

BEFORE THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

IN RE: STATE ROUTE 520 )  
 )  
SR 520 MONTLAKE INTERCHANGE VICINITY TO ) **LIMITED ACCESS**  
ARBORETUM INTERCHANGE VICINITY ) **FINDINGS AND ORDER**  
MP 0.93 TO 1.26 )  
LIMITED ACCESS CONTROL HEARING )

The hearing on the above entitled matter was held upon due notice to interested parties, beginning at 6:00 p.m., Tuesday, September 17, 2013 at the Washington Park Arboretum – Graham Visitors Center, 2300 Arboretum Drive East, Seattle, WA 98112, before Administrative Law Judge Robert Krabill, Hearing Examiner of the Washington State Office of Administrative Hearings.

The interested persons and organizations were represented as follows:

SCOT MERRICK (SCOT H. MERRICK LIVING TRUST UTA), 341 Durrant Way, Mill Valley, CA 94941;

EDWARD & NANCY SPEER, 2401 E Lake Washington Blvd, Seattle, WA 98112;

JEFFREY COOPERSMITH & LISA ERLANGER COOPERSMITH, 2231 E Lake Washington Blvd, Seattle, WA 98112;

JOSEPH POLITO, 2227 E Lake Washington Blvd, Seattle, WA 98112;

RAYMOND SHREEVE (SHREEVE FAMILY TRUST), 24501 Via Mar Monte #48, Carmel, CA 93923;

JOHN OGLIORE, 2219 E Lake Washington Blvd, Seattle, WA 98112;

ERNESTO ALORDA, 2215 E Lake Washington Blvd, Seattle, WA 98112;

LORI JEAN CAMPBELL & STANLEY MOSHIER JR., 2209 E Lake Washington Blvd, Seattle, WA 98112;

MICHAEL LEIGH, 2616 E Montlake Place E, Seattle, WA 98112;

ROBERT & DEBBIE DUFFY, 2610 E Montlake Place E, Seattle, WA 98112;

MATHEW & ERIN BAEBLER, 2604 E Montlake Place E, Seattle, WA 98112;

JOSEPH GIORDANO JR., 2600 E Montlake Place E, Seattle, WA 98112;

JANET, JOHN & JARED ROACH, 2616 24th Avenue E, Seattle, WA 98112;

JAMES KEARNES, 2415 Lake Washington Blvd E, Seattle, WA 98112;

PATRICIA SEVERSON, PO Box 5315, Bremerton, WA 98312;

JAMES HILTON, 2425 E Lake Washington Blvd, Seattle, WA 98112;

PROPERTY MANAGEMENT, CITY OF SEATTLE DEPARTMENT OF PARKS & RECREATION, 800 Maynard Ave S, 3rd Floor, Seattle, WA 98134;

DERRICK TOBA, WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES, SHORELINE DISTRICT – AQUATIC REGION, 950 Farman Avenue N Enumclaw, WA 98022.

As a courtesy to interested citizens, the Washington State Department of Transportation, hereinafter “the Department,” or alternatively, “WSDOT,” furnishes a copy of these 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 who provided written or oral testimony, submitted a Notice of Appearance, or are listed on the Affidavit of Service by Mailing for the Access Hearing as abutting property owners, are listed above. WSDOT, 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.

Daniel Babuca, Engineering Manager for the West Approach Bridge North Project (WABN), called the meeting to order under the provisions of chapter 47.52 Revised Code of Washington (RCW). Hearing guidelines and legal requirements were provided by Administrative Law Judge Robert Krabill, after which attendees were allowed to offer public testimony. Evidence was taken by a Court Reporter who, thereafter, transcribed the verbal testimony. Exhibits were duly introduced and admitted into evidence. Based upon the oral evidence, the exhibits introduced into evidence, and the additional exhibits entered into the record subsequent to the hearing, and acting under the authority of the Secretary of Transportation for the State of Washington, the Assistant Secretary for Engineering and Regional Operations Chief Engineer makes the following findings:

## 1. PROCEDURAL FINDINGS

On August 19, 1963, Washington State Highway Commission Resolution No. 1353 designated SR 520 in King County, Washington, as a Limited Access highway on the Master Plan for establishment of Limited Access highways, and on March 23, 1961, the City of Seattle established the Montlake Interchange as part of the limited access highway facility per Ordinance No. 90830. Limited Access control was acquired as shown on approved Right of Way

and Limited Access Plan entitled: "SR 520 SR 5 VICINITY TO EVERGREEN POINT BRIDGE, KING COUNTY," Right of Way and Limited Access Plan Full Control, dated June 17, 2005.

In 2013, a new Limited Access Hearing Plan was prepared, entitled "SR 520 MONTLAKE INTERCHANGE VICINITY TO ARBORETUM INTERCHANGE VICINITY, KING COUNTY," Full and Partial Control, as shown on sheets 1 through 5 of 5 sheets, dated August 14, 2013. This plan was admitted into evidence, marked as Exhibit No. 5, and made part of the hearing record.

This plan is the subject of this Limited Access Findings and Order.

As part of the preparation of the Access Hearing Plan, WSDOT solicited and received from public agencies concerned with the proposed plan their available data on planning, land use, local traffic, and other information. Thereafter, WSDOT prepared and submitted to the appropriate officials an Access Report entitled "SR 520, I-5 TO MEDINA: BRIDGE REPLACEMENT AND HOV PROJECT, MONTLAKE TO EVERGREEN PT. BRIDGE - WEST APPROACH BRIDGE NORTH, MP 0.88 TO MP 3.04, ACCESS REPORT," dated June 20, 2013. This report shows that such data has been taken into account by the Department as required by chapter 47.52 RCW. A copy of the Access Report was admitted into evidence, marked as Exhibit No. 4, and made part of the hearing record.

## 2. NOTICE OF HEARING

On August 14, 2013, the State Design Engineer by Order proposed said Access Hearing Plan and set a hearing date for September 17, 2013, in accordance with the provisions of chapter 47.52 RCW. The Order of Hearing was admitted into evidence, marked as Exhibit No. 1, and made part of the hearing record.

As part of its notice of Access Hearing, the Department prepared and mailed copies of relevant Access Hearing materials, including (1) a personalized introduction cover letter, (2) a blank Notice of Appearance form, (3) a Notice of Limited Access Hearing, (4) a speaker card, (5) a copy of the Access Hearing Plan specific to the owner's property, and (6) the proposed Limited Access Hearing Plan:

- "SR 520 MONTLAKE INTERCHANGE VICINITY TO ARBORETUM INTERCHANGE VICINITY, KING COUNTY," Access Hearing Plan, sheets 1 through 5 of 5 sheets, dated August 14, 2013.

These Access Hearing materials were mailed on August 29, 2013 to the abutting property owners of record, as evidenced by the Affidavit of Service by Mailing, signed by Emily Namiki and notarized by Pam Buckley. The list of the recipients of the mailing is attached as Exhibit A to the Affidavit of Service. The signed Affidavit of Service by Mailing, Exhibit A, and Access Hearing

materials were admitted into evidence, marked as Exhibit No.2, and made part of the hearing record.

On August 29, 2013, an exact copy of the Notice of Limited Access Control Hearing was published in The Seattle Times, as shown by the Affidavit of Publication with printed ad copy attached, signed by Maureen E. Duggan, an authorized representative of The Seattle Times Company. The Affidavit of Publication was admitted into evidence, marked as Exhibit No.3, and made part of the hearing record.

### 3. PRESERVATION OF THE PUBLIC INVESTMENT

SR 520 is an important part of the State of Washington's highway system, representing a substantial expenditure of public funds to facilitate public travel. SR 520 is functionally classified as a Principal Arterial multi-lane freeway and is classified as part of the National Highway System. The Department of Transportation originally established SR 520 as a Limited Access highway with Full Access Control. This most restrictive level of Limited Access provides access, using interchanges, for selected public roads/streets only, and prohibits at grade highway intersections and direct access from abutting properties. The proposed Limited Access control within the project limits on SR 520 will revise established Full Control and propose new sections of Partial Control as shown on the proposed Access Hearing Plan entered into evidence, marked as Exhibit No. 5. In limiting access as shown on proposed Access Hearing Plan, providing for both Full and Partial Control, traffic congestion is reduced, traffic safety is increased, and the highway is preserved for efficient future use, protecting the investment of public funds.

The efficiency of the highway as a means of moving a maximum volume of traffic in an optimal and safe manner is directly related to the number of access points it has. WSDOT has found that as property owners establish approaches onto a highway for their personal use or business use, the optimum operation of the facility gradually diminishes and 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 restrict private access points in order to preserve a highway's efficiency and safety.

The Access Hearing Plan and the revision to the Access Hearing Plan for the establishment of the Limited Access control facility, "SR 520 MONTLAKE INTERCHANGE VICINITY TO ARBORETUM INTERCHANGE VICINITY, KING COUNTY," dated August 14, 2013, admitted into evidence, marked as Exhibit No. 5 and Exhibit No. 6, respectively, will facilitate travel, reduce accident rates, preserve the public investment, and sustain the highway as a modern transportation facility.

#### 4. EXHIBITS

The following exhibits were identified and entered into evidence at or subsequent to the hearing and are also made part of the hearing record:

- Exhibit No. 1            Order of Hearing, dated August 14, 2013.
- Exhibit No. 2            Affidavit of Service by Mailing with attachments, dated August 29, 2013.
- Exhibit No. 3            Affidavit of Publication with attachments, dated August 29, 2013.
- Exhibit No. 4            Access Report, dated June 20, 2013.
- Exhibit No. 5            Proposed Access Hearing Plan entitled "SR 520 MONTLAKE INTERCHANGE VICINITY TO ARBORETUM INTERCHANGE VICINITY, KING COUNTY," ACCESS HEARING PLAN, as shown on sheets 1 through 5 of 5 sheets, dated August 14, 2013.
- Exhibit No. 6            Revision to Exhibit No. 5, plan sheets 2 and 3 of 5 sheets of the Access Hearing Plan entitled "SR 520 MONTLAKE INTERCHANGE VICINITY TO ARBORETUM INTERCHANGE VICINITY, KING COUNTY," ACCESS HEARING PLAN, dated August 14, 2013.
- Exhibit No. 7            Printed copy of the presentation slides used during the Access Hearing.
- Exhibit No. 8            Written comment, dated September 26, 2013, from Lori Campbell, Parcel No. 1-23189.
- Exhibit No. 9            Written comment, dated September 26, 2013, from Stanley Moshier, Jr., Parcel No. 1-23189.
- Exhibit No. 10           Written comment, received September 17, 2013, from James M. Hilton, Parcel No. 1-23234.
- Exhibit No. 11           Letter, dated September 24, 2013, from James M. Hilton, Parcel No. 1-23234.
- Exhibit No. 12           Written comment, received September 17, 2013, from Judy Ogliore, Parcel No. 1-23187.
- Exhibit No. 13           Written comment, received September 17, 2013, from Jamie Polito and James Johnston, Parcel No. 1-23185.
- Exhibit No. 14           Notice of Appearance forms from Jamie Polito & James Johnston, Parcel No. 1-23185, Raymond Shreeve, Parcel No. 1-23186, Judy & John

Ogliore, Parcel No. 1-23187, Ernesto Alorda, Parcel No. 1-23188, Lori Campbell & Stanley Moshier, Jr., Parcel No. 1-23189, Mathew Baebler, Parcel No. 1-23193, Joseph Giordano, Jr., Parcel No. 1-23194, Janet Roach, Parcel No. 1-23231, James K. Kearnes, Parcel No. 1-23232, and James M. Hilton, Parcel No. 1-23234.

Exhibit No. 15 Letter, dated September 30, 2013, from Scot H. Merrick, M.D., Parcel No. 1-23182.

## 5. SPECIFIC ACCESS RESPONSES

The Assistant Secretary of Engineering and Regional Operations has considered the following comments of abutting property owners and public agencies as part of the Access Hearing process and responds to each as follows:

1. Joseph Giordano Jr., Parcel No. 1-23194, in oral testimony on pages 35 and 36 of the Limited Access Control Hearing Transcript, expressed concerns as noted below. Following Mr. Giordano's statements are the Department's responses.

*A) I've been a resident probably for 25 years plus and having a corner lot. I am possibly affected on two sides as opposed to one, so it's sort of a double jeopardy. I feel that the limited access and full access proposals will impact the potential sale and value of our properties. And in addition, Montlake has filed to become a historic district, which is currently under proposal, and my property has been selected to be included on the National Historic Register, so any changes must comply with Section 106 of the National Historic Register.*

WSDOT: WSDOT will be investigating any impacts or potential impacts on the value of the property during the real estate valuation process.

*B) With the additional traffic activity along East Montlake Place East, the increase is due primarily to the light rail construction, as well as the new Husky stadium, and also the greater traffic coming off of 520 to avoid the toll. So this additional noise level now exceeds the legal noise limits established for Seattle. And this is prior to any even greater impacts of noise when construction begins on the western link for the new 520 bridge.*

WSDOT: There are no legal limits for traffic noise at the local, state, or federal levels. There are local restrictions on the sound levels from individual vehicles, such as extra loud stereos or exhausts.

Also, the Federal Highway Administration (FHWA) does require a noise study for projects that build new roads, add lanes to existing roads, significantly re-align existing roads, or change nearby topography to create new lines-of-sight to the road. Increased traffic on an

existing facility does not trigger a noise study by itself since many of changes to traffic are outside of WSDOT's control and not directly related to a WSDOT project. For example, the new stadium and light rail station were not WSDOT projects and the resulting changes to traffic are outside of WSDOT control.

If a noise study determines that noise levels will be at, or above, 66 decibels (dBA) in the future with the project, then WSDOT would evaluate noise mitigation (e.g., a noise wall) to reduce noise levels. The 66 dBA level is not a legal limit and a noise wall is not required unless it is determined to be cost effective. Cost-effectiveness is based on the future sound levels with the project, the number of residences that will benefit, and the cost of mitigation. More information is included in the WSDOT noise policy:

<http://www.wsdot.wa.gov/environment/air/noise.htm>. Upon request WSDOT will provide hard copies of the information presented at this website.

FHWA required a noise study for SR520 project because will add new traffic lanes. The noise study found that some noise levels in the area would exceed 66 dBA, but that noise walls were not cost effective. The noise at your home was not modeled because it is outside the area considered to have noise impact directly from the new highway project. However, homes nearer to SR520 were modeled to be less than 66 dBA, with some expected to have decreased noise levels from SR520 because of features like a lid near the Montlake intersection. More information is included in the environmental documentation for the project: <http://www.wsdot.wa.gov/projects/sr520bridge/eis.htm>. Upon request WSDOT will provide hard copies of the information presented at this website.

Regarding construction noise, state and local regulations apply to noise from construction activities and there are different noise limits, depending on the type of activity, the time of day, and property type adjacent to the construction. Less noise is allowed at residential properties than at commercial or industrial properties. The Washington Administrative Code noise regulations exempt daytime construction noise from these regulations. For nighttime construction noise, the City of Seattle has established allowable noise-level limits for construction work in Seattle. When night work is required because of traffic, worker and driver safety, etc., WSDOT works with the City to develop additional mitigation for this work. For example, noise shields, temporary noise walls, and restricting certain types of especially loud activities. With the distance from your property to the majority of the planned construction, no major disturbances are expected.

*C) I propose or would like to have for my property, and anyone else is willing to partake if they wish, but I would like some sort of a noise barrier to mitigate the noise levels and bring them back to normal. If, in fact, there was such a barrier, this would preclude any need for a limited access right because of the barrier. It doesn't have access together Montlake Place East or East Roanoke.*

Please see the response to the previous question.

Additionally, the traffic noise from East Montlake Place would be very difficult to mitigate using a noise wall. A noise wall would have to extend beyond the project limits

to prevent noise from wrapping around the barrier to achieve substantial noise reductions. Since your home was outside the area that could be affected by traffic noise from SR 520, noise walls were not evaluated and could not be considered by WSDOT.

Please note, although WSDOT has addressed your property valuation and noise concerns, these responses are only for your information, but they do not impact the establishment of limited access for this project as part of the Limited Access Hearing.

2. James Kearnes, Parcel No. 1-23232, in oral testimony on pages 36, 37, and 38 of the Limited Access Control Hearing Transcript, states his concerns as noted below. Following Mr. Kearnes' statements is the Department's response.

*A) This acquisition of access rights appears to me to be a solution looking for a problem. [SR] 520 has operated there for 50 years. Lake Washington Boulevard has been used for 50 years for traffic accessing on- and off-ramps. It's not been a problem. The City has ample restrictions on driveway entrances to and from the scenic Olmsted Boulevard to control that.*

*It also seems to me that all of this acquisition, at least in the vicinity of 24th Avenue down on Lake Washington Boulevard is driven by the guideline and not the requirements to have limited access within 300 feet of the off-ramp, and that the location of the off-ramp has somewhat arbitrarily been established at Lake Washington Boulevard rather than 24th Avenue East.*

*Currently 24th Avenue East is a city street going north to south across 520. If the off-ramp were defined as intersecting the city street where it exists at the north side of 520 rather than intersecting Lake Washington Boulevard at the south side of 520, there'd be no need for any of these acquisitions. This seems a rather arbitrary and unnecessary taking of private property rights.*

WSDOT: The WSDOT has not acted in an arbitrary manner in determining the highway modifications and access limitations for this project. It has carefully studied the implementation of access limitations, elements such as traffic forecasting, traffic modeling, population growth, collision data, etc. were considered as summarized in the Access Report (Exhibit 4).

The West Approach Bridge North project is one of several staged projects to be included in the SR 520, I-5 to Medina: Bridge Replacement and HOV Project. The I-5 to Medina project in the vicinity of Montlake, will ultimately build a lid over SR 520 and upgrade and reconfigure the interchange. The current West Approach Bridge North project provides the first stage of improvements in the Montlake area which includes partial reconfiguration of the interchange. This will involve re-configuring what is now the 24<sup>th</sup> Avenue E bridge over SR 520 to become part of the new westbound off-ramp to East Lake Washington Boulevard. Once the I-5 to Medina project is fully funded and built in this area, the upgraded interchange will include a direct access ramp for transit and High Occupancy Vehicles to and from

Montlake Boulevard to SR 520. This ramp will intersect with the ramp to East Lake Washington Boulevard on the lid before transitioning down to SR 520.

The new ramp to East Lake Washington Boulevard, constructed as part of the West Approach Bridge project, involves reconfiguring the 24<sup>th</sup> Avenue East intersection with East Lake Washington Boulevard. The south leg of 24<sup>th</sup> Ave. East will remain a city street. The north leg of 24<sup>th</sup> Ave. East will become part of the SR 520 off-ramp that will end at the 4-way stop with East Lake Washington Blvd. Because the north leg of the 24<sup>th</sup> Ave. East will be part of SR 520, WSDOT is required to control access along East Lake Washington Blvd. and 24<sup>th</sup> Ave. East to preserve the safety and efficiency of SR 520 and to preserve the public investment. WSDOT has complied with the design standards established under RCW 47.52.027 and the guidelines under WAC 468-58-080.

*B) Left turns are prohibited down further south on the boulevard. Parking was removed on the north side of the boulevard when [SR] 520 was built. My only off-street parking is in front of my house, and my only way to access that from the south is by making a U-turn in this intersection. My reading of RCW 47.52.120 is that, while that U-turn is legal in a city street intersection, it becomes specifically illegal in a limited access situation. I'd love to have that in some way remedied and that U-turn allowed.*

WSDOT: RCW 47.52.120 prohibits U-turns on limited access highways that are divided by a barrier or grass area. East Lake Washington Blvd. and the south leg of 24<sup>th</sup> Ave. East will both remain city streets. The City of Seattle traffic and parking laws will continue to govern legal movements on East Lake Washington Boulevard.

3. Janet Roach, Parcel No. 1-23231, in oral testimony on pages 38 and 39 of the Limited Access Control Hearing Transcript, asked a few questions. Following Ms. Roach's questions is the Department's response.

*A) If the northern extension of 24th Avenue East is removed, how will people in the area south of East Lake Washington Boulevard walk to the entrance to the walkway over the water off of the MOHAI property?*

WSDOT: Under the SR 520's West Approach Bridge North project, the 24th Avenue East undercrossing will have a widened shared-use sidewalk on the west side of the bridge for pedestrians and bicyclists that will provide a route to new trail systems on the north side of the highway. The new trails will provide routes to the Arboretum Waterfront Trail and shared-use trail that crosses Lake Washington. Once improvements are complete for the I-5 to Medina project, trail connections will be provided across the new lid. Visit the following links to the SR 520 Bridge Replacement and HOV Program: I-5 to Medina project website for graphics:

- West Approach Bridge North project design information:  
<http://www.wsdot.wa.gov/Projects/SR520Bridge/WABN/Design.htm>

- I-5 to Medina project design:  
[http://www.wsdot.wa.gov/Projects/SR520Bridge/I5ToMedina/I5toMedina\\_Design.htm#area](http://www.wsdot.wa.gov/Projects/SR520Bridge/I5ToMedina/I5toMedina_Design.htm#area)

WSDOT will upon request provide hard copies of the information presented at these website links.

*B) Regarding the presentation saying that the limited access would prohibit all crossings at grade. What does that mean and how does it affect crosswalks currently across East Lake Washington Boulevard at 24<sup>th</sup> Avenue East and also the crossing across 24<sup>th</sup> Avenue East at Lake Washington Boulevard on the south side? I'm fuzzing on the meaning of "prohibits crossings."*

WSDOT: Full Access Control permits access onto the highway only through interchanges at specific public roads/streets, for example, you can only access I-5 through off and on ramps. Full Access Control prohibits all at-grade crossings and approaches. At-grade crossings and approaches include, for example, regular intersections with city streets or private driveways. The intersection of the ramp (currently the north leg of the intersection of 24<sup>th</sup> Ave. East with East Lake Washington Blvd.) requires Full Access Control for 130 feet to the east and west on East Lake Washington Boulevard and south on 24th Avenue East. Therefore, no driveways will be allowed in the 130 foot areas. The Full Access Control at the intersection will not prohibit pedestrian access across the intersection. The SR 520 West Approach Bridge North Project will provide crosswalks for pedestrian access across the south leg of 24th Avenue East and the west leg of East Lake Washington Boulevard.

*C) What are the smarter highway features that were mentioned in the presentation?*

WSDOT: As part of the Lake Washington Congestion Management Program, smarter highway features were implemented. Smarter highway features include installation of a series of electronic speed limit and lane status signs over each lane on the SR 520 Bridge. There are 19 sign locations between I-5 and 130th Avenue Northeast in Bellevue. This includes new sign bridges and signs that are mounted on existing structures. The signs post variable speed limits that help warn drivers of backups ahead and smooth out traffic as it approaches a lane blocking incident. The overhead signs can also quickly close entire lanes and provide warning information to drivers before they reach slower traffic. This advance notification and variable speed limits help reduce collisions that cause backups and stop-and-go traffic. Smarter highway tools improve highway safety by reducing collisions.

4. Lori Campbell and Stanley Moshier Jr., Parcel No. 1-23189, by separate comment forms, Exhibit No. 8 and Exhibit No. 9, respectively, express that they are adamantly opposed to selling any part of their property to the State of Washington.

WSDOT: WSDOT will be acquiring easement rights of access from the parcel but no actual land will be purchased. The existing driveway location from parcel 1-23189 onto East North Street will not change. WSDOT will be purchasing access rights established by this Access

Hearing process including (1) Full Control: along the entire west boundary abutting East Montlake Place East and a portion of the north boundary abutting East Lake Washington Boulevard from the westerly parcel boundary to Highway Engineering Station (HES) 64+99 (210' Rt); (2) Partial Control: to the east along the entire remaining north boundary abutting East Lake Washington Boulevard; and (3) Partial Control: along a portion of the south boundary abutting East North Street beginning at HES 64+55.82 (283.40' Rt) and terminating at HES 65+33.25 (295.55' Rt).

The existing driveway access location to and from parcel 1-23189 will not be changed. As property owners, you will reserve ownership of that driveway access which will be designated as a Type A – Single family residential access at HES 65+12.44 (292.28' Rt).

WSDOT will be investigating any impacts or potential impacts on the value of parcel 1-23189 for the acquisition of access rights during the real estate valuation process.

5. James Hilton, Parcel No. 1-23234, by written comment form, Exhibit No. 10 and in a letter, Exhibit No. 11, states his concerns as noted and summarized below. Following Mr. Hilton's statement is the Department's response.

*A) For the following reasons the proposed Limited Access facility should not be applied to properties abutting East Lake Washington Boulevard east of the Montlake Interchange.*

- 1) E. Lk. WA Blvd. is not a "highway" as contemplated by RCW Ch. 67.53. It is, and has been for over half a century, simply a city residential street. It has existed as such before and after the construction of 520. It may exist next to an existing (not new) 520 but is separated from it by a wall and a drop-off of over 20 feet. E. Lk. WA Blvd. does not "abut" a highway as contemplated by the laws pertaining to limited access highways. There is no possibility of access from E. Lk. WA Blvd. to 520 or vice versa. It is neither necessary nor appropriate to now make it into a Limited Access Facility.*
- 2) Further to the point that E. Lk. WA Blvd. should not be included in the proposed Restricted Access Facility is that as a City street traffic on it is regulated by City Ordinance, and is thus limited to 25 mph, not highway speeds. Further, the DOT has concluded and advised the affected homeowners and the public that the proposed 520 project will not result in any increased traffic on E. Lk. WA Blvd. The rationale for restricted access applicable to highways is not applicable to this City street.*
- 3) As further evidence that this proposed Limited Access Facility is neither necessary nor appropriate, it is measured east and west from the center line of where 24<sup>th</sup> Ave. East crosses E. Lk. WA Blvd., but continues on 24<sup>th</sup> Ave. East for only about 100 feet, rather than the additional distance applied on E. Lk. WA Blvd. Similarly, on E. North Street, the Limited Access is imposed for only about 100 feet, nothing like the 300+ feet on E. Lk. WA Blvd. Thus it is evident that the area of the proposed Limited Access facility is arbitrary, discriminatory and indefensible as applied to E. Lk. WA Blvd.*
- 4) It is implied (if not expressed) under the WACs that 520 and its integral ramps terminate before reaching E. Lk. WA Blvd. The later is in no way part 520, it's on or*

*off ramps and this effort to include it in the 520 reconstruction is unnecessary and not within the planning publicized by the DOT.*

- 5) *This action of the DOT with respect to the proposed Limited Access Facility ignores the fact that the area involved is an important protected Historical District, with many homes being designated for Historical Status, including Lot 1-23234 (the eastern most lot).*

WSDOT: The West Approach Bridge North project is one of several staged projects to be included in the SR 520, I-5 to Medina: Bridge Replacement and HOV Project. The I-5 to Medina project in the vicinity of Montlake, will ultimately build a lid over SR 520 and upgrade and reconfigure the interchange. The current West Approach Bridge North project provides the first stage of improvements in the Montlake area which includes partial reconfiguration of the interchange. This will involve re-configuring what is now the 24<sup>th</sup> Avenue E bridge over SR 520 to become part of the new westbound off-ramp to East Lake Washington Boulevard. Once the I-5 to Medina project is fully funded and built in this area, the upgraded interchange will include a direct access ramp for transit and High Occupancy Vehicles to and from Montlake Boulevard to SR 520. This ramp will intersect with the ramp to East Lake Washington Boulevard on the lid before transitioning down to SR 520.

The new ramp to East Lake Washington Boulevard, constructed as part of the current West Approach Bridge project involves reconfiguring the 24<sup>th</sup> Avenue East intersection with East Lake Washington Boulevard. The south leg of 24<sup>th</sup> Ave. East will remain a city street. The north leg of 24<sup>th</sup> Ave. East will become part of the SR 520 off-ramp that will end at the 4-way stop with East Lake Washington Blvd. Because the north leg of the 24<sup>th</sup> Ave. East will be part of SR 520, WSDOT is required to control access along East Lake Washington Blvd. and 24<sup>th</sup> Ave. East to preserve the safety and efficiency of SR 520 and to preserve the public investment. WSDOT has complied with the design standards established under RCW 47.52.027 and the guidelines under WAC 468-58-080.

The Limited Access Hearing Plan proposal was developed in accordance with WAC 468-58-080. WAC 468-58-080(1)(d) requires a 130 foot minimum Full Control along the east, west, and south legs of the 24<sup>th</sup> Ave. East intersection with East Lake Washington Blvd. Beyond the 130 foot Full Control is an additional 170 feet of Partial Control along East Lake Washington Blvd. to meet the 300 foot minimum requirement. Limited Access control on 24<sup>th</sup> Avenue East does not meet the full 300 foot criteria because WSDOT has evaluated and determined that a deviation from the design guidelines would not impair the operation and functionality of SR 520 and the ramp that incorporates the north leg of 24<sup>th</sup> Ave. East.

Regarding your comment about East North Street (at the intersection of E Montlake Place E) and the extent of limited access: what is different there is East North Street is not located at a ramp terminal, as is the south leg of 24<sup>th</sup> Ave. East. Instead, East North St. is a city street located within 350' and parallel to a ramp terminal (the SR 520 eastbound on and off ramp at Montlake). In accordance with WAC 468-58-080(1)(c), limited access is only required to be established 130' along crossroads within 350' of a ramp terminal. The extent of limited access on East North Street meets this guideline.

East Lake Washington Blvd. and the south leg of 24<sup>th</sup> Ave. East will both remain city streets. The City of Seattle traffic and parking laws will continue to govern legal movements on East Lake Washington Boulevard and the south leg of 24<sup>th</sup> Ave. East. However, the state will own the access along these streets' boundaries as now identified, except for the 18 feet on the east side of parcel 1-23234.

In response to statement A) 5 (Historical Status), the overall I-5 to Medina project included in its environmental evaluation potential adverse effects to historic properties through the National Historic Preservation Act, Section 106 process. Limited Access is a component of the project. The Section 106 Programmatic Agreement that was issued in May 2011 included mitigation commitments to address project effects. Nomination of the Montlake Historic District to the National Register of Historic Places was one of those commitments. Under Section 106, the limitation of access to or from historic properties is not an element that requires mitigation. Instead, potential adverse effects to historic properties considered under Section 106 are actions that alter the integrity of location (such as moving a building from its existing location to a new site), setting, materials, character and workmanship. In addition, WSDOT has consulted with the Department of Archaeology & Historic Preservation (DAHP) and the Montlake Community Club to identify appropriate opportunities for club members to participate as volunteers to determine contributing and noncontributing properties within the Montlake Historic District. WSDOT is also in the process of completing and submitting historical property survey materials to DAHP's and the City of Seattle's historic property databases.

Please note: WSDOT could not locate the reference made to "RCW Ch. 67.53."

*B) For the following reasons the proposed Limited Access facility should not be applied to the most easterly lot included in the present proposal (Lot 1-23234)*

- 1) Regardless of other considerations the DOT has the authority under WAC 468-58-080(3)(a) to modify the proposed facility as appropriate: "Access control may be increased or decreased... under the minimum requirements to fit local conditions if so determined by the department."*
- 2) All the comments set forth in part A above are applicable to, and incorporated in, this part B.*
- 3) Extending the area for limited access to the most easterly lot (1-23234) is arbitrary and unreasonable. First, there is a permissible driveway access onto E. Lk. WA Blvd. just 45 feet from the east boundary of the Limited Access Area. To extend the area for that additional 45 feet accomplishes nothing except to unnecessarily take property rights from that one additional lot (1-23234). Further, beyond the last lot to the east, there is a continuation of the street to the east with all the characteristics of the street to the west. There is no rational reason for including that one lot and not the next lot to the west or the next lot to the east. These are clearly arbitrary and discriminatory decisions/actions.*
- 4) As proposed, this Limited Access Facility would leave the one most easterly lot as an isolated "restricted island", with a permissible driveway on the lot to its west and no restriction on the lot to its east. This is irrational and discriminatory. The restricted*

*area on E. Lk. WA Blvd. should be shortened on the east by 45 feet to exclude the otherwise isolated lot. See the comments under A-3 above, discussing instances in this proposed Limited Access Facility where the area covered is shortened to much less than 300 feet.*

- 5) *Where 24<sup>th</sup> Ave East reaches E. Lk. WA Blvd. it is not, and will not be, a "ramp" in which to measure the 300 feet as contemplated by WAC 4698-58-080(2)(b), further demonstrating the inappropriateness of the proposed action, especially as to the eastern most lot.*

WSDOT: Although WSDOT has authority under WAC 468-58-080(3)(a) to modify access control limits to fit local conditions, there is not adequate justification presented to support a deviation from WAC 468-58-080(1)(c).

As provided in the response above to part A comments, in summary, this project will reconfigure the interchange in this area such that the north leg of 24th Avenue East becomes part of the westbound ramp to East Lake Washington Boulevard. As such, East Lake Washington Boulevard and 24th Avenue East will become an integral part of the operation of the interchange which is part of the SR 520 Limited Access highway and is subject to the requirements of RCW 47.52. The limits of access control within this Limited Access control proposal are not arbitrary as they were developed under the guidelines provided under WAC 468-58-080.

The extent of the Limited Access control to the east of the ramp terminal on East Lake Washington Boulevard and 24th Avenue East meet WAC 468-58-080(1)(d) requirement for providing control of access a minimum distance of 300 feet from the ramp terminal. Parcel No. 1-23234 lies within the 300 foot limits. Originally, Limited Access control was extended approximately 18 feet past the minimum 300 foot limit in the proposal to the easterly property boundary of parcel 1-23234. However, Limited Access control will be revised and moved westward approximately 18 feet to end at HES 71+55.95 (291.98' Rt.) which constitutes the required minimum 300 foot access control limit to the east of 24th Avenue East. It also provides direct access from parcel 1-23234 to East Lake Washington Boulevard based upon comments from Mr. Hilton.

The Department establishes limited access to preserve the safety and efficiency of the specific highway system and to preserve the public investment. Limited access is achieved by acquiring access rights from abutting property owners and by limiting the type and number of approaches to the highway. Parcel No. 1-23233, located within the Limited Access Partial Control limits, is unique because it is the only property included in this proposal that does not have reasonable access to a public road other than East Lake Washington Boulevard. As a result this property is being provided a Type A residential approach to perpetuate the existing approach onto East Lake Washington Boulevard at HES 71+08.30 (260.78' Rt.).

Parcel No. 1-23234, also subject to Partial Control Limited Access along the north boundary of the property to HES 71+55.95 (as noted above), currently accesses the property from the alley between Glenwilde Place East and 25th Avenue East. The property does not currently

have an access directly onto East Lake Washington Boulevard. However, the eastern most 18 feet will not be subject to any limited access restrictions (see Subsections 6 and 7, paragraphs 15, below), and any access onto East Lake Washington Blvd. from parcel 1-23234 will be subject to City of Seattle authority.

6. Judy Ogliore, Parcel No. 1-23187, by written comment form, Exhibit No. 12, requested to add her name, in addition to John Ogliore, as a property owner for property 2219 East Lake Washington Boulevard, Seattle, WA, 98112.

Ms. Ogliore will be added as a property owner to Parcel No. 1-23187.

7. Jamie Polito and James Johnston, Parcel No. 1-23185, by written comment form, Exhibit No. 13, requested to be added, in addition to Joseph Polito, as the property owners for property 2227 East Lake Washington Boulevard, Seattle, WA, 98112.

Ms. Polito and Mr. Johnston will be added as property owners to Parcel No. 1-23185.

8. Scot Merrick, Parcel No. 1-23182, in a letter dated September 30, 2013, Exhibit No. 15, states his concerns as noted and summarized below. Following Mr. Merrick's statements is the Department's responses.

*A) My understanding is that SR 520 was designated as a limited access corridor in 1963, and since its construction I am unaware of any Boulevard property owner who has constructed new access from their property to the Boulevard, and I seriously doubt that there are any plans or desires by any property owner to do so. It would seem to me that City and County permitting processes would make this more that difficult as well. I do not see the need to acquire property rights and spend taxpayer money on compensation for acquisition.*

WSDOT: The new ramp to East Lake Washington Boulevard, constructed as part of the West Approach Bridge North project, involves reconfiguring the 24<sup>th</sup> Avenue East intersection with East Lake Washington Boulevard. The south leg of 24<sup>th</sup> Ave. East will remain a city street. The north leg of 24<sup>th</sup> Ave. East will become part of the SR 520 off-ramp that will end at the 4-way stop with East Lake Washington Blvd. Because the north leg of the 24<sup>th</sup> Ave. East will be part of SR 520, WSDOT is required to control access along East Lake Washington Blvd. and 24<sup>th</sup> Ave. East to preserve the safety and efficiency of SR 520 and to preserve the public investment. WSDOT has complied with the design standards established under RCW 47.52.027 and the guidelines under WAC 468-58-080. WSDOT is not authorized to delegate the access permitting process to the City of Seattle for the protection of a state limited access highway, regardless that such access has not been sought in the past or may not be granted in the future. Since the state will own the access rights, there will be no question that access control will be maintained.

B) *In reading the various sections of RCW 47.52 it is quite clear that granting Limited Access Control will allow future potential for acquisition of larger parcels of property (RCW 47.52.050), limit existing residential parking along the southern side of the Boulevard (RCW 47.52.120) and more. Many homeowners need parking in the front of their homes, along the Boulevard, since parking in the side streets south of the Boulevard is severely limited. I have attached a number of photos showing what little space there is as I drive the "existing access" route from 24<sup>th</sup> Ave (A), East University Street (B), Glenwilde Pl. E. (C) to my garage (D). There is simply no available parking for deliveries, guests, etc. and with the anticipated increase in traffic congestion at the 24<sup>th</sup> St. exit, limitation of parking along the Boulevard seems inevitable.*

WSDOT: East Lake Washington Boulevard and the south leg of 24<sup>th</sup> Avenue East will both remain city streets and the City of Seattle will continue to regulate parking along these streets. WSDOT is coordinating with the City of Seattle to provide design refinements that support safer connections for bicyclists and pedestrians and discourage cut-through traffic on local streets. Once the West Approach Bridge North project is complete, the parking on East Lake Washington Boulevard will be similar to before the project. A few parking stalls will likely be impacted on the south leg of 24<sup>th</sup> Avenue East. The City of Seattle is working with WSDOT to finalize parking plans for this area. Any questions relating to parking management on East Lake Washington Boulevard should be directed to the City of Seattle's Department of Transportation. In addition, WSDOT is not obtaining entire lots, blocks, or tracts of land for this project under RCW 47.52.050; rather, no actual land is being acquired from any of the abutting property owners.

C) *Reading Mr. Babuca's testimony, he states that the West Approach Bridge North Project "...includes design features that enhance the Montlake area..." along with "...community and environmental improvements..." This is simply not the case for the residents along East Lake Washington Boulevard. The written state testimony at the hearing failed to present any negative impacts along Boulevard. In previous meetings regarding SR 520 design, others and I have referred to the Boulevard as ground zero along the entire 520 corridor. I do not need to remind you that prior to 1963, a large grass field, the main entrance to the MOHAI and arboretum were all that existed on the north side of the Boulevard. Since then, many Boulevard homes, eligible for Historic Designation, have been blighted by noise, pollution and congestion. I and others have attended many meetings about design options, environmental impact and the like, only to find that the final "Preferred Alternative" had new access at 24<sup>th</sup> Ave and now with WABN, 3 more traffic lanes and no lid. While the bicyclists and arboretum goers may be satisfied, this is brutally unfair to the permanent residents along East Lake Washington Boulevard.*

WSDOT: WSDOT conducted a thorough analysis of design options and environmental impacts that was supported by an extensive public engagement that resulted in a federally approved preferred alternative. The Final Environmental Impact Statement (FEIS) for the I-5 to Medina project accounted for phased construction. The West Approach Bridge North project phase follows the FEIS sequencing, allowing WSDOT to address vulnerable structures on the SR 520 corridor, protect public safety, and safeguard the crucial element of the state's regional

infrastructure. WSDOT is committed to completing the entire I-5 to Medina project as funding is allocated, which includes constructing a lid over SR 520 in the vicinity of Montlake for the benefit of your neighborhood. Unfortunately, all of the phased projects cannot be constructed all at the same time.

The environmental Record of Decision (ROD) issued by the Federal Highway Administration (FHWA) in August 2011 granted federal approval to the preferred alternative, allowing WSDOT to further design and obtain construction permits. The ROD lists many commitments made by WSDOT and FHWA to surrounding communities before, during and after project construction. These commitments include mitigation for project effects to the environment and neighborhoods. Since this Limited Access Findings and Order is only for the establishment of limited access, all of the specific environmental commitments will not be addressed here. However, a copy of the ROD may be obtained through WSDOT.

Regardless, WSDOT did engage Seattle residents and neighborhoods in 2012 to help further refine the preferred alternative design during the Seattle Community Design Process (SCDP). This process helped WSDOT and the City of Seattle to better understand public interests related to the Seattle portion of the corridor. The West Approach Bridge North project was further refined based upon this process and in early 2013, the Seattle City Council and Mayor approved Resolution 31427 recommending actions in response to the SCDP final report. This included constructing the West Approach Bridge following the design recommendations in the Final Seattle Community Design Report and those of the Seattle Design Commission.

Recognizing concerns of the community regarding this phase of construction, WSDOT has worked closely with the City of Seattle to ensure that this phase is forward compatible and does not preclude delivering mitigation elements like the lid at Montlake during future construction. WSDOT is also coordinating with the City to implement several improvements in the Montlake vicinity to protect the neighborhood from cut-through traffic.

*D) I have several suggestions.*

- 1) First, eliminate the access to SR 520 at 24<sup>th</sup> Ave. Westbound traffic on 520 desiring access to East Lake Washington Boulevard should continue along the north side of 520 then have a dedicated lane that exits on to Montlake Boulevard then turns left on to East Lake Washington Boulevard. This would eliminate most of the need for acquiring access rights.*
- 2) Second, eliminate the "space" between the east and westbound lanes of the new SR 520 between 24<sup>th</sup> Ave. and the eastern water boundary. Moving the east bound lanes to the north could make room for a new, wider East Lake Washington Boulevard with a dedicated local access road (one-way) on the southern side for local residents only, bicyclists, etc. Increased tolling on SR 520, to levels consistent with other bridge tolls (e.g., Bay Area Fasstrac) could be implemented to cover increased construction costs.*

WSDOT: The suggested design modifications are not able to be accommodated. As mentioned above, FHWA issued the Record of Decision in 2011 which granted federal approval of the preferred alternative.

*E) Finally, if none of these options are feasible and RCW 47.52 is implemented, WSDOT must comply with the provisions of section 47.52.027 to insure that local residents are protected under Federal Highway Administration standards and regulations.*

WSDOT: WSDOT has complied with the design standards established under RCW 47.52.027 in the development of the Limited Access Hearing plan proposal.

## 6. PROPOSED LIMITED ACCESS PLAN MODIFICATIONS

The Assistant Secretary for Engineering and Regional Operations Chief Engineer has considered the evidence on the Access Hearing Plan and finds the plans admitted into evidence, marked Exhibit No. 5, should be modified as hereinafter set forth and marked as Exhibit A to this Limited Access Findings and Order as follows:

1. Plan sheet 2 of 5 sheets has been revised to remove proposed Limited Access on the south side of the Plat of Montlake Park Block 4 and show existing Limited Access on the north side of SR 520 and portion of 24th Avenue East.
2. Plan sheet 2 of 5 has been revised to show minor station/offset boundary callout corrections on the north side of SR 520.
3. Plan sheet 2 of 5 sheets has been revised to remove No. 21 note under the Access Notes. The Ownership block has been revised to delete Seattle Public Utilities, associated station on roadway and Type 21 access.
4. Plan sheet 3 of 5 has been revised to show minor station/offset boundary callout corrections on the south side of SR 520.
5. Plan sheet 3 of 5 sheets has been revised to add existing Limited Access on north side of SR 520 and 24th Avenue East.
6. Plan sheet 3 of 5 sheets, Ownership block has been revised to include an additional property owner for Parcel No. 1-23234.
7. Plan sheet 3 of 5 sheets, Ownership block has been revised to include an additional property owner for Parcel No. 1-23232.
8. Plan sheet 3 of 5 sheets, Ownership block has been revised to correct spelling of the Parcel No. 1-23189 owner name.
9. Plan sheet 3 of 5 sheets, Ownership block has been revised to include an additional property owner for Parcel No. 1-23187. This plan revision is in response to comments by Judy Ogliore in Exhibit No. 12.

10. Plan sheet 3 of 5 sheets, Ownership block has been revised to include additional property ownership information for Parcel No. 1-23186.
11. Plan sheet 3 of 5 sheets, Ownership block has been revised to include additional property owners for Parcel No. 1-23185. This plan revision is in response to comments by Jamie Polito and James Johnston in Exhibit No. 13.
12. Plan sheet 3 of 5 sheets, Ownership block has been revised to correct the last name of a property owner for Parcel No. 1-23184.
13. Plan sheet 3 of 5 sheets, Ownership block has been revised to include additional property ownership information and to correct spelling of the Parcel No. 1-23182 owner name.
14. Plan sheet 3 of 5 sheets has been revised to remove "Turnback Line" call out and revise "For Relinquishment to City" call out to "Street Ownership Retained by City."
15. Plan sheet 3 of 5 sheets has been revised to remove No. 21 note under the Access Notes. The Ownership block has been revised to delete Seattle Public Utilities, associated station on roadway and Type 21 access.
16. Plan sheet 4 of 5 has been revised to show minor station/offset boundary callout corrections on the north side of SR 520.
17. Plan sheet 5 of 5 sheets has been revised to move proposed east limits of Partial Control on East Lake Washington Boulevard for parcel 1-23234, 18 feet west to HES 71+55.95 (291.98' Rt.), in response to comments from Mr. Hilton (Exhibits 10 and 11).
18. Plan sheet 5 of 5 sheets has been revised to remove "Turnback Line" call out and revise "For Relinquishment to City" call out to "Street Ownership Retained by City."

## 7. ORDERS

The Assistant Secretary for Engineering and Regional Operations Chief Engineer specifically finds in the case of each abutting ownership that the adoption of the plans making said highway a Limited Access facility, said plans being attached hereto and marked Exhibit A, with the revisions as listed herein, are required for public convenience and necessity.

Based upon the foregoing findings and the evidence supporting them, the Assistant Secretary for Engineering and Regional Operations Chief Engineer for the Department of Transportation of the State of Washington,

ORDERS:

A.

That the identified section of SR 520 in King County, Washington is hereby designated as a Limited Access highway of the Full and Partial Control type:

- Between Highway Engineer Station 62+51.12 to 80+00 and Milepost 0.93 to 1.26, as shown on sheets 1 through 5 of 5 sheets of the Access Hearing Plan entitled "SR 520 MONTLAKE INTERCHANGE VICINITY TO ARBORETUM INTERCHANGE VICINITY," KING COUNTY, dated August 14, 2013.

B.

That the plan set forth in Exhibit No. 5 for the establishment or modification of access control of said highway be revised as follows, and as further shown on Exhibit A hereto attached and by this reference made a part hereof:

1. Show that plan sheet 2 of 5 has been revised to remove proposed Limited Access on the south side of the Plat of Montlake Park Block 4 and show existing Limited Access on the north side of SR 520 and portion of 24th Avenue East.
2. Show that plan sheet 2 of 5 has been revised to show minor station/offset boundary callout corrections on the north side of SR 520.
3. Show that plan sheet 2 of 5 sheets has been revised to remove No. 21 note under the Access Notes and the Ownership block has been revised to delete Seattle Public Utilities, associated station on roadway, and Type 21 access.
4. Show that Plan sheet 3 of 5 has been revised to show minor station/offset boundary callout corrections on the south side of SR 520.
5. Show that plan sheet 3 of 5 has been revised to add existing Limited Access on the north side of SR 520 and 24th Avenue East.
6. Show that plan sheet 3 of 5 sheets, Ownership block has been revised to include an additional property owner for Parcel No. 1-23234.
7. Show that plan sheet 3 of 5 sheets, Ownership block has been revised to include an additional property owner for Parcel No. 1-23232.
8. Show that plan sheet 3 of 5 sheets, Ownership block has been revised to correct spelling of the Parcel No. 1-23189 owner name.

9. Show that plan sheet 3 of 5 sheets, Ownership block has been revised to include an additional property owner for Parcel No. 1-23187.
10. Show that plan sheet 3 of 5 sheets, Ownership block has been revised to include additional property ownership information for Parcel No. 1-23186.
11. Show that plan sheet 3 of 5 sheets, Ownership block has been revised to include additional property owners for Parcel No. 1-23185.
12. Show that plan sheet 3 of 5 sheets, Ownership block has been revised to correct the last name of a property owner for Parcel No. 1-23184.
13. Show that plan sheet 3 of 5 sheets, Ownership block has been revised to include additional property ownership information and to correct spelling of the Parcel No. 1-23182 owner name.
14. Show that plan sheet 3 of 5 sheets has been revised to remove "Turnback Line" call out and revise "For Relinquishment to City" call out to "Street Ownership Retained by City."
15. Show that plan sheet 3 of 5 sheets has been revised to remove No. 21 note under the Access Notes and the Ownership block has been revised to delete Seattle Public Utilities, associated station on roadway, and Type 21 access.
16. Show that Plan sheet 4 of 5 has been revised to show minor station/offset boundary callout corrections on the north side of SR 520.
17. Show that plan sheet 5 of 5 sheets has been revised to move proposed east limits of Partial Control on East Lake Washington Boulevard 18 feet west to HES 71+55.95 (291.98' Rt.) for parcel 1-23234.
18. Show that plan sheet 5 of 5 sheets has been revised to remove "Turnback Line" call out and revise "For Relinquishment to City" call out to "Street Ownership Retained by City."

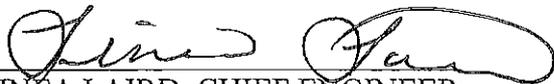
C.

That the plan entitled:

“SR 520 MONTLAKE INTERCHANGE VICINITY TO ARBORETUM INTERCHANGE VICINITY,” KING COUNTY, sheets 1 through 5 of 5 sheets, as reflected in Exhibit A, is hereby adopted.

ADOPTED THIS 20 DAY OF November, 2013

ASSISTANT SECRETARY  
OF ENGINEERING AND REGIONAL OPERATIONS

  
LINEA LAIRD, CHIEF ENGINEER

APPROVED AS TO FORM:

  
ANN E. SALAY, ASSISTANT ATTORNEY GENERAL