

Decision No. 75602

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Rohnert)
Park acting through its City Council,)
for permission to construct South-)
west Boulevard Crossing at Grade)
across the main line of the North-)
western Pacific Railroad in the City)
of Rohnert Park.)

Application No. 50356
(Filed June 27, 1968)

Richard B. Maxwell, City Attorney, for the City
of Rohnert Park, applicant.
Harold S. Lentz and Kenneth E. Johnson, for
Northwestern Pacific Railroad Company,
protestant.
Kenneth G. Soderlund, for the Commission staff.

O P I N I O N

The City of Rohnert Park (pop. 1968 approx. 5,000) requests an order authorizing it to construct Southwest Boulevard at grade, over the mainline tracks of Northwestern Pacific Railroad Company. The proposed crossing site is approximately equidistant from existing grade crossings at Rohnert Park Expressway, .75 mile northwesterly and at East Cotati Avenue (in the adjacent City of Cotati), .68 mile southeasterly. Another grade crossing (Wilfred Avenue, now Golf Course Boulevard) about one mile northwest of the Rohnert Park Expressway crossing, serves traffic principally moving to and from a municipal golf course east of the Redwood Highway and the railroad tracks in that area.

The application was partially heard at Rohnert Park in October, 1968 before Examiner John Power (since deceased). Hearings were concluded at San Francisco before Examiner Gregory on January 13, 1969, when the matter was submitted subject to the filing of memoranda (since received) directed to the railroad's motion, made

orally at the hearing on October 25, 1968, to bring in the Petaluma Unified School District as a party for the purpose of apportionment of crossing costs. Our decision makes further consideration of the motion unnecessary.

The evidence discloses that the City's 20-year (1967-1987) master plan (Exhibit 4) contemplates that the joining of presently incomplete portions of Southwest Boulevard - a link of roughly a half mile over the crossing site - would provide a direct east-west route between presently developed and populated portions of the City west of the crossing site and present and planned educational, residential, civic and community developments east of the railroad, in the general area of Snyder Lane between Rohnert Park Expressway and East Cotati Avenue.

The Expressway, now a two-lane link between Highway 101 and Petaluma Hill Road, passes through projected commercial, educational and civic developments between Hinebaugh and Copeland Creeks. It was also designed to serve the main (north) entrance - not yet constructed - to Sonoma State College, the campus of which lies generally between Copeland Creek on the north and East Cotati Avenue, on the south, in the general area between Snyder Lane and Petaluma Hill Road. East Cotati Avenue is the present main link between Highway 101 and the developed portions of Rohnert Park, on the one hand, and the College, Rancho Cotate High School and other developments (chiefly projected) east of the railroad in the vicinity of Snyder Lane, on the other.

Vehicular traffic between the present central portion of the City, which includes a shopping center at the intersection of Southwest Boulevard and Adrian Drive, and the area east of the railroad in the vicinity of the College, now traverses two-lane Adrian

Drive, at restricted speed, through residential portions of the City south to East Cotati Avenue and thence, via the existing grade crossing, easterly to Snyder Lane and the present south entrance to the College. The City's police and fire vehicles also now use that route, which measures about 2 miles from the central city to the south College entrance off East Cotati Avenue.^{1/}

Electronic traffic counts, taken on Adrian Drive at East Cotati Avenue under direction of the City's Director of Public Safety between September 15 and November 21, 1968, showed an average of 4,851 vehicles per week (7 days) moving on Adrian Drive during that period. On November 19, 1968 (6 a.m. - 6 p.m.) a human count of vehicular turning movements at the intersection of Adrian Drive and East Cotati Avenue showed 983 vehicles turning left from Adrian into East Cotati (eastbound) and 1,743 vehicles turning right from East Cotati into Adrian (northbound). Also, an electronic count taken during the above-mentioned September-November period showed average weekday traffic of 1207 vehicles daily on Arlen Drive, which is of the same width as Adrian Drive and forms the latter's northern terminus, and has its western terminus at Commerce Boulevard, which at that point is adjacent to and parallel with Highway 101.

Another electronic count by the City, at the intersection of the Highway 101 Wilfred Avenue off-ramp and Golf Course Boulevard, taken on weekdays between September 18 and November 4, 1968, showed average weekday movements, both eastbound and westbound, of 512 vehicles daily. The evidence further indicates a high probability

^{1/} If the present gap in Southwest Boulevard (about 2,500 feet) were closed and the street extended from Snyder Lane (present terminus of its eastern segment) to a projected street - Park Lane - designed to parallel the westerly edge of the College campus, the distance from central Rohnert Park to the College, over the proposed crossing, would appear to be about 1.5 miles. (Distances, as scaled from Circulation System Chart, Exhibit 4, are approximate.)

that most of the Golf Course Boulevard traffic was destined to or from the municipal golf course, with some of the traffic going into and out of a service station at that checkpoint.

An automatic traffic count, by an employee of the railroad, taken at the East Cotati Avenue crossing on October 8 and at the Rohnert Park Expressway crossing on October 10, 1968 showed, during a 24-hour period, a total of 5,376 highway unit and 6 train movements at the East Cotati Avenue crossing and a total of 567 highway unit and 6 train movements at the Expressway crossing.

No origin and destination studies were made in connection with any of the aforementioned traffic counts. With respect to the observed Adrian Drive-East Cotati Avenue turning movements, however, it was the opinion of the Director of Public Safety that such traffic was primarily to and from the Rancho Cotate High School and the College.

Concerning developments related to the proposed crossing, the evidence discloses that land developers in the area bounded generally by Copeland Creek, Snyder Lane, the southern city limits of Rohnert Park and the railroad (all east of the railroad) intend to participate in the construction of Southwest Boulevard from the present terminus of its eastern segment, 2,200 feet west of Snyder Lane, to connect with a proposed easterly extension, if this application is granted, of about 1,000 feet from its present terminus in the central part of the City to the crossing site. Present developments in the vicinity of the eastern segment of Southwest Boulevard and Snyder Lane include a church, several completed units of apartment projects designed for college students, an FHA-approved 20-unit subdivision expected to be completed by June, 1969, a sale of 12.12 acres of land to the Cotati Elementary School District, and a

tentative subdivision of 102 units, a trailer park and a 30-acre shopping center expected to be completed in two years. Other developments, including two churches and two other residential subdivisions, are either planned or under construction in the area mentioned above. One of the developers stated that though demand for residential facilities in the area is "intense", completion of present projects would depend on securing necessary financing as well as completion of certain off-site improvements in the area that are now nearly finished.

With respect to other projects mentioned in the City's 20-year master plan or referred to in the testimony (such as street and highway construction or improvement both east and west of the railroad, the proposed new civic center, commercial and industrial area development, new schools, shopping centers, recreational facilities, etc.), this record shows that such projects are expected to be initiated or completed in the context of the area's overall future needs.

The evidence shows that an average of six freight trains, some consisting of up to 125 cars and power units and moving under restriction of a maximum authorized speed of 45 mph, pass over the crossing site daily in both directions. Only two such movements occur during normal school or business hours, between 8 a.m. and 5 or 6 p.m. Visibility from all directions except the southwest quadrant is good; however, a fence line and homes backing on the south side of the Southwest Boulevard right-of-way would impair visibility, to some extent, by eastbound vehicular traffic for trains approaching the crossing from the south.

The planned width of Southwest Boulevard at the crossing is 64 feet, the approach grade from the west is 4.34 percent and

from the east 3.60 percent. There is no issue on the type of protection required for the crossing, as the City and railroad have agreed that protection should include two Standard No. 8 flashing light signals with gate arms and with controls by electronic track circuits. The railroad estimates that the signal protection would cost \$16,050 (including about 10 percent for contingencies), and that annual maintenance would come to \$540. In addition, the cost of welded track installation and other railroad ground construction to within two feet of outside rails was estimated by the railroad at \$5,120, with the possibility of an additional amount for stabilizing the roadbed at this particular crossing.

Applicant's City Manager estimated that the total cost of extending Southwest Boulevard from Burton Avenue (west of the railroad) approximately 1,000 feet to the east side of the crossing would be about \$75,000. He testified that land developers east of the railroad had tentatively agreed to pay the cost of a two-lane link east of the crossing to connect with the present easterly segment of Southwest Boulevard, if the City would concurrently arrange for construction of the extension of the westerly segment of that street to the crossing. Robert A. Forsyth, a developer in the area east of the crossing site, testified that, subject to uncertainties of financing and demand, he would expect that a connection east of the tracks could be accomplished within 18 months after grant of authority to construct the crossing.

The City's consulting engineer, Milton Hudis, estimated that a four-lane grade separation at the site would cost about \$250,000 and a two-lane separation about \$150,000. The City Manager testified that though the City's 1968-1969 budget, as presently

formulated, does not provide sufficient funds for the extension of Southwest Boulevard either east or west of the railroad, the City would "put a program together" for constructing the easterly link either by special assessment district proceedings, or otherwise. He also stated that the City would not undertake to finance even a two-lane grade separation at Southwest Boulevard, because, in his opinion, the proposed grade crossing would satisfy existing and projected traffic needs of the community.

Summary, Findings and Conclusions

This application presents but one basic issue--is the present or projected development of the City of Rohnert Park such that a need now exists to construct Southwest Boulevard at grade across Northwestern Pacific's tracks? By statute, the Commission is granted discretionary power to refuse or permit such a crossing (Public Utilities Code, sec. 1201).

We are persuaded, by this record, that the application is premature. Existing and projected near future vehicular traffic between the developed and developing areas of the community does not appear to be of such volume as to create either congestion or undue hazards on presently used streets and crossings.

A second reason for our conclusion that this application is premature is that the City has not shown, other than by the suggestion of possible - and contingent - future action in cooperation with land developers east of the railroad, that adequate financial arrangements either presently exist or in the near future can be made to complete the link between the two present segments of Southwest Boulevard and provide the City's share of the crossing costs.

The Commission finds, on this record, that:

1. The mainline tracks of Northwestern Pacific Railroad Company bisect the City of Rohnert Park, a community of approximately 5,000 persons located east of Highway 101 between the Cities of Santa Rosa and Cotati, Sonoma County.

2. The presently developed residential and commercial portions of the City of Rohnert Park lie chiefly in an area bounded generally by Copeland Creek on the north, the Northwestern Pacific Railroad tracks on the east, East Cotati Avenue and the City of Cotati on the south and by Commerce Boulevard and Highway 101 on the west. Other developments east of the railroad in the general vicinity of the eastern segment of Southwest Boulevard and of Snyder Lane, include Sonoma State College, Rancho Cotate High School, some apartment building units constructed or under construction, and various residential and other community projects described in the City's 20-year master plan, Exhibit 4 herein, some of which are now under construction or in various stages of planning.

3. Present vehicular traffic between developed portions of the City west of the railroad and developed or developing areas in the vicinity of Snyder Lane and the eastern segment of Southwest Boulevard moves chiefly on Arlen and Adrian Drives and East Cotati Avenue via an existing protected grade crossing at East Cotati Avenue. The present volume of such movements on that route does not create traffic congestion or undue hazards for the public.

4. The existing grade crossing at East Cotati Avenue is located .68 mile southeasterly of the crossing proposed herein. An existing grade crossing at Rohnert Park Expressway is located .75 mile northwesterly of the crossing proposed herein. An

existing grade crossing near Highway 101 in the northern portion of the City, that presently chiefly serves a municipal golf course, is located approximately one mile northwesterly of the Rohnert Park Expressway crossing.

5. The City of Rohnert Park is not able, at this time, to provide necessary funds, estimated at about \$75,000, to complete the construction of Southwest Boulevard over the proposed crossing. The City's ability to provide such funds is, to a substantial degree, contingent upon the progress of development and the financial cooperation of land owners and developers in areas east of the railroad in the vicinity of Snyder Lane and the eastern segment of Southwest Boulevard.

6. Neither the present nor the near future public need requires the proposed crossing.

The Commission, therefore, concludes that the application herein is premature and that it should be denied without prejudice.

The Commission, though declining to grant the requested authority at this time, recognizes that optimum traffic and other community patterns of a relatively new and developing city, particularly one that is bisected by a railroad, present problems for both the city administration and the developer interests. Underlying our decision here is the conviction, gathered from a consideration of the whole record, that the progress of highway, civic and other developments in Rohnert Park and adjacent areas has not yet reached a point that would justify us in authorizing a fourth crossing at grade of the railroad in that area, under existing conditions. If developments, as now planned or as later modified, should progress without undue delay and should indicate a more

pressing public need for a Southwest Boulevard grade crossing - or even separated grades at some point - the Commission then would be better able to assess the relevant facts in the interests of all parties concerned.

O R D E R

IT IS ORDERED that:

1. The oral motion of Northwestern Pacific Railroad Company, made at the hearing herein held on October 25, 1968, to include the Petaluma Unified School District as a party to this proceeding, is denied.

2. The application of the City of Rohnert Park herein, to construct Southwest Boulevard at grade over the Northwestern Pacific Railroad Company's tracks in said City, is denied without prejudice.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 29th day of APRIL, 1969.

William Synnott
President
Augusta
Red P. Morissey
William
Commissioners