

Decision No. 19605

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 the City of Beverly Hills for an
 order authorizing the construction
 of a crossing at grade over the
 Pacific Electric Railway Company's
 tracks and right-of-way, Santa
 Monica Line, from Santa Monica
 Boulevard (South) to Santa Monica
 Boulevard (North) in the City of
 Beverly Hills, Los Angeles County,
 California.

Application No. 14361.

Richard C. Waltz, for Applicant.

C. W. Cornell, for Pacific Electric Rail-
way Company.

BY THE COMMISSION:

O P I N I O N

In this proceeding the City of Beverly Hills requests permission to construct Camden Drive across the double-track line of Pacific Electric Railway Company, in the City of Beverly Hills, County of Los Angeles, State of California.

A public hearing was held before Examiner Satterwhite at Beverly Hills, February 17th, 1928.

The double-track line involved is Pacific Electric Railway Company's Los Angeles-Santa Monica Line. The proposed crossing is located to the south of the junction of the line to Santa Monica via Hollywood and the line via Vineyard Junction; therefore, this track accommodates trains on both lines. There are normally 12 passenger trains per hour from 7:00 A.M. to 5:00 P.M. with 2 extras between 7:00 A.M. and 8:00 A.M., 7 freight trains and 14 mail and express cars during the day. Before 7:00 A.M. and after 5:00 P.M. the passenger trains operate on a half-hour schedule. The maximum speed

of these trains is estimated to be twenty miles per hour. In the vicinity of the proposed crossing the line runs in a northeasterly and southwesterly direction. Santa Monica Boulevard is an important highway artery between Los Angeles and Santa Monica. From Beverly Hills Station to the southwest, the railroad right-of-way divides this highway in two portions. From Wilshire Boulevard northeast to the business center of Beverly Hills, there is a strip of privately owned property, thirty feet in width, separating the railroad right-of-way from the south portion of Santa Monica Boulevard. Camden Drive is located about 1600 feet northeast of Wilshire Boulevard.

The residential area of the City is northwest of the railroad and the business district lies to the southeast. At the present time there are four grade crossings over these tracks between the business center of Beverly Hills and Wilshire Boulevard, a distance of a little less than one mile. These crossings are located at Canyon Drive, Beverly Drive, Rodeo Drive and Roxbury Drive; the first three are one block apart, there being three blocks between Rodeo and Roxbury Drive and two blocks between Roxbury Drive and Wilshire Boulevard.

The record shows that a large amount of business has developed along Camden Drive and adjacent thereto, among which is the Post Office and Gas Office, a bank and a professional building. All traffic between this district and the residential area to the northwest must detour to the Roxbury Drive crossing or the one at Rodeo Drive.

The view at the proposed crossing is fairly good at this time as the strip of private property southeast of the railroad is vacant adjacent to Camden Drive. However, in the event that buildings are erected on this land adjacent to Camden Drive, the view would become seriously impaired. Therefore, if the crossing is to be constructed, vehicular traffic should be afforded the protection

of two automatic flagmen.

The only opposition to the granting of the application was registered by the railway company, which contended that there was little public necessity for the crossing.

The testimony clearly indicates that public convenience and necessity justify the granting of this application.

O R D E R

The City of Beverly Hills, through its City Attorney, having made application to construct Camden Drive at grade across the tracks of Pacific Electric Railway Company, a public hearing having been held, the Commission being apprised of the facts, the matter having been duly submitted and ready for decision, therefore,

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to the City of Beverly Hills, County of Los Angeles, State of California, to construct Camden Drive at grade across the tracks of Pacific Electric Railway Company at the location as shown by the maps (Exhibits "A" and "B") attached to the application.

This crossing shall be identified as Crossing No. 6S-10.28.

Said crossing shall be constructed subject to the following conditions and not otherwise:

(1) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of 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 Rail-

way Company.

(2) The crossing shall be constructed of a width not less than thirty (30) 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 equal or superior to Standard No. 3 or equal to Standard No. 4, as specified in General Order No. 72 of this Commission; shall be protected by a suitable crossing sign, constructed substantially in accordance with Standard No. 1, as specified in General Order No. 75 of this Commission, and shall in every way be made safe for the passage thereon of vehicles and other road traffic.

(3) Two automatic flagmen shall be installed for the protection of said crossing at the sole expense of the applicant and substantially in accordance with Standard No. 3, as specified in General Order No. 75 of this Commission. The cost of maintenance of said automatic flagmen shall be borne by Pacific Electric Railway Company.

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

(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 judg-

ment, 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 13th day
of ~~March~~ ^{April}, 1928.

Leon Whitehall
Cl Seavey

Thos S. Lott

M. J. [unclear]

Commissioners.