

Decision 88 03 061

MAR 23 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Santa Clara County )  
Transit District for an order authorizing )  
construction of an at-grade-crossing of a )  
driveway at Station 35+50 of South Second )  
Street by the light rail transit line of )  
the Guadalupe Corridor project in the City )  
of San Jose, California. )

Application 87-12-028  
(Filed Dec. 11, 1987)

O P I N I O N

As part of the Guadalupe Corridor Project to construct a light rail transit (LRT) system, a four-lane freeway, and bicycle facilities, the Santa Clara County Transit District (SCCTD) requests authority to construct its light rail vehicle (LRV) tracks at grade on the Downtown San Jose Transit Mall along Second Street across a driveway near San Fernando Street in San Jose, Santa Clara County.

The multi-modal transportation improvements will provide relief to congested major highways and local streets in the area. The LRT system is approximately 20 miles in length between Great America Amusement Park in north Santa Clara and the IBM business park in south San Jose. Major impacts include displacement of 69 residential and 17 non-residential structures, increased traffic congestion at isolated locations, and removal of mature trees along North First Street. Mitigation measures will include relocation assistance, possible future grade separations, and a landscape replacement program.

The Guadalupe Corridor Joint Powers Board (GCJPB) consisting of SCCTD; the State of California, Department of Transportation; the County of Santa Clara; the City of San Jose; and the City of Santa Clara, is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Sections 21000, et seq. The project is covered by a Final Environmental Impact Statement (FEIS) which was approved by the Federal Highway Administration on August 12, 1983.

The commission is a responsible agency of this project under CEQA and has reviewed and considered the lead agency's FEIS. The site of the proposed project has been inspected by the Commission's Traffic Engineering staff. The staff examined the need for and safety of the proposed crossing. The staff recommends that authority to construct the crossing be granted with the installation of stop signs and a train-activated "No Right Turn" sign visible to motorists on Second Street as proposed by applicant.

The application meets the filing requirements of the of the Commission's Rules of Practice and Procedure, including Rule 40, which relates to the construction of a railroad track across a public highway. A separation of grade is impracticable because the crossing is located in a highly developed area of downtown San Jose where right-of-way is inadequate. A sketch of the project vicinity is set forth as Appendix A.

Notice of the application was published in the published in the Commission's Daily Calendar on December 21, 1987. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. SCCTD requests authority under Public Utilities Code Sections 1201-1205 to construct its LRV tracks at grade on the Downtown San Jose Transit Mall along Second Street across a driveway near San Fernando Street in San Jose, Santa Clara County.

2. Construction of the crossing is an essential element in construction of the LRT system.

3. Public convenience and necessity require construction of the crossing.

4. Public safety requires control of vehicular movements at the crossing by stop signs with the addition of a train activated "No Right Turn" sign.

5. GCJPB is the lead agency for this project under CEQA, as amended.

6. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's FEIS.

7. The Guadalupe Corridor Project will have a significant effect on the environment; however, mitigation measures will reduce the severity of the adverse impacts to acceptable levels.

Conclusion of Law

The application should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. The Santa Clara County Transit District (SCCTD) is authorized to construct its LRV tracks at grade on the Downtown San Jose Transit Mall along Second Street across a driveway near San Fernando Street in San Jose, Santa Clara County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing 82AS-1.76.

2. Vehicular movements at the crossing shall be controlled by stop signs supplemented by an internally illuminated "No Right Turn" sign which is activated by the LRV's.

3. Clearances at the crossing shall be in accordance with General Order (GO) 26-D.

4. Construction of the crossing shall be equal or superior to Standard No. 1 of GO 72-B.

5. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between SCCTD and the City of San Jose. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

6. Within 30 days after completion of the work under this order, SCCTD shall notify the Commission in writing that the authorized work has been completed.

7. This authorization shall expire if not exercised within three years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

8. The application is granted as set forth above.

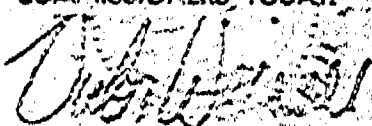
This order becomes effective 30 days from today.

Dated MAR 23 1988, at San Francisco, California.

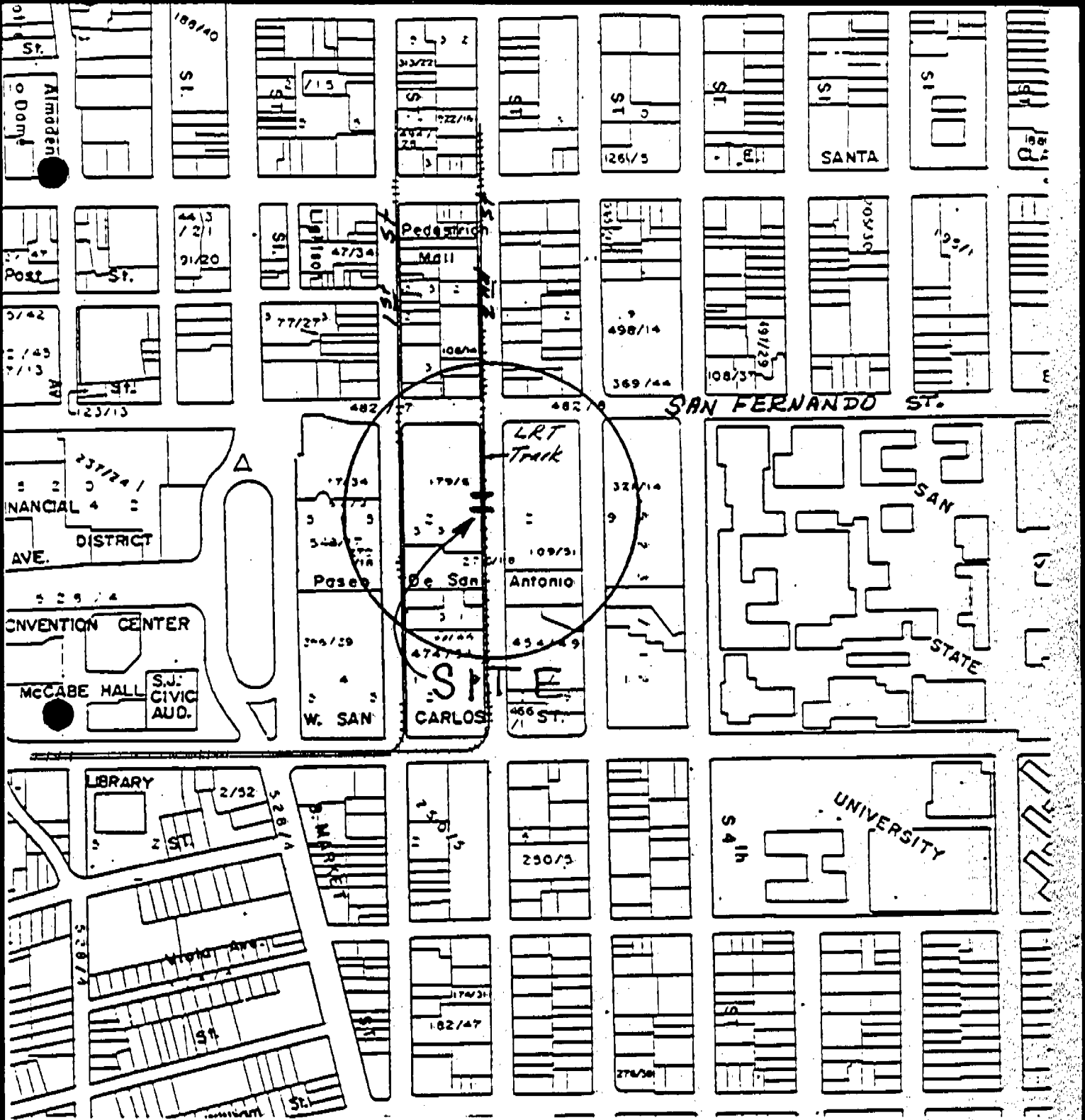
STANLEY W. HULETT  
President

DONALD VIAL  
FREDERICK R. DUDA  
G. MITCHELL WILK  
JOHN B. OHANIAN  
Commissioners

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS, TODAY.

  
Victor Weisser, Executive Director

AB



Vicinity Map  
of the  
**TRANSIT MALL EXTENSION**  
Guadalupe Corridor Project  
San Jose, California

Appendix A