

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

THE CITY OF RENTON	)	DOCKET NO. TR-971091
)	
Petitioner,	)	ORDER GRANTING PETITION
	)	TO ESTABLISH A PUBLIC AT-
v.	)	GRADE CROSSING AT THE SITE
	)	OF AN EXISTING PRIVATE
THE BURLINGTON NORTHERN	)	CROSSING AT LAKE
SANTA FE RAILWAY COMPANY	)	WASHINGTON BOULEVARD
	)	(3700 BLOCK)
Respondent)	
.....	)	D.O.T. 091738C

BACKGROUND

- 1 On June 30, 1997, the City of Renton filed a petition with the Commission, seeking authority to establish a public highway-rail grade crossing at the site of an existing at-grade private grade crossing. The crossing is located at the intersection of Lake Washington Boulevard (3700 Block) and the tracks of the Burlington Northern Santa Fe Railway Company, in Lot 2, of Section 32, Township 25 N, Range 5 E., W.M., in Renton, Washington.
- 2 Respondent consented to an entry of an order by the Commission without further notice or hearing.

DISCUSSION

- 3 The roadway identified as Lake Washington Boulevard (3700 Block) runs east-west, and intersects with Lake Washington Boulevard, which runs north-south, approximately 50 feet east of the grade crossing. The City of Renton confirmed that the addition of "3700 Block" properly identifies the roadway and that the city maintains it as a public road. In the vicinity of the crossing, Lake Washington Boulevard is classified as a residential road, with one lane for each direction of traffic and a vehicle speed limit of 25 mph. Daily traffic through the crossing averages 46 vehicles. Truck traffic is prohibited from using the roadway and no school buses use it.
- 4 The Burlington Northern Santa Fe Railway Company maintains one branch line track through the crossing. Two freight trains and two passenger trains use the crossing daily. Legal or operating maximum train speed at the crossing is ten mph for all trains.

- 5 The crossing serves 23 private property owners in an area that has reached developmental capacity. Because there is no more room for development, the average daily traffic will not increase by any significant amount. Financially, and from an engineering standpoint, it is not feasible to construct an overcrossing or undercrossing at this location.
- 6 The City's request to convert the crossing from a private to public status is a result of a vote by the Renton City Council and the affected residents to approve the reclassification. In addition to the private residents using the crossing to access their properties, the City of Renton also uses it to maintain public utilities in the area. Changing the designation of the crossing to public positively affects insurance issues for the city. It also assists in upgrading the crossing surface and roadway warning signs by allowing public funds to be used for those purposes.
- 7 At the time the petition was filed, the crossing consisted of a 48-foot wide wood plank-crossing surface. The surface was upgraded to a 56-foot wide concrete installation. Proposed warning devices at the crossing include railroad pavement markings, stop signs and standard crossbuck signs.
- 8 The City of Renton, as SEPA lead agency in this matter, issued a determination of non-significance (DNS) for the proposal according to the procedure specified by the State Environmental Policy Act, thereby satisfying SEPA requirements for the establishment of a new highway-rail grade crossing.
- 9 Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.

FINDINGS

10 **THE COMMISSION FINDS:**

1. It has jurisdiction pursuant to RCW 81.53.030.
2. It is not practicable to construct an overcrossing or undercrossing at this location.
3. Converting the private crossing to a public crossing will improve public safety.

THE COMMISSION DIRECTS the Secretary to issue the order.

ORDER

- 11 THE COMMISSION GRANTS the petition of the City of Renton to establish a public highway-rail grade crossing at the site of an existing private crossing, located at the intersection of Lake Washington Boulevard (3700 Block) and the tracks of the Burlington Northern Santa Fe Railway Company, in Renton, Washington, subject to the following conditions:

- (1) The crossing must remain hard-surfaced between the rails and for a distance of one foot outside each rail for the full width of the traveled roadway.
- (2) Warning devices, regulatory signs, and pavement markings must comply with all applicable standards specified in the U.S.D.O.T. *Manual on Uniform Traffic Control Devices*.
- (3) Upon the reclassification of the crossing to public status, all parties must maintain the crossing surface, roadway approaches, advance warning signs, stop signs, roadway markings and any other warning devices in accordance with applicable Washington State laws and rules.

DATED at Olympia, Washington and effective this 28th day of December 2001.

THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary