

Decision No. 7

31394

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION
OF THE CITY OF ALHAMBRA FOR PER-
MISSION TO CONSTRUCT A PUBLIC HIGHWAY
ACROSS THE RIGHT-OF-WAY OF A BRANCH
LINE OF THE SOUTHERN PACIFIC COMPANY

APPLICATION

NO. 21912

ORIGINAL

J. E. Ogg, City Attorney, for City of Alhambra

E. L. H. Bissinger, for Southern Pacific Company, Protestant

O P I N I O N

In the above numbered application the City of Alhambra seeks the Commission's authority to construct Grand Avenue at grade across the Pasadena branch of Southern Pacific Company.

A public hearing in this proceeding was conducted before Examiner Ager at Alhambra on October 17, 1938, at which time it was taken under submission, and is now ready for decision.

Grand Avenue is not a major artery, it being approximately eight hundred (800) feet in length extending from Marengo Avenue on the east to its present terminus at the Southern Pacific right-of-way on the west. In the instant application, it is the desire of the city to open this street over the Southern Pacific track so as to provide another means of access to the Alhambra City Park, located immediately west of Raymond Avenue, which is parallel and adjacent to the railroad right-of-way line.

The Alhambra Park Superintendent testified that the picnic and barbecue grounds are located in the park almost directly opposite the point where Grand Avenue intersects Raymond Avenue. If the crossing were constructed it would enable picnic parties to drive to the edge of the park, unload whatever picnic equipment they might have and then park the car, thus eliminating the necessity of carrying this equipment for any great distance.

The same witness offered testimony to the effect that at times when special events are being held at the park, a serious traffic problem is created by reason of the limited number of routes by which vehicles may enter or leave the park area. This is largely due to the physical barrier presented by the Southern Pacific tracks and the opening of Grand Avenue would greatly facilitate the movement of this traffic.

The record shows that the Park School is located on Marengo Avenue midway between Grand Avenue and Cedar Street, and that approximately one-half of the students of this school come from points west of the track. The record further shows that these students now cross the track at various points, there being no public crossings in the immediate vicinity except at Alhambra Road and at Cedar Street.

For persons living west of the track who desire to drive to the Park School, it is now necessary that they either go to Alhambra Road on the north, thence to Marengo Avenue and south to the school - or over Cedar Street to Marengo Avenue and thence north to the school.

Alhambra Road carries a heavy volume of high speed vehicular traffic between Los Angeles and San Gabriel Valley points, thus rendering turning movements into or out of this stream of traffic rather hazardous. If the new crossing were constructed, it would be possible to drive over Cedar Street to Raymond Avenue, thence north on Raymond to Grand Avenue, over Grand to Marengo Avenue, making the stop at the school and returning via Marengo and Cedar Street to points west of the track, thus eliminating any necessity for traveling upon Alhambra Road. Also, children walking to and from the school, who now cross the track at any point they choose could, in all probability, be confined to dedicated crossings, thereby greatly reducing the hazard to themselves.

Southern Pacific Company appeared in protest to the granting of this application, it being their opinion that any new grade crossing is hazardous, and that no new grade crossing should be permitted where the street involved is not a through-street.

Rail traffic over the line involved is confined almost entirely to freight movements, the only exceptions to this being occasional special movements by large parties visiting the southern area and traveling by special train, who may desire their train taken to Pasadena. These special movements will not average more than one per year. There are two freight trains per day over the branch, one in each direction, at speeds of not to exceed fifteen (15) miles per hour.

The Commission recognizes the fact that any grade crossing is a point of potential hazard, but it should be borne in mind that there are times when such crossings are justified by conditions existing on the ground.

The light volume of rail traffic on the branch line involved herein, together with the comparatively slow speed at which the trains are operated, would tend to reduce whatever hazard might exist. The fact that Grand Avenue is not a through street, and that it terminates immediately west of the proposed crossing, would eliminate the possibility of any high speed vehicular traffic over the crossing, and we are of the opinion that the public convenience which would accrue outweighs the hazard which would be created with the installation of this crossing.

A careful review of the record leads to the conclusion that the application of the City of Alhambra to construct Grand Avenue at grade over the Pasadena branch of Southern Pacific Company is reasonable and should be granted.

The following Order will so provide:

O R D E R

Public hearing having been held, and the Commission being fully advised,

IT IS HEREBY ORDERED that the City of Alhambra is authorized to construct Grand Avenue at grade over the Pasadena branch of Southern Pacific Company at the location more particularly described in the application and as shown on the maps attached thereto, subject to the following conditions:

(1) The above crossing shall be identified as Crossing No. BW-488.9 .

(2) The entire expense of constructing the crossing shall be borne by the applicant; the cost of maintenance of that portion of said crossing up to lines two (2) feet outside of the rails shall be borne by the applicant; the maintenance of that portion of the crossing between lines two (2) feet outside of the rails shall be borne by Southern Pacific Company. Southern Pacific Company shall perform all actual work of constructing the crossing between lines two (2) feet outside of the rails. The crossing shall be constructed of a width of not less than thirty-six (36) feet, and at an angle of ninety (90) degrees to the railroad, and with grades of approach not greater than six (6) percent; shall be constructed equal or superior to type shown as Standard No. 2 of our General Order No. 72; shall be protected by two Standard No. 1 crossing signs as specified in our General Order No. 75-A; and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.

(3) 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.

(4) 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.

(5) 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, public convenience and necessity demand such action.

For all other purposes the effective date of this Order shall be twenty (20) days from the date hereof.

Dated at San Francisco this 31st day of October 1938.

Robert W. Anderson
James S. McMillan
Frank R. Williams
Walter L. Kelley