

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of the City of Los Angeles for an order granting permission to the City of Los Angeles to construct a railroad track in Anaheim Street across a certain track of the Pacific Electric Railway Company, at grade, and determining and prescribing the manner and the terms of installation, operation, maintenance, use, and protection of such crossing.

ORIGINAL

Application No. 9712.

Jess E. Stephens, City Attorney, Clyde M. Leach, Assistant City Attorney and Milton Bryan, Deputy City Attorney for the City of Los Angeles and the Los Angeles Harbor Commission.

A. S. Halstead and Fred E. Pettit, Jr., for the Los Angeles and Salt Lake Railroad Company.

Frank Karr, for Pacific Electric Railway Company.

M. W. Reed, for the Atchison, Topeka and Santa Fe Railway Company.

E. E. East, for the Los Angeles County Grade Crossing Committee.

Samuel Storrow, for the Municipal League of Los Angeles.

John R. Berryman, for the Automobile Club of Southern California.

W. K. Barnard, Burt Heinley and F. P. Cole, for the Committee of Two Hundred.

George A. Damon, for the Regional Planning Commission.

Lou Johnson, Secretary, for the Wilmington Chamber of Commerce.

WHITTLESEY, COMMISSIONER:

O P I N I O N.

In this application the City of Los Angeles seeks permission to build a temporary track at grade across the tracks of the Pacific Electric Railway, Anaheim Road at McFarland Avenue and four unimportant streets north of Anaheim Road, in the Harbor District in the City of Los Angeles.

A public hearing was held in Los Angeles on May 7, 1924, at which all interested parties were represented.

Anaheim Road, the principal highway concerned in this pro-

ceeding, is a very important easterly and westerly thoroughfare and at present is the only reasonably direct route from the San Pedro and Wilmington district to Long Beach and the territory to the east. Traffic counts taken on this highway show a total of 12,657 vehicular traffic movements on an ordinary week day between the hours of 6 A.M. and 6 P.M., including the noon hour. It is stated that the volume of traffic on Sundays is probably greater and certainly traffic is then more congested. In fact the volume of vehicular traffic over this road has become so great that plans are now under way to widen it to one hundred feet.

The crossings applied for are stated in the application to be of a temporary nature only, for use in connecting the Municipal Terminal Railroad in McFarland Avenue with the tracks of the Santa Fe and Los Angeles Harbor Railway Company, a subsidiary of The Atchison, Topeka and Santa Fe Railway Company, which are now constructed to a point approximately 2,750 feet north of Anaheim Road.

It is by means of the track, the authority for the construction of which, this application is made, that the Santa Fe plans to gain access to the Los Angeles Harbor, and it is evident that, although the City of Los Angeles is nominally the applicant, The Atchison, Topeka and Santa Fe Railway Company has a very important interest in this proceeding.

The City of Los Angeles, in order to later eliminate the grade crossing of Anaheim Road, herein proposed, plans to extend the Municipal Railroad from the foot of McFarland Avenue, in an easterly and northerly direction to a point in the vicinity of Anaheim Road and Dominguez Creek, approximately 4,550 feet east of the temporary crossing at McFarland Avenue and Anaheim Road. It is proposed under this plan of the city that the Santa Fe should make its permanent connection to the Municipal Railroad by extending the existing Santa Fe line lying along the north city limits of Los Angeles (Wilmington District) between McFarland Avenue and the right of way

of Pacific Electric Railway Company on a curve to the southeast, passing under the Pacific Electric and Southern Pacific tracks and continuing southeast (along the City Limit) about fifteen hundred feet where it is proposed to swing to the south into the depressed area along Dominguez Creek and follow this depressed area to the southeast to Anaheim Road to a connection with the proposed extension of the Los Angeles Municipal Railroad.

It is proposed to carry Anaheim Road on a viaduct over this proposed railroad which will be several feet below the present surface of Anaheim Road. Testimony shows that the topography of the ground in the vicinity of this proposed grade separation is such that all future railroads desiring to enter the harbor can be accommodated in this depressed area and by this same overhead crossing but it was further testified that the accommodation of the Santa Fe line as proposed could be handled independently of the others, except as to additional bents in the overhead structure for the use of future tracks. Under this plan it is proposed to confine the runoff waters of this depressed area in a constructed channel parallel with the proposed tracks. It is estimated that it may take two years to carry out this plan. At such time as this proposed line is finished the City expects that all of the municipal railroad tracks in McFarland Avenue will be abandoned.

Resolutions were introduced by the City Council of Los Angeles, The Board of Harbor Commissioners of Los Angeles, The Greater Harbor Committee of Two Hundred, The Wilmington Chamber of Commerce and the Executive Committee of the Municipal League, which in general are all of the same tenor in that they oppose the installation of any more grade crossings across Anaheim Road, except they be of a very temporary nature, and all endorse the location of the proposed grade separation at Dominguez Slough and the plan of bringing all carriers seeking an outlet to the Harbor through this grade separation. The City Council of Long Beach

and the Board of Directors of the Los Angeles Chamber of Commerce introduced resolutions approving the unified entry of all railroads into the harbor district and the plan submitted for grade separation at Dominguez Slough. Mr. Colden, President of the Board of Harbor Commissioners of the City of Los Angeles testified that the Harbor Board would be satisfied with the granting of this application with a condition which carried with it the requirement that the Harbor Board build a railroad along the proposed extension from a junction near the foot of McFarland Avenue to the proposed grade separation of Anaheim Road at Dominguez Slough.

The construction of a railroad at grade across a thoroughfare with a traffic of more than 12,500 vehicles daily is a very serious matter and should not be permitted if there can be found any reasonable plan of avoiding or eliminating it. In this case not only has a plan been found whereby this grade crossing can be eliminated, but the applicant proposes to proceed as rapidly as possible to put that plan in effect and requests authority for the proposed grade crossing only as a temporary expedient until the legal and physical obstacles of the permanent plan can be overcome.

The Atchison, Topeka and Santa Fe Railway Company has at a large expense constructed the Santa Fe and Los Angeles Harbor Railway from El Segundo in Los Angeles County to a point about four blocks north of the temporary grade crossing of Anaheim Road applied for in this proceeding, and it appears desirable that the Santa Fe be given immediate (although temporary) access to the wharves in the harbor over this route. The municipal belt line is already connected with the Pacific Electric Railway tracks at the intersection of Anaheim Road and McFarland Avenue adjacent to the proposed crossing. In constructing the proposed temporary connection between the two railroads it will be necessary to cross four unimportant unimproved streets north of Anaheim Road which have little effect on the main issues of this proceeding.

Pacific Electric Railway Company offered no objection to the construction of the proposed crossing across its track and even offered to allow on the same terms the use of a certain portion of its track as a bridge between the new lines if such a route would appear preferable. Such a plan would allow the Santa Fe freight traffic to cross at this point for an indefinite time which is very undesirable. The Pacific Electric asked to have the crossing properly interlocked in case the application were granted, the interlocking to include the junction between its own lines about a block distant from the crossing, the city to pay only for the interlocking required for its own tracks. This plan of protecting the grade crossing of the railroad is acceptable to the city. The city also offered to install gates across Anaheim Street at its own expense, the gates to be operated from the tower.

Witness for Pacific Electric Railway Company states that grades could be separated at Anaheim Road and McFarland Avenue. However the layout of a grade separation at this point would be quite intricate on account of the number of streets and track connections. While the construction cost might not exceed that of the plan proposed for the Santa Fe at Dominguez Creek it would undoubtedly cause large property damage and would be a less desirable location for a grade separation than at Dominguez Slough. And, furthermore, it would not accommodate other railroads entering the harbor district.

It appears that this application should be granted subject to a two year time limit and certain other conditions including the installation of safety devices. It remains for the Commission to apportion the costs of these safety devices.

The interlocking plan proposed by the Pacific Electric will contain thirty-three working levers or functions of which between fourteen and sixteen are required by the existing and proposed municipal railway tracks depending on whether the two derrails west of the

proposed crossings are included with the municipal or Pacific Electric tracks. As they serve both roads it is reasonable to divide the cost of these two derrails equally between the two lines. On this basis it is reasonable to assess forty-five (45) per cent of the total cost to the City of Los Angeles and fifty-five (55) per cent to the Pacific Electric Railway. The cost of installing gates for the protection of highway traffic shall be paid for by the city.

The following form of order is recommended:

O R D E R

City of Los Angeles having made application to this Commission for an order granting permission to the City of Los Angeles to temporarily construct a railroad track at grade across L Street, Young Street, K Street, Grant Street, J Street, I Street and Anaheim Road and at grade across certain tracks of Pacific Electric Railway Company's San Pedro Line as shown on the map attached to the application, a public hearing having been held, the Commission being apprised of the facts, the matter being under submission and ready for decision,

It is hereby found as a fact that public convenience and necessity require the establishment of temporary crossings at grade at the points applied for in this application and hereinbefore mentioned, pending the construction of permanent lines of railroad to the point selected for grade separations at Dominguez Creek and Anaheim Road, therefore

IT IS HEREBY ORDERED, that permission be and it is hereby temporarily granted to the City of Los Angeles, County of Los Angeles, State of California, to construct and maintain a railroad track at grade across L Street, Young Street, K Street, Grant Street, J Street, I Street and Anaheim Road as shown on the map attached to the application, said crossings to be constructed subject to the following conditions and not otherwise:

(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 streets now graded with the top of rails flush with the pavement, and with grades of approach not exceeding two (2) 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) Said crossing of Anaheim Street shall be protected by crossing gates to be installed at the expense of applicant and thereafter equally maintained by applicant and Pacific Electric Railway Company.

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

(5) The authorization herein granted for the installation of said crossings shall lapse and become void two years from the date of this order whereupon said crossings shall be abolished and tracks removed.

(6) 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.

IT IS HEREBY FURTHER ORDERED, that permission be and it is hereby granted the City of Los Angeles to temporarily construct a railroad track at grade across the tracks of the San Pedro line of Pacific Electric Railway Company at McFarland Avenue and Anaheim Road near Wilmington, in the City of Los Angeles, County of Los Angeles, State of California, as shown on the map attached to the application,

said crossings to be constructed subject to the following conditions and not otherwise:

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

(2) Said crossings, the junction points of the existing municipal railway tracks with Pacific Electric Railway Company's San Pedro line and the junction of Pacific Electric Railway Company's Wilmington-Long Beach Line with its San Pedro Line shall be protected by an interlocking plan substantially in accordance with the plan (C E 6598) filed in this proceeding as Pacific Electric Railway Exhibit No. 1.

(3) Said interlocking plant shall conform to Commission's General Order No. 33.

(4) The cost of installation of said interlocking plant shall be borne as follows: Forty-five (45) per cent by the applicant and fifty-five (55) per cent by Pacific Electric Railway Company.

(5) Maintenance of said interlocking plant shall be based on such an agreement as may be arrived at by the parties in interest, copy of which shall be filed with the Commission. If interested parties are unable to agree, division of maintenance shall be apportioned by this Commission in a supplemental order.

(6) Highway crossing gates shall be operated from the interlocking tower.

(7) The authorization herein granted for the installation of said crossings shall lapse and become void two years from the date of this order whereupon said crossings shall be abolished, municipal tracks shall be removed from Anaheim Street, and the necessary functions for this track shall be removed from the interlocking tower, which shall thereafter be maintained including the crossing gates by Pacific Electric Railway Company.

(8) 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.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

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

Dated at San Francisco, California, this 9th day of June, 1924.

C. Seaver

Darius M. Martin

J. F. Whitney
Commissioners