

Decision No. 22538

**ORIGINAL**

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 for Mendocino Street, on Fair Oaks Avenue.

Application No. 16454.

Mr. Everett W. Mattoon, County Counsel,  
by Robert W. Kenny, Deputy, for  
applicant.

Mr. Frank Karr, by C. W. Cornell, for  
Pacific Electric Railway Company,  
Protestant.

BY THE COMMISSION:

O P I N I O N

This is an application of the County of Los Angeles for an order authorizing the construction of Mendocino Street at grade across the Fair Oaks Avenue line of the Pacific Electric Railway Company in the unincorporated community of Altadena.

A public hearing was conducted on this application before Examiner Gannon at Los Angeles on June 4th, 1930, at which time evidence was taken and the matter submitted.

The double-track railroad of Pacific Electric Railway Company is located on private right-of-way lying longitudinally between the two roadways of Fair Oaks Avenue. At the present time a grade crossing is maintained over the railroad at Mariposa Street, a distance of approximately 300 feet north of the proposed crossing. This crossing is protected by an automatic wigwag signal. There is also a grade crossing at Harriet Street,

approximately 300 feet south of the proposed crossing. Both Mariposa and Harriet Streets are open and travelled for some distance on either side of Fair Oaks Avenue and the existing crossings appear to be reasonably located to serve highway traffic using these streets. Mendocino Street in the vicinity of the crossing is open for one block to the west of Fair Oaks Avenue, to the next north and south street, Rose Avenue. At this point traffic using Mendocino Street must travel north to Mariposa Street or south to Harriet Street, in order to continue west. The records show that Mendocino Street is not opened to the east of Fair Oaks Avenue nor is any plan contemplated for such opening.

Applicant contends that the crossing will be a convenience for residents along Mendocino Street and will also eliminate the hazard to southbound vehicular traffic on Fair Oaks Avenue, because of the fact that it is the practice of some motorists, northbound on Fair Oaks Avenue, to cross the tracks at Harriet Street and operate along the westerly roadway of Fair Oaks Avenue between Harriet Street and Mendocino Street. As each roadway of Fair Oaks Avenue is approximately 20 feet in width, the county contends that this practice results in a hazard to the normal flow of southbound traffic along the westerly roadway of Fair Oaks Avenue.

The granting of the application is protested by Pacific Electric Railway Company. Evidence was presented showing that approximately 120 schedules operate daily over the railway at the proposed point of crossing, 110 being one-man street cars and 10 being trains to and from Mt. Lowe.

A special count of traffic was taken by protestant, which shows that in a period of twelve hours there were 39 vehicles entering Mendocino Street from Fair Oaks Avenue. Of these, 33 entered

Mendocino Street from the south, having operated against the current of highway traffic from Harriet Street, and 6 entered from the north.

From a review of the record in this case, it is our conclusion that the benefits to be derived from the proposed crossing construction are so slight as to be outweighed by the hazard and delay to railroad operation which would result from the construction.

The record shows that existing crossings are available within a few hundred feet on either side of the crossing, one of which is protected by an automatic wigwag, and that the crossing, if authorized, would serve as a convenience to practically only one block of residences along Mendocino Street. The traffic conditions along Fair Oaks Avenue between Harriet Street and Mendocino Street, which we are not convinced are serious, may easily be remedied by motorists using the Mariposa Street crossing so as to travel southbound on Fair Oaks Avenue to Mendocino Street.

#### O R D E R

The County of Los Angeles, having made application for permission to construct a public highway at grade over the Pacific Electric Railway Company's right-of-way for Mendocino Street on Fair Oaks Avenue, a public hearing having been held and the matter being ready for decision,

It is Hereby Found as a Fact that public convenience and necessity do not require the establishment of a public crossing at grade at the point above indicated, therefore,

IT IS HEREBY ORDERED that the above entitled proceeding be and it is hereby denied without prejudice.

Dated at San Francisco, California, this 16th day of June, 1930.

Albany

Leon Whittell  
Wm. S. Smith

Commissioners.