

ORIGINAL

Decision No. 67574

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 and Union )  
Pacific Railroad at La Palma Ave. )

Application No. 45088  
(Filed January 3, 1963)

Alan R. Watts, for applicant.  
W. I. Kennedy, for Union Pacific Railroad;  
Robert B. Curtiss, for The Atchison,  
Topeka & Santa Fe Railway Company; and  
G. R. Mitchell, for Brotherhood of  
Locomotive Engineers, interested parties.  
W. F. Hibbard, for the Commission staff.

O P I N I O N

The City of Anaheim seeks authority to construct La Palma Avenue at grade across the main line of The Atchison, Topeka and Santa Fe Railway Company and the Anaheim branch line of the Union Pacific Railroad Company. The railroads are agreeable to the construction of La Palma Avenue across the tracks conditioned upon the closure of existing nearby crossings at North Street, designated as Crossing No. 2-167.2 over the Santa Fe and Crossing No. 3Y-19.5 over the Union Pacific.

The City of Anaheim objects to the closing of the North Street crossings and consequently a public hearing was held at Anaheim on December 18, 1963, before Commissioner Grover and Examiner Chiesa. The matter was submitted subject to the filing of Exhibit 2, filed on December 23, 1963. The application is not otherwise opposed.

The City proposes to improve La Palma Avenue from East

Street to approximately Pauline Street in order to service traffic generated in the area and to conform to the City's master plan of streets and highways. East Street is approximately five blocks east of the proposed crossings and Pauline Street is one block west thereof.

Separation of grades at these crossings is not an issue in this proceeding and the City and railroads have requested that there be no allocation of the signal maintenance costs pending an agreement between said parties or the further order of the Commission, if necessary.

At the location of the proposed crossings, the Santa Fe main line and the Anaheim Branch of the Union Pacific are parallel and separated a distance of 85 feet. The street width of the proposed Santa Fe crossing is 80 feet, and at the Union Pacific crossing it is 86 feet. The widths of approaches would vary from 60 to 86 feet. The ascending grades of approach would be approximately six percent on the west and two percent on the east. The angle of the crossings would be approximately 75 degrees. The City recommends that the crossing protection consist of Standard No. 8 flashing light signals installed back of the curb lines and in raised center dividers, supplemented with automatic crossing gates.

La Palma Avenue is an east-west street extending from the easterly city limit at Sunkist Avenue near the Riverside Freeway through and beyond the westerly city limit near Magnolia Avenue, with the exception of the unimproved portion between East Street and Pauline Street. The area in the vicinity of the crossings south of La Palma Avenue is residential, while on the north side it is industrial. The area in the northeast quadrant is used by the

Orange County Flood Control District as a retarding basin.

The major east-west streets serving this area are Orangethorpe Avenue, Riverside Freeway, North Street, and Sycamore Street. The major north-south streets are East Street-Raymond Avenue, Los Angeles Street and Lemon Street.

The proposed center line of the Union Pacific crossing would be approximately seven feet above the present paved surface of La Palma Avenue on the west approach. The Santa Fe track is approximately eight inches higher than the Union Pacific track. On the east approach the Santa Fe track would be approximately three feet above the proposed paved surface of La Palma Avenue.

The nearest crossings north of La Palma Avenue are at Orangethorpe Avenue (Crossings Nos. 2-166.2 and 3Y-18.5), a distance of nine-tenths mile, and at the Riverside Freeway (Crossings Nos. 2-166.6-A and 3Y-18.9-A), a distance of one-half mile. South of La Palma Avenue the nearest crossings are at North Street (Crossings Nos. 2-167.2 and 3Y-19.5), a distance of one-tenth mile, and at Sycamore Street (Crossings Nos. 2-167.4 and 3Y-19.75), a distance of one-quarter mile.

The proposed La Palma Avenue crossings would be at Mile Post 2-167.1 on the Santa Fe and at Mile Post 3Y-19.4 on the Union Pacific and are only 528 feet north of the North Street crossings.

Upon the opening of the La Palma Avenue crossings, the City expects an average daily vehicular traffic volume of 12,000 cars. The City stated that the daily traffic over the North Street crossings is expected to drop from the present 5,000 vehicles to an estimated 2,500 vehicles. A traffic check made by a staff engineer, on December 3, 1963, covering the period from noon to 6:00 p.m., shows 1,293 eastbound and 1,381 westbound.

vehicle crossings at North Street. Twelve of the eastbound vehicles turned south from North Street into the residential section east of the railroads and south of North Street, the particular area that would be adversely affected by the closing of North Street.

The average daily train traffic on the Santa Fe consists of 10 passenger trains and 11 freight trains. On days when there is horse racing at Del Mar, from approximately mid-July to mid-September, there is an average of four additional passenger trains. On the Union Pacific the average daily train traffic consists of two freight trains.

The timetable train speed on the Santa Fe in the vicinity of the proposed crossing is 79 miles per hour for passenger trains and 60 miles per hour for freight trains. On the Union Pacific the train speeds are restricted to 20 miles per hour.

La Palma Avenue and North Street are almost parallel east-west streets which nearly converge at East Street, North Street terminating at East Street approximately 171 feet south of La Palma Avenue. The proposed crossings at La Palma Avenue are approximately one-tenth mile north of the present crossings on North Street.

The evidence shows that a closing of the North Street crossings would only negligibly inconvenience a small percentage of present users of said crossings, principally residents immediately south of North Street and east of the railroad right of way. Said residents, residing on Mavis, Vine and Bush Streets, between North Street and Wilhelmina Street, desiring to travel westerly, would use Sycamore Street as at present or could travel easterly on North Street to East Street, thence via East Street and westerly on La Palma

Avenue, an additional distance of approximately one-half mile.

The evidence shows the La Palma Avenue crossings are a necessary improvement and would adequately provide for present and future motor vehicle traffic in the general area and in the immediate vicinity of said crossings.

Two sets of crossings, over two railroads, within one-tenth of a mile are a safety hazard not justified by the evidence in this proceeding. Between October 20, 1956, and December 28, 1962, three persons were killed and one injured in five accidents at the North Street crossings. Safety of the general public outweighs a minor inconvenience to a few drivers.

The witness for the Commission staff recommended the opening of the La Palma Avenue crossings and the closing of the North Street crossings.

The Commission having considered the matter finds that:

1. La Palma Avenue is a principal traffic artery in the City of Anaheim and in Orange County.
2. Public convenience and necessity require that said avenue be opened and that grade crossings over the rights of way of The Atchison, Topeka and Santa Fe Railway Company and the Union Pacific Railroad Company be constructed as hereinafter set forth.
3. The distance between the proposed La Palma Avenue crossings and the existing North Street crossings is one-tenth mile.
4. Crossings both at La Palma Avenue and also at North Street would be an unnecessary traffic hazard.
5. Public convenience and necessity do not require grade crossings over said railroads both at La Palma Avenue and also at North Street in the City of Anaheim.

6. The opening of La Palma Avenue and the proposed crossings are necessary improvements and will provide adequately for motor vehicle movements over the rights of way of said railroads in the surrounding area and in the vicinity of said crossings.

7. Public safety and health require the closing of the existing North Street crossings concurrently with the opening of the La Palma Avenue crossings.

8. Although the parties stipulated and requested that the issue of apportionment of crossing signal maintenance costs be deferred, the Commission has since issued Decision No. 66881 in Cases Nos. 7463 and 7464 in which it is stated that the Commission will maintain the historical policy of assessing all of said costs to the railroads. Signal maintenance costs at the crossings authorized herein will therefore be assessed to each of the railroads.

O R D E R

IT IS ORDERED that:

1. The City of Anaheim is hereby authorized to construct La Palma Avenue at grade across the tracks and rights of way of The Atchison, Topeka and Santa Fe Railway Company and the Union Pacific Railroad Company in the City of Anaheim, Orange County, California, at the location described in the application, to be identified as Crossings Nos. 2-167.1 and 3Y-19.4, respectively. The width of the highway portion of Crossing No. 2-167.1 shall be 80 feet and Crossing No. 3Y-19.4 shall be 86 feet, and the grades of approach shall be not greater than six percent on the west approach and two percent on the east approach, in accordance with plan attached to the application. Construction shall be equal or superior to Standard No. 2 of General Order No. 72.

2. The crossing protection at Crossing No. 2-167.1 shall be by four Standard No. 8 flashing light signals (General Order No. 75-B) supplemented with automatic crossing gates. Backlights may be omitted on the signals on the medians.

3. The crossing protection at Crossing No. 3Y-19.4 shall be by four Standard No. 8 flashing light signals (General Order No. 75-B). Backlights may be omitted on the signals on the medians. Signals for eastbound traffic shall be supplemented with signs reading "DO NOT STOP ON TRACKS".

4. The automatic crossing protection for both crossings shall be interconnected so as to operate when a movement is being made on either track and appropriate circuits shall be provided to prevent excessive operation of the signals.

5. Construction costs of the proposed La Palma Avenue crossings and costs of installing the automatic crossing protection shall be borne by the City of Anaheim.

6. Maintenance costs of the crossings at each location outside of lines two feet outside of rails shall be borne by the City of Anaheim and maintenance between such lines shall be borne by the railroad involved.

7. Maintenance costs for automatic protection as ordered herein shall be borne by the railroads.

8. North Street (Crossings Nos. 2-167.2 and 3Y-19.5) shall be abandoned, barricaded, and physically removed upon the completion

