

Decision No. 21850

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of the County of Los Angeles for order authorizing a grade crossing over the Pacific Electric Railway Company's right of way on Genesee Avenue.

**ORIGINAL**  
Application No. 15853.

Everett W. Mattoon and Robert Kenny,  
for Applicant.  
C. W. Cornell, for Pacific Electric  
Railway Company, Protestant.  
Harry Barratt, for West Hollywood Chamber  
of Commerce.

DECOTO, COMMISSIONER:

OPINION

In the above entitled application the County of Los Angeles seeks an order authorizing a grade crossing at Genesee Avenue over the tracks of Pacific Electric Railway Company in the vicinity of West Hollywood.

A public hearing was held in this matter at Los Angeles on November 1, 1929.

Genesee Avenue, extending in a north and south direction, is paved to a width of thirty-four feet on either side of the proposed crossing and intersects Sunset Boulevard on the north and Santa Monica Boulevard on the south. Pacific Electric Railway Company's Hollywood line, extending in a northeasterly and southwesterly direction, is double track located on a 35-foot private right of way at the location of the proposed crossing.

The territory adjacent to Genesee Avenue, both north and south of the tracks, is highly developed residential section containing both apartments and flats. The main business districts of this district are located along Sunset and Santa Monica Boulevards.

All north and south streets between Fairfax Avenue on the west and La Brea Avenue on the east, with the exception of Genesee Avenue, have been constructed across said tracks at grade.

The County of Los Angeles maintains a fire station on Genesee Avenue between Norton Avenue and Santa Monica Boulevard, and Mr. Johnson, in charge of the Los Angeles County Fire Prevention District, testified that the lack of a crossing at Genesee Avenue causes a considerable amount of inconvenience, particularly if a fire occurs north of the tracks on Genesee Avenue since, by necessity, the apparatus has to proceed over a somewhat circuitous route.

The record shows that the proposed crossing is not to accommodate through traffic, but is necessary for and will be of convenience to local traffic, of which there appears to be a substantial amount. The local traffic, which would use this crossing, now uses one of the other grade crossings in the vicinity.

The rail traffic on these tracks consists of an average of ten trains per hour; however, every train, including the Santa Monica trains, stop at every other block in this territory, consequently high speeds are not attained.

The record shows that if a grade crossing is constructed, it should, due to the corner views being obscured, be protected by a Standard No. 3 wigwag.

The Los Angeles County Grade Crossing Committee has had the matter of constructing this crossing before it on three different occasions during the past four years, and the record shows that that organization has taken no action in the matter on the last two occasions due to the fact that its sub-committee was unable to reach an unanimous agreement.

From the record herein, I am of the opinion that there is sufficient travel between the residential section along Genesee Avenue and the business districts to warrant the authorization of this crossing and that by so doing public convenience and necessity will be served thereby.

The following form of order is recommended.

O R D E R

An application having been filed, a public hearing having been held, the matter having been submitted and the Commission being fully advised,

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to the Board of Supervisors of the County of Los Angeles, State of California, to construct Genesee Avenue at grade across the tracks of Pacific Electric Railway Company at the location hereinafter particularly described and as shown by the map (Exhibit B) attached to the application.

DESCRIPTION OF CROSSING

That portion of the Pacific Electric Railway Company's right of way as shown on map of Tract No. 2402, recorded in Book 23, Page 12 of Maps, records of Los Angeles County, which lies between the northerly prolongations of the easterly and westerly lines of Genesee Avenue, as shown on said map.

The above crossing shall be identified as Crossing No. 6H-9.14.

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

(1) The expense of constructing and maintaining the crossing shall be borne in accordance with the terms of the agreement attached to the application as Exhibit 'C'. The actual work of constructing the crossing between lines two (2) feet

outside of the outside rails shall be performed by Pacific Electric Railway Company.

(2) The crossing shall be constructed of a width not less than thirty-four (34) feet and at an angle of approximately forty-five (45) degrees to the railroad and with grades of approach not greater than four (4) 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 Standard No. 1 crossing sign as specified in General Order No. 75 of this Commission, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.

(3) A Standard No. 3 wigwag, as specified in General Order No. 75 of this Commission, shall be installed and maintained for the protection of said crossing. The cost of installation and maintenance of said wigwag shall be borne in accordance with the terms of the agreement attached to the application as Exhibit 'C'.

(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 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 2d day of ~~November~~ <sup>December</sup>, 1929.

Thos S. Lott  
C. L. Lacey  
~~Edmund J. [unclear]~~  
Leon Whitely  
W. J. Linn  
 Commissioners.