



November 22, 2019

Lisa Spadoni
Principal Planner
City of Tacoma Planning and Development Services
747 Market Street, Room 345
Tacoma, WA 98402
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RE: Point Ruston Development – FEIS Addendum Request for Comments (LU 19-0116)

Dear Ms. Spadoni,

The City of Ruston has reviewed the SEPA Environmental Checklist related to the proposed Point Ruston FEIS Addendum (LU 19-0116) and found that the information provided is incomplete and does not provide adequate mitigating measures to address anticipated impacts resulting from the expanded project scope. Although Ruston is generally supportive of the proposal to utilize the site more efficiently, we are concerned that proposed increases to residential density, commercial floor area, and on-site parking, as well as an overall reduction in the *quality* of open space will cause unmitigated impacts to multi-modal traffic networks, emergency services, and open space. Furthermore, this action undermines and contradicts specific mitigation that was required under the FEIS to offset the original project without adding expanded and/or improved mitigation to make up for this reduction. By increasing the project density while reducing mitigation, the environmental protection created by the original FEIS mitigation is no longer valid.

We are also concerned that the site plan included with the application is not consistent with Ruston's zoning standards, as provided in Ruston Municipal Code (RMC) 25.01.061 - Point Ruston Master Development Plan (PRMDP). Although there are multiple instances of inconsistencies, a few examples include the addition of Building 10C and the elimination of the Cooling Pond open space; conversion of Wellness Center Plaza to a surface parking lot above Building 9; and conversion of the Silver Cloud Hotel shoreline public access located between Buildings 15A/B/C, 16 and 17 to a surface parking lot – all of which would require an amendment to either the zoning code or the PRMDP. Alternatively, the applicant may relinquish vesting under the PRMDP and instead utilize the City of Ruston's Form-Based Code which is intended to mirror the requirements and expectations of the Point Ruston Master Development Plan while also encouraging increased flexibility, clearer expectations and streamlined permit processing. The Form-Based Code is currently in draft development and review with city staff and the Ruston Planning Commission. We anticipate this will be adopted by the City Council prior to the date the applicant intends to begin development of the Building

10C site. Recent conversations with the applicant indicate that there is interest in utilizing Ruston's updated code when completed.

With the above in mind, the City of Ruston requests that the City of Tacoma require the applicant to provide the following additional information and/or mitigating measures:

- 1) **Revised Site Plan.** The site plan provided with the application does not accurately represent the approved project within the City of Ruston. An accurate existing approved site plan consistent with the current FEIS and Point Ruston Master Development Plan (PRMDP) must be provided along with a proposed site plan that clearly labels and quantifies all changes.
- 2) **Revised Open Space Exhibit.** The open space exhibit provided as Appendix F – Open Space Exhibit, does not adequately describe the proposed changes to the quality of “interior public access”. The site plan included within the existing Point Ruston FEIS indicates that much of this space includes a significant amount of pedestrian-oriented space, particularly within the view corridors, yet in many instances these areas have been converted to vehicle driveways, parking lots and utility vault pads. For example, refer to FEIS Figures 7, 10 and 11 (attached) which show details for the Island View Corridor and Silver Cloud Hotel Shoreline Public Access open space (the park and pedestrian area between Buildings 15, 16 and 17). According to the approved site plans and the Silver Cloud Hotel Substantial Shoreline Conditional Use Permit, these areas are required to primarily include landscaping, pedestrian walkways and plaza spaces. Instead, what has been constructed in the Island View Corridor is mainly comprised of vehicle driveways, parking lots, utility vaults and minimum width sidewalks – likely in exchange for the large plaza constructed out in front of the theater. However, this same reduction in quality is proposed within the Silver Cloud Shoreline Public Access as well (see FEIS Appendix F) – without any discussion of commensurate mitigation being provided elsewhere on site. With the proposed added density, the open space area and quality that was required in the FEIS must be expanded to mitigate the higher intensity project. Instead, the mitigation required in the FEIS for the original project is not even provided. This is inconsistent with the goals and standards contained in SEPA.

In order to fully assess the net change to the quality of the open space proposed, a revised open space exhibit must be provided which eliminates all vehicle access, parking areas, utility vault pads, and inundated lands waterward of the ordinary high-water mark as these areas and facilities are not true open space, nor are they functionally available for pedestrian or recreational use. It is also the City of Ruston's position that areas along the Waterwalk which were originally proposed as public open space which have since been privatized should not be included in the open space area calculations for the purposes of determining the appropriateness of mitigation. In summary, the City of Ruston requests that revised open space area calculations for both the existing FEIS

and proposed Addendum exhibits and that areas “counted” for open space be limited to include only those publicly accessible upland areas which are either landscaped, left natural, or are intended for pedestrian access only.

- 3) **Revised Traffic Impact Analysis (TIA).** The TIA provided with the FEIS Addendum application focuses only on vehicular traffic impacts; fails to consider other modes of transportation such as transit, bicycles and pedestrians; was limited to two days in November and is not representative of seasonably higher traffic volumes in the spring and summer; and is significantly outdated due to the increased development and the addition of a fifth driveway. With these concerns in mind, the City of Ruston requests that the City of Tacoma require an updated traffic impact analysis comprised of new traffic counts during a longer period of time and which includes data from other recent TIA’s such as the one completed by Metro Parks Tacoma in December of 2018 for the Point Defiance project. This updated TIA, if provided by the applicant, should also be peer reviewed by an unbiased third-party traffic engineer that addresses all modes of transportation.

Additionally, we recommend that the following mitigation items (which are shown in more detail on **Attachment A – City of Ruston/Point Ruston FEIS Addendum**), be incorporated into the project requirements as combined potential mitigation items to address both multi-modal traffic and open space impacts:

- a. **Waterwalk/Promenade Capacity.** The width of the hard-surface Waterwalk/Promenade path as constructed is not consistent with the width depicted on the FEIS site plan, PRMDP site plan, or Silver Cloud Hotel Shoreline Substantial Development Permit site plan. The revised multi-modal TIA requested above should also consider impacts to the capacity of this transportation route and provide for mitigating measures to increase its width and capacity. More specifically, improvements should be made to separate bicycle/scooter traffic from pedestrian traffic through a combination of lane striping, surface textures, curbing, signage and/or other alternate methods.
- b. **Promontory Hill Park Design and Construction Schedule.** The existing FEIS requires Promontory Hill Park to be designed to Metro Parks Tacoma (MPT) standards for a “Neighborhood Park”, which is dedicated to the public as permanent open space (via easement preferred), and includes a children’s play area, large open fields suitable as a sports field, picnic shelters, interpretive signage, and other general site enhancements. According to MPT standards, adequate parking would also be required, which would be most appropriately located along the Bennett Street frontage from N 53rd to N 54th as parallel on-street parking. The City of Ruston requests that the design and conveyance of an

easement for the park be completed prior to occupancy of the first of either Building 10A, 10B, 10C, 12, 14, 15A, 15B, 15C or 16, and that construction be completed prior to occupancy of the second building. Clarification on this park as required mitigation, including standards and timing, should be part of any FEIS Addendum or Supplemental EIS.

- c. **Yacht Club Road Street Vacation.** Yacht Club Road functions as a shared private access driveway for Metro Parks Tacoma and Point Ruston and should not be maintained or owned by the public at tax-payer expense. For this reason, Yacht Club Road should be vacated.
- d. **52nd Street Pedestrian Connection and Alley.** A pedestrian and vehicle access facility connecting upper Ruston and north Tacoma residential neighborhoods to the Point Ruston site along the south side of Promontory Hill Park, behind Building 12 to a crossing at Yacht Club Road and the Ruston Market should be constructed by Point Ruston as mitigation. The alley/walkway should be available for pedestrians and also for utility/vehicle access to the rear of buildings fronting on 51st Street, including Building 12. This mitigation item must be completed prior to occupancy of Building 12.
- e. **Ruston Loop Trail Connection through Buildings 10A/B to Central Avenue.** This pedestrian connection from the future Ruston Loop Trail at Rust Park, through Buildings 10A and 10B, with a mid-block crossing at Ruston Way and Central Ave should be required as mitigation to partially address the impacts created by the expanded density and project scope. The addendum should clarify that this improvement needs to be completed prior to occupancy of either Building 10A or 10B.
- f. **Baltimore Street Improvements.** All existing improvements required under the current FEIS between the N 51st/Baltimore roundabout and N 46th Street shall remain as required mitigation. The City of Ruston understands that the City of Tacoma is in possession of a bond intended to cover the cost of construction of this mitigation item – which was intended to allow the developer to occupy Building 3 – Baker Building, since it caused the project to reach the traffic generation threshold triggering construction. It is Ruston’s position that this mitigation item must be constructed without delay. The existence of a bond in and of itself does not create the traffic mitigation facilities improvements that are necessary to serve this project.

The above mitigation items are consistent with, and supported by, the City of Ruston Comprehensive Plan; City of Ruston Zoning Code; Point Ruston Master Development

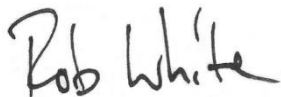
Plan; Silver Cloud Hotel Shoreline Substantial Development and Conditional Use Permit; and the Tacoma/Ruston joint application to designate the Point Ruston project as a Countywide Center of Local Importance (CoLI). The need to provide ample quality open space and multi-modal connectivity routes within the Point Ruston CoLI and extending out to the surrounding neighborhoods in both Ruston and North Tacoma was not addressed in either the TIA or the overall proposed FEIS addendum. Without this information, a complete review of the proposal's impacts to open space and multi-modal transportation routes cannot occur.

- 4) **Emergency Services Needs Analysis.** Medical Aid mitigation already required to be provided to the City of Ruston under the FEIS has not yet been provided to date. The additional residential units and commercial floor area proposed in this addendum are anticipated to create significant additional burdens upon Ruston's existing fire, medical aid, and police departments. In order to assess the anticipated impacts, the City of Ruston requests that the applicant be required to provide an Emergency Services Needs Analysis that includes specific recommended mitigating measures prior to occupancy of any buildings not already under construction in Ruston.

Until further clarification regarding the modified scope proposed under this addendum is provided by the applicant, the City of Ruston cannot determine whether this application should be processed as an addendum to the FSEIS or as a Supplemental EIS. This will largely depend on whether or not revised mitigating measures are equitable with those originally required – specifically with regards to quantity and quality of open space, off-site and on-site multi-modal traffic mitigation, and provision of emergency services facilities needed to support the project.

Please feel free to contact me with any questions or concerns regarding Ruston's review comments at (253)759-3544 or by email at robw@rustonwa.org.

Sincerely,



Rob White
Planning Director
City of Ruston

Attachments:

Attachment A – City of Ruston/Point Ruston FEIS Addendum Comments on FEIS Figure 11
Existing FEIS Site Plan and Exhibits
FEIS Addendum Open Space Comparison Exhibit from Applicant