

T/RWS/FS/WPSC

ORIGINAL

Decision S2 06 041 JUN 2 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of the City of Oceanside to )  
construct a City Street across the )  
Right of Way of the A.T. & S.F. )  
RR Company in the Southwesterly )  
Oceanside area. )

Application 61030  
(Filed November 3, 1981;  
amended March 11, 1982)

O P I N I O N

As part of the project for development of an office complex on the south side of Oceanside Boulevard, the City of Oceanside (City) requests authority to construct Oceanside Boulevard South at grade across The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) spur track in Oceanside, San Diego County.

City 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. After preparation and review of an Initial Study, City issued a Negative Declaration and approved the project. On February 23, 1981, 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.

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The Commission is a responsible agency for this project under CEQA and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission staff.

The project includes construction of four office buildings with a total of 83,600 square feet of floor area. The office complex will be constructed on a 7.66 acre parcel located south of Oceanside Boulevard, approximately 1,200 feet west of Crouch Street. Areas north and west of the project site have been developed for retail and commercial uses. The area south of the project site has been developed as low density residential and the area to the east is vacant land.

Notice of the application and amendment were published in the Commission's Daily Calendar on November 5, 1981 and March 16, 1982. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities (PU) Code Sections 1201 - 1205 to construct Oceanside Boulevard South at grade across AT&SF's spur track in Oceanside, San Diego County.
2. The crossing is required to provide access to an office complex being developed south of Oceanside Boulevard.
3. Public convenience and necessity require construction of the proposed railroad-highway crossing.

4. Public safety requires that protection at the crossing be two Standard No. 8-A automatic flashing-light signals with cantilevers (General Order 75-C).

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

6. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.

7. The project will have no significant impact on the environment.

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 City of Oceanside (City) is authorized to construct Oceanside Boulevard South at grade across The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) spur track in Oceanside, San Diego County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing 2E-1.4-C.

2. Construction of the crossing shall be equal or superior to Standard No. 1 of General Order 72-B.

3. Clearances shall conform to General Order 26-D. Walkways shall conform to General Order 118.

4. Protection at the crossing shall be two Standard No. 8-A automatic flashing-light signals with cantilevers (General Order 75-C).

5. Construction expense of the crossing and installation cost of the automatic protection shall be borne by City.

6. Maintenance of the crossing shall conform to General Order 72-B. Maintenance cost of the automatic protection shall be borne by City under PU Code Section 1202.2.

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

8. Within 30 days after completion, under this order, City shall advise the Commission in writing.

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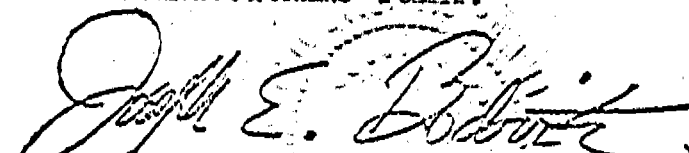
This authorization shall expire if not exercised within two years unless time be extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated JUN 2 1982, at San Francisco, California.

JOHN E. BRYSON  
President  
RICHARD D. CRAVELLE  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. CREW  
Commissioners

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

  
Joseph E. Bodovitz, Executive Director