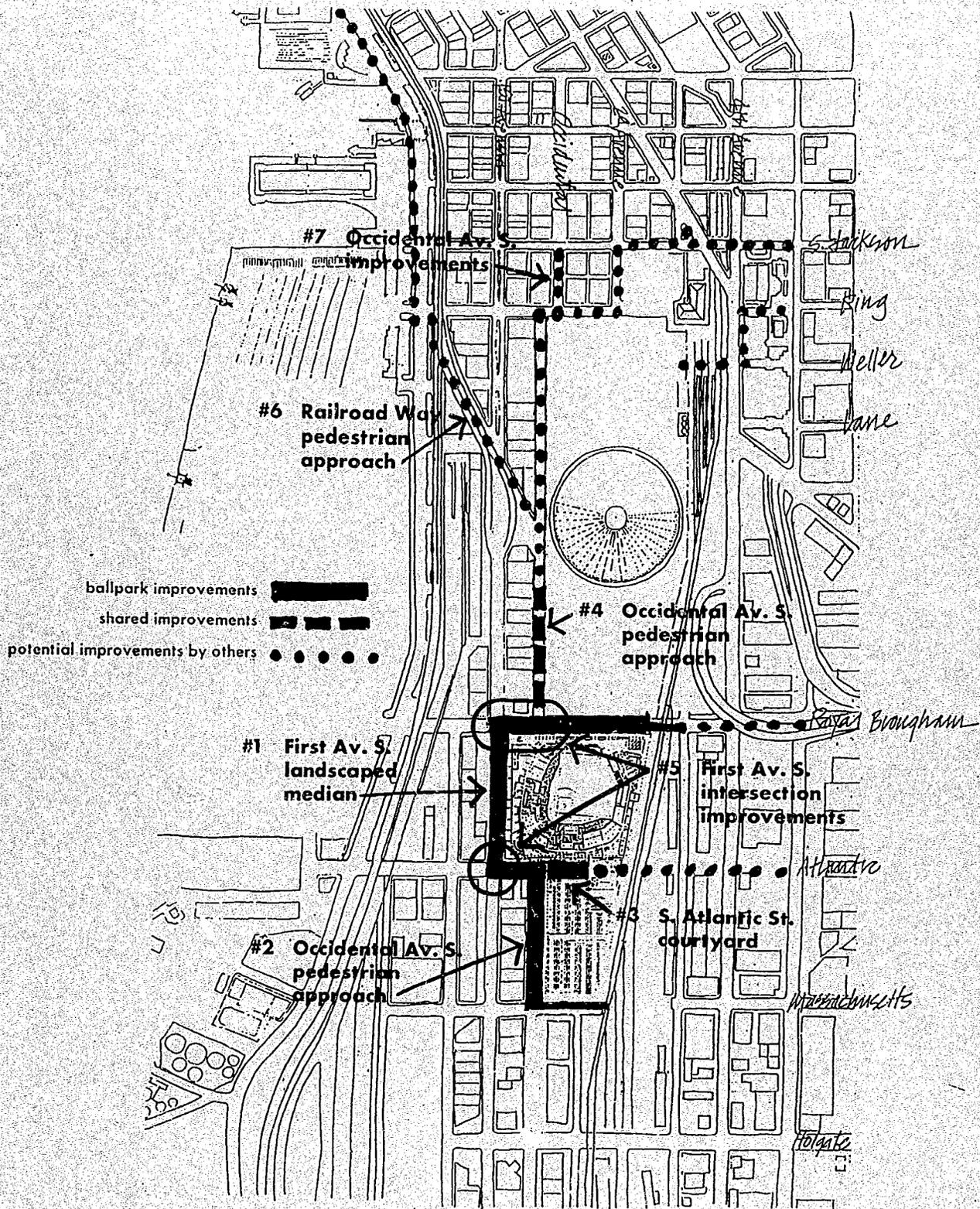
In addition to the tangible benefits discussed in this section, outdoor baseball will provide the City with real, though intangible, public benefits. Baseball has shaped American summers for more than 100 years, and it remains a fixture of American culture today. Baseball's traditional role in American life has long been preserved in outdoor ballparks, which provide cities and regions with a sense of place, community and historical continuity, and frequently become recognized architectural symbols of a region's identity. The public benefit of sunny summer afternoons and crisp autumn nights at the ballpark with family, neighbors and friends is not easily quantified, but it is a public benefit that enhances the quality of life in cities throughout the United States.

## 2. Public Trust Functions

Benefits from improvements in the public trust functions (circulation, access, utilities, light, air, open space, and view), such as the creation of high quality open space, are the type of public benefits that support granting a street vacation.

In return for relinquishing the relatively poor public rights to circulation, access, utilities, light, air, open space, and view associated with this particular block of Occidental Avenue S., the public would receive substantially improved "public trust" elements from the Ballpark. The Ballpark will become a significant feature in the urban landscape of south downtown Seattle. It will create a unique civic focal point, a place where the historical meets the industrial, where the daily life of work meets the leisure life of play -- embodying the role baseball plays in our society.

The project will offer a pleasant and exciting community gathering space and quality public open space. The Ballpark design includes a series of pedestrian enhancements around the Ballpark (in the area marked "ballpark improvements" on Figure 5), the creation of new public



# Proposed Pedestrian & Street Improvements

New Pacific NW Baseball Park

5 September 1996

not to scale



**WEINSTEIN  
COPELAND  
ARCHITECTS**

121 STEWART STREET  
SUITE 200  
SEATTLE, WA 98101-1000  
FAX 206.443.1218  
206.443.6606

FIGURE 5

plaza areas, and new access to and around the site. Specifically, the plans call for new sidewalks along S. Royal Brougham Way with street trees and lighting, and new, widened sidewalks along First Avenue S., adjacent to the Ballpark. As a special enhancement, the public sidewalk along the north side of the Ballpark on S. Royal Brougham Way is designed to allow views into the stadium from one or two points along the sidewalk. Street trees will be planted along both sides of S. Royal Brougham Way and First Avenue S. along the blocks adjacent to the Ballpark. Medians, with street trees, will be installed on these blocks as well, with cut outs as necessary to allow for cross-street access. Sidewalk lighting on these two blocks and Occidental Avenue S., between S. Massachusetts and Atlantic Streets, will be added. The details of these improvements are provided in the landscape plan contained in the Master Use Permit application submitted with this petition.

An additional pedestrian linkage along S. Royal Brougham Way over the railroad tracks is provided, using the inside of the northern roof track structure. This walkway could remain open to the public on non-game days, offering access over the tracks and views into the Ballpark.

Open space plaza areas will be provided in several places around the Ballpark. A large, tree-filled plaza will be built along the parking garage adjacent to Occidental Avenue S. below S. Atlantic Street. The plaza will be open to the public. An additional plaza area just north of the parking garage, between it and the Ballpark will also be developed as open space. A smaller plaza area will be provided at the main entrance to the Ballpark, at the corner of First Avenue S. and S. Atlantic Street. In addition, open areas are provided at the northwest and northeast corners of the facility. The large open space at the northeast corner would likely be closed to non-ticketholders during games, but could otherwise be open to the public.

The design also provides circulation and access to the area that is not currently available. A service road would be provided along the eastern boundary of the site, next to the railroad tracks, from S. Massachusetts Street at the south end to S. Royal Brougham Way at the north. The road would be available for emergency access at all times and would allow access for ballpark deliveries.

The District is also committed to sharing in off-site improvements along Occidental Avenue S. between S. King Street and the Ballpark, to provide a pedestrian link to the Kingdome, Pioneer Square, and the Downtown area. This area is shown as "shared improvements" on Figure 5. Such improvements are included in the City's Pioneer Square Plan Update, which calls for Occidental Avenue S. to be developed as a shared pedestrian/auto route from S. Jackson Street to S. Royal Brougham Way to enhance the street as a major portal to Pioneer Square. The District will work with King County, as owner of the Kingdome, and the City to agree on and provide a fair share of the cost of appropriate pedestrian improvements for the segment between S. King Street and the Ballpark. While the District is committed to contributing to such improvements, specific designs for these improvements have not yet been developed. These designs would vary depending on the scope of potential future Kingdome renovations. The District will coordinate with King County, as the owner of the Kingdome, when the scope of possible Kingdome renovations are clearer, and it will work with the City through the street vacation process to develop a mechanism to contribute to such improvements.

In addition, the District will coordinate with other potential pedestrian and street improvements that are planned as part of other projects (shown as "potential improvements by others" on Figure 5). It would not be appropriate for the District to be solely responsible for all pedestrian linkages in the area, given other existing plans. But the District will work in cooperation with others planning vicinity improvements. Therefore, the District will coordinate with WSDOT as it plans for, and the City as it implements, pedestrian improvements associated with the Kingdome Area Intermodal Access Project (the "Kingmaker" project), which calls for (among other things) a pedestrian skybridge linking Fourth Avenue S. and the Kingdome, north of the Dome, and a pedestrian skybridge over the railroad tracks south of the Dome. Similarly, the District will coordinate with the King Street Intermodal Access Project, which calls for improvements along S. Jackson Street between Fifth and Second Avenues, with Union Station development improvements along S. King Street and Fourth Avenue S. near the station, and with planned Ferry System improvements along Alaskan Way. In addition, the Regional Transit Plan, if passed, could provide additional improvements to King Street Station, add a bus stop at the corner of Fourth Avenue S. and S. Royal Brougham Way, and a commuter rail platform at or near the site. The District would coordinate with the RTA as these improvements are made to enhance the pedestrian and transit linkages to the Ballpark.

### 3. Economic Benefits

The public benefits provided by the Ballpark also include the economic benefits resulting from its construction and operation. King County recognized that the presence of Major League Baseball has a positive impact on the local and regional economy. There would not only be economic benefits from Ballpark construction and operation, but also the benefits resulting from helping to ensure that the City's Major League Baseball franchise is retained.

Economic benefits would result from the proposed street vacation directly, through construction and operation of the facility itself, and indirectly, through creation of new economic opportunities related to the Ballpark. Benefits from construction would take place during the two-year construction period, while operating benefits would occur annually. Construction-related economic and fiscal benefits will include local spending, jobs, income, and state and local tax revenues. Indirect benefits also would occur and would include the subsequent re-spending of the initial direct expenditures creating a ripple effect through the local, regional, and state economies. The City will be in a position to guide other indirect benefits through its land use regulations and policies, using the Ballpark to foster any coordinated development in the area south of the Kingdome.

Significant benefits come from ongoing operations. Major League Baseball contributed \$142 million to the Washington state economy in 1993, according to the Seattle Mariners Baseball Club Economic Impact study (prepared for King County by Richard Conway and William Beyers, 1994). Major League Baseball generated an estimated \$7.2 million in state tax revenues, \$100,000 in King County tax revenues, and \$1.4 million in City of Seattle tax revenues in 1993. Operation of the new Ballpark is expected to support 2,672 jobs and \$76.6 million in

income. It would generate \$8.1 million in tax revenues statewide in the year 2000. EIS Vol. 1, Section 1.4.8.

#### **IV. Potential Conditions to Street Vacation Approval**

The requested right-of-way vacation of that portion of Occidental Avenue S. between S. Royal Brougham Way and S. Atlantic Street is essential for the proposed ballpark and associated facilities. That use is consistent with development regulations and adopted City policies on development of industrial zones, and the vacation itself would advance the City's Street Vacation Policies. Substantial public benefits would be realized as a result of this vacation.

Based on the impacts identified in the final EIS and public and agency input, the District believes that it would be reasonable for the City to impose the following conditions on approval of this street vacation petition:

1. Before receiving final approval from the City Council for the vacation (the street vacation ordinance), the District will commit to build the Ballpark on the site described in the petition. If the Ballpark is not built on this site, the approval will be revoked.
2. Prior to opening date of the Ballpark, the District will provide the pedestrian and street improvements set out in the Master Use Permit application for the Ballpark. These improvements include the following:
  - a. New sidewalks along S. Royal Brougham Way with street trees and lighting and new, widened sidewalks along First Avenue S., adjacent to the Ballpark. As a special enhancement, the public sidewalk along the north side of the Ballpark on S. Royal Brougham Way will be designed to allow views into the stadium from one or two points along the sidewalk. Street trees will be planted along both sides of S. Royal Brougham Way and First Avenue S. along the blocks adjacent to the Ballpark. Medians, with street trees, will be installed on these blocks as well, with cut outs as necessary to allow for cross-street access. Sidewalk lighting on these two blocks and Occidental Avenue S., between S. Massachusetts and Atlantic Streets, will be added consistent with City standards.

SED and DCLU will have final approval of the size, design and layout of the landscape strips along these streets. If the Kingdome Area Intermodal Access Project selects an alternative impacting S. Royal Brougham Way, the specific improvements will be subject to further review by the City and the District.
  - b. The District will provide open space plaza areas in several places around the Ballpark. A large, tree-filled plaza will be built along the parking garage adjacent to Occidental Avenue S. below Atlantic Street. The plaza

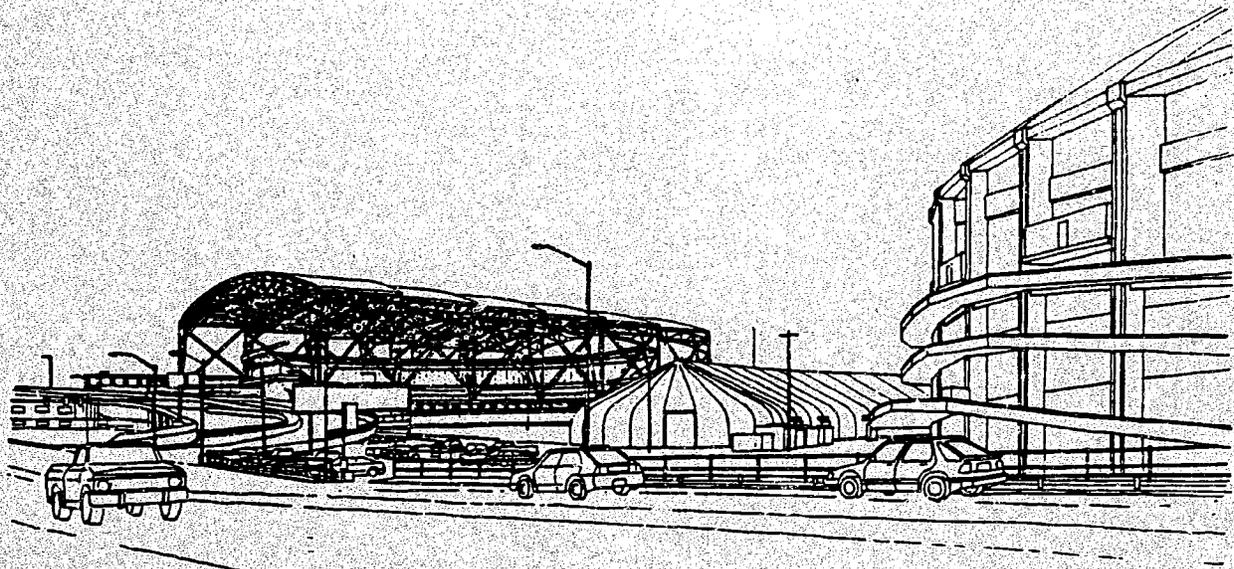
will be open to the public. An additional plaza area just north of the parking garage, between it and the Ballpark will also be developed as open space. A smaller plaza area will be provided at the main entrance to the Ballpark, at the corner of First Avenue S. and S. Atlantic Street. In addition, open areas will be provided at the northwest and northeast corners of the facility.

3. The District will work to enhance the pedestrian linkage of the Ballpark to off-site pedestrian destinations. Specific measures will include:
  - a. Provide a pedestrian linkage along S. Royal Brougham Way over the railroad tracks, using the inside of the northern roof track of the Ballpark. The design should allow for a walkway within the roof track structure. This pedestrian linkage will be provided before opening day of the Ballpark.
  - b. Work with the Kingdome, the City of Seattle and the Pioneer Square business and residential community to provide pedestrian improvements along Occidental Avenue S. from the Ballpark north to the Kingdome area and south to S. Massachusetts St. These improvements will help connect parking and public transit resources with the Ballpark, while still allowing appropriate local vehicular access. The District will provide a fair share of the cost of appropriate pedestrian improvements along Occidental Avenue S. between S. King Street and the Ballpark.
  - c. Coordinate with the Washington State Department of Transportation and other government agencies on the pedestrian improvement elements of the Kingdome Area Intermodal Access Project and King Street Station Intermodal Project.
4. The District will provide a fair share of the cost of new traffic signals/improvements at intersections (at First Avenue S. and S. Atlantic Street, First Avenue S. and S. Massachusetts Street; Holgate and Occidental Streets) if traffic engineering warrants are met, as established by Seattle Engineering Department.
5. The District will develop and implement a Transportation Management Plan (TMP), substantially in the form set out in the final EIS. The TMP includes specific goals and objectives, along with specific measures for meeting those goals. The measures may include development of an event management strategy for the neighborhoods, dissemination of information regarding traffic access and parking, publicly displayed information, HOV incentives, and off-site parking agreements, in concert with enhanced transit service.
6. The District will maintain emergency access to the site and through surrounding areas during games.

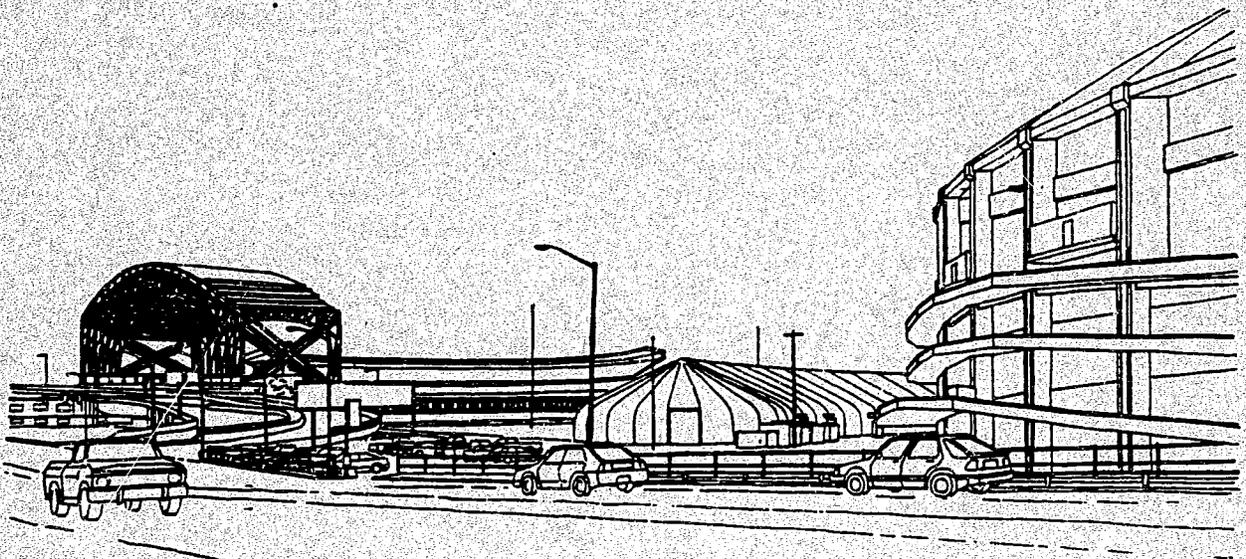
7. The District will resolve utility issues resulting from the vacation to the satisfaction of the affected utility. This may include easements, restrictive covenants, relocation agreements, or District acquisition of the facilities. The affected utilities include the following;
- King County has a 96-inch-diameter Elliott Bay Interceptor in the right-of-way and will need necessary access and access easements for maintenance and other functions.
  - U S WEST has telephone line ducts in the right-of-way that will need to be relocated to the outside of the Ballpark building envelope;
  - City Light has an overhead power line in the right-of-way that will need to be relocated to the outside of the Ballpark building envelope;
  - MCI has a telephone conduit in the right-of-way that will need to be relocated to the outside of the Ballpark building envelope;
  - Washington Natural Gas Company has a gas main that will need to be removed or relocated;
  - The City of Seattle has a combined sewer line that will need to be removed or relocated; and
  - The Seattle Water Department has a water main that will need to be removed or relocated.
8. Before receiving final approval from the City Council for the vacation, the District will acquire all of the property abutting the street being vacated held by owners of such property who have signed the street vacation petition and entered into agreements with the District for the acquisition of such property. As to any property abutting the street being vacated held by owners of such property who have not signed the street vacation petition and that has not been acquired by the District by the time of final City Council approval, the District will indemnify the City from and against any liability that the City may incur or have asserted against it as a result of access restrictions to such property occasioned by the vacated street. Such indemnity agreement will be in a form approved by the City attorney.

## Supporting Material

The following sketches showing the roof structure are reproduced from the Environmental Impact Statement (EIS). Retouched photos showing what the Ballpark on Site C will look like from various viewpoints are in the EIS as figures 3.9.4-11, 3.9.4-22, 3.9.4-31, 3.9.4-35, 3.9.4-40, and 3.9.4-44.



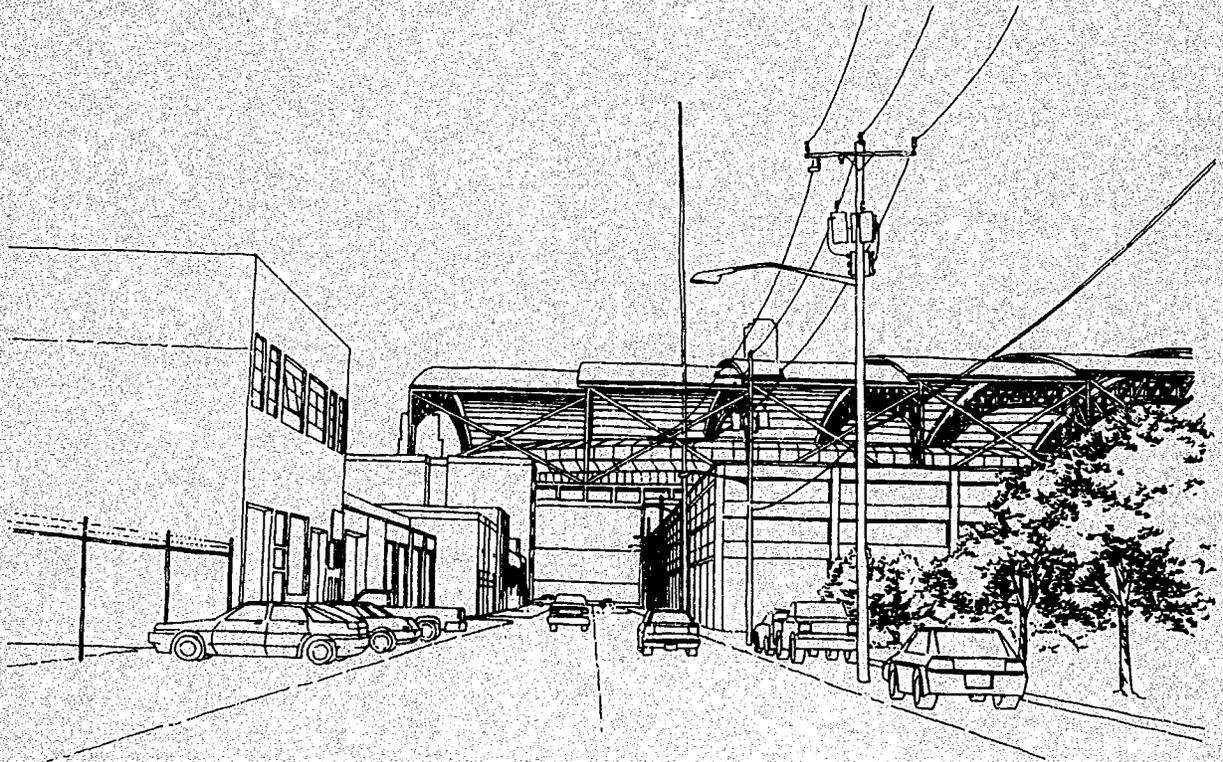
**Figure M.1-7: View 12.** *Looking southwest from 4th Avenue South at approximately Airport Way, Ballpark at Site C, roof extended.*



**Figure M.1-8: View 12.** *Looking southwest from 4th Avenue South at approximately Airport Way, Ballpark at Site C, roof retracted.*



**FIGURE 3.9.1-10**  
View 4. Looking south from Occidental Avenue S. and S. King Street, Ballpark at Site C, roof extended.



**FIGURE 3.9.1-29**  
View 17. Looking north from Occidental Avenue S. and S. Massachusetts Street, Ballpark at Site C, roof extended.

**VISUAL AND AESTHETICS**



**SHAPIRO**  
& ASSOCIATES, INC.

WASHINGTON STATE  
MAJOR LEAGUE BASEBALL STADIUM



PRESTON GATES & ELLIS  
ATTORNEYS

September 20, 1996

**HAND DELIVERED**

Beverly Barnett  
Seattle Engineering Department  
Room No. 501, 600 Fourth Avenue  
Seattle, WA 98104

TIME: 11:25 AM (SAC)

RECEIVED

SEP 20 1996

ENGINEERING DEPT.  
TRANSPORTATION DIV.

Re: Street Vacation Petition Signatures

Dear Beverly:

I am pleased to enclose the original signature page from the owners of the Huson parcel. As requested, this signature page contains no contingencies to the signatures provided by the owners of the Huson parcel.

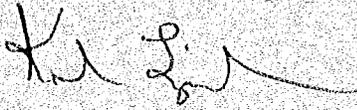
With this submission, the Public Facilities District believes it has addressed all of the specific information requests that have been communicated to the District by the City of Seattle. If that is not the case, please let me or Russ Woodruff know immediately what is still outstanding.

We look forward to proceeding with you on the street vacation petition. We are prepared to meet with you, Nancy Ousley and City Council staff to discuss the schedule for the City's review of the street vacation petition. We also would like to discuss with you and appropriate City staff any conditions the City may be proposing as part of its recommendation on the street vacation petition.

Very truly yours,

PRESTON GATES & ELLIS

By

  
Konrad J. Liegel

Enclosure KJL:kjl

cc: Nancy Ousley (w/o encls.)  
Ken Johnsen and Russ Woodruff (w/o encls.)  
Tom Backer (w/o encls.)

\\K:\135252-00\008\4PL1YZ.DOC

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

ANCHORAGE • COEUR D'ALENE • LOS ANGELES • PORTLAND • SPOKANE • TACOMA • WASHINGTON, D.C.

5000 COLUMBIA CENTER 701 FIFTH AVENUE SEATTLE, WASHINGTON 98104-7078 PHONE: (206) 623-7580 FACSIMILE: (206) 623-7022

**Huson Parcel**

I/we hereby co-petition the City Council for the vacation of the above noted right-of-way.

**Owner:** James Huson (deceased) and Verna Lorraine Huson, trustees under Huson Family Trust a California General Partnership, dated July 6, 1988, and Lee R. Norris.

**Property Description:** 180 feet of frontage on the west side of Occidental Avenue S.

**Signature:**

Huson Family Trust  
a California General Partnership

Verna Lorraine Huson  
Verna Lorraine Huson

9-19-96  
Date

Lee R. Norris  
Mr. Lee R. Norris

9-20-96  
Date

**Block and lot numbers:** Block 323, Lots 9, 10 and 11

**Plat name:** Seattle Tide Lands



PRESTON GATES & ELLIS  
ATTORNEYS

September 18, 1996

**HAND DELIVERED**

Beverly Barnett  
Seattle Engineering Department  
600 Fourth Avenue  
Room No. 501  
Seattle, WA 98104

Re: Street Vacation Petition Signatures

Dear Beverly:

I am pleased to enclose additional signature pages for the street vacation petition submitted to you on September 10, 1996. Enclosed is the original signature page from the owners of the Joebeel parcel, together with a fax copy of the signature page from the owners of the Huson parcel (the original will be provided to you when we receive it). With these signatures, and that already received from King County, the City now possesses signatures from the owners of more than three-quarters (3/4) of the property abutting the street sought to be vacated. This meets the requirements of SMC 15.62.020. Accordingly, I am also enclosing a check to cover the pre-hearing fee of \$450.00.

You will note that the signatures from the owners of the Huson parcel are conditioned upon the final street vacation not being effective until the Public Facilities District and/or assigns has acquired fee title to the Huson parcel. The District strongly supports this approach and has requested in its petition that the City condition any conceptual approval to require such ownership. In particular, the District has asked that the City require the District to acquire all of the property abutting the street being vacated that is held by owners who have signed the street vacation petition and entered into agreements with the District for the acquisition of such property. (See street vacation petition, proposed condition #8). The District is also working with the Huson property owners to address this issue in the purchase and sale agreement between the parties.

Given that the petition is now complete, we request on behalf of the District that the resolution scheduling the street vacation public hearing be introduced at the City Council meeting scheduled for Monday, September 23, 1996. We look forward to meeting with you, Nancy Ousley, and City Council staff as soon as possible to discuss this schedule. Please call Russ Woodruff at the District (205-6224) to arrange that meeting.

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

ANCHORAGE • COBUR D'ALENE • LOS ANGELES • PORTLAND • SPOKANE • TACOMA • WASHINGTON, D.C.  
5000 COLUMBIA CENTER 701 FIFTH AVENUE SEATTLE, WASHINGTON 98104-7078 PHONE: (206) 623-7580 FACSIMILE: (206) 623-7022

Beverly Barnett, SED  
September 18, 1996  
Page 2

We also would like to discuss with you and appropriate City staff any conditions the City may be proposing as part of its recommendation on the street vacation petition. Please call Russ Woodruff at the District to arrange this meeting.

Yesterday, in a letter to the District, Nancy Ousley requested some other items related to the street vacation petition from the District. I understand that the meeting with Transpo regarding the EIS transportation analysis has been set up for Thursday, September 19, 1996 and that the District has confirmed with Nancy that Russ Woodruff is the lead District contact for you. Of course, you are welcome to continue to call me at any time concerning the street vacation petition and I will do my best to address your concerns. Any meetings with City staff regarding the street vacation petition, however, should be arranged through Russ.

In our meeting with you last Friday, September 13, 1996, you also requested a copy of the Conway and Beyers 1994 Seattle Mariners Baseball Club Economic Impact study, together with information concerning the Citizens Advisory Committee (CAC) process. We are obtaining the study and requested information and will be providing them to you by the end of the day on Thursday (if not before).

Please call if you have any questions or need any additional information.

Very truly yours,

PRESTON GATES & ELLIS

By

  
Konrad J. Liegel

KJL:reij

cc: Nancy Ousley (w/encls.)  
Ken Johnsen and Russ Woodruff (w/encls.)  
Tom Backer (w/encls.)

**Joebeel Venture**

We hereby co-petition the City Council for the vacation of the above noted right-of-way.

**Owner:** Joebeel Venture Account, a Washington General Partnership.

**Property Description:** 180 feet of frontage on the west side of Occidental Avenue S.

**Signatures:**

Lawrence J. Benezra, Partner  
Lawrence J. Benezra, Partner

9-12-96  
Date

Mark A. Benezra, Partner  
Mark A. Benezra, Partner

9/12/96  
Date

Bette Jean Goldfarb, Partner  
Bette Jean Goldfarb, Partner

9/17/96  
Date

Elaine Abbey Weinstein, Partner  
Elaine Abbey Weinstein, Partner

9/18/96  
Date

**Block and lot numbers:** Block 323, Lots 1, 2 and 3

**Plat name:** Seattle Tide Lands



PRESTON GATES & ELLIS  
ATTORNEYS

September 19, 1996

**HAND DELIVERED**

Beverly Barnett  
Marilyn Senour  
Seattle Engineering Department  
600 Fourth Avenue  
Room No. 501  
Seattle, WA 98104

Re: Street Vacation Petition Materials

Dear Beverly:

Enclosed for your information are the following materials that you requested:

- Information from the public record evidencing that the signatures of all of the partners of the Jobeel Venture Account are as they appear on the public record; and
- Information from the public record evidencing that the Huson Family Trust and Lee Norris are the owners of the Huson parcel, that Verna Lorraine Huson is the surviving trustee of the Huson Family Trust and has the authority to sign trust documents and convey trust property, and that the signatures of Verna Lorraine Huson and Lee Norris are as they appear on the public record. Please note that James Huson is deceased, having passed away in December 1991.

As we discussed, I will be providing you with a copy of the original signature page from the owners of the Huson parcel when I receive it (which will likely be as early as tomorrow, September 20th). In the meantime, the signatures on the faxed signature page meet the legal requirements of SMC 15.62.020.

Accordingly, on behalf of the District, we again request that you assign a number to the submitted petition, officially file it with the City Clerk's Office, and refer it to the City Council for the Monday, September 23, 1996 meeting. We would also appreciate receiving a copy of the cover page of the filed petition for our records.

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

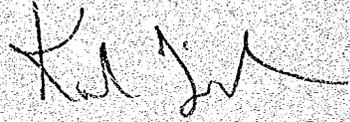
ANCHORAGE • COEUR D'ALENE • LOS ANGELES • PORTLAND • SPOKANE • TACOMA • WASHINGTON, D. C.  
5000 COLUMBIA CENTER 701 FIFTH AVENUE SEATTLE, WASHINGTON 98104-7078 PHONE: (206) 623-7580 FACSIMILE: (206) 623-7022

Beverly Barnett and Mari... Senour, SED  
September 19, 1996  
Page 2

Please call Russ Woodruff (205-6224) or me if you have any questions or need any additional information.

Very truly yours,

PRESTON GATES & ELLIS



By  
Konrad J. Liegel

KJL:kjl

cc: Nancy Ousley (w/o enclosure)  
Russ Woodruff/Ken Johnsen (w/o enclosure)  
Tom Backer (w/o enclosure)

**INVESTMENT DEVELOPMENT CORPORATION  
 WOODRIDGE BUILDING  
 Bellefield Office Park  
 1715 114th Avenue S.E., #110  
 Bellevue, WA 98004-6906  
 Phone: (206) 646-6460 Fax: (206) 646-0811**

**FAX TRANSMITTAL  
 INFORMATION SHEET**

**DATE:** 9/19/96  
**FROM:** Investment Development Corporation  
**TO:** Cindy Demicks  
Konrad Liegel  
**FAX#:** 623-7022  
**PAGES:** 4

**Comments:** Huson Family Living Trust  
Street Vacation Request.

**NOTICE: CONFIDENTIAL INFORMATION**

**IF THE READER OF THIS COVER PAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISTRIBUTION, DISCLOSURE OR COPYING OF ANY OF THIS COMMUNICAITON IS PROHIBITED. THE INFORMATION CONTAINED IN THIS FACSIMILE COMMUNICATION IS PRIVILEGED AND/OR CONFIDENTIAL INTENDED ONLY FOR THE USE OF THE INTENDED RECIPIENT NAMED ABOVE. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, WE WOULD APPRECIATE IT IF YOU WOULD NOTIFY US IMMEDIATELY BY TELEPHONE (206) 646-6460 AND ARRANGE FOR THE RETURN OF THE TRANSMITTED DOCUMENTS TO US.**

**CERTIFICATE OF TRUST EXISTENCE AND AUTHORITY**

The undersigned, James Fredrick Huson and Verna Lorraine Huson, husband and wife, are the Trustors of the Huson Family Trust dated July 6, 1988. The Trustees are James Fredrick Huson and Verna Lorraine Huson, or the survivor of them. Upon the death, resignation, inability or refusal of both Trustees to serve, Joan Elizabeth Astle and Diane Celia Flatten are named as Successor Co-Trustees. If either Joan Elizabeth Astle or Diane Celia Flatten is unable or unwilling to act for any reason, the other shall act alone.

The Article in the Trust entitled POWERS OF TRUSTEE grants to the Trustees the power to sell (for cash or on deferred payments), convey, grant options to purchase, exchange or lease any of the assets of the trust estate upon such terms and conditions and for such considerations as the Trustees deem advisable. The Trustees further have the right to borrow money, encumber and hypothecate trust assets and to invest and reinvest all funds from time to time available for investment or reinvestment in any kinds of property, real or personal, including stocks-(either outright or on margin), bonds, interest in any amount in common trust shares, mortgages, and such other property as the Trustees shall deem proper.

Either original Trustee acting alone may have access to any Trust safe deposit box and may withdraw funds from any Trust bank, savings or brokerage account and checks may be signed and endorsed by the signature of any such Trustee during Trustors' joint lifetime.

This Certificate is made by Trustors and Trustees in order to certify that as of the date of this Certificate, the Trust is in existence and that the Trustees have broad powers under the Revocable Living Trust. This Certificate shall affirm that the Trustees are acting as qualified Trustees, and shall be sufficient on its face. No person shall be put to any further inquiry concerning the right of the Trustees to so act.

Photocopies of the original Certificate shall be deemed to be an original counterpart of this Certificate.

Dated: July 6, 1988

*James Fredrick Huson*  
James Fredrick Huson, Trustor and Trustee

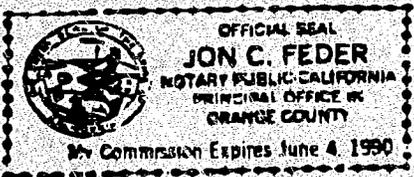
*Verna Lorraine Huson*  
Verna Lorraine Huson, Trustor and Trustee

State of California )  
County of Orange ) ss

On July 6, 1988, before me the undersigned Notary Public, personally appeared James Fredrick Huson and Verna Lorraine Huson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed it.

WITNESS my hand and official seal.

*[Signature]*  
Notary's Signature



**CHICAGO TITLE INSURANCE COMI**

1800 COLUMBIA CENTER, 701 FIFTH AVENUE  
SEATTLE, WA 98104

**ALTA COMMITMENT  
SCHEDULE A**

Title Unit: U-06  
Phone: (206) 628-5610  
Fax: (206) 628-9717  
Officer: MIKE BECKMAN

Order No.: 451576

Your No.: STADIUM SITE #414 & #416

Commitment Effective Date: MARCH 13, 1996 at 8:00 A.M.

1. Policy or Policies to be issued:

ALTA Owner's Policy  
1992 STANDARD  
COMMERCIAL OWNERS STANDARD RATE

Amount: TO BE DETERMINED  
Premium:  
Tax:

Proposed Insured:  
KING COUNTY

Policy or Policies to be issued:

ALTA Loan Policy

Amount: \$0.00  
Premium:  
Tax:

Proposed Insured:

Policy or Policies to be issued:

ALTA Loan Policy

Amount: \$0.00  
Premium:  
Tax:

Proposed Insured:

2. The estate or interest in the land which is covered by this Commitment is:  
FEE SIMPLE

3. Title to the estate or interest in the land is at the effective date hereof vested in:

JAMES FREDERICK HUSON AND VERA LORRAINE HUSON, TRUSTEES UNDER THE HUSON  
FAMILY TRUST DATED JULY 6, 1988

4. The land referred to in this Commitment is described as follows:

SEE ATTACHED LEGAL DESCRIPTION EXHIBIT

CHICAGO TITLE INSURANCE COMPANY

A.L.T.A. COMMITMENT  
**SCHEDULE A**  
(Continued)

Order No.: 451576  
Your No.: STADIUM SITE #414 & #416

---

**LEGAL DESCRIPTION EXHIBIT**  
(Paragraph 4 of Schedule A continuation)

LOTS 9, 10, AND 11, BLOCK 323, SEATTLE TIDELANDS, IN KING COUNTY, WASHINGTON, AS SHOWN ON THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS AT OLYMPIA, WASHINGTON.

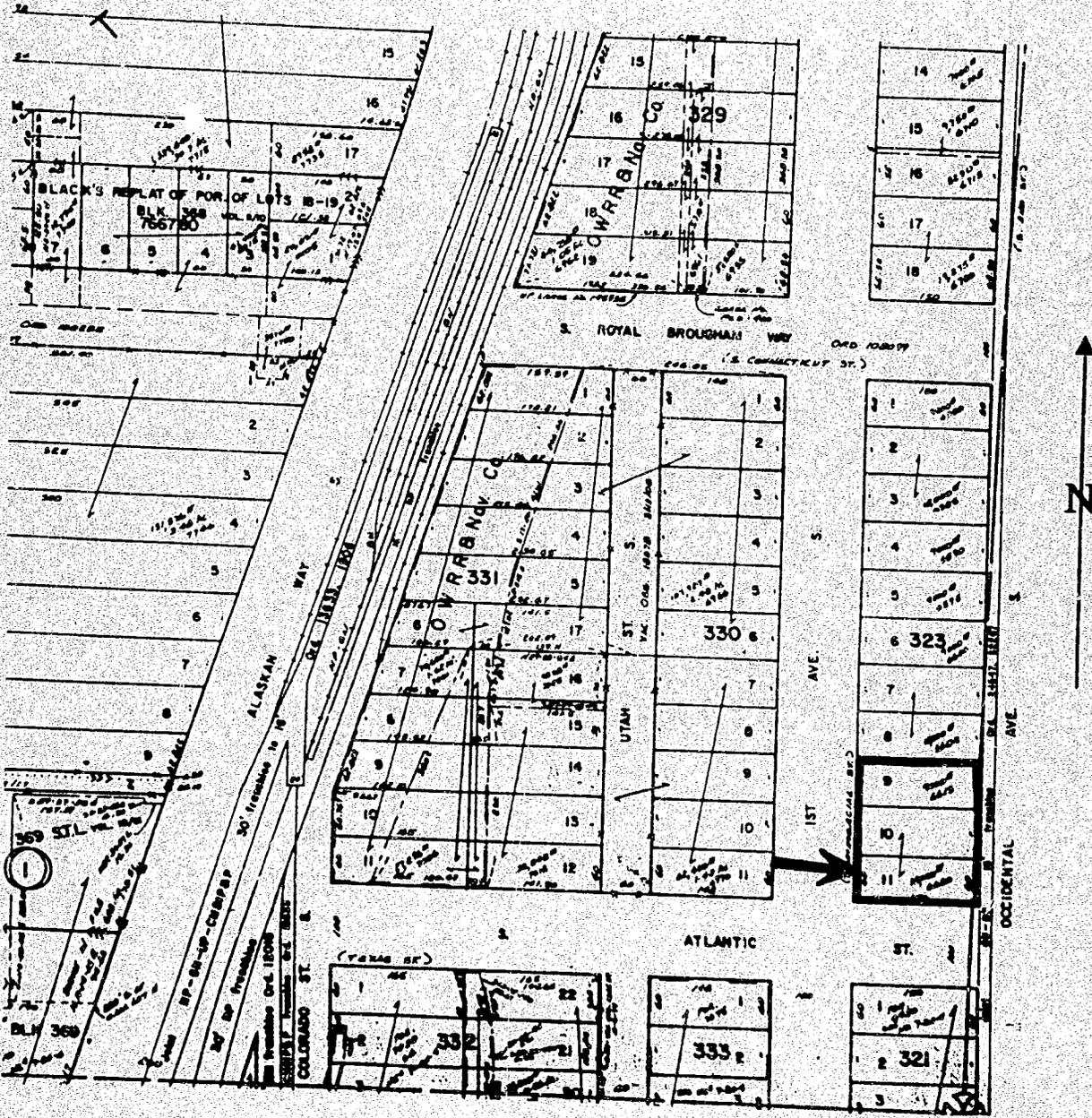
NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.



# CHICAGO TITLE INSURANCE COMPANY

1800 COLUMBIA CENTER, 701 5TH AVE, SEATTLE, WASHINGTON 98104

**IMPORTANT:** This is not a Survey. It is furnished as a convenience to locate the land indicated hereon with reference to streets and other land. No liability is assumed by reason of reliance hereon.



IT IS DUE TO THE QUALITY OF THE DOCUMENT. ... FROM THIS NOTICE

**STEWART TITLE COMPANY**  
of Washington, Inc. RECEIVED THIS DAY

THIS SPACE PROVIDED FOR RECORDING

FILED FOR RECORD AT REQUEST OF

AUG 16 10 52 AM '91  
BY THE DIVISION OF  
RECORDS AND  
LANDS

**KING COUNTY**  
**NO EXCISE TAX DUE**  
**AUG 16 1991**  
**E1204485**

WHEN RECORDED RETURN TO  
Name **Mr. and Mrs. James Huson**  
Address **27171 Hidden Trail Rd.**  
City, State, Zip **Laguna Hills, CA 92653**

**Quit Claim Deed**

THE GRANTOR S **JAMES F. HUSON and VERNA L. HUSON, husband and wife**  
for and in consideration of love and affection  
conveys and quit claims to **JAMES FREDERICK HUSON and VERNA LORRAINE HUSON, Trustees**  
under the **Huson Family Trust dated July 6, 1988**  
the following described real estate, situated in the County of **King** State of **Washington,**  
together with all after acquired title of the grantor(s) therein:  
**Lots 9, 10 and 11, Block 323, Map of Seattle Tide Lands, as shown on the official maps on file in the Office of the Commissioner of Public Lands at Olympia, Washington.**

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

6290918216

91/08/16 #0649 R  
RCFEE 2.00  
RCFD F 7.00  
CRSHSI \*\*\*9.00  
SS

Dated 6-24-91  
*James F. Huson*  
James F. Huson (In Person)  
*Verna L. Huson*  
Verna L. Huson (In Person) By \_\_\_\_\_ (President)  
By \_\_\_\_\_ (Secretary)

CALIFORNIA  
STATE OF CALIFORNIA } ss.  
County of Orange  
I hereby certify that I know or have satisfactory evidence that **JAMES F. HUSON and VERNA L. HUSON** signed this instrument and acknowledged it to be they free and voluntary act for the uses and purposes mentioned in this instrument.

STATE OF WASHINGTON } ss.  
County of \_\_\_\_\_  
I certify that I know or have satisfactory evidence that \_\_\_\_\_ signed this instrument, on oath stated that \_\_\_\_\_ authorized to execute the instrument and acknowledged it as the \_\_\_\_\_ of \_\_\_\_\_ to be the free and voluntary act of each party for the uses and purposes mentioned in this instrument.

Dated June 24 1991  
*John J. Ebdon*  
Notary Public in and for the State of California  
residing at Orange, California

Dated \_\_\_\_\_  
Notary Public in and for the State of Washington,  
residing at \_\_\_\_\_  
My appointment expires \_\_\_\_\_



FEB 28 '90 14:17 ERICKSON & BARKSHIRE 206 4555076  
AFTER RECORDING RETURN TO:  
ERICKSON & BARKSHIRE, P.S.  
10801 Main St., Suite 204  
Bellevue, WA 98004

RECEIVED THIS DAY

P.2/5

90/04/02  
REC FEE 2.00  
RECD F 7.00  
CASHSL \*\*\*\*\*9.00  
55

APR 2 1 25 11 '90

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM is dated the 1st day of March, 1990 and entered into between JAMES F. HUSON and VERNA L. HUSON ("Huson") and LEE NORRIS ("Norris").

Recitals

A. Huson is the owner of that real property described on Exhibit A, attached hereto and by this reference made a part hereof, said property located in King County, Washington.

B. Huson and Norris have entered into a Management Agreement whereby Norris will manage the real property on behalf of Huson.

C. The Management Agreement provides Norris with an interest in the real property and a right to certain proceeds upon the sale or transfer thereof and both parties desire to execute this memorandum for purposes of recording against the property to give third parties notice of this interest.

Now, therefore, Huson and Norris state and acknowledge as follows:

1. The legal description of the real property which is the subject matter of the Management Agreement is attached hereto as Exhibit A and by this reference made a part hereof.
2. This Memorandum is prepared to evidence the existence of the Management Agreement and is not intended to be a modification thereof. It is prepared only to identify and acknowledge the existence of the Management Agreement and to

9004020809

give third parties notices of the interest of Norris in the real property pursuant to the terms of the Management Agreement.

*James F. Huson*  
JAMES F. HUSON

*Lee R. Norris*  
LEE R. NORRIS

*Verna L. Huson*  
VERNA L. HUSON

9004020802

STATE OF CALIFORNIA)  
: ss.  
COUNTY OF ORANGE)

I certify that I know or have satisfactory evidence that JAMES F. HUSON and VERNA L. HUSON, husband and wife, are the persons who appeared before me, signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in said foregoing instrument.

Dated March 2, 1990.



*Gray Steiner*  
Notary Public in and for the State of Washington.  
My Appointment Expires 3-5-93

STATE OF WASHINGTON)  
: ss.  
COUNTY OF KING)

I certify that I know or have satisfactory evidence that LEE R. NORRIS is the person who appeared before me, signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated March 30, 1990.

*Robert C. Hale*  
Notary Public in and for the State of Washington.  
My Appointment Expires 6/30/90

EXHIBIT A TO  
MEMORANDUM OF AGREEMENT

LOTS 9, 10 AND 11, BLOCK 323, MAP OF SEATTLE TIDE LANDS, AS SHOWN ON THE  
OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS  
AT OLYMPIA, WASHINGTON.

9004020808

AFTER RECORDING RETURN TO:  
Erickson & Barkshire, P.S.  
10801 Main St., Suite 100  
Bellevue, WA 98004

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE, dated as of the 21st day of July, 1995 is between Huson Family Trust ("Landlord") and Evergreen Treatment Services ("Tenant").

1. Premises. Landlord has leased to Tenant and Tenant has leased from Landlord, upon the terms and conditions of the Lease between the parties (herein called the "Lease") of even date herewith, a portion of the two buildings that are located on the real property that is legally described as follows:

Lots 9, 10, 11, Block 323, Seattle Tidelands, City of Seattle, records of King County, Washington.

The portion of such buildings leased to Tenant comprises the entire main/first floor of the north building, and that portion of the south building that is located and outlined in red on Exhibit A attached hereto, and consists in the aggregate of approximately 16,340 square feet. Tenant has an option to lease an additional approximately 2,554 square feet of space, outlined in blue on Exhibit A attached hereto, which option must be exercised, in accordance with and subject to the terms of the Lease, on or before three years after the date of the Lease.

2. Term. The Lease is for a term of ten (10) years commencing April 1, 1995 and ending March 31, 2005. Tenant may extend the term of the Lease for a period of five (5) years commencing April 1, 2005 and ending March 31, 2010, subject to the terms of and as provided in the Lease.

3. Purpose of Memorandum of Lease. This Memorandum of Lease is prepared for the purpose of recordation, and it in no way modifies the Lease.

EXECUTED as of the date first above written.

Landlord:

HUSON FAMILY TRUST

By

Gerna L. Huson  
Its Trustee

TTEC

Tenant:

EVERGREEN TREATMENT SERVICES

By

Thomas R. Jackson  
Thomas R. Jackson  
Executive Director

[acknowledgements attached]

9508010432

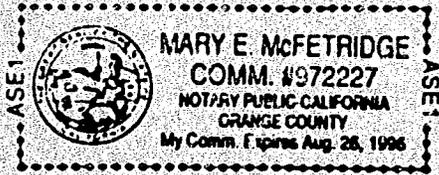
55001-0432 10/21/95 IN KING COUNTY RECORDS BOOK 29

9.00

STATE OF CALIFORNIA )  
COUNTY OF Orange ) ss.

I certify that I know or have satisfactory evidence that Verna L. Huson, is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Trustee of HUSON FAMILY TRUST, to be the free and voluntary act and deed of said trust, for the uses and purposes therein mentioned.

Given under my hand and official seal this 21st day of July, 1995.



Mary E. McFetridge  
NOTARY PUBLIC in and for the State of California, residing at La Jolla, Calif.  
My appointment expires Aug. 26, 1996

STATE OF WASHINGTON )  
COUNTY OF KING ) ss.

I certify that I know or have satisfactory evidence that Thomas R. Jackson, is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Executive Director of EVERGREEN TREATMENT SERVICES, to be the free and voluntary act and deed of said entity, for the uses and purposes therein mentioned.

Given under my hand and official seal this 10th day of July, 1995.



Lynne M. Dixon  
NOTARY PUBLIC in and for the State of Washington, residing at Decatur, Ga.  
My appointment expires 5/22/96

9508010432

LIMITED POWER OF ATTORNEY

1. I, James Fredrick Huson, do hereby appoint Verna Lorraine Huson as my attorney(s)-in-fact (agent) to act for me and in my name as authorized in this document. If I appoint more than one agent, the agents are to act severally.
2. Subject to any limitations in this document, this power of attorney is a durable power of attorney and shall not be affected by my subsequent incapacity.
3. My attorney-in-fact is hereby authorized and empowered for and in my name, place and stead:

To transfer and convey to the Trustee or Trustees then acting under the Inter vivos revocable trust executed on July 6, 1988, by James Fredrick Huson and Verna Lorraine Huson, known as the Huson Family Trust, any or all assets now or at any time or times hereafter standing in my name (or representing my interest in assets owned jointly, commonly, and/or otherwise with any other person or persons), including (without limitation) real estate, ownership rights in insurance policies of all kinds, cash, checks (particularly government and insurance checks), stocks, bonds, securities, and/or other properties of all kinds, and, pursuant to such purpose, to terminate savings, checking, safekeeping, agency, investment advisory, and custody accounts in my name (alone or with others) at any bank or broker by directing that all or any part of the balance therein, including all cash, stocks, bonds, securities, and/or other properties of all kinds (subject to any indebtedness secured thereby), be transferred and delivered to said trustee or trustees.

GIVING AND GRANTING unto my said Attorney full power and authority to do and perform all and every act and thing whatsoever requisite, necessary or appropriate to be done to effectuate the above described authorization as fully to all intents and purposes as I might or could do if personally present, hereby ratifying all that my said Attorney shall lawfully do or cause to be done by virtue of these presents. The powers and authority hereby conferred upon my said Attorney shall be applicable to all real and personal property or interests therein now owned or hereafter acquired by me and wherever situate.

My said Attorney is empowered hereby to determine in his/her sole discretion the time and manner in which any power herein conferred upon him shall be exercised, and the conditions, provisions and covenants of any instrument or document which may be executed by him/her pursuant hereto.

When the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

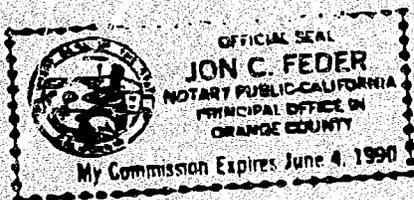
WITNESS my hand this 6th day of July, 1988.

*James Fredrick Huson*  
 \_\_\_\_\_  
 James Fredrick Huson

STATE OF CALIFORNIA )  
 ) ss.  
 COUNTY OF ORANGE )

On July 6, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared James Fredrick Huson, known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

*Jon C. Feder*  
 \_\_\_\_\_  
 Notary Public in and for said State



FAMILY/LIVING TRUST

THIS IS TO DOCUMENT THE PARTNERSHIP INTEREST OF LEE R. NORRIS IS HELD BY LEE R. NORRIS.

THIS IS TO DOCUMENT THE PARTNERSHIP INTEREST OF JAMES/VERNA HUSON IS HELD BY THE HUSON FAMILY TRUST.

THIS DOCUMENTS/CONFIRMS THE FAMILY/LIVING TRUSTS' INTEREST IS TO AVOID PROBATE AND ESTATE PLANNING. THE PURPOSE IS TO ESTABLISH THE PARTNERS RESPECTIVE INTERESTS TO BE HELD IN THE NAME OF THEIR RESPECTIVE LIVING TRUSTS. FOR ALL OTHER PURPOSES, THE PARTNERS RIGHTS, OBLIGATIONS AND DUTIES SHALL REMAIN THE SAME.

*Lorraine Huson*  
Verna/Lorraine Huson

*James P. Huson*  
James Frederick Huson

*Lee R. Norris*  
Lee R. Norris

10-4-91  
Date

10/1/91  
Date

9/26/91  
Date

