

Decision No.

17330

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Los Angeles County Grade Crossing  
Committee,

Complainant,

vs.

Southern Pacific Railroad Company,  
a corporation, and the Southern  
Pacific Company, a corporation,

Defendant.

Case No. 2124.

In the Matter of the Investigation )  
on the Commission's own motion of )  
the safety and necessity of grade )  
crossings of the tracks of Southern )  
Pacific Company in the cities of )  
Los Angeles, Glendale and Burbank, )  
County of Los Angeles, State of )  
California. )

Case No. 2171.

John R. Berryman, Jr., for Los Angeles County  
Grade Crossing Committee;  
Ray L. Morrow, City Attorney, and L. R. Tarr,  
Assistant City Attorney, for City of Glendale;  
Milton Bryan, Assistant City Attorney, for City  
of Los Angeles;  
James E. Mitchell, City Attorney, for City of  
Burbank;  
R. C. McAllister, Deputy County Counsel, for  
County of Los Angeles;  
Frank Karr, for Southern Pacific Company and  
Pacific Electric Railway Company;  
F. W. Mielke, for Southern Pacific Company;  
Geo. A. Damon, for Los Angeles County Regional  
Planning Commission;  
S. V. Cortelyou, for California State Highway  
Commission;  
G. C. De Garmo, for Gladding, McBean & Company;  
Otto & Linn, by Roy A. Linn, for Von Breton,  
Lampe and Sweet.

SEAVEY, COMMISSIONER:

O P I N I O N

Case 2124, as entitled above, was filed with the Com-

mission on April 17th, 1925, wherein the Commission is asked to determine, under proper process, whether or not the grade crossing of Los Feliz Boulevard and Southern Pacific tracks should be replaced with a grade separation, and if so, to apportion the expense thereof between the interested parties.

A public hearing was held on this proceeding on June 16th, 1925. At this hearing both the City of Los Angeles and the City of Glendale asked the Commission to make a comprehensive study of the entire grade crossing situation, with respect to Southern Pacific Company's tracks through Glendale and vicinity, and to determine, before any money is spent at the proposed Los Feliz Boulevard grade separation, whether or not the plan proposed by Complainant in Case 2124 would be consistent with the best plan for general grade crossing elimination in this vicinity. Thereupon the Commission's Transportation Engineer was directed to make such an investigation and to report at the next hearing, it being agreed by interested parties that their respective representatives would cooperate and assist in this investigation.

On September 21st, 1925, the Commission instituted a proceeding on its own motion, Case 2171, for the purpose of determining whether, in the interest of public convenience and public safety, the installation and maintenance of additional protective devices, the separation of grades or the abolition or relocation of crossings is or will be required at the crossings of the tracks of Southern Pacific Company at various intersecting highways, or any of them, in the Cities of Los Angeles, Glendale and Burbank, County of Los Angeles, State of California, between and including the crossing of Dayton Avenue in said City of Los Angeles and the crossing of San Fernando Road in said City of Burbank, and also for the purpose of determining whether, in the interest of public convenience and public safety, the separation

of grades is or will be required at the grade crossing of the track of the Pacific Electric Railway Company with the tracks of Southern Pacific Company at or near Brand Boulevard in said City of Glendale, and for the further purpose of determining the proportions in which the expense of construction and maintenance of any such additional protection, or separation of grades, or abolition or relocation of such crossings, if prescribed, shall be divided between Southern Pacific Company, Pacific Electric Railway Company, the Cities of Los Angeles, Glendale and Burbank, the County of Los Angeles and the State of California, in relation to the California Highway Commission.

At the public hearing on December 22nd, 1925, both of these proceedings were consolidated for hearing and decision. Further public hearings were held on these proceedings at Los Angeles on February 8th, March 15th, March 26th and June 4th, 1926.

The result of the comprehensive study of the grade crossing situation, with respect to Southern Pacific Company's tracks from Dayton Avenue in Los Angeles to San Fernando Road crossing in the City of Burbank, was introduced in evidence (Commission's Exhibit No. 1) by the Commission's Transportation Engineer, under whose supervision the joint investigation was made.

It does not appear necessary to discuss at length this voluminous exhibit, further than to quote from the summary statement of conclusions and recommendations contained therein as follows:

- "1. A total of sixteen crossings will probably adequately serve the ultimate needs of territory from the San Fernando Road crossing in Burbank to Dayton Avenue in Los Angeles, a distance of approximately ten miles.

2. The territory will eventually be intensively developed as urban territory and should ultimately be entirely free from all crossing of high speed railroad tracks at grade.
3. The work of eliminating grade crossings in this territory should be commenced at once and should be completely accomplished within a period of fifteen years.
4. There are two general plans of effecting this complete grade crossing elimination:
  - a. A comprehensive plan of depressing the railroad south of Aviation Drive and elevating the railroad north of Aviation Drive.
  - b. An individual treatment plan of providing a subway or overhead at each of the necessary highways.
5. Omitting consideration of cost, each of these general plans has certain advantages. The more important of these respective advantages are as follows:
  - a. In favor of comprehensive plan:
    1. Complete grade crossing elimination would be effected over a large section immediately upon the completion of the first stage of the work.
    2. Economical construction of grade separations of future streets not now foreseen as necessary.
    3. Encouragement of fairly uniform business development of property adjacent to railroad.
    4. Construction of necessary highways across the railroad with the minimum disturbance of existing street grades.
  - b. In favor of individual crossing plan:
    1. Elimination of drill or switching track grade crossings that will still exist under the comprehensive plan.
    2. Greater traffic capacity of highways due to elimination of industrial track grade crossings.
    3. Minimum amount of land taken from natural industrial uses.
    4. Minimum interferences with both highway and railroad traffic during period of construction.
    5. Grade crossing relief can be afforded at any particular crossing at a time comparable with the needs of that particular crossing.
    6. Where crossings are adjacent to San Fernando Road (such as Colorado Street) grade can also be separated from San Fernando Road.
    7. No serious drainage problem.

8. View of Glendale not hidden to passengers on trains.
6. The estimated costs of two plans for the sixteen crossings compare as follows:

	<u>Comprehensive Plan</u>	<u>Individual Plan</u>
Total New Money	\$18,360,371.	\$4,865,646.
Average Annual New Money Requirements over 15 year period	1,224,021.	324,376.
Average Annual Interest charge at 5% for first 15 years	634,051.	123,419.
Annual Interest charge at 5% after 15 years	918,018.	243,282.

7. It is noted that the annual interest requirements alone of the comprehensive plan are nearly twice the average annual total new money requirements of the individual plan for the fifteen years during which the entire work could be accomplished.
8. It is recommended that the individual plan be adopted and the construction program be promptly undertaken.
9. For a construction program, the various grade separations be grouped into three groups, each group to be constructed in a five year period. The crossings recommended for these groups are:

Group I.

Los Feliz Boulevard  
Brand Boulevard  
Fletcher Drive  
San Fernando Road (Turkey Crossing)  
Tyburn Street

Group II.

Colorado Street  
Magnolia Avenue  
Olive Avenue  
Parkdale Avenue  
Western Avenue

Group III.

Coolidge Avenue or Hallett Avenue  
Broadway  
Grand View Avenue  
Alameda Avenue  
Verdugo Avenue

10. The grade crossing at the following named streets should be closed:

Goodwin Avenue  
Aviation Drive  
Sonora Avenue  
Allen Avenue  
Providencia Avenue

11. The grade crossing of the Pacific Electric over Southern Pacific at Brand Boulevard should temporarily remain, pending the construction of a Rapid Transit Line to Glendale."

It appears from this exhibit, when considered together with all evidence presented, that the so-called Individual Treatment Plan is the proper plan to adopt, and it further appears that this is the only plan that can be feasibly financed. This Individual Treatment Plan has been approved by the cities of Los Angeles and Burbank, the County of Los Angeles and by Southern Pacific Company. The City of Glendale expressed no preference as to plans. Certain interested private property owners expressed a preference for the Comprehensive Plan, and others objected to any grade separation in the vicinity of their holdings.

The program or sequence of crossing eliminations recommended seems to be satisfactory but it does not appear either necessary or proper that the Commission should at this time attempt to definitely determine the exact time and order for the entire grade crossing elimination program. It might develop that future conditions will arise to greatly change the present situation. It is entirely proper, however, that the Commission should now direct such grade crossing relief as is required by the immediate public needs. The evidence clearly shows that among the grade crossings under consideration there are two outstanding cases where there is an urgent public necessity for relief, namely, at the Los Feliz Boulevard and the Glendale-Brand Boulevard crossings, whereby subways, substantially in accordance with the Individual Treatment Plan described as Commission's Exhibit No.1, should be constructed.

Los Feliz Boulevard is an important highway artery which offers a direct connection between the Glendale-Pasadena districts and the Hollywood district of Los Angeles, as well as the west beaches. The City of Los Angeles has recently constructed a new bridge on this highway over the Los Angeles River and portions of the route have been improved by the construction of a 70-foot paved roadway. A traffic count taken on Tuesday, January 6th, 1925, between the hours of 6:00 A.M. and 10:00 P.M. showed that 14,205 vehicles passed over this grade crossing in the 16-hour period. This traffic count was taken before the new pavement was constructed. Los Feliz Boulevard crosses two main tracks, a passing track and three yard tracks (six in all) of Southern Pacific Company. Southern Pacific Company's records show that during the period of time from January 1st, 1920, to June 30th, 1925, seventeen accidents occurred at this crossing. The crossing is now protected with gates. The westerly right-of-way line of the railroad marks the boundary between the City of Los Angeles and the City of Glendale, the railroad property being in the City of Glendale. The estimated cost of a grade separation at Los Feliz Boulevard is stated at \$421,790., an amount which provides for carrying the highway under the railroad in a subway, with two 27-foot roadways and two 6-foot sidewalks.

Glendale-Brand Boulevard is the most important highway artery between the business center of the City of Los Angeles and the City of Glendale, and crosses at grade the two main tracks of Southern Pacific Company at the boundary line of the two cities. The Glendale depot is located on the easterly side of the railroad and about 900 feet northerly from Glendale-Brand Boulevard. In the vicinity of Southern Pacific Company's tracks, Glendale-Brand Boulevard is divided into two portions by Pacific Electric Company's 60-foot right-of-way for its Glendale and Burbank Electric

Interurban Line. Each portion of the highway has a driveway 30 feet in width, with 10-foot sidewalks. A traffic count taken between the hours of 6:00 A.M. and 2:00 P.M., on Thursday, January 29th, and from 2:00 P.M. to 10:00 P.M. on Tuesday, February 3rd, 1925, shows that 15,902 vehicles passed over this grade crossing in the total 16-hour period. Southern Pacific Company's records show that during the period of time from January 1st, 1920, to June 30th, 1925, forty-one accidents have occurred at this crossing. This crossing is protected with gates. The estimated cost of grade separation at this location is \$500,250., an amount which provides for constructing the highway under the railroad with two 30-foot driveways and two 8-foot sidewalks.

No evidence has been taken which will justify the Commission at this time in fixing the proportions of the cost of these subways that should be assessed to the several interested parties. It would be desirable if the parties themselves could agree upon a division of cost which to them would appear equitable, and it may be that now since a definite plan and program has been determined upon, insofar as these two crossings are concerned, the parties will be able to reach, within a reasonable period, such an agreement as to the division of cost. If, however, evidence of such an agreement has not been presented to this Commission within one hundred and twenty (120) days, the Commission should proceed, after further hearing, to make its finding as to this feature. In the meantime the Southern Pacific Company should be directed to prepare and submit final plans and specifications for the two grade separation projects ordered.

The following recommended form of order so provides:



O R D E R

Public hearings having been held on the above entitled matter, the Commission being apprised of the facts, the matter being under submission and ready for decision;

IT IS HEREBY ORDERED that the grade crossings of Los Feliz Boulevard and Glendale-Brand Boulevard, respectively, over the tracks of Southern Pacific Company at or near the boundary line between the Cities of Glendale and Los Angeles in the County of Los Angeles, State of California, be abolished by the construction of suitable subways to carry said Los Feliz and Glendale-Brand Boulevard under said tracks of Southern Pacific Company.

IT IS HEREBY FURTHER ORDERED that Southern Pacific Company be and it is hereby directed to prepare detail plans and specifications for the construction of suitable subways to carry said Los Feliz Boulevard and said Glendale-Brand Boulevard, respectively, under the tracks of said Southern Pacific Company, substantially in accordance with the plans shown in Commission's Exhibit No. 1, filed in the above entitled proceeding. Said Southern Pacific Company is hereby directed to submit said plans to all other interested parties for their approval or disapproval. Within one hundred and twenty (120) days from the date hereof, Southern Pacific Company is hereby further directed to submit said plans to this Commission, together with the written approval of all interested parties, or in the event that any or all of such parties shall fail to approve said plans, the reason given for such failure to approve shall be stated in writing to the Commission. Approval of detail plans and the apportionment of costs of these improvements may be made by suitable supplemental order;

after the Commission is placed in possession of sufficient information for that purpose.

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.

For all other purposes the effective date of this order shall be twenty (20) days from and after the making hereof.

Dated at San Francisco, California, this 10<sup>th</sup> day of September, 1926.

H. H. B. Mendigo

O. C. Seavey

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Tim S. Rountree  
Commissioners.