

Decision No. 15820

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
the City of Compton for permit to cross
the tracks of the Pacific Electric Rail-
way Company between the lines of Elm
Street, extended across the tracks of
said Pacific Electric Railway Company
in the City of Compton.

Application No. 11649.

A. C. Cooney, City Attorney, for Applicant.

Frank Karr, for Pacific Electric Railway Company.

WHITSELL, COMMISSIONER:

O P I N I O N

This is a proceeding brought before the Commission by the City of Compton, seeking permission to construct Elm Street at grade across Pacific Electric Railway Company's main line between Los Angeles and the south beach district, including San Pedro and Long Beach.

Public hearing was held in this matter at Compton, on November 2nd, 1925, at which time the application was amended to change the words "Pacific Electric Railroad Company" so as to read "Pacific Electric Railway Company."

Elm Street is an east and west highway, 40 feet in width, situated in the northerly portion of the City of Compton. It extends from Long Beach Boulevard on the east to the west City Limits, a distance of about two miles, and intersects the four most important north and south highway arteries passing through Compton, namely, Long Beach Boulevard, Alameda Street, Wilmington Street and Compton Avenue. The distances between these highways along Elm Street are approximately as follows: Long Beach Boulevard to Alameda Street - three-fourths of a

mile; Alameda Street to Wilmington Street - one-fifth of a mile; and Wilmington Street to Compton Avenue - three-quarters of a mile. Elm Street is open to traffic throughout its entire length, except across Pacific Electric Railway Company's right-of-way, which is situated between the two paved branches of Wilmington Street, and across Southern Pacific Company's right-of-way immediately east of Alameda Street. Elm Street is now paved from Compton Avenue to Alameda Street, except across Pacific Electric Railway Company's right-of-way and also for a few blocks between Long Beach Boulevard and Alameda Street.

The nearest crossings over Pacific Electric Railway Company's tracks to the one proposed herein, are to the north at Orange Street, a distance of about 950 feet, and to the south at Main Street, a distance of about 1700 feet, thus making the distance between the nearest existing crossings to Elm Street approximately one-half mile. Main Street is the principal east and west street of the City and is situated approximately in the center thereof, with respect to a north and south division. The district to the south and east of the proposed crossing is Compton's main industrial section. The other property adjacent to the proposed crossing, for the greater part, is residential at this time, excepting along the west side of Wilmington Avenue, which is potential business property.

The Pacific Electric line involved herein is an important double track high-speed interurban railroad over which the greater portion of the train movements between Los Angeles and the south beach district, including both San Pedro and Long Beach, are operated. The record shows that there are normally 238 passenger trains and 20 freight trains operated over this line per day. Many of these trains travel at high rates of speed in the vicinity of the proposed crossing. The tracks are located on the westerly portion of a private right-of-way, which is 130 feet in width in the vicinity of Elm Street, thus leaving approximately 100 feet along the east side of the tracks for industrial development.

At the present time there is a lumber yard situated east of the track and immediately south of Elm Street.

Pacific electric Railway Company submitted an exhibit showing the estimated cost of the proposed crossing to be \$2,155.00, which includes the installation of an automatic flagman.

The testimony shows that a crossing over this railroad at Elm Street would serve considerable public convenience. This crossing would afford access across the railroad from the industrial district to the east of the tracks to the residential district adjacent to Elm Street west of the railroad, particularly for deliveries from the lumber company referred to above. The Moose Lodge proposes to construct a hall near the northeast corner of Elm and Wilmington Streets and it is planned that this hall will, in addition to accommodating the lodge meetings, be used for public gatherings of various other organizations, therefore, the proposed crossing would be of considerable convenience to a certain proportion of the people who attend these meetings. In view of these facts, it does not seem unreasonable to permit a crossing over this railroad between Main and Orange Streets approximately one-half mile apart, traversing a built-up section of this community, having a population of about 8,000. Public convenience and necessity therefore appear to justify the granting of this application.

Reference was made to the fact that Pacific Electric Railway Company did, at the time it was constructing its line through Compton, grant to the City an easement over its right-of-way for the construction of Poplar Street at grade. Poplar Street is situated one block to the south of Elm Street, a distance of about 300 feet. With the construction of a crossing at Elm Street, there would seem to be little need for one at Poplar Street and it is therefore recommended that the City attempt to exchange its easement at Poplar Street for one at Elm Street.

In looking over the map filed in this proceeding, it is noted that in the south half of the city the grade crossings over Pacific Electric Railway Company's tracks exist at frequent intervals, there being five streets which cross these tracks within a distance of a half mile between Main Street and Olive Street. The evidence shows that the volume of traffic passing over the railroad at some of these crossings is comparatively light and the question might well be raised as to whether or not there is sufficient public necessity to justify the continuance of all of these crossings but the present proceeding does not appear to be a proper one in which to determine that question.

There remains the matter of protection to be provided at the Elm Street crossing. The view is somewhat obstructed on the east side of the track and the hazard at this crossing is further increased due to the fact that the west branch of Wilmington Street is an important paved highway artery located parallel with and immediately west of the tracks, and also the fact that Elm Street is a comparatively narrow street. As this is an important high-speed railroad, it appears that this crossing, if constructed, should be protected by an automatic flagman.

The map accompanying the application shows the proposed grade of approach on the west side of the railroad to be six per cent. This rate of grade is considered excessive under the prevailing conditions, and the following order will provide for a lesser grade for this approach.

The following form of order is recommended, which proposes to grant this application:

O R D E R

The City of Compton, having filed the above entitled application with the Railroad Commission for permission to construct Elm Street at grade across Pacific Electric Railway Company's tracks within said

city, a public hearing having been held, the Commission being apprized of the facts, the matter having been duly submitted and now being ready for decision,

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the granting of this application. therefore,

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to the City of Compton, County of Los Angeles, State of California, to construct Elm Street at grade across the tracks of Pacific Electric Railway Company, as shown on the map attached to the application, said crossing to be constructed subject to the following conditions, namely:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of said crossing up to lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Pacific Electric Railway Company. No portion of the cost herein assessed to applicant for the construction or maintenance of said crossing shall be assessed by applicant, in any manner whatsoever, to the operative property of Pacific Electric Railway Company.

(2) The crossing shall be constructed of a width not less than twenty-four (24) feet and at an angle of ninety (90) degrees to the railroad, and with grades of approach not greater than five (5) per cent; shall be constructed substantially in accordance with Standard No. 4, as specified in General Order No. 72 of this Commission; shall be protected by a suitable crossing sign, and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

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

(4) An automatic flagman shall be installed for the protection of said crossing at the sole expense of applicant, said automatic flagman to be of a type and installed in accordance with plans or data approved by the Commission. The maintenance of said flagman shall be borne by Pacific Electric Railway Company.

(5) If said crossing shall not have been installed within one year from the date of this order, the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(6) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing 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 authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 31st day of December, 1925.

H. B. Brundage
C. S. Beatty
George D. Squires
Emmanuel St.
Leon Whitely

Commissioners.