

Decision No. 18747

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of the City of Pasadena for the )  
establishment of a grade crossing ) Application No. 13238.  
over the tracks of The Atchison, )  
Topeka & Santa Fe Railway Company.)

Roscoe R. Hess and F. G. Stoehr,  
for Applicant.

M. W. Reed, for The Atchison, Topeka  
and Santa Fe Railway Company,  
Protestant.

John R. Berryman, Jr., for Los Angeles  
County Grade Crossing Committee,  
Protestant.

ORIGINAL

BY THE COMMISSION:

O P I N I O N

In the above entitled application, the City of Pasadena seeks an order fixing the terms for the establishment of a grade crossing at Pico Street and the railway tracks of The Atchison, Topeka and Santa Fe Railway Company, in the said City of Pasadena.

Although the application does not request authority to construct a crossing, testimony regarding the public necessity for said crossing was admitted at the public hearing held before Examiner Williams at Pasadena on January 28th, 1927, and this Commission's order will be concerned with the public convenience and necessity involved in this application.

The crossing applied for is located in the industrial area of Pasadena, south of the Santa Fe Station.

The railroad involved is the main line of The Atchison,

Topeka and Santa Fe Railway Company to the east, there being, at the crossing proposed, a single main track with two spur tracks, one on each side of the main track. The line is laid out in a northerly and southerly direction on a grade of 2.14% ascending northerly. There are between 14 and 20 passenger trains and an equal number of freights operated at speeds of from 20 to 25 miles per hour over the crossing daily. In addition, there are 7 or 8 switching movements per day. Evidence introduced by the Los Angeles County Grade Crossing Committee shows that during a one-hour check eight switching operations occurred in such a manner as to block Pico Street.

In the vicinity of the proposed crossing the streets are laid out north and south and east and west. Pico Street, lying east and west, is but three blocks long, is 60 feet wide between property lines east of the railroad and 50 feet wide west thereof. Raymond Avenue and Broadway are two wide well paved highways laid out to the west and east, respectively, of the Santa Fe, being parallel and distant approximately 200 feet from it.

The next crossing to the north of Pico Street is California Street, an important east and west traffic artery. The distance between California Street and Pico Street is 350 feet. Ritzman Street is the next crossing to the south, distant 650 feet, and is a moderately traveled east and west street.

The views at the proposed crossing are badly obstructed. At three of the corners buildings have been erected close to the property lines of both the railroad right-of-way, which is only 30 feet wide at this point, and the narrow street. At the fourth corner is a storage yard which will possibly contain such material from time to time as will obstruct the view of trains.

Applicant contends that convenient access to other portions of the City does not exist for property fronting on Pico Street between Raymond Avenue and Broadway.

Witnesses for applicant testified that the crossing was necessary in order to facilitate traffic flow and to serve three industries located on Pico Street between Raymond Avenue and Broadway. They admitted on cross-examination that Pico Street was not a through street nor was it contemplated as such and that the industries already had access to their property. It was urged, however, that the crossing would be a convenience in that trucks from the industries east of the tracks, for example, could be routed over the proposed crossing on Pico to Raymond, thence to the desired destination, rather than by traveling east to Broadway and then west on California Street or Ritzman Street.

Protestant, The Atchison, Topeka and Santa Fe Railway Company, introduced, as exhibits, a map and four photographs showing conditions surrounding the crossing at present. Witness testified that after careful survey, the conclusion was reached that the public hazard created by the opening of the crossing more than offset the necessity for the crossing. Witness for the Los Angeles County Grade Crossing Committee presented similar evidence on behalf of that body.

The Commission's Engineer recommended that if the crossing be opened it should be protected by a manually controlled wig-wag for the major portion of the day, due to the hazard of the crossing and the peculiar track arrangement.

The evidence in this case has been carefully considered. It is evident that the only benefit to be derived from the opening of this crossing will be confined to the several industries immediately adjacent to the crossing and that this benefit is in the form of convenience and not necessity. This benefit must be weighed against the public hazard created by the opening of a new crossing at grade with impaired views. This hazard exists not along to the truck driver and autoist using the street, but, as is apparent from our accident records, it exists to the

trainmen and public using the railroad. We can only come to the conclusion that permission for the opening of Pico Street across the tracks of The Atchison, Topeka and Santa Fe Railway Company should be denied.

O R D E R

The City of Pasadena having applied for an order fixing the terms of establishment of a crossing at grade of Pico Street over the tracks of The Atchison, Topeka and Santa Fe Railway Company in said City of Pasadena, a public hearing having been held, the Commission being apprised of the facts, the matter being under submission and ready for decision, therefore

IT IS HEREBY ORDERED that permission and authority for the construction of Pico Street across the tracks of The Atchison, Topeka and Santa Fe Railway Company be and they are hereby denied.

The effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 25<sup>th</sup> day of August, 1927.

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*C. Seamy*  
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*Thos. S. Rowland*  
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*M. J. Curran*  
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Commissioners.