

Decision No. 14765

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of CITY OF GLENDALE, a municipal)
corporation, for permission to in-) Application No. 10778.
stall a grade crossing over the)
tracks of the Pacific Electric)
Railway Company at Gardena Avenue.)

Roy L. Morrow, City Attorney, for Applicant.
Frank Karr, for Pacific Electric Railway Company.
John R. Berryman, Jr., for Los Angeles County
Grade Crossing Committee.

SEORE, COMMISSIONER:

O P I N I O N

In the above entitled application the City of Glendale seeks permission to construct Gardena Avenue at grade across Pacific Electric Railway Company's Glendale-Burbank line adjacent to Brand Boulevard in the City of Glendale, Los Angeles County, California.

A public hearing was held in this matter at Glendale March 3, 1925.

It was stipulated by the interested parties that the record in Application No. 8384 be considered in evidence in this proceeding in so far as relevant.

On November 4, 1922, the City of Glendale filed its application No. 8384 with this Commission, asking authorization for a grade crossing over Pacific Electric Railway Company's track at the same location as applied for in the application now under consideration. The Commission made its Order (Decision No. 11526) in this matter on January 18, 1923, wherein the City of Glendale was granted authority to construct Gardena Avenue at grade across Pacific Electric Railway Company's tracks, under certain conditions, one of which (Condition 4) provided:

ORIGINAL

"The authorization herein granted for the installation of said crossing shall lapse and become void two years from the date of this order, whereupon said crossing shall be abolished unless further time is granted by subsequent order".

At the expiration of two years, in accordance with the above provision, Pacific Electric Railway Company abolished the said crossing by excavating adjacent to the tracks and erecting posts along each side of its right-of-way across the strip that had been used as a public crossing. At the hearing in the present proceeding, counsel for the Pacific Electric Railway stated that the crossing had been abolished without the knowledge or authority of the management of the company, through an unauthorized order from one of the company's clerks. Counsel explained that although the act of abolishing the crossing was in accordance with the Commission's order, the management of the railway would, had it known the conditions, have given the City of Glendale sufficient advance notice of its intention of abolishing the crossing to permit the latter to apply to the Commission for an extension of time.

Gardena Avenue runs approximately parallel to and is located between San Fernando Road and Southern Pacific Company's main line tracks through Glendale, being about 800 feet southwest of San Fernando Road and 300 feet northeast of the railroad. To the northwest of the proposed crossing Gardena Avenue is a 70-foot highway and extends to Los Feliz Boulevard, a distance of about one-half mile, and to the southeast it is a 60-foot highway and extends to Oxford, a distance of about one-quarter of a mile. At present Gardena Avenue is improved with oil macadam.

At this crossing Pacific Electric Railway Company has a 60-foot private right-of-way, upon which is located a double-track interurban railroad known as the "Glendale-Burbank line". There are 145 passenger and 14 freight and express trains normally oper-

ated over this line daily, most of which travel at fairly high rates of speed in the vicinity of Gardena Avenue.

Brand Boulevard, one of the main highways between Los Angeles and Glendale, is divided into two roadways located on each side of the Pacific Electric's right-of-way. Each portion of Brand Boulevard is 40 feet in width, and has a paved roadway 30 feet wide. In the City of Los Angeles, southwest of the railroad, Brand Boulevard is known as Glendale Boulevard. The nearest public crossing over Pacific Electric Railway to the southwest of Gardena Avenue is at Atwater Avenue, a distance of about three-tenths of a mile. Continuing southwest of Atwater, the next public crossing is at Glenhurst Avenue, a distance of about three-tenths of a mile. Both of these crossings are in the City of Los Angeles.

The evidence shows that the crossing applied for will, to a certain extent, relieve congestion at the intersection of Brand Boulevard and San Fernando Road, in that it will afford a passage over the railroad to such traffic on Brand Boulevard from Los Angeles as desires to travel to the westerly portion of Glendale and thus avoid the San Fernando crossing which at times is congested. It was also shown that the Gardena Avenue crossing would shorten the distance for certain traffic to and from Southern Pacific Company's new passenger station in Glendale, which is located to the northwest of the proposed crossing, and that it would permit certain traffic to adjust itself more readily to right-hand travel on Brand Boulevard. The public convenience and necessity served by this crossing, however, does not appear to be great at this time.

When the Commission made its Decision No. 11526, granting

the Gardena crossing for a period of two years, the only crossing over this line of the Pacific Electric northeast of the Los Angeles River, was the Atwater Avenue crossing referred to above. This crossing has steep grades of approach, and at that time the easterly branch of Brand Boulevard was not paved north of this crossing; therefore only a small percentage of the vehicular traffic toward Glendale crossed the railroad at that point; the greater portion of the traffic continuing along the left hand side of Glendale Boulevard to San Fernando Road. One of the principal reasons for the granting of the Gardena crossing for a period of two years was to permit traffic on Brand Boulevard to adjust itself to right hand movements and thus to relieve the congestion at the intersection of Brand Boulevard and San Fernando Road, pending the improvement of the easterly half of Glendale Boulevard and the construction of a crossing which would be attractive to vehicular traffic, under the railroad north of the Los Angeles River.

Subsequently there has been constructed the crossing at Glenhurst Avenue. This is a 60-foot crossing, with a roadway 40 feet in width and with light grades of approach. There is a sign painted on the pavement directing north-bound traffic to cross the railroad at this point, and it appears that the greater portion of the traffic complies with this regulation, and thence travels along the right-hand branch of Glendale Boulevard, which has recently been paved north of Glenhurst Avenue.

Pacific Electric Railway Company's Exhibit No. 1 shows the estimated cost of constructing a public crossing at Gardena Avenue, as proposed herein, to be \$2,085. This estimate contemplates using the automatic flagman now installed at the crossing. This estimate was not contested and no others were presented.

After reviewing all the evidence in this proceeding, it

appears that public convenience and necessity do not at this time justify the granting of this application. While it was shown that the proposed crossing would serve a convenience to certain traffic, this convenience does not appear to offset the public hazard and the effect of slowing up the interurban service to Glendale and Burbank that would result from the construction of the proposed crossing. This application should be denied.

The following form of Order is recommended:

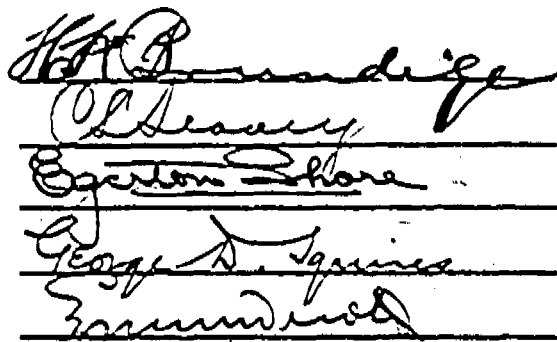
O R D E R

The City of Glendale having made application to this Commission for permission to construct Gardena Avenue at grade across Pacific Electric Railway Company's tracks adjacent to Brand Boulevard in the City of Glendale, Los Angeles County, California, a public hearing herein having been held, the matter having been duly submitted and now being ready for decision, for the reasons stated in the foregoing Opinion,

IT IS HEREBY ORDERED that the above entitled application be and the same hereby is denied without prejudice.

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.

Dated at San Francisco, California, this 10th day of April, 1925.


Commissioners.