

Seattle Planning Commission
Review of the Proposed Sports Arena in
the Duwamish Manufacturing and Industrial Center



The Seattle Planning Commission is a 16-member volunteer advisory board charged with providing independent and objective expertise to the Mayor, City Council, and City departments on broad planning goals, policies, and plans for the physical development of Seattle.

Our work is framed by our responsibility as stewards of Seattle's Comprehensive Plan, "Towards a Sustainable Seattle," which guides new growth in population, jobs, and development, and steers the City's capital spending and informs new regulations.¹ This plan is required by the Washington State Growth Management Act that guides growth and coordinates land use goals and policies among jurisdictions. Other relevant plans include Vision 2040, which identifies multicounty planning policies for the Central Puget Sound Region, and King County Countywide Planning Policies, which addresses growth management in the county.

Volunteer members who serve on the Commission represent diverse disciplines including architecture and urban design, transportation and environmental planning, civil engineering, public finance, land use and real estate law, affordable housing and community development, public health, and community organizing. As such, we provide advice based on collective expertise and independent research and analysis.

Cover photos from left to right:

aerial of Seattle's SODO neighborhood by eastcolfax;

South Holgate Street looking west from the City of Seattle's SODO Action Agenda;

Seattle Planning Commission's Industrial Lands fourth stakeholder workshop held on May 31, 2007;

existing conditions at Occidental Avenue South at South Holgate Street by Seattle Planning Commission staff.

SEATTLE PLANNING COMMISSION OVERALL POSITION

The Seattle City Council asked the Planning Commission to provide our thoughts and conclusions on several planning, land use, and transportation-related questions regarding the proposed SODO arena. Our answers to those specific questions are detailed in the body of this report and help provide a broader understanding and context for the Commission's overall conclusion, which is as follows:

The Commission recognizes that major sports and entertainment facilities are important assets to the overall culture and vibrancy of the city and that professional sports teams can add value to Seattle and to the region. However, we caution the City that developing an arena in the proposed location has the potential to generate adverse impacts that may threaten the container port, maritime, industrial, and manufacturing sectors – which have been found to be vital to the health and resilience of our local, state, and regional economy and that are expressly protected and promoted by the City's guiding policy document: the Comprehensive Plan.

Based on the findings from the Commission's two-year analysis and outreach effort addressing the City's industrial lands and on a thorough review of the arena proposal, the Commission believes that locating a new major sports and entertainment facility inside the Duwamish Manufacturing and Industrial Center (MIC) holds a strong likelihood of displacing living wage jobs and nearby businesses and disrupting container port operations and freight mobility. We believe these risks are inherent with a spectator sport facility at this location. The Commission recommends that the City not take actions that further place this proven economic asset at risk. At the very least the Commission believes more review and analysis should be conducted **before** the City takes further action.

Council asked the Commission to address the following question:

Consider the minimum safeguards, protections or mitigation that should be taken to protect the surrounding maritime and industrial sectors if the arena were to be built.

Proceed with Caution before Signing the MOU

Our first suggestion is one of caution. Because an Environmental Impact Statement has not been prepared, there is not sufficient information to identify the appropriate steps necessary to mitigate potentially significant adverse impacts to the Port and related manufacturing and industrial uses. The Commission believes that more review should be conducted before signing the proposed Memorandum of Understanding (MOU). Much more work must be done to ensure the proposed arena siting does not undermine long-standing goals and policies that support industrial businesses vital to Seattle and the state. There also needs to be more clarity about the proposed SODO arena site, which has not been specifically defined.ⁱⁱ

The following recommendations constitute the minimum action the City should take if a new major sports and entertainment facility is sited at this location; however, we feel many of these recommendations are warranted regardless so as to better protect industrial lands.

Land Use and Planning Actions

- » Consider establishing a Port Overlay District, or another appropriate zoning mechanism, that would strengthen South Holgate Street as a 'hard edge'ⁱⁱⁱ and the MIC as a manufacturing and industrial sanctuary.^{iv} This effort could focus on further restricting the amount of non-industrial uses that have been shown to undermine industrial and port operations.
- » Further prohibit hotels specifically related to stadium and entertainment uses in IG zones within the MIC.
- » Retain the MIC and Transition Area Overlay boundaries. We also recommend holding firm on current limitations on the uses allowed within the Overlay. For instance, allowing hotels within the existing Transition Area Overlay should not be considered.

Transportation Related Actions

- » Provide special consideration to freight mobility. We anticipate a Port Access Study will begin in 2013. While the study may help identify actions and investments to protect freight mobility, a Freight Master Plan (on par with the Pedestrian, Bicycle and Transit Master Plans) is warranted, regardless of whether or not the proposed arena is approved. In order to ensure necessary infrastructure is built, any plan should clearly identify possible funding sources.
- » Improve the quality and safety of the pedestrian experience from many key destinations, including the ferry terminal, Pioneer Square, Chinatown International District, and light rail stations, to the major sports facilities. Infrastructure investments should include wayfinding, pedestrian-scale lighting, ADA accessibility, sidewalk improvements, and safety improvements to street and rail crossings. Some of the needed pedestrian improvements for the Stadium Transition Overlay Area District were detailed as part of the street vacation of Occidental Avenue South for the Safeco Field, the SODO Action Agenda, the Greater Duwamish Manufacturing Industrial Center Plan, and other documents pertaining to essential infrastructure investments in SODO.

Other Related Actions

- » Provide support to neighborhoods that could be negatively impacted by a new arena in this location such as Uptown, Pioneer Square, and Chinatown International District.
- » Clarify feasibility of and plans for the proposed pedestrian mall and address access to Safeco garage contingent upon purchase of adjacent property, currently owned by BNSF, to the east of the proposed site.



Little Ship (T18)
Mary Iverson
Oil on Canvas, 6" x 8" x 1"
Seattle City Light 1% for Art
Portable Works Collection

THE PROPOSED SODO ARENA LOCATION IN CONTEXT

The July 18, 2012 memo prepared by Council Central Staff succinctly and effectively outlines some of the important policies and regulations related to land use and zoning. We refer you to that memo for further clarification.

With reference to that memo, the Commission understands proposed location for the arena is:

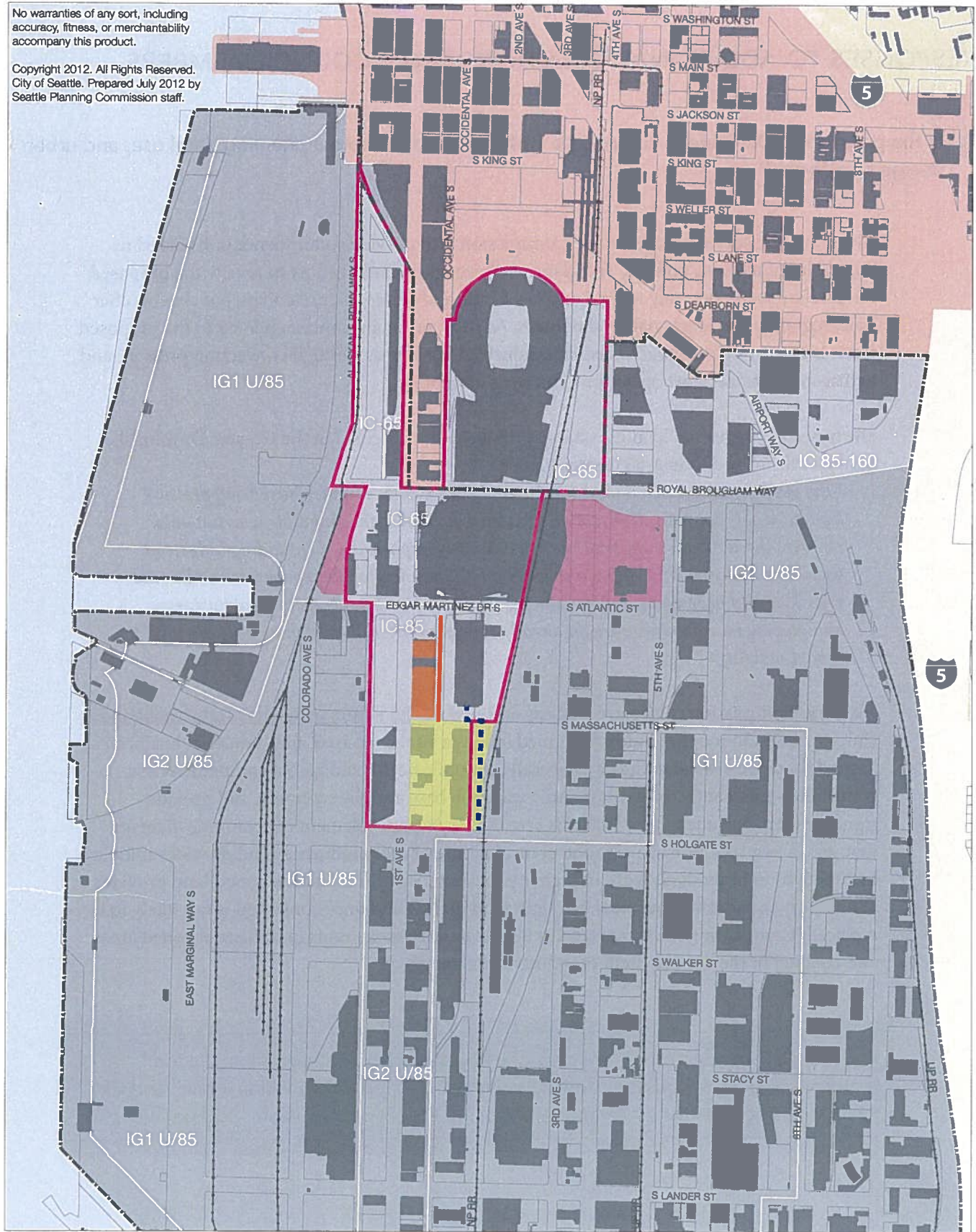
1. Completely contained within the Duwamish Manufacturing and Industrial Center (MIC), one of eight regionally designated MICs^v;
2. Predominately within the Stadium Transition Area Overlay District (Overlay)^{vi};
3. Predominately on land that is zoned Industrial Commercial (IC)^{vii};

So long as it is located entirely within IC zoning, the proposed SODO arena is a permitted use under the City's Land Use Code; to the extent the arena requires or includes land located outside IC zoning, and depending on the use of that additional land, the project may no longer be considered a permitted use.

In addition to the required review under the State Environmental Policy Act (SEPA), the proposed arena would require a Master Use Permit (MUP), Building Permit, and must obtain a street vacation approval from City Council for the portion of the development located on Occidental Avenue. We note that the street vacation is a discretionary decision. In order to approve the street vacation, the City Council will be required to determine if the proposal significantly serves the public interest and, in doing so, must weigh the public benefits under the goals and policies applicable to this area.^{viii} This same discretionary review would be required for replacement of vehicular access with the proposed pedestrian mall west of Safeco Field Garage.

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Seattle Planning Commission staff.



- Duwamish Manufacturing & Industrial Center
- Stadium Transition Area Overlay District
- non-required reserved stadium parking allowed

- proposed arena site
- associated development
- proposed pedestrian mall
- proposed Safeco Garage access
- railroads

- industrial general
- industrial commercial
- downtown
- multi-family
- single family

RESPONSES TO ADDITIONAL QUESTIONS FROM COUNCILMEMBERS

1. Is the proposed SODO arena compatible with this location from a planning, land use, and urban design standpoint?

Given that the specific charge of the Commission is to provide recommendations based on broad planning goals, policies, and plans, we have taken careful effort to review the proposed arena relationship not only to the Land Use Code and Comprehensive Plan, but also to other state, regional, and local goals and policies. As such, our main concern related to the proposed arena is the strong potential to displace industrial businesses through conversion pressure and to disrupt container port operations and freight mobility.

The historical pattern of land use changes has been documented in the Greater Duwamish Manufacturing and Industrial Center Plan:

"The viability of Industrial land within the M & I Center is under increasing pressure from a variety sources... Conversion of industrial land to incompatible uses not only removes the site from industrial use but adversely impacts the surrounding industrial users by increasing land values and lease rates. Such development generates additional vehicular and pedestrian traffic, reducing available parking, access to local business, and placing increased pressure on already congested arterials and thoroughfares vital to freight mobility.^{ix}"

Also, the Commission's extensive analysis outlined in The Future of Seattle's Industrial Lands (July 18, 2007) found that industrial zoned land is a vital civic asset and industrial businesses located there are critical to the city's overall economic health and global competitiveness, contribute significantly to Seattle's family wage job base and the economy, and provide significant tax revenue to the City. This sector is an essential element of economic diversity that serves as a counterbalance to the cyclical nature of other industries and provides middle-income jobs to individuals without higher education. Seattle's industrial zoned land provides a sanctuary to industrial business in a tight land market and once converted is not likely to be replaced. Competition for scarce land in Seattle has driven up rents in industrial zoned areas and resulted in the displacement of industrial businesses.^{xiv}

Policy analysis documents the value of these uses and a preponderance of state^x, regional^{xi}, and local^{xii} policies prioritize industrial uses, especially within a MIC, and that limit or restrict uses that could interfere with industrial and manufacturing operations^{xiii}.

2. What impact would the proposed SODO arena have on Seattle's manufacturing and industrially zoned land and Port operations?

While a full Environmental Impact Statement would be required to understand the potential impacts, based on previous studies we raise the following concerns:

Potential Loss of Tax Revenue and Jobs from the Manufacturing and Industrial Sector

Tax revenue and jobs the proposed arena is projected to generate must be weighed against the known value the city, region, and state derived from a healthy and vibrant manufacturing and industrial sector. Manufacturing and industrial businesses in Seattle generated almost \$20 billion in gross revenue in 2008, which was 26% of gross revenue for Seattle. Construction, manufacturing, wholesale, transportation and warehousing businesses in Seattle account for over \$50 billion in taxable sales receipts which is 36% of the City's total revenue from all sales tax receipts. In addition, the industrial sector also generates approximately 38% of the City's total business and occupation (B&O) tax revenue annually.^{xv} The Governor's January 2009 Container Ports Initiative report found the Port of Seattle generates almost 150,000 jobs statewide^{xvi} and in 2010 it was one of the fastest growing ports in the country.^{xvii} The City should pay close attention to any potential impacts to current operations and the future planned expansion and needs of the Port's cargo shipping operations.^{xviii}

Conversion Pressure on Nearby Manufacturing and Industrial Businesses and Potential Negative Impacts to Container Port Operations

As stated previously, the proposed arena is likely to put further conversion pressure on nearby manufacturing and industrial business. This pressure is not solely due to the location of sports facilities; additional non-industrial traffic makes industrial transportation to and from the area less efficient, weakening the long-term prospects for industrial growth. The goals and policies related to manufacturing and industrial centers have been established precisely because of the intense pressure to convert these areas to other uses.^{xix} In addition, this project would potentially have negative impacts to container port operations by contributing to traffic congestion near the Port and by discouraging Port-related industry due to higher land prices.

3. How would the proposed SODO arena impact transportation in the area for passengers and freight? What is your perspective on the ability of attendees to access the arena via transit and other modes of transportation?

More Transportation Analysis is Needed

We reviewed the transportation study conducted by Parametrix on behalf of ArenaCo, which we recognize was preliminary. A full Environmental Impact Statement would provide a comprehensive analysis of potential impacts that the proposed arena would have on transportation including freight rail, trucks, automobiles, transit, bicyclists, and pedestrians, as well as other important factors anticipated to change travel patterns and mode splits.

Freight Mobility Requires Special Consideration

While the transportation study indicates that arena events would occur mostly outside of current Port operating hours, further incursion of non-industrial uses into the Duwamish Manufacturing Industrial Center may have an adverse impact. Because efficient freight mobility contributes to Seattle's competitive advantage in the regional and global market, freight mobility requires special consideration in Seattle policy. It should be noted that much of the same transportation infrastructure that makes the proposed location attractive for the arena – including access to I-5, I-90, SR99, and railroads – is vital to freight mobility. See our previous recommendations on page 5 related to the development of a Freight Master Plan.

Transportation Access in the Area Requires Significant Investment

The quality of the walk from downtown and the Stadium and SODO light rail stations to the proposed site is very poor in terms of sidewalk conditions, access, lighting, wayfinding, etc.; it would require substantial investment to support an arena at the proposed location and make non-motorized transportation a better alternative. SDOT has informed us that street and pedestrian improvements along Alaskan Way and Railroad Way from the Ferry terminal to Railroad Way and 1st Avenue South are fully funded as part of the SR99 - Alaskan Way Viaduct Replacement. However, more funding to create appropriate access to, through and around the proposed arena site would likely be necessary. We note that some of the transportation infrastructure previously identified as important to mitigate impacts of general traffic growth and currently permitted uses (i.e., Safeco Field, CenturyLink Field) has yet to be funded or constructed.^{xx}

Finally, the potential pedestrian mall could do much to contribute to a safer and more vibrant pedestrian environment for those attending events. We raise the question of how Occidental Avenue South could be converted to a pedestrian mall if ArenaCo cannot purchase or obtain access through the parcel to the east of their site in order to replace access to the Safeco Garage.

Proposed Traffic and Parking Impacts

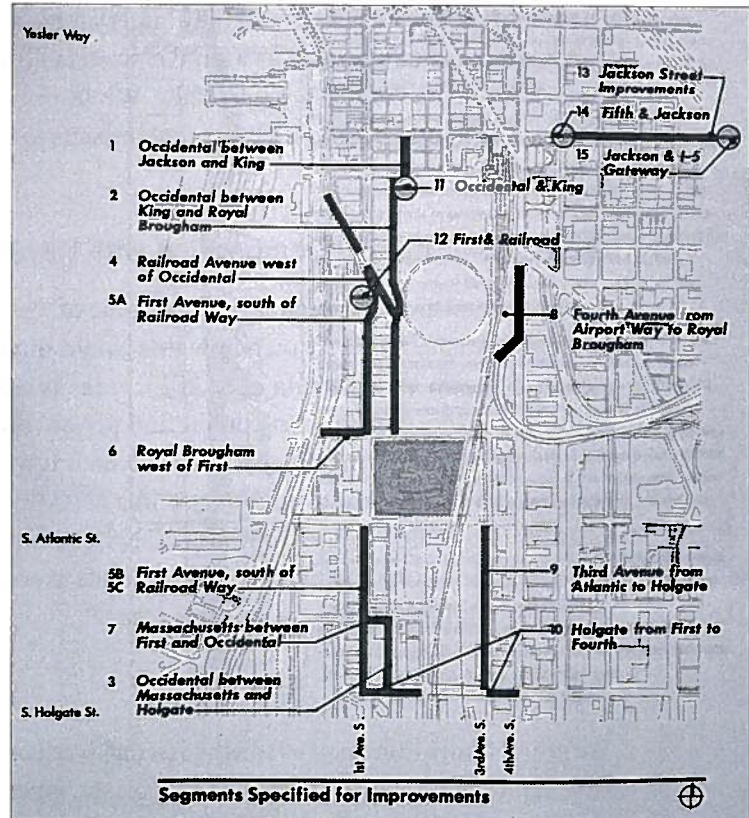
There should be analysis of arena-related traffic impacts to those travelling through or around SODO as well as to those traveling to the proposed arena during events. For example, people who work downtown and live in West Seattle may be impacted getting home on game days.

Many event attendees may take advantage of currently free surface parking to the south of the proposed arena, which would be an attractive alternative to transit and may decrease average vehicle occupancy below what was assumed in the transportation study.

In addition, the location on Occidental Avenue South defined for a pedestrian mall is currently used for charter bus queuing for other events and games. It is unclear where this would occur if this area was no longer available.



Buses queuing on Occidental Avenue South west of Safeco Field Garage after a recent Mariner's game.



Pedestrian improvements identified in the "New Pacific NW Baseball Park Pedestrian Connections Plan" prepared as one of the conditions for the vacation of Occidental Avenue South for the Mariner's Stadium.^{xxi}

4. What would be the impacts on KeyArena if it is left behind? What are some the potential concerns or impacts on Seattle Center generally in light of the Master Plan work done a few years ago? What are the Commission's thoughts about pedestrian possibilities in Uptown and South Lake Union should a new arena be sited back at Seattle Center instead?

The full impacts of a new, potentially larger arena, at Seattle Center are unknown, but the fact that KeyArena has operated as a similar sized facility for decades suggests that operational impacts could be managed successfully. While an Environmental Impact Statement may be required to understand the potential impacts to KeyArena, following issues warrant consideration:

Impacts of Potential Competition with KeyArena

A new state-of-the-art arena may draw some of the events that would otherwise be scheduled at the KeyArena; it is unknown how this would impact the overall health and welfare of Seattle Center.^{xxii} As for the question of Seattle Center as a possible location for a rebuilt arena, from a land-use perspective directing public and private investments and infrastructure to the Seattle Center and surrounding neighborhood, which is within a regionally-designated Urban Center, is significantly different from doing so in a MIC.^{xxiii} For instance, investing in the neighborhoods surrounding Seattle Center to improve services that accommodate the patrons of large events, including dining and drinking establishments as well as pedestrian thoroughfares, helps further neighborhood planning goals for this area.^{xxiv}

Public Interest

We are not fully informed as to why ArenaCo rejected the Seattle Center nor the other three sites they explored nor have we been briefed on the investor's intentions if their current preferred site is not approved. We note that a site analysis for a potential developer would be focused on issues such as land cost, associated permitting, and subsequent project and construction time to ensure an acceptable return on investment. This is very different than process for the siting of other public sports facilities; for example Safeco Field included a robust evaluation of alternative sites that considered a host of criteria including factors related to the public interest.^{xxv}

Investments in the Public Realm, Pedestrian Environment, and Transportation Network

It is well documented that transportation for major events at the Center is challenging. Similarly, transportation challenges would exist for arena patrons travelling to the proposed SODO site, where industrial uses and the movement of freight and cargo shipping are prioritized and where the potential exists for overlapping event schedules at multiple sports facilities. Any location where a new facility of this magnitude is sited would require investments in the public realm, pedestrian environment, and transportation network, as well as careful event scheduling and programming. Such required investments could be more limited in an area where a certain level of pedestrian-friendly infrastructure currently exists, such as the Seattle Center area, than in an industrial area like SODO. Without an analysis that contrasts potential sites many questions remain unanswered.

5. Any other issues or concerns that you think would be helpful to the Council as we consider this proposal?

Impacts of Potential Development "Creep"

There has been speculation about whether ArenaCo or its investors would look south of South Holgate Street or to other properties within the MIC to build required parking or other development to support the proposed arena. As stated on page 4, the City should clarify with the proponents and possible investors that South Holgate Street is a hard edge^{xxvi} for spectator sports facilities including any related non-industrial uses. If the City proceeds with developing the proposed arena at this location, Council should include clear language in the MOU that any zoning requests now or in the future to accommodate non-industrial development related to the arena will not be considered. The MIC boundaries should remain intact. We also recommend holding firm on the boundary of the Transition Area Overlay and limitations on uses allowed within the Overlay. For instance, allowing hotels within the existing Transition Area Overlay should not be considered.

Impacts on Pioneer Square and the Chinatown-International District

The City Council should better understand how this proposal will impact current efforts to revitalize Pioneer Square and the Chinatown-International District. Neighborhood businesses in Pioneer Square and the Chinatown-International District have raised concerns for years^{xxvii} that generally they see many negative impacts and few benefits from nearby spectator sporting events. While we do not have statistical information to assess this issue, it is not clear whether these communities would see a positive economic impact if an arena and associated development were to be developed in the proposed location. The proposed business model includes adjacent uses along a pedestrian mall such as retail, restaurants, and taverns along a pedestrian promenade on Occidental Avenue South between Edgar Martinez Drive South and South Massachusetts Street. While permitted under the Land Use Code, this 'entertainment zone' could draw customers who may otherwise gather in the Pioneer Square and the Chinatown-International District prior to and after events at the arena or other spectator sports facilities in the area.

In 2006, the Governor launched an initiative to study the value of marine container ports to the state's economy. Based on the findings of this initiative, the State Legislature adopted changes to the Growth Management Act that require Seattle and Tacoma to prepare new container port elements for their Comprehensive Plans. Earlier this year, Seattle adopted this new element, which includes goals to preserve cargo container activities, minimize conflicts between uses, and prevent the conversion of industrial land.

DISCLOSURES AND RECUSALS

The Seattle Planning Commission is a volunteer advisory board that provides recommendations and advise to city officials on planning, land use, transportation and community development issues. We are dedicated to conducting our business in a manner which ensures that discussions, deliberations and the resulting advice and recommendations of the Commission are open and transparent to the general public and to the officials that consult us. To ensure this transparency the Planning Commission has adopted an Ethics Management Plan. Planning Commission advice is enhanced by its broad membership. Although Commissioners exhibit a variety of interests, professional experience and opinions, they act as individuals and represent the entire city as opposed to any particular special interest group or groups (Commission Resolution 7/8/82). The disclosure of interests and affiliations of Commissioners help mitigate the appearance of a conflict of interest by better informing the public and the recipients of Seattle Planning Commission advice. We act in accordance with appropriate conflict of interest rules and standards and follow the rules outlined for advisory boards in SMC 4.16.

Commissioner Colie Hough Beck disclosed that her firm, HBB, works on commercial, multifamily, and public infrastructure projects throughout the city and that the Port of Seattle, King County and City of Seattle are clients of HBB.

Commissioner Kadie Bell disclosed that her firm, Griffin, Hill & Associates, has worked with a variety of public parties that could be affected by the arena outcome.

Luis F Borrero's firm DRVE.LLC, has a strategic partnership with Heartland LLC. Heartland LLC's current clients may be impacted indirectly by the outcomes of this decision.

Commissioner David Cutler disclosed that his firm, GGLO, works on public and private projects throughout the City that may be impacted the outcome of this project.

Commissioner Mark Johnson disclosed that his firm, Environmental Science Associates (ESA) provides consulting services to public and private clients that may be affected, including the City of Seattle (SDOT, SPU, and DPD), King County, the Port of Seattle, Seattle School District, Sound Transit, and Washington State Ferries.

Commissioner Jeanne Krikawa disclosed that the SODO Business Association is a past client.

Commissioner Amalia Leighton disclosed that her company, SvR Design, works on a variety of public and private projects in the city of Seattle including projects for the City of Seattle, Port of Seattle, and Washington State.

Commissioner Kevin McDonald disclosed that his employer, the City of Bellevue, could be impacted by the arena decision.

Commissioner Matt Roewe disclosed that his firm, Via Architecture, works on municipal planning and private development in areas of Seattle that could be influenced by the outcome of this project. He also volunteers with the Uptown Alliance who is currently asking the City for further study of a new basketball/hockey/concert arena at Seattle Center.

Commissioner Morgan Shook disclosed that his firm, BERK, has worked with a variety of public and private parties that could be affected by the arena outcome.

Commissioner Sarah Snider disclosed that her firm, LMN, does urban design and various types of architectural projects in the Seattle metropolitan area.

ENDNOTES

- i. Comp Plan 101 and Seattle's Comprehensive Plan webpages.
- ii. The Commission notes that the eastern portion of the proposed site as depicted in the May 31, 2012 presentation to City Council lies outside of the Stadium Transition Area Overlay District and is zoned Industrial General 2, which prohibits spectator sports facilities within the Duwamish Manufacturing and Industrial Center.
- iii. Seattle Municipal Code 23.74.002 B: "There should be well-defined edges between the pedestrian activity of the Stadium Transition Area and industrial activity surrounding it. The portion of Fourth Avenue South that is north of Royal Brougham and the main line railroad tracks create a strong edge to the east and should be the eastern boundary. South Holgate Street, the first major cross street to the south of Safeco Field, should be the southern boundary. Boundaries should not be shifted farther into the industrial area."
- iv. Governor's Container Ports Initiative: Recommendations of the Container Ports and Land Use Work Group Main Report, January 2009, pages 1-2: "As use of port lands has increased, our major cities face pressure to redevelop areas that have historically been industrial. While this urban development is attractive and provides many benefits, it cannot be sustained without parallel industrial economic development...competing visions for the use of our industrial shorelines, conflicts between high-traffic trucking corridors and pedestrian-friendly neighborhood redevelopment, and changes in zoning that push warehouse and distribution centers away from designated harbor areas, have the potential to significantly impair port operations and limit future economic development opportunities." The Future of Seattle's Industrial Lands, Seattle Planning Commission, 2007, page 7: "Pressure on industrial lands, a phenomenon not unique to Seattle, is a major concern for many industrial business owners...this pressure is pushing land costs up, forcing businesses out of Seattle or limiting their opportunities to expand, and promoting the increasing number of requests for the conversion of industrial lands to non-industrial uses."
- v. PSRC Vision 2040 and King County Countywide Planning Policies provide regional guidance for Seattle's Comprehensive Plans as required by the State Growth Management Act. Manufacturing and Industrial Centers are regional designations of "locations for increased employment" and a key aspect of the Regional Growth Strategy.
PSRC VISION 2040: "Regional manufacturing industrial centers are locations of more intensive industrial activity. These centers are characterized by large contiguous blocks served by the region's major transportation infrastructure, including roads, rail, and port facilities. VISION 2040 discourages non-supportive land uses in regional manufacturing industrial centers, such as retail, non-related offices, or housing, in order to preserve the basic sector industries located in these centers. These centers are expected to accommodate a significant share of the region's manufacturing employment growth."
King County Countywide Planning Policies: "Manufacturing/Industrial Employment Centers are key components of the regional economy. These areas are characterized by a significant amount of manufacturing, industrial, and advanced technology employment. They differ from other employment areas, such as business/office parks, in that a land base and the segregation of major non-manufacturing uses are essential elements of their operation."
- vi. Seattle Municipal Code 23.74 Stadium Transition Area Overlay District. As noted in ii above, the eastern portion of the proposed site appears to be outside of the transition area.
- vii. Seattle Municipal Code 23.50 Industrial.
- viii. City of Seattle's Street Vacation Policies, amended July 2009, page 4: "There is no right under the land use code or elsewhere to vacate or to develop public right-of-way. In order to do so, a discretionary legislative approval must be obtained from the City Council and, under State law, the Council may not vacate right-of-way unless it determines that to do so is in the public interest... the Council is not bound by land use policies and codes in making street vacation decisions and may condition or deny vacations as necessary to protect the public interest. The City will generally deny vacations as necessary to protect the public interest. The City will generally not support vacations that do not advance City planning goals, particularly if inconsistent with the desired intensity of development and preferred uses."
- ix. Greater Duwamish Manufacturing and Industrial Center neighborhood plan, April 27, 1999, page i.

- x. RCW 36.70A.085 requires the container port element for Seattle's Comprehensive Plan. Findings – Intent – 2009 c514: “(1) The legislature finds that Washington's marine container ports operate within a complex system of marine terminal operations, truck and train transportation corridors, and industrial services that together support a critical amount of our state and national economy, including key parts of our state's manufacturing and agricultural sectors, and directly create thousands of high-wage jobs throughout our region. (2) The legislature further finds that the container port services are increasingly challenged by the conversion of industrial properties to nonindustrial uses, leading to competing and incompatible uses that can hinder port operations, restrict efficient movement of freight, and limit the opportunity for improvements to existing port-related facilities. (3) It is the intent of the legislature to ensure that local land use decisions are made in consideration of the long-term and widespread economic contribution of our international container ports and related industrial lands and transportation systems, and to ensure that container ports continue to function effectively alongside vibrant city waterfronts.”
- xi. Puget Sound Regional Council 2002 Urban Centers Report Duwamish Manufacturing/Industrial Center, page 2: “The regional significance of the Greater Duwamish Manufacturing and Industrial Center to the City of Seattle and the Puget Sound Region cannot be overemphasized... The Duwamish MIC provides the largest concentration of family wage jobs in the Puget Sound region, generating enormous tax and export revenues... The MIC is a vital international trade and transportation crossroads, receiving and distributing goods via roadway, water, rail and air. It's ability to provide multiple modes of transportation represents a unique asset to the region and an enhancement to the local business environment.” King County Countywide Planning Policies, updated December 2010: FW-15, FW-16, LU-51, LU-52, LU-54, LU-58, and LU-60.
- xii. Seattle Comprehensive Plan, Urban Village Element: UVG23 Promote the use of industrial land for industrial purposes. UV21 Promote manufacturing and industrial employment growth, including manufacturing uses, advanced technology industries, and a wide range of industrial-related commercial functions, such as warehouse and distribution activities, in manufacturing/industrial centers. UV22 Strive to retain and expand existing manufacturing and industrial activity. UV23 Maintain land that is uniquely accessible to water, rail, and regional highways for continued industrial use. UV24 Limit in manufacturing/industrial areas those commercial or residential uses that are unrelated to the industrial function, that occur at intensities posing short- and long-term conflicts for industrial uses, or that threaten to convert significant amounts of industrial land to non-industrial uses.
- xiii. Legislative/Executive Staff Report on the Stadium Transition Area, page 4: “Over the last five years, there has been intense development in this area, including the construction of Safeco Field and the Seattle Exhibition Center and the issuance of permits for the Football Stadium... The change in development pattern and intensity justifies a re-evaluation of the zone criteria as applied to the site... recommendations include a strong connection between this area and downtown, while maintaining a clear separation between the fairly intense commercial development occurring at the north end of the Manufacturing and Industrial Center and the industrial area further south.”
- xiv. RCW 36.70A.085 finding (2). Director's Report on the Mayor's Recommended Comprehensive Plan 2011 Annual Amendments, City of Seattle Department of Planning and Development, November 2011, page 4.
- xv. Basic Industries Economic Impact Analysis, City of Seattle Office of Economic Development, July 2009, pages 27, 32-33.
- xvi. Governor's Container Ports Initiative: Recommendations of the Container Ports and Land Use Work Group Main Report, January 2009, page ii.
- xvii. America's Container Ports: Linking Markets at Home and Abroad, U.S. Department of Transportation Research and Innovative Technology Administration, January 2011, page 6, table 1.
- xviii. Ordinance 123854 adopted the new Container Port Element of Seattle's Comprehensive Plan, relevant policies include: LU3, LU5, L7, ED1, and ED2.

- xix. 1994 designation of the Duwamish MIC, Ordinance 117211; 2000 recognition of the Greater Duwamish Neighborhood Plan, Resolution 30018; 2002 PSRC Urban Centers Report; 2004 update to the Comprehensive Plan, Ordinance 121701; 2007 SPC's Future of Industrial Lands report and land use code changes; 2008 Vision 2040; 2009 update to GMA requiring the container port element; 2010 update to Countywide planning policies; 2012 update to the Comprehensive Plan adopting Seattle's Container Port Element, Ordinance 123854.
- xx. Some of the needed transportation infrastructure and programmatic investments for the Stadium Transition Overlay Area District and SODO area are detailed as part of the street vacation of Occidental for Safeco Field, Ordinance 119534; the SODO Action Agenda; the Greater Duwamish Manufacturing Industrial Center Plan; SDOT Freight Mobility Action Plan; and in other similar documents pertaining to essential infrastructure investments needed in SODO.
- xxi. Status of Ballpark Street Vacation Conditions, Washington State Major League Baseball Stadium Public Facilities District, January 15, 1999, Appendix 10, page 27.
- xxii. KeyArena Subcommittee Final Report and Recommendations Executive Summary, February 15, 2006, page 2: "In the event that the Sonics/Storm remain in this region and develop a new arena in another location, KAS recommends that the future of KeyArena be fully reevaluated, as experience from around the country shows that an arena that has lost a major league franchise which stays in the area, becomes a second-tier facility and struggles financially."
- xxiii. Vision 2040 defines urban centers as locations for housing and employment growth while manufacturing / industrial centers are locations for increased employment.
- xxiv. Relevant goals and policies can be found in the Seattle Center Century 21 Master Plan, August 2008, and Queen Anne Neighborhood Plan, January 1999, as well as the Planning Commission's Seattle Transit Communities report, which identified Uptown as one of Seattle's "transit communities with the most urgent near-term planning needs".
- xxv. Washington State Major League Baseball Stadium Project Final Environmental Impact Statement, 1996.
- xxvi. Seattle Municipal Code 23.74.002 B; see endnote iii above.
- xxvii. Washington State Major League Baseball Stadium Project Final Environmental Impact Statement, 1996, page 3-89: "While events at the Kingdome have a positive effect on some businesses, the level of impact for specific businesses generally depends on the type of event and total attendance. For some businesses and residents, however, traffic congestion and parking problems associated with large afternoon and early evening events (generally more than 15,000 attendees) have resulted in lost business. On these event days, established customers often avoid businesses in Pioneer Square because of traffic congestion and re-routing...Lack of accessibility and the ability to meet customer needs are seen as a substantial problem on these days. Some businesses, such as art galleries, book stores, and antique stores, do not believe they benefit from Kingdome events; individuals attending events are not generally their customers."

Stadium Panel Whittling List, Seattle Times, March 14, 1996: "Walter Carr, owner of the Elliott Bay Book Co., said that his business drops by 25 percent on Seahawks Sundays and that his store lost \$40,000 in sales during the baseball playoffs."

