

S/RRT/jae

Decision 92-09-075 September 16, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of the City of Pasadena to )  
construct a grade separation )  
covering over the railroad )  
tracks of The Atchison, Topeka & )  
Santa Fe Railway Company in the )  
City of Pasadena, County of Los )  
Angeles )

**ORIGINAL**

Application 92-06-006  
(Filed June 3, 1992)

O P I N I O N

The City of Pasadena (City) requests authority to construct a grade separation and a pedestrian crossing in the air space above The Atchison, Topeka, & Santa Fe Railway Company's (AT&SF) Main Line track in Pasadena, Los Angeles County. The track involved will be converted for use as a light rail transit line, at some future date, by the Los Angeles County Transportation Commission (LACTC), to be known as the Pasadena Extension of the Metro Blue Line light rail system.

The proposed development, known as Civic Center West, will cover approximately 4.6 acres, of which one half acre will be in the air space above the AT&SF tracks. Civic Center West is part of the City's Civic Center Master Plan, and is located within Pasadena's Downtown Redevelopment District. The proposed Civic Center West will include 350 new residential units, 11,000 square feet of retail space, and sixteen artist loft apartments. The proposed grade separation structure over the railroad tracks will cover over approximately one city block of the tracks.

The proposed Civic Center West grade separation structure will enclose a future light rail station, to be built by the Los Angeles County Transportation Commission (LACTC). The developers of Civic Center West met with LACTC to discuss the construction of the structure, and to ensure that it would be compatible with the

light rail system. The structure will be built to accommodate the planned light rail station, and to meet all proper fire standards, including the Standards for Fixed Guideway Transit Systems published by the National Fire Protection Association (NFPA 130).

The Community Development Commission of the City of Pasadena (City) is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Sections 21000, et seq.

City prepared a Final Environmental Impact Report (FEIR) for Civic Center West Project SCH #88092112 on August 1989 which identified 25 environmental impacts that required mitigation measures. Only one significant railroad related impact could be attributed to the grade separation project, which would cause the displacement of some trees and vegetation in adjacent Memorial Park along the railroad right of way. City proposes to relocate vegetation where feasible, and to landscape the project in conformance with Pasadena Municipal Guidelines, as a mitigation measure.

After preparation and review of the FEIR, City approved the project. On January 24, 1991 City filed a Notice of Determination with the Los Angeles County Clerk which found that "The project will have a significant effect on the environment". A Statement of Overriding Considerations was adopted for the project. The benefits of the Civic Center West project outweigh unavoidable adverse environmental effects.

The Commission is a responsible agency for this project under CEQA, and has reviewed and considered the lead agency's FEIR. The site of the proposed grade separation has been inspected in the field and the proposed plans have been reviewed by the Commission's Safety Division Traffic Engineering staff. Staff concurs with City that the benefits of the Civic Center West project outweigh any adverse impacts created by the construction and recommends that City's request be granted.

The application was found to be in compliance with the Commission's filing requirements, including Rule 38 of Rules of Practice and Procedure which relates to the construction of a public highway (pedestrian crossing) across a railroad and Rule 40, which relates to Applications Generally. A location sketch and details from the plans for the project are shown in Appendix A.

Findings of Fact:

1. Notice of the Application was published in the Commission Daily Calendar on June 12, 1992. No protests have been received. A public hearing is not necessary.

2. City requests authority under Public Utilities Code Sections 1201-1205 to construct Civic Center West grade separation structure between Holly Street and Walnut Street above the tracks of AT&SF's Main Line in Pasadena, Los Angeles County.

3. Construction of the Civic Center West grade separation structure above the AT&SF tracks is an essential element in the construction of the Civic Center West Development project in Pasadena.

4. Public convenience, necessity and safety require construction of the Civic Center West grade separation structure above the Main Line tracks of AT&SF.

5. Public safety also requires that the Civic Center West grade separation structure conform with the Standards for Fixed Guideway Transit Systems, published by the National Fire Protection Association (NFPA 130), as required by the Commission's General Order 143-A.

6. City is the lead agency for this project under CEQA, as amended.

7. The Commission is a responsible agency for this project, and has reviewed and considered the lead agency's FEIR.

8. The project will have some adverse effects on the environment, but mitigation measures will reduce the adverse impacts to acceptable levels.

9. A Statement of Overriding Considerations was adopted for the project.

10. The project is an integral part of the Pasadena Civic Center Master Plan to develop housing and eliminate urban blight in the downtown Pasadena area.

11. The benefits of the Civic Center West Project outweigh unavoidable adverse environmental effects.

Conclusion of Law:

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

ORDER

IT IS ORDERED that:

1. City of Pasadena (City) is authorized to construct Civic Center West grade separation structure above the tracks of The Atchison, Topeka & Santa Fe Railway Company's (AT&SF) Main Line in Pasadena, Los Angeles County, at the location and substantially as shown by plans attached to application and the Appendix of this order to be identified as Crossing 2-135.18-A.

2. Clearances shall be in accordance with General Order (GO) 26-D. Walkways shall conform to GO 118, except that during construction, walkways adjacent to any trackage subject to rail operations shall be maintained free of obstructions and shall be promptly restored to their original condition in event of damage during construction.

3. The Pasadena Civic Center West grade separation structure shall be built to conform with the Standards for Fixed Guideway Transit Systems published by the National Fire Protection Association (NFPA 130), in conformance with GO 143-A.

4. Construction and maintenance costs shall be borne in accordance with an agreement between the parties. In the event parties fail to agree, the Commission shall apportion costs by

further order. A copy of the agreement shall be filed with the Commission's Safety Division prior to commencing construction.

5. Within 30 days after completion of the work under this order, City shall notify the Commission's Safety Division in writing that the authorized work has been completed.

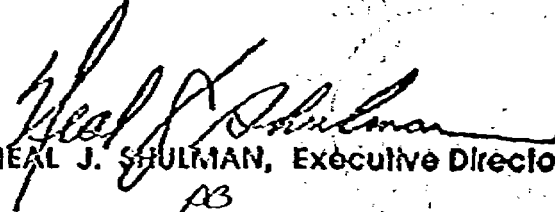
6. This authorization shall expire if not exercised within three years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

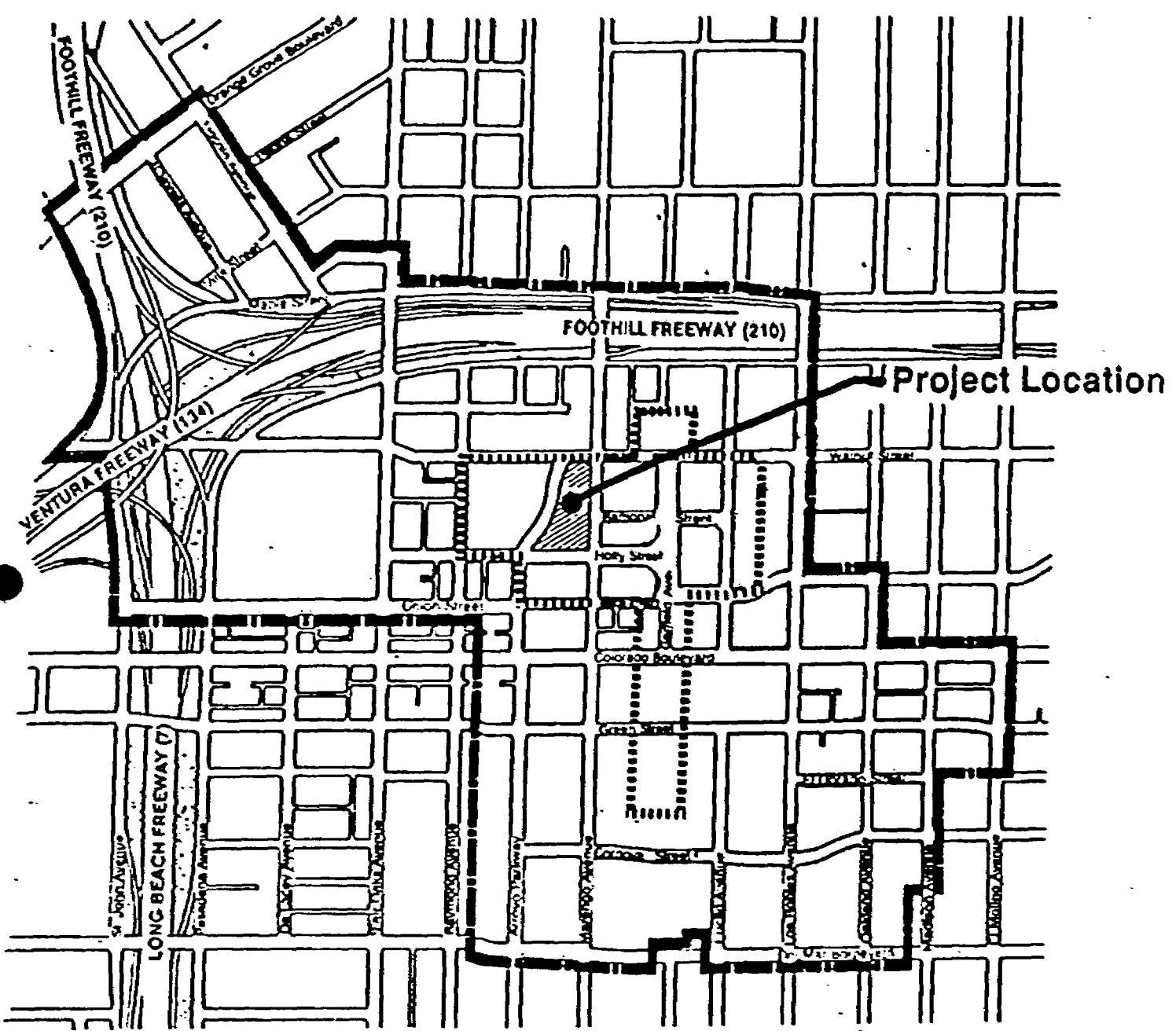
7. The Executive Director shall serve copy of this order on AT&SF, LACTC and City of Pasadena, so that the parties are informed of the obligations herein imposed on them.

8. The application is granted as set forth above.  
This order becomes effective 30 days from today.  
Dated SEP 16, 1992 at San Francisco, California.

DANIEL Wm. FESSLER  
President  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
NORMAN D. SHUMWAY  
Commissioners

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

  
NEAL J. SHULMAN, Executive Director  
PB



———— Boundary of Downtown Redevelopment Project

..... Boundary of Pasadena Civic Center District

NORTH  
SCALE 1" = 250' 500'



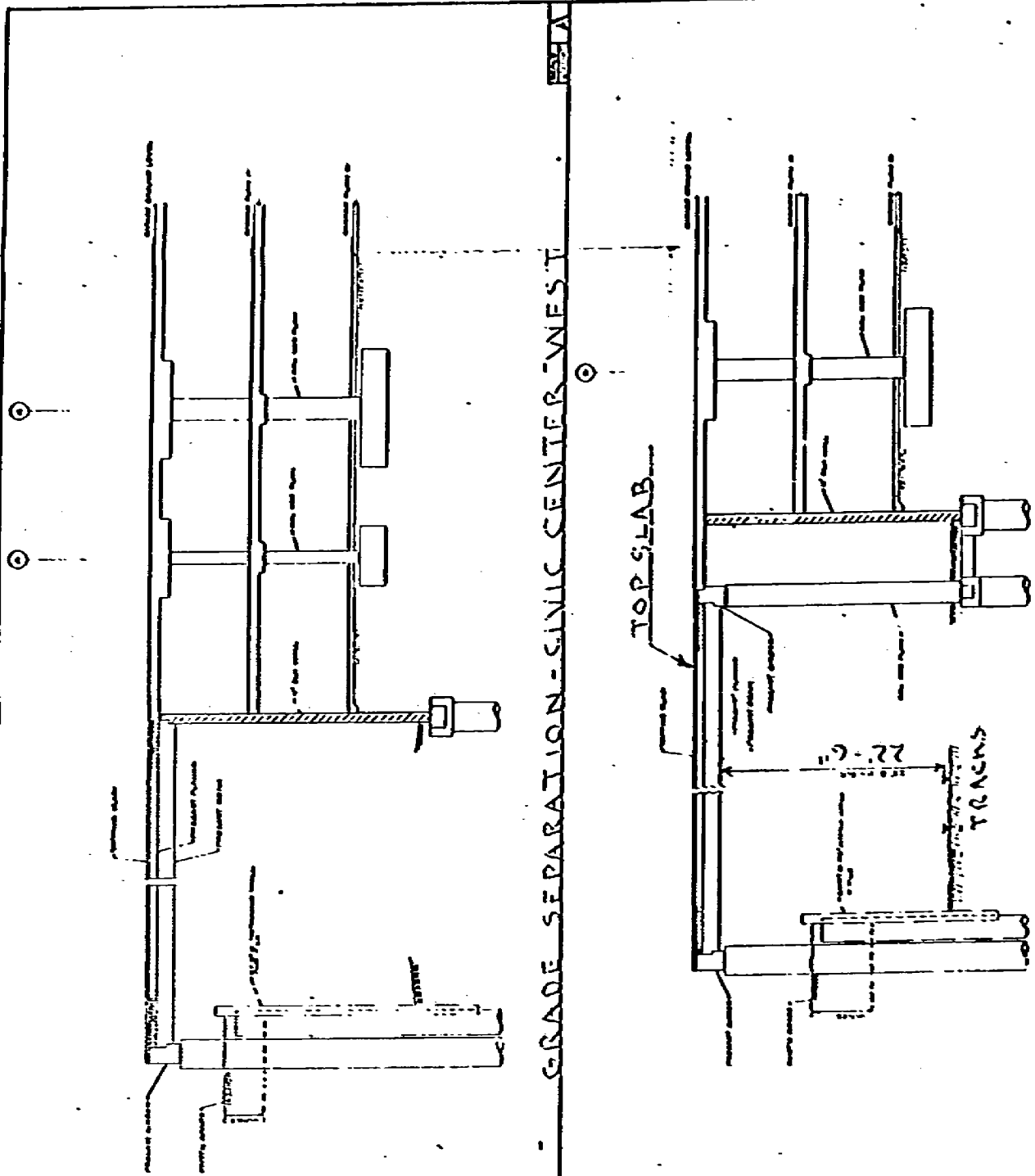
# LANDAU

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### CIVIC CENTER WEST

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CROSSING 2-135-18-A AT & SE PASADENA