



May 22, 2020

Lisa Spadoni  
Principal Planner  
City of Tacoma Planning and Development Services  
747 Market Street, Room 345  
Tacoma, WA 98402  
[lspadoni@cityoftacoma.org](mailto:lspadoni@cityoftacoma.org)

**RE: Point Ruston Development – Building 9/11A Site Plan Review (SDEV 19-0116)**

Dear Ms. Spadoni,

The City of Ruston has reviewed the above referenced permit application for compliance with the Ruston Municipal Code and found that the application materials provided are not approvable as submitted since they are both incomplete and non-compliant. The project proposal as submitted requires review and processing of a SEPA Environmental Checklist and Supplemental Environmental Impact Statement; submittal of an application for a Major Amendment to the Point Ruston Master Development Plan; and payment of all connection and review fees in accordance with the Ruston-Tacoma Coordinated Permitting Interlocal Agreement (ILA). Further detail regarding these issues is provided below.

**1. SEPA/Supplemental Environmental Impact Statement is required.**

If approved, the proposal contemplated in this application would permit the Point Ruston project to exceed the maximum residential density and commercial floor area provided in the approved Point Ruston Final Supplemental Environmental Impact Statement (FSEIS). As such, the City of Ruston expects all associated mitigation within its jurisdiction as described in the FSEIS to be provided prior to occupancy of Building 9/11A, including the following:

- 1) Design and Construction of Promontory Hill Park
- 2) Design and Construction of all Baltimore Street Improvements (which are located both in Ruston and in Tacoma)
- 3) Design and Construction of Emergency Services Facilities
- 4) Design and Construction of a "Ruston Entry Sign" within the South Roundabout, (see FSEIS, Figure 10 – Park Enhancements, mitigation item G.3.)

Additionally, the increased project scope creates significant adverse environmental impacts which have not yet been reviewed under the proper SEPA process. The City of Ruston's interpretation of SEPA requirements conclude that a Supplemental Environmental Impact Statement is required, not an Addendum as is currently being considered by the City of Tacoma.

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WAC 197-11-706 defines "Addendum" as:

"...an environmental document used to provide additional information or analysis that does not substantially change the analysis of significant impacts and alternatives in the existing environmental document..."

WAC 197-11-800 provides exemption from the SEPA process for projects which fall below specific thresholds. Projects below these thresholds could reasonably be considered to be of a size and scale which would not substantially change the scope of the overall project. Thresholds applicable to the current proposal include those concerning multifamily and commercial developments, and surface parking. As stated in the list of exemptions, multifamily projects with four or fewer units, commercial projects of less than 4,000 square feet, and associated parking facilities of twenty or fewer stalls are not required to undergo the SEPA review process.

As proposed, Building 9/11A includes approximately 206 residential units, 78,656 square feet of commercial floor area, and 139 surface parking spaces, (69 of which eliminate plaza space which was a required part of the FSEIS mitigation for this project). If reviewed as a stand-alone project outside of the Point Ruston project, this proposal would require SEPA review as it exceeds exemption thresholds. If approved, Building 9/11A would cause the Point Ruston project to far exceed the approved FSEIS project scope and result in substantial change. The increase in residential unit density alone would likely cause the population of the City of Ruston to grow by as much as 40-45%. As such, the proper process for this proposal is a Supplemental Environmental Impact Statement, not an Addendum. This process must be completed prior to site plan approval.

Required mitigation related to the expanded scope includes the following:

- 1) Increased Capacity and Bicycle/Scooter Lane Separation for the Waterwalk/Promenade;
- 2) Design and Construction of 52nd Place for Improved Pedestrian Connectivity and Alley Access;
- 3) Design and Construction of a Ruston Loop Trail Segment Between Buildings 10A/B, and Signalization of Ruston Way Pedestrian Crossings; and
- 4) Additional Emergency Services Facilities and Equipment.

Please refer to the attached SEPA comment letters previously submitted by the City of Ruston which are dated November 22, 2019 and February 7, 2020 for additional details on the above referenced project scope exceedance; and required mitigation and supporting regulations and policies. Those letters are adopted herein and incorporated as part of the City of Ruston's comments for this permit review.

## **2. Master Development Plan – Major Amendment Required.**

The Point Ruston Master Development Plan (PRMDP) as codified in RMC 25.01.061 includes a Site Plan and specific textual requirements concerning quality urban design, open space, park enhancements, and pedestrian connectivity and safety, which the proposal does not comply with. Additionally, the Point Ruston FSEIS and Silver Cloud Hotel Shoreline Development Permits include several figures and exhibits identifying various required park enhancements/open space areas and pedestrian connectivity routes which this permit application proposes to eliminate. In addition to being inconsistent with the FSEIS and eliminating required mitigation from the FSEIS (such as open space and pedestrian amenities), the modifications to the Point Ruston Master Development Plan (PRMDP) as proposed in this application require an amendment to the master development plan be granted prior to site plan approval. As proposed, this amendment would be classified as a major amendment, not a minor amendment.

According to RMC 25.08.040(b), minor amendments include any modification to the original approved MDP which:

- A) Does not increase the overall project maximum building height;
- B) Does not decrease the width of any required view corridors;
- C) Does not result in a net decrease in the quality or quantity of open space (when considering net open space, the Mayor or his designee may consider increased quality of open space or provision of landmark buildings in exchange for proposed reductions in bulk square footage of open space);
- D) Does not result in reduced pedestrian connectivity (relocation of pedestrian routes is permissible);
- E) Does not result in a net decrease in overall urban design quality. For the purposes of evaluating urban design quality the Mayor or his designee shall utilize modern planning concepts for walkable communities, such as those supported by the Congress for New Urbanism and implemented through the use of a smart code or form-based code. In any decision to allow modification to a master development plan, pedestrian comfort and safety shall be considered to be more important than vehicular convenience.

According to RMC 25.08.040(c)(2), modifications to an existing approved MDP which are not classified as a minor amendment shall be classified as a major amendment. Major amendments shall be processed in accordance with Title 19 RMC, which requires a public hearing before the Ruston hearing examiner and compliance with Chapter 25.08 RMC.

Some of the proposed master development plan reconfiguration and rearrangement of open spaces may be acceptable, but only after approval of a major amendment to the Point Ruston Master Development Plan has occurred. Proposed changes that are included in this application that trigger the requirement for a major amendment include the following:

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**1) Elimination of Cooling Pond Open Space/Addition of Building 10C and Surface Parking.**

The proposed plans indicate that the 75,000+ square foot open space and water feature, (commonly referred to as the “cooling pond”), is to be replaced with approximately 30,000 square feet of commercial space and an associated 76-stall surface parking lot, identified as Building 10C.

**2) Elimination of Building 9 Open Space (Wellness Center Plaza)/Conversion to Surface Parking Lot.**

The proposed plans indicate that the Wellness Center Plaza open space and continuous commercial frontage along Central Avenue and above Building 9 are to be replaced with a surface parking lot at roof level P3 of the parking garage. This proposed modification to the site plan eliminates required open space and significantly impacts the urban design quality of Central Avenue, which is classified as a pedestrian-oriented street by RMC 25.06.050(a) because it serves as the primary pedestrian link between the waterfront and thousands of surrounding Ruston and North Tacoma residents as they traverse the Point Ruston site through Market Plaza, Central Avenue, Central Plaza, Main Street and Grand Plaza to the water.

Under the current PRMDP Site Plan, this key pedestrian link between the Project and the surrounding community is expected to have continuous commercial storefronts along both sides of Central Avenue, complete with pedestrian weather protection (awnings) and other Main Street-style amenities and street furnishings. The submitted site plan and landscape plan, (provided with BLDCN19-0087, but not with this permit), indicate that eight potted plants, two driveways and two gates are intended to replace the multi-story pedestrian-oriented commercial frontage that is expected at this location, allowing the surface parking lot to be visible from Central Avenue, Market Plaza and Building 11B.

**3) Elimination of Pedestrian Connectivity.**

The proposed plans indicate that multiple pedestrian connectivity routes and street crossings linking Ruston Way, Building 11B, Central Avenue, Main Street, Grand Avenue, Market Plaza, Wellness Center Plaza, and between Buildings 9A/B/C are to be eliminated.

**4) Elimination of Open Space/Conversion of Shoreline Public Access to Surface Parking.**

The proposed Overall Point Ruston Site Plan submitted with this application indicates that the open space and shoreline public access space associated with the FSEIS, Point Ruston Master Development Plan, and Silver Cloud Shoreline Substantial Development Permits are to be eliminated and/or partially converted to a surface parking lot and access driveway located north of, and serving Building 16. Please refer to FSEIS Figure 11 (Site Plan – Connectivity), the PRMDP Site Plan (RMC 25.01.061), and the Silver Cloud Hotel Shoreline Substantial Development Permit for site illustration details; and RMC 25.01.061(m), (Table 9-1), which explains that the open space and shoreline public access shall be a “park-like” open space located between Buildings 15 and 16/17 consisting of a

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“grassy area with trees and landscaping with a sidewalk or trail leading from Yacht Club Road to the shoreline promenade.”

**5) Reduction in Urban Design Quality - Parking Lot Between Building 16 and Yacht Club Rd.**

The proposed Overall Point Ruston Site Plan submitted with this application and related SEPA documents indicate that the Building 16 building façade required along Yacht Club Road has been eliminated and replaced with a surface parking lot between the building and the street. Placement of parking lots between the street and buildings would result in a significant reduction in urban design quality.

Because the application proposes to decrease the quality and quantity of required open space; reduces pedestrian connectivity; and results in a decrease in overall urban design quality, a **major** amendment to the Point Ruston Master Development Plan is required, prior to site plan approval. Major amendments are considered a quasi-judicial decision and are processed in accordance with RMC Title 19, which requires that a public hearing be held before the Ruston Hearing Examiner.

In preparing the amendment application, the applicant should be reminded that proposed revisions specific to open space, pedestrian connectivity, and urban design quality elements associated with Building 9/11 will be reviewed for compliance with RMC 25.01.061 (k)(9), which requires screening of parked cars from Central Avenue, and RMC 25.06.050(a) which requires Central Avenue to be designed as a pedestrian-oriented street, and RMC 25.01.061(k)(15) which states:

Provide continuous pedestrian links between buildings, sites, promenade, open spaces and public rights-of-way within and adjacent to the Point Ruston project. Pedestrian path layouts shall be designed to provide convenient connections between common areas, public greens, building entrances, shorelines, and the public right-of-way. This may require pedestrian paths between buildings or through parcels in addition to typical street-side walkways. Where walkways cross vehicle driveways or roads they shall be illuminated and constructed of paving materials that are visually distinct from asphalt paving.

RMC 25.06.050(c) further states that vehicle access from pedestrian-oriented streets is prohibited, unless additional design criteria identified in the code are met. Additionally, RMC 25.06.050(d) provides specific guidance for the design of parking structures.

**3. Payment of Utility Connection Fees (Electrical and Sewer).**

As acknowledged by Point Ruston on page 8 of the Project Narrative and Summary submitted with this application, the City of Ruston has been, and will continue to be the provider of sanitary sewer and power services to the Point Ruston project within Ruston. Point Ruston also acknowledged that these utilities are consistent with the PRMDP and have been installed in

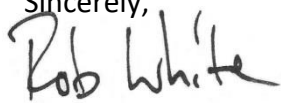
May 22, 2020

accordance with the utility providers' design standards. Utilities related to Building 9/11 were installed under City of Ruston permits SPR 14-01, SPR 14-02, and RST 14-1312.

Prior to issuance of building permits associated with this site plan review, the applicant must pay all connection fees, as identified in the sewer and electrical utilities availability letter provided to the applicant on November 2, 2019 (see attached).

If you have any questions or concerns about the details of this review, or would like to schedule a meeting to discuss the project in greater detail, please do not hesitate to call me at (253)759-3544 or by email at [robw@rustonwa.org](mailto:robw@rustonwa.org).

Sincerely,

A handwritten signature in black ink that reads "Rob White". The signature is written in a cursive, slightly slanted style.

Rob White  
Community Development Director  
City of Ruston

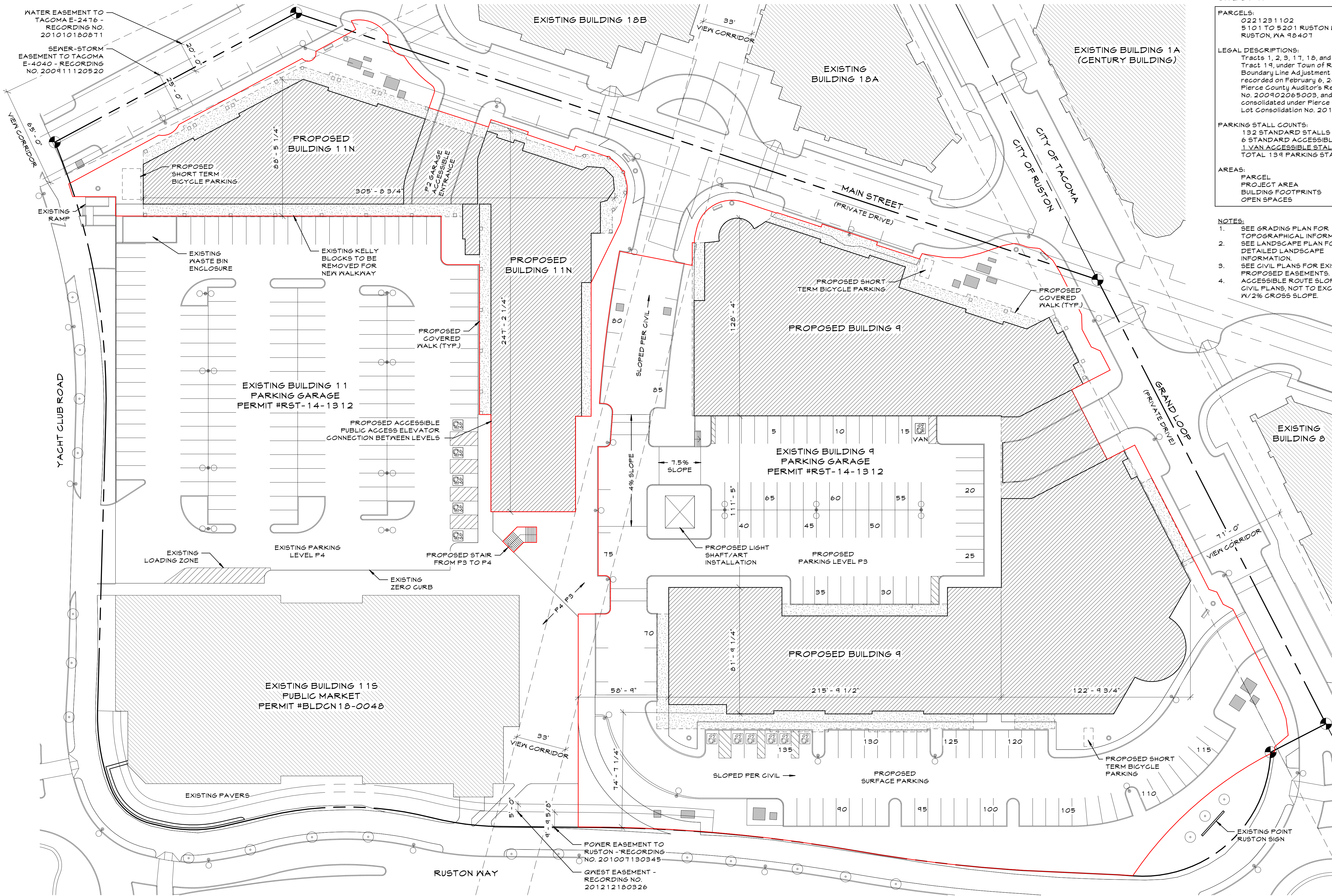
Enclosures

Cc: Bruce Hopkins, Mayor  
Jennifer Robertson, City Attorney

Attachments:

Sewer and Power Services Availability Letter of November 1, 2019  
City of Ruston FEIS Addendum Comment Letter of November 22, 2019  
City of Ruston FSEIS Addendum Comment Letter of February 7, 2020  
Point Ruston FSEIS Figure 7 - Overall Site Plan  
Point Ruston FSEIS Figure 10 - Park Enhancements Plan  
Point Ruston FSEIS Figure 11 - Pedestrian Connectivity Plan  
Proposed Architectural Site Plan  
Proposed Overall Point Ruston Site Plan





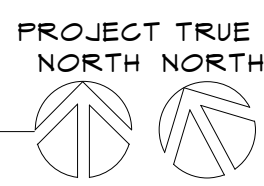
#### SITE DATA

PARCELS:	
0221231102	
5101 TO 5201 RUSTON WAY	
RUSTON, WA 98407	
LEGAL DESCRIPTIONS:	
Tracts 1, 2, 3, 11, 18, and portion of	
Tract 19, under Town of Ruston	
Boundary Line Adjustment No. 08-01	
recorded on February 6, 2009 under	
Pierce County Auditor's Recording	
No. 200902065003, and	
consolidated under Pierce County	
Lot Consolidation No. 2011-0217.	
PARKING STALL COUNTS:	
132 STANDARD STALLS	
6 STANDARD ACCESSIBLE STALLS	
1 VAN ACCESSIBLE STALL	
TOTAL 139 PARKING STALLS	
AREAS:	
PARCEL	7.54 AC
PROJECT AREA	4.29 AC
BUILDING FOOTPRINTS	1.82 AC
OPEN SPACES	3.30 AC

#### NOTES:

1. SEE GRADING PLAN FOR TOPOGRAPHICAL INFORMATION.
2. SEE LANDSCAPE PLAN FOR DETAILED LANDSCAPE INFORMATION.
3. SEE CIVIL PLANS FOR EXISTING AND PROPOSED EASEMENTS.
4. ACCESSIBLE ROUTE SLOPES PER CIVIL PLANS, NOT TO EXCEED 5% W/2% CROSS SLOPE.

1 ARCHITECTURAL SITE PLAN  
1" = 30'-0"



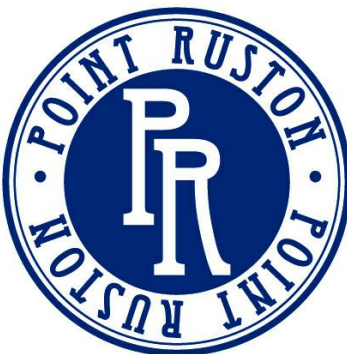
#### LEGEND:

- PROPERTY LINE
- OVERHANG
- EASEMENT
- VIEW CORRIDOR
- PROJECT SCOPE

- ASPHALT
- CONCRETE
- PAVERS
- LANDSCAPING
- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- ACCESSIBLE ROUTE

- SITE LIGHT
- ACCESSIBLE PARKING
- UTILITY VAULT
- TREE
- TRASH CAN
- BENCH
- PEDESTRIAN COVER

PROPOSED ARCHITECTURAL SITE PLAN - NOT APPROVED



**BUILDING 11-9**  
5123 YACHT CLUB ROAD AND 5101 &  
5107 GRAND LOOP

POINT RUSTON, LLC

5219 N SHIRLEY ST, STE 100  
RUSTON WA 98407

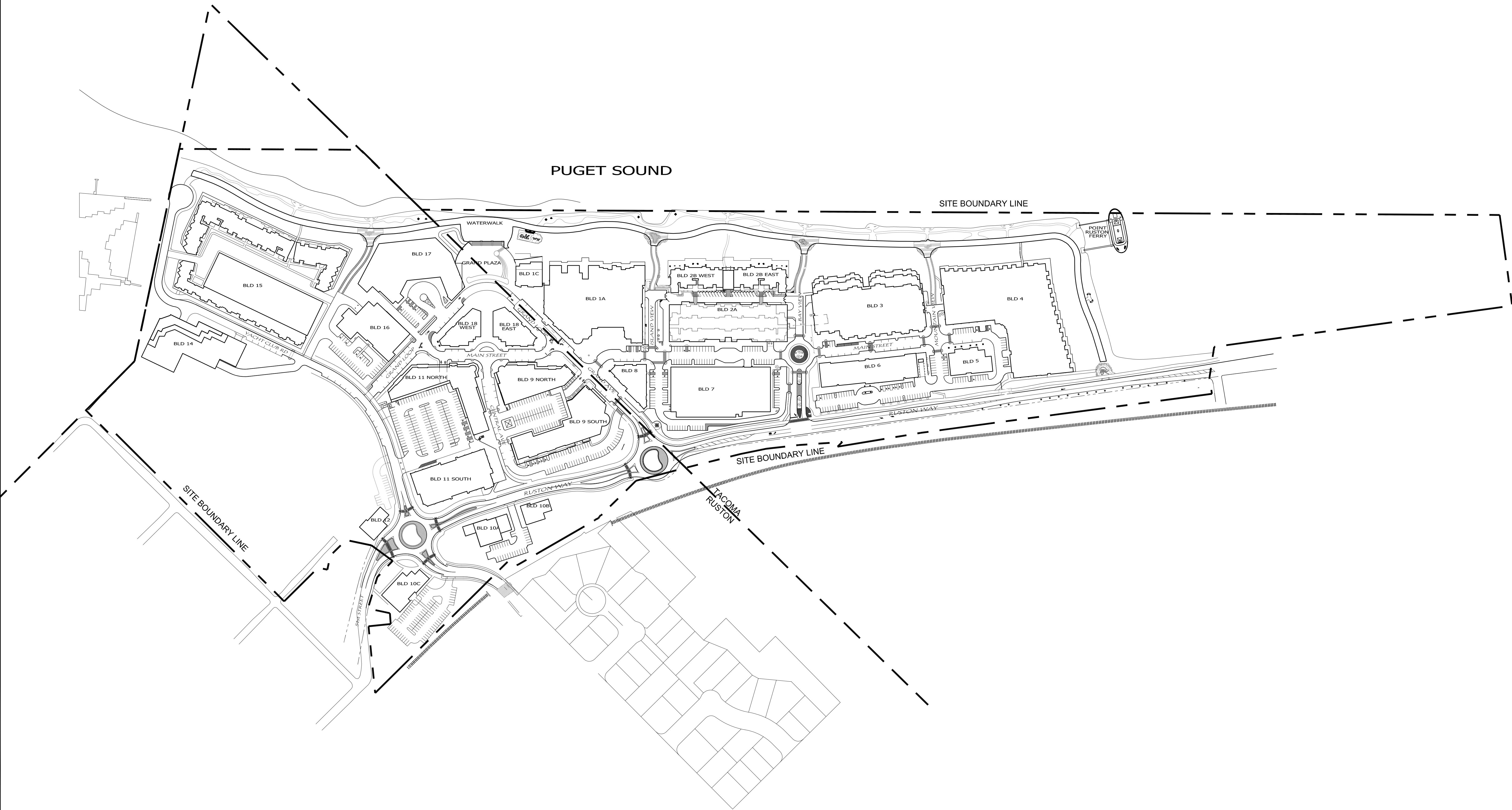
No. Date Submission

Issue date: 04/18/2019  
Project no.:  
Drawn by: KEP

Architectural  
Site Plan

**AS1.00**





POINT RUSTON MASTER SITE PLAN

POINT RUSTON, LLC  
5219 N SHIRLEY ST, STE 100  
RUSTON WA 98407

DATE:  
05-30-2018

SCALE:  
NTS

REVISIONS:


SHEET:





November 1, 2019

Point Ruston, LLC  
5219 N Shirley Street #100  
Ruston, WA 98407  
Attention: Matt Cyr

**RE: Sewer and Electrical Availability for Building 11/9 - 5106 Main Street, Ruston, WA 98407 – Assessor's Tax Parcel #0221231102**

Mr. Cyr,

This letter is in response to your recent inquiry regarding sanitary sewer and electrical service availability for the above-mentioned site. Sanitary sewer is available adjacent to the site, as is electrical service, subject to compliance with the Point Ruston Final Supplemental Environmental Impact Statement and the Point Ruston Master Development Plan; and City of Ruston utility standards, (RMC Title 18 – Electrical Utility and RMC Title 21 – Sanitary Sewer Utility), which includes payment of connection fees, as follows:

- 1) RMC 21.01.040 – Sanitary Sewer Connection Fee, \$2,000 per unit\*. As stated in this code section, the definition of a "unit" shall be per "dwelling unit", per "commercial unit" or per "hotel room".
- 2) RMC 18.05 – Electrical Connection/Permanent Meter Installation Fee for structures with multiple meters, \$1,000 for the first meter, plus \$400 for each additional meter.

\* Please note that partial credit which reduces the required total sewer connection fees stated above may be approved upon City of Ruston review of a submittal of cost estimates for infrastructure installed under related SEPA mitigation for the proposal.

Please let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Rob White". The signature is written in a cursive, slightly slanted style.

Rob White  
Planning Director  
City of Ruston  
robw@rustonwa.org  
(253) 798-3544



November 22, 2019

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Principal Planner  
City of Tacoma Planning and Development Services  
747 Market Street, Room 345  
Tacoma, WA 98402  
[lspadoni@cityoftacoma.org](mailto:lspadoni@cityoftacoma.org)

**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 53<sup>rd</sup> to N 54<sup>th</sup> 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 51<sup>st</sup> 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

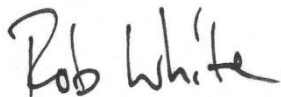
Plan; Silver Cloud Hotel Shoreline Substantial Development and Conditional Use Permit; and the Tacoma/Ruston joint application to designate the Point Ruston project as a Countywide Center of Local Importance (CoLI). The need to provide ample quality open space and multi-modal connectivity routes within 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](mailto: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



# Attachment A - City of Ruston/Point Ruston FEIS Addendum Comments, November 22, 2019



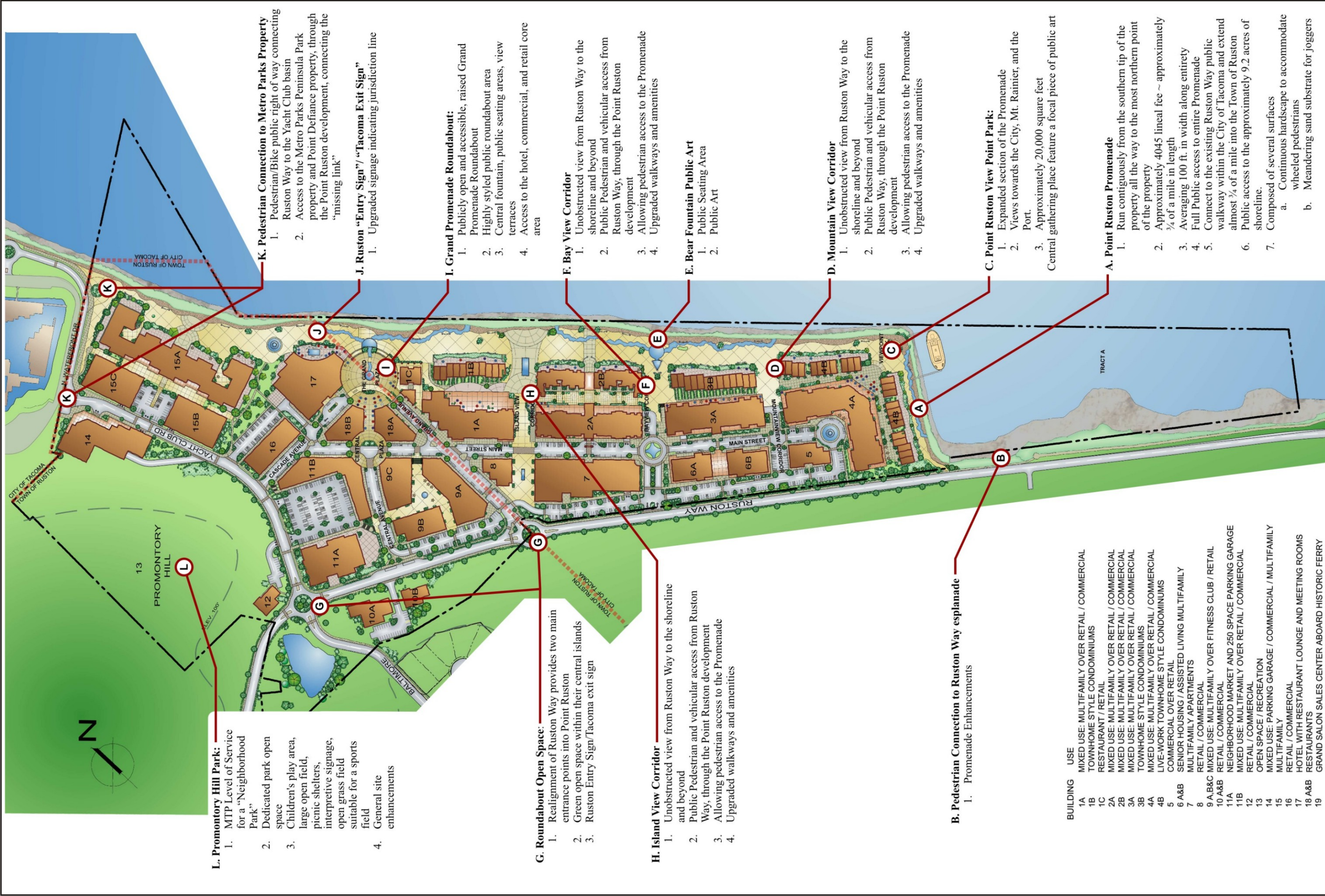




Source: ESM, 2008







**L. Promontory Hill Park:**

- 1. MTP Level of Service for a "Neighborhood Park"
- 2. Dedicated park open space
- 3. Children's play area, large open field, picnic shelters, interpretive signage, open grass field suitable for a sports field
- 4. General site enhancements

**G. Roundabout Open Space:**

- 1. Realignment of Ruston Way provides two main entrance points into Point Ruston
- 2. Green open space within their central islands
- 3. Ruston Entry Sign/Tacoma exit sign

**H. Island View Corridor**

- 1. Unobstructed view from Ruston Way to the shoreline and beyond
- 2. Public Pedestrian and vehicular access from Ruston Way, through the Point Ruston development
- 3. Allowing pedestrian access to the Promenade
- 4. Upgraded walkways and amenities

**I. Grand Promenade Roundabout:**

- 1. Publicly open and accessible, raised Grand Promenade Roundabout
- 2. Highly styled public roundabout area
- 3. Central fountain, public seating areas, view terraces
- 4. Access to the hotel, commercial, and retail core area

**J. Ruston "Entry Sign"/"Tacoma Exit Sign"**

- 1. Upgraded signage indicating jurisdiction line

**K. Pedestrian Connection to Metro Parks Property**

- 1. Pedestrian/Bike public right of way connecting Ruston Way to the Yacht Club basin
- 2. Access to the Metro Parks Peninsula Park property and Point Defiance property, through the Point Ruston development, connecting the "missing link"

**E. Bear Fountain Public Art**

- 1. Public Seating Area
- 2. Public Art

**F. Bay View Corridor**

- 1. Unobstructed view from Ruston Way to the shoreline and beyond
- 2. Public Pedestrian and vehicular access from Ruston Way, through the Point Ruston development
- 3. Allowing pedestrian access to the Promenade
- 4. Upgraded walkways and amenities

**D. Mountain View Corridor**

- 1. Unobstructed view from Ruston Way to the shoreline and beyond
- 2. Public Pedestrian and vehicular access from Ruston Way, through the Point Ruston development
- 3. Allowing pedestrian access to the Promenade
- 4. Upgraded walkways and amenities

**C. Point Ruston View Point Park:**

- 1. Expanded section of the Promenade
- 2. Views towards the City, Mt. Rainier, and the Port.
- 3. Approximately 20,000 square feet

Central gathering place feature a focal piece of public art

**A. Point Ruston Promenade**

- 1. Run contiguously from the southern tip of the property all the way to the most northern point of the property
- 2. Approximately 4045 lineal feet ~ approximately ¾ of a mile in length
- 3. Averaging 100 ft. in width along entirety
- 4. Full Public access to entire Promenade
- 5. Connect to the existing Ruston Way public walkway within the City of Tacoma and extend almost ¾ of a mile into the Town of Ruston
- 6. Public access to the approximately 9.2 acres of shoreline.
- 7. Composed of several surfaces
  - a. Continuous hardscape to accommodate wheeled pedestrians
  - b. Meandering sand substrate for joggers

**B. Pedestrian Connection to Ruston Way esplanade**

- 1. Promenade Enhancements

BUILDING	USE
1A	MIXED USE: MULTIFAMILY OVER RETAIL / COMMERCIAL
1B	TOWNHOME STYLE CONDOMINIUMS
1C	RESTAURANT / RETAIL
2A	MIXED USE: MULTIFAMILY OVER RETAIL / COMMERCIAL
2B	MIXED USE: MULTIFAMILY OVER RETAIL / COMMERCIAL
3A	MIXED USE: MULTIFAMILY OVER RETAIL / COMMERCIAL
3B	TOWNHOME STYLE CONDOMINIUMS
4A	MIXED USE: MULTIFAMILY OVER RETAIL / COMMERCIAL
4B	LIVE-WORK TOWNHOME STYLE CONDOMINIUMS
5	COMMERCIAL OVER RETAIL
6A&B	SENIOR HOUSING / ASSISTED LIVING MULTIFAMILY
7	MULTIFAMILY APARTMENTS
8	RETAIL / COMMERCIAL
9A,B&C	MIXED USE: MULTIFAMILY OVER FITNESS CLUB / RETAIL
10A&B	RETAIL / COMMERCIAL
11A	NEIGHBORHOOD MARKET AND 250 SPACE PARKING GARAGE
11B	MIXED USE: MULTIFAMILY OVER RETAIL / COMMERCIAL
12	RETAIL / COMMERCIAL
13	OPEN SPACE / RECREATION
14	MIXED USE: PARKING GARAGE / COMMERCIAL / MULTIFAMILY
15	MULTIFAMILY
16	RETAIL / COMMERCIAL
17	HOTEL WITH RESTAURANT LOUNGE AND MEETING ROOMS
18A&B	RESTAURANTS
19	GRAND SALON SALES CENTER ABOARD HISTORIC FERRY

Source: ESM, 2008



Point Ruston Supplemental EIS

Figure 10

Park Enhancements





Source: ESM, 2008



Point Ruston Supplemental EIS

Figure 11  
Site Plan - Connectivity





February 7, 2020

Lisa Spadoni  
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**RE: Point Ruston Development – FEIS Addendum 2<sup>nd</sup> Request for Comments (LU 19-0116)**

Dear Ms. Spadoni,

As requested at our meeting of January 17, 2020 wherein we discussed the details of the Point Ruston FEIS Addendum application, the City of Ruston is providing reference to supporting code language for the requested mitigation, and has also reviewed the revised submittals provided by the applicant on January 10, 2020, (and also the additional materials that you expected to receive later on January 18, 2020, which were provided to us on January 20, 2020).

Although we are not necessarily in agreement that the expanded scope presented in the application should be processed as a SEPA Addendum, we continue to be willing to work toward implementation of easily identifiable and reasonable mitigating measures that address impacts of the revised proposal. If acceptable mitigation cannot be identified without further disagreement, then the City of Ruston believes that a Supplemental Environmental Impact Statement should be required.

In an effort to proceed under the FEIS Addendum as presented, we have reviewed the revised application materials as requested and found them to be incomplete and/or inaccurate. Several of our concerns were either dismissed by the applicant as being unrelated to the project or were simply not provided in the manner or level of detail that we requested. Incomplete and/or inaccurate documents requested, but not provided to date, include the following:

**Revised Site Plan.** The site plan provided with the application materials 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. For example, the revised site plan must include the addition of Building 10C and associated surface parking lot in place of the Cooling Pond Open Space; reduction in the width (and inclusion of a vehicle access driveway) within the shoreline public access area required under the Silver Cloud Hotel Shoreline Substantial Development Permit; the addition of a surface

parking lot upon Building 9 in place of Wellness Center Plaza; and the relocation of Building 16 which places parking between the building and Yacht Club Road.

**Revised Open Space Exhibit.** The revised open space exhibit did not comply with the request to limit “counted” open space to include only those publicly accessible upland areas which are either landscaped, left natural, or are intended for pedestrian access only. It is misleading, at best, to continue to allow parking areas, vehicle driveways, above ground utility vaults and transformers, and privately owned inundated lands, etc. to be counted as open space - especially when the applicant has repeatedly demonstrated that they believe they have the latitude to rearrange the location, connectivity and quality of plazas, landscape areas, shoreline access routes and natural open spaces to include these unappealing items at their sole discretion.

**Revised Traffic Impact Analysis (TIA).** The revised TIA did not address all modes of transportation as requested and instead focused on vehicular traffic, which is inconsistent with Ruston’s Comprehensive Plan and Complete Streets policies which place an emphasis on pedestrian comfort and safety – particularly when discussing the quality of pedestrian connectivity between activity centers such as the Ruston-Point Defiance Countywide Center and the existing Ruston and North Tacoma neighborhoods located within a 5-minute walk.

**Emergency Services Needs Analysis.** The revised proposal erroneously indicates that mitigation required under the existing FEIS has been provided and further states that an analysis is not needed to assess the impacts of the expanded project scope. The City of Ruston disagrees with the applicant’s statements and insists that an analysis be provided as requested and that the recommendations from it be incorporated as mitigation.

### **Code References**

The following references include a list of citations from the City of Ruston Comprehensive Plan and Municipal Code. Their inclusion herein is intended to provide a nexus between the overall Point Ruston project impacts resulting from the rearrangement and/or addition of development sites and open space areas; increase in commercial floor area; increase in residential density, and the mitigating measures proposed by the City of Ruston. It is Ruston’s position that overwhelming support exists in consideration of our requests to provide mitigation related to complete streets policies; pedestrian connectivity; pedestrian-oriented street façade and site designs; provision of alleyways and connections to existing sidewalk, trail and street grid networks; and provision of all other transportation, utility and emergency services infrastructure.

### **Ruston Comprehensive Plan Policies**

FW-3: Implement the Comprehensive Plan through a form-based code that recognizes the importance of: Ruston’s traditional neighborhoods; multimodal street network; and economic

vitality. Neighborhoods should be diverse in use and population; communities should be designed for the pedestrian and transit as well as the car; Ruston should be shaped by physically defined and universally accessible public space and community institutions; urban places should be framed by architecture and landscape design that celebrate local history, climate, ecology, and building practice.

FW-7: Ensure new development in commercial/mixed use districts, is designed to fit in well and an extension of existing development rather than a separate entity. Architectural treatments are the preferred method for transition between structural uses.

FW-8: Design development to orient toward pedestrians and pedestrian thoroughfares rather than autos and parking areas.

FW-12: Seek opportunities to meet daily shopping or service needs close to residences, apply the five-minute walk principle.

FW-13: Provide geographic placement of parks, community gathering places, and trails to support active, healthy lifestyles.

FW-15: Provide physical pedestrian connections between uses including: pedestrian thoroughfares between neighborhoods, commercial areas, parks and trails. Pedestrian connections are critical for a walkable, healthy, and vibrant community.

FW-16: Require architectural treatments between uses, particularly when retail and residential uses are adjacent to each other – focus on form. Transitions should favor pedestrian activity over vehicle activity.

FW-24: Housing, especially: multifamily; accessory dwelling; and live-work units should be located within a five-minute walk or as close as possible, whenever feasible to retail services and public transportation.

FW-34: Develop accessible, safe, and efficient multimodal transportation thoroughfares for the movement of people, goods, and services.

FW-35: Develop Pearl Street, 51st Street, and Ruston Way as parkways or “gateways” to Ruston. Provide multimodal thoroughfares from the parkways to commercial areas.

FW-36: Work with Metro Parks Tacoma to establish optimum multimodal thoroughfares to the City of Ruston’s commercial amenities, open spaces, and neighborhoods.

FW-39: Provide mobility choices and healthy lifestyles by investing in projects and programs that encourage a “walkable community.”



FW-41: Seek opportunities for common open space, parks, trails, and outdoor recreation accessible to all community members.

FW-42: Maintain and promote a vibrant system of parks and trails that are sustainably designed and protect the natural beauty of Ruston.

FW-44: Support development and dedication of Promontory Park as a “Neighborhood Park” that is dedicated open space, including: children’s play area; large open field; picnic shelters; interpretive signage; open grass field suitable for a sports field; along with other general site enhancements.

FW-47: New development should be designed to allow for the efficient provision of public services and utilities and must pay for its “fair share” of all infrastructure requirements.

CC-4: Allow development that encourages pedestrian-oriented architecture.

CC-8: Homes should provide living space as the dominate feature of the street elevation. Front porches, dormers, stonework/masonry, arbors, and architectural features should orient homes toward the street instead of garages. Garages should be accessed from alleys.

CC-10: Design commercial streetscapes with wide sidewalks, landscaping, street lighting, and room for outdoor seating to encourage pedestrian traffic.

CC-11: Design residential streetscapes with traditionally two-foot scored sidewalks, landscaping, street lighting, and connectivity to other neighborhoods and commercial zones.

CC-16: Create an excellent pedestrian experience through the use of safely defined walkways, landscaping, architecture, and art. Pedestrian connections are important and should be required between all uses, encouraging a more walkable and healthful community.

LU-3: Allow development only where adequate public facilities and services can be provided.

LU-6: Provide opportunities for shops, services, recreation, and access to healthy food sources within walking or bicycling distance of homes, workplaces and other gathering places.

LU-7: Design developments to encourage access by modes of travel other than driving alone, such as walking, bicycling and transit, and to provide connections to the non-motorized system.

LU-9: Development should provide for adequate infrastructure including telecommunication facilities and multi-modal linkages to support the concept of live-work units and “live, work, play” in Ruston.

LU-11: Encourage multifamily developments in appropriate areas that offer convenient multimodal access to local stores and services. Multifamily developments should not block

defined scenic views corridors and should be designed to architecturally integrate with the existing neighborhood.

LU-12: Encourage live-work units in areas where they have convenient multimodal access to local stores and services.

LU-14: Development should enhance the character and vitality of established residential neighborhoods.

LU-17: Design buildings architecturally and functionally so frontages are pedestrian-oriented toward the street with residential units included above or behind.

LU-21: Require commercial business pedestrian entrances along street frontages be the functional main entrance, unlocked during business hours, and connected by pedestrian pathways to parking areas.

LU-26: Require public and private open space suitable for active and passive recreation such as plazas, parks, trails, natural areas, rooftop gardens, private patios, verandas, and porches be integrated into the design of all new development. When physical open space cannot be provided the City may consider a fee in-lieu of. Funds would be used to acquire or improve existing or future recreational opportunities.

LU-27: Actively seek opportunities to secure and improve open space for the purposes of providing recreational opportunities to the Ruston community.

LU-28: Work with Metro Tacoma Parks and the City of Tacoma to provide recreational opportunities within City boundaries and connections to Tacoma's recreational facilities and Point Defiance Park.

EV-4: Recognize that big-box development with surface parking is neither feasible nor compatible with Ruston's small-town character.

TR-2: New development should occur in a fashion that utilizes the existing grid pattern of right-of-ways in Ruston. Development along the existing grid pattern will help maintain a walkable and enjoyable small-town environment as well as provide safe and efficient vehicle circulation.

TR-3: In instances where alley or side street access is available, prohibit vehicular access upon primary street frontages. New development should be accessed via alleys or rear lanes only.

TR-5: Secure adequate thoroughfare width to accommodate future pedestrian facilities and roadways, utilizing the development approval process to acquire or require right-of-way dedication, sidewalk/utility easements and dooryards, (i.e. zoning, subdivision and building permit process) where appropriate. Utilize sound and environmentally responsible design principles in road construction.

TR-6: Provide a non-motorized circulation system including sidewalks, bikeways and paths that: provide transportation, enhances public enjoyment of natural areas; and takes advantage of scenic views.

TR-7: Policies and regulations that support Traditional Neighborhood Design shall take precedence over existing regulations and policies and supersede if a conflict exists.

TR-9: Street performance measures for the City should incorporate additional variables including assessment of enjoyable walkability and adequacy of bicycle facilities including bike lanes and bike parking to gauge the overall quality of service for Ruston's streets.

TR-11: Non-motorized and motorized modes of transportation are all inclusive and not fundamentally separate. A street for cars is not fundamentally different from the street for other users. All streets should be "complete streets" and non-motorized improvements are considered requirements, not amenities. Therefore, funding for multimodal improvements should be included in 'mainstream' transportation programs.

TR-13: Require new and re-development to align or re-align with (or dedicate right-of-way or easements when not physically possible), the existing neighborhood street grid-pattern and provide alleys.

TR-14: Prohibit new curb cuts, (or expansion of existing curb cuts), to install driveways upon lots that have alley access.

UT-5: Design Ruston for biking and walking. Using non-motorized transportation can make a difference in energy use. Energy-saving materials and design can maximize energy efficiency. The increased use of renewable energy sources, such as wind and solar, generates much less air and water pollution than nonrenewable coal, gas, and oil. Energy efficiency also benefits the climate.

CF-3: When planning park and recreation facilities, seek opportunities to create links between facilities, increase walkability in Ruston and offer healthful choices for the community.

SL-19: Public access to shorelines should be incorporated into all private development projects, and publicly sponsored shoreline development projects when public health and safety concerns can be adequately addressed and when shoreline ecological functions and/or processes can be adequately protected.

SL-87 – Shorelines, High Intensity Environment: Each site shall plan for a public pedestrian walkway system along the high intensity waterfront utilizing a combination of natural beaches, pathways, piers, wharves, street ends, sidewalks, stairways, or other improvements. Each proposal for development shall provide continuous public access from the nearest public right-of-way and extending along the site's entire shoreline frontage which is developed in

accordance with the shoreline public access use requirements located elsewhere in this Program.

SL-88 – Shorelines, High Intensity Environment: Each site shall provide designs that enhance pedestrian traffic without impeding vehicular traffic through the use of paving textures, fencing, landscaping, and signage that make a greater distinction between automobile traffic and pedestrian circulation systems.

### **Ruston Municipal Code**

#### **Complete Streets Policy – RMC 14.09**

RMC 14.09.010 – Vision. Promoting pedestrian, bicycle, and public transportation travel reduces negative environmental impacts, promotes healthy living, advances the well-being of travelers, supports the goal of compact development, and meets the needs of the diverse populations that comprise our communities. The vision of the City of Ruston (City) is of a community in which all residents and visitors, regardless of their age, ability, or financial resources, can safely and efficiently use the public right-of-way to meet their transportation needs regardless of their preferred mode of travel.

RMC 14.09.020 – Complete Streets Policy. The City will plan for, design, construct, operate, and maintain an appropriate and integrated transportation system that will meet the needs of motorists, pedestrians, bicyclists, wheelchair users, transit vehicles and riders, freight haulers, emergency responders, and residents of all ages and abilities.

Transportation facilities that support the concept of complete streets include, but are not limited to, pavement markings and signs; street and sidewalk lighting; sidewalk and pedestrian safety improvements; Americans with Disabilities Act and Title VI compliance; on-street parking; transit accommodations; bicycle accommodations including appropriate signage and markings, and as appropriate streetscapes that appeal to and promote pedestrian use.

The system's design will be consistent with and supportive of local neighborhoods, recognizing that transportation needs vary and must be balanced in a flexible, safe, and cost effective manner.

RMC 14.09.030 – Projects. Those involved in the planning and design of projects within the public right-of-way will give consideration to all users and modes of travel from the start of planning and design work. Transportation improvements shall be viewed as opportunities to create safer, more accessible streets for all users. This shall apply to new construction, reconstruction, and rehabilitation.

RMC 14.09.080 – Community Context. Implementation of this Complete Streets Policy shall take into account the goal of enhancing the context and character of the surrounding built and natural environments.



RMC 14.09.090 – Network. Appropriate attention should be given to projects which enhance the overall transportation system and its connectivity for access to parks or recreation areas, schools, shopping/commercial areas, public transportation, employment centers, existing pedestrian or bicycle networks, or regional bicycle pedestrian plans prepared by other associated groups such as Pierce County, City of Tacoma and Metro Parks Tacoma.

#### **Architectural Standards – RMC 25.06**

RMC 25.06.050(a) Pedestrian-Oriented Frontages. The following streets are designated pedestrian-oriented streets: 1) Pearl Street, 2) 51<sup>st</sup> Street, 3) Main Street, 4) Central Avenue, and 5) Grand Avenue.

RMC 25.06.050(c) “Parking structures located on one of the streets listed in subsection (a) above shall not have vehicle access from the pedestrian-oriented street, but access shall be from a street which is not so designated with access from alleys as the preferred vehicle entrance orientation.”

#### **Point Ruston Master Development Plan - RMC 25.01.061**

RMC 25.01.061 (a) “Point Ruston will have numerous publicly accessible open spaces such as parks, plazas, waterfront promenade, tree-lined streets and view corridors.

RMC 25.01.061 (a) “Point Ruston will encourage a number of transportation choices, including walking, bus transit, and bicycles”

RMC 25.01.061 (b) “Point Ruston shall reinforce pedestrian activity at the street level, present an attractive and varied profile on the skyline, and provide opportunities for artistic expressions all contributing to the unique character of the City.”

RMC 25.01.061(d) “The Point Ruston mixed-use neighborhood is intended to focus on residential, office, street level shops, hotels, restaurants, entertainment, live-work units and various public services built within a compact area, featuring a generous walkable area adjacent to the shoreline, and supported by transit service.”

RMC 25.01.061(f) – Intent. “The PRMDP is written in a manner intended to: Implement the goals and policies of Ruston’s Comprehensive Plan, Implement goals of the Growth Management Act, and County-wide and multi-county planning policies.”

RMC 25.01.061(f) – Intent. “The PRMDP is written in a manner intended to: Create a commercial, mixed-use and residential setting matching scale and intensity of use to the location and in keeping with the analysis contained in the Point Ruston Final Supplemental Environmental Impact Statement (FSEIS) dated March 27, 2008.

RMC 25.01.061(h) – Figure 4, Districts. Note that building 10C is not located within a district and will require either a master development plan amendment. Alternatively, the applicant may forfeit vesting and utilize underlying form-based code zoning that is anticipated to be in place prior later this year, well in advance of the development of this site.

RMC 25.01.061(h) – Table 4.3-1. Note that building 10C is not located within a district and will require either a master development plan amendment. Alternatively, the applicant may forfeit vesting and utilize underlying form-based code zoning that is anticipated to be in place prior later this year, well in advance of the development of this site.

RMC 25.01.061(k)(15) “Provide continuous pedestrian links between buildings, sites, promenade, open spaces and public rights-of-way within and adjacent to the Point Ruston project. Pedestrian path layouts shall be designed to provide convenient connections between common areas, public greens, building entrances, shorelines, and the public right-of-way. This may require pedestrian paths between buildings or through parcels in addition to typical street-side walkways. Where walkways cross vehicle driveways or roads they shall be illuminated and constructed of paving materials that are visually distinct from asphalt paving.”

RMC 25.01.061(m) Public Access, Parks and Open Space. Parks and open spaces in the PRMDP (and FSEIS) include: Shoreline Promenade, Grand Plaza, Park-like open space between Buildings 15 and 16/17, and Promontory Hill Park.

RMC 25.01.061 Table 9-1 – Open space between Buildings 15 and 16/17, “Grassy area with trees and landscaping with a sidewalk or trail leading from Yacht Club Road to the shoreline promenade.”

RMC 25.01.061 Table 9-1 – Promontory Hill Park, “Neighborhood Park and Open Space – Children’s play areas, large open field, picnic shelters, interpretive signage, open grass field suitable for a sports field, and other general site enhancements.”

RMC 25.01.061(n) “Police and fire services were analyzed in the 2008 FSEIS according to current level of service standards (LOS). The FSEIS indicated that needed improvements would be paid by Point Ruston on a shared, pro-rata basis.”

### **Alternate Mitigation**

Existing requested mitigation from our letter of November 22, 2019 remain as stated therein, and as referenced below, except that we are willing to consider the following alternatives as noted:

**Waterwalk/Promenade Capacity** – No Change, please refer to previous correspondence.

**Promontory Hill Park Design and Phasing** – No Change, please refer to previous correspondence.

#### **Yacht Club Road Street Vacation and 52<sup>nd</sup> Street Pedestrian Connection and Alley**

A public easement and a code-compliant engineered design, (which includes any EPA approvals, if required), for a 10-foot wide pedestrian sidewalk along the north side of a 20-foot wide one-way alleyway must be provided that connects Yacht Club Road to Bennett Street in alignment with 52<sup>nd</sup> Street. It is expected that the drive aisle depicted on the Building 12 site plan would suffice as the improved alleyway upon that site, with parking allowed on either side. The sidewalk, driveway and crosswalk at the Yacht Club Road frontage must align with the Ruston Market storefront sidewalk and driveway so as to provide a continuous pedestrian link. Alleyway improvements would only be required by the applicant upon the Building 12 site, with adjacent property owners along 51<sup>st</sup> Street completing respective improvements as redevelopment of sites occurs. Vacation of Yacht Club Road would not be needed since the 52<sup>nd</sup> Street alleyway would be public and connects to the existing public portion of Yacht Club Road.

The easement must be provided within 60 days of approval of the proposed FEIS Addendum or prior to issuance of any further building permits within Ruston's jurisdiction, with improvements completed prior to occupancy of Building 12. It is noted that there currently exists an assortment of private and public easements near the 52<sup>nd</sup>/Bennett Street intersection for access and utilities that were previously granted by ASARCO and/or Point Ruston shortly after this segment of 52<sup>nd</sup> Street was demolished and removed, and that reconfiguration of these easements should be able to be accomplished with relatively little effort when compared to constructing the entire 52<sup>nd</sup> Street alleyway.

If this option is provided, AND also includes construction of the entire 52<sup>nd</sup> Street alleyway and pedestrian sidewalk project described above, Ruston is willing to consider it as adequate mitigation for impacts to the 51<sup>st</sup> Street corridor as it addresses Ruston's Complete Streets policies of pedestrian comfort, safety and connectivity above vehicular convenience by providing improved pedestrian routes on both 51<sup>st</sup> and 52<sup>nd</sup> (i.e. 51<sup>st</sup> would have fewer driveways interrupting the desired continuous building frontages, and 52<sup>nd</sup> would provide a more direct route for pedestrians travelling to the Point Ruston site from areas north of 51<sup>st</sup> Street). This more complete option is preferred as opposed to a "wait and see" approach to address unmitigated impacts to the 51<sup>st</sup>/Winnifred Street and 51<sup>st</sup>/Pearl Street intersections.

#### **Ruston Loop Trail Connection through Buildings 10A/B to Central Avenue**

It is the City of Ruston's understanding that a direct connection from Baltimore to Ruston Way in alignment with Central Avenue may not be feasible without stairs. It is understood that ADA compliance may be able to be achieved through a combination of elevators within Buildings

10A or 10B, and the adjacent right of way and will not be required for this specific route if alternate ADA routes can be provided.

Ruston also is willing to consider the installation of pedestrian activated flashers at the 51<sup>st</sup>/Baltimore St/Ruston Way Roundabout crossings in lieu of a Ruston Way/Central Avenue mid-block crossing. If this alternative is preferable to the applicant, the City of Ruston may still pursue installation of a mid-block crossing at Ruston Way/Central Avenue at a future date.

**Baltimore Street Improvements** – No Change, please refer to previous correspondence.

### **Emergency Services Needs Analysis**

As the proposed SEPA Addendum process does not provide adequate time to hire a third party to prepare an Emergency Services Needs Analysis, the City of Ruston staff have prepared a list of specific mitigating measures. Since the increase in residential units requested in the combined total from the existing FEIS and the Addendum, (note that mitigation for the existing FEIS has not yet been provided), results in a potential doubling of Ruston's population, and the additional retail space, our emergency services staff anticipate an increase in active/proactive call load of approximately 100%. The factors in this estimation include:

- 1) Additional traffic congestion/collision response/traffic enforcement, property crime response exacerbated by the high population and commercial density, and the broader range of general law enforcement and investigative services needed;
- 2) The service fees for dispatch and records management to South Sound 911 will necessarily increase; and
- 3) Initial equipment cost for the anticipated increase in full-time or part-time personnel, including police/fire/aide vehicles.

In consideration of the anticipated growth, and the impacts from that growth, Ruston's Fire and Police Departments request the following as mitigation measures prior to the occupancy of Buildings 9/11, 10A/B/C, 12, 14, 15A/B/C or 16:

#### Police:

- 1) The installation of cameras at high-use intersections to passively record vehicular and pedestrian activities. The estimated cost based on a similar system used by the City of Medina is \$260,000.
- 2) The purchase of additional mobile computers and one-time increase in service fees from South Sound 911. The estimated cost is \$18,000.



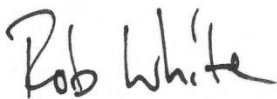
- 3) The purchase of initial equipment for the additional officers needed to accommodate the proposed growth, including uniforms, defensive/protective equipment, portable communication devices, training, etc. The estimated cost is \$25,000, plus \$100,000 for two complete police-package vehicles.

Fire:

- 4) The purchase of a 1,500 GPM fire-pumper engine vehicle and all standard equipment, and an EMS vehicle with all standard equipment specified by the Fire Department Chief.
- 5) Funds to configure, identify and purchase a suitable building site within the City of Ruston; and to design, permit, construct and equip, a new two-bay fire department and police station to house police, fire and medical response vehicles and their personnel.
- 6) Improvements to, or replacement of, the Baltimore Street bridge which crosses the BNSF railway in order to accommodate the loads of emergency service vehicles dispatched from either Ruston or Tacoma fire departments to Point Ruston via the Baltimore Street arterial.

As always, the City of Ruston is willing to meet with the City of Tacoma and Point Ruston staff to explore any alternatives or suggestions that provide commensurate public benefit to those described herein. You may contact me at (253)759-3544 or by email at [robw@rustonwa.org](mailto:robw@rustonwa.org).

Sincerely,



Rob White  
Community Development Director  
City of Ruston

Cc: Bruce Hopkins, Mayor  
Jennifer Robertson, City Attorney

Attachments:  
City of Ruston FEIS Addendum Comment Letter of November 22, 2019.