

Decision No. 40689

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the Matter of the Application of the  
 People of the State of California, on  
 relation of the City of La Mesa, for  
 an order authorizing construction of  
 crossing at grade of a Federal Second-  
 ary Project known as Alvarado Canyon  
 Road, and the tracks of the San Diego  
 & Arizona Eastern Railway Company,  
 El Cajon branch, in the City of La  
 Mesa, County of San Diego, State of  
 California.

Application No. 28347

In the Matter of the Application of  
 the People of the State of California,  
 on relation of the Department of Public  
 Works, for an order authorizing the con-  
 struction of a crossing at grade of a  
 Federal Aid Secondary Highway and the  
 tracks of the San Diego & Arizona Eastern  
 Railway (El Cajon Branch), in the City of  
 La Mesa, San Diego County, California.

Application No. 28418

Frank B. Durkee for applicant in Application No. 28418.  
W. H. Jennings, City Attorney of the City of La Mesa, for appli-  
 cant in Application No. 28347. E. L. E. Bissinger for San Diego  
 & Arizona Eastern Railway, protestant in both applications;  
Thomas J. Fanning, Deputy City Attorney for the City of San Diego,  
 interested party in both applications.

O P I N I O N

The City of La Mesa, in Application No. 28347, seeks to  
 establish a grade crossing, by constructing a city street which  
 will cross the tracks of the San Diego & Arizona Eastern Railway  
 (El Cajon branch) at a point approximately 460 feet northerly from  
 the intersection of said railroad tracks and U. S. Highway 80.

The Department of Public Works of the State of California, in Application No. 28418, seeks to establish a grade crossing by constructing a Federal Aid Secondary Highway to be known as the Alvarado Canyon Road, which highway will cross the tracks of the San Diego & Arizona Eastern Railway (El Cajon branch), at a point approximately 300 feet northerly from the intersection of said railroad tracks and U. S. Highway 80.

The matters were consolidated for public hearing which was held at San Diego, California, on July 22, 1947, before Examiner Syphers.

At the hearing evidence was presented by the City of La Mesa indicating that the proposed city street would be used to connect the City of La Mesa with an industrial area which is to be developed from approximately sixty acres of land now owned by the city. The plans call for the establishment of light industries in that area. There are, at present, no improved roadways leading to this tract from the City of La Mesa, although the evidence indicated the possibility of constructing a street to the area without crossing the railroad track. At the intersection of U. S. Highway 80 and the San Diego & Arizona Eastern Railway tracks there is an overhead bridge which is approximately 107 feet in length. The railroad tracks presently run under the center 47 feet of this overhead bridge. Testimony indicated that it would be possible to excavate under the easterly 30 feet of this bridge so as to permit the city street to go thereunder, thus eliminating the necessity of crossing the railroad tracks.

The Department of Public Works presented evidence as to the proposed construction of the Alvarado Canyon Road. The existing plans call for a grade crossing at the point applied for; however, the testimony indicated that definite surveys had not been made with a view to avoiding this grade crossing. One proposal in this connection was that the proposed Alvarado Canyon Road be taken off U. S. Highway 80 at a point westerly of the existing grade separation, thereby avoiding the necessity for the proposed grade crossing. The testimony further indicated that the ultimate plan contemplates construction of a grade separation at some time in the future. Such a separation is not now proposed inasmuch as the available funds are insufficient to cover the cost.

The evidence further indicated that, at the proposed point of intersection of the Alvarado Canyon Road with the tracks of the San Diego & Arizona Eastern Railway, the visibility would be less than 400 feet. Under such conditions the California Vehicle Code, Section 511(a), requires a speed of not more than 15 miles an hour. Such a situation would directly conflict with the proposed use of the Alvarado Canyon Road which, according to the testimony, was said to be a freeway. Furthermore, under the plans, the proposed La Mesa street would intersect with the Alvarado Canyon Road at a point approximately 150 feet west of the grade crossing.

The San Diego & Arizona Eastern Railway presented testimony in opposition to both of the proposed grade crossings and submitted alternative plans therefor.

In view of the fact that there is an existing grade separation within the immediate area, and in view of the testimony

that complete surveys had not been made, it does not appear reasonable to permit the establishment of two grade crossings within 160 feet of each other and both within 460 feet of an existing overhead separation. The present bridge at the grade separation appears to be adequate to handle the traffic of the proposed Alvarado Canyon Road should it be utilized for that purpose.

The applications will be denied without prejudice.

O R D E R

A public hearing having been held in the above-entitled proceedings and the Commission being fully advised,

IT IS HEREBY ORDERED:

(1) That the application of the City of La Mesa for an order authorizing construction of a city street at grade across the track of the San Diego & Arizona Eastern Railway be, and it hereby is, denied.

(2) That the application of the Department of Public Works of the State of California for an order authorizing the construction of a Federal Aid Secondary Highway to be known as Alvarado Canyon Road, at grade, across the tracks of the San Diego & Arizona Eastern Railway, be denied.

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

Dated at Los Angeles, California, this 10<sup>th</sup> day of September, 1947.

Harold P. Huls

Justus J. Gaeuen

Wm. H. Powell

R. B. Dunning

COMMISSIONERS