

Decision 98-12-045 December 17, 1998

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the matter of the Application of the San )  
 Diego Metropolitan Transit Development )  
 Board; City of El Cajon; and County of )  
 San Diego for an order authorizing )  
 construction of an at-grade crossing on two )  
 light rail vehicle tracks at Marshall Avenue )  
 (north) extension in the city of El Cajon, )  
 San Diego County. California. )

**ORIGINAL**

Application 98-08-009  
 (Filed August 10, 1998)

**OPINION**

San Diego Metropolitan Transit Development Board (MTDB); City of El Cajon (City); and County of San Diego (County) request authority to construct Marshall Avenue, at-grade, across the tracks of the MTDB's Orange Line (Santee Extension Segment), in the City of El Cajon, San Diego County.

The proposed at-grade crossing will be located within the light rail transit (LRT) exclusive right-of-way (ROW) approximately 100 feet north of the Weld LRT Station and 350 feet east of the intersection of Cuyamaca Street and Weld Boulevard.

City together with the County (Airports Division) and the Federal Economic Development Administration have joined in partnership to complete the extension of Marshall Avenue and Weld Boulevard as a major four lane secondary thoroughfare. Traffic circulation is expected to improve around the proposed project location and also allow development of approximately 26 acres of prime industrial, commercial, and airport property. Future plans include a new terminal

for the airport, which requires full vehicle access to the westerly portion of the City of El Cajon and to the City of Santee, to the north. The proposed project and the associated development will create an estimated 800 new jobs in the area.

The addition of an at-grade crossing at Marshall Avenue has been part of the City's General Circulation Plan and County's Master Plan for Gillespie Field. The Environmental Impact Report (EIR), planning and design for the Santee LRT Extension Project specifically included provisions for a future at-grade crossing at Marshall Avenue, north of Weld Station, to conform with area zoning plans, aimed at linking the trolley service at Weld Station to nearby planned commercial and industrial developments. MTDB agreed to bear future costs of the crossing in the agreement for acquisition of ROW for the system through the County owned property.

The Santee LRT Extension project, completed in 1995, realigned Weld Boulevard and constructed the Weld/Marshall intersection as a precursor to linking the Marshall Avenue extension to the Weld Boulevard trolley station at Cuyamaca Street. MTDB specifically modified track grades and catenary systems in the design and construction of the LRT to accommodate a future bridge over the Forester Creek storm drainage channel and the at-grade crossing adjacent to the Weld LRT Station.

The proposed Marshall Avenue extension will be a four-lane secondary thoroughfare with a 45 mph design speed. It is projected to initially carry 12,000 vehicles per day and 14,700 per day at build out, with trucks representing about 8% of the total volume. An at-grade trolley crossing is necessary to complete the connection of Marshall Avenue to Cuyamaca Street. The at-grade crossing will generate additional transit ridership, and improve access to the trolley station and transit park and ride, which is currently under utilized.

The proposed project will also improve the level of service at the major intersections of Fletcher Parkway at Marshall Avenue and Fletcher Parkway at Cuyamaca Street, which would operate in the future at unacceptable levels of service without this project. In addition, police and fire emergency access to the airport and adjacent commercial, industrial, and airport property will be greatly improved.

A report entitled "Study of Alternate Trolley Track Crossings" was prepared by the City, dated July 31, 1998 and is attached to the instant application as Exhibit E. The study focused on four alternates; Alternate A – constructing a grade separated crossing just north of the Weld Station with either a bridge crossing over or under the LRT tracks; Alternate B – looked at the possibility of relocating the Marshall Avenue connection to Cuyamaca Street farther north at the existing LRT crossing on Cuyamaca Street; Alternate C – studied the possibility of constructing a grade-separated crossing by locating the Marshall Avenue connection to Cuyamaca Street south of the Weld Station; and Alternate D – studied the possibility of using Billy Mitchell Drive as the major access into the airport terminal and new commercial and industrial development. Each of the alternates were studied by the City and determined to be not feasible due to constraints with roadway geometric design standards, airport restrictions, inadequate ROW, and adverse impacts to the City's Circulation Plan.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code 21000, et. seq. A National Environmental Policy Act (NEPA), which addresses the subject Marshall Avenue Extension Project has been prepared and approved. On May 13, 1998, a Notice of Determination was filed with the San Diego County Clerk which found that "The project will not have an adverse effect on the environment."

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's Notice of Determination. The site of the proposed at-grade crossing has been inspected in the field and the proposed plans have been reviewed by the Commission's Rail Safety And Carriers Division (RSAC), Rail Crossing Engineering staff.

The application was found to be in compliance with the Commission's filing requirements including Rule 38 of the Rules of Practice and Procedure which relates to the construction of public highways across railroad tracks. Detailed drawings of the proposed construction are included as appendices to this order.

MTDB, City, and County, in order to meet Federal and State funding schedules, wishes to commence construction of the Marshall Avenue at-grade crossing at the earliest possible date. It is, therefore, requested that the usual 30-day effective date for an order be waived. We will make our order effective immediately.

In Resolution ALJ 176-2999 dated September 3, 1998, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. The Commission's Rail Safety And Carriers Division recommends that this application be granted. Given these developments, public hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-2999.

#### Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on August 13, 1998. No protests have been filed. A public hearing is not necessary.

2. MTDB, City, and County request authority under Public Utilities Code Sections 1201 - 1205 to construct Marshall Avenue, at-grade, across the tracks of the MTDB's Orange Line, in El Cajon, San Diego County.

3. Public convenience, necessity and safety require construction of the proposed Marshall Avenue at-grade crossing.

4. Public safety requires that the proposed Marshall Avenue at-grade crossing be protected by four Standard No. 9 automatic gate type signals (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 reviewed and considered the lead agency's Notice of Determination.

7. The Commission staff recommends that the application be granted.

#### Conclusion of Law

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

2. The usual 30-day effective date on an order should be waived as MTDB, City, and County wishes to commence construction of the project at the earliest possible date, to meet Federal and State funding schedules.

#### ORDER

**IT IS ORDERED** that:

1. San Diego Metropolitan Transit Development Board (MTDB); City of El Cajon (City); and County of San Diego (County) are authorized to construct Marshall Avenue, at-grade, across the tracks of the MTDB's Orange Line (Santee Extension Segment), identified as Crossing No. 36D-19.44, in El Cajon, San

Diego County, at the location and substantially as shown by plans attached to the application and this order.

2. Clearances and Walkways shall conform to General Order (GO) 143.
3. Construction of the at-grade crossing shall be equal or superior to Standard No. 6 rubber panels of GO 72-B. Maintenance of the crossing shall conform to GO 72-B.
4. Protection at the at-grade crossing shall be four Standard No. 9 automatic gate-type signals (GO 75-C).
5. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between parties. A copy of the agreement shall be filed with the Commission's Rail Safety And Carriers Division prior to commencing construction. Should parties fail to agree, the Commission will apportion the costs of the construction and maintenance by further order.
6. City shall file final construction plans, approved by MTDB, City, and the County, with the Rail Safety And Carriers Division prior to commencing construction.
7. Within 30 days after completion of the work under this order, City shall notify the Commission's Rail Safety And Carriers Division in writing that the authorized work has been completed.
8. This authorization shall expire if not exercised within two (2) 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.

9. This application is granted as set forth above.
10. Application 98-08-009 is closed.

This order is effective today.

Dated December 17, 1998, at San Francisco, California.

**RICHARD A BILAS**

**President**

**P. GREGORY CONLON**

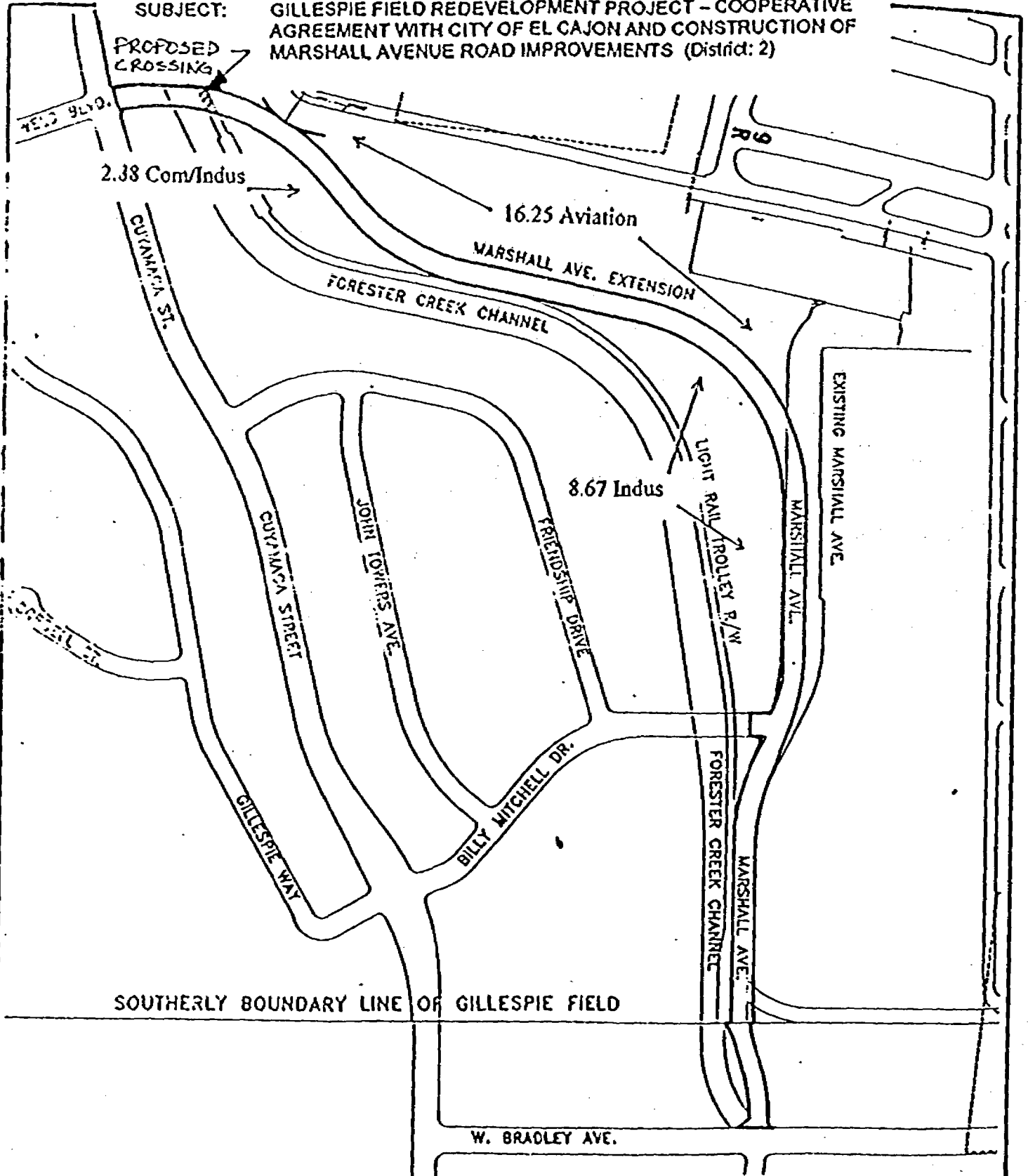
**JESSIE J. KNIGHT, JR.**

**HENRY M. DUQUE**

**JOSIAH L. NEEPER**

**Commissioners**

SUBJECT: GILLESPIE FIELD REDEVELOPMENT PROJECT - COOPERATIVE AGREEMENT WITH CITY OF EL CAJON AND CONSTRUCTION OF MARSHALL AVENUE ROAD IMPROVEMENTS (District: 2)



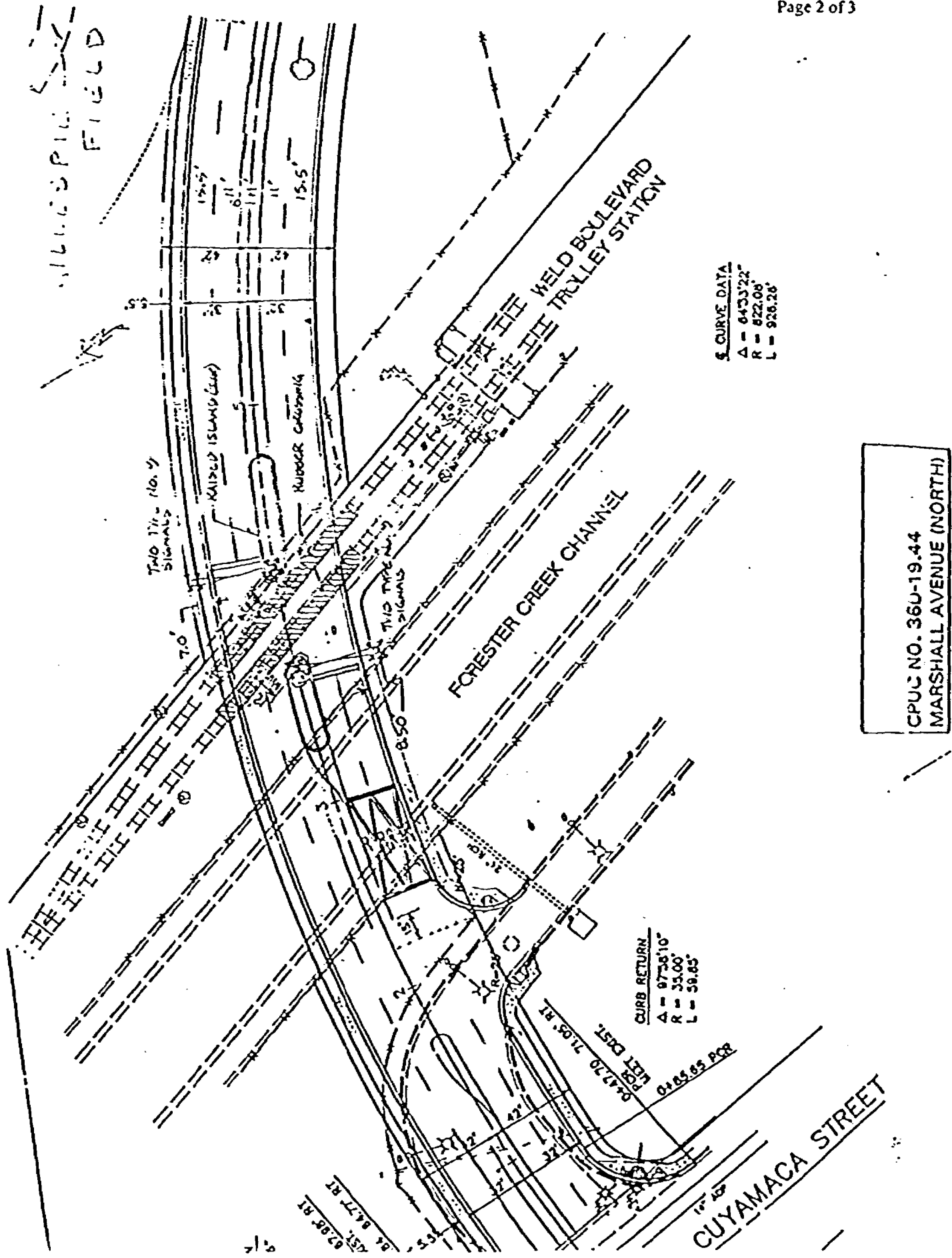
DEPARTMENT OF GENERAL SERVICES  
REAL PROPERTY DIVISION  
COUNTY OF SAN DIEGO

APPROVED BY: B. T. HUBBARD  
DRAWN BY:

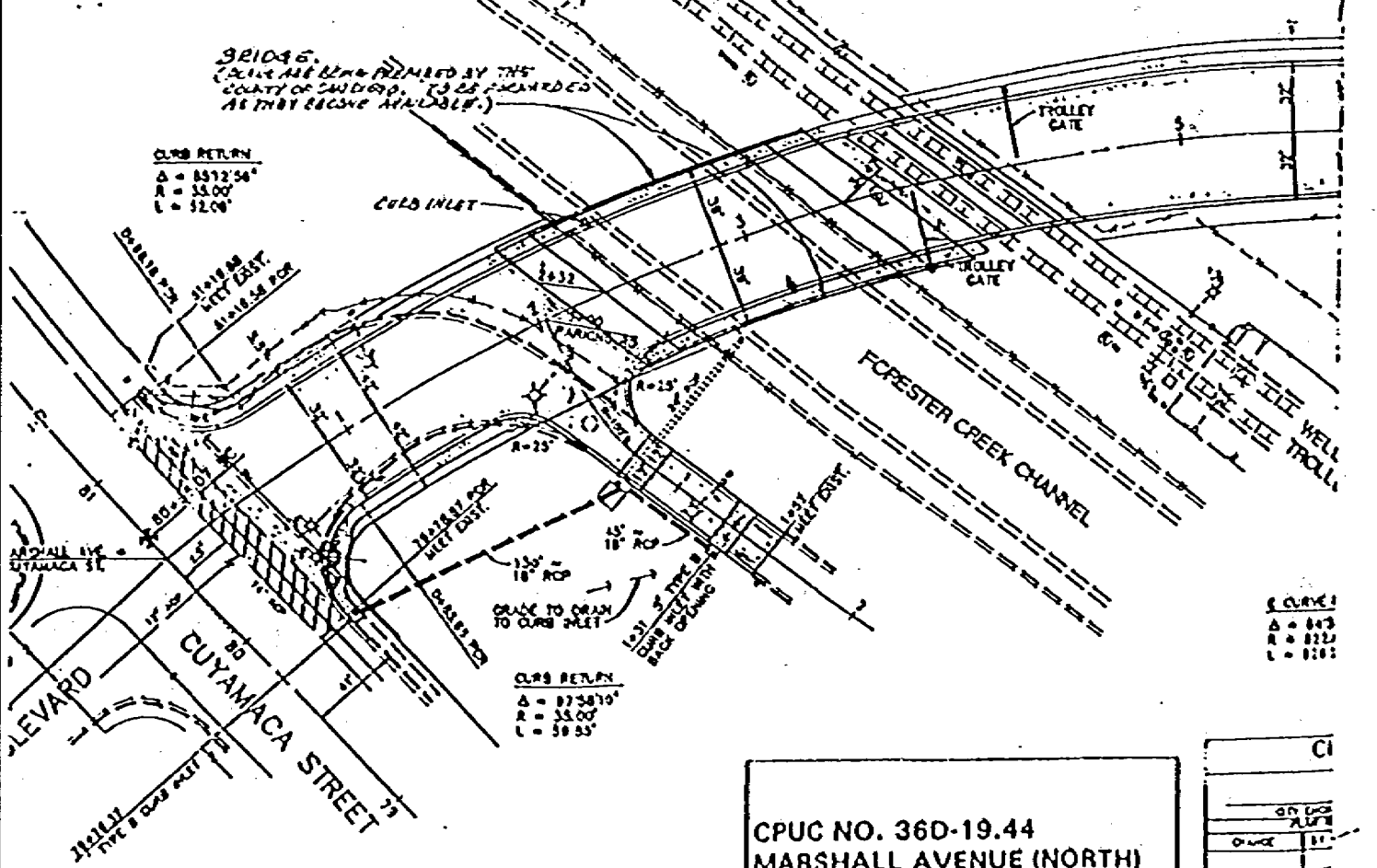
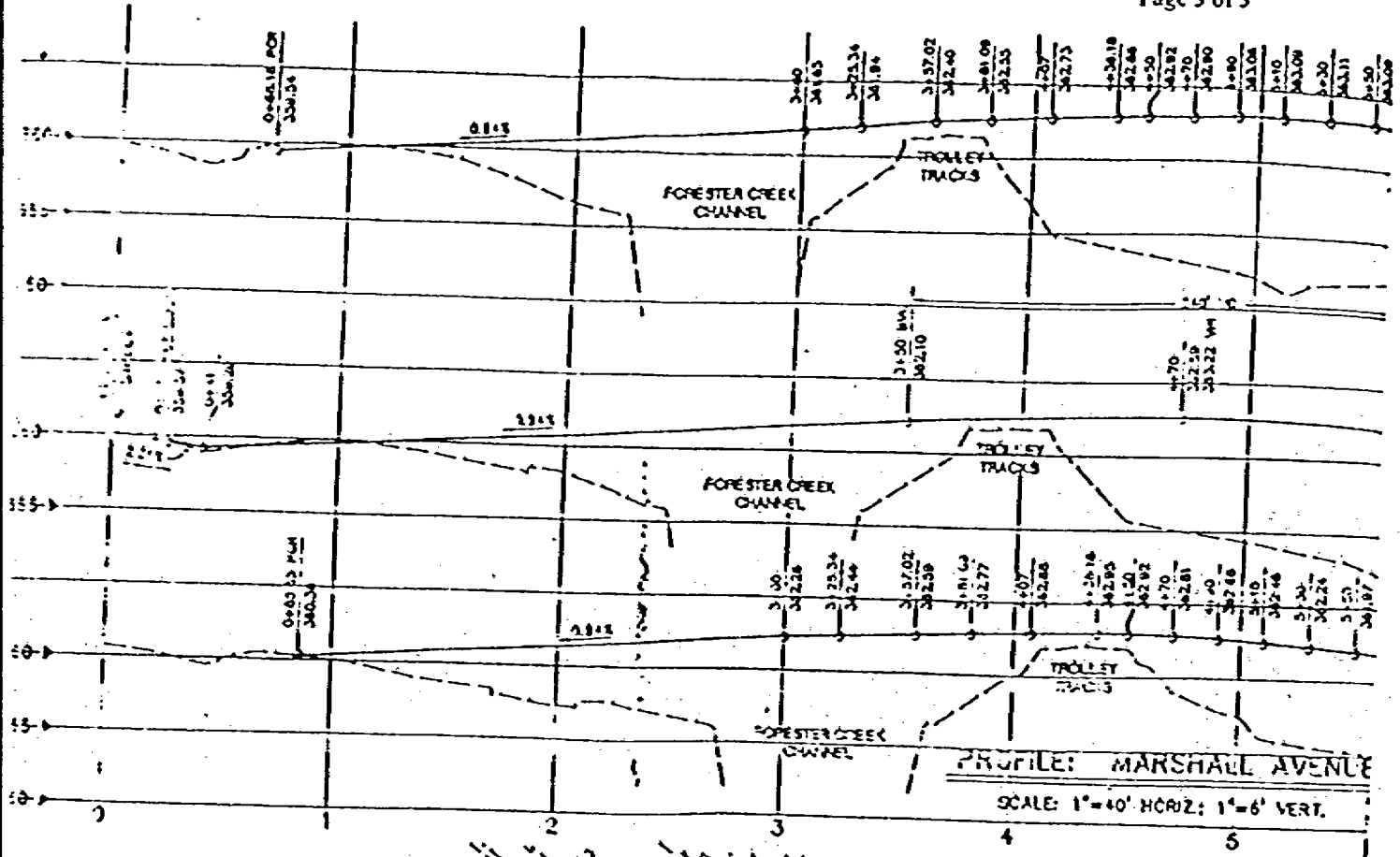
CPUC NO. 36D-19.44  
MARSHALL AVENUE (NORTH)

GF/MARSHALL AVE. EXTENSION





CPUC NO. 36U-19.44  
MARSHALL AVENUE (NORTH)



CURVES

$\Delta$	843
R	32.5
L	31.5

CI
ON
OFF
DATE
BY

CPUC NO. 36D-19.44  
MARSHALL AVENUE (NORTH)