

ORIGINAL

Decision No. 75793

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the CITY OF LOS ANGELES, a)
municipal corporation, to construct)
HASKELL AVENUE at grade across the)
tracks of the Southern Pacific)
Company's Coast Line.)

Application No. 49688
(Filed September 26, 1967)

- Roger Arnebergh, City Attorney, by
Charles E. Mattson, Deputy City
Attorney, for applicant.
- Randolph Karr, for Southern Pacific Company,
protestant.
- John C. Ribbens, for Litton Systems, Inc.;
- John W. Haman, for San Fernando Valley
Industrial Association; John E. Letter,
for Anheuser-Busch, Inc., Leslie E.
Corkill, for City of Los Angeles,
Department of Public Utilities and
Transportation; R. W. Buechsenschuetz,
for Prudential Overall Supply,
interested parties.
- William L. Oliver, for Commission staff.

O P I N I O N

The City of Los Angeles seeks authority to extend Haskell Avenue, a public street in the City of Los Angeles, across the Southern Pacific Company railroad. Attached to the application is a vicinity map showing the adjoining streets and other railroad crossings in the area, with plans and specifications of the proposed crossing.

Public hearing was held before Examiner De Wolf at Los Angeles, California, on June 20 and 21, September 11 and 12, November 12, 13 and 14, 1968, and January 13 and 14, 1969, and submitted on January 14, 1969 subject to concurrent briefs, which have been filed.

The application describes the proposed crossing by metes and bounds and alleges that public convenience and necessity require the opening of a public crossing at this location to a total dedicated width of 86 feet, with a roadway width of 66 feet.

The City has designated Haskell Avenue as a secondary highway on its Master Plan of Highways between Victory Boulevard, two miles to the south of the proposed crossing, and Rinald Street, four miles to the north. The City claims that the crossing is needed to provide access and traffic circulation to an increasingly industrialized area including the Van Nuys Airport and Busch Gardens (which anticipate 3,000,000 visitors annually) and eliminate traffic tie-ups and potential hazards in regards to ingress and egress by emergency vehicles. The Whitnall Freeway is proposed north of Roscoe Boulevard, however, there is no precise design plan for this freeway.

Traffic on Haskell Avenue between Roscoe Avenue southerly to the deadend is presently limited to two narrow paved lanes. Since traffic, particularly the trucks of the Busch Brewery and the adjoining industrial users, are using this non-continuous highway, the turning and maneuvering constricts the flow of traffic.

The application is supported by statements and letters from the Van Nuys Chamber of Commerce and a local Bank Manager.

Twenty-five exhibits were introduced in evidence which include six profile engineering blueprints of the proposed plans,

three composite air photos of various portions of this area, two folders and pictures of Busch Gardens, Roll maps of the railroad operations, a San Fernando Area map, preliminary estimate sheets and structural detail designs for the improvements, land use plans and statistic charts of travel and road use in the area.

Exhibits Nos. 8 and 9 are pictorial descriptions of the Anheuser-Busch brewing facilities and Busch Gardens at 1600 Roscoe Boulevard, Van Nuys, California. An invitation to the public says, "... All freeways lead to Busch Gardens, Los Angeles. No admission charge, nominal charge for parking and boat ride." Busch Gardens is described as seventeen and one-half acres of exotic tropical plants, brightly-hued flowers, free-flying and colorful birds, a leisurely boat ride through glistening waterways connecting Palm Island, Central Lagoon and the Gorge, which make Busch Gardens an exciting experience and one of Southern California's great tourist attractions. The exhibits contain beautiful color pictures of the Budweiser Pavilions in Lagoon setting, of the giant Macaw and long legged cranes and other birds, and of the amphitheater which seats 450 for a unique bird show. Exhibit No. 8 has a picture of the Skyrail monorail car which affords visitors a first hand view of the processes involved in brewing and is a 3500 foot long monorail ride with a broad view of the brewhouse, fermentation cellars and packaging department, and is electrically operated with comfortable passenger cars. Directions on Exhibit No. 9 describes the method of reaching Busch Gardens as follows:

"From Los Angeles the Hollywood Freeway to Ventura Freeway North on the San Diego Freeway to Roscoe Boulevard. From the North, Golden State Freeway then South on the San Diego Freeway to Roscoe Boulevard. From the West on Ventura Freeway then North on San Diego Freeway to Roscoe Boulevard."

All of the witnesses testified to the prime attraction of the Busch Gardens, and the traffic congestion on Roscoe at the San Diego Freeway on Saturdays, Sundays and Holidays, and some on other days. These visitors arrive from Southern California, near and far, and leave the area via the San Diego Freeway. This congestion interferes with the use by local residents and the truck traffic in the Industrial Area. The freeway traffic entering or leaving Roscoe is controlled by two traffic lights on either side of the freeway and left turns are made in both directions and left turns are also made in and out of Busch Gardens. Exhibit No. 7 is an aerial photo of Haskell with an overlay showing the proposed improvement of Haskell and part of the Busch plant, and the railroad tracks. The picture also shows the San Diego Freeway where it crosses Roscoe and the short on and off ramps are plainly visible, all of which require left turns from Roscoe. Exhibit No. 19 is another aerial photo which is over a much larger area than Exhibit No. 7. The Haskell proposed improvement is marked in yellow on this photo and two new ramps are marked on this map to give access to the freeway. Exhibit No. 10 is an aerial photo of this area from Woodley to Sepulveda and between Roscoe to Stagg. Exhibit No. 14 is the Auto Club map of the San Fernando Valley.

The City witnesses testified that improvement on Haskell is needed as an alternate route for the San Diego Freeway adjacent thereto and also for the purpose of giving north and south access across Roscoe Boulevard. The City witnesses further testified that this is necessary as a secondary highway and that a railroad

crossing at grade is also necessary. A witness from Busch Gardens testified that Busch dedicated the entire west side of Haskell Street about two years ago and identified six commercial establishments across from Busch on the east side of Haskell north of the railroad tracks. A witness for Busch and a witness for a cleaning establishment, on the east side of Haskell with 25 route trucks, testified that Roscoe is heavily congested and that they need a crossing at the railroad for their trucks so they would not have to fight the traffic on Roscoe and their drivers would then have a choice. They also testified that the Shell Bulk Plant could use the crossing for their gasoline trucks. A witness for Litton Industries, south of the tracks with 2,700 employees, testified that it needs the railroad crossing so that its employees can avoid Woodley Avenue and other streets south of the railroad which are heavily congested and which would enable some of their employees to go north. No destination studies were made and no one of the employees or truck drivers were consulted in connection with their need for use of a railroad crossing at grade at this point. The witnesses testified that Haskell is a dead-end street south of Roscoe to the railroad tracks with heavy congestion caused by vehicles entering and returning to Roscoe. The City proposes hook ramps out of the San Diego Freeway at Roscoe, but these have not been approved or authorized by the Division of Highways, State of California, which is not a party to this proceeding. The traffic department of the City introduced into evidence Exhibit No. 22 to show factors used and economic values for proposed Haskell Avenue grade crossing which purports to show a saving to the motorists using the crossing of \$70,000 annually.

The presentation of applicant gave little attention to any of the problems of the railroad, as to train movements, level of

trackage, switching, or storm drainage, and it had not made any studies on these subjects. The business men and public witnesses had not been advised of these problems and had no knowledge of them.

The railroad witnesses testified that the amount of vehicle-traffic planned for Haskell is not sufficient to justify the opening of the crossing over the multi-tracks of the railroad adjacent to an overpass of the San Diego Freeway. The railroad claims that the real difficulty is that the railroad operations are of such magnitude and complexity at the particular place that a railroad grade crossing and railroad operations are not compatible. The continual switching and making up of trains will block the proposed grade crossing for prolonged and repeated periods in excess of five minutes in violation of the standards set forth in the City Ordinance. The business of the Brewery which is switched across the crossing is expected to increase. The switching into the Brewery plant substantially is a shoving and kicking movement across the proposed crossing. This type of movement would militate against any proposed grade crossing.

The railroad witnesses testified that there has been a 15 to 20 percent increase in rail business into and out of the Brewery plant during the last year; an increase in business at the Brewery plant is expected in the future, and there is room at the plant to increase capacity. Thus, as business increases, the rail switching increases, which of course will further interfere with proposed vehicular use of the crossing. The business at the Brewery plant is not seasonal, but steady throughout the year. There is a main line across the proposed crossing, and the 12 to 15 main line trains run from three quarters to a mile and a quarter in

length, and these trains are made up and moved in a complex manner. All these problems negate the practicability of the proposed grade crossing.

The witnesses for the railroad testified that the crossing would not improve or alleviate congestion of traffic on Roscoe and that the advantages, if any, to the business frontages would not justify the crossing; great difficulties would be encountered by traffic at the crossing with fast moving main line trains and adjoining switching operations; the tracks are over nine feet above grade, a switch is in the roadway and a storm drain passes under the tracks at this point in the intersection, all of which make it necessary that a crossing at this point should be by grade separation only. Witnesses admitted that the proposed crossing on Haskell would have desirable aspects for the 40-acre Busch plant which has several other exits, as well as the other two plants along Haskell, but that it would not improve traffic conditions over the congested streets in the area and the entrances to the San Diego Freeway. All of the witnesses for the railroad and the Commission staff denied that public convenience and necessity require the opening of this crossing to the public, except at separated grades, and they all agreed that an underpass would be feasible at this point.

The railroad witness testified that the overpass at the San Diego Freeway and another separated grade being constructed at Sepulveda about a half mile away make this track section very important for railroad switching purposes. The interference from the proposed grade crossing would be intolerable to railroad operations and would cause relocation of the switches of the railroad which would only be a compromise, and eventually would require a separation of the grade at this point.

The Railroad evidence shows that numerous improvements are in progress or can be made to improve the traffic conditions in this area, such as the railroad crossing at Sepulveda one half mile east which is presently being separated; improvements are planned for Woodley Avenue one half mile to the west; and improvements in traffic flow at the San Diego Freeway, such as long hook ramps to Roscoe described by applicant can be made to avoid left turns.

The Commission staff opposed the crossing at this point because it would attract gasoline trucks which would otherwise use separated crossings, would create additional hazards for motorists due to the extensive train movements and that it is contrary to the policy and program of the Commission in attempting to eliminate as many as possible of the railroad crossings at grade. In Exhibit No. 24 the Commission staff opposes the crossing and describes the disadvantages at Haskell Avenue as outlined in the following paragraph.

The track is approximately 10 feet above the prevailing ground level. To overcome this differential, a substantial amount of fill must be added on each approach to create the desirable roadway approach grades. There are large existing drainage structures under the railroad and street that must be relocated or modified extensively. The existing tracks in the proposed crossing area are at different elevations and a switch for one of the spur tracks is located in the center of the proposed street. To change these conditions requires extensive track work. Because of the concentration of industry adjacent to the railroad right of way, there are several spur tracks in the vicinity of the proposed crossing in addition to the two within the proposed crossing that require train switching moves to serve these industries. Also, the side track through the

proposed crossing is used to make up trains which require switching moves. The storage of cars for making up trains near the crossing will obstruct motorists' view of approaching high speed trains in both directions on the main line.

The Commission staff witness further testified that numerous switching moves in this area will require the proposed gates at the crossing to be in a down position numerous times daily, sometimes for long periods. This results in many delays and frustrations for motorists using the crossing and may invoke the taking of risk in racing the trains to the crossing or even driving around the gates, and will fill up the streets on both sides of the crossing with traffic during rush hours. Studies of train movements in the area indicate that for approximately 1-1/4 hours per day the crossing will be occupied by trains with minimum time per train of three seconds to a maximum of 9 minutes and 20 seconds. Approximately 3/4 hour per day results from switching moves. On Haskell Avenue, north of the proposed grade crossing and south of Roscoe Boulevard, the first street intersection north of the railroad, two firms are located which use heavy trucks and trailers in servicing their plant. These are the Brewery and a Shell Oil Petroleum Depot. If Haskell is opened at grade, these trucks and trailers hauling beer and inflammable fuels will be using a multiple track high speed main line grade crossing. At present this traffic is probably using the overpass of the freeway or will be using the new underpass at Sepulveda Boulevard when completed. In short, if Haskell Avenue is constructed at grade, as the City requests, it will draw motor vehicles off the existing and future separated grade crossings to a hazardous at-grade crossing. The establishment of the crossing at grade would not promote public safety but would increase the hazards with which the public have to contend.

Exhibit No. 24 shows that Southern Pacific Company's Coast Route main line in the Cities of Los Angeles and Burbank has at present seventeen crossings at grade and ten at separated grades, many of which are in the vicinity of Haskell Avenue. At present two of the at-grade crossings are being separated. Construction of this crossing would create another problem of the kind that the City of Los Angeles, the City of Burbank, the County of Los Angeles, the State and the railroad have been spending millions of dollars to eliminate. New improvements should be used first to improve the traffic conditions before installing another hazardous grade crossing adjoining a gasoline bulk plant where there are no side roads for traffic to move on if trains block the crossing.

After four days of hearing, on October 7, 1968, the Southern Pacific Company moved to consolidate this Application No. 49688 with Application No. 50269 on the ground that these applications concern related matters on the Southern Pacific Company's Coast Line and also requested the Commission to institute an investigation on its own motion to determine what crossings in the San Fernando Valley in the City of Los Angeles should be separated and what crossings should be constructed at grade.

The applicant opposed the motion to consolidate. It appeared that the consolidation of the hearings would enlarge the issues. Therefore, the motion to consolidate should be denied.

Attached hereto and marked Appendix "A" is a copy of the vicinity map of the proposed crossing area which is appended to Exhibit No. 24.

Findings

The Commission finds that:

1. The evidence shows that a railroad crossing on Haskell at this point will be unduly hazardous by reason of the possibility of

two-train-type accidents where two trains pass at the same time and while switching is in operation, and because there are no side streets open on either side of the tracks at this point, being adjacent to the San Diego Freeway overpass.

2. The opening of the crossing would not improve traffic conditions on Roscoe Boulevard, Woodley Avenue or the San Diego Freeway, and at best would provide a crossing of a hazardous nature for a few adjacent industrial plants.

3. Other possible improvements in the area planned or under construction with existing grade crossings and separated grades in the area will adequately handle the traffic to be anticipated without the hazardous conditions which exist at Haskell Avenue.

4. The heavy traffic on Roscoe Boulevard consists mainly of visitors to Busch Gardens who arrive and return via San Diego Freeway and a railroad crossing on Haskell would not reduce this congestion.

5. The installation of a railroad crossing at grade on Haskell would attract gasoline trucks, heavy industrial traffic, and the general public, from the use of the San Diego Freeway overpass and the Sepulveda Boulevard separated crossing which is under construction.

6. The evidence does not establish that public safety, convenience and necessity require the opening of a railroad crossing at grade on Haskell Avenue at the Southern Pacific Company tracks.

The Commission concludes that the application of the City of Los Angeles to construct a crossing at grade of Haskell Avenue across the tracks of the Southern Pacific Company's Coast Line should be denied.

O R D E R

IT IS ORDERED that:

1. The motion to consolidate Applications Nos. 49688 and 50269 for hearing is denied.
2. Application No. 49688 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 JUNE, 1969.

William A. Brown, Jr.
President

Attorney

Paul P. Monosiey
(P. J. Brown)

Thomas Brown
Commissioners

VICINITY MAP
APPLICATION NO. 29285
CITY OF LOS ANGELES
SAN FERNANDO VALLEY
PROPOSED HASKELL AVENUE

- - PROPOSED GRADE X-ING
- ⊙ - EXISTING GRADE X-ING WITH STD. NO. 8 FLS.
- ⊖ - EXISTING GRADE X-ING WITH STD. NO. 8 FLS WITH AUTO-GATES
- ≡ - EXISTING CROSSING WITH SEPARATED GRADES

SCALE: 1" = 1.16 MILES

