

Decision No. 22143.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CITY OF SOUTH PASADENA, a municipal
corporation, for an Order Authorizing
Construction of Crossing of Street
Railroad by Public Street.

Application No. 16917.

ORIGINAL

Horace E. Vedder, for the Applicant.

Hugh Gordon, for Oneonta Improvement
Association.

Leonard A. Diether, for the City of Pasa-
dena, Interested Party.

C. W. Cornell, for Pacific Electric Rail-
way Company.

CARR, COMMISSIONER:

O P I N I O N

The City of South Pasadena has petitioned the Railroad Commission for an order authorizing the construction of the north portion of Huntington Drive across the right-of-way and tracks of Pacific Electric Railway Company in the City of South Pasadena, County of Los Angeles.

A public hearing on this application was held at Los Angeles on November 18th, 1930, at which time the matter was submitted.

Fair Oaks Avenue, extending in a north and south direction, consists of two thirty-foot driveways separated by Pacific Electric Railway Company's right-of-way, sixty feet in width, upon which is constructed a double track line.

Huntington Drive, extending in an east and west direction,

likewise consists of two roadways, each thirty feet in width, on either side of Pacific Electric Railway Company's sixty-foot right-of-way, upon which is constructed four tracks of said company. Pacific Electric Railway Company's tracks on Fair Oaks Avenue are connected by a wye to their tracks on Huntington Drive near the intersection of said streets at a point which is known as Oneonta Park Junction.

Spruce Street, which is parallel to Huntington Drive and approximately three hundred fifty feet north of the proposed crossing, is constructed across the tracks of Pacific Electric Railway Company which are located in Fair Oaks Avenue.

In the vicinity of Oneonta Park Junction, the south roadway of Huntington Drive, accommodating traffic in both directions, is a through roadway and is not intersected by the tracks of Pacific Electric Railway Company, while the north roadway of said street, accommodating traffic in both directions, is not constructed across said wye tracks, thereby necessitating through traffic on said north roadway to detour north on Fair Oaks Avenue to the crossing at Spruce Street. The construction of the proposed crossing would eliminate this detour for through traffic.

The east and west roadways of Fair Oaks Avenue are used for southbound and northbound traffic, respectively, as far south as Spruce Street and the record shows that, if the proposed crossing is constructed, these limitations will be made effective as far south as the proposed crossing.

The record shows that Huntington Drive is a part of the major highway system of South Pasadena and connects with the major highway system of Los Angeles, serving the entire eastern portion of the County of Los Angeles, and is the direct route from the City of Los Angeles to the Cities of South Pasadena, Pasadena, Sierra Madre,

Arcadia, Monrovia, Azusa, Glendora, parts of San Gabriel, Alhambra and surrounding territory. It was also shown that approximately 10,000 vehicles will use the proposed crossing daily, if constructed, which traffic is now required to detour to the said Spruce Street crossing.

Mr. W. J. Fox, Chief Engineer of the Los Angeles County Regional Planning Commission, testified that Huntington Drive was designated as a major traffic artery through the County of Los Angeles and at the present time the north portion of said drive was being opened and constructed between Santa Anita Avenue and Mendocino Avenue in the City of Arcadia, and that upon the completion of same, traffic over the proposed crossing will be increased.

The views at the proposed crossing will be fairly clear, with the exception of the view from the southeast corner, which will be obscured by the Oneonta Station and tower building. The approach grades of said crossing will not be in excess of five per cent. The railroad traffic over the proposed crossing consists of 123 trains daily, except Sunday, and 117 trains on Sunday, at a speed of about ten miles per hour.

The Commission, by its Decision No. 20911, dated March 27th, 1929, granted to the City of South Pasadena permission to construct said crossing, subject to certain conditions, one of which required the closing of the Spruce Street crossing. Mr. Roen, City Manager of South Pasadena, testified that the North Huntington Drive crossing was not constructed, due to the fact that many of the citizens of said city were strongly opposed to the closing of the Spruce Street crossing. He further testified that the North Huntington Drive crossing was necessary and would provide a safer crossing than the Spruce Street crossing for practically all of the traffic now using the Spruce Street crossing and, under present conditions, that the city would not be in a position to construct the North Huntington Drive crossing if it were necessary to close the Spruce Street crossing.

I am convinced that the North Huntington Drive crossing, which would be much safer than the Spruce Street crossing, would accommodate practically all of the traffic now using the Spruce Street crossing and that the crossing at Spruce Street would, of itself, become practically abandoned in so far as its use is concerned. Since local conditions in the city appear to be such that the crossing at North Huntington Drive could not be constructed if the Spruce Street crossing had to be closed, I am of the opinion that, in so far as safety to the traveling vehicular public is concerned, it would be more reasonable to permit the construction of the North Huntington Drive crossing without the condition requiring the closing of the Spruce Street crossing.

After due consideration of all the facts presented herein, it is concluded that the establishment of the proposed crossing will serve a large number of people; that the crossing will not be a particularly hazardous one; that the needs of the traveling public will be better served by the establishment of the proposed crossing; and that public convenience and necessity justify the granting of this application.

O R D E R

A public hearing having been held on the above entitled application, the matter having been duly submitted, the Commission being fully advised and basing its order on the conclusions as set forth in the opinion which precedes this order,

It is Hereby Found as a Fact that public convenience and necessity justify the granting of this application, and

IT IS HEREBY ORDERED that permission and authority is hereby granted to the City of South Pasadena, County of Los Angeles, State of California, to construct the north roadway of Huntington Drive at grade across the tracks of Pacific Electric Railway Company

at the location particularly described and as shown by the map and description (Exhibits A, B and C) attached to the application.

The above crossing shall be identified as Crossing No. 6P-8.34.

Said crossing shall be constructed subject to the following conditions and not otherwise:

- (1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of those portions of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of those portions of the crossing between lines two (2) feet outside of the outside rails shall be borne by Pacific Electric Railway Company.
- (2) The crossing shall be constructed in accordance with the plan (Exhibit A), attached to the application, and with grades of approach not greater than five (5) per cent; shall be constructed substantially in accordance with Standard No. 3 or Standard No. 4, as specified in General Order No. 72 of this Commission, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (3) A Standard No. 4 wigwag, as specified in General Order No. 75 of this Commission, shall be installed and maintained for the protection of said Crossing No. 6P-8.34. The cost of installation shall be borne by applicant. The cost of maintenance shall be borne by Pacific Electric Railway Company.
- (4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.
- (5) If said crossing shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.
- (6) The Commission reserves the right to make such further orders, relative to the location, construction, operation, maintenance and protection of said crossing, as to it may seem right

and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

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

The foregoing opinion and order is hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 5th day of December, 1930.

Cl. Sewer

Thos. D. Lattin

W. H. Lee

Commissioners.