

ORIGINAL

Decision No. 69498

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Azusa )  
for a Public Grade Crossing at )  
Todd Avenue Over the Glendora )  
Line of the Pacific Electric )  
Railway Company in the City of )  
Azusa, County of Los Angeles, )  
for Access to the Industrial )  
Areas in the Northwest. )

Application No. 46876  
(Filed August 6, 1964)  
(Amended October 23, 1964)

Burke, Williams & Sorensen and Harry C. Williams,  
by Richard R. Terzian, and Richards, Watson and  
Hemmerling, by Glenn R. Watson, for the City of  
Azusa.

Randolph Karr and Walt Steiger, by Walt Steiger, for  
the Pacific Electric Railway Company; protestant.  
Howard H. Haile, for Los Angeles County Flood Control  
District; interested party.

W. F. Hibbard and John DeBrauwere, for the Commission  
staff.

O P I N I O N

By the application, as amended, the City of Azusa (City)  
seeks authority for the opening of a crossing at grade over the  
Azusa Branch Line of the Pacific Electric Railway Company (Railway)  
at Todd Avenue in the City.

Public hearings were held before Examiner Rogers in Azusa  
on April 27, 1965, and in Los Angeles on May 7, 1965. On the latter  
date the matter was submitted subject to the filing of concurrent  
briefs. The brief of the City has been filed. The Railway has  
advised the Commission that it did not intend to file a brief.  
The matter is ready for decision.

The proposed crossing is over the Azusa Branch Line (Line) of the Railway. The Line originates in Baldwin Park and terminates approximately three-tenths of a mile east of Vernon Avenue and eight-tenths of a mile east of the proposed crossing of Todd Avenue. The crossing is in the northwest portion of the City. The City proposes that the crossing be protected by two flashing light signals and that it pay all costs of construction. It does not offer to pay any maintenance costs.

Foothill Boulevard is approximately four-tenths of a mile south of the Line at the site of the crossing, and is a major east-west highway. Sierra Madre Avenue is approximately 4,300 feet north of Foothill Boulevard and terminates on the west at Azusa Avenue, which is approximately one-half mile east of Vernon Avenue. Vernon Avenue terminates on the north at Eleventh Street, which is two blocks north of the rail line and ends at the northern end of Vernon Avenue. A private road extends from this intersection west to the American Cyanamid plant, infra. The San Gabriel River extends from the northeast above Sierra Madre Avenue to the southwest and crosses Foothill Boulevard approximately 7,000 feet west of Todd Avenue. The area between the San Gabriel River, Foothill Boulevard and Vernon Avenue is mainly open territory except for American Cyanamid which is located north of the Line and west of the extension of Todd Avenue (Exhibit 3).

The nearest public grade crossing of the Line west of the proposed crossing is at First Street, a distance of approximately two miles southwest of the proposed crossing. The first public

crossing to the east is at Vernon Avenue, a distance of approximately three-fifths of a mile. American Cyanamid has a private road on which there are two crossings of the Line west of Todd Avenue and there is a private crossing at approximately the extension of Todd Avenue which is unpaved and unprotected.

The Line is now used for one freight movement in each direction per day approximately six days per week. The timetable speed is 30 m.p.h., and trains vary from one to six cars. The eastbound movements are made in the afternoon or early evening and no movements are made after 11 p.m. The total rail traffic both inbound and outbound at the site of the proposed crossing was 1,333 carloads from January, 1964, through March, 1965, both inclusive. The empty return car movements approximately doubled this figure.

At the present time Todd Avenue extends northerly from Foothill Boulevard, and is opened and improved to a point approximately 1,500 feet north thereof. A meandering dirt road extends from the north end of Todd Avenue through property owned by the Consolidated Rock Products and leased and occupied by the Marmion Lumber Company across the Line (the crossing is unprotected) to a junction with the extension of Eleventh Street, *infra*. The City proposes to extend Todd Avenue across the Line to a proposed extension of Sierra Madre Avenue. This extension is part of the County of Los Angeles master plan as a secondary highway having a width of 80 feet. The City proposes a road 64 feet wide from curb to curb with a width of 50 feet across the Line. This

crossing would provide access to the American Cyanamid plant and to spreading and conservation basins to be constructed by the Los Angeles County Flood Control District north of the Cyanamid plant and adjacent to the east side of the San Gabriel River. There are to be four of such basins. Rodeffer Industries, Inc., owns most of the land in the area not occupied by American Cyanamid including the sites of the basins. It will excavate gravel from the area and, as the gravel deposits are exhausted, the resulting pits will be converted to spreading and conservation basins by the District. It is estimated that there will be four basins, the first of which will be completed in five years and the last of which will be completed in approximately twenty years. In addition, Rodeffer plans to construct a golf course and apartment houses in the area. Rodeffer estimates there will be between 750 and 1,000 truckloads of gravel per day taken from the pits, and with the returning empties there will be approximately 1,500 to 2,000 total movements. Rodeffer desires to use the proposed Todd Avenue crossing for this transportation. The only presently available routes for entering or leaving the area north of the Line are the private road of American Cyanamid, and the private extension of Eleventh Street from Vernon Avenue.

Vernon Avenue is being widened to two lanes each way, and is to be extended to the extension of Sierra Madre Avenue, but, due to industrial structures on each side, further widening is not practicable. The 1964 average daily traffic on Vernon Avenue was 3,000 vehicles and, in the opinion of the City engineer,

the ultimate capacity, when widened, will be 4,800 vehicles. If the gravel truck traffic should be required to use Vernon Avenue this ultimate capacity will be exceeded immediately. With Todd Avenue opened, the City engineer estimated that the average daily traffic in 1974 will be 5,000 vehicles on Vernon Avenue and 4,000 vehicles on Todd Avenue.

The City Council, by resolution (Exhibit 4), has prohibited gravel trucks from using Vernon Avenue, or any street east thereof. This leaves as a means of access to the area involved only the proposed extension of Todd Avenue and the American Cyanamid road.

The City Fire Chief stated that the fire station is located south of Foothill Boulevard and four blocks east of Vernon Avenue and that access by fire fighting equipment and emergency vehicles to the area north of the Line and west of Vernon Avenue would be expedited and facilitated by the proposed crossing at Todd Avenue.

The witnesses for the Railway urged that no crossing be permitted at Todd Avenue, but they stated that if the crossing were opened it should be protected with flashing light signals supplemented with automatic gates and predictors, which would cost an estimated \$19,650 (Exhibit 15). The witnesses further stated that some switching movements for the American Cyanamid plant may be across the extension of Todd Avenue, but that the majority of the switching movements are in the vicinity of or east of Vernon Avenue; that there will be one track across Todd Avenue, but there are two tracks across Vernon Avenue; that the protection at the Vernon Avenue crossing consists of No. 8 flashing light signals only; that an agreement with the City for the installation of said No. 8 flashing light signal protection of Vernon Avenue had recently been approved by the Railway; and that the witnesses here recommending gates and predictors had agreed to the No. 8 flashing light signals at Vernon Avenue.

Findings

The Commission finds that:

1. The City has a large area extending between the Railway's Line, on the south, the San Gabriel River, on the west, and Vernon Avenue, on the east, which area is mostly undeveloped except for one industry, the American Cyanamid Company. The only present vehicular access to this area is by a private road of the American Cyanamid Company which crosses the Line in two places, the extension of Eleventh Street via a private road to the Cyanamid plant, or a dirt road through private property across the Line.

2. Rodeffer Industries, Inc., owns most of the said area not owned by the American Cyanamid Company, and desires to remove gravel therefrom to construct a golf course and erect apartment buildings therein. The gravel will be extracted from pits over a period of approximately 20 years. As the gravel is removed the land will be transferred to the Los Angeles County Flood Control District which will construct settling basins therein. In order to remove the gravel from the said area there will be from 750 to 1,000 truckloads of gravel departing the area per day and the same number of empty trucks returning to the area each day.

3. The present means of ingress or egress to and from the area are via the two aforementioned private roads. The City has authorized the removal of the gravel provided the trucks do not use Vernon Avenue or any street east thereof. The City,

requests that the proposed crossing at Todd Avenue be authorized. Todd Avenue is to be a secondary highway in the County's master plan of highways and will extend from Foothill Boulevard, on the south, to an extension of Sierra Madre Avenue, on the north. This extension includes the crossing of the Line.

4. Residential units and a golf course are to be constructed in the near future in the said area north of the Line.

5. If Todd Avenue is constructed across the Line the development of the pits, the basins, the golf course and the apartments will be facilitated and access to the area for emergency vehicles will be easier.

6. Public convenience and necessity require that Todd Avenue be extended at grade across the Line, and public safety requires that the crossing be protected by two Standard No. 8 flashing light signals.

7. The costs of installation of the crossing should be paid by the City.

8. Allocation of the cost of maintaining protective devices at the crossing should be deferred.

#### Conclusion

We conclude that the application should be granted in the manner set forth in the order which follows and that costs should be apportioned as provided in the above findings.

#### O R D E R

IT IS ORDERED that:

1. The City of Azusa is hereby authorized to construct Todd Avenue at grade across the Azusa Branch Line of the Pacific Electric

Railway Company at the location described in the application, to be identified as Crossing No. 6TD-23.15, in the City of Azusa.

2. Applicant shall bear entire construction expense; also maintenance cost of the crossing outside of lines two feet outside of rails. Southern Pacific Company shall bear maintenance cost of the crossing between such lines. The width of the crossing shall be 50 feet, and grades of approach not greater than two per cent in accordance with plans attached to the application. Construction shall be equal or superior to Standard No. 2-A of General Order No. 72. Protection shall be by two Standard No. 8 flashing light signals (General Order No. 75-B).

3. Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within one year unless the time be extended, or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

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

Dated at San Francisco, California, this 3<sup>rd</sup> day of AUGUST, 1965.

Fredrick B. Hallock  
President

August  
William G. Stevens

Commissioners

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.