

ORIGINAL

Decision 88 08 053 AUG 24 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
the City of Oceanside for authority)
to construct Mission Avenue at grade)
over the tracks of The Atchison,)
Topeka and Santa Fe Railway Company's)
main line, in the County of San Diego)

Application 88-05-033
(Filed May 16, 1988)

O P I N I O N

As part of the Downtown Redevelopment Project: to remove a blighting influence from the area and to release 23 acres of land for residential and commercial development, as well as to allow for improved pedestrian, vehicular traffic circulation and safety, the City of Oceanside (City) requests authority to construct Mission Avenue at grade across The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line tracks in Oceanside, San Diego County. Authority is also requested to close the existing at-grade crossing of Third Street upon completion of the project.

The Mission Avenue extension across the AT&SF tracks is also part of the City's Master Street Plan Circulation Element which includes: relocation of the railroad's switching yard, a new Civic Center, Transportation Center and the closure of Third Street grade crossing. Tyson Street grade crossing was closed previously, thus reducing the number of at-grade crossings within the City from six to five.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Section 21000 et seq. After preparation and review of an Initial Study, City issued a Negative Declaration and approved the project. On August 30, 1984, a Notice of Determination was filed with the San Diego County Clerk which found

that "the project will not have a significant effect on the environment."

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's Initial Study and Negative Declaration.

The sites of the proposed and existing crossings included in this project have been inspected by the Commission's Traffic Engineering staff and it recommends the Commission adopt the crossing protection, four Standard No. 9 automatic gate-type signals (General Order (GO) 75-C), proposed in the application (two to be installed upon median islands). The proposal also includes unobstructed view quadrants in excess of 200 feet either side of the Mission Avenue centerline, including no parking zones along paralleling Myers and Cleveland Streets, and advance warning signs and pavement marking in accordance with current practice.

City has met the filing requirements of the Commission's Rules of Practice and Procedure including Rule 38, which relates to the construction of public highways across a railroad. Detailed drawings of the crossing street geometrics are attached to Appendix A of this order.

To improve the riding quality and durability of the crossing, City requests an exemption from General Order (GO) 72-B to permit the installation of a rubber grade crossing surface, which crossing surface is not included within the standards of GO 72-B. Since there appears to be ample justification for the installation of a rubber crossing surface in this instance, an exemption from GO 72-B to permit the installation will be granted.

Notice of the application was published in the Commission's Daily Calendar on May 20, 1988. No protests have been received. A copy of the agreement between City and AT&SF was included in the application. A public hearing is not necessary.

City states that it wishes to commence construction of this project August, 1988 and therefore has requested that the

usual 30 day effective date on an order be waived. We will make our order effective immediately.

Findings of Fact

1. City requests authority under Public Utilities Code Sections 1201-1205 to construct Mission Avenue at grade across AT&SF's main line tracks in Oceanside, San Diego County.
2. City also requests authority to close the existing Third Street grade crossing of AT&SF tracks.
3. Construction of the Mission Avenue grade crossing is an essential element in the Master Street Plan Circulation Element, General Plan, City of Oceanside.
4. Public convenience and necessity require construction of the Mission Avenue grade crossing and the closure of the existing Third Street grade crossing.
5. Public safety requires that protection at the crossing be four Standard No. 9 automatic gate-type signals (GO 75-C).
6. The public and the railroad will benefit from installation of a rubber crossing surface at the proposed crossing.
7. City is the lead agency for this project under CEQA, as amended.
8. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Initial Study and Negative Declaration.
9. The project will have no significant impact on the environment.

Conclusions of Law

1. The application should be granted as set forth in the following order.
2. An exemption from GO 72-B should be granted to permit the installation of a rubber grade crossing surface of the crossing.
3. The usual 30-day effective date on an order should be waived as City wishes to commence construction at the project in August, 1988.

O R D E R

IT IS ORDERED that:

1. The City of Oceanside is authorized to construct Mission Avenue at grade across The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line tracks in Oceanside, San Diego County, at the location and substantially as shown on the plans attached to the application and as set forth in Appendix "A", to be identified as Crossing 2-226.2.

2. City is granted an exemption from GO 72-B to permit the installation of a rubber grade crossing surface at the crossing.

3. Construction of the crossing shall be in accordance with the provisions of GO 72-B except that a rubber grade crossing surface shall be installed.

4. Clearances shall conform to GO 26-D. Walkways shall conform to GO 118.

5. Protection at the crossing shall be four Standard No. 9 automatic gate-type signals (GO 75-C).

6. Construction and maintenance costs shall be borne in accordance with an agreement which has been entered into between the parties. A copy of the agreement has been filed with the Commission.

7. Upon completion of construction of Mission Avenue and its opening to vehicular traffic, the existing Third Street Crossing 2-226.1 shall be closed and physically removed.

8. Within 30 days after completion of the work under this order, City shall notify the Commission in writing that the authorized work has been done.

9. This authorization shall expire if not exercised within two 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.

10. The application is granted as set forth above.
This order is effective today.
Dated AUG 24 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 Weissor, Executive Director

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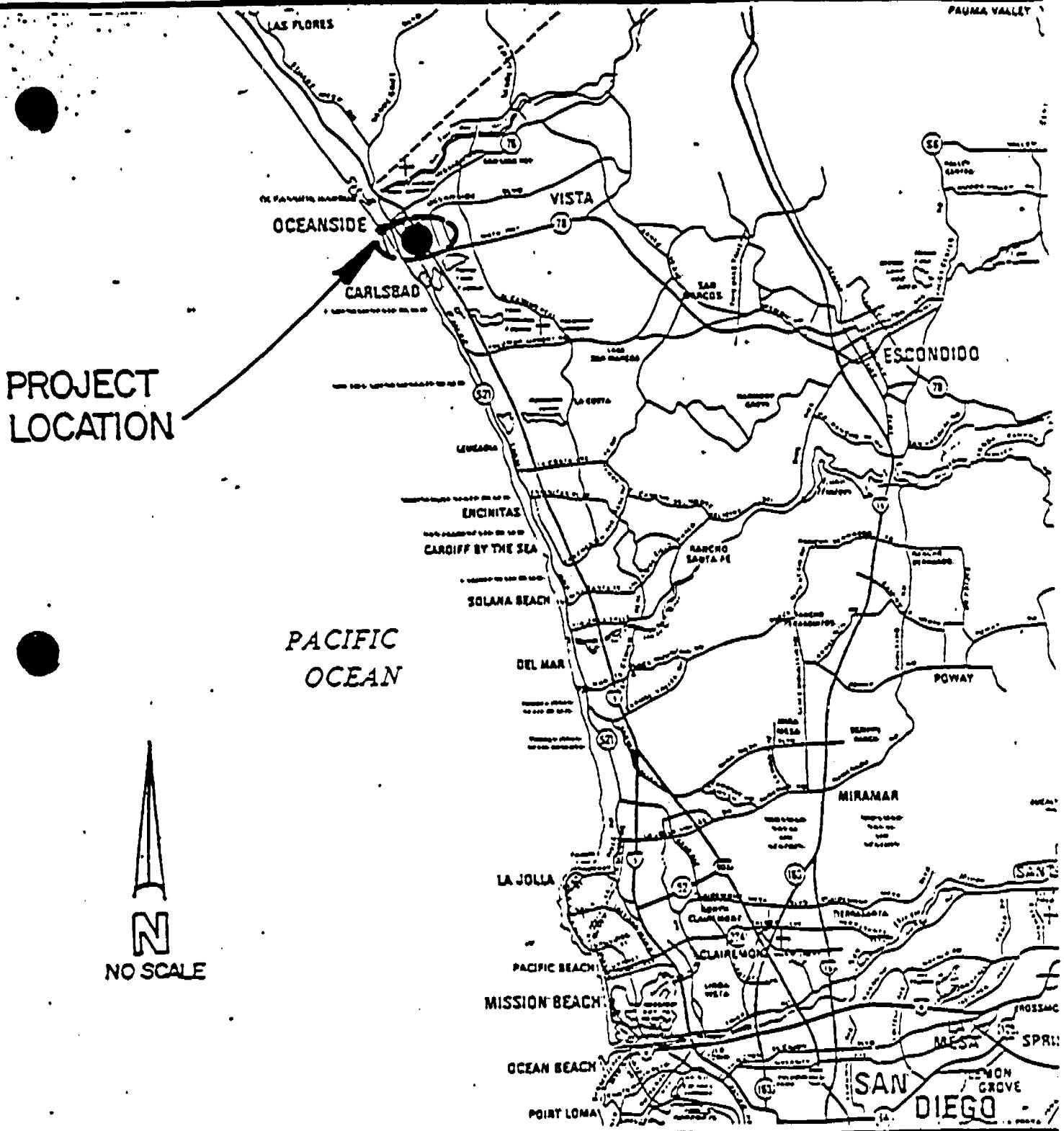
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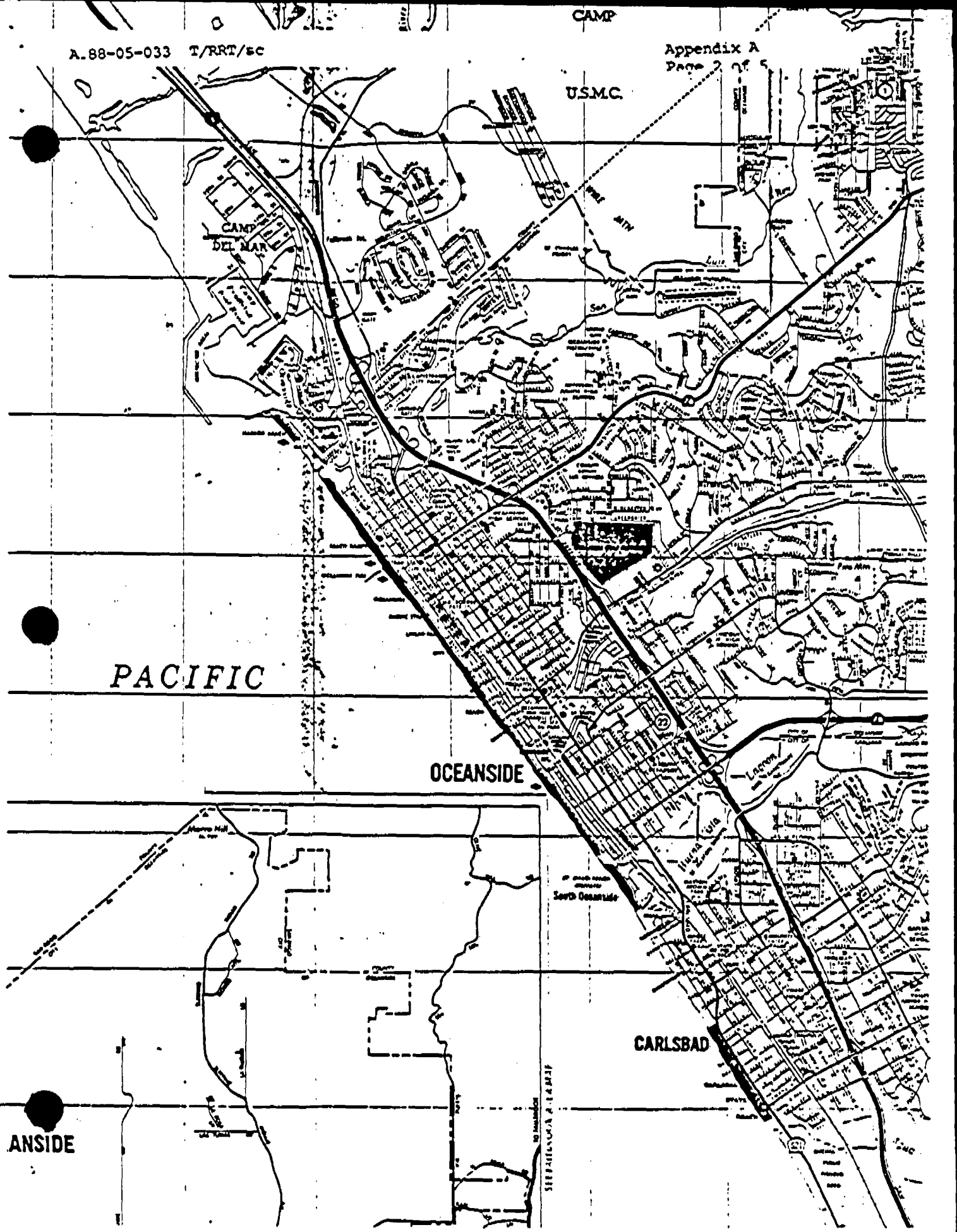
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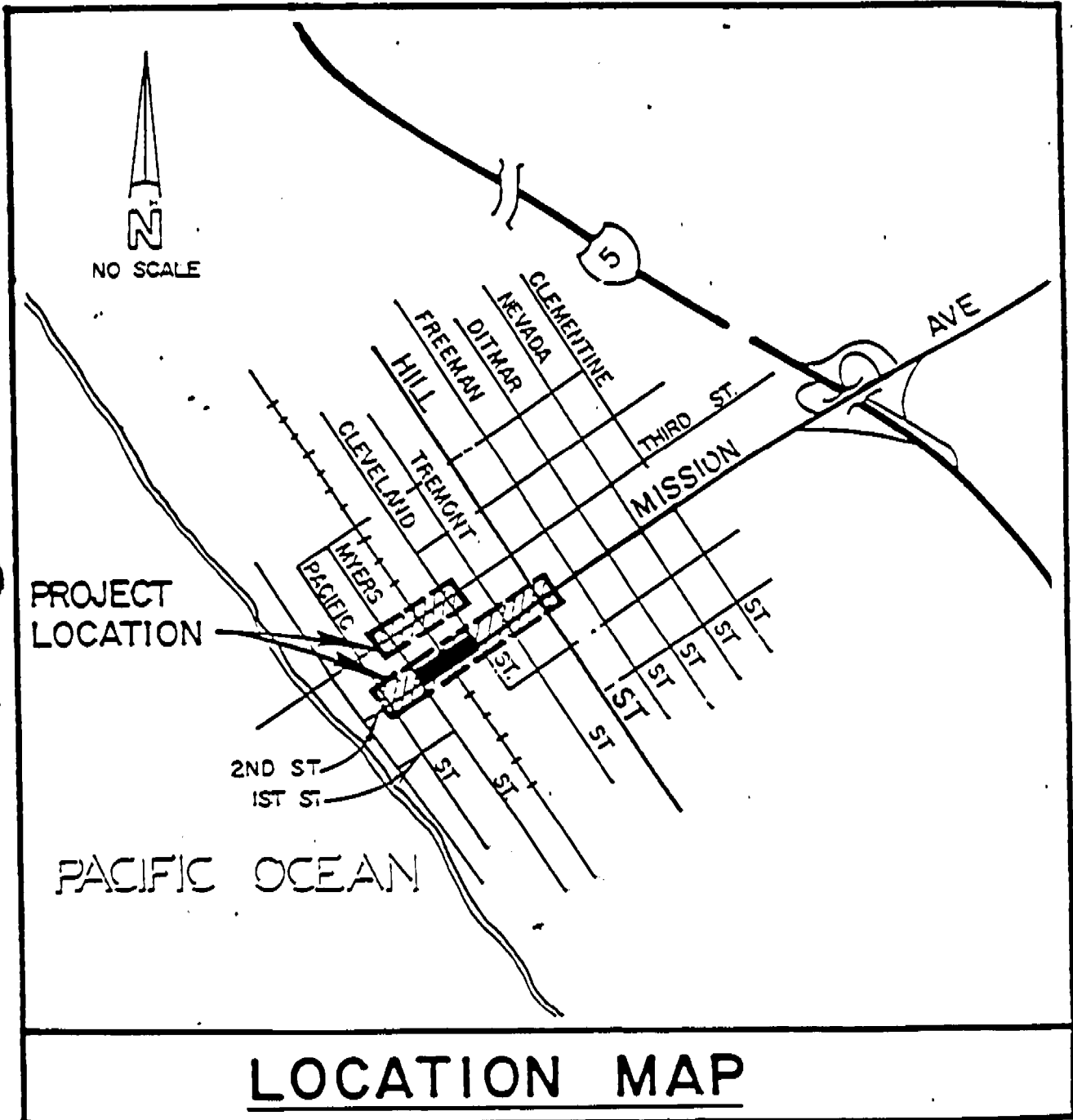
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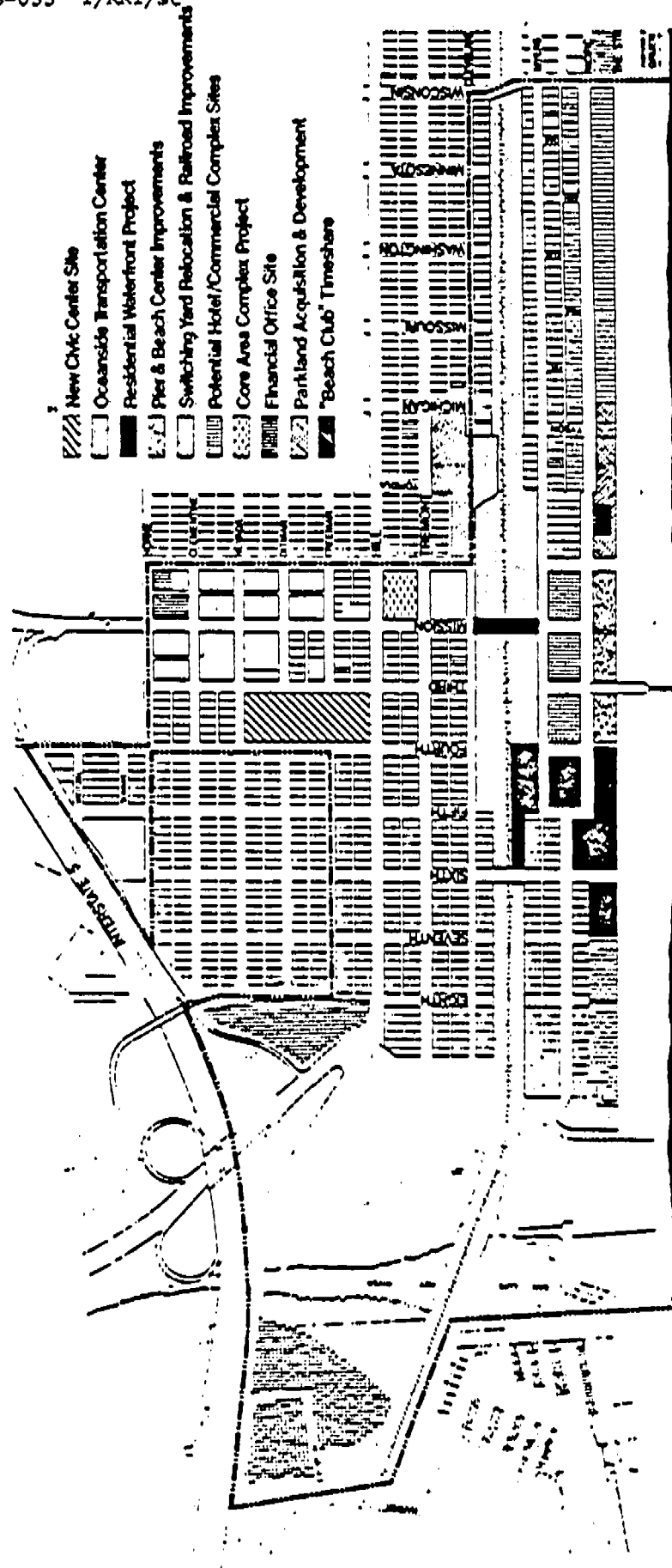
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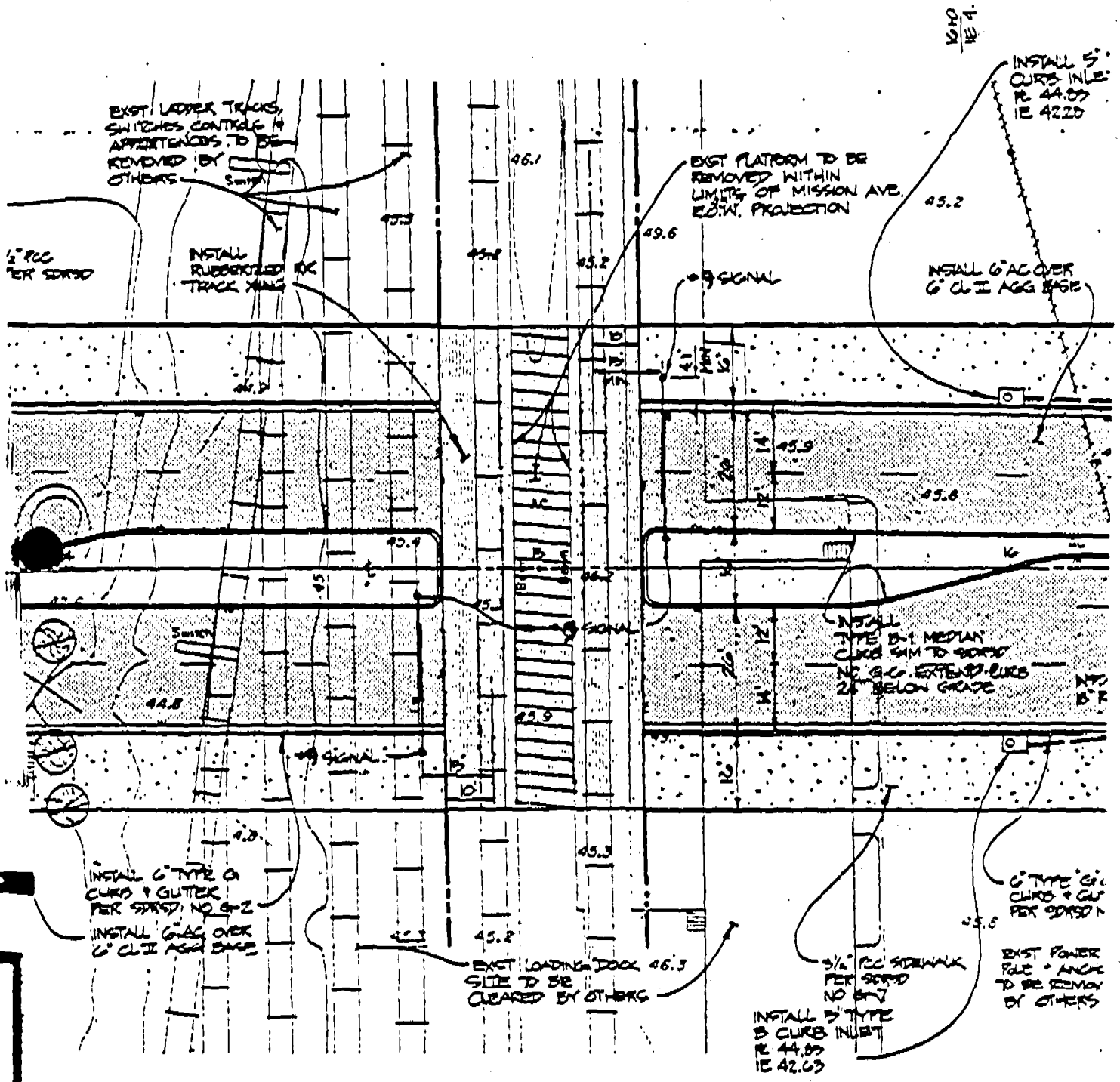






- New Civic Center Site
- Oceanside Transportation Center
- Residential Waterfront Project
- Pier & Beach Center Improvements
- Switching Yard Relocation & Railroad Improvements
- Potential Hotel/Commercial Complex Sites
- Core Area Complex Project
- Financial Office Site
- Parkland Acquisition & Development
- "Beach Club" Timeshare

City of Oceanside REDEVELOPMENT PROJECT AREA



AT & SF RAILROAD

GRAPHIC SCALE

ENGINEER OF WORK: