

REHM

Decision No. 24917

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
COUNTY OF LOS ANGELES and CITY OF
ARCADIA for order authorizing cross-
ing at separated grade at Orange
Avenue and right of way of Atchison,
Topeka & Santa Fe Railway in the
City of Arcadia.

ORIGINAL

Application
No. 17867.

Walter D. Dunn, for the City of Arcadia, Applicant,
W. B. McKesson, for County of Los Angeles, Applicant,
M. W. Reed for The Atchison, Topeka & Santa Fe
Railway Company, Protestant,
W. Fleet Palmer, City Attorney for City of Monrovia,
Interested Party.

BY THE COMMISSION:

O P I N I O N

The City of Arcadia and the County of Los Angeles filed the above entitled joint application with this Commission requesting authority to construct Orange Avenue at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company in the City of Arcadia, County of Los Angeles.

A public hearing on this application was conducted by Examiner Handford at Los Angeles on May 10, 1932, at which time the matter was duly submitted.

Orange Avenue extends in an easterly and westerly direction through the City of Arcadia, the westerly terminus being at Colorado Street and the easterly terminus at a point east of the City of Monrovia, excepting for a distance of some 500 feet which involves the proposed crossing. Huntington Drive, the main street through Arcadia, is parallel

to and approximately 2000 feet south of Orange Avenue. Santa Anita Avenue, extending in a north and south direction, intersects Orange Avenue at a point approximately 500 feet east of the proposed crossing. Huntington Drive connects with Colorado Street, which extends through the City of Pasadena to Glendale, at a point approximately 1600 feet west of Santa Anita Avenue. Orange Avenue intersects Colorado Street at a point approximately one-half mile west of the proposed crossing; the single track main line of the Santa Fe extends in a general southeasterly and northwesterly direction at the proposed point of crossing with Orange Avenue.

At the present time, Orange Avenue is constructed between Colorado Street and the Santa Fe tracks and easterly from Santa Anita Avenue. The City of Arcadia and the County of Los Angeles now propose to construct Orange Avenue forty feet in width westerly from Santa Anita Avenue, under the tracks of the Santa Fe, to connect with the already constructed portion of Orange Avenue west of the track. The plan contemplates carrying the roadway under the track of The Atchison, Topeka and Santa Fe Railway Company, the tracks to be supported by steel girders and concrete abutments.

The business center of Arcadia is adjacent to Huntington Drive east of Santa Anita Avenue. At the present time, a heavy vehicular traffic from Los Angeles, Pasadena, Glendale and westerly points travels over Colorado Street and Huntington Drive to the point where the two streets converge into Huntington Drive immediately west of Santa Anita Avenue, thence along Huntington Drive through the City of Arcadia to a connection with Foothill Boulevard near Glendora. A traffic check taken at the intersection of Colorado Street and

Huntington Drive on Sunday, January 10th, 1932, shows a total vehicular traffic on Huntington Drive east of the intersection of approximately 46,000 vehicles.

Representative of the City of Arcadia testified that the traffic congestion on Huntington Drive through the business section of Arcadia on Saturdays, Sundays and holidays was serious and that the opening of Orange Avenue through to Colorado Street would relieve this situation. The heavy traffic now moving along Huntington Drive in Arcadia must cross the same Santa Fe track herein involved at the intersection of Huntington Drive and Second Avenue. Any traffic which would be diverted through the proposed subway, if constructed, would be relieved of the necessity of crossing the Santa Fe track at said point. The record shows that the majority opinion of those who testified was that a substantial portion of the traffic now using Huntington Drive would use Orange Avenue to reach Colorado Street.

Orange Avenue has been designated by the Los Angeles County Regional Planning Commission as a major traffic artery and it is planned to extend Orange Avenue easterly to a connection with Foothill Boulevard near Glendora at some future time. The record shows that \$237,000. has been expended for the development and improvement of roads through the Baldwin Ranch and that the extension of Orange Avenue is a part of this development. The County of Los Angeles is now constructing Santa Anita Avenue northerly into the mountains for a distance of approximately three miles and the plan provides that this extension will continue and will ultimately serve as a route to Palmdale and Mojave. Undoubtedly when this extension is completed, traffic will be attracted through the proposed grade separation.

The normal rail traffic over the line involved herein consists of ten passenger trains, one motor and two freight trains daily. The speed for passenger trains in this territory is approximately 35 miles per hour. The representatives of the railway company took the position that the subway was not economically justified at this time; that the separation of grades should at least be deferred to such time as Orange Avenue would become a through artery and that the railroad company should not be required to bear any part of the cost, inasmuch as it was their opinion that the separation did not eliminate any grade crossings; that it was conjecture as to the amount of traffic which would be diverted from Huntington Drive to Orange Avenue; and that, in so far as the railroad was concerned, no benefits would be derived from the construction of said separation of grades.

The matter of immediate direct financial benefits is not the sole test in the determination of the respective portions which the railroad and the public should contribute toward the cost of such an improvement. In apportioning the cost of constructing this separation of grades between applicants and the railroad company, due consideration should be given to the obligation of each party, as well as to the benefits derived. It should be recognized that the railroad has a continual obligation to participate in the matter of constructing and maintaining reasonable and adequate crossings over its tracks, both at grade and at separated grades. This obligation is inherent, notwithstanding the fact that the traffic on the railroad may increase or decrease.

The Los Angeles County's estimated cost of constructing said subway is \$74,340., which provides for a single track structure and includes roadway pavement (40 feet in width) and curbs. The Santa Fe estimated the cost of constructing a single track structure at \$63,367. and the cost of a double track structure at \$95,175. The Santa Fe representative testified that, in his opinion, it would be reasonable to construct a single track structure at the present time, assessing the entire cost of same to the applicants with the understanding that the railroad company would bear the entire cost of double tracking the structure, estimated at \$27,792., when same became necessary in the future. The record shows that there is no immediate necessity for double track and such facilities may not become necessary for a long time in the future. Therefore, it appears reasonable to construct a single track structure at this time.

The Los Angeles County Grade Crossing Committee recommended the construction of a grade separation at this point.

After carefully considering all of the evidence in this proceeding, it is concluded that public convenience and necessity will be subserved by the opening of Orange Avenue, as proposed herein under the track of The Atchison, Topeka and Santa Fe Railway Company, and it appears reasonable for the railway company to bear 20% of the cost of constructing said grade separation exclusive of paving costs.

O R D E R

The City of Arcadia and the County of Los Angeles having filed the above entitled application, a public hearing having been held and the Commission being fully apprised of the facts,

IT IS HEREBY ORDERED that the City of Arcadia and the County of Los Angeles are hereby authorized to construct Orange Avenue at separated grades under the track of The Atchison, Topeka and Santa Fe Railway Company in the City of Arcadia, County of Los Angeles, at the location more particularly described in the application and substantially in accordance with and as shown by the plan (Exhibit "A"), attached to the application, except to provide for single track in lieu of double track shown thereon, subject to the following conditions:

1. The above crossing shall be identified as Crossing No. 2-124.5-B.
2. The Atchison, Topeka & Santa Fe Railway Company shall bear 20% of the expense of constructing said subway, exclusive of paving cost, and the remaining expense shall be borne by applicants.
3. The expense of maintaining the track and superstructure shall be borne by The Atchison, Topeka and Santa Fe Railway Company. The expense of maintaining substructure, drainage, pavement and lights, together with any other expense incident to the maintenance of this undergrade crossing, shall be borne by applicants.
4. Applicants shall file, prior to the commencement of construction, a set of plans for said undergrade crossing, showing the proposed separation in plan and elevation, together with roadway widths, approach grades, clearances, drainage and lighting facilities, which plans have been approved by The Atchison, Topeka & Santa Fe Railway Company or bear a statement showing why The Atchison, Topeka and Santa Fe Railway Company refuses to approve.
5. Said crossing shall be constructed with clearances conforming to the provisions of our General Order No. 26-C.
6. Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
7. The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further

time is granted by subsequent order.

For all other purposes, the effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 27th day of June, 1932.

C. L. Seaver

Leon Whitley

W. A. Cunniff

W. B. Lewis

Frederic G. Stewart

Commissioners.