

ORIGINAL

Decision No. 12764

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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| In the matter of the application of<br>Southern Pacific Company for an order<br>authorizing the construction of a spur<br>track across Alameda Street, in the vic-<br>nity of Florence, Los Angeles County. | )<br>)<br>)<br>)<br>) | Application No. 9357 |
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| In the matter of the application of<br>Southern Pacific Company for an order<br>authorizing the construction at grade of<br>a spur track across Alameda Street in<br>the City of Vernon, County of Los<br>Angeles. | )<br>)<br>)<br>)<br>) | Application No. 9377 |
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| In the matter of the application of<br>Southern Pacific Company for an order<br>authorizing the construction at grade<br>of a spur track crossing Alameda Street<br>in the cities of Vernon and Los Angeles<br>Los Angeles County. | )<br>)<br>)<br>)<br>) | Application No. 9392 |
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F. W. Mielke and Frank Karr, for applicant.

Roy W. Dowds, for Board of Supervisors of Los Angeles County.

H. R. Pomeroy, for Los Angeles County Regional Planning Commission.

David R. Faries, for Automobile Club of Southern California.

Fred P. Gregson, representing the Los Angeles Chamber of Commerce and the Associated Jobbers of Los Angeles.

BY THE COMMISSION:

O P I N I O N

In the above entitled applications Southern Pacific Company asks permission to construct three industrial spur tracks at grade across Alameda Street between the City of Los Angeles and Los Angeles Harbor.

A public hearing was held on these applications in Los Angeles before Examiner Williams October 26, 1923 at which time it was stipulated that the three applications should be consolidated for hearing and decision.

In Application No. 9357, applicant asks authority to construct a spur track at grade across Alameda Street, sometimes known as the Harbor Truck Boulevard, at a point in the unincorporated portion of the County of Los Angeles approximately one-fourth mile north of Florence Avenue near Lyfort Avenue for the purpose of giving industrial track service to Emsco Steel Products Company.

In Application No. 9392, applicant asks permission to construct a spur track at grade across Alameda Street partly in the City of Vernon and partly in the City of Los Angeles at a point about one thousand feet north of Slauson Avenue for the purpose of serving the Alloy Steel and Metals Company.

In Application No. 9377, applicant asks permission to construct a spur track at grade across that portion of Alameda Street in the City of Vernon approximately two thousand feet north of Slauson Avenue to serve the Klintch Lath Corporation. Alameda Street, in the vicinity of the two last mentioned crossings, is legally dedicated but not as yet open for travel.

All of these spur tracks lead from the Southern Pacific San Pedro branch which in this vicinity runs north and south and is paralleled on its westerly side by Alameda Street, an extension of the Alameda Street in the City of Los Angeles. Alameda Street is the location of the so-called Harbor Truck Boulevard which has been paved by the County of Los Angeles from the southerly limits of the City of Vernon at Slauson Avenue with an eight inch reinforced concrete pavement and twenty-four feet in width on an eight inch base of disintegrated granite. The purpose of this high grade pavement was to provide an adequate through highway for the use of motor

trucks hauling materials between Los Angeles city and Los Angeles Harbor. On that portion of the Truck Boulevard which has been opened for traffic south of Slauson Avenue a traffic census shows a normal movement of approximately twelve thousand vehicles a day.

At the present time that portion of this boulevard between Slauson Avenue and the Harbor is remarkably free from grade crossings and this condition is in marked contrast to the condition along Alameda Street north of the City of Vernon where the adjacent territory has been intensively developed industrially and spur tracks are numerous. In the City of Vernon itself, the territory adjacent to Alameda Street which has not yet been opened to traffic has been developing industrially and there appears to be no question that all of the territory lying adjacent to the San Pedro Branch of the Southern Pacific and Truck Boulevard is in the path of normal industrial growth. The issue then confronting the Commission at this time is whether the Truck Boulevard is to be retained for a through high speed artery of vehicular traffic with its efficiency and safety unimpaired by multiplicity of spur track crossings at grade or whether it shall be allowed to become a local industrial street suitable only for slow traffic and largely congested with local train movements incident to the industrial activity immediately adjacent. The record shows an undisputed estimate that, unless restrictions are imposed, there will probably be a demand ultimately for approximately two hundred such spur track crossings. It is apparent that with the construction of even a substantial portion of two hundred track crossings in the eleven miles between Slauson Avenue and the Harbor district the purpose for which the Harbor Boulevard was conceived and constructed will have been very largely defeated.

It is contended that the conversion of Truck Boulevard into a slow speed industrial street is a proper development and

use for the Truck Boulevard and that a through high speed traffic artery between Los Angeles City and Los Angeles Harbor should be provided at a location not adjacent to the railroad. However, the condition must be faced that there is at present no other through traffic artery built which will supply the very urgent need which exists for the accommodation of this through traffic. Pending the time that the local city and county authorities decide that this highway should be surrendered primarily to the use of local industries, we are of the opinion that this Commission has a responsibility in protecting the safe and convenient use of this highway for through traffic by restricting the construction of grade crossings as far as it may reasonably do so. On the other hand, we do not believe that the district south of Slauson Avenue and west of the Truck Boulevard should be permanently denied industrial track service.

The very fact that it is located adjacent to both a railroad and a well improved highway between the metropolitan center of the City of Los Angeles and the harbor of Los Angeles gives this territory a peculiar value for industrial purposes. The proper solution for the present would appear to be neither the complete exclusion of industrial trackage from this territory nor the promiscuous installation of spur tracks across the highway at any point selected by any private interest, but that a definite plan of development should be worked out whereby the grade crossings will be reduced to a minimum and yet allow without unreasonable restriction the industrial growth of the district. We are of the opinion that a plan could be developed whereby such industrial development would not be unduly restricted such a plan being based on the provision of not more than two grade crossings over the Boulevard between

Slauson Avenue and Florence Avenue. We are now of the opinion that in general track crossings should not be constructed at more frequent intervals in the territory south of Florence Avenue.

Although it does not appear that the location of the proposed spur to serve the Emsco Steel Products Company would probably cross the Boulevard in such a location as to most readily fit in with the future industrial development of the adjacent property without additional grade crossings, we are of the opinion that pending the adoption of a definite plan of development applicant should be given temporary authority to construct the crossing in the location applied for, with the distinct understanding that this crossing shall be abolished in favor of another crossing which will serve the entire territory when a suitable plan has been worked out. Pending the development of such a plan adjacent property holders desiring spur track service should be informed by the applicant of the necessity of so arranging their facilities as to be able to take either temporary service from the track serving the Emsco Steel Products Company or permanent service from a track constructed along a finally adopted plan of industrial track development. If the adjacent property holders do not see fit to thus cooperate for the protection of the general public interest on the highway it would appear proper that they withhold their property from industrial development until such time as another through highway is constructed between the city and harbor at which time Alameda Street will probably be surrendered to a more intensive industrial development and local traffic uses. This application should be granted temporarily subject to certain conditions.

As to the applications for the two spur tracks across that portion of Alameda Street north of Slauson Avenue, we find that the proposed spurs are not to be built across an existing traffic artery but across a dedicated street which has not yet been opened to public

travel. Although Alameda Street will unquestionably be opened north of Slauson Avenue through the City of Vernon and the City of Los Angeles, it appears from the record that there is no serious objection to the construction of the two spur track crossings covered by Applications No. 9357 and 9392, respectively, and that it is not reasonable nor practicable to avoid these grade crossings. These two applications, therefore, should be granted, however, it should be pointed out that here also the public interest would probably be best served by the development of a general plan which would minimize the number of grade crossings across this portion of Alameda Street.

#### O R D E R

Southern Pacific Company having made application for the construction of three spur tracks across Alameda Street in the Cities of Vernon and Los Angeles and in the County of Los Angeles, public hearing having been held on the above entitled proceedings, the Commission being apprised of the facts, the matter being under submission and ready for decision,

IT IS HEREBY ORDERED, that the permission be and it is hereby granted Southern Pacific Company to construct three spur tracks at grade across Alameda Street, sometimes known as Truck Boulevard, in the locations described as follows:

##### First

Beginning at a point on the easterly line of Alameda Street (40.00 feet wide) which point is 294 feet, more or less, southerly from the intersection of the said easterly line of Alameda Street and the southerly line of Lyfort Street, produced westerly, measured along the easterly line of Alameda Street; thence southwest-erly along a curved line concave to the right, having a radius of 286.84 feet, 90 feet, more or less, to a point on the westerly line of Alameda Street which is 377 feet,

more or less, southerly from the intersection of said westerly line of Alameda Street and the southerly line of Lyfort Street, produced westerly, measured along the westerly line of Alameda Street.

Second.

Beginning at a point on the easterly line of Alameda Street, which is also the westerly right of way line of Southern Pacific Company, which point measured along said line is 112 feet, more or less, southerly from the North line of 53rd Street produced; thence northwesterly along a curve line, concave to the left, with a radius of 239.17 feet, a distance of 58 feet, more or less, to a point on the west boundary line of the City of Vernon, which point, measured along said line is 60 feet, more or less, southerly from the intersection with the North line of 53rd Street produced.

Third.

Beginning at a point in the westerly right of way line of the Southern Pacific Railroad Company's San Pedro Branch, said point being located at a distance of 566.78 feet measured southerly along said right of way line its intersection with the center line of 55th Street, prolonged easterly; thence northwesterly along a curve concave to the left, having a radius of 449.61 feet, a distance of 54.10 feet to a point in the boundary line between the City of Vernon and the City of Los Angeles, and,

Beginning at a point in the boundary line between the City of Los Angeles and the City of Vernon, said point being located at a distance of 512.68 feet measured southerly along said boundary line from its intersection with the center line of 55th Street prolonged easterly; thence northwesterly 125.00 feet, more or less, to a point in the westerly proposed line of Alameda Street, said point being located distant 400.00 feet more or less measured southerly along the proposed westerly line of Alameda Street from its intersection with the said center line of 55th Street, prolonged easterly.

All of the above as shown by the map attached to Applications Nos. 9357, 9377 and 9392, respectively, subject to the following conditions:

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of said highway now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding one (1) per cent; shall be

protected by suitable crossing signs, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) No engine, motor or car shall be operated over said crossing of the spur to serve the Emsco Steel Products Company without first having been brought to a stop and unless traffic on the highway be protected by a member of the train crew or other competent employee acting as flagman.

(4) This authorization is given upon the express condition that the permission granted for the construction of the track to serve the Emsco Steel Products Company is temporary and that said crossing shall be abolished upon the construction of a track which will conform to a plan of industrial track development that may hereafter be adopted for the industrial track service for that territory between Slauson Avenue and Florence Avenue west of Alameda Street.

(5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(6) The authorization herein granted for the installation of said crossings will lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(7) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings as to it may seem right and proper and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

This order shall become effective three (3) days after the making thereof.

Dated at San Francisco, California, this 28<sup>th</sup> day of December, 1923.

Oliver

James Martin  
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Commissioners.