

Decision No. 16678.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
the City of Burbank, a Municipal Cor-
poration, for permission to install a
grade crossing over the tracks of the
Pacific Electric Railway Company at
Cedar Street, in the City of Burbank,
California.

ORIGINAL

Application No. 12,553.

James H. Mitchell, City Attorney, for applicant.
Frank Karr for Pacific Electric Railway Company.
W. Hall Crowell, for a certain property owner.

SEAVEY, COMMISSIONER:

O P I N I O N

In this proceeding authority is sought to construct Cedar Avenue, referred to above as Cedar Street, at grade across Pacific Electric Railway Company's Glendale Burbank Line in the City of Burbank.

A public hearing was held on this proceeding at Glendale, April 19, 1926.

Cedar Avenue is a northerly and southerly street of the City of Burbank, situated in the northeasterly portion of the City. It extends from San Fernando Road on the south to Kenneth Road on the north, a distance of about six-tenths of a mile. It is now opened throughout this length except across Pacific Electric Railway Company's right-of-way, which is located about 1100' to the north of San Fernando Road. To the north of the railroad Cedar Avenue is improved with oil macadam, while to the south it is an unimproved earth street. The record shows, however, that the Board of Trustees of Burbank have passed a resolution of intention to

order the improvement of Cedar Avenue between San Fernando Road and Glenoaks Boulevard with a 5 inch oil macadam surface. Pacific Electric Railway Company's tracks follow the line of Glenoaks Boulevard. To the east of Providencia Avenue, which is about 400 feet east of Cedar Avenue, the track is laid in the street, and the pavement extends over that portion of the street occupied by the railroad. To the west of Providencia Avenue, the track is laid in private right-of-way, which at Cedar Avenue is 60 feet in width. This right-of-way divides Glenoaks Boulevard into two portions each 40 feet in width. That portion of Glenoaks Boulevard to the south of the railroad is not a continuous street. It appears, however, that the City of Burbank is endeavoring to acquire the few remaining parcels necessary to make this a continuous highway. Glenoaks Boulevard is not opened along the south side of the railroad adjacent to Cedar Avenue.

The nearest crossings over the railroad to the one proposed herein are Providencia Avenue on the west, described above, and Alameda Street on the east, the crossing at Alameda Street being situated a distance of about 1100 feet from the proposed crossing.

The district in the vicinity of Cedar Avenue, except adjacent to San Fernando Road, is residential property. To the north of the railroad the property fronting on Cedar Avenue is fairly well built up with houses; to the south, however, there is very little development at this time, although the record shows there is a plan to build houses on this property in the near future.

The railroad involved herein is Pacific Electric Railway Company's main line serving the Burbank District. There are normally 71 passenger and 4 freight train movements over this line per day. It has been estimated that the passenger trains travel at a rate of speed of about 30 miles per hour in the vicinity of

Cedar Avenue. It appears that this crossing, if constructed, would be used principally by local traffic. The crossing would be of material convenience to that portion of the local traffic which originated on Cedar Avenue on one side of the track and desired to reach a point on the opposite side of the railroad. The volume of such traffic, however, would evidently be very small. The majority of the local traffic on Cedar Avenue is destined for points to the east toward Glendale, or to the west toward the business center of Burbank. Glenoaks Boulevard affords a convenient connection between the crossings over the railroad adjacent to Cedar Avenue. Therefore the construction of the proposed crossing would not to any extent shorten the distance of travel for the majority of the traffic on Cedar Avenue.

The view at the proposed crossing is not seriously impaired at this time; however, the presence of Glenoaks Boulevard parallel to and adjacent to the railroad would add to the hazard of the crossing, if constructed, especially if and when both branches are paved, which would undoubtedly attract a large volume of vehicular traffic.

It appears that the public convenience that would be afforded by the construction of a crossing over the railroad at Cedar Avenue, does not justify the hazard and interference with the railroad service, that would be incident thereto; therefore, this application should be denied.

The following form of order is recommended:

O R D E R

Hearing having been held on the above entitled application and the matter now standing submitted and ready for decision,

for reasons set forth in the foregoing Opinion,

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

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.

The effective date of this Order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 10th day of May, 1926.

H. H. Brundage

C. S. Brown

Leon Whitell

Commissioners.