

## CF 312905 – Amendments to Conditions

### Councilmember González Proposed Amendments

Note: language proposed to be added is underlined, deletions are shown ~~struck out~~

LG1. Amend Condition 17 related to public benefit features to require that free speech activities (such as hand billing, signature gathering, and holding signs) be allowed within the public plaza as a public benefit feature; the conditions would also require that publicly visible signage specify that these free speech activities are permitted in the publicly accessible open space on site. Further amend Condition 17 to provide for additional input into the Public Art Plan from disadvantaged communities, all as follows:

17. The Petitioner shall develop and maintain the public benefit elements described below ~~defined by the City Council~~.

~~18. The Petitioner shall execute and record a~~ A-Property Use and Development Agreement (PUDA) or other binding mechanism ~~shall be required to that~~ ensures that the public benefit elements are remain open and accessible to the public 24 hours a day, except that temporary closures are permitted for reasons such as maintenance, safety, or to provide private functions. ~~The PUDA shall describe and to outline future~~ mainten- obligations for the public benefit elements ~~improvements.~~ The PUDA shall describe the approximate square footage dimensions of public benefit elements.

The Petitioner is required to allow free speech activities at the Arena Plaza. Those activities include but are not limited to hand billing, signature gathering, and holding signs. The Petitioner may not ask persons engaged in free speech activities to leave the Plaza unless those persons are obstructing access to the Arena or adjacent areas, or unreasonably interfering with enjoyment of those spaces by others. The Petitioner shall provide signage that identifies areas open to public access and that describes free speech activity that is permitted. The signage is subject to approval by SDOT.

~~Signage clearly identifying public access is required at the public open space elements and shall require the review of SDOT Street Vacations.~~ Additional Design Commission review ~~is shall be~~ required for review of the Public Art Plan and of the permanent and programmable elements of the Plaza and Living Machine. When

developing and implementing the Public Art Plan the Petitioner shall seek recommendations from artists, ~~tribes and tribal artists from the area and across the state,~~ and other members of communities in the vicinity of the Duwamish Manufacturing/Industrial Center (MIC), including the Chinatown/International District, Beacon Hill, Georgetown, South Park, and Delridge neighborhoods.

~~19. The final design of the public benefit elements requires review and approval by SDOT. SDOT may request additional review by the Design Commission of the implementation of the public benefit elements, ~~or the pedestrian enhancements, or ; and of the final design of 1st Avenue South, as necessary.~~ Public benefit elements located in the right-of-way require ~~additional~~ street use permits and indemnification agreements. The Petitioner is required to place markers in the sidewalk to demarcate ; public and private areas ~~must be distinguished and markers in the sidewalk shall be required.~~ The public benefit elements are: requirements include the following features as well as corresponding development standards, including approximate square footage dimensions, which shall be outlined in the PUDA:~~

Public Benefit		Description
On Site		
1.	Living Machine	<ul style="list-style-type: none"> <li>• On-site gray and black water treatment and reuse with 4 million gallon capacity</li> <li>• Explore the feasibility of including additional capacity to allow future other users to connect in a “District” fashion</li> </ul>
2.	Arena Plaza	<ul style="list-style-type: none"> <li>• 31,800 s.f. of publicly-accessible neighborhood open space               <ul style="list-style-type: none"> <li>○ 2 water features</li> <li>○ 2 drinking fountains</li> <li>○ Pedestrian lighting achieving 1 foot candle average</li> <li>○ 300 l.f. of permanent public seating</li> <li>○ Temporary public seating per programming needs</li> </ul> </li> <li>• Plaza shall include public programming for non-event days with focus on equitable programming               <ul style="list-style-type: none"> <li>○ Plaza shall include utility connections (water, power) to facilitate programming flexibility</li> <li>○ 500 s.f. event storage space for programming in arena building</li> </ul> </li> <li>• Provides <del>Park Hour</del> access to arena public restrooms during non-event days to facilitate programming</li> </ul>
3.	Public Art Plan	<ul style="list-style-type: none"> <li>• Art Program Budget is 1.5% of total project cost</li> </ul>

Public Benefit		Description
		<ul style="list-style-type: none"> <li>○ Program led by collaborating/lead artist</li> <li>○ Art shall be coordinated between arena building and pedestrian bridge</li> <li>○ At least 1 piece of anchor art in plaza <u>shall be provided with the participation of artists from communities in the vicinity of the Duwamish MIC as well as tribes and tribal artists from the area and across the state</u></li> <li>○ Several other pieces of permanent integrated art</li> <li>○ Temporary artworks, installations, programming as part of Art Plan</li> <li>○ Project cost defined as construction cost plus consultant fees</li> </ul>
Adjacent Public R.O.W.		
4.	S. Massachusetts ROW Realignment and Curbless Street	<ul style="list-style-type: none"> <li>● Dedication of 2,400 s.f. of private property to public ROW</li> <li>● Creation of curbless street between 1<sup>st</sup> and Occidental <ul style="list-style-type: none"> <li>○ 16,000 s.f. of concrete and granite resurfacing, drainage, channelization and new signage</li> <li>○ 15 street trees</li> <li>○ 20 linear feet of seating</li> <li>○ Pedestrian lighting 1 foot candle average</li> </ul> </li> </ul>
5.	1 <sup>st</sup> Ave S. Improvements on Property Frontage	<ul style="list-style-type: none"> <li>● Expanded and upgraded pedestrian streetscape, includes: <ul style="list-style-type: none"> <li>○ Rain garden/swale</li> <li>○ Pedestrian lighting 1 foot candle average</li> <li>○ Permanent pedestrian seating</li> </ul> </li> </ul>
6.	S. Holgate Improvements on Property Frontage	<ul style="list-style-type: none"> <li>● Enhanced pedestrian streetscape, subject to SDOT design of S. Holgate St., which includes: <ul style="list-style-type: none"> <li>○ Rain garden/swale</li> <li>○ Pedestrian lighting 1 foot candle average</li> </ul> </li> </ul>
Off-Site Benefits		
7.	Implement Bicycle Master Plan Improvements	<ul style="list-style-type: none"> <li>● Complete public bicycle facilities from existing waterfront trail to arena site to Starbucks</li> <li>● Improvements implement the Bicycle Master Plan: <ul style="list-style-type: none"> <li>○ Improve Atlantic Street multi-use trail (600 l.f.)</li> <li>○ Complete and repave Utah Avenue Neighborhood Greenway from S. Atlantic St. to S. Stacy (2,800 l.f.)</li> <li>○ Complete S. Massachusetts multi-use trail (175 l.f.)</li> </ul> </li> </ul>

Public Benefit		Description
		<ul style="list-style-type: none"> <li>○ Complete S. Holgate St. multi-use trail (160 l.f.)</li> <li>○ Bicycle wayfinding signage (12 or more signs)</li> <li>○ Bicycle signal at S. Atlantic St. Crossing to Waterfront Trail</li> </ul>
8.	S. Massachusetts ROW between Utah and 1 <sup>st</sup> Ave	<ul style="list-style-type: none"> <li>● Realignment of street, construction of curb &amp; gutter, drainage, channelization and signage on both sides of S. Massachusetts St. <ul style="list-style-type: none"> <li>○ 12,500 s.f. of new asphalt resurfacing, curb and gutter, channelization and signage</li> <li>○ 8 street trees</li> <li>○ 2,600 s.f. of rain garden/swale</li> </ul> </li> </ul>
9.	S. Holgate St. off-site (south side of S. Holgate)	<ul style="list-style-type: none"> <li>● Street realignment, asphalt resurfacing and repair, channelization and signage, per SDOT direction <ul style="list-style-type: none"> <li>○ Drainage improvements as required</li> <li>○ Sidewalks</li> <li>○ Rain garden/swale</li> <li>○ 8 street trees</li> </ul> </li> </ul>
10.	1 <sup>st</sup> Ave. S. between S. Massachusetts and Edgar	<ul style="list-style-type: none"> <li>● Construct new frontage improvements per SDOT approval <ul style="list-style-type: none"> <li>○ New sidewalks</li> <li>○ Street trees</li> <li>○ Rain garden/swales</li> <li>○ Pedestrian lighting at 1 foot candle average</li> </ul> </li> </ul>