

BEFORE THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

IN RE: State Route 5 )  
AIRDUSTRIAL INTERCHANGE )  
MP 100.76 to MP 101.60 ) Findings and Order  
Combined Hearing on )  
Location/Design and Limited )  
Access )

The hearing on the above entitled matter was held upon due notice to interested parties, beginning at 7 p.m., Wednesday, June 13, 1984, in the Tumwater High School in Tumwater, Washington, before John McRae, Hearing Examiner.

The interested persons and organizations were represented as follows:

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

ALICE CONRAD, CITY OF TUMWATER, 2nd and Bates Streets, Tumwater, Washington, 98502;

JIM DAYTON, by self, 2413 - 73rd Ave. SW, Olympia, Washington 98502;

WILLIAM H. ELLIS, by self, 3527 NE 100th St., Seattle, Washington 98125;

JOHN FEDOR, by self, 11804 NE 159th, Bothell, Washington 98011;

TODD HATCH, by self, 10321 - 163rd Ave. NE, Redmond, Washington, 98052;

DOUGLAS JOHNSTON, CITY OF TUMWATER, 2nd and Bates Streets, Tumwater, Washington 98502;

HELEN E. MURPHY, by self, 4909 Delta Lane, Tumwater, Washington 98501;

DAVID PERETZ, by self, 801 Israel Rd. SW #K204, Tumwater, Washington 98501;

PORT OF OLYMPIA, by Wes Barclift, Commissioner, 1201 North St., Tumwater, Washington 98501;

EDWARD H. SOUTHON, P.O. Box 102, Olympia, Washington 98507;

TUMWATER #1, by Howard Coble, partner, 4115 Ward Lake Ct., Olympia, Washington 98501;

H. G. WHITE, by self, 11825 SE 288th St., Kent, Washington, 98031;

As a courtesy to interested citizens, the Commission furnishes a copy of its 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 John McRae, Hearing Examiner, 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 May 4, 1984, a plan for the establishment of a limited access highway over a portion of State Route 5, in Thurston County, Washington was ordered under Commission Resolution No. 95 and its amendments and supplements thereto.

Such plan as prepared and entitled "SR 5, TUMWATER: AIRDUSTRIAL INTERCHANGE, MP 100.76 TO MP 101.60, THURSTON COUNTY", sheets 1 through 4 of 4 sheets. These sheets were introduced into evidence marked as Exhibit Nos. 11-A through 11-D, 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 these 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 June 12, 1984, the Port of Olympia approved the Access Report, and said letter was introduced into evidence marked Exhibit No. 5.

By letter dated June 8, 1984, the City of Tumwater concurs with the Access Report, and said letter was introduced into evidence marked Exhibit No. 7.

By letter dated June 12, 1984, the Thurston County Commissioners concurred with the Access Report, and said letter was introduced into evidence as Exhibit No. 9.

### III

On May 4, 1984, 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 marked Exhibit No. 1.

### IV

Lue Clarkson, Administrator, Washington State Transportation Commission, issued a Notice of Hearing. On May 24, 1984, an exact copy of this notice was mailed to Thurston County, the city

of Tumwater, Port of Olympia, various agencies and other interested parties and to each of those property owners listed on the County Tax Roll as depicted in the Affidavit of Service by Mailing introduced into evidence marked Exhibit No. 3. An exact copy of the notice was published in the Daily Olympian on May 10, 1984 and May 24, 1984, as shown by the Affidavit of Neva Smith, Principal Clerk of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 2B.

V

The plan proposed the establishment of a fully controlled limited access facility for State Route 5 in the vicinity of Airdustrial Way, between Station 783+92.12 and Station 828+50, as shown on sheets 1 through 4 of 4 sheets, entitled, "SR 5, TUMWATER: AIRINDUSTRIAL INTERCHANGE MP 100.76 TO MP 101.60, THURSTON COUNTY".

VI

This section of State Route 5 is an important part of the highway system of the State of Washington and represents a substantial expenditure in construction costs. It is of particular importance in the Tumwater and Thurston County vicinity as it will help alleviate the current and forecasted traffic problems associated with the daily operational, safety

and capacity difficulties encountered on this section of SR 5. State Route 5 is functionally classified as an Interstate Highway, and Commission policy provides for full control of access 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 becomes increasingly great and the highway gradually becomes obsolete. Therefore, access points should be kept to a minimum consistent with allowing local traffic adequate use of the facility at properly designed interchanges.

The plan for the establishment of a limited access highway facility for State Route 5 in Thurston County, introduced into evidence marked Exhibit Nos. 11-A through 11-D 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 are made a part of this hearing record:

- EXHIBIT NO. 2A Affidavit of Publication of the Notice of Availability of the Environmental Assessment entitled SR 5 - Airdustrial Interchange to Troesper Road.
- EXHIBIT NO. 6 Letter dated June 7, 1984, from the Port of Olympia agreeing to certain costs and contributions in regard to the project.
- EXHIBIT NO. 8 Letter dated June 8, 1984, from the city of Tumwater.
- EXHIBIT NO. 10 Environmental Assessment entitled, SR 5 - Airdustrial Interchange to Troesper Road.
- EXHIBIT NO. 12A Letter dated February 24, 1984, from city of Tumwater regarding access control to the new Airdustrial Way on the west side of the freeway.
- EXHIBIT NO. 12B Letter dated March 23, 1984, from the city of Tumwater regarding access control on the interchange.
- EXHIBIT NO. 13 Statement by the Port of Olympia regarding the Airdustrial Interchange.
- EXHIBIT NO. 14 Letter dated March 23, 1984, by the Mayor of Tumwater supporting the Interstate 5 pedestrian overcrossing.
- EXHIBIT NO. 15 Letter and counterproposal dated March 2, 1984, from Mr. James White to the city of Tumwater regarding the pedestrian overcrossing.
- EXHIBIT NO. 16 Letter and counterproposal dated June 13, 1984, from Mr. James White to the Washington State Transportation Commission regarding the pedestrian overcrossing.
- EXHIBIT NO. 17 Letter dated June 15, 1984, from Thurston County regarding their review of the Environmental Assessment.
- EXHIBIT NO. 18 Letter dated June 20, 1984, from the city of Tumwater rescinding their request to obtain access control along the AW Line beyond that required by the WSDOT.
- EXHIBIT NO. 19 Letter dated June 28, 1984, from Thurston County concurring with the city of Tumwater's request to remove the proposed access control along the AW Line.

## VIII

The Commission has considered evidence on the entire portion of the above entitled highway and finds the plan introduced into evidence marked Exhibit Nos. 11-A through 11-D should be modified as hereinafter set forth as shown on Exhibit "A" attached.

1. Revise plan sheets 3 and 4 of 4 sheets to remove the limited access control along the AW Line from Station AW 10+00 to Station AW 26+00 as requested by the city of Tumwater in Exhibit No. 18 and is recommended by the Department.
2. Revise plan sheet 4 of 4 sheets to delete the plan change presented by the Department at the hearing on pages 20, 21, and 22 of the transcript for a temporary grade intersection on the AW Line at Station 21+20. This plan change is no longer necessary as a result of the city's request to delete the limited access control on the AW Line.
3. Revise plan sheets 1 through 4 of 4 sheets to make minor plan revisions, to correct ownership and parcel details, area computations and right of way details.

## IX

The Commission particularly finds in the case of each abutting ownership that the adoption of the plan for making said highway as 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 State Route 5 in Thurston County described as follows is hereby designated as a limited access highway of the fully controlled type:

Between Station 783+92.12 and Station 828+50 as shown on sheets 1 through 4 of 4 sheets entitled, "SR 5, TUMWATER: AIRDUSTRIAL INTERCHANGE, MP 100.76 TO MP 101.60, THURSTON COUNTY", dated May 4, 1984.

II

That the plan set forth in Exhibit Nos. 11-A through 11-D for establishment of access control on said highway be revised as follows, and as shown on Exhibit "A" hereto attached and by this reference made a part of hereof:

1. Revise plan sheet 3 and 4 of 4 sheets to remove the limited access control along the AW Line from Station AW 10+00 to Station AW 26+00.
2. Revise plan sheet 4 of 4 sheets to delete the Department's recommended plan change for a temporary grade intersection at Station 21+20.
3. Revise plan sheets 1 through 4 of 4 sheets to make minor plan revisions, to correct ownership and parcel details, area computations and right of way details.

III

That the plan entitled "SR 5, TUMWATER: AIRDUSTRIAL INTERCHANGE, MP 100.76 TO MP 101.60, THURSTON COUNTY", sheets 1 through 4 of 4 sheets dated May 4, 1984, as revised above and as shown on Exhibit "A", and be the same is hereby adopted.

IV

That the following plans are hereby superseded:

"SR 5, TUMWATER VICINITY, PLAN SHOWING ACCESS. THURSTON COUNTY", sheet 1 (part) of 2 sheets, approved July 7, 1954.

"SR 5, TUMWATER VICINITY, THURSTON COUNTY", right of way, sheets 1 and 2 (part) of 8 sheets, approved August 17, 1954.

"SR 5, MAYTOWN TO TUMWATER", right of way, sheet 9 (part) of 12 sheets, approved May 27, 1952.

ADOPTED this 9<sup>th</sup> day of August, 1984.

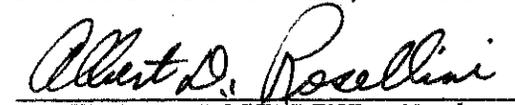
WASHINGTON STATE  
TRANSPORTATION COMMISSION

  
PAT WANAMAKER, Chairman

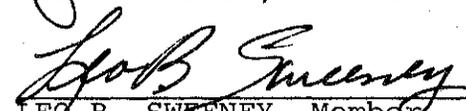
  
BERNICE STERN, Vice Chairman

  
VAUGHN HUBBARD, Member

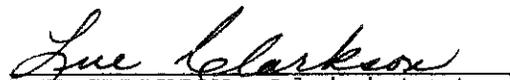
  
RICHARD ODABASHIAN, Member

  
ALBERT D. ROSELLINI, Member

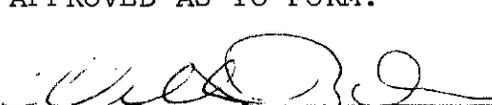
  
JERRY OVERTON, Member

  
LEO B. SWEENEY, Member

ATTEST:

  
LUE CLARKSON, Administrator

APPROVED AS TO FORM:

  
Assistant Attorney General