

Decision No. 48890**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Arcadia,
 a municipal corporation, to construct
 Baldwin Avenue, a public highway,
 across The Atchison, Topeka and Santa
 Fe Railway.)

Application No. 34066

James A. Nicklin, City Attorney, City of Arcadia, and
William Richards, City Manager, City of Arcadia, for applicant.
G. R. Mitchell, for Brotherhood of Locomotive Engineers, protestant.
Robert W. Walker, J. H. Curmins, and R. K. Knowlton, for The
 Atchison, Topeka and Santa Fe Railway Company; Paul S. Burkholder,
 for Arcadia Chamber of Commerce; G. S. Spurgins, for West Arcadia
 Business Association; C. R. Nissen, for Rancho Santa Anita Property
 Owners' Association; James Murray, for Benjamin Clayton and The
 Benjamin Clayton Foundation for Research; and Fred N. Howser, in
 propria persona, interested parties.

O P I N I O N

By the above-numbered application the City of Arcadia seeks the Commission's authority to construct Baldwin Avenue at grade across the main line tracks of The Atchison, Topeka and Santa Fe Railway Company. A public hearing in this proceeding was held in Arcadia on June 29, 1953, at which time oral and documentary evidence was received and the matter was duly submitted.

The record shows that Baldwin Avenue is a major highway on the Master Plan of Highways as officially adopted by the Board of Supervisors of Los Angeles County. It extends in a general northerly and southerly direction, with an ultimate southerly terminus at the Ramona Freeway and a northerly terminus within the limits of the City of Sierra Madre. Between Colorado Boulevard

on the north and Huntington Drive on the south, Baldwin Avenue has been improved to its ultimate width of 80 feet, but other sections of the street vary from a minimum of 40 feet to about 60 feet in width. No firm plans have as yet been developed for the acquisition of the necessary additional rights of way to improve Baldwin Avenue through these areas of restricted width.

The main line of The Atchison, Topeka and Santa Fe Railway Company extends in a general easterly and westerly direction through the City of Arcadia, and between Rosemead Boulevard in unincorporated territory on the west (Crossing No. 2-126.8-B) and Colorado Boulevard in the City of Arcadia on the east (Crossing No. 2-124.5-B), a distance of 2.3 miles, there are no street crossings with these tracks.

The City of Arcadia is a community approximately 10½ square miles in area, three square miles of which lie north of the Santa Fe tracks. The city, like many others in California, has experienced a phenomenal growth in population, as is indicated by the fact that the 1930 census showed 5,216 residents; 1940, 9,122; and 1950, 23,077. A special census as of February 5, 1952, indicated a population of 28,733. Further than this, the City of Sierra Madre, with a present estimated population of 8,220, is immediately to the north of Arcadia and is approximately centered on Baldwin Avenue.

A witness for the City of Arcadia testified that a substantial portion of the growth of the city has taken place in the northern section; that the lack of adequate crossings in the city tends to prevent the prompt furnishing of fire, police, and other municipal services and that, by reason of this fact, residents and business people are required to travel rather circuitous routes

and unreasonable distances in order to pursue their daily activities. In a distance of approximately six miles west of the grade separation at Rosemead Boulevard there is a total of approximately 37 grade crossings over this same line of railroad, and it is the City of Arcadia's contention that its residents are being unreasonably discriminated against because there are, as stated above, no crossings in the area involved for a distance of 2.3 miles.

Through the area with which this proceeding is concerned, Colorado Street is parallel to and immediately adjacent to the right of way of the Santa Fe, the north curb line of Colorado Street being at a distance of 37 feet from the south rail of the main track at the point where Baldwin Avenue is proposed to cross.

Traffic checks taken by the Division of Highways at the intersection of Rosemead Boulevard and Colorado Street showed that on Sunday, July 13, 1952, 19,306 vehicles entered the intersection westbound or departed from the intersection eastbound, and on Monday, July 14, 1952, this figure was 18,310 vehicles. While a small portion of this traffic may enter Colorado Street westbound after passing Baldwin Avenue, or may leave Colorado Street eastbound before reaching Baldwin Avenue, the actual volume would be inconsequential and it is reasonable to assume that normal traffic in both directions on Colorado Street at Baldwin Avenue approximates 20,000 vehicles daily. During the racing season at the Santa Anita track (the thoroughbred meet and the harness meet as well), this traffic is subject to abnormal increases.

As proposed, Baldwin Avenue would cross at approximately a 90-degree angle with Colorado Street and the tracks, with approach grades of approximately 4.3 per cent ascending to the north. It is proposed that the crossing will be 80 feet in width, and that it shall be protected by two Standard No. 8 flashing light signals, plus full traffic-actuated traffic signals at Colorado Street, which latter signals would be synchronized with rail movements.

The rail line involved is the main passenger line of The Atchison, Topeka and Santa Fe Railway Company between Los Angeles and eastern points, and at the point of the proposed crossing the tracks are on a descending grade to the east, the rate of descent being approximately 1.3 per cent. Rail traffic consists of five westbound and six eastbound passenger trains and an average of four freight trains daily, all of these latter movements being run as extras. Normal permissible speed for passenger trains through the area is 79 miles per hour and the probable average is a minimum of 65 miles per hour. Freight trains are permitted to operate at a speed of 55 miles per hour.

Because of the proximity of the railroad tracks to Colorado Street, clearance space between the tracks and the traveled roadway would be limited to the length of a single automobile, and other vehicles held up at the intersection by reason of the traffic signals, or by inability to enter Colorado Street because of heavy traffic, would be stopped afoul of or on the tracks unless some method could be devised which would prevent them from entering the track area at times when a train would pass. The Chief of Police testified that it would be his intention to manually control traffic during abnormal periods, such as the racing season produces, but even that method would not be positive in its results.

A separation of grades at this location would be difficult and expensive to construct because it would be necessary to separate the grades of Baldwin Avenue and Colorado Street in like manner. The tracks and Colorado Street being parallel and immediately adjacent to each other, with such a short distance separating them, would eliminate the possibility of constructing an interchange between these two major traffic arterials and would tend to reduce the usefulness of both streets. It would be necessary to relocate Colorado Street to the south in order to provide space for the interchange structure, thus adding to the costs.

Further than this, if Baldwin Avenue were to be constructed under the Santa Fe tracks, it would require an ascending grade in excess of nine per cent north of the tracks in order that Baldwin Avenue could meet the grade of the intersection at Baldwin Avenue and Foothill Boulevard. On the other hand, if the railroad were to be raised in order to reduce the grade on Baldwin Avenue, there would be insufficient distance between the proposed intersection and the existing grade separation of Colorado Street and the Santa Fe tracks to permit the tracks to reach this elevation without an excessive descending grade between Baldwin Avenue and Colorado Street. Similar reasoning would appear to eliminate the possibility of a vehicular overpass. There was some evidence relative to the ultimate proposal to construct the Colorado Freeway but no definite decision has been arrived at as to its exact location nor is there any idea as to approximately when it will become a reality.

Many witnesses appeared in support of the proposal and indicated that in their opinion a grade crossing, as proposed, at

Baldwin Avenue would not necessarily be any more hazardous than any of the other grade crossings over these same tracks west of Rosemead Boulevard. It seems appropriate, however, to point out that the situation which would exist at Baldwin Avenue is not entirely analogous, because at the locations referred to Colorado Street and the Santa Fe tracks are comparatively widely separated.

A representative of the Brotherhood of Locomotive Engineers appeared as a protestant, and his protest was in large part predicated upon his concern for the enginemen who would be required to operate over this crossing if built.

Exhibit No. 2 offered in evidence is a report of the Los Angeles County Grade Crossing Committee, in which the recommendation is made that, "If a grade crossing is established, it should be protected by the installation of automatic crossing protection with gates and traffic signals." The report also recognizes the hazard which would be created by the installation of the proposed crossing, and indicates that the most feasible manner of providing the crossing would be by means of a grade separation. It also recognizes the need for an additional crossing at or approximately at this location in order to provide for a free interchange of traffic between the City of Sierra Madre and that portion of the City of Arcadia north of the tracks and the residential and commercial areas of the City of Arcadia south of the tracks.

Although notices of the hearing in this matter were sent to the Los Angeles County Grade Crossing Committee, the Los Angeles Regional Planning Commission, the Department of Public Works⁽¹⁾,

(1) Colorado Street is a state highway route.

and the Los Angeles County Road Department⁽²⁾, no appearances were entered for any of these parties. The file does contain, however, a letter from the Los Angeles County Grade Crossing Committee and one from the Department of Public Works, indicating that they will offer no opposition to the proposal.

To summarize, there appears to be some question as to the necessity for an additional route of travel between the northern part of the City of Arcadia and that portion lying south of the tracks, although admittedly some convenience would result. It further appears that Baldwin Avenue, being approximately midway between the nearest crossings to the east and west, is the logical point for such a crossing if constructed. We are certain, however, despite the testimony of witnesses to the contrary, that the construction of such a crossing at grade would constitute a real hazard, regardless of the steps that might be taken to provide protective measures. The eccentricities and vagaries of motorists are such that fatal accidents would be bound to occur.

The situation that would be created at this location would be comparable to that which exists at many other locations in the State of California, such as U. S. Highway Route 99 paralleling the Southern Pacific railroad through the San Joaquin Valley, through Kingsburg, and other localities, and U. S. Route 60 paralleling the Union Pacific railroad through Ontario and particularly in the vicinity of Archibald Avenue. The Commission's grade crossing accident statistics are replete with information concerning tragic accidents which are directly attributable to this set of circumstances, and while there is nothing in this record involving the locations

(2) Baldwin Avenue between Huntington Drive and Colorado Street was constructed with county funds, and in some sections south of Huntington Drive is through unincorporated territory.

referred to above, it appears entirely proper that we should take judicial recognition of these data.

This Commission is charged with the responsibility of assisting in the provision of reasonable means of access to and from areas that might be isolated by a railroad, such as is here the case, but we are also charged with the responsibility of providing a reasonably safe means of overcoming this handicap. In the instance involved herein there is nothing in the record to substantiate the contention that both these objectives can be accomplished, and such being the case we have no recourse except to deny the application. The following order will so provide.

ORDER

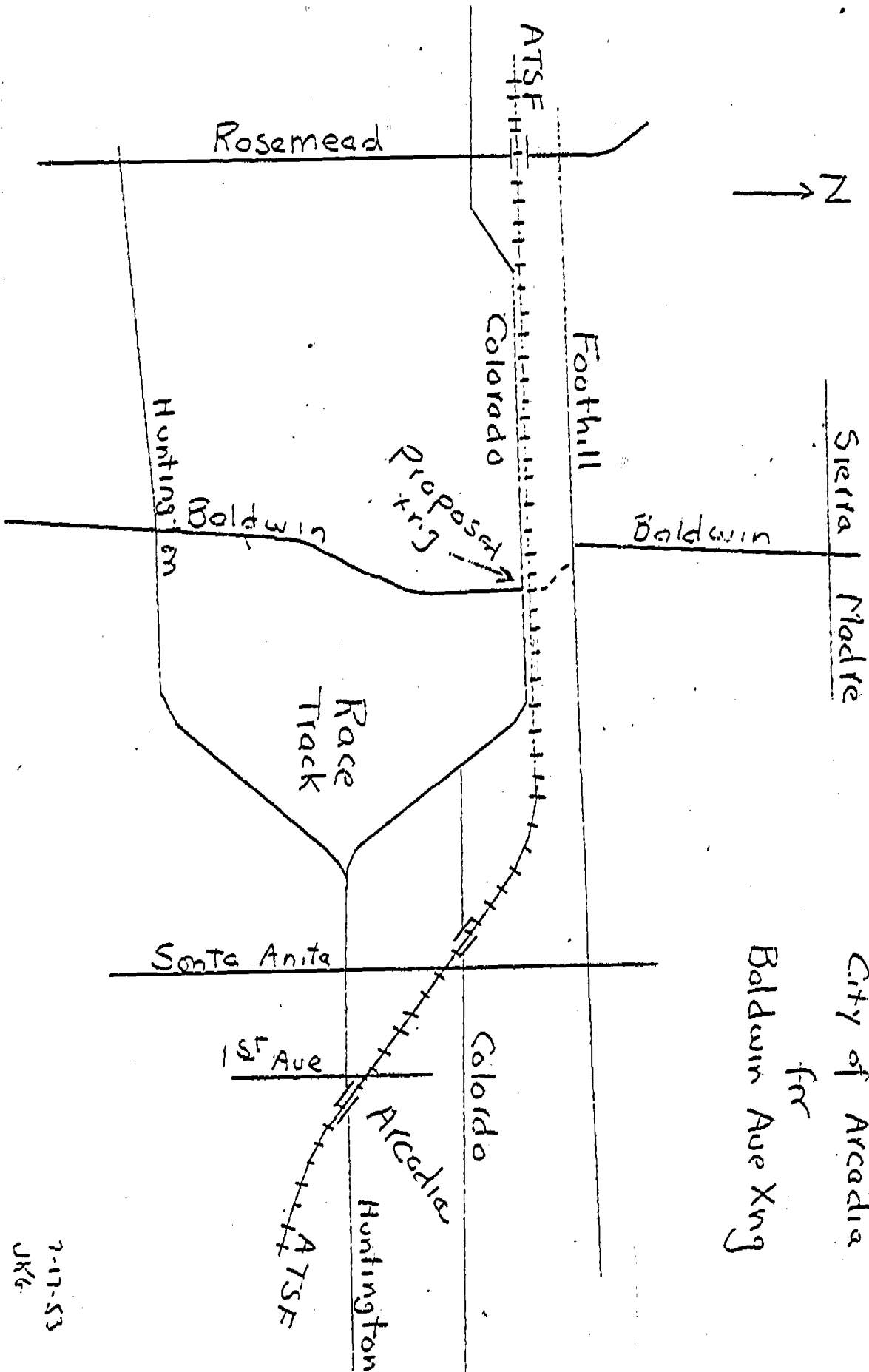
Public hearing having been held, the matter having been submitted, and the Commission being fully advised,

IT IS HEREBY ORDERED that the application of the City of Arcadia to construct Baldwin Avenue at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company be and it hereby is denied.

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

Dated at San Francisco, California, this 28th day of July, 1953.

[Signature]
President
[Signature]
[Signature]
[Signature]
Commissioners



App1 34066
 City of Arcadia
 for
 Baldwin Ave Xing

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