

Decision No. 15460

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
the CITY OF EL MONTE, a municipal  
corporation, for an order authoriz-  
ing the construction at grade of  
Hoyt Street across the right of way  
and property of the Pacific Electric  
Railway Company, a corporation, and to  
effect the extension of Hoyt Street.

ORIGINAL

Application No. 11209.

W. F. Dunn, City Attorney, for Applicant.

R. E. Wedekind, for Pacific Electric Railway  
Company, Protestant.

H. F. Holley, for Los Angeles County Grade  
Crossing Committee, Protestant.

BY THE COMMISSION:

O P I N I O N

In this proceeding the City of El Monte seeks authority to construct Hoyt Street at grade across Pacific Electric Railway Company's so-called "San Bernardino line".

A public hearing was held in this matter before Examiner Williams, at El Monte, August 24th, 1925.

Hoyt Street, which is the most westerly north and south street in the City of El Monte, extends from Garvey Avenue on the south to Main Street (Valley Boulevard) on the north, a distance of about one mile. It connects directly with the Lexington and Gallatin Road to the south of Garvey Avenue, which is an important highway artery serving the district to the south of El Monte. From Garvey Avenue north to Brockway Avenue, a distance of about one-half mile, Hoyt Street is 50 feet in width, while to the north of Brockway it is 40 feet in width. This street is now paved and open to traffic through-

out from Garvey Avenue to Main Street, except at the intersection of the Pacific Electric Railway Company's right of way located about 1100 feet south of Main Street. This intersection is the crossing sought herein. The driveway on Hoyt Street is 37 feet in width to the north of the railroad and varies from 34.5 to 28 feet in width to the south of the railroad. The street has recently been paved on each side of the railroad, the City assuming that the crossing asked for herein would be allowed by this Commission.

The Railroad involved is the Pacific Electric Railway Company's San Bernardino Line, a double-track electric interurban railroad, which passes through the City of El Monte in an easterly and westerly direction and over which 66 passenger trains, 4 express trains and 16 freight trains are normally operated per day. The maximum rate of speed for any of these trains is estimated to be 35 miles per hour in the vicinity of the proposed crossing. In addition to the main tracks, Hoyt Street would cross a spur track which serves the Pacific Chemical Corporation and a small distributing plant handling gas and oil. The view at the proposed crossing is seriously impaired by large walnut trees on all four corners of the proposed intersection. The Company estimates the cost of constructing the proposed crossing across the tracks, including an automatic flagman, to be \$3,270.00.

The Rio Hondo (Lexington Wash) marks the westerly boundary of the City of El Monte. The east end of Pacific Electric Railway Company's single-track bridge over this wash is located about 400 feet west of Hoyt Street. The double-track main line converges into a single track over the wash at a point about 160 feet west of Hoyt Street.

The following table shows the existing grade crossings of streets over Pacific Electric Railway Company's tracks in the City of El Monte:

<u>Street</u>	<u>Approximate Distance between Adjacent Crossings measured in an easterly Direction</u>
Granada Avenue	360 feet
Lexington Avenue	1040 feet
Tyler Street	770 feet
Main Street	850 feet
Central Avenue	

The proposed crossing at Hoyt Street is located about 460 feet westerly from the Granada Avenue crossing.

No traffic counts were taken to show the present volume of traffic over the railroad at the existing crossings to the east of Hoyt Street, and no evidence was presented to show that these crossings, excepting the one at Main Street, are heavily traveled.

The evidence shows that the proposed crossing, if constructed, would afford a direct paved highway between Garvey Avenue and Main Street (Valley Boulevard). This connection would serve a convenience by shortening the distance of travel about 900 feet to the through traffic which now uses the Granada crossing and which desires to travel on Valley Boulevard to and from the district to the south of El Monte. The proposed crossing would also serve a convenience to certain local travel, among which are a number of milk trucks traveling between the dairies located south of El Monte and the creamery north of the railroad and west of Hoyt Street. There are also certain oil trucks, at present three in number, which make deliveries from the plant south of the railroad and west of Hoyt Street to filling stations along Valley Boulevard west of El Monte.

In the opinion of witnesses for the City, the proposed crossing at Hoyt Street would serve a greater public benefit than the existing crossing at Granada Avenue, in that it would attract the greater portion of the traffic which now uses the Granada Avenue crossing. Although these witnesses testified that the representa-

tive bodies of the City were opposed to the closing of any of the existing crossings over the railroads in the City of El Monte, it was their opinion, in the interest of the general public, that if but one crossing is to be allowed over the railroad in this City west of Lexington Street at this time, they would elect to open the crossing at Hoyt Street and close the existing crossing at Granada Avenue. If the crossing proposed herein were constructed, it may be safely assumed that the only traffic which would thereafter use the Granada crossing would be the local traffic to and from the residences on that street. The opening of Hoyt Street crossing and the closing of the Granada crossing would work a slight hardship on the residents on Granada Avenue immediately adjacent to the railroad, especially on the south side thereof, but otherwise the traffic on this street could use the adjacent crossings with little inconvenience and practically no additional distance.

The evidence shows that the City of El Monte plans to extend Tyler Street, which is an 80-foot highway, south to an intersection with Garvey Avenue. When this connection is made and the highway paved, it will undoubtedly attract the greater portion of the through traffic from the south of El Monte, which desires to reach the business center of the City or the district to the west thereof. This improvement, when completed, will provide access over the railroad for a considerable amount of the through traffic which now uses the grade crossings at Granada Avenue and at Lexington Avenue.

The evidence shows that Columbia Street, which is parallel to and the first street south of the railroad, is 40 feet in width, with a driveway of 24 feet. To turn from Hoyt Street to the east onto this narrow street, applicant contends, is inconvenient and hazardous, especially for large trucks, and the granting of the proposed crossing would greatly relieve the situation in that it would permit traffic to continue on Hoyt Street to either Main Street or Garvey Avenue, both of

which are wide highways. This argument undoubtedly has some merit but it would appear that this condition would be greatly relieved if the corners were rounded off at Hoyt and Columbia Streets. Mention was also made of similar inconvenience to traffic on other narrow streets south of Columbia Street. These are matters for the City to correct, and do not justify additional grade crossings.

It was urged that the proposed crossing would afford a favorable detour during the time Main Street is being paved, which improvement is planned for the near future. The Commission is not justified in granting a permanent grade crossing over a railroad to provide a temporary detour, especially when there are other reasonable methods of handling the traffic, such as exist here. It appears possible to pave one-half of Main Street at a time, or, if it was desired to close the street entirely between Hoyt and Granada, beyond which the existing streets cross the railroad to the south, there appears to be a favorable detour to the north of Main Street by way of Mountain View Avenue.

From the evidence presented, it does not appear that public convenience and necessity justify the public hazard and inconvenience to the railroad in the operation of its trains, that would be incident to the construction of the proposed crossing which, as has been stated, is within 460 feet of an existing crossing.

In the event the City of El Monte elects to come before this Commission with another application for the construction of a crossing at Hoyt Street, contingent on the closing of the existing crossing at Granada Avenue, the Commission would find itself in a better position to permit the crossing asked for. Until such a situation is before us, we find, from the record herein, that the present application should be denied without prejudice and it will be so ordered.

O R D E R

The City of El Monte, having made application to this Commission for permission to construct Hoyt Street at grade across Pacific Electric Railway Company's tracks in the City of El Monte, Los Angeles County, California, a public hearing having been held, the matter having been duly submitted and now ready for decision,

It is hereby found as a fact that public convenience and necessity do not justify the public hazard that would be incident to the construction of the proposed crossing, unless the existing grade crossing at Granada Avenue, within 460 feet of the proposed crossing, be closed; therefore,

IT IS HEREBY ORDERED that the above application be and the same hereby is denied without prejudice.

Dated at San Francisco, California, this 24<sup>th</sup> day of September, 1925.

H. B. ...

George D. Squires

Leon Whitall

Commissioners.