

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
CITY OF MANHATTAN BEACH, California,)
for authority to construct eleven)
crossings at grade over the track)
of The Atchison, Topeka and Santa Fe)
Railway Company in Manhattan Beach.)
.....)

ORIGINAL

Application No. 1621

Decision No. 2570

Frank E. Perry, for applicant

M. W. Reed, for The Atchison, Topeka and Santa
Fe Railway Company.

DEVLIN, Commissioner,

O P I N I O N.

Although this application asks for eleven crossings at grade it was corrected at the hearing to ask for some at grade, some under the track and some over the track, and one crossing applied for (San Pedro Street) was withdrawn. As the application was considered permission was asked to construct El Camino Real, Pacific Avenue, Center Street and Fifth Street at grade; Rosecrans Avenue, Second Street and Longfellow Avenue under the track; and Oak Avenue, Marine Avenue and First Street over the track.

Manhattan Beach is a newly incorporated city. It is approximately two and one-half miles square and much of the property within its boundaries has been subdivided and laid out in lots. The track to be crossed is a branch line of The Atchison, Topeka and Santa Fe Railway running from Los Angeles to Redondo Beach. It enters Manhattan from the north about midway between the east and west boundary lines of that city and follows a general southwest direction to a point about in the center of the city north and south, then swings south and runs approximately parallel to the ocean and about a quarter of a mile therefrom until it leaves the city at the southern boundary. It effectually divides the city into two parts and on account of the fact that the country is rough and the track generally located on high fills or deep cuts, makes the

problem of crossings a real one while at the same time lends itself readily to grade separations.

At present there are four crossings in use over the track although none of them have been dedicated to the public and they are open merely on sufferance of the Santa Fe. The service over the track to be crossed is light, consisting of two trains each way per day; the principal train service to and from Los Angeles being on the Pacific Electric along the beach.

The circuitous route taken by the Santa Fe through the city makes it, of course, necessary to have more crossings than would be the case if the track ran directly between the points where it enters and leaves the city, for the reason that both north and south and east and west crossings are required. The fact that the present crossings are not dedicated to the city and may not be permanent makes it imperative that the crossing question should be solved both to conveniently serve those who now live in Manhattan Beach and to enable those who contemplate purchasing lots and erecting homes to know definitely what they may expect in the way of crossings, and the routes consequent upon them, to enable them to get to and from suburban cars on the Pacific Electric tracks and the business district of the city, which are in the eastern part of the city along the beach. Where crossings are affected in a manner other than at grade, i.e., by going over or beneath the track in such a case as this, the Commission is not particularly interested in them, its principal duty in crossing matters being to safeguard, as much as may be, the crossings which it grants, and when proper clearances are observed in building overhead or under-grade crossings, its interest in them practically ceases. In this case the city proposes to assume all expense of the crossings proposed and it is probable that the Santa Fe is not particularly interested in those crossings not at grade. Under these circumstances it is not necessary to discuss to any great length the public necessity and convenience of those crossings applied for which are

to be made in a manner other than at grade. With the exception of First Street I am of the opinion that all of the over or under grade crossings requested should be granted to the City. Longfellow Avenue is the most southerly street in the city; Rosecrans the most northerly and with the exception of the territory immediately north and south of Center Street the rest of these proposed under and over grade crossings are at comparatively equal distances apart between these streets. At First Street the crossing proposed is over the track and to follow the plan suggested much of First Street now improved will have to be torn up. First Street is between and close to the proposed crossings at Longfellow Avenue and Second Street, and it will be the most expensive crossing to construct of any of those for which application is made. From the testimony I am convinced that this crossing will not be built for a long time in the future, and I am unwilling to recommend an order where it is clear that it will be inoperative for a long period after it is issued. If the city should, in the near future, wish to construct an overhead crossing at this point and secures an easement from the Santa Fe, a further application may be made for it and an ex parte order may be entered by the Commission.

To consider now the grade crossings. The most northerly of those applied for, namely, El Camino Real, is on a north and south road and is a crossing now in use. The proposed overhead crossing at Oak Avenue will be about 250 feet south of this grade crossing and the proposed undergrade crossing at Rosecrans will be less than 1200 feet to the north. I believe that these two grade separations will amply care for traffic with but very little inconvenience to the public, and that the danger which would be incurred by this crossing remaining open would more than offset this inconvenience.

The Pacific Avenue crossing is now open and in use. It is about 500 feet away from the proposed overhead crossing at Marine

Avenue and can very well be eliminated when that overhead crossing is completed. Counsel for applicant stated that proceedings were now under way for the construction of the overhead at Marine Avenue but that it might be some time before they could be carried to a conclusion. In the meanwhile it is clear that Pacific Avenue must remain open, and I will recommend that this crossing be granted to the City for a period of 18 months unless Marine Avenue should be opened before that time. If, at the expiration of the 18 months, Marine Avenue is not yet opened the Commission can, if it thinks proper, extend this time.

Center Street is the main east and west thoroughfare from Manhattan Beach to the County Road system leading to and from Los Angeles. The crossing over the track is in use and has been in use for a number of years, and the street was improved by the county before the city was incorporated. There is very little chance for a grade separation at this point. The nearest crossing proposed to the north is the overhead at Marine about three quarters of a mile away. To the south the nearest crossing contemplated to be granted in this application is the under grade crossing at Second Street about one-half mile to the south. I am satisfied that this crossing should remain open and be granted as applied for, and since the testimony was unanimous to the effect that the view of trains from the north is badly obstructed, I will recommend that it be protected by an automatic flagman.

The last and most southerly of the grade crossings applied for is at Fifth Street. No need was shown for this crossing at this time. The street is open only from the track to the west. To the east the land has not yet been subdivided and to carry this street across the track would serve no public convenience. It appears that there is a possibility of securing grade separations one block north and one block south from this street and I am satisfied that the application in so far as it pertains to the crossing

of this street should not be granted at this time.

With the construction of the crossings granted in this application and the installation of a protective device at Center Street, I believe Manhattan Beach will find itself well provided with crossings for present needs and will certainly have crossings which are safe for travel. I am confident that with the growth of the city, the topography of the country and the progressive policy of the city officials in avoiding grade crossings wherever possible will make it probable that such crossings as are needed in the future will be other than grade crossings.

I recommend the following form of order:-

O R D E R

CITY OF MANHATTAN BEACH, having filed its application with the Commission for permission to construct eleven (11) crossings at grade across the track of The Atchison, Topeka and Santa Fe Railway Company, and a public hearing having been held at which all interested parties were represented, and this application having been modified as shown, and it appearing that the application should be granted in so far as it pertains to some of these crossings and as to others it should not be granted, for reasons set forth in the foregoing opinion,

IT IS HEREBY ORDERED, That permission be hereby granted the City of Manhattan Beach to construct Rosecrans Avenue, Second Street and Longfellow Avenue beneath the track of The Atchison, Topeka and Santa Fe Railway Company, and Oak Avenue and Marine Avenue above the track of The Atchison, Topeka and Santa Fe Railway Company, subject to the following conditions, viz.:-

(1) The entire expense of constructing these crossings shall be borne by the City of Manhattan Beach.

(2) These crossings shall be constructed with clearances to conform to the Commission's General Order No. 26.

IT IS HEREBY FURTHER ORDERED, that permission be hereby granted City of Manhattan Beach to construct Pacific Avenue at grade across the track of The Atchison, Topeka and Santa Fe Railway Company for a period of eighteen (18) months, unless Marine Avenue be completed before that time. When Marine Avenue crossing is completed or at the expiration of 18 months from date of this order this crossing shall be immediately closed and abandoned as a public highway crossing. The entire expense of constructing this crossing in a good and first-class condition for the safe and convenient use of the public shall be borne by applicant. Grades of approach shall not exceed six (6) per cent.

IT IS HEREBY FURTHER ORDERED, That permission be hereby granted City of Manhattan Beach to construct Center Street at grade over the track of The Atchison, Topeka and Santa Fe Railway Company, subject to the following conditions, viz.:-

(1) The entire expense of constructing this crossing shall be borne by applicant.

(2) The expense of maintaining this crossing thereafter up to within two (2) feet of the rails of The Atchison, Topeka and Santa Fe Railway Company shall be borne by applicant. The expense of maintaining the crossing between the rails and to a point two (2) feet outside thereof shall be borne by The Atchison, Topeka and Santa Fe Railway Company.

(3) For the protection of this crossing The Atchison, Topeka and Santa Fe Railway Company shall install a first-class automatic flagman of a type to be approved by the Commission. The expense of furnishing and installing this flagman shall be borne by applicant, and the expense of its maintenance thereafter shall be borne by The Atchison, Topeka and Santa Fe Railway Company.

IT IS HEREBY FURTHER ORDERED, That the Commission reserves the right to make such further orders regarding this application as to it may appear to be right and proper, and to

revoke its permission if, in its judgment, the public convenience and necessity demand such action.

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.

Dated at San Francisco, California, this 22nd day of June, 1915.

H. B. Ireland

Edwin O. Egerton

Frank R. DeWitt

Commissioners.