

ORIGINAL

Decision No. 66080

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
the CITY OF ANAHEIM to construct a)
city street across the right of way)
of The Atchison, Topeka and Santa)
Fe Railway Company at Lewis Street.)

Application No. 44799

Joseph B. Geisler, City Attorney, and
Alan R. Watts, Deputy City Attorney, for
applicant.
Matthew H. Witteman, for The Atchison, Topeka,
and Santa Fe Railway Company, protestant.
J. W. Davis, for Autonetics Electronic Corporation;
H. E. Freeman, for Southern Pacific Company and
King-Seeley Co., Thermos Division; and David A.
Kaylor, for Greschner Construction Company;
Interested parties.
W. F. Hibbard, for Commission staff.

O P I N I O N

The City of Anaheim (City) requests authority to construct Lewis Street at grade across the tracks of The Atchison, Topcka and Santa Fe Railway Company (Santa Fe) at Mile Post 2-169.5.

A public hearing was held in Anaheim on June 5, 1963, before Examiner Rogers. Evidence was adduced and the matter was submitted subject to the receipt of Exhibit 4. This exhibit, which diagrams all considered methods of extending Lewis Street, has been received and the matter is ready for decision.

Appendix "A" attached hereto is a diagram of the area.

The City contends that the extension of Lewis Street across Santa Fe's track is necessary to serve the traffic

generated by the rapid development of the commercially zoned area in the approximately one-mile square area bounded by Ball Road on the north, State College Boulevard (formerly Placentia Avenue) on the east, Katella Avenue on the south, and Los Angeles Street on the west. This area is bisected from east to west by Cerritos Avenue, which extends from Los Angeles Street east beyond State College Boulevard to Sunkist Street on the east. Lewis Street extends between Ball Road on the north and Katella Avenue on the south, but deadends near the edge of the right of way of Santa Fe between Ball Road and Cerritos Avenue.

Santa Fe has a single main line of track extending from Los Angeles on the north and crossing Ball Road approximately 500 feet west of Lewis Street enroute to San Diego. It then veers southeast across the site of Lewis Street and crosses Cerritos Avenue approximately 300 feet east of Lewis Street. Thence it extends across State College Boulevard approximately 500 feet north of Katella Avenue. To the west of Santa Fe's right of way, Southern Pacific Company (Southern) has a line which veers to the east midway between Cerritos Avenue and Katella Avenue, crosses the existing Lewis Street at grade, and extends eastward across Santa Fe's track. East of Santa Fe's track a Southern spur track extends across Cerritos Avenue and due north to a terminus just south of Ball Road and approximately due south of the south end of East Street which extends north from Ball Road.

It is approximately 250 feet west from the point where this Southern spur crosses Cerritos Avenue to the point where Santa Fe's track crosses Cerritos Avenue. In the area between

Lewis Street and the Southern spur track the Thermos Division of King-Seeley Co. has a plant; north of that is a plant of the Jewel Tea Company. Autonetics Electronic Corporation, a subsidiary of North American Aviation, possesses the property immediately west of East Street and north of Ball Road. The area between Santa Fe's tracks and Lewis Street and immediately south of Ball Road is occupied and there is a commercial development extending from approximately 600 feet west of Lewis Street on Cerritos Avenue. At present the remaining land between Southern's and Santa Fe's tracks north of Cerritos Avenue and south of Ball Road is undeveloped, as is the greater portion of the area between Cerritos Avenue and Ball Road and east of Southern's track, with the exception of a small tract in the extreme northwest.

The City desires to extend Lewis Street between Ball Road and Cerritos Avenue in a straight line. Such extension would result in a crossing of Santa Fe's track at an angle of approximately 27 degrees. The City desires that such crossing be made in a straight line and at such angle in order to further the commercial development of the area. Lewis Street is to be developed by the City as a secondary highway extending only from Ball Road on the north to Katella Avenue on the south and is to have a 90-foot right of way with a 64-foot paved portion. East Street, which is approximately 600 feet east of Lewis Street, extends from Ball Road north.

The employees of the aforesaid Autonetics Electronic Corporation park their cars in the vicinity of the intersection of Ball Road and East Street, and at approximately 3:30 p.m. each

day, a shift leaves this plant. This results in rather heavy congestion at the intersection of Ball Road and Los Angeles Street and opening Lewis Street would, it is claimed, relieve this congestion.

It is estimated that the daily traffic on Ball Road is 15,000 vehicles and on Katella Avenue 14,000 vehicles. A large number of said vehicles are heading for the Santa Ana Freeway which crosses the southwest corner of the described area. The City estimates that if the crossing is opened, approximately 5,000 vehicles would traverse the crossing each day. The City recommends that the crossing, if authorized, be protected with automatic gate arms and No. 3 flashing light signals both on the edges and in a median strip in the center of the roadway.

The City had considered 11 methods of improving Lewis Street between Ball Road and Cerritos Avenue. These studies included three different roads west of Santa Fe's and east of Southern's tracks, three roadways east of Santa Fe, three crossings of Santa Fe at grade, and two plans calling for deadends on each side of Santa Fe's right of way. All plans west of Santa Fe appear not to cross any presently improved property. The plans east of Santa Fe would cross either property owned by the Thermos Division of King-Seeley Co. or Jewel Tea Company, each of which areas is improved. The methods of crossing Santa Fe's tracks differ only in that the angles of crossing vary from approximately 90 degrees to approximately 27 degrees. The two deadend plans vary only in the proximity to the right of way of the ends of street.

The evidence is that applicant considered all plans and determined that the plan, pursuant to which Lewis Street would be

extended in a straight line across Santa Fe at approximately 27 degrees, is the method of crossing it desires.

A representative of Autonetics Electronic Corporation appeared in support of extending Lewis Street between Ball Road and Cerritos Avenue to enable the employees to get on to the freeway north or south by using Lewis Street.

A representative of the Southern Pacific Company and Thermos Division of King-Seeley Co. objected to any plans which would cause any jog to the east from Lewis Street, as such plans would require taking of some of the King-Seeley Co. property or crossing a Southern spur track.

Santa Fe opposes any crossing of its track by Lewis Street for the reason this is its main line on which there are five 75-mile-per-hour passenger trains in each direction plus a total of eight to ten 60-mile-per-hour freight trains per day. Between July 24 and September 11, the period of horse racing Del Mar, there is an average of four additional passenger trains.

A Commission transportation engineer investigated the proposed crossing. Among other things, he stated that the Ball Road crossing is 3/10 mile north of the proposed crossing and the Cerritos Avenue crossing is 2/10 mile south of the proposed crossing, and that the estimated 5,000 vehicles a day over the crossing would include many heavily laden trucks.

He further testified that although automatic gates normally do an excellent job of reducing the hazard of accidents, they do not eliminate all accidents and, with the extreme adverse crossing angle which the city's plan envisages, this would not be a normal crossing; that one accident involving a heavily loaded truck could result in extensive casualties and property damage; that in two recent accidents on this same Santa Fe line at Katella Avenue, approximately

one mile south of the proposed crossing, two passenger trains were derailed after collision with loaded rock trucks; that it cannot be said with any degree of certainty that automatic gates would have prevented either of these accidents; and that in addition to the abnormal condition brought about by the extremely adverse crossing angle, there are other factors which would contribute to the hazards at the proposed crossing, including impaired view, steep grades of approach, high speed train movements, and relatively high speed heavy trucking.

The staff engineer recommended that, if Lewis Street is to be extended between Ball Road and Cerritos Avenue, an alternate route should be provided that would make a crossing of the railroad unnecessary or, if this is not possible, the crossing should be constructed at separate grades.

Findings

We find that:

1. Lewis Street is in a sparsely developed, commercially zoned portion of the City of Anaheim.
2. Santa Fe's main line of track crosses the site of the proposed extension of Lewis Street at an acute angle.
3. There are from 18 to 22 freight or passenger trains per day, with permitted speeds of 60 to 75 miles per hour on Santa Fe's line across the proposed crossing.
4. There still exist undeveloped areas in the vicinity of Lewis Street on which roads could be developed which would not cross Santa Fe's tracks.
5. The crossing of Santa Fe's tracks proposed by the City would be extremely hazardous.
6. Public convenience and necessity do not require that Lewis Street be extended across Santa Fe's tracks.

Conclusion

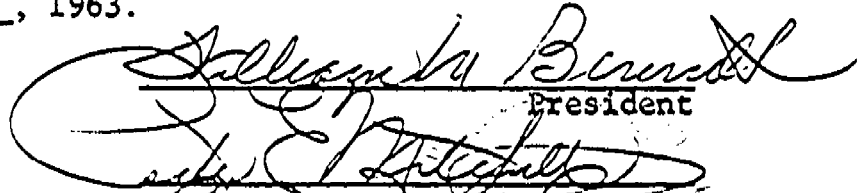
We conclude that the application should be denied.

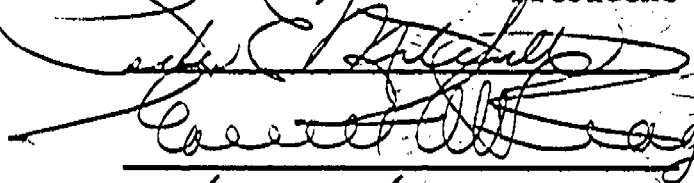
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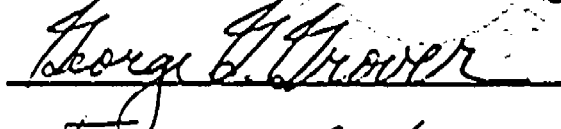
IT IS ORDERED that the application herein be and the same hereby is denied.


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

Dated at San Francisco, California, this 17th day of SEPTEMBER, 1963.



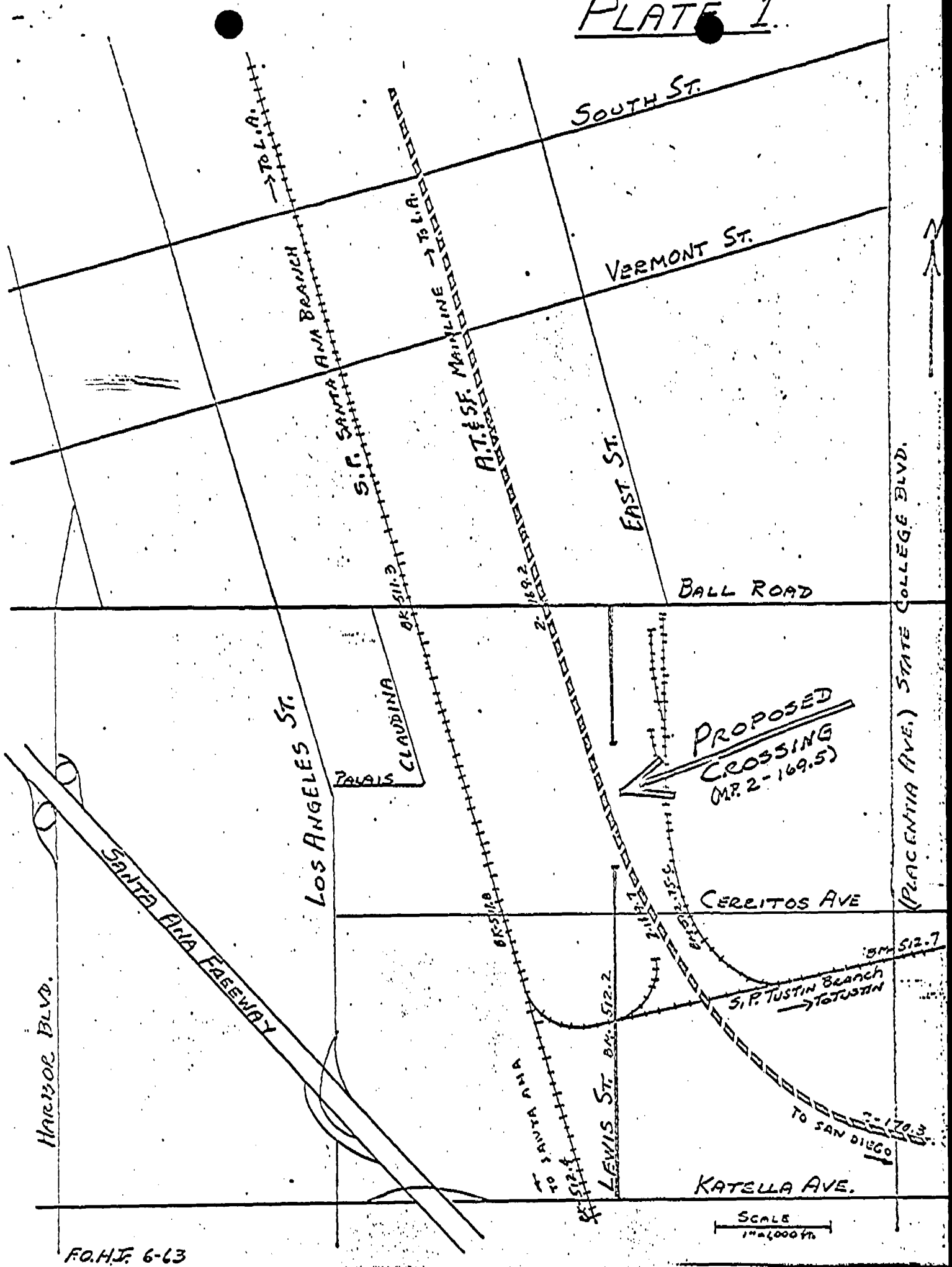
President






Commissioners

PLATE 1.



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APPENDIX "A"