

ORIGINAL

Decision No. 45229

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 the County of Los Angeles, a polit-)
 ical subdivision of the State of)
 California, for a highway crossing)
 at grade over the Pacific Electric)
 Railway crossing on Serapis Avenue,)
 between Burke Street and Myron)
 Street, in the vicinity of Rivera.)

Application No. 31458

William A. Smith, Chairman of Board of Supervisors,
John Malone and George Sleight, of Regional Planning Commission,
 and Arthur Loveland, of the County Counsel's Office, for
 applicant; E.L.H. Bissinger, for Pacific Electric Railway
 Company, protestant.

O P I N I O N

By the above-numbered application the County of Los Angeles seeks the Commission's authority to construct Serapis Avenue at grade over Pacific Electric Railway Company's Whittier line in the vicinity of Rivera.

Public hearings were held at Los Angeles on October 27 and December 6, 1950. On the latter date the matter was duly submitted and it is now ready for decision.

At the present time there are grade crossings over the line in question at Rosemead Boulevard (Crossing No. 6C-12.33) and at Parsons Boulevard (Crossing No. 6C-12.81). These two crossings are approximately 2,100 feet apart and the proposed crossing of Serapis Avenue would be almost exactly midway between the two.

At the proposed point of crossing there are one main line track and one siding.

Serapis Avenue is a purely local street, some portions of which have not as yet been opened to use and travel but, when finished, it will extend from Anaheim-Telegraph Road, on the south, to Rex Road, on the north, a total distance of slightly in excess of one mile. Exhibits Nos. 2 and 3 introduced at the hearing are maps prepared by the Regional Planning Commission of the County of Los Angeles, and neither of these maps indicates that there is any intention to open Serapis Avenue beyond the extremities just described.

The record shows that the business section of the community of Rivera is located on Serapis Avenue, between Pacific Electric Railway Company's tracks and the crossing of the tracks of The Atchison, Topeka and Santa Fe Railway Company. North of the Santa Fe tracks, substantial residential development has taken place, and the record shows that by January 1, 1951, it is expected that 727 new homes will be completed in this area. Children of all residents in the area, in the grade-school ages, must attend the grade school located on Serapis Avenue, south of Pacific Electric Railway Company's tracks, and the District Superintendent of the Rivera school, estimating elementary-school students per residence at 0.8, calculated that 582 additional students would attend this school when the 727 new homes were completed and occupied.

This witness also testified that at the present time many of these elementary-school students are moved to and from the school in school buses, and that by reason of the fact that

there is no crossing at Serapis Avenue the buses, of necessity, must use the existing crossing at Parsons Boulevard or the one at Rosemead Boulevard. He estimated that this circuitry of route costs the district \$465.40 per year additional to what the cost would be if there were a crossing at Serapis Avenue. He expressed the opinion that, while any crossing is a point of potential hazard, the hazard at the proposed Serapis Avenue crossing would be less than the combined hazard of heavy vehicular traffic on Rosemead Boulevard plus rail traffic on the Pacific Electric line at that crossing.

Testimony of an engineer of the Regional Planning Commission, substantiated by the land use map offered as Exhibit No. 2, was to the effect that the Rivera district, bounded on the north by Washington Boulevard, on the south by the Santa Ana Freeway, on the east by the San Gabriel River, and on the west by the Rio Hondo, in June, 1948, had a population of approximately 2,271 persons, whereas at the present time the population in this same area is estimated to be 11,937.

An engineer of the Los Angeles County Road Department testified as to traffic counts which had been made at the Parsons Boulevard crossing, and these counts, made over a 12-hour period, showed a total of 1,088 automobiles and 185 trucks northbound and 1,031 automobiles and 128 trucks southbound, or an average per hour of approximately 199 vehicles. During this same period, eight rail movements over the crossing were counted. A 16-hour traffic count on Rosemead Boulevard, made by the Division of Highways in July, 1950, showed a total vehicular count of 28,693 cars south of Anaheim-Telegraph Road and 26,284 cars north of Anaheim-Telegraph Road.

In the opinion of this witness, Passons Boulevard is becoming more highly used and does not readily lend itself to the facilitation of the movement of purely local traffic such as that which would be utilizing Serapis Avenue. In his opinion, the new crossing is a necessity in order to enable the people to travel readily between the area south of Pacific Electric Railway Company's tracks and that area north of the tracks, without the necessity of using Rosemead Boulevard or a relatively poor crossing at Passons Boulevard. He indicated that it was the county's intention, if the construction is authorized, to place a light pavement on Serapis Avenue which would not be suitable for anything but light traffic and that therefore little or no outside traffic would be induced.

A witness for Pacific Electric Railway Company, protestant in this proceeding, testified that at the present time there are scheduled one freight train and two box motors daily in each direction, plus such extra rail movements as traffic may justify. The average number of cars per train varies, but at the time of the hearing it was approximately 10 cars each. Speed of trains through the area is governed by restrictions and is placed at about 20 miles per hour.

This same witness testified as to plans which Southern Pacific Company now has to construct a connection between its Yuma line at Puente and its Santa Ana line at Studebaker, plus an interchange track with Pacific Electric Railway Company's Whittier line in the vicinity of Los Nietos. He stated that when this connection is completed it will be the practice to interchange cars at the Los Nietos connection for movement to

and from industries located on Pacific Electric Railway Company's tracks. This, in his opinion, would add from ten to twelve daily rail movements, as well as increase the length of trains moving over the line involved herein.

Another witness for Pacific Electric Railway Company introduced Exhibit No. 4, which is an estimate of the cost of installing the crossing, together with an estimate of the cost of what he believed to be the appropriate type of signal protection. This estimate adds to a total of \$9,465.

By stipulation it was agreed by all parties at interest that the presiding Commissioner and Examiner might view the site on the ground and that the results of their observations might be included as a part of the record in this proceeding. Such an inspection was made, and it revealed that while the crossing is barricaded to the use of vehicular traffic it is being constantly used by pedestrian traffic, most of which, in all probability, consists of students originating at or destined to the school south of the tracks.

We are reluctant to take affirmative action in cases of this nature, but on the other hand we must be realistic and consider all of the circumstances involved. We concur in the statement of the witness for the school district as to the hazard which exists to school buses which must utilize Rosemead Boulevard, entrance to and exit from which is a serious problem, for the hazard arises not only through the existence of a railroad grade crossing but also by reason of the tremendous volume of high-speed vehicular traffic.

We also subscribe to the contention of the County Engineer relative to the Passons Boulevard crossing and the utilization of Passons Boulevard, itself.

While Serapis Avenue is, and will probably remain, a purely local street, it will serve a purpose that cannot readily be served by either of the other two boulevards. We therefore believe that a grade crossing at the location proposed, if properly protected and provided with sidewalks distinctly separated from vehicular traffic lanes, will be a real asset to the community. In arriving at this determination, we are mindful of the fact that Serapis Avenue is not yet open throughout its length from Rex Road, on the north, to Anaheim-Telegraph Road, on the south, and we believe that at the time of, or prior to, the construction of the crossing, itself, Serapis Avenue should be improved to its ultimate width throughout its length. Without such action on the part of the applicant, the necessity for an additional crossing, as proposed, is greatly minimized.

Predicated on the foregoing opinion, we believe that the Commission should authorize the crossing at grade of Pacific Electric Railway Company's Whittier line tracks at Serapis Avenue, and the following order will so provide.

O R D E R

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

IT IS HEREBY ORDERED that the Board of Supervisors of the County of Los Angeles is hereby authorized to construct Serapis Avenue at grade across the tracks of Pacific Electric

Railway Company, at the location more particularly described in the application and as shown by the map attached thereto, subject to the following conditions and not otherwise:

- (1) The above-described crossing shall be identified as Crossing No. 6C-12.59. The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two feet outside of the rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two feet outside of rails shall be borne by Pacific Electric Railway Company. Pacific Electric Railway Company shall perform all actual work of constructing the crossing between lines two feet outside of rails.
- (2) The crossing shall be constructed of a width of not less than 36 feet, at an angle of 90 degrees to the railroad, and with grades of approach not to exceed three per cent; shall be constructed equal or superior to type shown as Standard No. 3 in our General Order No. 72; shall be protected by two Standard No. 8 crossing signals, as specified in our General Order No. 75-B, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic. In addition to the vehicular crossing herein authorized, there shall be constructed, adjacent to but separated from the vehicular traffic lanes, a pedestrian walkway not less than four feet in width and of a type of construction which will promote its use by pedestrians in lieu of the vehicular lanes.
- (3) Within thirty (30) days thereafter, applicant shall 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 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.

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

Dated at Los Angeles, California, this 9th day of January, 1951.

R. T. [Signature]
Justin J. [Signature]
Harold P. Kube
Kenneth P. [Signature]

COMMISSIONERS