BEFORE THE WASHINGTON STATE TRANSPORTATION COMMISSION

IN RE: State Route 522
N.E. 195th Street Interchange
Milepost 12.70 to Milepost 13.04
Hearing on Limited Access

FINDINGS AND ORDER

The hearing on the above entitled project was held, upon due notice to interested parties, beginning at 7:30 p.m., Tuesday, January 31, 1984 in the Bothell Library Conference Room, located at 9654 N.E. 182nd Street, Bothell, Washington, before Robert E. Lundgaard, Hearing Examiner.

The interested persons and organizations were represented as follows:

DEPARTMENT OF TRANSPORTATION, Michael Nicefaro, Assistant Attorney General, Temple of Justice, Olympia, Washington 98504;

Mr. and Mrs. Dean Allen, by selves, 19402 133rd Street N.E., Woodinville, Washington 98072;

Geri Arnesin, by self, 19417 153rd Avenue N.E., Woodinville, Washington 98072;

Paul D. Benton, by self, 300 7th Avenue South #19, Kirkland, Washington 98033;

Ray Braga, by self, 14057 N.E. 181st, Woodinville, Washington 98072;

The Bryant Corporation, by Fred Gibson, Vice President, P.O. Box 389, Woodinville, Washington 98072;

A. J. Burke, by Doug Hartwich, Attorney, 3546 30th Floor, Seattle First Bldg., Seattle, Washington 98154;

Peter Henning, by self, 8485 Hunts Point Lane, Bellevue, Washington 98004;

IND-COM Properties by Malcolm D. Anderson, Partner, 13012 164th Avenue N.E., Redmond, Washington 98052;

Mr. and Mrs. Jack Kennedy, by Jack A. Borland, Attorney, 1313 Market Street, Kirkland, Washington 98033;

Bill and Karen Lasby, by selves, 13324 N.E. 190th Place, Woodinville, Washington 98072;

David J. Martin, Fire Chief K.C.F.D. #36, by self, 15632 Woodinville/Duvall Place, Woodinville, Washington 98072;

Jerald L. Osterman, by self, 12955 N.E. 195th Place, Bothell, Washington 98011;

Bill Renn, by self, P.O. Box 286, Woodinville, Washington 98072;

John D. Seals, by self, 19900 N.E. 151st Place, Woodinville, Washington 98072;

Tonkin Inc., by Jack Tonkin, President, 14126 N.E. 190th, Woodinville, Washington 98072;

As a courtesy to interested citizens, the Commission 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

Commission, 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 by Ron Bockstruck, District Administrator, after which witnesses were called. The evidence was taken by a Court Reporter and thereafter transcribed. Certain exhibits were duly introduced as evidence. The undersigned members of the Transportation Commission have personally considered the transcript of the hearing. Based upon the oral evidence and the exhibits introduced in evidence, the Transportation Commission of the State of Washington makes the following findings:

I

Prior to December 27, 1983, a plan for the establishment of a limited access highway over a portion of State Route 522 in King County, Washington was ordered under Resolution No. 95 and its amendments and supplements thereto.

Such a plan was prepared and entitled "SR 522, N.E. 195TH ST. INTERCHANGE, MP 12.70 TO MP 13.04, KING COUNTY", sheets 1 through 2 of 2 sheets. The above mentioned sheets were introduced into evidence marked as Exhibit Nos. 6-1 through 6-2, 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 such other 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. 4.

By letter dated January 27, 1984, King County approved the Access Report and Access Hearing Plan, and said letter was introduced into evidence and was marked Exhibit No. 8.

III

On December 27, 1983, the Project Development 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 and was marked Exhibit No. 1.

IV

Lue Clarkson, Administrator, Washington State Transportation Commission, issued a Notice of Limited Access Hearing. On January 16, 1984, an exact copy of this notice and a copy of the limited access hearing plans were mailed to King County and to each of those record owners of property listed on the King County tax roll as depicted in the Affidavit of Service by Mailing, introduced into evidence and marked as Exhibit No. 3-1 through 3-4.

An exact copy of the notice was published in the Seattle Post-Intelligencer on January 16, 1984, as shown by the Affidavit of Publication of S. Koenig, Principal Clerk of the Seattle Times Company, Publisher of the Seattle Times and representative of the Seattle Post-Intelligencer, which affidavit was introduced into evidence marked Exhibit No. 2-1. An exact copy of the hearing notice was published in The Woodinville Weekly on January 10, 1984, as shown by the Affidavit of Publication of Carol E. Corbin, Principal Clerk of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 2-2.

V

The plan proposed establishment of fully controlled limited access facilities for State Route 522, N.E. 195th Street Interchange between Station L_W 264+00 and Station L_W 282+00, as

shown on sheets 1 through 2 sheets of 2 sheets entitled "SR 522, N.E. 195TH STREET INTERCHANGE, MP 12.70 TO MP 13.04, KING COUNTY".

VI

The N.E. 195th Street Interchange on State Route 522 has become an important part of the highway system of the State of Washington. State Route 522 is functionally classified as a Principal Arterial Highway and Commission policy provides for 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. 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 intersections and approaches.

The plan for the establishment of fully controlled limited access highway facilities for this interchange on State Route 522 in King County, introduced into evidence marked Exhibit Nos. 6-1 through 6-2 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. 5-1	Proposed Declaration of Non-Significance dated November 3, 1983.
Exhibit No. 5-2	Final Declaration of Non-Signigicance dated December 7, 1983.
Exhibit No. 7	Letter dated September 27, 1983, design concurrence from King County.
Exhibit No. 9	Letter dated January 31, 1984, design concurrence from the 195th Street Interchange Task Force.

VIII

The Commission has considered evidence on the entire portion of the above entitled highway and finds the plans introduced into evidence marked Exhibit Nos. 6-1 through 6-2 should be modified as hereinafter set forth and as shown on Exhibit "A" attached.

IX

The Commission also considered the following requests and makes the following findings:

1. Mr. Sig McGuire (Parcel No. 1-12161) and Mr. Malcom D. Anderson (Parcel No. 1-12162) on pages 27 through 30 of the hearing transcript requested relocation of the right of way/limited access line adjacent to their properties to lessen the impact on their property.

   This interchange was designed to provide access to 195th Street without impacting Bear Creek. The

design of the S-EW ramp provides adequate sight distance for vehicles turning onto 195th from the off ramp. Moving the right of way line closer to the highway would substantially restrict sight distance at the S-EW ramp terminus and would not be cost effective.

2. Mr. Allen, on page 35 of the hearing transcript, requested that a right turn lane be provided instead of a left turn lane from N.E. 195th Street to Southbound 136th Street.

   The department will monitor this intersection after construction. If a problem exists and traffic counts warrant, a right turn lane could be provided by re-channelizing the intersection.

X

The Commission particularly finds in the case of each abutting ownership that 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 Transportation Commission of the State of Washington,

ORDERS:

I

That the section of SR 522 in King County described as follows is hereby designated as a limited access highway of the fully controlled type:

Between Station L^W 264+00.00 and Station L^W 282+00.00 as shown on sheets 1 through 2 of 2 sheets entitled "SR 522, N.E. 195TH ST. INTERCHANGE, MP 12.70 TO MP 13.04, KING COUNTY," dated December 27, 1983.

II

That the plan entitled "SR 522, N.E. 195TH ST. INTERCHANGE, MP 12.70 TO MP 13.04, KING COUNTY, sheets 1 through 2 of 2 sheets, dated December 27, 1983 as shown on Exhibit "A" is hereby adopted.

That the following plans are hereby superseded:

"SR 522, WOODINVILLE TO MONROE, PLAN SHOWING ACCESS", sheet 1 (pt.) of 6 sheets, approved February 13, 1957.

"SR 522, WOODINVILLE TO MONROE," Right of Way, sheet 2 of 21 sheets, approved April 2, 1957.

ADOPTED this 17th day of May, 1984

WASHINGTON STATE
TRANSPORTATION COMMISSION

RICHARD ODABASHIAN, CHAIRMAN

PAT WANAMAKER, MEMBER

VAUGHN HUBBARD, MEMBER

ALBERT D. ROSELLINI, MEMBER

JERRY OVERTON, MEMBER

BERNICE STERN, MEMBER

GEO B. SWEENEY, MEMBER

ATTEST:

LUE CLARKSON, ADMINISTRATOR

APPROVED AS TO FORM:

ASSISTANT ATTORNEY GENERAL