

ORIGINAL

Decision 89 12 031 DEC 1 8 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF RANCHO )	
CUCAMONGA for an order authorizing )	
construction of a crossing at grade )	Application 89-05-063
between Rochester Avenue and the )	(Filed May 30, 1989)
Branch Line of the Southern Pacific )	
Transportation Company, to be refer- )	
red to as the "Rochester Avenue )	
Crossing". )	

O P I N I O N

As part of the project to develop the Victoria Community Plan, the City of Rancho Cucamonga (City) requests authority to construct Rochester Avenue at grade across the tracks of Southern Pacific Transportation Company's (SPT) Baldwin Park Branch Line in Rancho Cucamonga, San Bernardino County.

The total Victoria Community Plan project involves 2150 acres of partially developed land in the easterly portion of the city. The plan includes 9000 dwelling units, community recreation, open space, and supporting commercial facilities.

The portion with which this particular project deals is Track Map 13279, described as a 308 acre parcel, within the Vineyard, North Village, located north of SPT Tracks, South of Highland Avenue, west of Day Creek Boulevard and east of Milliken Avenue.

The United States Department of Housing and Urban Development (HUD) was the lead agency for the Victoria Community Plan project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Sections 21000 et seq. and under the National Environmental Policy Act of 1969. A copy of the Final Environmental Impact Statement was filed with State

Clearinghouse on March 21, 1983, and comments by the Secretary for Resources were forwarded to HUD under cover of May 3, 1983. HUD approved the Victoria Community Plan on July 1, 1983.

More recently the City, after reviewing current conditions in the area issued Negative Declaration and filed a Notice of Determination on April 30, 1987 with the County Clerk, which found that, "The Vineyard North Village project will not, have a significant effect on the environment".

The Commission is a responsible agency for this project under CEQA and has independently reviewed and assessed the EIS, Initial Study and Negative Declaration. The site of the proposed Rochester Avenue at-grade crossing across the tracks of SPT has been inspected by the Safety Division's Traffic Engineering staff. The staff examined the need for and the safety of the proposed at-grade crossing and recommends that approval be granted.

The application was found to be in compliance under the Commission's filing requirements including Rule 38 of the Rules of Practice and Procedure, which rule relates to the construction of a street or highway across a railroad track. Detailed drawings of the proposed construction are included in Appendix A attached to 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 the Commission's 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 June 2, 1989. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities Code Sections 1201-1205 to construct Rochester Avenue at-grade across the tracks of SPT'S Baldwin Park Branch Line in Rancho Cucamonga, San Bernardino County.

2. The proposed crossing is required to provide access to and adequate circulation for development of the Victoria Community Plan.

3. Public convenience and necessity require construction of the Rochester Avenue grade crossing.

4. Public safety requires that protection at the crossing be four Standard No. 9 automatic gate-type signals (GO 75-C).

5. The public and the railroad will benefit from installation of a rubber crossing surface at the proposed crossing.

6. HUD was the lead agency for the Victoria Community Plan project under CEQA, as amended.

7. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's EIS and the City's more recent Initial Study and Negative Declaration.

8. The EIS identifies no significant environmental impact that will be caused by construction of the Rochester Avenue grade crossing.

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 installation of a rubber crossing surface.

O R D E R

IT IS ORDERED that:

1. The City of Rancho Cucamonga (City) is authorized to construct Rochester Avenue at grade across the tracks of Southern Pacific Transportation Company's (SPT) Baldwin Park Branch Line in Rancho Cucamonga, San Bernardino County, at the location and substantially as shown by the plans attached to the application and Appendix A of this order, to be identified as Crossing BBO-525.66.

2. City is granted an exemption from GO 72-B to permit the installation of a rubber 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 expense of the crossing and installation cost of the automatic protection shall be borne by City.

7. Maintenance cost of the automatic protection shall be borne by City under PU Code Section 1202.2.

8. Construction plans of the crossing, approved by SPT, together with a copy of the agreement entered into between the parties, shall be filed with the Commission prior to commencing construction.

9. 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.

10. The application is granted as set forth above.  
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.

This order is effective 30 days from today.

Dated DEC 18 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

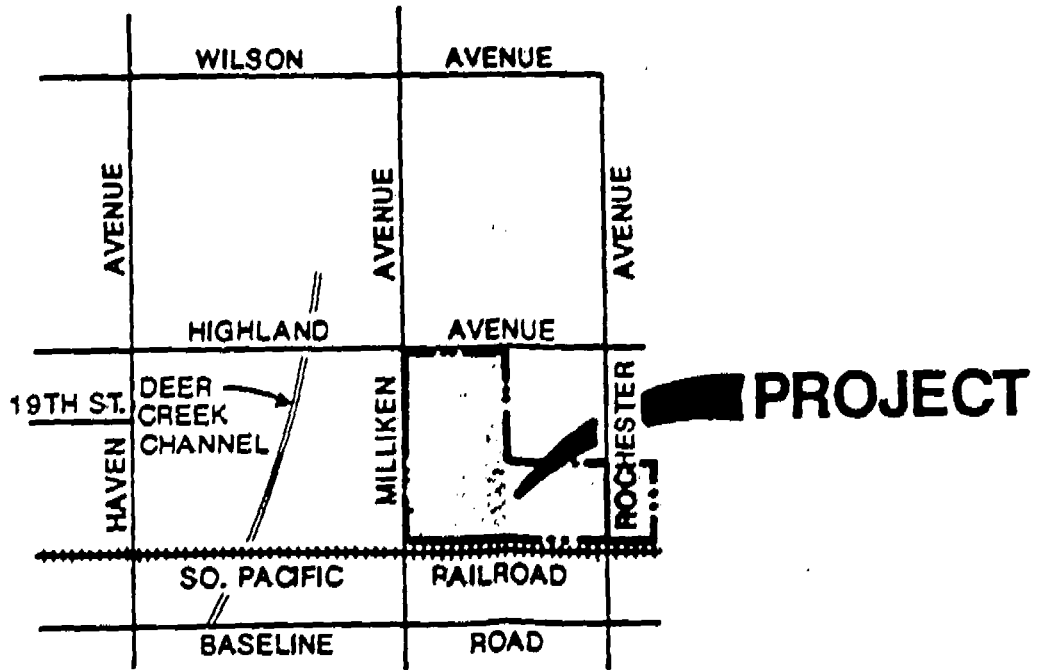
I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

*Wesley Franklin*  
WESLEY FRANKLIN, Acting Executive Director

*AP*

# 13279

## CUCAMONGA



**VICINITY MAP**  
N.T.S.

### SIDEWALK/UTILITY NOTE:

ALL UTILITIES (INCLUDING FIRE HYDRANTS, STREET LIGHTS, STREET SIGNS, AND MAIL BOXES) SHALL BE LOCATED BEHIND 4' SIDEWALK WHEN ADJACENT TO CURB.

**THE NEXT**

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**DOCUMENTS ARE**

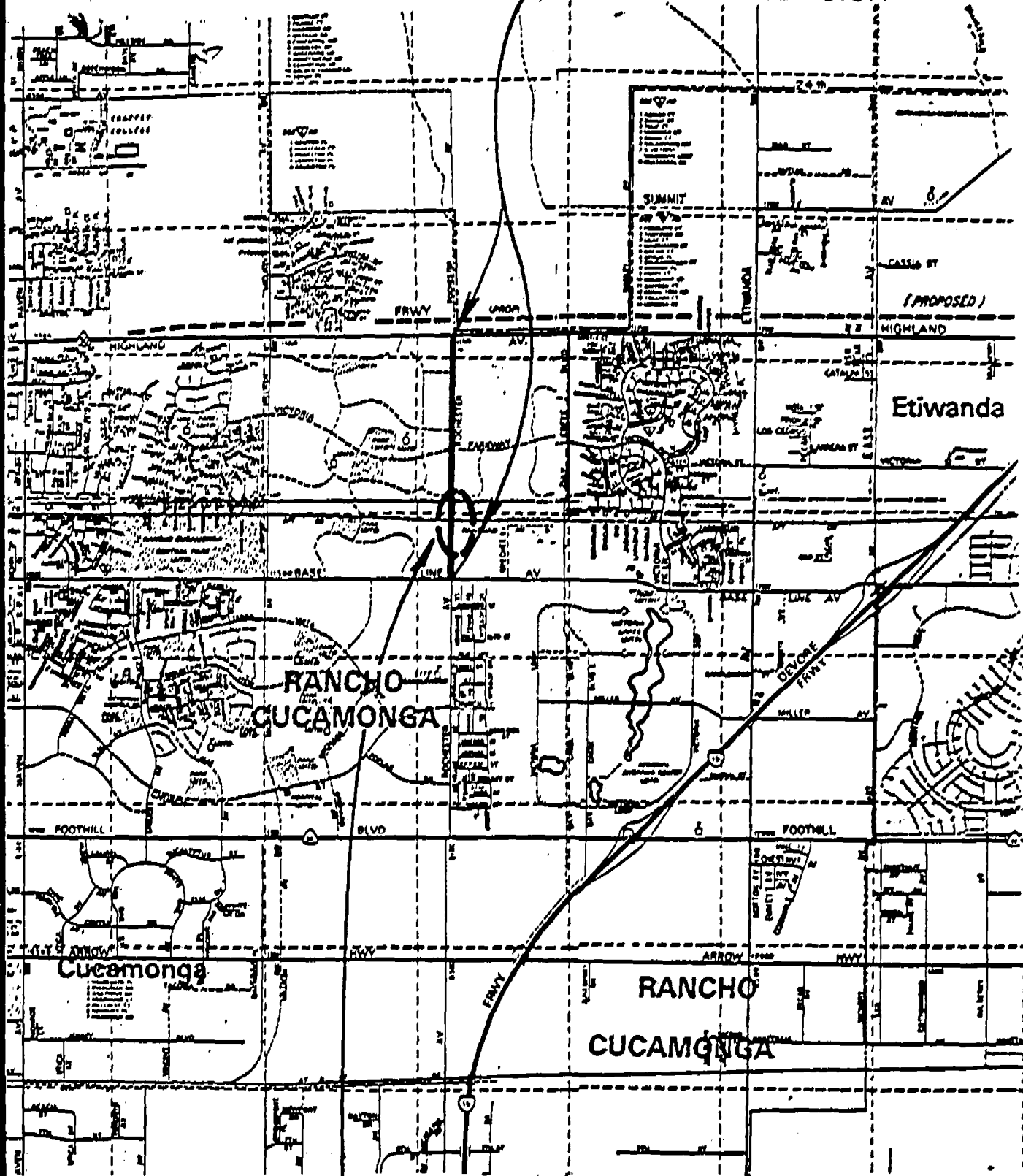
**POOR ORIGINALS**

*MICROFILMING SERVICES*

*will not assume responsibility*

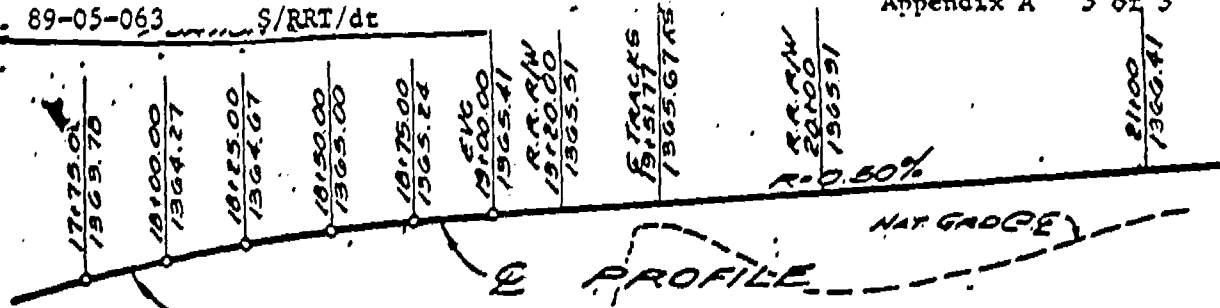
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# PROPOSED ROCHESTER AVENUE EXTENSION

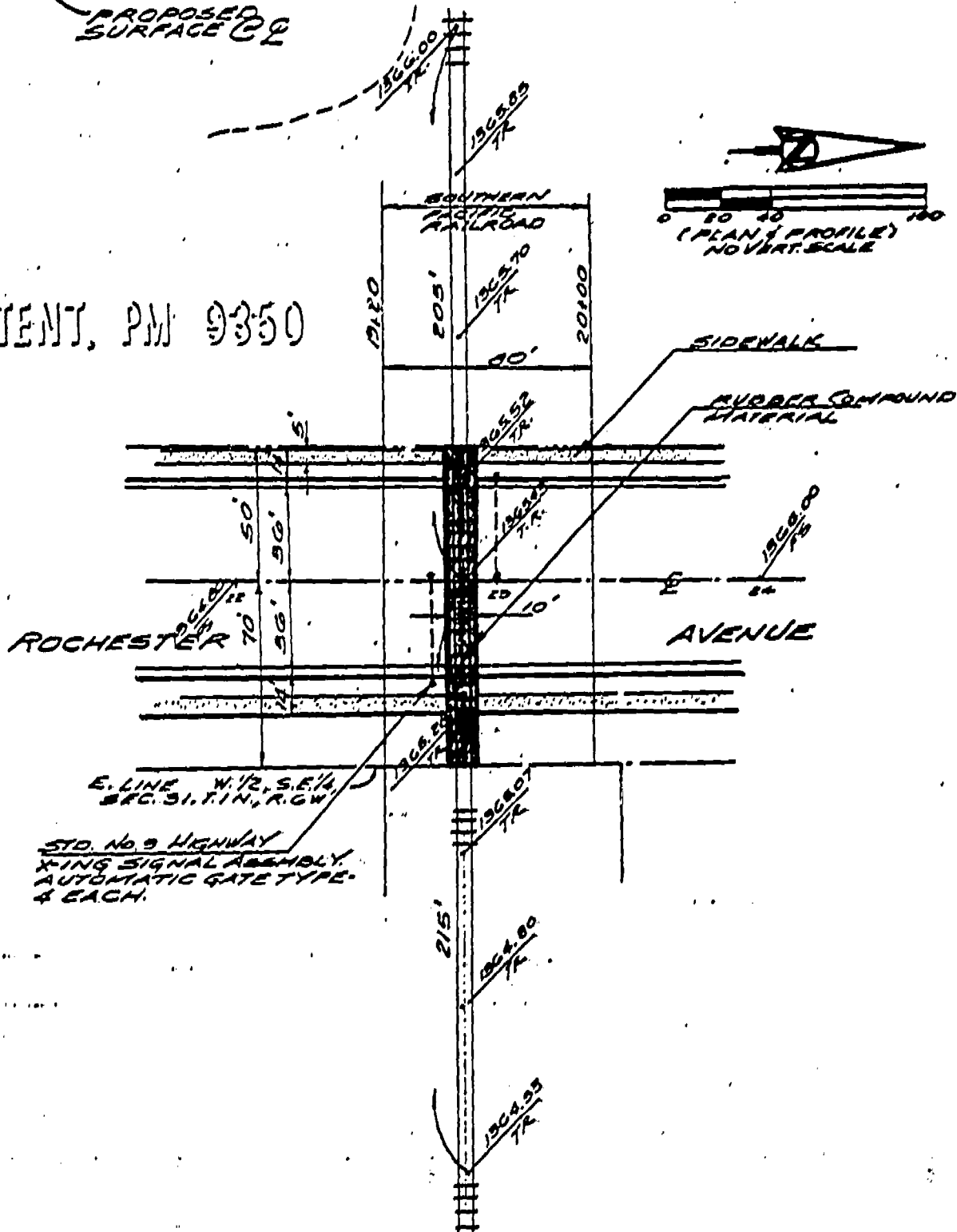


PROPOSED  
GRADE X-ING





TENT, PM 9:35



E. LINE W. 1/2, S. E. 1/4, SEC. 31, T. 1 N., R. 6 W.  
 STD. No 9 HIGHWAY  
 XING SIGNAL ASSEMBLY  
 AUTOMATIC GATE TYPE  
 4 EACH.

SOUTHERN PACIFIC RAILROAD CROSSING AT ROCHESTER AVENUE