ORIGINAL

Decision No. 14446

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of SOUTHERN PACIFIC COMPANY for an order authorizing the construction at grade of a spur track across Vernon Avenue, and across double track railroad of the Los Angeles Railway in the City of Vernon, County of Los Angeles, State of California.

Application No. 10564.

Frank Karr for applicant.
John R. Berryman, for Los Angeles County Grade Crossing Committee, a protestant.
J. W. Maltman, Erwin W. Widney and R. L. Horton for Whiting Mead Company,
John Grant for Grant Forge Shop,
H. G. Wecks for Los Angeles Railway Company,
Edwin M. Selby for the Sam Scelig Company,
G. L. Collins, for Southwestern Engineering Company,
H. R. Brashear, for Los Angeles Chamber of Commerce,
E. G. Judah for Commercial Board of Los Angeles,
Joseph E. Lansberg, for himself and wife.

BY THE COMMISSION:

O P I N I O N

In the above entitled application Southern Pacific Company seeks permission to construct a spur track at grade across Vernon Avenue at a point approximately eleven hundred feet west of Santa Fe Avenue, in the City of Vernon, Los Angeles County, California.

A public hearing was held in this matter before Examiner Williams, at Los Angeles, November 10, 1924.

The proposed spur is intended to serve certain industrial property of the Whiting-Mead Company south of Vernon Avenue and east of St. Charles Avenue. The property on either side of

384

Vernon Avenue between Alameda Street and Santa Fe Avenue, a distance of about one-half mile, within which the proposed crossing is located, is industrial property. Southern Pacific Company serves the industries in this district to the north of Vernon Avenue by means of a drill track from their lines on Alameda Street. Applicant herein now proposes to extend one of the spur tracks leading from this drill track across Vernon Avenue. This spur now serves Whiting-Mead Company property north of Vernon Avenue, and it is desired to extend the service to certain property of this company on the other side of the road.

It was represented that the amount of traffic that would move over the proposed spur crossing on Vernon Avenue would not exceed two movements per day and that this traffic could be restricted to the night hours when the vehicular traffic is light, without serious inconvenience to the industry served.

Vernon Avenue is an important east and west street which extends through both the cities, Vernon and Los Angeles, intersecting many of the important north and south highways of Los Angeles. To the east of Santa Fe Avenue, Vernon Avenue connects directly with Pacific Boulevard which is a wide highway. Although unimproved at this time it is planned to make Pacific Boulevard one of the main highway arteries between Long Beach and Los Angeles. Vernon Avenue, between Santa Fe Avenue and Alameda Street is at present sixty (60) feet in width, although it appears that the City of Vernon plans to widen this street in the near future. This street now carries a large volume of vehicular traffic. Exhibit No.2 of the Los Angeles County Grade Crossing Committee, contains the result of a traffic check taken May 15, 1924, at Long Beach Avenue and Vernon Avenue which shows that between 6 A.M. and 6 P.M. 5491 vehicles passed along Vernon Avenue. Los Angeles

Railway Corporation has an important double track street car line on Vernon Avenue which would be crossed at grade by the proposed spur track. From the testimony it is evident that Vernon Avenue is now an important highway and will become more important in the future as the district in the vicinity is developed, and the proposed improvements of main highways which connect with Vernon Avenue are effected. Therefore grade crossings over this avenue should be kept at a minimum consistent with public convenience and necessity.

There is a strip of property extending from Vernon Avenue about eight hundred (800) feet to the south between Alameda Street and Santa Fe, which includes the Whiting-Mead property to be served by the proposed crossing involved herein, that is industrial property, or potentially industrial property, now without industrial track facilities, other than a short spur extending from Southern Pacific Company lines on Alameda Street east a short distance. The property immediately south of the above described industrial property without railroad service, is owned by the E. K. Wood Lumber Company, and is served by spur tracks off Southern Pacific Company's lines to the west on Alameda Street, and also by a spur line off the Santa Fe track east of Santa Fe Avenue. The spur connecting to the Santa Fe runs parallel to Vernon Avenue and is approximately eight hundred (800) feet south thereof.

It appears that this industrial property immediately south of Vernon Avenue between Alameda Street and Santa Fe Avenue could reasonably be served with railroad facilities without creating any additional grade crossings over existing important highways by one of the two methods. One in accordance with the plan suggested in the Los Angeles County Grade Crossing Committee's Exhibit No. 1, which proposes that the short spur track off Southern

Pacific lines on Alameda Street south of Vernon Avenue, be extended easterly through the tract, parallel to Vernon Avenue, to a point near Santa Fe Avenue. The alignment for this extension would follow Audrey Street from Hawthorn Avenue to a point fifty (50) feet east of St. Charles Avenue, beyond the limits of which it would pass through private property. The other possible method of securing railroad service to this industrial property would be by means of spur tracks leading from the Santa Fe track which now serves the E. K. Wood Lumber Company.

The record shows that the right of way for the extension of the spur track as proposed in exhibit No. 1 of the Los Angeles County Grade Crossing Committee has all been pledged with the exception of that portion of the line which passes through the Whiting-Mead property, which incidentally is the property to be served by the grade crossing applied for in this application.

The Whiting-Mead Company is opposed to this extension on the ground that it would not permit of developing its property to as good advantage as would the extension proposed in the application, and also on the ground that this line would not connect with its sales department building which was built in 1922. Furthermore it is contended that the line of the extension suggested in the Los Angeles County Grade Crossing Committee's Exhibit No. 1 will pass through two of its lumber sheds. At present Whiting-Mead Company convey the freight from the end of an existing spur north of Vernon Avenue to the sales building on the south side of the street by means of truck, an operation which could be eliminated if the proposed spur were constructed.

With respect to obtaining railroad service for the industrial district in question from the Santa Fe spur now serving the E. K. Wood Lumber Company's property, the record shows that the

right of way for this spur track is owned by the lumber company, which company is represented as being unwilling to permit any connections to its track.

If this industrial property south of Vernon Avenue between Alameda Street and Santa Fe Avenue is to be served from the drill track north of Vernon Avenue which connects to Southern Pacific Company's lines on Alameda Street, it will require either that this drill track be extended across Vernon Avenue and from it some spur track arrangement be developed whereby the various properties can be served, or that the various portions of this industrial area be served by a number of individual spur tracks constructed across Vernon Avenue. Certainly the public hazard and inconvenience that would result from the latter arrangement could not be justified in view of the traffic importance of Vernon Avenue and in consideration of the fact that there is a method by which this property can reasonably be served without the construction of any grade crossing over Vernon Avenue. The owners of property to the east of the Whiting-Mead property south of Vernon Avenue have filed an application with the City of Vernon for a franchise to construct and operate a spur track at grade across Vernon Avenue at a point approximately 800 feet east of the crossing proposed herein, preparatory to filing an application with this Commission for permission to construct that crossing.

The Commission recognizes that, considered by itself, the amount of use to be made of applicant's proposed track crossing would not be so great as to make it by itself a formidable public hazard, but it is the Commission's duty to consider this matter in its relation to the general public welfare and other industrial developments. It appears that the proposed crossing will give industrial track service to a relatively small portion

9868

of the industrial area between Alameda Street and Santa Fe Avenue south of Vernon Avenue. Unless preferential treatment is to be given the Whiting-Mead Company it will ultimately be necessary for the Commission to authorize additional spur tracks across Vernon Avenue. Such a multiplicity of track crossings would undoubtedly become a serious and substantial public hazard and inconvenience. If a proposal should be presented to the Commission, whereby a comprehensive industrial track plan were developed that would adequately serve this block of industrial land without requiring more than one grade crossing over Vernon Avenue, the installation of such a single grade crossing would not appear to be nearly so objectionable as the construction of a crossing over this highway to serve a single piece of property. As yet no such comprehensive plan of development has been presented, due, it appears, to the inability of the several private interests owning property in the area concerned to reach an agreement as to the details of such plan. Under these circumstances, the Commission would be remiss in its duty of restricting the public hazard due to unnecessary grade crossings, if it should approve the present application in the light of the certain knowledge that this would be the forerunner of other requests for additional spur track crossings over Vernon Avenue.

From the evidence it does not appear that public convenience and necessity justify the granting of this application which seeks permission to construct a grade crossing over an important highway to serve only a small portion of a large industrial area, the major portion of which awaits railroad service. As shown by the testimony, there appears to be a practical way of serving the entire area without the construction of additional grade crossings over any important highway, lacking only cooperation of the various

interests concerned.

Under such conditions it is proper that the present application should be denied.

O R D E R

Southern Pacific Company having made application for permission to construct a spur track at grade across Vernon Avenue, in the City of Vernon, Los Angeles County, California, a public hearing having been held, the Commission being apprized of the facts, the matter being under submission and ready for decision,

IT IS HEREBY ORDERED, that the above entitled application be and the same is hereby denied.

Dated at San Francisco, California, this 8th day of January, 1925.

C L Seavey

H F Bramidge

Egerton Shore

Commissioners.