

Decision No. 18877

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
 the Southern Pacific Company, a cor-
 poration, for permission to construct
 certain tracks at grade across cer-
 tain streets between 11th Street and
 Bay Street and across Lawrence Street
 to provide yard for handling perish-
 able freight.

ORIGINAL

Application No. 13694.

Frank Karr, for Applicant.

Jess E. Stephens, City Attorney, for
City of Los Angeles.

BY THE COMMISSION:

O P I N I O N

In this application the Southern Pacific Company seeks permission to construct tracks at grade across certain streets in the City of Los Angeles in connection with the development of a team track yard located east of Alameda Street and north of Ninth Street.

A public hearing was held in this matter before Commissioner Brundige at Los Angeles on June 28th, 1927, at which time the matter was taken under submission. At the time of the hearing, applicant presented only a permit from the Board of Public Utilities of the City of Los Angeles to construct the proposed track at grade across the various streets involved. However, the City Council of the City of Los Angeles, on July 1st, 1927, approved Ordinance No. 58280, which granted Southern Pacific Company permission to construct these crossings under certain conditions.

The tracks which applicant proposes to construct are for the purpose of reaching property in the vicinity of Eighth

Street to the east of Alameda Street on which the development of team tracks, particularly for the handling of perishable products, is contemplated. This business, it appears is at present handled at several points along Alameda Street from Macy to Butte Street but upon completion of the development proposed it would be largely concentrated at the new location at Eighth and Alameda Streets. Connection is proposed with an existing freight lead of the Los Angeles & Salt Lake Railroad at Eleventh and Lemon Streets from which point southerly and easterly operation will be carried on jointly over the latter company's track making it possible for the Southern Pacific Company to handle its freight from Alhambra Street over the tracks on the east bank of the Los Angeles River directly into the proposed yard. The freight can also be handled via Alameda Street and the present Butte Street Yards. To the north of this junction point on Lemon Street the proposed Southern Pacific track runs approximately parallel to and about 35 feet east of the existing tracks of the Los Angeles & Salt Lake Railroad to the vicinity of Eighth Street.

Of the various highways crossed by the proposed track construction, Ninth Street is the only one of any material traffic importance at this time. The record shows that this is a very important east and west traffic artery at the present time and its importance will be greatly increased with the completion of the contemplated opening and widening of Tenth Street to a connection with Ninth Street just west of the proposed crossing. Applicant admits that for a permanent arrangement, the expense of a grade separation at this location is justified as traffic

upon this proposed additional track over such an important highway artery when considered with the traffic now operated over the adjacent tracks of the Los Angeles & Salt Lake Railroad will present a serious interference to vehicular traffic. Applicant, however, urged that for the present the proposed track be constructed at grade across Ninth Street to accommodate the present need for track facilities to handle perishable fruits and vegetables, and furthermore, that Ninth Street should not be closed for the construction of a grade separation until such time as the Seventh Street viaduct could be opened to public travel.

The Seventh Street viaduct has been completed since the submission of this application and this being the case, it does not seem that the vehicular traffic that would normally use the Ninth Street viaduct over the river would be interfered with to any greater extent at this time than would be the case at a future date due to the construction of a grade separation at the location involved herein. This grade separation would necessarily include both the proposed track of applicant and the two tracks of the Los Angeles & Salt Lake Railroad which now cross Ninth Street at grade at a point about 40 feet west of the proposed crossing.

The record indicates that the parties involved in such a grade separation, namely, Southern Pacific Company, The City of Los Angeles and the Los Angeles & Salt Lake Railroad, have reached a tentative agreement as to the manner of construction and the division of cost of constructing Ninth Street at Lemon Street under the tracks of Los Angeles & Salt Lake Railroad and the one proposed herein. Under this plan it appears that each party will pay approximately one-third of the cost of the improvement. The City and the

Southern Pacific Company also appear to have entered into a tentative agreement whereby the City's portion of the cost will be paid by the Southern Pacific Company in return for the vacation of certain city streets which would be occupied by the tracks of the Southern Pacific Company in the proposed development of the team track yard referred to above.

In addition to the crossing at Ninth Street discussed above, the proposed line crosses the following streets:

Lawrence Street,
Wilson Street,
Eighth Street,
Damon Street,
Enterprise Street,
Hunter Street,
Eleventh Street,
Lemon Street,

and also four 15-foot alleys as indicated on map drawing No. C-16, Los Angeles Division, dated April 9, 1927, which is attached to the application.

Lawrence Street is a comparatively short north and south street located one block east of Alameda Street. It is now improved with an asphalt pavement. The traffic on this highway consists largely of local industrial vehicles.

Lemon Street is a rather unimportant north and south highway running parallel to and about 900 feet east of Alameda Street. It is improved with oil and macadam. The traffic on this highway consists largely of local industrial vehicles.

Wilson Street is in effect a continuation of Lemon Street north of Eighth Street. It is unimproved but carries a small number of vehicles.

Damon Street, Enterprise Street, Hunter Street and Eleventh Street are all short east and west highways, which are now improved with oil macadam and accommodate only a comparatively small volume of local industrial traffic.

Eighth Street at this time is an unimportant street in the vicinity of the proposed crossing. However, there is a plan to construct a connecting link between that length of Eighth Street east of Lemon Street with that portion west thereof, there being no such physical connection at this time. It reasonably could be assumed that if and when this project is carried out, Eighth Street will become an important east and west highway artery.

From the evidence adduced in this proceeding, it appears that public convenience and necessity justify the granting of all the crossings at grade applied for in this application except that at Ninth Street. The number of freight movements across Ninth Street would undoubtedly be very frequent when considering those to be moved over the proposed track as well as those moved over the existing tracks of the Los Angeles and Salt Lake Railroad. All these freight movements would travel at a slow rate of speed and would thereby cause additional delay to the vehicular traffic on Ninth Street. As set forth above, Ninth Street already is an important east and west highway artery of the City of Los Angeles and will become more important with future development especially when the proposed Tenth Street project is realized, which appears to be reasonably assured at this time. There are no apparent benefits to be derived from delaying a grade separation at Ninth Street, as such delay will not result in an advantage to the traveling public or to the railroad, and as the cost of effecting such a separation, especially with respect to property damage, will undoubtedly increase as development of adjacent property progresses. The application in so far as it refers to the crossing of Ninth Street at grade will therefore be denied. In view of the fact that the parties interested in a grade separation at Ninth Street have already reached a tentative agreement as to the manner of construction and the division of costs, it is suggested that a joint application for grade separation at this location be filed by those parties, namely Southern Pacific Company,

The City of Los Angeles and Los Angeles and Salt Lake Railroad Company.

A separation of grade at Ninth Street may materially affect the conditions surrounding the construction of other of the grade crossings applied for. In view of this fact it would seem proper to delay the actual construction of the crossings at grade applied for until the grade separation at Ninth Street has been completed or at least until the final plans for same have been agreed to by all interested parties. The crossings at grade applied for in this application with the exception of that at Ninth Street will therefore be granted, the same to be constructed in accordance with conditions to be specified in a supplemental order herein to be issued after this Commission has approved a plan by which grades shall be separated as above mentioned.

O R D E R

Southern Pacific Company, a corporation, having filed with this Commission, on April 12, 1927, an application for permission to construct certain tracks at grade across Ninth Street and certain other streets in the City of Los Angeles, a public hearing having been held, the matter having been submitted and being now ready for decision, therefore

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Southern Pacific Company to construct certain tracks at grade across Lawrence, Wilson, Eighth, Damon, Enterprise, Hunter, Eleventh and Lemon Streets, and four fifteen-foot (15') alleys in the City of Los Angeles, County of Los Angeles, State of California, at the locations hereinafter particularly described and as shown by the map (Los Angeles Division Drawing No. C-16) attached to the application.

DESCRIPTION OF CROSSINGS

LEMON AND ELEVENTH STREETS

Beginning at a point in the Southerly line of Eleventh Street distant westerly thereon 35 feet, more or less, from the Easterly line of Lemon Street; thence northeasterly in a direct line a distance of 156 feet, more or less, to a point in the Easterly line of Lemon Street, distant northerly thereon 160 feet, more or less, from said Southerly line of Eleventh Street.

Also a track to cross the east and west alley in the Block bounded by Ninth, Lemon, Hunter and Mateo Streets; Hunter Street; the east and west alley in the Block bounded by Lemon, Hunter, Mateo and Enterprise Streets; Enterprise Street; and the east and west alley in the Block bounded by Lemon, Enterprise, Mateo and Damon Streets, the center line of said track being parallel with and distant easterly 8.5 feet, at right angles, from the easterly line of Lemon Street.

DAMON STREET

Beginning at a point in the southerly line of Damon Street distant easterly thereon 8.5 feet, more or less, from the southeast corner of Damon and Lemon Streets; thence northerly on a curve concave to the west, a distance of 50 feet, more or less, to a point in the northerly line of Damon Street, distant easterly thereon 5 feet, more or less, from the northeast corner of Damon and Lemon Streets.

LEMON STREET

Beginning at a point in the easterly line of Lemon Street, distant southerly thereon 56 feet, more or less, from the southeast corner of Lemon and Damon Streets; thence northwesterly on a curve concave to the southwest a distance of 130 feet, more or less, to a point in the westerly line of Lemon Street, distant southerly thereon 50 feet, more or less, from the southwest corner of Lemon and Damon Streets.

Also:

Beginning at a point in the easterly line of Lemon Street, distant northerly thereon 30 feet, more or less, from the northeast corner of Lemon and Damon Streets; thence northwesterly on a curve concave to the southwest, a distance of 130 feet, more or less, to a point in the westerly line of Lemon Street, distant northerly thereon 18 feet, more or less, from the northwest corner of Lemon and Damon Streets.

Also a track to cross the east and west alley in the Block bounded by Lemon, Enterprise, Mateo and Damon Streets.

Beginning at a point in the southerly line of said alley distant easterly thereon 6 feet, more or less, from the easterly line of Lemon Street; thence northeasterly a distance of 15 feet, more or less, to a point in the northerly line of said alley, distant easterly thereon 4 feet, more or less, from the easterly line of Lemon Street.

Also two tracks to cross the east and west alley in the Block bounded by Lawrence, Eighth, Wilson and Sacramento Streets.

Beginning at a point in the southerly line of said alley, distant westerly thereon 127 feet, more or less, from the westerly line of Wilson Street; thence northwesterly in a direct line a distance of 25 feet, more or less, to a point in the

northerly line of said alley, distant westerly thereon 145 feet, more or less, from said westerly line of Wilson Street.

Beginning at a point in the southerly line of said alley, distant westerly thereon 135 feet, more or less, from the westerly line of Wilson Street; thence northwesterly on a curve concave to the southwest a distance of 33 feet, more or less, to a point in the northerly line of said alley, distant westerly thereon 165 feet, more or less, from said westerly line of Wilson Street.

Also three tracks to cross Lawrence Street, the center lines of said tracks being parallel with and distant southerly 25 feet, 38 feet, and 108 feet, at right angles, from the southerly line of Eighth Street.

Also three tracks to cross Lawrence Street, the center lines of said tracks being parallel with and distant northerly 100 feet, 170 feet, and 220 feet, at right angles, from the northerly line of Eighth Street.

WILSON STREET

Beginning at a point in the easterly line of Wilson Street where same is intersected by the easterly prolongation of the northerly line of Eighth Street; thence northwesterly in a direct line, a distance of 62 feet, more or less, to a point in the westerly line of Wilson Street, distant northerly thereon 38 feet, more or less, from the northwest corner of Wilson and Eighth Streets.

Said crossings to be constructed in accordance with conditions to be specified in a supplemental order herein following a determination of the plan of grade separation at Ninth and Lemon Streets at the locations described in the foregoing opinion.

IT IS HEREBY FURTHER ORDERED that the portion of this application seeking the construction of a crossing at grade with Ninth Street be and it is hereby denied.

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

Dated at San Francisco, California, this 4th day ^{October} of ~~September~~, 1927.

[Signature]
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Commissioners.