

I

Prior to May 11, 1979, a plan for the establishment of a full access controlled highway over a portion of State Route 509 in Pierce County, Washington, was ordered under DOT Order No. 79 - S -1, and amendments thereto.

Such a plan was prepared and entitled "SR 509, SR 705 TO MARINE VIEW DRIVE, MP 0.76 TO MP 4.91, PIERCE COUNTY, " sheets 1 through 18 of 18 sheets. These sheets were introduced into evidence marked as Exhibit No. 7, which were made 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 such 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.

By letter dated June 12, 1992, from John O. Trent, P. E., Public Works Director, Pierce County, and letter dated June 29, 1992, Fred A. Thompson, P. E., Public Works Director, City of Tacoma, concurred with the Access Hearing Plan and Access Report, and said letters were introduced into evidence marked Exhibits No. 8 and 13 respectively.

III

On June 5, 1992, the 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

Kevin J. Dayton, P.E., Project Engineer for the Department of Transportation in District 3, issued a Notice of Hearing. On June 16, 1992, an exact copy of this notice was mailed to the City of Tacoma; Pierce County, various agencies, media and 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 introduced into evidence marked Exhibit No. 2. An exact copy of the notice were published in The Morning News Tribune on June 2, 1992 and June 23, 1992, as shown by the Affidavit of Publication

of Tamara Duncan, Principal Clerk of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 3.

V

The plan proposes the establishment of a limited access facility for SR 509 from Sta. A 100+36.13 to Sta. A 235+00, as shown on sheets 1, 2, and 9 through 18 of 18 sheets entitled "SR 509, I - 705 TO MARINE VIEW DRIVE, MP 0.72 TO 14.91, PIERCE COUNTY". These sheets were introduced into evidence marked as Exhibit NO. 7.

Full Access control was established from Sta. 16+01.60 to Sta. 100+36.13 as shown on sheets 1, 3, through 9 of 18 sheets as a part of the "SR 705, Tacoma Spur" project adopted by Findings and Order, June 23, 1981.

VI

This section of State Route 509 is an important part of the highway system of the state of Washington and represents a substantial expenditure in construction costs. It is functionally classified as a Principal Arterial Highway and the Department of Transportation Policy provides for limited access control on highways of this type. In doing so, the investment of public funds is protected by preserving the highway for future use.

The efficiency of the highway as a means of moving a maximum volume of traffic in safety is directly related to the number of access points. Therefore, access points should be kept to a minimum consistent with allowing local traffic adequate use of the facility at properly designated interchanges.

The plan for the establishment of a limited access controlled facility for SR 509 in Pierce County, introduced into evidence marked Exhibit No. 7, 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. 5 SR 509 Final Environmental Impact Statement, Volumes 1 and 2
- Exhibit No. 6 Environmental Reevaluation/Consultation for Final Environmental Impact Statement

- Exhibit No. 8 Letter dated June 12, 1992, to Kevin Dayton from John Trent
- Exhibit No. 9 Reserved Exhibit, Department's response to Exhibit No. 8
- Exhibit No. 10 Project report dated June 15, 1992 to Kevin Dayton from R. Cass Schimelfenyg
- Exhibit No. 11 Reserved Exhibit, Department's response to Exhibit No. 10
- Exhibit No. 12 Letter dated June 19 1992 from Kevin Dayton to Mr. and Mrs. Di Denti
- Exhibit No. 13 Letter dated June 29, 1992 to Gary Demich from Fred Thompson
- Exhibit No. 14 Reserved Exhibit, Department's response to Jeff Lyon re: access to Parcel No. 3-07541
- Exhibit No. 15 Letter dated July 2, 1992 to Kevin Dayton from Frank Jacobs
- Exhibit No. 16 Reserved Exhibit, Department's response to Exhibit No. 15

VIII

The Assistant Secretary for Program Development has considered evidence on the entire portion of the above entitled highway and finds the plan introduced into evidence marked Exhibit No. 7 should be modified as hereinafter set forth and shown on Exhibit "A" attached.

1. Revise plan sheets 8 and 9 of 18 sheets to relocate the right of way and limited access line and to add a slope easement between Sta. A 90+00 Lt. and Sta. A 97+20 Lt. to lessen the impact on Parcel No. 3-07451, in response to Mr. Jacobs in Exhibit No. 15 and as recommended by the Department in Exhibit No. 16.
2. Revise plan sheet 16 of 18 sheets to delete the limited access control between Sta. NFR 119+20 Lt. to NFR 119+60 Lt. to allow access to Parcel being deeded to Puyallup Tribe as part of the Puyallup Indian Settlement, as recommended by the Department in Exhibit No. 14.
3. Revise plan sheets 1 through 18 of 18 sheets to make minor revisions, to correct ownerships and parcel details, area computations, and right of way details.

IX

The Assistant Secretary for Program Development particularly finds in the case of each abutting ownership that the adoption of the plan 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 Assistant Secretary for Program Development for the Department of Transportation of the State of Washington,

ORDERS:

I

That the section of State Route 509 in Pierce County described as follows is hereby designated as a limited access highway of the fully controlled type:

Between Station A 16+01.6 and Station A 235+00 as shown on sheets 1 through 18 of 18 sheets entitled, "SR 509, I - 705 TO MARINE VIEW DRIVE, MP 0.76 TO MP 4.91, PIERCE COUNTY," dated June 5, 1992.

II

That the plan set forth in Exhibit No. 7 for the establishment of access control of 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 sheets 8 and 9 of 18 sheets to change Parcel No. 3-07451 to a slope easement between Sta. A 90+00 Left to Sta. A 97+20 Left.
2. Revise plan sheet 16 of 18 sheets to delete the limited access between Sta. NFR 119+20 Left to NFR 119+60 Left to allow access to Parcel being deeded to Puyallup Tribe.
3. Revise plan sheet 4, 9, 11, 13, 16, 17 and 18 of 18 sheets to make minor plan revisions, to correct stations, bearings and distances.
4. Revise plan sheets 9 through 17 of 18 sheets to make changes in the south right of way as shown.

III

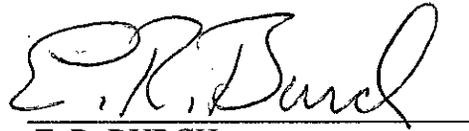
That the plan entitled, "SR 509, I - 705 TO MARINE VIEW DRIVE, MP 0.76 TO MP 4.91, PIERCE COUNTY," sheets 1 through 18 of 18 sheets, dated June 5, 1992, as revised above and as shown in Exhibit "A", and be the same is hereby adopted.

That the following plans are hereby superseded:

"SR 705, TACOMA SPUR", Right of Way and Limited Access Plan, PIERCE COUNTY, sheets 3(Pt.), 5 through 8 of 8 sheets, approved June 20, 1980.

ADOPTED THIS 20 DAY OF April, 1993

ASSISTANT SECRETARY FOR
PROGRAM DEVELOPMENT


E. R. BURCH

Approved as to form:



Assistant Attorney General