To: Planning Commission
From: Elliott Barnett, Planning Services Division
Subject: Application #2014-01 – Point Ruston Mixed-Use Center
Meeting Date: December 18, 2013
Memo Date: December 12, 2013

At the December 18th meeting, the Planning Commission will continue this discussion and follow up on the issues and questions raised at the October 12th, 2013 meeting. The intent of the application is to designate Point Ruston as a Mixed-Use Center (MUC) in order to support, strengthen and accelerate redevelopment efforts, and stimulate job creation and the development of high-density mixed-income housing. Designation as a MUC would enable qualifying multifamily housing developments to benefit from the City's Tax Exemption Program, and would strengthen policy support for infrastructure and other investments supportive of the MUC’s development.

At the October 12th meeting, the Commission requested additional analysis of the consistency of the proposal with the Comprehensive Plan's guidance on MUCs, and of the appropriateness of Point Ruston’s characteristics and location as an MUC. Key issues included strategies to provide affordable housing and transit, as well as the public and private benefits of the designation. Since the last meeting, staff have engaged with Pierce Transit on the transit issue and worked with the applicants to analyze the issues.

Attached is a revised draft staff report and supporting exhibits, with four new exhibits since last time — a memo analyzing the Multifamily Tax Exemption Program prepared by McCament and Rogers, a revised map, and two letters of support for the proposal. At the meeting, staff will request guidance from the Commission, and if appropriate, authorization to release the package for public review. Meanwhile, staff will continue to engage with the applicants and do outreach.

If you have any questions, please contact me at 591-5389 or elliott.barnett@cityoftacoma.org.

Attachments (8)

c: Peter Huffman, Interim Director
I. Description of the Proposed Amendment:

1. Describe the proposed amendment, including the existing and proposed amendatory language, if applicable.

The proposed amendment would designate that portion of the former ASARCO site located in the City of Tacoma (excluding the Slag Peninsula) as a Mixed-Use Center (MUC) and Residential Target Area. The proposed 29-acre Point Ruston MUC would encompass that portion of the City’s S-15 Point Ruston / Slag Peninsula Shoreline District (effective as of October 15th, 2013) intended for mixed-use development as part of Point Ruston (see Exhibit A).

Specifically, the proposal would amend the Growth Strategy and Development Concept Element of the Comprehensive Plan by adding “Point Ruston” to the list of Community Centers and revising the Growth Concept Map and the Generalized Land Use Plan Map. The revisions in the Generalized Land Use Plan Map would also be reflected in the corresponding maps in the Generalized Land Use and Transportation Elements.

In addition, Tacoma Municipal Code (TMC) Chapter 13.17 Mixed-Use Center Development would be amended to add the Point Ruston Community Center to the designated residential target area list (TMC 13.17.020.C). Inclusion on this list would make qualifying multifamily housing developments eligible for the multifamily tax exemption program. No changes to the site’s S-15 zoning, or to the scope of development as previously reviewed by the City, are included in this proposal.

Point Ruston, LLC’s initial application included an additional 12 acres (parcel 8950003322) within the proposed MUC. However, after discussions with City staff the applicants have removed that parcel from the proposal. Located just southeast of Point Ruston, it was initially included because it is part of Point Ruston LLC’s ownership. However, the parcel is mostly marine waters and the zoning is not appropriate for residential development.
2. Describe the intent of the proposed amendment and/or the reason why it is needed.

The intent of establishing a MUC and residential target area at Point Ruston is to support, strengthen and accelerate redevelopment efforts and stimulate job creation and the development of high-density mixed-income housing. One of the policy tools available to designated MUCs is the City’s Multi-family Tax Exemption Program, which can provide a boost to development efforts. In addition, the Comprehensive Plan calls for MUCs to be given priority in allocating resources for infrastructure improvements. Finally, designating Point Ruston as an MUC would mean that it will be part of the ongoing discussion of the City’s growth vision and strategies, which will be a major component of the 2015 Annual Amendments.

3. Describe the geographical areas associated with the proposed amendment. Include such information as: location, size, parcel number(s), ownership(s), site map, site characteristics, natural features, current and proposed Comprehensive Plan land use designations, current and proposed zoning classifications, and other appropriate and applicable information for the affected area and the surrounding areas.

The proposed Point Ruston MUC is the roughly 29-acre portion of the site that is located within the City of Tacoma (excluding the Slag Peninsula). The former ASARCO property is 97 acres in total and straddles the boundary between the Cities of Tacoma and Ruston. In 2006 Point Ruston, LLC purchased the property and currently owns the entire former ASARCO site, with the exception of the Slag Peninsula which is owned by the Metro Parks District. Point Ruston is located at the northern end of Ruston Way and is bordered by the City of Tacoma to the south, the City of Ruston to the east, Point Defiance Park (City of Tacoma) to the north and Commencement Bay to the east.

Since being added to the U.S. Environmental Protection Agency’s (EPA) National Priorities list in 1983, the former industrial site has undergone extensive environmental remediation under the direction of the US Environmental Protection Agency. The site has now been prepared for mixed-use development, as authorized under the 2008 Final Supplemental Environmental Impact Statement (FSEIS) and Shoreline Development Permit (see Exhibit B). Earlier this year, the waterfront promenade (Waterwalk) opened to the public, and the Copperline Apartments building has been constructed. Additional development is in review or underway.

The proposed MUC is located within the S-15 Point Ruston / Slag Peninsula Shoreline District, characterized in the Shoreline Master Program as an Urban Environment with a High Intensity Environmental Designation.

The site includes 11 parcels: Parcels 8950003311, 8950003312, 8950003313, 8950003314, 8950003315, 8950003316, 8950003317, 8950003318, 8950003319, 8950003320 and 8950003321.

4. Provide any additional background information associated with the proposed amendment.

If designated, Point Ruston would become the 18th MUC. While the majority of the existing MUCs are zoned as Mixed-Use “X” Districts, this is not always the case. The Downtown Center has its own Downtown zoning districts, and the west Foss Waterway has Shoreline District zoning. Should this proposal be enacted, Point Ruston would have a similar status to the west Foss Waterway which is within the Downtown MUC and Residential Target Area, and is zoned Shoreline District.
The Point Ruston project has been reviewed extensively and received numerous permit approvals including the 2008 FSEIS and Shoreline Substantial Development Permit. The proposed amendments would not result in any modifications to the development approved under these permits.

In 2008, Point Ruston, LLC submitted then withdrew an application for designation as a Mixed-Use Center. At that time, City staff argued that the application was premature due to timing issues. At that time, both the Mixed-Use Centers (“X”) District zoning and the Shoreline Master Program were under review. In addition, the MUC designation is intended to foster development within established centers, and no development had yet occurred. Now, with the “X” District and SMP updates complete and development underway, the situation has changed substantially.

As part of Annual Amendment Application 2014-04, the City’s MUCs will be re-evaluated. This review may include the removal of some previously designated MUCs as well as the incorporation of new ones. The review for this application and that one will be coordinated, as appropriate.

II. Analysis of the Proposed Amendment:

1. How does the proposed amendment conform to applicable provisions of State statutes, case law, regional policies, the Comprehensive Plan, and development regulations?

The proposed designation, with associated policy and code changes, is generally consistent with the applicable provisions of State, regional and local law and policy.

Shoreline Master Program:

The proposal is consistent with the S-15 Shoreline District policy intent and Environmental Designation:

*The intent of the S-15 Shoreline District is to establish continuous public access along the shoreline that will take full advantage of the unique shoreline location and views of Puget Sound and Commencement Bay while integrating high intensity upland development that includes mixed-use residential and commercial structures and protecting the integrity of the site wide cap Superfund remedy consistent with EPA directives.*

*The S-15 Point Ruston / Slag Peninsula Shoreline District is an Urban Environment with a High Intensity Environmental Designation.*

Comprehensive Plan:

*The proposal is generally consistent with the Comprehensive Plan goals and policies. The site is slated to become a dense, compact, mixed-use community, with pedestrian-oriented streets and public spaces and amenities, connected to the bicycle, pedestrian and vehicular networks, and designed for transit. However, it is unclear whether Point Ruston will provide the full range of housing affordability envisioned, and transit service is not currently available to the site.*

*The redevelopment of the ASARCO site as Point Ruston supports multiple City economic development, transportation, environmental, recreation and open space, neighborhood and other goals. Policies from the Arts and Culture, Capital Facilities, Environmental Policy, Housing, Transportation, Neighborhood and Open Space Elements provide both general and specific support for Point Ruston. For example, the Neighborhood Element specifically endorses the development.*
Point Ruston’s development is also consistent with Metro Parks Tacoma’s plans for Point Defiance Park and Slag Peninsula Park, and with the City of Ruston’s plans for the site within its jurisdiction.

Several characteristics make Point Ruston distinct from Tacoma’s existing MUCs. It is a master planned mixed-use community, in single ownership, being developed on a former industrial site; and, the full buildout of the area is already established and permitted. However, these characteristics are not inconsistent with the Comprehensive Plan guidance on MUCs. Though buildout is in the early stages, the approved plans facilitate a clear understanding of the ultimate characteristics of the site, which can be evaluated against the Comprehensive Plan.

The Comprehensive Plan Generalized Land Use Element (GLUE) provides the most pertinent direction on MUCs. The Mixed-Use Centers Goal is:

> To achieve concentrated centers of development with appropriate multimodal transportation facilities, services and linkages that promote a balanced pattern of growth and development, reduce sprawl, foster economies in the provision of public utilities and services, and yield energy savings.

MUCs are intended to be areas where development will be directed, concentrated and connected to multimodal transportation systems. They aim to provide convenience and choice for residents and employees, and to be distinctive, attractive and rich in amenities.

The MUCs Vision emphasizes:
- building on community assets and character
- increased mix of uses
- enabling and providing incentives for a variety of higher density housing for different needs and ages
- creating quality urban neighborhoods
- Providing frequent and convenient transit with good roads
- Providing community gathering space and public spaces
- Creating a safe, comfortable, interesting walking and biking environment through the efficient use of land

MUC principles for development are:
- Mix of Uses – mix of uses and density near transit and services; shopping and services near home and work; employment opportunities
- Housing Choices – types, mix of incomes, support home ownership
- Transportation choices – comfortable and safe walking districts; bicycle access and facilities; transit; transportation demand management strategies; reduced dependence on cars
- Quality of Life and Active Living – comfortable and accessible public spaces; neighborhood identity; pedestrian-oriented streets; vegetation and greenery; buffers and transitions
- Thriving Economy – increase investment in centers; priority for incentives; employment; business climate; small businesses; opportunities to live near work; home ownership; development feasibility

The GLUE’s MUC policies further flesh out the goal, vision and principles. The GLUE calls for incentives to increase residential density within MUCs, and identifies them as priority areas for growth, public investment, services and capital facilities. The Multifamily Tax Exemption Program’s purpose is to stimulate new multifamily housing and direct density to centers, and to encourage housing for a range of incomes.
The GLUE identifies four categories of MUCs – Downtown Center, Urban Centers, Community Centers, and Neighborhood Centers. Point Ruston best fits the character of Community Centers, which are intended as concentrations of commercial and residential development with larger scale commercial development and mid-range density / mid-rise development. Density ranges envisioned are 25-42 units per net acre.

To summarize, designating Point Ruston as an MUC would be consistent with the majority of the pertinent policy direction. The possible exceptions may be transit availability and housing affordability.

In terms of transit, Point Ruston has provided two bus stop pads per Pierce Transit’s specifications and will construct bus stops once service is available. Per discussions with Pierce Transit, based on the increasing density, a revision could be considered to their service plans to add a route along Ruston Way. Should that occur, it is likely that service would commence once buildout is well underway, pending funding availability.

In terms of housing affordability, the applicants have indicated that the fixed costs of remediating and developing the site make it more challenging to provide affordable housing options. However, they are currently exploring approaches and have indicated they will be providing more information on this subject.

2. Would the proposed amendment achieve any of the following objectives?
   - Address inconsistencies or errors in the Comprehensive Plan or development regulations;
   - Respond to changing circumstances, such as growth and development patterns, needs and desires of the community, and the City’s capacity to provide adequate services;
   - Maintain or enhance compatibility with existing or planned land uses and the surrounding development pattern; and/or
   - Enhance the quality of the neighborhood.

The proposed amendment reflects changes that have occurred as a result of the former ASARCO site being redeveloped as a master planned mixed-use project. This is a major change in circumstances, as the site has been industrial, then a brownfield, for about a century.

To the extent that it facilitates the Point Ruston development, this proposal would help to achieve multiple city goals. The Point Ruston project harnesses private investment to achieve goals including environmental cleanup; reuse of a brownfield site; housing; economic development; concentrating growth within existing centers; and, connecting people to the waterfront. Point Ruston is a major enhancement to the West End Neighborhood, and complements the adjacent development planned for Point Defiance Park and the City of Ruston.

3. Assess the proposed amendment with the following measures: economic impact assessment, sustainability impact assessment, health impact assessment, environmental determination, wetland delineation study, traffic study, visual analysis, and other applicable analytical data, research and studies.

The Point Ruston project has gone through extensive review and received numerous permit approvals. Impacts were studied at that time, and appropriate conditions placed on the FSEIS and Shoreline permit. The current proposal would have no direct effect on the scope and character of development already approved, but could accelerate the pace of that development.
Designation of Point Ruston as a MUC and Residential Target Area would set up make property tax reductions exemptions for the development of multifamily housing available, for a period of 8 or 12 years. This would result in reduced tax revenue to the City of Tacoma for multifamily housing developed during that period compared to the amount that otherwise would be generated. On the other hand, this temporary reduction in revenue should could be balanced against the economic benefits of accelerating the build-out, including tax revenue from commercial development. For one perspective on the public and private benefits of the Program, see the attached 2007 analysis prepared by McCament and Rogers, and provided by the applicants (Exhibit E).

Should this application be approved, Point Ruston would be placed within a well-developed policy framework which continues to be refined. Tacoma’s Mixed-Use Centers are part of a comprehensive strategy intended to enhance sustainability, promote active transportation and transit use, and build on Tacoma’s neighborhood assets for economic development. At the highest level, developing within the City inherently promotes sustainability by directing growth into urban areas and away from rural and natural areas.

4. Describe the community outreach efforts conducted for the proposed amendment, and the public comments, concerns and suggestions received.

Outreach for this application will build on the extensive public processes that have already taken place for Point Ruston. Point Ruston, LLC has engaged McCament and Rogers, a consultant firm, to assist with the process. City staff are coordinating with them to identify the stakeholders. Staff note that the vision and plans for Point Ruston are well established and broadly supported, and this proposal would not change the scope of development already approved. Furthermore, the objections raised to the original 2008 Point Ruston MUC proposal have now been substantially resolved.

To date, staff and the applicants have identified and had preliminary discussions with the following stakeholders:

- West End Neighborhood Council (presentation on 09/18/13 – voted to support the application) – letter attached
- City of Ruston (emailed Mayor Hopkins 07/13; met with Ruston’s Planner 10/03/13)
- Ruston Pearl Business District (meeting on 09/30/13)
- Metro Parks District (discussion with staff on 09/17/13)
- Citizens for a Healthy Bay (conversation on 09/23/13 letter attached)
- Tacoma Housing Authority (emails/phone calls in September)
- Pierce Transit (emails 10/04/13 and 10/18/13)
- Planning Commission discussion (10/16/13)

Outreach to date has revealed general support for the application, with some exceptions or caveats. Several stakeholders have expressed support for the proposal given the expectation that MUC designation could accelerate development. Some stakeholders were reassured to learn that no changes to development regulations, particularly height, are proposed. The West End Neighborhood Council and Citizens for a Healthy Bay have provided letters in support of the designation.

The City of Ruston stakeholders are also generally supportive of the MUC designation, but call for continued coordination between the Cities of Tacoma and Ruston, and Point Ruston, LLC to ensure that the build-out meets the approved plans and is phased in a manner that is equitable to both jurisdictions in terms of tax benefits.
Tacoma Housing Authority (THA) initiated a discussion of affordable housing at Point Ruston. The applicants have indicated they have been in contact with THA to discuss the potential for providing affordable housing at Point Ruston.

At its October 16th meeting, the Planning Commission raised several issues for further consideration. These included public versus private benefit, the importance of providing affordable housing and transit service, and considerations about the appropriateness of the location as an MUC.

Staff will continue to work with the stakeholders identified, as well as conduct additional outreach as part of the overall 2014 Annual Amendment package.

5. **Will the proposed amendment benefit the City as a whole? Will it adversely affect the City’s public facilities and services? Does it bear a reasonable relationship to the public health, safety, and welfare?**

The proposed amendment will benefit the City as a whole by potentially accelerating the pace of a long-awaited development that provides multiple benefits to the community. The residential target area designation will benefit the City by incentivizing residential development and investment in a mixed-use project.

### III. Staff Recommendation:

Staff recommends that the proposed amendments to the Comprehensive Plan and the Tacoma Municipal Code pertaining to the proposed designation of Point Ruston as a Community Mixed-Use Center and residential target area, as applied by the Point Ruston, LLC and as depicted in Exhibits C and D, be distributed for public review. Staff will continue to engage in public outreach and provide a summary to the Planning Commission prior to the public hearing process which is tentatively scheduled for February-March 2014.

### IV. Exhibits:

- A. Site Map of the Proposed Point Ruston Mixed-Use Center
- B. Point Ruston Development Concept
- C. Proposed Amendments to the Comprehensive Plan
- D. Proposed Amendments to the Tacoma Municipal Code
- E. Multifamily Tax Exemption Program – Key Points
- F. Letter from West End Neighborhood Council
- G. Letter from Citizens for a Healthy Bay
Exhibit A: Site Map of Proposed Point Ruston MUC

City of Tacoma

City of Ruston

Proposed MUC

City of Tacoma
Exhibit B - Point Ruston Mixed-Use Center
**Community Center**

The community center is a concentration of commercial and/or institutional development that serves many nearby neighborhoods and generally includes a unique attraction that draws people from throughout the city. Some residential development may already be present, and there is a goal to have more residential development. It is directly accessible by arterials and local transit. Pedestrian accessibility is important within the center, but because of its focus on larger scale commercial development, the community center continues to provide for automobile parking, preferably within structures.

**Designated Community Centers:**
- Tacoma Central Plaza/Allenmore (Tacoma Central)
- S. 72nd and Pacific Avenue
- S. 72nd and Portland Avenue
- TCC/James Center
- Westgate
- Lower Portland Avenue
- S. 34th and Pacific Avenue
- S. 121st and Pacific Avenue (Outside the city within the urban growth area)
- **Point Ruston**

*Note – These amendments show all of the changes to the existing Comprehensive Plan. The sections included are only those portions of the plan that are associated with these amendments. New text is underlined and text that is deleted is shown in strikethrough.*
*Note – These amendments show all of the changes to the existing land use regulations. The sections included are only those portions of the code that are associated with these amendments. New text is underlined and text that is deleted is shown in strikethrough.

Chapter 13.17
MIXED-USE CENTER DEVELOPMENT

C. Designated Target Areas. The proposed boundaries of the “residential target areas” are the boundaries of the 47-18 mixed-use centers listed below and as indicated on the Generalized Land Use Plan and in the Comprehensive Plan legal descriptions which are incorporated herein by reference and on file in the City Clerk’s Office.

The designated target areas do not include those areas within the boundary of the University of Washington Tacoma campus facilities master plan (per RCW 84.14.060).

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<th>CENTER TYPE</th>
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<tr>
<td>South 56th and South Tacoma Way</td>
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<td>Urban</td>
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<td>Tacoma Central Plaza/Allenmore</td>
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<td>South 72nd and Pacific Avenue</td>
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<td>East 72nd and Portland Avenue</td>
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<td>August 1, 2014</td>
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Multi-Family Tax Exemption - Key Points
April 2, 2007

1. **The Property Tax Exemption serves a number of purposes**
   
   A. Increases residential density in selected areas in keeping with the goals and requirements of the Growth Management Act
   
   B. Reduces urban sprawl by encouraging higher densities for all multi-family product: condominiums, townhomes, and apartments.
   
   C. Increases property tax revenues
      - Short-term: increases the land value when new construction or building rehab takes place
      - Long-term: taxes collected on land and improvements
   
   D. Mitigate the risk to lenders that would not otherwise loan money for development

2. **Does the developer benefit? Yes**
   
   - Helps attract renters or buyers
   - Condos or townhomes will most likely sell faster & apartments rent up quicker
   - Reduces carrying costs
   - May help the project quality for financing

3. **Does the City benefit? Yes**
   
   - City continues to receive property tax just as they do now on the vacant piece of property, and—
   - The improvements on the property lift the value of the land and provide increased property taxes during the exemption period.
   - City receives revenue from one-time and annual taxes generated by the construction activity and new residents
   - MFTE makes areas competitive for the resident that might otherwise choose to live in a neighboring community or remain in single-family housing

4. **Bottom Line**

   Money flowing to the City from proposed development with a multi-family tax exemption generates more tax revenue than presently received from vacant property or underdeveloped property

   *(Note: Higher priced residential units will generate even higher property taxes at the end of the exemption period. For instance, a $1 million condo will generate 5x the property taxes as a $200,000 unit and bring greater discretionary income to support retail shopping and services.)*
Sean Gaffney, Chair  
Tacoma Planning Commission  
747 Market Street, Room 345  
Tacoma, WA 98402  

November 18, 2013

Dear Chair Gaffney:

On September 19, 2013, the West End Neighborhood Council heard a proposal by Pt. Ruston LLC with J.J. McCament et al, stating their proposal to designate a portion of the former ASARCO property as a Mixed-Use Center. The West End members feel that Pt. Ruston will be a great addition to our area and knowing that the residential area included in this design will make a Mixed-Use Center of high quality, we voted unanimously to support this amendment.

We feel strongly that this redevelopment will be a significant improvement to the area, and bring in a high quality of mixed-income housing, along with the Mixed-Use Center, on land that has previously been closed to the public for many years. The remediation of this area has been remarkable and we look forward to the creation of a vibrant, bustling waterfront area that will eventually bring many new people and businesses to our neighborhood.

If we can be of further help in this matter, please do not hesitate to contact either myself at 253-278-3398, or Ginny Eberhardt at 253-224-6967.

Sincerely,

Ken Kingsbury, Chair  
West End Neighborhood Council

cc: J.J. McCament
December 3, 2013

Mr. Elliott Barnett
Planning Services Division
City of Tacoma
747 Market Street, Room 345
Tacoma, WA 98402

Re: Application #2014-01 – Point Ruston Mixed-Use Center

Dear Mr. Barnett:

This letter is in support of the above referenced application to amend the Comprehensive Plan and development regulations in order to designate the portion of the Point Ruston mixed-use development located in the City of Tacoma as a Mixed-Use Center.

CHB considers that the application is appropriate as the Point Ruston redevelopment site meets the definition as stated in TMC 13.17.010.C.: “Mixed-use center” means a center designated as such in the land use element of the City’s Comprehensive Plan. A mixed use center is a compact identifiable district containing several business establishments, adequate public facilities, and a mixture of uses and activities, where residents may obtain a variety of products and services.”

Point Ruston is located within the S-15 Point Ruston / Slag Peninsula Shoreline District, characterized in the Shoreline Master Program (SMP) as an Urban Environment with a High Intensity Environmental Designation. The SMP defines a mixed-use project as: “... developments which include a combination of components, such as residential uses, hotels, marinas, habitat improvement actions, public access provisions, and other uses”. Additionally, several references in the SMP describe Point Ruston as a “mixed-use center.”

The planned redevelopment of the Point Ruston site which is currently underway is consistent with the City’s intent and purpose in creating the Mixed-use center designation.

We urge the City of Tacoma Planning Commission to favorably consider Point Ruston’s application and approve the MUC designation.

Sincerely:

Leslie Ann Rose
Senior Policy Analyst

cc: J.J. McCament