

ORIGINALDecision No. 48492

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of the CITY OF COVINA to construct)
 a public highway across a railroad.)

Application No. 33803

Dailey S. Stafford, City Attorney, and
Trent Anderson, Sr., for applicant.
Edward L. H. Bissinger, for Pacific Electric
 Railway Company.
Mrs. Donald Evans, Mrs. H. F. Sawyer,
Mrs. V. Rich, Mrs. Jennie Allen, Mrs. Norene
Fields, M. E. Sadler, and Mrs. Harold Emmons,
 protestants.
Don R. Overholt, for School District.
George Cunningham, Henry F. Armel and Nelse W.
Armel, interested parties.
H. F. Christenson, for the Commission staff.

O P I N I O N

The City of Covina seeks authority to construct Valencia Place at grade across the Pacific Electric Railway Company freight line in Covina.

A public hearing was held at Covina on March 13, 1953, before Examiner Rogers, evidence was presented and the matter was submitted. Prior to the hearing, notice thereof was published as required by this Commission.

The Pacific Electric Railway Company line, referred to above, extends from Los Angeles on the west to Colton and San Bernardino on the east, passing through and serving Covina en route. In Covina the line is on the Pacific Electric Railway Company's right of way running due east and west. At the site of the proposed crossing the tracks are 750 feet north of San Bernardino Road, the first east and west street through Covina south of the tracks. Immediately adjacent to the Pacific Electric Railway Company's right of way and to the south thereof there is a paved alley 20 feet

in width extending from Fourth Street on the east, across Valencia Place to Fifth Street on the west, a distance of two blocks.

Paralleling the tracks and 1,300 feet to the north thereof is Cypress Avenue, a principal east and west street. There are no through east-west streets between the tracks and Cypress Avenue.

The principal north to south business street in Covina is Citrus Avenue (Crossing No. 6T21.73) which crosses Pacific Electric Railway Company's tracks 1,700 feet east of the proposed crossing and extends from above Cypress Avenue on the north to the city limits on the south. Azusa Avenue (Crossing No. 6T20.72), likewise a north-south street, crosses the tracks 3,600 feet to the west of the proposed crossing. It also extends from above Cypress Avenue on the north to below the city limits on the south. There are no crossings over the Pacific Electric tracks between the two named north-south streets which are approximately one mile apart.

A subdivision containing 120 homes has been constructed north of the tracks. This subdivision contains a street, which is an extension of Valencia Place, terminating at the railroad right of way on the south. In turn, this street runs 135 feet north from the railroad right of way to end at Edna Place, a street running east and west parallel to the tracks. From Edna Place, Fourth Street, Fifth Street, and Cedar Drive run north to Cypress Avenue.

The fire department and police station are in the city hall which is located on College Street one-half block east of Citrus Avenue. College Street is six short blocks (a total of about 1,900 feet) south of the railroad. A hospital is located on Fourth Street and Hampton Court. This intersection is one block south and one block east of the proposed crossing.

The principal business district is along Citrus Avenue south of the railroad tracks, and along San Bernardino Road and Badillo Avenue, on each side of Citrus Avenue.

The City of Covina claims that the proposed crossing will serve the convenience and necessity of residents of the 120 homes north of the proposed crossing by affording direct access between the area and the business section of the City of Covina for shopping, fire protection, street maintenance, and garbage collection.

The applicant submitted an exhibit showing the details of the proposed crossing (Exhibit C on the application). It will not pay the cost of necessary work including signal protection at the proposed crossing on the railroad's right of way unless required by the Commission.

The surveyor of the City of Covina testified that the area which would be served by the crossing would be an area bounded by Edna Place on the south, Cedar Avenue on the west, Fourth Street on the east, and Cypress Avenue on the north. To the east of this subdivision is another subdivision bounded on the south by Edna Place, which street extends to the east into Citrus Avenue. It is about 660 feet between the west end of Edna Place in the latter subdivision and the east end of Edna Place in the subdivision to be served by the proposed crossing and there is no connection at present between the two portions of Edna Place. The City of Covina is planning, the witness said, to open Edna Place across this 660 feet, thereby giving access into Citrus Avenue from the subdivision north of the railroad. This, the witness said, would give the residents north of the railroad tracks the same direct access into the business district of Covina as the opening of Valencia Place. In addition, subdivision plans have been filed with the city under which the City of Covina

will provide for the extension of Edna Place as a through street from Azusa Avenue to Citrus Avenue. This witness also testified that Hollenbeck Street, which runs north and south about 800 feet west of Valencia Place and now ends at San Bernardino Road on the north, is to be extended north across the railroad right of way. Hollenbeck Street will be a secondary highway and midway between the two existing railroad crossings.

There is nothing in the evidence to show when Hollenbeck Street or Edna Place will be constructed as above indicated.

The chief of the Covina Fire Department testified that if there were a fire in the area north of the railroad tracks, but near Edna Place, it would take three to four minutes longer to get to the fire on present roads than it would take if the proposed crossing were open. He also testified that it would take no longer to get to a fire in the northern portions of the tract using existing roads than via the proposed crossing. The only advantage of the proposed crossing, in the event of a fire in the northern portion of the tract, would be that if trains blocked out one crossing the other might be available without going to Azusa Avenue on the west.

The maintenance superintendent of the Covina schools testified that there are 22 children in the tract north of the railroad who walk to school at the corner of Citrus Avenue and San Bernardino Road. These children, he said, are without public transportation and walk across the right of way at Valencia Place to reach their school. He thought it would be safer for the children if Valencia Place crossed the right of way with automatic protection. In addition, he said, there are several doctors living north of the track who serve in the hospital located at Fourth Street and Hampton Avenue, two blocks southeast of the proposed crossing, and it would be easier for them to get to the hospital if the crossing were there.

An engineer testifying on behalf of the Pacific Electric Railway Company stated that the cost of construction of the proposed crossing would amount to approximately \$7,600, including replacement of ties, proper ballast, correct rails and crossing signals. These costs, he said, are based on the type of construction and protection required by the Commission.

The trainmaster for the railway company explained the number and length of trains operated on the Pacific Electric line in the City of Covina. There are three westbound trains and three eastbound trains per day. They all do switching as occasion demands but eastbound trains numbers 4 and 6 regularly switch in the city. West of Citrus Avenue there are two sidings used almost daily, one serving the Valencia Heights Citrus Association and one serving the Covina Citrus Association. These sidings are so located that if the proposed crossing were authorized, in many instances, depending on their length, trains would have to be broken at the proposed Hollenbeck crossing while switching is being done at the two sidings. After a train is broken, about 30 minutes are required before the train can be moved. This would block the proposed Hollenbeck crossing for that length of time.

Viewing the record herein we are unable to conclude that there exists a public need for or that public convenience requires a crossing at Valencia Place. While it would be more convenient for some few residents located above the tracks and on or near Edna Place to have direct access into the shopping center of the City of Covina, many, on the other hand, will have to travel only a slight distance farther to reach the shopping center by going north to Cypress Avenue and east to Citrus Avenue. It would take longer to reach a fire in the vicinity of Edna Place going via Citrus Avenue and Cypress Avenue down to Edna Place, than via a direct route over

(1) Exhibit No. 3.

the proposed crossing but there would be no saving of time in the event of a fire north of the tracks near Cypress Avenue. There would be an advantage only if the Citrus Avenue crossing were blocked and a fire should occur north of the tracks. There exists a crossing at Azusa Avenue which would provide access to the area above the tracks in such a contingency. In addition, it appears that Hollenbeck Street is proposed to be constructed across the tracks 300 feet west of the proposed crossing as a secondary highway and would form a more logical location for an additional crossing between Azusa and Citrus Avenues.

A review of the evidence clearly indicates that public convenience and necessity do not require the opening of said crossing, and the application therefore will be denied.

ORDER

The above-entitled application having been filed, a public hearing having been held and the Commission being fully advised,

IT IS ORDERED that the application of the City of Covina for authority to construct a crossing at grade over the tracks of the Pacific Electric Railway Company at Valencia Place in the City of Covina be and it hereby is denied.

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

Dated at San Francisco, California, this 14th day of April, 1953.

R. J. [Signature]
President
Justus J. [Signature]
Harold [Signature]

[Signature]
[Signature]
Commissioners