

BEFORE THE DEPARTMENT OF TRANSPORTATION

IN RE: STATE ROUTE 705, TACOMA SPUR,)
MP 0.00 to MP 1.65, COMBINED)
HEARING ON DESIGN AND) FINDINGS AND ORDER
LIMITED ACCESS)

The hearing on the above entitled matter was held, upon due notice to interested parties, beginning at 7:00 P.M., Tuesday, July 29, 1980, in the Bicentennial Pavilion, located at 1313 Market Street, Tacoma, Washington, before Doug Hartwich, Hearing Examiner.

The interested persons and organizations were represented as follows:

DEPARTMENT OF TRANSPORTATION, by Robert Wright, Assistant Attorney General, Temple of Justice, Olympia, Washington 98504;

AMERICAN MANUFACTURING CO., INC., by Raymond D. Ogden, Jr., Attorney at Law, 1015 - 1411 Fourth Avenue Building, Seattle, Washington 98101;

ASC PACIFIC, INC., by Richard P. Kennedy, Production Manager, 2141 Milwaukee Way, Tacoma, Washington 98421;

E. M. BERSTEN, by self, P.O. Box 821, Tacoma, Washington 98401;

BURLINGTON NORTHERN INC., by J. N. Bone, Director of Engineering, 810 Third Ave., Central Bldg. Lobby 7, Seattle, Washington 98104;

WM. J. GAZECKI, by Ken Carroll, Corporate Officer, 2101 Pacific Ave., Tacoma, Washington 98402;

GENERAL TIRE SERVICE, by G. Thomas York, Store Manager, 102 Puyallup Ave., Tacoma, Washington 98421;

KTNT NEWS, 948 So. Grant, Tacoma, Washington 98405;

WILLIAM OLTMAN, by self, 2808 N. Cedar, Tacoma, Washington 98407;

PACKAGE SERVICE, INC., by Harmon R. Leonard, SR., President, P.O. Box 24164, Seattle, Washington 98124;

WM. D. WARD, by self, 2200 The Financial Ctr., Seattle, Washington 98161;

As a courtesy to interested citizens, the Department of Transportation furnishes a copy of the Findings and Order to all persons filing a notice of appearance, even though some may not properly be parties to the hearing. For administrative convenience, all persons filing a notice of appearance are listed above. The Department of Transportation, by including a person in this listing and by furnishing a copy of the Findings and Order, does not acknowledge or necessarily recognize the recipient to be party to the hearing.

The meeting was called to order by Doug Hartwich, Hearing Examiner, after which witnesses were called. Evidence was taken by a court reporter and thereafter transcribed. Certain exhibits were duly introduced as evidence. Based upon the oral evidence and the exhibits introduced in evidence, and acting under the authority of the Secretary of Transportation, the Deputy Secretary of Transportation of the State of Washington makes the following findings:

I

Prior to June 20, 1980, a plan for the establishment of a limited access highway over a portion of State Route 705 in Pierce County, Washington was ordered under the Washington State Department of Transportation Order No. 79-S-1.

Such plan was prepared and entitled "SR 705, TACOMA SPUR, MP 0.00 to MP 1.65, PIERCE COUNTY", sheets 1 through 8 of 8 sheets. The sheets were

introduced into evidence marked as Exhibit Nos. 7A through 7H, which were made a part of the hearing record.

II

The Department of Transportation received from the public agencies concerned with the proposed plan their available data on planning, land use, local traffic and other such information as required, and thereafter prepared and submitted to the appropriate local officials an Access Report showing how those factors had been taken into account and covering other matters required by RCW 47.52.131, et seq. A copy of that report was introduced into evidence marked Exhibit No. 5.

By letter dated July 16, 1980, the Tacoma City Council approved the Access Report, and said letter was introduced into evidence marked Exhibit No. 6.

III

On June 20, 1980, the Design Engineer by Order proposed said plan and set a hearing date in accordance with the provisions of RCW 47.52.131 et. seq. Said Order was introduced into evidence marked Exhibit No. 1.

IV

Mr. V. W. Korf, Deputy Secretary of Transportation, issued a Notice of Combined Design and Limited Access Hearing. On July 8, and July 9, 1980, an exact copy of this notice was mailed to Pierce County; City of Tacoma; various agencies and other interested parties; and to each of those record owners of property listed in the Affidavit of Service by Mailing introduced into evidence marked Exhibit Nos. 3a and No. 3b respectively. An exact copy of the notice was published in the Tacoma News Tribune on June 27 and July 18, 1980, as shown by the affidavit of Eileen Racicky, Chief Clerk of said newspaper, which affi-

davit was introduced into evidence marked Exhibit No. 2.

V

The plan proposes the establishment of fully controlled limited access highway facilities for State Route 705 from the Pacific Avenue Interchange on State Route 5 to Schuster Parkway between Station SB 100+00.00 and Station SB 187+33.96; and on a portion of State Route 509 from Pacific Avenue at 21st Street to Milwaukee Way between Station E-W 0+00.00 and Station E-W 89+51.17 as shown on sheets 1 through 8 of 8 sheets entitled "SR 705, TACOMA SPUR, M.P. 0.00 TO M.P. 1.65, PIERCE COUNTY".

VI

This section of State Route 705 is an important part of the highway system of the State of Washington and represents a substantial expenditure in construction costs. It is of particular importance to the City of Tacoma as it will remove through traffic from city streets and provide a safe and convenient route from downtown Tacoma and the Port to the surrounding community. State Route 705 is functionally classified as an interstate highway and the Department of Transportation policy provides for full control of access on highways of this type. In so doing, the investment of public funds is protected by preserving the highway for future use.

The projected average daily traffic volumes for the design year of 2000 indicate there will be between 30,200 and 58,000 vehicles travelling along the north-south segment of the project, SR 705; between 11,500 and 25,900 vehicles will be travelling along the east-west segment of the project, SR 509. It is vital in planning highways to provide adequate capacity for increased traffic demands in order to prevent the facility from becoming obsolete within a short period of time.

The accident summary of existing SR 509 reveals a total of 212 accidents with one fatality in 1979. These accidents resulted in injury to 87 persons and property damage amounting to \$232,300. Total economic loss was \$972,300. Over 80 percent of the accidents on this section occurred on Pacific Avenue in the CBD area.

After construction of SR 705 is completed, the safety of the facility should compare favorably with the statewide average for urban limited access facilities, which is about one-third less than would be expected if the freeway was not completed and traffic continued to use the arterial streets.

The efficiency of the highways as a means of moving a maximum volume of traffic safely is directly related to the number of access points. It has been demonstrated in the past that as property owners establish approaches to the highway for their personal use or for business enterprise, the problem of increased accident potential and lowered capacity, due to interference from these approaches, becomes increasingly great and the highway gradually becomes obsolete. Therefore, access points should be kept to a minimum consistent with allowing local traffic adequate use of the facility at properly designed interchanges.

The plan for the establishment of fully controlled limited access facilities for State Route 705 in Pierce County, introduced into evidence marked Exhibit Nos. 7A through 7H will facilitate travel, reduce accident rates, preserve the public investment and sustain the highway as a modern transportation facility.

VII

In addition to the exhibits previously mentioned, the following exhibits

were entered into evidence at or subsequent to the hearing and made a part of the hearing record:

- Exhibit No. 4 Design Report - Pre-Final Submittal I-705
- Exhibit No. 8 Administrative record summary documenting the prior proceedings of this project.
- Exhibit No. 9 Letter, dated July 17, 1980, signed by F. Bealer representing the Union Pacific Railroad Company regarding their trackage being affected by the proposal.
- Exhibit No. 10 Letter, dated July 23, 1980, signed by Harmon R. Leonard, SR., President, Package Service, Inc., for Acme Inter-City Freight Lines expressing they had no objections to the proposal.
- Exhibit No. 11 Letter, dated July 29, 1980, signed by Raymond D. Ogden, Jr., attorney for American Manufacturing Company, regarding the impact the project has on their property.
- Exhibit No. 12 Written Statement, signed by Robert Satiacum, Tribal Chairman, representing the Puyallup Tribe of Indians, and the Puyallup Reservation opposing the Tacoma Spur project.
- Exhibit No. 13 Letter, dated July 30, 1980, signed by W. J. Gazecki, President of Precision Machine Works, Inc. regarding the relocation of their plant.
- Exhibit No. 14 Letter, dated August 8, 1980, signed by Helen Tucker, objecting to the total project.

VIII

The Deputy Secretary of Transportation has considered evidence on the entire portion of the above entitled highway and finds that the plans introduced into evidence marked Exhibit Nos. 7A through 7H should be modified as hereinafter set forth and as shown on Exhibit "A" attached.

1. Revise plan sheet 2 of 8 sheets to relocate the right of way and limited access line at the south end of 'C' Street to add a cul-de-sac, as a recommended plan change by the Department of Transportation at the hearing.
2. Revise plan sheets 2 through 8 of 8 sheets to revise the Access Note as a recommended plan change by the Department at the hearing.

3. Revise plan sheet 3 of 8 sheets to relocate the right of way and limited access line between Station EW-S 3+58.42 and EW-S 6+54.37 left, also delete the cul-de-sac at "A" Street and the cul-de-sac at South 22nd Street. This revision will allow access to remain between "A" Street and South 22nd Street thereby allowing American Manufacturing Company access to their property in block 2101 from "A" Street as requested by Raymond D. Ogden, Jr., attorney for American Manufacturing Company.

IX

The Deputy Secretary also considered the following requests made at or subsequent to the hearing within the 10-day open record period and makes the following findings:

1. Ms. Helen Tucker, Parcel No. 3-05989, in Exhibit No. 4, objects to the location of the Highway as her property will be taken.

This parcel is in the area planned for a landscaped buffer between SR 705 and the Hawthorne Community. The right-of-way line could be placed at the property line of Parcel 3-05989 with no severe environmental impact on the property owner. However, in making these revisions, the landscaping as planned would be compromised to such an extent that it would no longer be effective as a landscape buffer. In order to maintain the continuity of the landscape scheme planned for this area, the Department recommends that the landscaping remain as presented in the plans at the hearing.

2. Precision Machine Works, Inc., Parcel No. 3-06019 and 3-06020, in Exhibit No. 13, expressed concerns about the time and expense required to relocate their plant.

The Department will relocate and/or compensate the Precision Machine Works, Inc., in accordance with established procedures for business relocation. The details of the operation will be addressed and final determinations made at the time of R/W negotiations.

3. American Manufacturing Company, in a letter dated July 29, 1980, Exhibit No. 11, objects to the location of the State Route 705 in the immediate vicinity of 23rd Street and Dock Street as the proposed freeway would block present access from Dock Street to their property in block 2200 of Tacoma Land Company, Second Addition.

The project does not affect existing access from the property to Dock Street. Dock Street will be lowered about 2 feet adjacent to the property, but the lowering will not affect access. There will be disruption and inconvenience during construction in this area.

4. Mr. Robert Satiacum, Tribal Chairman representing the Puyallup Indian Tribe, Parcel No. 3-06043, on page 56 through page 59 of the hearing transcript and in Exhibit No. 12, opposes the project on the grounds of lack of any meaningful or officially recognized participation in the planning process for this highway by the Puyallup Tribe.

During the project development there were three public meetings held for the purpose of gathering community input on the project. The meetings were widely advertised. Also, a scale model of the project was available for public viewing two days a week at the display center at 118 South 9th Street in downtown Tacoma. Personnel were available to answer questions and receive input from the public. No contact was made by the Puyallup Indian Tribe, however following the hearing, the Department did contact the Puyallup Tribe to review the proposed improvement. The Puyallup Tribe will be sent notices of all meetings to be held as the project development continues.

X

As an administrative action, the Department has added parcel details, areas of ownership and other right of way data necessary to complete the plan.

XI

The Deputy Secretary of Transportation particularly finds, in the case of each abutting ownership, that the adoption of the plan for making said highway a limited access facility, said plan being attached hereto and marked Exhibit "A", is required for public convenience and necessity.

Based upon the foregoing findings and the evidence supporting them, the Deputy Secretary of Transportation of the State of Washington,

ORDERS:

I

That the section of State Route 705 in Pierce County described as follows is hereby designated as limited access highway of the fully controlled type:

Between SR 705 Station SB 100+00.00 and SB 187+33.96, and between SR 509 Station E-W 0+00.00 and E-W 89+51.17 as shown on sheets 1 through 8 of 8 sheets of the plan entitled "SR 705, TACOMA SPUR, MP 0.00 to MP 1.65, PIERCE COUNTY", dated June 20, 1980.

II

That the plan set forth in Exhibit Nos. 7A through 7H for establishment of access control on said highway be revised as follows and as shown on Exhibit "A" hereto attached and by this reference made a part hereof:

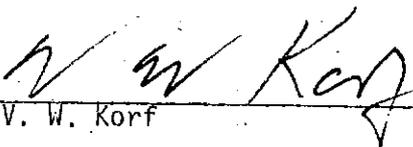
1. Revise plan sheet 2 of 8 sheets to relocate the right of way and limited access line at the south end of 'C' Street to add a cul-de-sac.
2. Revise plan sheets 2 through 8 of 8 sheets to revise the Access Note, add parcel details, areas of ownership and other miscellaneous right of way data.
3. Revise plan sheet 3 of 8 sheets to relocate the right of way and limited access line between Station EW-S 3+58.42 and EW-S 6+54.37 on the left, also to delete the cul-de-sac at "A" Street and the cul-de-sac at South 22nd Street.

III

That the plan entitled "SR 705, TACOMA SPUR, MP 0.00 to MP 1.65, PIERCE COUNTY", sheets 1 through 8 of 8 sheets dated June 20, 1980, revised above and as shown on Exhibit "A", be and the same is hereby adopted.

ADOPTED THIS 23rd day of June, 1981.

DEPUTY SECRETARY OF TRANSPORTATION


V. W. Korf

APPROVED AS TO FORM:


Assistant Attorney General