

BEFORE THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

IN RE: SR 125/MEADOWBROOK BLVD)	
INTERSECTION)	FINDINGS AND ORDER
H.E.S. 161+39.60)	
LIMITED ACCESS HEARING)	

The hearing on the above entitled matter was held upon due notice to interested parties, beginning at 6 p.m. Wednesday, December 3, 1997, at the Sager Middle School, College Place, Washington, before Edward Steinmetz, Hearing Examiner.

The interested persons and organizations were represented as follows:

DEPARTMENT OF TRANSPORTATION, by Steve Klasinski, Assistant Attorney General, P.O. Box 40113, Olympia, Washington 98504-0113;

COLLEGE PLACE, by Fred Spruell, The Honorable Mayor, The City of College Place, 625 S. College Place Ave., College Place, Washington 99234;

MARGE NYHAGEN, by self, 963 Robin Dr., College Place, Washington 99324;

KIM SHELTON, by self, 1537 Central Ave., College Place, Washington 99324;

JOHN ROWLEY, by self, 1742 Dalles Military Road, Walla Walla, Washington 99362;

JEAN DOLLING, by self, Rt. 2 Box 258, Walla Walla, Washington 99362;

DAVID KENDALL, by self, 346 Davin Dr., College Place, Washington 99324;

MRS. BONAVEREE EICHNER, by self, P.O. Box 314, College Place, Washington 99324;

SUSAN FORGEY, by self, 509 SE 8th, College Place, Washington 99324;

CHAD GESSELE, by self, 317 S. College Ave., College Place, Washington 99324;

STEVE STANTON, by self, P.O. Box 813, Walla Walla, Washington 99362;

DAVID POLK, by self, 427 SE 8th, College Place, Washington 99324;

JAMES HANNUM, by self, 424 Scenic View Dr., College Place, Washington 99324;
OLIVE ALLISON, by self, 716 SE 4th Street, College Place, Washington 99324 - 1319;
MARY LOU TILLAY, by self, Route 1 Box 330, Walla Walla, Washington 99362;
DARL & CORINE WALLACE, by self, Route 1 Box 357, Walla Walla, Washington 99362;
AL GRABLE, by self, 630 SW 3rd Street, College Place, Washington 99324;
RICHARD C. HANSON, by self, 1920 Sunflower Ct., College Place, Washington 99324;
TOM W. CONATSER, by self, 930 SE 12th, College Place, Washington 99324;
NADINE RENEAU, by self, 812 SE 12th Street, College Place, Washington 99324;
DAVID Y. MAXON, by self, 1245 Dewey Dr., College Place, Washington 99324;
JOHN DAVIN, by self, 401 W. Highland Park Dr., College Place, Washington 99324;
MATT STROEMEL, by self, 704 Mocking Bird Dr., College Place, Washington 99324;
DAVID A. DANKEL, by self, 432 Mountain View Drive, College Place, Washington 99324;
ELLA SMITH, by self, 1305 Central Ave, College Place, Washington 99324;
BILL & ALICE MACDONALD, by self, 1429 Taumarson Road, Walla Walla, Washington 99362;
JON A. COLE, by self, Route 1, 426 Mojonier Road, Walla Walla, Washington 99362;
SHIRLEY P. FOWLER, by self, 1655 Taumarson Road, Walla Walla, Washington 99362;
JOANNIE L. DUNLAP, by self, 1064 Raven Lane, College Place, Washington 99324;
MYRON HUFFMAN, by self, 240 Sunny Dr., College Place, Washington 99324;
LARRY DICKERSON, by self, 1027 SE Date, College Place, Washington 99324;
JAMES L. WAGNER, by self, Rt. 1 Box 348, Walla Walla, Washington 99362;
MAURINE CARPENTER, by self, 123 Valley Dr., College Place, Washington 99324;
WALT MESKE, by self, 23 N.W. "B" St., College Place, Washington 99324;
MR. & MRS. LAVERNE NELSON, by selves, 225 S.E. Valley Dr., College Place, Washington 99324;

PHYLLIS MAW, by self, 946 Robin, College Place, Washington 99324;

GLEN & ANNE GREENWAY, by selves, Rt. 1 Box 353 C Walla Walla, Washington 99362;

CARMELA BUTTICE, by self, Rt. 1 Box 80, Walla Walla, Washington 99362;

DAVID DECCIO, by self, Rt. 1 Box 354, Walla Walla, Washington 99362;

STANELY A. GREEN, P.E. , by self, P.O. Box 95, College Place, Washington 99324;

MR. & MRS. RAYMOND TORVETTA, by selves, 812 S.W. Davis., College Place, Washington 99324;

E.A. LINDEMANN, by self, Rt. 1 Box 331, Walla Walla, Washington 99362;

CLARA H. PREHODA, by self, 1350 Mojounier Road, Walla Walla, Washington 99362;

ELIZABETH ROUSE, by self, 871 Mockingbird Dr., College Place, Washington 99324;

GLADYS MARTIN, by self, 859 Mockingbird Dr, College Place, Washington 99324;

TOM & SHELLY FURSES, by selves, 1496 Osprey, College Place, Washington 99324;

DORTHY GREET, by self, 1462 Bobolink Lane., College Place, Washington 99324;

DONALD SPAULDING, by self, 32 Pepperidge Pl., College Place, Washington 99324;

MYRTLE BUFF, by self, 1494 Osprey, College Place, Washington 99324;

TERESA A. WAGNER, by self, 2035 Dalles Military Road, Walla Walla, Washington 99362;

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, 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 a proper party to the hearing.

The meeting was called to order under the provisions of RCW 47.52 *et seq.*, by Richard Larson, South Central Regional Administrator, 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 for the State of Washington, the Assistant Secretary of Environment and Engineering makes the following findings:

I

Prior to July 23, 1953, a plan for the establishment of a limited access highway over a portion of State Route 125 in Walla Walla County, Washington, was ordered under Commission Resolution No. 95 and amendments thereto.

Such plan was prepared and entitled "SR 125 - WALLA WALLA TO HELL'S FORTY, WALLA WALLA COUNTY". Plan sheets 4 and 5 of 6 sheets of the above entitled plan were revised on October 24, 1997. Those plan sheets were introduced into evidence marked Exhibit No. 5, which was made a part of the hearing record.

II

The Department of Transportation received from public agencies concerned with the proposed plan their available data on planning, land use, local traffic, and other information required, and thereafter prepared and submitted to the appropriate officials an Access Report showing how those factors have 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. 4.

III

On October 24, 1997, the Deputy State Design Engineer by Order proposed said plan and set a hearing date in accordance with the provisions of RCW 47.52.131, *et seq.* The Order of Hearing was introduced into evidence marked as Exhibit No. 1.

IV

Todd Trepanier, Planning and Program Engineer, Washington State Department of Transportation, South Central Region, issued a Notice of Hearing. On November 19, 1997, an exact copy of this notice was mailed to other interested parties, and to each of the record owners of property listed on the County Tax Roll, as depicted in the Affidavit of Service by Mailing and attached mailing list introduced into evidence marked Exhibit Nos. 2 and 2A. Exact copies of the notice were published in Walla Walla Union Bulletin on November 19, 1997, as shown by Affidavit of Publication of Kenneth L. Hatch, controller of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 3.

V

The City of College Place through their Mayor Fred Spruell and City Engineer Van Voorhes have proposed a project that would close existing Larch Ave. at Sta. 153+07.9 and construct a new highway intersection to be known as Meadowbrook Blvd. at Sta. 161+39.60 on State Route 125. This proposed project is also supported by the two abutting property owners John N. and Lynette K. Rowley in Exhibit No. 29 and by Norman C. Case in Exhibit No. 38. College Place Mayor-elect Thor Bakland in Exhibit No. 33 urged the Department to implement the City of College Place's proposed Plan.

Since the proposed project involves a revision to limited access on a state highway, the Department of Transportation is required by statutes to hold a Limited Access hearing for the project.

The plan proposes the revision of the existing limited access facility between Sta. L150+00 and Sta. L 164+00 as shown on sheets 4 and 5 of 6 sheets entitled "SR 125 - WALLA WALLA TO HELL'S FORTY, WALLA WALLA COUNTY".

VI

This section of State Route 125 is an important part of the highway system of the state of Washington. It is functionally classified as a Principal Arterial and the Department of Transportation Policy provides for full and partial access control on highways of this type. In doing so, the investment of public funds is protected by preserving the highway for efficient future use.

The efficiency of the highway as a means of moving a maximum volume of traffic in safety is directly related to the control of access to the facility. It has been demonstrated in the past that, as the number of access points to the highway increase, the efficiency of the facility decreases 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 intersections and approaches. The closing of Larch Avenue and construction of the proposed Meadowbrook Blvd. will not adversely affect traffic safety along the SR 125 corridor.

The Right of Way and Limited Access Plans revising the established limited access control on SR 125 were introduced into evidence marked Exhibit No. 5.

VII

In addition to the exhibits previously mentioned, the following exhibits were entered into evidence at or subsequent to the hearing and made part of the hearing record:

- Exhibit No. 6 Access plan revision on sheet 4 of 6 sheets entitled "SR 125 WALLA WALLA TO HELL'S FORTY WALLA WALLA COUNTY".
- Exhibit No. 7 Letter dated November 21, 1997 from Hubert J. and Ellen M. Anthony objecting to the project.
- Exhibit No. 8 Letter dated December 3, 1997 from Paul Hartwig supporting the project.
- Exhibit No. 9 Letter dated December 3, 1997 from Maurine M. Carpenter objecting to the project.
- Exhibit No. 10 Letter dated December 1, 1997 from Shirley P. Fowler objecting to the project.
- Exhibit No. 11 Formal Petition objecting to the Larch Avenue closing.
- Exhibit No. 12 Letters submitted by Mary Lou Tillay from WSDOT and Walla Walla county stating concerns about the project.
- Exhibit No. 13 Letter with no date from John Davin presenting objections and suggestions to the project.
- Exhibit No. 14 Letter with no date from Steve Stanton, Walla Walla County Engineer, presenting objections and suggestions to the proposed plan.
- Exhibit No. 15 Transportation Access Analysis for College Place Commons Prepared by The TRANSPRO Group, Inc. of Bellevue, Washington submitted by Teresa Wagner.
- Exhibit No. 16 Mitigated Determination of Non-Significance (Corrected 6/19/95) for College Place Commons 130,000 sq. ft. Retail facility submitted by Teresa Wagner.
- Exhibit No. 17 Copy of Environmental Checklist City of College Place submitted by Kim Shelton.
- Exhibit No. 18 Mitigated Determination of Non-Significance (Corrected 6/19/95) for College Place Commons 130,000 sq. ft. Retail facility submitted by Kim Shelton.
- Exhibit No. 19 Various correspondence submitted by Kim Shelton regarding the construction of a new intersection and closing Larch and College Ave.
- Exhibit No. 20 Letter dated March 26, 1996 from Walla Walla County Prosecuting Attorney James L. Nagle, letter dated May 17, 1995 for Lewis L. Jacky, Walla Walla County Board of Commissioners, letter dated March 28, 1995 from Lewis L. Jacky, Walla Walla County Board of Commissioners submitted by Kim Shelton.

- Exhibit No. 21 Article from Walla Walla Union Bulletin, and Notice of Election to Kim Shelton submitted by Kim Shelton.
- Exhibit No. 22 Various letters submitted by Kim Shelton regarding the proposed project.
- Exhibit No. 23 Letter dated December 3, 1997 from Kim Shelton objecting to the project.
- Exhibit No. 24 Comment sheets submitted at the hearing.
- Exhibit No. 25 Letter dated December 3, 1997 from Larry Arbini objecting to the project.
- Exhibit No. 26 Letter dated December 3, 1997 from Gail Arbini objecting to the project.
- Exhibit No. 27 Comment sheet dated December 3, 1997 from Jean Dolling objecting to the project.
- Exhibit No. 28 Statement dated December 3, 1997 from Daniel N. Clark objecting to the project.
- Exhibit No. 29 Letter dated December 2, 1997 from John & Lynette Rowley, supporting the project.
- Exhibit No. 30 Letter dated December 3, 1997 from Jarl and Kaye Fossum objecting to the project.
- Exhibit No. 31 Letter from Marilyn and Laverne Nelson objecting to the project.
- Exhibit No. 32 Letter dated December 5, 1997 from Maurine M. Carpenter objecting to the project.
- Exhibit No. 33 Letter dated December 8, 1997 from Thor Bakland, DDS, Mayor-Elect of College Place supporting the project.
- Exhibit No. 34 Letter dated December 7, 1997 from Michael A. Taylor objecting to the project.
- Exhibit No. 35 Letter dated December 4, 1997 from Mrs. Shirley P. Fowler objecting to the project.
- Exhibit No. 36 Letter dated December 5, 1997 from Charles B. Phillips, City of College Place Attorney with a draft copy of agreement between Walla Walla County and College Place where the county gave the city authorization to construct and dedicate to the county a 2-lane roadway in subject location.
- Exhibit No. 37 Letter dated December 10, 1997 from Van Voorhies, City of College Place Engineer presenting a copy of SCA "SR 125 Access & Circulation Study" dated

October 1995, Final Environmental Impact Statement dated March 1997. Letter with the cities comments of support.

- Exhibit No. 38 Letter dated December 8, 1997 from Norman C. Case, supporting the project.
- Exhibit No. 39 Letter dated December 12, 1997 from Jodi Wagner objecting to the project.
- Exhibit No. 40 Letter dated December 12, 1997 from Kara L. Wagner objecting to the project.
- Exhibit No. 41 Letter from James L. Wagner, Captain Walla Walla county District 4 Fire Department objecting to the project.
- Exhibit No. 42 Exhibit not used.
- Exhibit No. 43 Letter dated December 8, 1997 from Carmilla Daniel Phillips supporting the project.
- Exhibit No. 44 Letter dated December 7, 1997 from Myron Huffman objecting to the project.
- Exhibit No. 45 Letter dated December 11, 1997 from Kenneth Hartwig supporting the project.
- Exhibit No. 46 Notice of Appearance from Mary Lou Tillay objecting to the project, and an attached article from the paper of the turn over of the Mayor.
- Exhibit No. 47 Letter from John Rowley supporting the project, and rebuttal to comments made by the opposition at the Hearing.
- Exhibit No. 48 Letter dated December 11, 1997 from Carmela M. Destito-Buttice objecting to the project.
- Exhibit No. 49 Letter dated December 11, 1997 from Emilio J. Buttice objecting to the project.
- Exhibit No. 50 Comment sheet dated December 3, 1997 from Mrs. Bonavee Eichner objecting to the project.
- Exhibit No. 51 Letter dated December 15, 1997 from Marge Nyhagen objecting to the project.
- Exhibit No. 52 Letter dated December 15, 1997 with attachments from Kim Shelton, councilmember-elect objecting to the project.
- Exhibit No. 53 Letter dated December 10, 1997 from Fred Spruell, Mayor supporting the project.
- Exhibit No. 54 Letter dated December 12, 1997 from Stanley A. Green, P.E., Chair of Walla Walla 2020, presenting objecting to the project.

VIII

The Assistant Secretary of Environment and Engineering also considered the following requests and makes the following findings:

1. There were numerous citizens testifying at the hearing and Exhibits entered into the record at and subsequent to the hearing that objected to, for various reasons stated in the hearing transcript and in the Exhibits, the closure of Larch Avenue and opening of the new Meadowbrook Blvd. Intersection. As stated in the Access Report (Exhibit No. 4) under Appendix D (Traffic Impact Analysis), the proposed project would improve the traffic flow patterns, provide a signalized intersection on SR 125 for safe access, improve traffic safety, and serve the proposed commercial development in the area. The intersections will operate at an acceptable level of service (LOS) both in the opening year and in the year 2016. The movement of emergency vehicles will not be adversely effected.

As stated in the Access Report Section 3 Design, intersection spacing will not adversely affect traffic safety along the SR 125 corridor with the construction of the proposed intersection.

2. Steve Stanton, Walla Walla County Engineer, in Exhibit 14 and on page 60 of the hearing transcript stated he was speaking on behalf of the Board of County Commissioners. He stated that the county is not in favor of the proposed project.

Charles B. Phillips, City Attorney of College Place, submitted Exhibit 36 in response to the nonsupport of the Board of County Commissioners. In that Exhibit Mr. Phillips stated that an agreement between the City of College Place and Walla Walla County was entered into on April 9, 1996. That agreement is attached to Exhibit No. 36. The agreement authorized the City to construct a roadway according to design standards. Paragraph 12 states this is a binding agreement. This agreement binds the Board of County Commissioners to hold to the terms of the agreement, therefore providing concurrence for the proposal requested by the City of College Place to close Larch Ave. and construct a new intersection on SR 125.

3. There were several requests to leave Larch open because it is 48 feet wide, and is adequate to support the number of increased trips per day.

The Access Report under Appendix D Traffic Impact Analysis provides no reason to deny the proposal made by the City of College Place to construct a new highway intersection for safety or mobility reasons.

IX

The Assistant Secretary of Environment and Engineering has considered evidence on the entire portion of the above entitled highway and finds the plan introduced into evidence should be modified as hereinafter set forth and shown on Exhibit "A" attached.

1. The right of way and Limited Access line was relocated between Sta. 26+73.81 and Sta. 29+08.92, to eliminate the impact on Parcel No. 21-0045, as shown on sheet 4 of 6 sheets. This revision was requested by Mr. David Deccio.
2. Minor revisions that correct ownerships and parcel details, area computations, and right of way details. (See plan sheets 4 and 5 of 6 sheets)

X

The Assistant Secretary for Environment and Engineering specifically finds that the adoption of the plan closing Larch Avenue Station 153+07.9 and open a new intersection at Station 161+39.60 on State Route 125 as shown on sheets 4 and 5 of 6 sheets entitled "SR 125 - WALLA WALLA TO HELL'S FORTY, WALLA WALLA COUNTY" 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 Assistant Secretary of Environment and Engineering for the Department of Transportation of the State of Washington

ORDERS:

I

That the grade intersection at Larch Ave. be closed completely, and that a new grade intersection (Meadowbrook Blvd). be added to the plan as shown on sheets 4 and 5 of 6 sheets entitled "SR 125, WALLA WALLA TO HELLS FORTY, WALLA COUNTY.

II

That the plan set forth in Exhibit No. 5 for the establishment of access control of said highway be revised as reflected in Exhibit "A" as follows;

1. Show that the right of way and Limited Access line was relocated between Sta. 26+73.81 and Sta. 29+08.92, to eliminate the impact on Parcel No. 21-0045, as shown on sheet 4 of 6 sheets. This revision was requested by Mr. David Deccio.

2. Minor revisions that correct ownerships and parcel details, area computations, and right of way details. (See plan sheets 4 and 5 of 6 sheets)

III

That the plan entitled, "SR 125 - WALLA WALLA TO HELL'S FORTY, WALLA WALLA COUNTY" sheets 4 and 5 of 6 sheets, approved April 25, 1950 as revised and reflected in Exhibit "A", is hereby adopted.

ADOPTED THIS 5th DAY OF June, 1998

ASSISTANT SECRETARY OF
ENVIRONMENT AND ENGINEERING
SERVICE CENTER



Approved as to form:


Assistant Attorney General