



City of Tacoma
Office of the Land Use Administrator
Report And Decision

**SHORELINE SUBSTANTIAL
DEVELOPMENT PERMIT
AND FWHCA DEVELOPMENT
PERMIT FOR:**

**File No. SHR2011-40000173720
WET2011-40000173972**

APPLICANT:

Doug Babbit
City of Tacoma
747 Market Street, Rm 744
Tacoma, WA 98402

SUMMARY OF REQUEST:

The applicant has requested a Shoreline Substantial Development Permit and Fish and Wildlife Habitat Conservation Area (FWHCA) Development Permit to remove a portion of the existing pier and piling system, install a new gangway and float system, install seismic upgrades to the pier and existing building, add an apparatus bay on the upland portion of the site, and reconfigure the driveway access, parking, and landscaping. The subject site is in the "S-6" Ruston Way Shoreline District. Work will occur over marine waters, within the FWHCA, and upland within the FWHCA buffer.

LOCATION:

The site is located at 3301 Ruston Way, Parcel Numbers 8950002810 and 8950002821.

DECISION:

The request for a Shoreline Substantial Development and FWHCA Development Permits are **approved**, subject to conditions.

NOTE: Appeal period closes June 18, 2012.

The effective date of this decision is June 19, 2012, provided no requests for reconsideration or appeals are timely filed as identified in APPEAL PROCEDURES of this Report and Decision.

For additional information concerning this land use permit please contact:

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SUMMARY OF RECORD

The following exhibits and attachments constitute the administrative record:

Attachments:

- A. Vicinity Map
- B. Site plan, existing conditions
- C. Demolition Plan
- D. Proposed Overwater Work
- E. Proposed Upland Addition
- F. Cross Section
- G. Comments provided by Scott Beard, City of Tacoma P.E., dated May 3, 2012
- H. E-mail from Shannon Stragier, dated December 8, 2011
- I. Comments from the Department of Natural Resources (DNR), dated December 30, 2011 and Letter of Intent to Authorize Lease No. 22-A02467 from Department of Natural Resources, dated March 6, 2012

Exhibits:¹

- A. Determination of Environmental Nonsignificance (including supporting documents)
- B. JARPA
- C. Applicant's Response to Shoreline Code Criteria (including public access requirements), submitted on November 28, 2011 and Correspondence regarding need for apparatus bay, dated April 16, 2012
- D. Legal Test Responses and Mitigation Discussion provided by the applicant with follow-up correspondence regarding grating limitations, dated May 2, 2012
- E. Revised Biological Evaluation Essential Fish Habitat Evaluation, GeoEngineers, dated September 27, 2011
- F. Mitigation Plan, GeoEngineers, dated March 29, 2012
- G. Letter Report Underwater Habitat Investigation provided by GeoEngineers, dated November 4, 2010
- H. Technical Memorandum provided by Misty Blair, dated May 3, 2012
- I. Departmental and Agency Comments
- J. Public comments, including referenced Tacoma News Tribune article dated January 18, 2012
- K. Applicant's response to Public Comments, dated April 30 2012

The Land Use Administrator enters the following Findings and Conclusions based upon the applicable criteria and standards set forth in the *Tacoma Municipal Code (TMC)*, *Tacoma Shoreline Master Program (TSMP)*, and *Washington Administrative Code (WAC)*, as well as the attachments and exhibits listed above.

FINDINGS

Proposal:

1. The applicant proposes multiple improvements to the existing public safety facility². These improvements include: removal of a portion of the existing pier and piling system, installation

¹ All Exhibits are contained in Community and Economic Development Department File No. SHR2011-40000173720 and are referenced and incorporated herein as though fully set forth.

of a new gangway and float system, seismic upgrades to the pier and existing building, renovation of the existing apparatus bay into additional office area, addition of an apparatus bay³ on the upland portion of the site, and reconfiguration of the driveway access, parking, and landscaping.

2. The upgrades will facilitate use of the site as a combined Fire and Police Maritime Security Operations Center. The purpose of the improvements is to increase maritime response capabilities for the Commencement Bay and South Puget Sound area by allowing the fire boat to once again be moored at the site.
3. The seismic upgrades to the existing building and the pier are required in order to meet minimum requirements of the International Existing Building Code (IEBC). Comments from Scott Beard, Plans Examiner/Flood Plain Specialist for the City of Tacoma are included in Exhibit "I". To meet these requirements, the applicant proposes to install 14 additional piling (locations indicated on Attachments D.1 and D.3), new steel diaphragm bracing, diaphragm chords, and collector elements, as well as add wood shear walls, holdowns, and improvements to the roof-to-wall connections and the wall-to-pier connections.
4. The existing pier structure covers 3,974 square feet with 58 timber piling. Five-hundred square feet of the existing timber access pier and 13 associated creosote timber piling are proposed to be removed. Forty-six cross-braces associated with the existing pier structure will also be removed. Cross-braces have approximate average dimensions of 3"x6"x10" (WxDxL). Cross-braces are generally oriented horizontally between existing wood piling. Refer to Attachment "D.3".
5. A new gangway will be installed extending from the pier to the new float. The proposed gangway is 80 feet long by 5 feet wide. Two additional 18-inch steel piling are proposed to support the gangway. The gangway will be elevated off the water and grated to industry standards to avoid shading impacts on macroalgae.
6. The existing portions of the pier deck that are not proposed for removal will be retrofitted with a grated deck material. The area of the existing wooden deck retrofit is 951 square feet. The new deck material will be ADA-compliant with a minimum of 60 percent light transmission. This standard may be adjusted according to ADA requirements of the facility. Refer to Attachment "D.2".
7. The applicant proposes a concrete float with a docking area for two fireboats. The new float will result in 2,434 square feet of overwater coverage. It will extend approximately an additional 80 feet waterward of the grated gangway. Eight 30-inch diameter steel piling will support the concrete floats.
8. The total amount of new overwater coverage proposed is approximately 2,334 square feet in area (2,434 square feet of concrete floats and 400 square feet of proposed gangway with removal of 500 square feet of existing pier). The total number of new pilings would be 24 (13 for the existing pier upgrades and gangway connection and 11 for the new concrete floats). All new pilings would be galvanized steel.
9. In addition to the seismic upgrades and in-water work, the applicant proposes to remodel an existing 640 square foot apparatus bay into additional office space and add a new 880

² The use of the sites is consistent with the definition of a public safety facility, and for the sake of consistency, is referred to as such throughout this report and decision. Public safety facilities are "Facilities for public safety and emergency services, including facilities that provide police and fire protection and ambulance services." See *TMC* 13.06.700.P.

³ The term "apparatus bay" refers to the area of new building proposed, where emergency apparatuses will be kept on-site. The applicant uses the term "apparatus" as a generic term to describe large emergency vehicles used by Police and Fire crews including, but not limited to fire engines, medic units, and ladder trucks.

square foot apparatus bay. The new apparatus bay will be larger in size than the original to accommodate more modern equipment. (Attachment "E")

10. The apparatus bay is proposed to be located 15 feet landward of the existing building and entirely landward of the Ordinary High Water Mark (OHWM). With the improvements the building will include a total of 2,035.75 square feet of office area with an 880 square foot apparatus bay. The proposed building will be placed generally in-line with the existing building and will be approximately 15 feet in height.
11. The applicant proposes to use similar building materials and design elements as the existing building on-site.
12. Pursuant to *TMC 13.06.510*, six parking spaces are required for the proposed use.⁴ The parking area is proposed to be reconfigured and the applicant proposes to provide parking on the Parcel 8950002821, which is also owned by the City of Tacoma. In total, the applicant proposes that 10 parking spaces, of which six will be reserved for the public safety facility, one of which will be ADA accessible. See Attachment "G"
13. As part of the parking lot and access improvements, the applicant proposes to add a 3-foot wide concrete walkway to connect the existing esplanade and gravel path that extends along the water's edge. The applicant also proposes to move the driveway access further south, reconfigure the striping on the parking lot, and add a landscape buffer between the parking lot and the water's edge on Parcel 8950002821. See Attachment "G"
14. On-site compensatory mitigation work within the FHWCA is proposed through the removal of unnecessary cross bracings as well as derelict piles and pier, beach restoration and decking retrofits.

Project Site:

15. The subject of this request is Tacoma Fire Station #5, an existing public safety facility, located at 3301 Ruston Way, Section 30 Township 21 Range 03 Quarter 23. The project site, as described herein, encompasses two parcels, Parcel Nos. 89500002810 and 89500002821⁵ as well as over-water area adjacent to and waterward of the parcels. See Attachment "B".
16. The public safety facility and associated parking is located partially on City property (Parcel Nos. 8950002810 and 8950002821) and partially on property owned by the Department of Natural Resources (DNR) (that portion waterward of the referenced parcels). See Attachment "B".
17. The applicant has provided a Letter of Intent from the DNR to renew a lease agreement, allowing the existing building to remain and for the dock structures to be upgraded and expanded. This letter is included in Exhibit "I".
18. Associated upland development, including reconfigured parking and landscaping are located on Parcel No. 89500002821 (also owned by the City of Tacoma).
19. The project site is developed as a public safety facility and parking with a total building square footage of 2,035.75 square feet. The existing offices within the facility occupy approximately 1,395.75 square feet and the apparatus bay occupies approximately 640 square feet. The applicant proposes to renovate the existing apparatus bay into additional

⁴ *TMC 13.06.510* requires office uses to provide 3 parking space/1,000 square feet of gross floor area.

⁵ The applicant has applied for a lot combination, which would make the two parcels into one 29,758 square foot parcel. That lot combination has been approved by the City of Tacoma Building and Land Use Department.

office area and to add a new apparatus bay, separate from and upland of the existing building.

20. The site is currently providing eight parking spaces on Parcel No. 8950002810.
21. Parcel No. 8950002821 is primarily developed with off-street parking. Previous permitting indicates that this parking was developed for use by the restaurant to the west of the site.⁶ Staff is not aware of any on-going requirement that parking be maintained for the restaurant. Further, the new parking plan, which would result in parking reserved for the Fire Station, does not appear to remove parking required for the restaurant.⁷
22. The entirety of the site is located within the "S-6" Ruston Way Shoreline District.
23. Water-dependent uses and associated development, such as piers and floats are permitted in the "S-6" Ruston Way Shoreline District.⁸
24. It is the intent of the "S-6" Ruston Way Shoreline District to encourage development of a coordinated plan of mixed public and private water-oriented use activities, including commercial, recreational, and open space development, which will prohibit development of new industrial use activities.⁹ Currently, only Hotel/Motel/Boatel development is prohibited and only in parts of the "S-6" Shoreline District.¹⁰
25. The site is classified as an urban environment by the *TSMP*. *TMC* 13.10.030.53.c defines urban environment as the shoreline environment "designed to ensure optimum utilization of shorelines within urbanized shoreline areas".
26. The *TSMP* states that "Because shorelines suitable for urban uses are limited resources, emphasis should be given to development within already developed areas and particularly to water-dependent industrial and commercial uses requiring frontage on navigable waters".¹¹
27. The site is classified as a "Low Intensity" area by the City of Tacoma *Comprehensive Plan* and is located in the North End Neighborhood.
28. Commencement Bay is a designated FWHCA. The associated 50-foot FWHCA marine buffer extends onto the subject.
29. Pursuant to File No. 141.198, the existing public safety facility was required the pedestrian/bicycle path to be relocated and linked to the path on either side of the site and also to create lawn areas of sufficient site to invite outdoor recreation.¹² Pursuant to File No. SHR99-00012, the landscaped area was enhanced with a brick plaza incorporating seating, a bronze life size sculpture, and a flag poles. In addition to the pedestrian/bike path, there is a 15-foot wide gravel path that extends along the water's edge between the existing public safety facility and the east side of the site. These public access elements are all located on the project site.
30. It has been determined that the proposed improvements will not diminish the usefulness or value of the cultural art exhibit (bronze fireman sculptures) as a public access feature. This

⁶ File Numbers 141.198 and 141.284.

⁷ Based on building records, the restaurant is currently 3,386 square feet in area (an expansion was permitted through SHR98-00029 but never constructed. Based on a total square footage of 3,386 square feet, the restaurant is required to provide 34 parking spaces (10 spaces/1,000 square feet). An excess of parking is available on property owned by the restaurant.

⁸ See *TMC* 13.10.090.D.5 and D.12

⁹ See *TMC* 13.10.090.A

¹⁰ See *TMC* 13.10.090.F

¹¹ See *TSMP*, Page 4

¹² See Special Conditions 1 and 2 of File No. 141.198.

determination was made after the proposal was reviewed by Amy McBride, Tacoma Arts Administrator (Mrs. McBride's correspondence is included in Exhibit "I").

31. The subject site has vehicular access to Ruston Way.
32. The existing and proposed development complies with applicable regulations, including building height, front setback, and side yard/view corridor.

Surrounding Area:

33. The areas surrounding the site are also within the "S-6" Ruston Way Shoreline District. The site has a restaurant on each side of it (Dukes Chowder House on the northwest and Katie Downs on the southeast). The Ruston Way esplanade is located generally along the shoreline edge.
34. Parking for the Katie Downs site is located within City of Tacoma right-of-way between the street and the public safety facility. The esplanade runs along the northerly edge of the parking lot on the Katie Downs site and veers south at the western edge of the subject site, to connect with the portion of the esplanade that is on the south side of the main parking lot for Duke's Chowder House.
35. Additional parking is located on the opposite side of Ruston Way. Nothing in the record has been presented to indicate that the parking on the opposite side of Ruston Way is intended to serve the public service facility.
36. Puget Sound abuts the site to the north. Ruston Way abuts the site to the south.
37. A railway is located approximately 300 feet to the south west of the existing Fire Station. On the opposite side of the railway is a steep slope.
38. Farther up the slope are multiple single-family dwellings, located in the "R-2" Single-Family Dwelling District. The nearest single-family dwelling (addressed as 3617 North Warner) is located about 320 feet landward from the parcel boundary of the subject site and the elevation that the dwelling is built on is approximately 88 feet higher than the existing public safety facility structure.

Additional Information:

39. The application was filed on November 28, 2011 and was determined to be complete for review on November 28, 2011.
40. Changes to the original site plan and JARPA were made as part of the mitigation, reducing the size of the proposed concrete float from 2,610 square feet to 2,434 square feet by removing the tri-frames shown in the original site plans and by reducing the width of one of the floats. Also, the size of the grated gangway was increased from 375 square feet to 400 square feet. The revisions are reflected in the attached site plans (Attachments "C", "D.1" and "D.2") and incorporated into the mitigation plan (Exhibit "F"). The City was notified of the site plan revisions on April 12, 2012
41. The application was placed on "hold" status on December 30, 2011, because the Department of Natural Resources (DNR) indicated during the public notice period that portions of the work was subject to an expired lease agreement. The applicant was notified via email on January 24, 2012 that additional information was also required to address the FWHCA Permit requirements and environmental review before processing could continue. The applicant provided a Letter of Intent from the DNR on March 7, 2012. The project was taken off of "hold" status on March 30, 2012, when the final mitigation plan was submitted. The DNR comment letter and the Letter of Intent are included Exhibit "I".

42. The facility was originally permitted in 1979 (File Number 141.198). Finding of Fact Number 6 of the Office of the Hearing Examiner's Report and Recommendation to the City Council indicates that "The primary intended use of the site is clearly water-dependent and is directly related to the public safety."
43. A Shoreline Permit (File Number 141.261) was issued on July 21, 1981 to allow for a marine rescue underwater training facility to be located on site. The use was permitted as ancillary to the Fire Station, again noted as a water-dependent use.¹³
44. In the report and decision for Shoreline Permit Number SHR99-00012, concerns were raised which contended that the Fireman's Memorial was not a water-dependent or water-related use. The Administrator at the time of issuance noted that he was of a different viewpoint and stated that "While the memorial itself is not a water-related or water-dependant use, the proposal is a complementary use to Tacoma Fireboat Station #5, which by its nature, is a water-dependent use".¹⁴
45. The applicant was advised that the current landscaping does not meet the requirements of *TMC* 13.06.175.A.3, and that minor modifications will need to be revised at the time of development. These modifications include increasing the landscape planting strip along the water's edge to a width of 8 feet, where it is currently 5 feet wide, and including a minimum of 5 medium-sized trees in the parking lot. The applicant has indicated that these revisions to the landscape plan will be made at the time of development and it was determined that these changes do not substantially alter the project proposal.
46. The applicant represents that the project will improve public access opportunities by adding a connecting path between the existing esplanade on the south side of the property and the gravel path that follows the water's edge. The applicant indicates that, because of inherent security requirements relating to the public safety facility, options for providing public access are limited. As is proposed here, public access has historically been adjacent to the site but not actually on the developed portion of the site. Refer to Exhibit "C".
47. The applicant has supplied a project narrative along with Legal Test Responses and Mitigation Discussion for consistency *TMC* 13.11; a Biological Evaluation, dated September 27, 2011; a Mitigation Plan dated March 29, 2012; and a Letter Report Underwater Habitat Investigation dated November 4, 2010. Refer to Exhibits "D"- "G".
48. The site plan and project proposal were reviewed by Misty Blair, Environmental Specialist (ES), and subject matter expert for Building and Land Use Services. Ms. Blair's technical memorandum and Findings regarding critical areas is marked as Exhibit "H". The Administrator would note that substantial weight is given to Ms. Blair's review of the proposal for potential effects on critical areas.
49. The project as proposed cannot avoid the FWHCA area and its 50-foot buffer. As a result the project will result in adverse impacts. Ms. Blair advises that the applicant has met the provisions of *TMC* 13.11.260 for mitigation sequencing. Potential FWHCA and associated marine buffer impacts were avoided and minimized through site design. Resulting unavoidable impacts will be adequately mitigated for if the proposed Mitigation Plan, prepared by GeoEngineers, dated March 29, 2012 is properly implemented. Ms. Blair advises that the applicant has met the requirements for approval provided certain conditions are met.

¹³ See Page 3 of the Department of Planning Preliminary Report and Environmental Evaluation.

¹⁴ See Page 13 of the Land Use Administrator's Report and Decision.

50. Further, the proposal has been designed and will be constructed to minimize any impacts to the ecology and environment of the Shoreline.

51. The *Tacoma Master Program for Shoreline Development (TSMP)* provides the following policy guidance:

Public Access (Page 28):

e. Require public access elements to and along the water's edge in public and private developments when appropriate.

Piers, Wharves, Docks, and Floats (Page 83):

- a. Piers, wharves, docks, and floats should be designed to minimize interference with public use of the water and shoreline. Whenever possible, the design should enhance public access.
- b. Multiple uses and expansion of existing facilities should be required in preference to the addition of new facilities.
- c. Piers, wharves, docks, and floats should provide public access, unless access is incompatible with a water-dependent use.
- d. Views from surrounding properties should not be impaired.
- e. Piers, wharves, docks, and floats should be constructed so as to not obstruct or impair the navigational use of surface waters.
- g. Environmental impact, navigational impact, waste disposal, oil and gas spillage, parking availability, and the impact on adjacent lands should be considered in evaluating requests for projects involving construction of piers, wharves, docks, and floats.

Commercial (Page 73):

- a. Although many commercial uses benefit by a shoreline location, priority should be given to those commercial uses which are particularly dependent on their location and/or use of the shorelines of the state...
- b. New commercial uses on shorelines should be encouraged to locate in those areas where current commercial uses exist.
- c. An assessment should be made of the effect a commercial structure will have on a scenic view significant to a given area or enjoyed by a significant number of people.
- d. Parking facilities should be placed inland away from the immediate water's edge and recreational beaches.
- e. Commercial uses should contain provisions for substantial public access to the shoreline. Such access should be appropriately signed and may be regulated to a reasonable degree, but should be generally available to the public and guaranteed by dedication, easement, or other legally binding document.
- f. The following provisions should be considered in evaluating proposals for commercial uses:

Public Access. Public access elements may include, but should not be limited to the following:

- Bicycle paths along or adjacent to the shoreline
- Shoreline parks
- Beach areas
- Piers, wharves, docks, or floats
- Transient moorage

- Trails, promenades, or other pedestrian ways along or adjacent to the shoreline edge

View opportunities. View opportunities do not of themselves satisfy the need for public access in commercial developments. However, view opportunity elements should be included in those commercial developments which meet the Master Program criteria for a shoreline location. These elements may include, but should not be limited to, the following:

- Structure orientation and location which provide for large open spaces between structures which allow viewing of the shorelines and waters of the City

52. The *Ruston Way Plan* includes the following policies relative to development (Page 29)

3. Locate paths, benches, and picnic areas to take full advantage of marine views.
4. Locate, situate, and orient structures and facilities in such a manner that existing views are maintained to the maximum extent possible.
7. Consider the residents' view from the upper neighborhoods when designing and locating new development along the shoreline or the hillside.

53. The *Ruston Way Plan* includes the following for the area in which the site is located (Page 53):

Marine Park/Fireboat Station Area

The central public area cluster, a 2,000 foot stretch of shoreline, is located in the vicinity of the intersection of Alder Street and Ruston Way. Intended public development for this area includes a major public fishing pier and support facilities. To the southwest along the waterfront is the location of Tacoma's fireboat/harbor service craft facility. A park setting, view area, and public display that explains how the harbor services craft works, will provide interest at the site. Located in between the fishing pier and the fireboat facility is the location of a private restaurant development.

54. The *Rustin Way Design Booklet* states the following:

The Design Guide for Ruston Way Projects is an administrative guide to assist the processing of shoreline permits for public and private development projects along Ruston Way. It provides a listing of unifying design elements and design considerations as recommended in the Ruston Way Plan to promote consistency and continuity along the Ruston Way shoreline. These unifying design elements are intended to be incorporated into proposed Ruston Way waterfront projects wherever possible and appropriate. Detailed drawings and general specification of these unifying design elements have been prepared to assist the development and design of proposed projects. Lighting, benches, and landscaping are some of the design elements included within the guide booklet. This guide is intended to be used in conjunction with processing Shoreline Management Substantial Development Permits and to assist in achieving the overall goal and individual intents and policies of the Ruston Way Plan and the City's adopted Master Program for Shoreline Development.

55. The Environmental Policy Plan Element of the *Comprehensive Plan* provides the following policy guidance for development in the FWHCAs:

E-FW-7 Habitat Protection

Identify, locate and protect habitats of endangered, threatened, priority or sensitive species. (Page E-14)

E-FW-15 Improve Altered Habitats

Encourage the improvement of habitat along the edges of shorelines and creeks, migration corridors, and productive areas that have been altered by past shoreline activities. (Page E-14)

Public and Agency Comments:

56. Written notice of the application and copies of the project plans, the Environmental Checklist, and the JARPA were originally transmitted to the Puyallup Tribe and reviewing local, state, and federal resource agencies on December 20, 2011.
57. Comments received from DNR express concern regarding that portion of the project over DNR aquatic lands. The previous lease to use this area has expired. A new lease must be negotiated with DNR. Further, DNR has recommended that the new floats include at least a 50% grating component. Refer to Exhibit "I".
58. The applicant has since provided a Letter of Intent from the DNR. The letter stipulates certain issues that must be resolved. However, provided there is a resolution, DNR intends to renew the lease. Refer to Exhibit "I". The applicant will be responsible for demonstrating that all proposed work is legally allowed to be located in the proposed location before obtaining construction permits for the proposed overwater structures.
59. In response to the DNR comments regarding grating, the applicant asserts that site conditions and the size of the vessels that will be mooring the floats must be non-grated concrete to be structurally sound. Additional structural calculations were provided by the applicant's engineers on April 13th 2012, including an alternatives analysis to add grating to the proposed new floats. According to Reid Middleton's engineers and later verified and confirmed by City of Tacoma engineers in order to add grating the float depth would need to double from 4' to 8' and an additional 6-30 inch diameter structural piles would be required. This would add additional impacts to the aquatic habitat with little actual light penetration benefit. Refer to Exhibit "K".
60. Ms. Blair has reviewed the DNR comments and the applicant's response and concurs with the analysis provided by GeoEngineers which concludes that incorporating grating into the proposed floats will likely have no environmental benefit.
61. No navigational impacts have been identified by the general public or public agencies.
62. The site was reviewed by the Public Works Review Panel on December 28, 2012. Refer to Exhibit "I". In summary, the Review Panel noted that all damaged or defective sidewalk abutting the site shall be removed and new cement concrete sidewalk constructed meeting Public Right Of Way Accessible Guide-lines (PROWAG) and Americans with Disabilities Act (ADA) requirements, and be installed to the approval of the City Engineer per City of Tacoma Right-of-Way Restoration Policy, and that the esplanade walk way shall remain consistent with Land Use shoreline regulations.
63. Real Property Services has advised that state statute prohibits private parking within the City's right-of-way.
64. Ramie Pierce, City of Tacoma Urban Forester, commented on the project indicating that tree protection measures should be taken to protect existing on-site evergreen trees. See Exhibit "I". The Administrator would note that TMC 13.10.175.A.3.c and g will require trees be incorporated into the landscaping plan.
65. Environmental Services Engineering has provided advisory comments regarding compliance with the City's Surface Water Management Manual, Side Sewer and Sanitary Availability Manual, TMC 12.08, and the Public Works' Design Manual.

66. Public notice was sent to all owners of property within 400 feet of the site on December 20, 2011, and a property sign was posted within seven days of the start of the 30-day comment period.
67. A public comment letter was timely filed by Mr. Oenning, residing at 3303 North 36th Street. Mr. Oenning's public comment letter is included in Exhibit "J". Mr. Oenning expresses concern related to ownership of the aquatic lands; allowed use of the upland site related to past restrictions; view impacts have not been addressed; the applicant has not considered impacts to the on-site artwork; the applicant has not addressed the on-site underground tank; parking impacts should be better vetted; and the extent of staffing of the facility is not clear. Mr. Oenning asserts these concerns would be better vetted through a detailed Environmental Impact Statement (EIS). Further, Mr. Oenning requests the following conditions be attached to the permit:
- Glare from lighting must not impact upland residential development.
 - Outdoor sound systems must not be used at the facility.
 - Training related to or testing of equipment must be away from the facility to reduce unnecessary noise.
 - The use of sirens should be limited.
 - The upland apparatus bay should be eliminated and the office component should not be permitted as neither qualifies as water-dependent uses.
68. Three comment letters were received after publication of an article in the Tacoma News Tribune concerning the Fire Station upgrades. The article asserts that the fire station is not water-dependent, water-related, or water-enjoyment and further asserts that improvements to the station will impair pedestrian views of the water. Further, the article questions whether adequate funding is available and/or if such funding should be used to re-open the station. The public comments concur with the article. The article and comments are included in Exhibit "J".
69. The applicant's response to comments is contained in Exhibit "K". Since receiving the public comments, the applicant has indicated that all new lighting will be minimal. Exterior building lighting will be limited to the covered walkway on the west side of the new apparatus bay. Moorage lighting will be contained and controlled, and there will be no up lighting to cause glare.
70. The applicant also indicates that sirens will only be used for apparatus/public safety and that all vessel testing and training generally occurs away from the moorage, to minimize any noise impacts.
71. Since receiving the public comments, the applicant has indicated that there are no current plans for firefighters to reside at the property as full-time staff, but that future call demands and changes to the Fire Departments Standards of Coverage could make full time staffing an operational consideration. Current floor plans indicate that the building will be used for office use and for the apparatus bay. The current plan is for the emergency response crew to drive an Engine to the moorage and take the Fire Boat to the call. If a crew was already on-site for a reason such as maintenance or refresher training and an emergency call for service came in, they would move from the boat to the Apparatus located in the bay and respond. The applicant has also provided a letter of response indicating that the apparatus bay is necessary in order to keep the apparatuses in working order and ready to respond to emergencies.
72. In response to the view corridor concerns raised by the neighbors, the Administrator notes that the site plans were reviewed by staff for potential impacts and impacts would be

minimal. Because the proposal meets all applicable development standards and is only 15 feet tall, a full view analysis was not required.

73. In response to the concerns raised by the neighbors regarding the use of the site, the Administrator would note that the site is an existing public safety facility which was originally permitted with an apparatus bay. This Administrator is in agreement with the past Hearing Examiner and Land Use Administrator decisions that find the primary use of the site is water dependent. The office and apparatus bay facilitate efficient operation of the station.
74. Regarding the funding concerns, the Administrator notes that she does not and cannot base her decisions on information related to funding of any site, and that her decisions are based solely on the previously stated criteria found in the *TMC*, *WAC* and on additional guidance found in the *Comprehensive Plan*, *TSMP*, and the *Ruston Way Plan*.

Conclusion of Law as Finding of Fact:

75. Any conclusion of law hereinafter stated which may be deemed a finding of fact herein is hereby adopted as such.

CONCLUSIONS

Jurisdiction:

1. The Land Use Administrator has jurisdiction in this matter. See *TMC* Section 13.05.030.

Environmental Determination:

2. In accordance with the State Environmental Policy Act (SEPA) administered under the *Washington Administrative Code (WAC)* 197-11-800 and the City of Tacoma Environmental Regulations administered under *Tacoma Municipal Code (TMC)* Chapter 13.12, a Determination of Nonsignificance (DNS) is being issued by City of Tacoma, lead agency for the request, concurrent with this Shoreline Substantial Development Permit. The DNS and accompanying checklist are marked as Exhibit "A". The comment period ended on January 19, 2012, and the appeal period will end 14 days from the issuance of this decision.

Burden of Proof:

3. The applicant bears the burden of proof to demonstrate the proposal's consistency with the policies of the *TSMP* and the *Comprehensive Plan*, including its implementing regulations set forth in *TMC* Chapter 13.10, with policies of the Shoreline Management Act ("SMA"), the criteria set forth in the *Washington Administrative Code (WAC)* for the approval of Substantial Development Permits, and other applicable City ordinances.

Applicable Regulations:

4. *WAC* 173-27-150 allows that:
 - (1) A substantial development permit shall be granted only when the development proposed is consistent with:
 - (a) The policies and procedures of the act;
 - (b) The provisions of this regulation; and
 - (c) The applicable master program adopted or approved for the area. Provided, that where no master program has been approved for an area, the development shall be reviewed for consistency with the provisions of chapter 173-26 *WAC*, and to the extent feasible, any draft or approved master program which can be reasonably ascertained as representing the policy of the local government.
 - (2) Local government may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and the local master program

5. *RCW 90.58.020* states the following: The legislature finds that the shorelines of the state are among the most valuable and fragile of its natural resources and that there is great concern throughout the state relating to their utilization, protection, restoration, and preservation. In addition it finds that ever increasing pressures of additional uses are being placed on the shorelines necessitating increased coordination in the management and development of the shorelines of the state. The legislature further finds that much of the shorelines of the state and the uplands adjacent thereto are in private ownership; that unrestricted construction on the privately owned or publicly owned shorelines of the state is not in the best public interest; and therefore, coordinated planning is necessary in order to protect the public interest associated with the shorelines of the state while, at the same time, recognizing and protecting private property rights consistent with the public interest. There is, therefore, a clear and urgent demand for a planned, rational, and concerted effort, jointly performed by federal, state, and local governments, to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines.

It is the policy of the state to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy is designed to insure the development of these shorelines in a manner which, while allowing for limited reduction of rights of the public in the navigable waters, will promote and enhance the public interest. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto.

6. Water-dependent uses and associated development is permitted in the "S-6" Ruston Way Shoreline District subject to a Shoreline Substantial Development Permit. See *TMC 13.10.090.D.5* and *TMC 13.10.090.D.12*.
7. All Shoreline development is subject to development standards, such as building height, building setbacks, and parking. Commercial development, piers, and floats are subject to development specific to the use and development. See *TMC 13.10.090.H*, *TMC 13.10.090.I*, *TMC 13.10.175.B.4*, and *TMC 13.10.175.B.14*
8. When evaluating requests for projects involving the construction of piers, wharves, docks, and floats, the following shall be considered:
 - (a) Environmental and navigational impact, pier density, waste disposal, oil and gas spillage, parking availability, and impact on adjacent lands;
 - (b) Whether cooperative use is present or may be present in the future;
 - (c) Whether existing facilities may be used or expanded to be used in preference to the construction of new facilities. New facilities should require a demonstration of public benefit as appropriate, and;
 - (d) Whether an open pile or floating structure is the appropriate design.
(See *TMC 13.10.175.B.14.a(10)*)
9. In conjunction with issuance of a Shoreline Substantial Development Permit, overwater construction may be authorized when the following facts are present. See *TMC Section 13.10.090.H.3* and *TMC 13.10.040.G.3*:
 - a. That the development will not adversely affect the intended character of the shoreline district and the rights of neighboring property owners and will secure for neighboring properties substantially the same protection that the regulation, if enforced literally, would have provided
 - b. The development will not be contrary to or adversely affect the intent and purposes of the Shoreline Master Program and the Shoreline Management Act
 - c. Undue view blockage will not result

- d. The development will be located to minimize interference with normal public use of navigable waters
 - e. n authorizing overwater construction, conditions may be imposed on the permit as are necessary to ensure compliance with the findings above
10. *TMC 13.11.230.A.4* allows that a FWHCA Development Permit may be granted provided certain the applicant demonstrate compliance with one of three legal tests and mitigation in compliance with Chapter 13.11 is provided.
 11. *TMC 13.11.240.A*, requires that the following be considered when determining if a project complies with the no practicable alternative test.
 1. The project cannot be reasonably accomplished using one or more other sites in the general region that would avoid or result in less adverse impacts to the wetland or stream or fish and wildlife habitat conservation area (FWHCA);
 2. The goals of the project cannot be accomplished by a reduction in the size, scope, configuration or density as proposed, or by changing the design of the project in a way that would avoid or result in fewer adverse effects on the wetland or stream or FWHCA; and
 3. In cases where the applicant has rejected alternatives to the project as proposed, due to constraints on the site such as inadequate zoning, infrastructure or parcel size, the applicant has attempted to remove or accommodate such constraints, unless the applicant can demonstrate that such attempt would be futile.
 12. *TMC 13.11.240.C*, requires that the following be considered when determining if a project complies with the public interest test.
 1. The extent of the public need and benefit;
 2. The extent and permanence of the beneficial or detrimental effects of the use or activity;
 3. The quality and quantity of the wetland or stream or FWHCA that may be affected;
 4. The economic or other value of the use or activity to the general area and public;
 5. The ecological value of the wetland or stream or FWHCA;
 6. Probable impact on public health and safety, fish, plants, and wildlife; and
 7. The policies of the Comprehensive Plan.
 13. The general mitigation requirements are found in *TMC 13.11.260*
 14. *TMC 13.11.550.B* requires that mitigation for work in FWHCA's and their marine buffers meet the mitigation standards in *TMC 13.11.260*.

Conclusions:

15. Any finding set forth above which may be deemed a conclusion is hereby adopted as such.

Shoreline Substantial Development Permit

16. The proposed improvements will facilitate the continuation of the existing use at the site. As such, the proposal is generally consistent with the stated intent of the "S-6" Shoreline District – Western Slope South District, as well as with the objective of the urban environment and low-intensity area in which it is located. See *TMC 13.10.090.A; TSMP; Comprehensive Plan; Findings 1-15, 18, 21-26, 41-42*
17. Significant public access features, such as the path, artwork, and pedestrian plaza have already been incorporated on the site. Views from these public access features will not be impacted and development will not reduce existing public access to the shoreline. The project is consistent with applicable policies relating to shoreline development and complies with applicable development standards, including provisions for public access. See *TMC 13.10.090.H-I, TMC 13.10.175.A.1, TMC 13.10.175.B.4 and B.14; RCW 90.58.020; TSMP;*

Ruston Way Plan; Exhibits "C", "K"; Attachments "D"- "G"; Findings 4-8, 10-13, 28, 31, 44-45, 50-51, 71

18. Compliance with the Conditions set forth below, the representations within the environmental checklist, and compliance with applicable codes will ensure that the project meets the environmental protection measures required for all developments proposed within the City's shoreline. See *TMC* 13.10.175.A.2; Exhibits "A", "C"- "H"; Findings 14, 39, 46-48, 65
19. The proposal includes the required number of parking spaces for the expanded facility and does not result in a loss of required parking spaced for the adjacent restaurant use. The applicant has indicated that the applicable landscaping requirements for the parking lot will be met at the time of development. See *TMC* 13.06.510; *TMC* 13.10.175.A.3; Exhibit "C"; Attachment "G"; Findings 9, 12-13, 19-20, 44, 64
20. No new signage is proposed for the improvements. See *TMC* 13.10.175.A.4; Findings 1-2
21. The *TMC* requires the Administrator to consider many things when evaluating requests to construct floats, including environmental and navigational impacts; impacts on neighboring properties; possibility for cooperative use; whether proposal is expansion of existing facility or a new facility; and design of the structure. In addition, when considering *any* overwater development, the Administrator must find that such development is consistent with the character of the area; will not block views; and is not contrary to the SMA. The SMA anticipates appropriate uses to be located on the shoreline and requires, when evaluating such uses, that the public interest and state shorelines be protected. The proposal is an expansion of an existing water-dependent public safety facility that will facilitate cooperative use and remains consistent with the neighborhood character. The applicant has proposed mitigation sequencing and compensatory mitigation that should result in no net loss of critical area functions or values and ultimately have no adverse environmental impacts. No navigational impacts have been identified nor have negative impacts to neighboring properties been identified. See *TMC* 13.10.175.B.14.a(10), *TMC* 13.10.090.H.3, and *TMC* 13.10.040.G.3; *RCW* 90.58.020; Exhibits "B"- "C", "E"- "H"; Findings 2-8, 14, 18, 39, 41-43, 48-49, 52, 56, 58-60, 72-73

Fish and Wildlife Habitat Conservation Area Development Permit

22. The application has demonstrated that the No Practical Alternatives and Public Interest Tests have been met. The applicant is upgrading an existing public safety facility. The location of the expansion is dictated by the location of the existing facility. The applicant's Biological Evaluation documents probable impacts. The applicant has modified the project to mitigate impacts. See *TMC* 13.11.240.A and C; Exhibits "D"- "H"; Findings 2-8, 14, 27, 39, 46-49, 54, 58-59
23. Impacts are unavoidable. However, the project design, including grating, location of structure, and minimizing the size of the structure, will mitigate impacts. Removal of creosote piles and treated timbers will compensate for new steel piles and additional overwater coverage. Though no mitigation monitoring is proposed, a single, post-construction monitoring report will guarantee that mitigation measures are completed. See *TMC* 13.11.260; 13.11.550; Exhibits "D"- "H"; Findings 2-8, 14, 27, 39, 46-49, 58-59

DECISION

Based upon the above findings and conclusions, the applicant's request for a Shoreline Substantial Development and FWHCA Development Permits are **Approved**, subject to the following conditions:

Conditions:

1. The authorization(s) granted herein is/are subject to all applicable federal, state and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances are conditions precedent to the approvals granted and are continuing requirements of such approvals. By accepting this/these approvals, the applicant represents that the developments and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approvals granted, the developments and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such developments or activities into compliance.
2. Prior to obtaining construction permits, the applicant must demonstrate that the DNR lease has been finalized and that all proposed activity is located on property upon which the applicant has legal right to construct.
3. Prior to obtaining construction permits, the applicant must demonstrate that any applicable street occupancy permits and/or work order permits for work within the right-of-way have been obtained.
4. Prior to obtaining construction permits, the applicant must submit a revised landscape plan, demonstrating that the project meets all of the landscaping requirements of *TMC* 13.06.175.A.3.c and g.
5. No construction materials or debris shall be allowed to enter waters of the State. Best Management Practices shall be used throughout the demolition and installation process.
6. All on-site lighting shall be directed away from the up-hill residential neighborhood.
7. In-water work shall only take place during the WDFW approved fish window.
8. The applicant shall conduct mitigation in accordance with the Joint Fire and Police Maritime Security Operations Center Mitigation Plan dated March 29, 2012. The applicant shall inform the City Environmental Specialist when each mitigation component is complete. Mitigation measures must be completed within one year of the impacts (start of construction activities/issuance of the building permits) to minimize the potential for temporal loss of habitat functions.
9. A single, post-construction monitoring report shall be required to verify the completion of the mitigation components and analyze the success or failure of the mitigation based on the goals and objectives outlined in the applicant's March 29, 2012 Mitigation Plan. This report shall be submitted to Building and Land Use Services (BLUS) within one year from completion of the mitigation measures.
10. The proposal shall be consistent with the representations in the environmental checklist and associated documents.

Advisory Notes:

The below notes are meant to provide additional information to the applicant relative to the specific development proposal. These notes are not conditions of the permit nor do they constitute a complete review of the project.

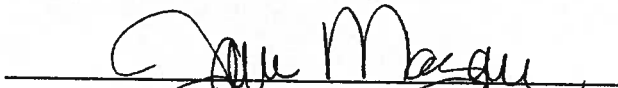
1. The decision set forth herein is based upon representations made and information submitted, including development plans and proposals, submitted to the Land Use Administrator. Any substantial change(s) or deviation(s) in such development plans, proposals, or conditions of approval imposed shall be subject to the approval of the Land Use Administrator, and may require additional permitting and public notification and comment.
2. State statute prohibits reserved parking within in the right-of-way. Refer to Exhibit "I".

3. All damaged and/or defective sidewalk abutting the site must be replaced to the approval of the City Engineer. Refer to Exhibit "I".
4. Environmental Services Engineering Division provides the following advisory comments:
 - Prior to approval of building permits, the applicant must demonstrate compliance with the City's Surface Water Management Manual, Side Sewer and Sanitary Availability Manual, TMC 12.08, and the Public Works Design Manual.
 - Any utility construction, relocation, or adjustment costs will be at the applicant's expense.
 - Project must comply with SWMM Minimum Requirements 1-12 and apply with all applicable requirements.
5. This permit may be rescinded pursuant to RCW 90.58.140(8) of the Shoreline Management Act of 1971 and Section 13.10.330 of the *Tacoma Municipal Code* in the event the permittee fails to comply with any condition thereof.
6. Construction shall be commenced within two (2) years after the effective date of the permit. Local government may, however, authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date. Authorization to conduct development activities shall terminate five years after the effective date of a shoreline permit, however, a single extension for a period not to exceed one year may be granted by local government if a request for extension has been filed before the expiration date.
7. Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the "date of filing" with the Washington State Department of Ecology, as that term is defined in WAC 173-27-130, or until all review proceedings initiated within twenty-one (21) days from the "date of filing" have been terminated.

ENDANGERED SPECIES ACT WARNING:

The holder of this shoreline permit is responsible for compliance with the applicable provisions of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531 et seq.), and this shoreline permit includes no representation or warranty of ESA compliance.

ORDERED this 4th day of June, 2012



 JANA MAGOON
 LAND USE ADMINISTRATOR

FULL DECISION TRANSMITTED this 4th day of June, 2012 via first class mail to the following:

- Robert G. Oenning, 3303 North 36th Street, Tacoma, WA 98407
 David Seago, 4405 North 34th Street, Tacoma, WA 98407
 Michael Garrity, 608 North Sheridan Avenue, Tacoma, WA 98403
 Rolin Christopherson, Department of Natural Resources (DNR) – South Puget Sound Region,
 950 Farman Avenue North, Enumclaw, WA 98022-9282
 Lindie Schmidt, Department of Natural Resources (DNR) – South Puget Sound Region, 950
 Farman Avenue North, Enumclaw, WA 98022-9282

Washington State Department of Fish and Wildlife, Michelle Tirhi, 25644 – 44th Avenue South,
Kent, WA 98032

Washington Department of Fish and Wildlife, Chris Waldbillig, 450 Port Orchard Blvd, Suite,
290, Port Orchard, WA 98366

U.S. Army Corps of Engineers, Attn: Regulatory Branch, CENWS-OD-RG ATTN: Dave L.
Shaeffer, P.O. Box C-3755, Seattle, WA 98124

Washington Department of Ecology, Attn: Alex Callender, PO Box 47775, Olympia, WA 98504-
7775

Pierce County Office of the Assessor-Treasurer, Darci Brandvold, 2401 South 35th Street, Room
142, Tacoma, WA 98409-7460

Via Inter-office Mail:

Victor Workman, Building Inspector

Doug Babbit, PW Facilities Management

Joshua Clarke, PW Facilities Management

Ramie Pierce, Urban Forester

Sarah York, ESSE

Misty Blair, Environmental Specialist

SUMMARY OF DECISION TRANSMITTED this 4th day of June, 2012 via first
class and interoffice mail to the following:

All property owners with 400 feet of the subject site

North End Neighborhood Council

Washington Department of Ecology, SEPA Unit, P.O. Box 47703, Olympia, WA 98504

Puyallup Tribe of Indians, 3008 Portland Avenue, Tacoma, WA 98404, Peter Mill, Jeffery P.

Thomas, Bill Sullivan, Jeffrey Thomas, Judy Wright, Cynthia Lyman, Andrea George,

Lisa A. Brautigam, Rob White

Brad Harp, Tacoma-Pierce County Health Department, 3629 South D Street, Tacoma, WA
98418-6813

Tahoma Audubon Society, Krystal Kyer, 2917 Morrison Road West, University Place, WA
98466-4619

Marine Advisory Council, President, 4702 South 19th Street, Tacoma, WA 98405

Cheryl Miller, 3303 North 36th Street, Tacoma, WA 98407

Leslie Ann Rose, Citizens for a Health Bay, 917 Pacific Avenue, Suite 100, Tacoma, WA 98402

NOTE: Pursuant to *RCW 36.70B.130*, you are hereby notified that affected property
owner(s) receiving this notice of decision may request a change in valuation for property
tax purposes consistent with Pierce County's procedure for administrative appeal. To
request a change in value for property tax purposes you must file with the Pierce County
Board of Equalization on or before July 1st of the assessment year or within 30 days of
the date of notice of value from the Assessor-Treasurer's Office. To contact the board,
you may call 253-798-7415 or by e-mail at www.co.pierce.wa.us/boe.

APPEAL PROCEDURES

RECONSIDERATION:

Any person having standing under the ordinance governing this application and feeling that the decision of the Administrator is based on errors of procedure or fact may make a written request for review by the Administrator within fourteen (14) days of the issuance of the written order. This request shall set forth the alleged errors, and the Administrator may, after further review, take such further actions as deemed proper, and may render a revised decision. A request for RECONSIDERATION of the Land Use Administrator's decision in this matter must be filed in writing with the Building and Land Use Services Division, Room 345, Third Floor, Tacoma Municipal Building, 747 Market Street, Tacoma, WA 98402, on or before June 18, 2012.

APPEAL TO HEARING EXAMINER:

Any decision of the Land Use Administrator may be appealed by any aggrieved person or entity as defined in Section 13.05.050 of the *Tacoma Municipal Code*, within fourteen (14) days of the issuance of this decision, or within seven (7) days of the date of issuance of the Administrator's decision on a reconsideration, to appeal the decision to the Hearing Examiner.

An appeal to the Hearing Examiner is initiated by filing a Notice of Appeal accompanied by the required filing fee. Filing of the appeal shall not be complete until both the Notice of Appeal and required filing fee have been received. The Notice of Appeal must be in writing and shall contain the following:

- (1) A brief statement showing how the appellant is aggrieved or adversely affected.
- (2) A statement of the grounds for the appeal, explaining why the appellant believes the administrative decision is wrong.
- (3) The requested relief, such as reversal or modification of the decision.
- (4) The signature, mailing address and telephone number of the appellant and any representative of the appellant.

An APPEAL of the Land Use Administrator's decision in this matter must be filed with the Hearing Examiner's Office, Seventh Floor, Tacoma Municipal Building, on or before June 18, 2012, together with a fee of **\$303.61**. THE FEE SHALL BE REFUNDED TO THE APPELLANT SHOULD THE APPELLANT PREVAIL.

APPEAL OF ENVIRONMENTAL DETERMINATION: The environmental determination for this proposal was made in accordance with the requirements of the State Environmental Policy Act and the *Tacoma Municipal Code* Section 13.12 and is on file with the City of Tacoma Building and Land Use Services Division. You may appeal this determination on or before June 18, 2012. Appeals may be filed at the SEPA public information center, Tacoma, Municipal Building, 3rd Floor, 747 Market Street, Tacoma, WA 98402 by filing a notice of appeal, the contents of the appeal as outlined in Section 13.12.680 of the *Tacoma Municipal Code* and a **\$303.61** filing fee.


Map Revised: 23 August 2011 syi

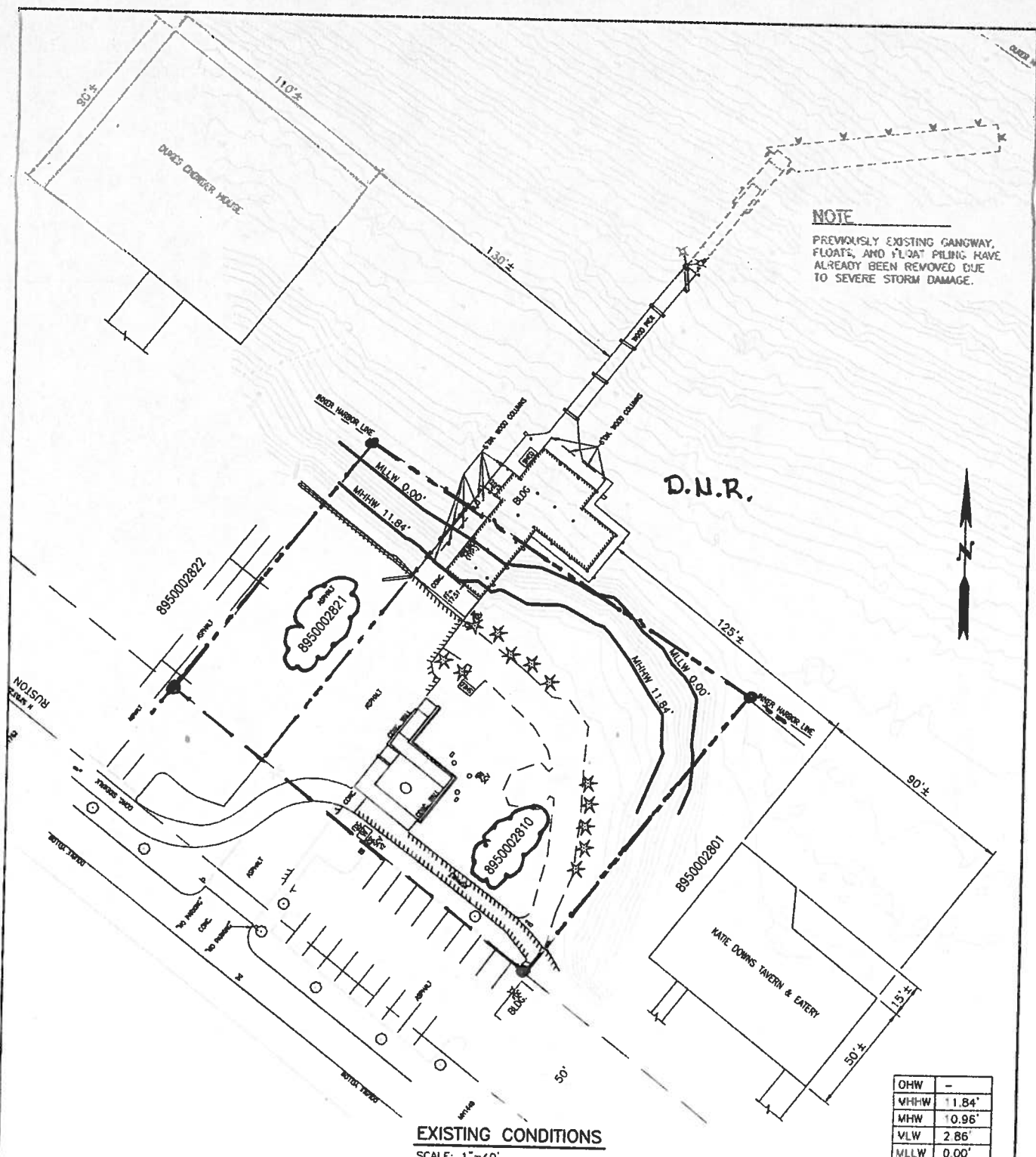
Office: TACO Path: P:\010570113\GIS\057011302_F1_VicinityMap.mxd



- Notes:
1. The locations of all features shown are approximate.
 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. can not guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.
 3. It is unlawful to copy or reproduce all or any part thereof, whether for personal use or resale, without permission.

Data Sources: ESRI Data & Maps, Street Maps 2005
 Transverse Mercator, State Plane South, North American Datum 1983
 North arrow oriented to grid north

Vicinity Map	
Joint Fire and Police Maritime Security Operations Center Tacoma, Washington	
GEOENGINEERS 	Figure 1



EXISTING CONDITIONS

SCALE: 1"=40'

OHW	-
MHHW	11.84'
MHW	10.96'
VLW	2.86'
MLLW	0.00'

PURPOSE: RENOVATE AN EXISTING PIER AND MOORAGE FLOAT SYSTEM, UPLAND BUILDING ADDITION AND PARKING LOT REVISION

DATUM: MLLW = 0.0'

ADJACENT PROPERTY OWNERS:

1. DUKES CHOWDER HOUSE
3327 RUSTON WAY, TACOMA, WA
2. KATIE DOWNS TAVERN & EATERY
3211 RUSTON WAY, TACOMA, WA

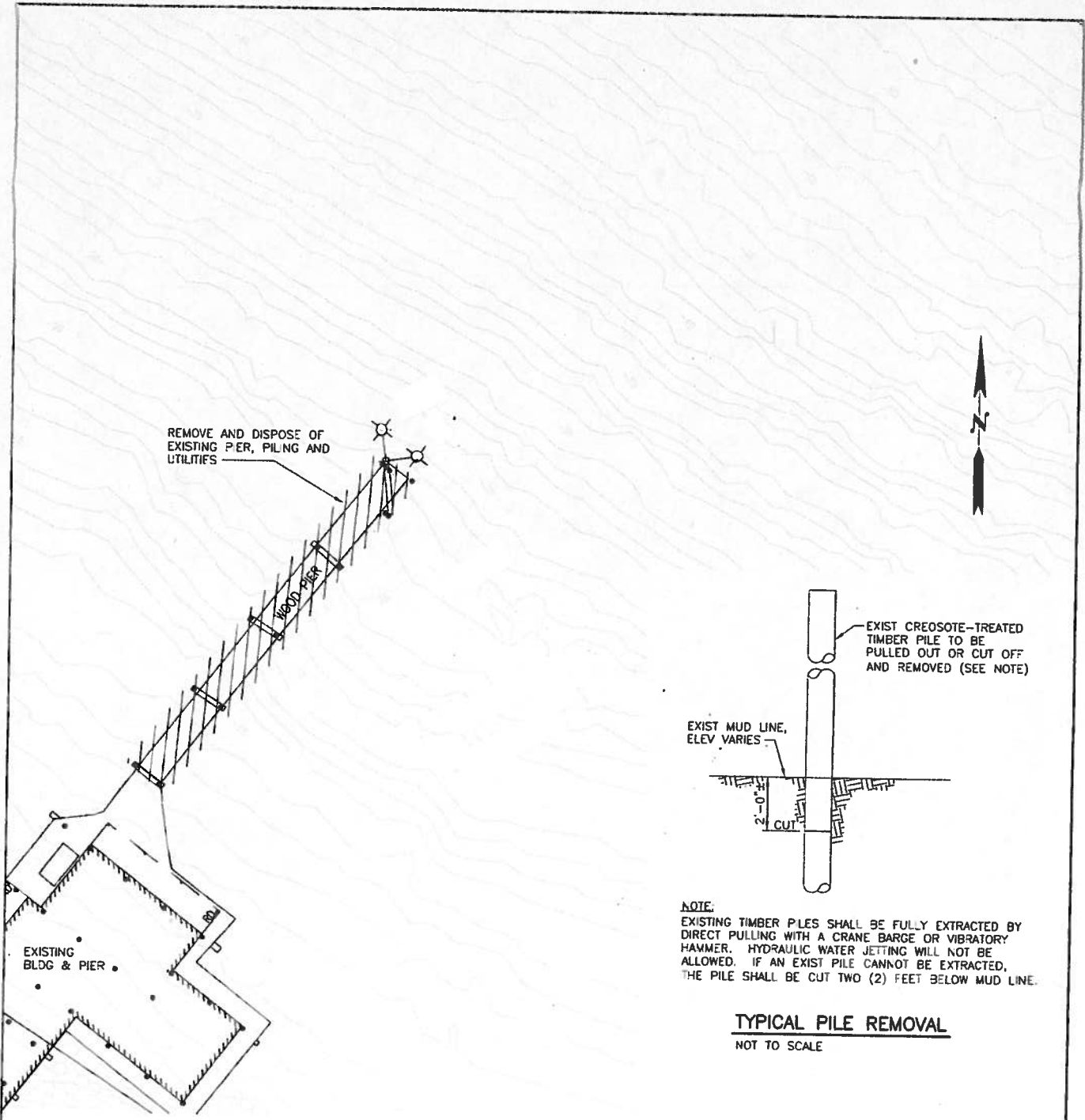
**CITY OF TACOMA
JOINT FIRE AND POLICE
MARITIME SECURITY
OPERATIONS CENTER**

NAME: CITY OF TACOMA
ADDRESS: 747 MARKET STREET
TACOMA, WA 98402

Reid Middleton 728 134th Street SE Suite 200
Everett, Washington 98204
Ph: 425 741-3800

N: PUGET SOUND
AT: COMMENCEMENT BAY
COUNTY OF: PIERCE
STATE OF: WASHINGTON
APPLICATION BY: CITY OF TACOMA

SHEET 2 OF 8 DATE: SEPT 23, 2011



DEMOLITION PLAN
SCALE: 1"=30'

NOTE:
EXISTING TIMBER PILES SHALL BE FULLY EXTRACTED BY DIRECT PULLING WITH A CRANE BARGE OR VIBRATORY HAMMER. HYDRAULIC WATER JETTING WILL NOT BE ALLOWED. IF AN EXIST PILE CANNOT BE EXTRACTED, THE PILE SHALL BE CUT TWO (2) FEET BELOW MUD LINE.

TYPICAL PILE REMOVAL
NOT TO SCALE

NOTE
PREVIOUSLY EXISTING GANGWAY, FLOATS, AND FLOAT PILING HAVE ALREADY BEEN REMOVED DUE TO SEVERE STORM DAMAGE.

PURPOSE: RENOVATE AN EXISTING PIER AND MOORAGE FLOAT SYSTEM, UPLAND BUILDING ADDITION AND PARKING LOT REVISION
 DATUM: MLLW = 0.0'
 ADJACENT PROPERTY OWNERS:
 1. DUKES CHOWDER HOUSE
 3327 RUSTON WAY, TACOMA, WA
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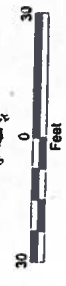
Reid Middleton 729 134th Street, SM Suite 200
 Everett, Washington 98204
 Ph: 425 741-3800
 N: PUGET SOUND
 AT: COMMENCEMENT BAY
 COUNTY OF: PIERCE
 STATE OF: WASHINGTON
 APPLICATION BY: CITY OF TACOMA
 SHEET 3 OF 8 DATE: SEPT 23, 2011



- Legend**
- Proposed 30-inch pipe piles (8)
 - Proposed 18-inch pipe piles (16)
 - Proposed float (2,434 sq. ft.)
 - ▨ Eelgrass habitat
 - ▤ Macroalgae habitat

The locations of all features shown are approximate. This drawing is for information purposes only and is intended to assist in showing features discussed in the attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

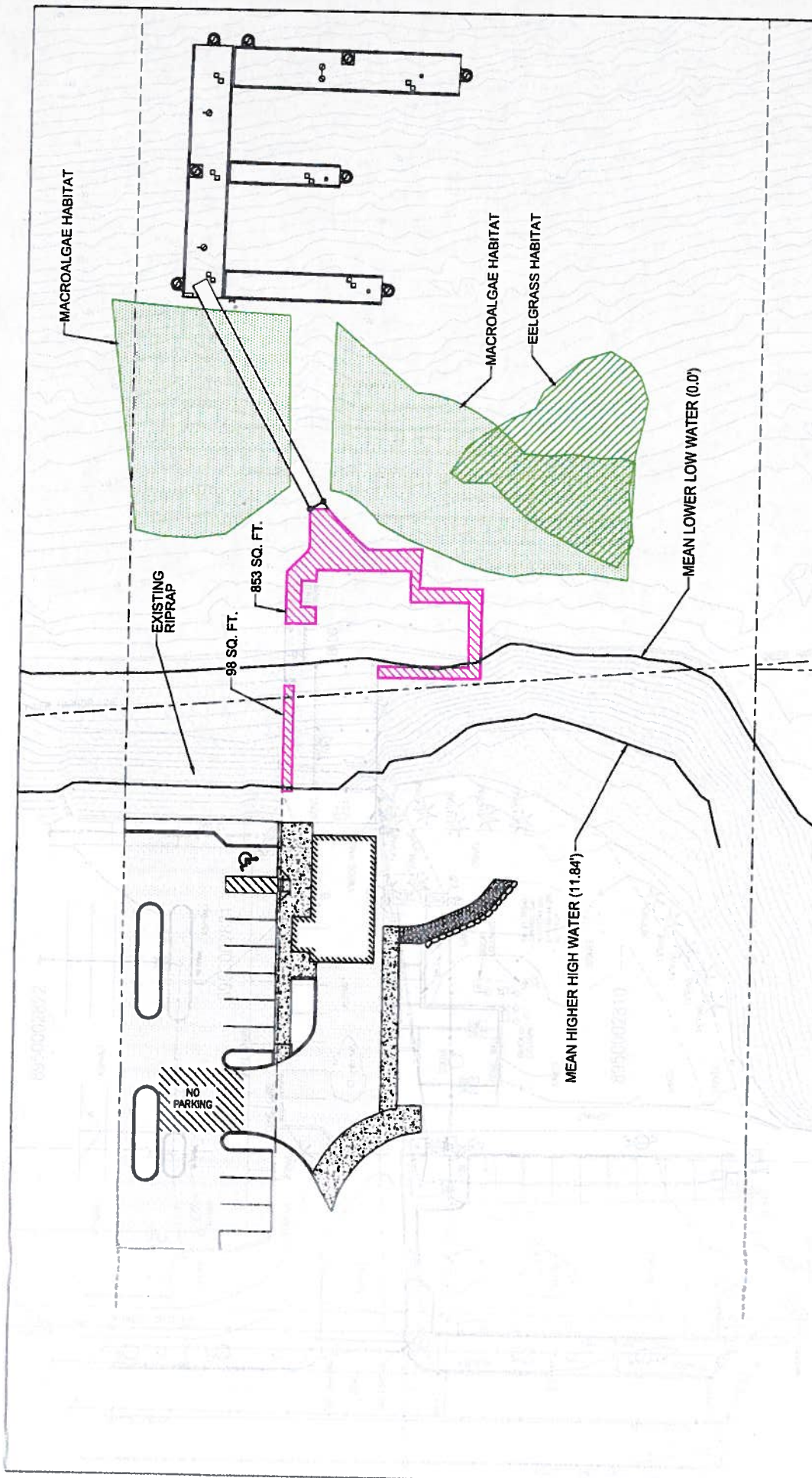
Reference Drawing provided by Reed Marine.



Proposed Structures
 Joint Fire and Police Maritime Security Operations Center
 Tacoma, Washington

GEOENGINEERS

Figure 3



Legend

- Existing wooden deck to be retrofitted with griled material (951 sq. ft.)
- Eelgrass habitat
- Macroalgae habitat

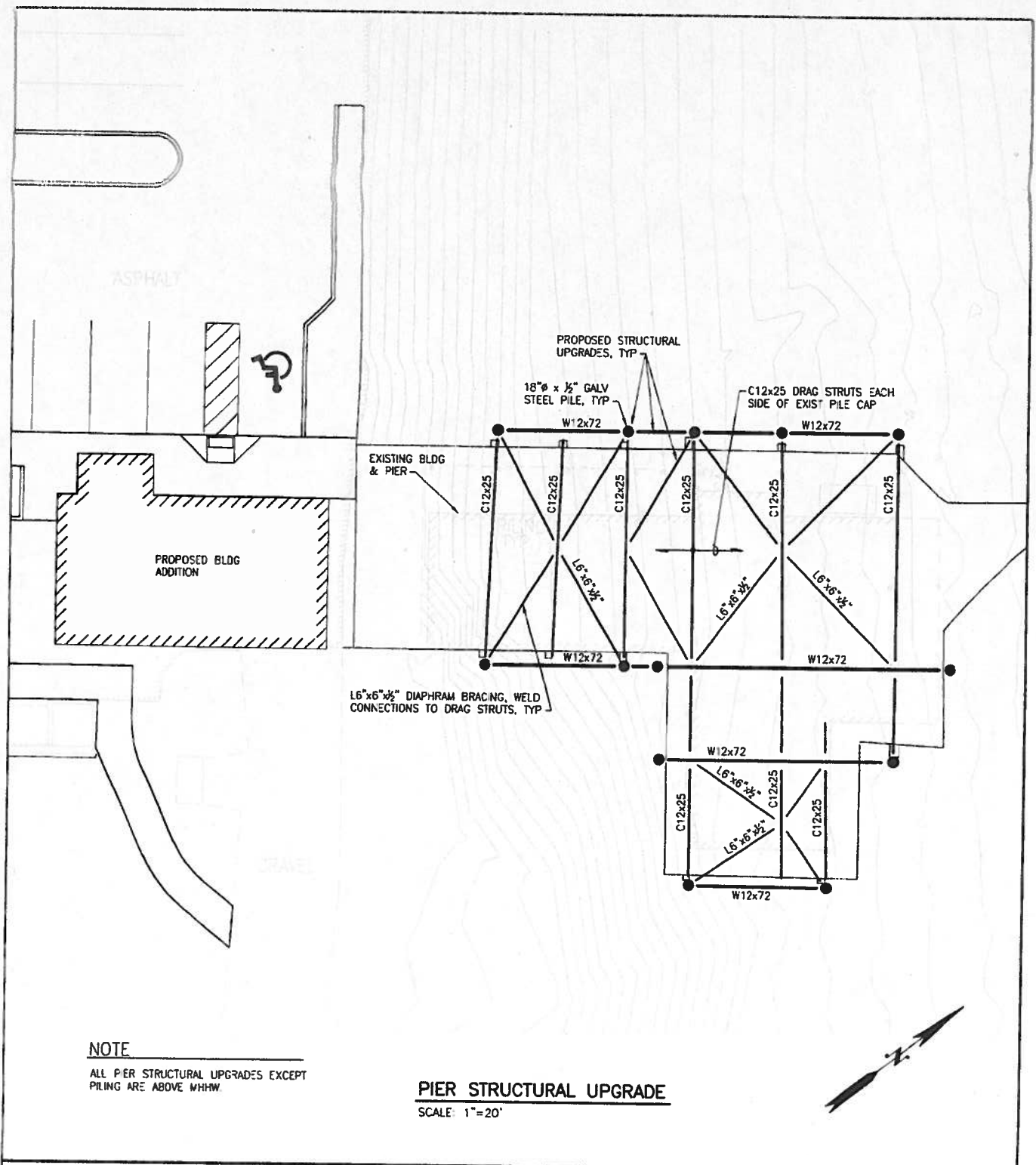
Note:
 1. The locations of all features shown are approximate.
 2. This drawing is for information purposes. It is intended to assist in planning features discussed in an attached document.
 GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.
 Helpsource: Drawing provided by Reid Medway

Deck Retrofit
 Joint Fire and Police Maritime Security Operations Center
 Tacoma, Washington

GEOENGINEERS

Figure 6

ATTACHMENT D.2



NOTE
 ALL PIER STRUCTURAL UPGRADES EXCEPT
 PILING ARE ABOVE MHHW.

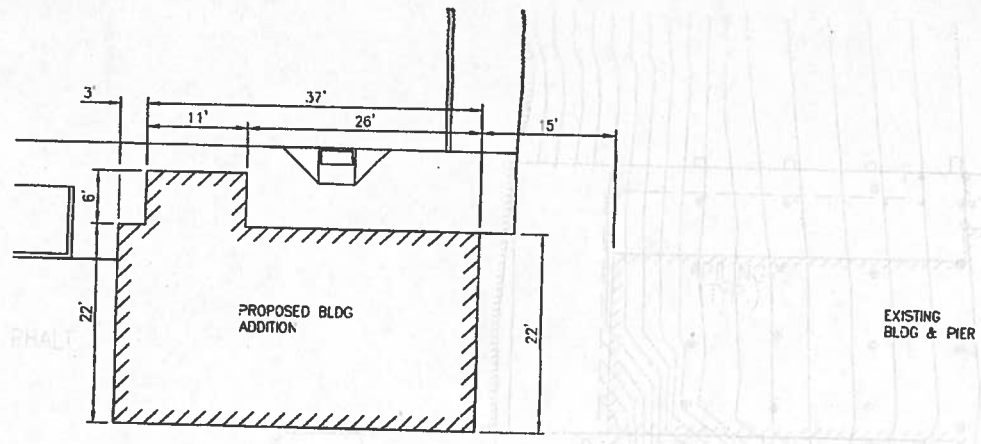
PIER STRUCTURAL UPGRADE
 SCALE: 1"=20'



PURPOSE: RENOVATE AN EXISTING PIER AND MOORAGE FLOAT SYSTEM, UPLAND BUILDING ADDITION AND PARKING LOT REVISION
 DATUM: MLLW = 0.0'
 ADJACENT PROPERTY OWNERS:
 1. DUKES CHOWDER HOUSE
 3327 RUSTON WAY, TACOMA, WA
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**CITY OF TACOMA
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 TACOMA, WA 98402

ReidMiddleton 729 134th Street SW Suite 200
 Everett, Washington 98204
 Ph: 425 741-3800
 IN: PUGET SOUND
 AT: COMMENCEMENT BAY
 COUNTY OF: PIERCE
 STATE OF: WASHINGTON
 APPLICATION BY: CITY OF TACOMA
 SHEET 6 OF 8 DATE: SEPT 23, 2011



UPLAND BUILDING ADDITION
 SCALE: 1"=20'

PURPOSE: RENOVATE AN EXISTING PIER AND MOORAGE FLOAT SYSTEM, UPLAND BUILDING ADDITION AND PARKING LOT REVISION

DATUM: MLLW = 0.0'

ADJACENT PROPERTY OWNERS:

1. DUKES CHOWDER HOUSE
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**CITY OF TACOMA
 JOINT FIRE AND POLICE
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 OPERATIONS CENTER**

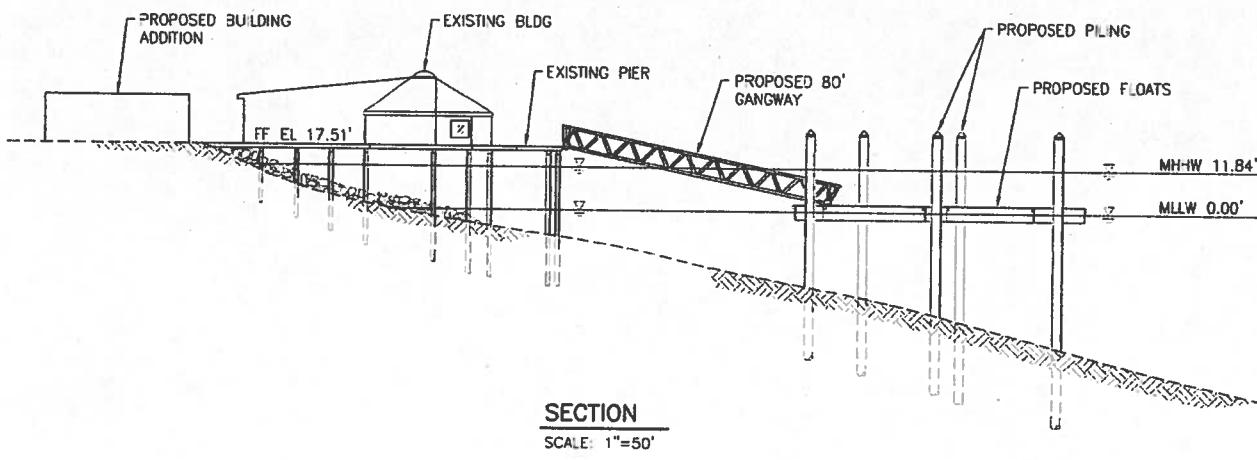
NAME: CITY OF TACOMA
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729 134th Street SW Suite 200
 Everett, Washington 98204
 Ph: 425 741-3800

IN: PUGET SOUND
 AT: COMMENCEMENT BAY
 COUNTY OF: PIERCE
 STATE OF: WASHINGTON
 APPLICATION BY: CITY OF TACOMA

SHEET 7 OF 8 DATE: SEPT 23, 2011



PURPOSE: RENOVATE AN EXISTING PIER AND MOORAGE FLOAT SYSTEM, UPLAND BUILDING ADDITION AND PARKING LOT REVISION

DATUM: MLLW = 0.0'

ADJACENT PROPERTY OWNERS:

1. DUKES CHOWDER HOUSE
3327 RUSTON WAY, TACOMA, WA
2. KATIE DOWNS TAVERN & EATERY
3211 RUSTON WAY, TACOMA, WA

**CITY OF TACOMA
JOINT FIRE AND POLICE
MARITIME SECURITY
OPERATIONS CENTER**

NAME: CITY OF TACOMA
ADDRESS: 747 MARKET STREET
TACOMA, WA 98402

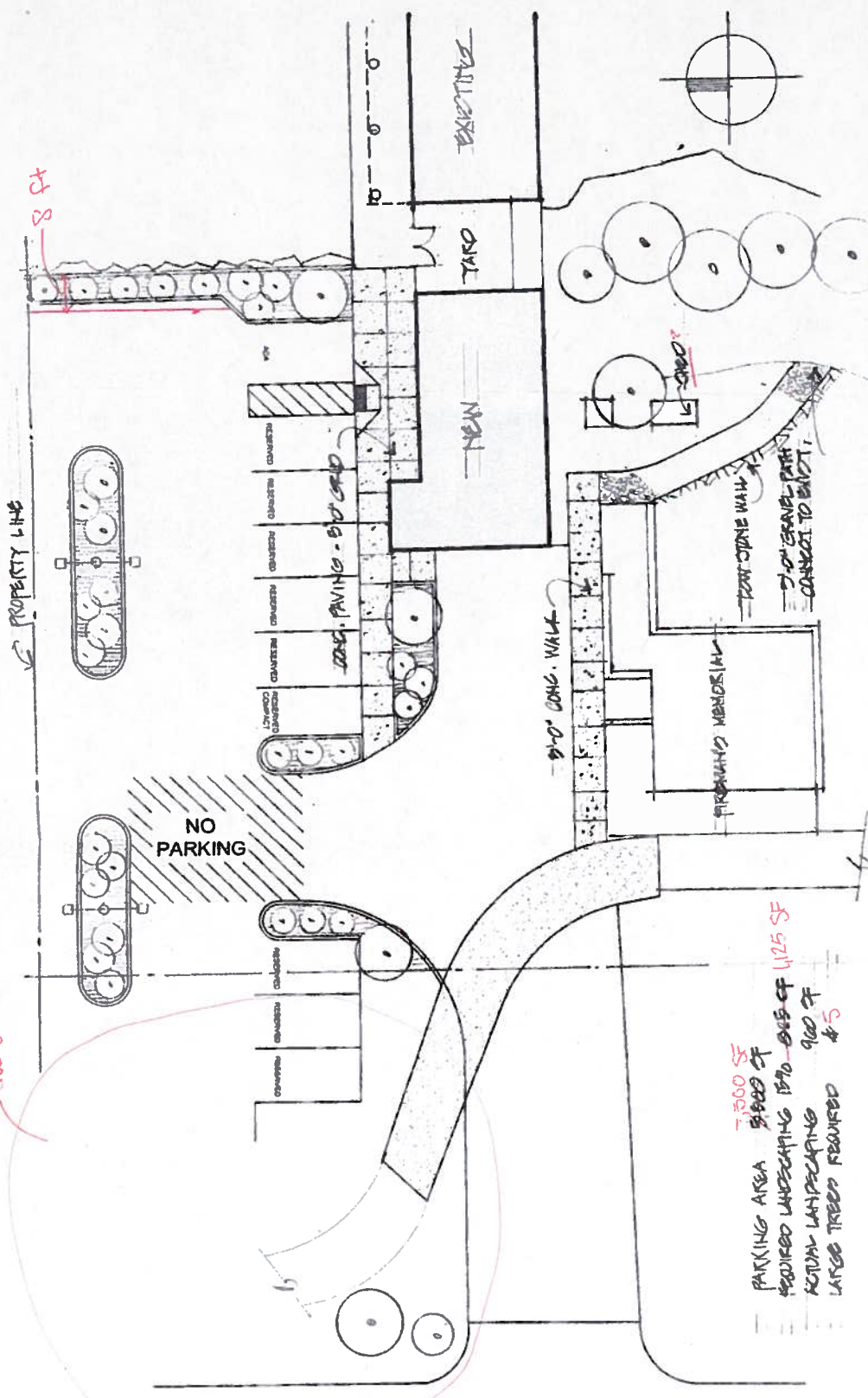
ReidMiddleton

729 134th Street SW Suite 200
Everett, Washington 98204
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Show details in ROW as well.



Maritime Security Operations Center (MSOC)
 SITE LAYOUT CONCEPT
 August 25, 2011
 Scale: 1/16"=1'-0"

7,500 SF
 PARKING AREA 5,000 SF
 REQUIRED LANDSCAPING 1570 - 845 SF OF 425 SF
 ACTUAL LANDSCAPING 900 SF
 LARGE TREES REQUIRED 4-5