

ORIGINAL

Decision No. 2795

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of the CITY OF REDONDO BEACH for authority to construct two grade crossings across the tracks of The Atchison, Topeka & Santa Fe Railway Company, a corporation, and across the tracks of the Pacific Electric Railway Company, a corporation, at Emerald Street and at Diamond Street, in said City of Redondo Beach.
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Application No. 1806.

Frank Karr, for Pacific Electric Railway Company.
Robert Brennan, for The Atchison, Topeka & Santa Fe Railway Co.
F. L. Perry, for City of Redondo Beach.

GORDON, Commissioner,

OPINION

In this application the City of Redondo Beach asks the Commission's permission for the installation and maintenance of two crossings at grade across the tracks of the Pacific Electric Railway Company and The Atchison, Topeka & Santa Fe Railway Company, one of the said crossings being at the foot of Emerald Street and the other at the foot of Diamond Street, in the City of Redondo Beach, California.

This city has recently voted bonds in the sum of One Hundred and Twenty-one Thousand Dollars (\$121,000), which have been sold, and contracts have been let for the construction of a municipal pleasure pier. This pier is to be constructed in the shape of a triangle, one leg to reach the extension of Emerald Street on the waterfront and other leg to reach a point on the right of way of The Atchison, Topeka & Santa Fe Railway Company, about five hundred (500) feet south of Emerald Street extension. At the present time the city has no street leading to the proposed site of the pier, and the granting of this application, as far as the Emerald Street crossing is concerned, will make this pier and

the ocean-front accessible.

At Diamond Street the city desires to connect this street with the short thoroughfare west of the Santa Fe tracks and known as Diamond Street Extension. This crossing involves a part of a crossing which was considered in Application No. 1253 and covered by the Commission's decision No. 1768. I will again refer to that decision.

Emerald Street and Diamond Street are two of the principal east and west thoroughfares of the City of Redondo Beach, with their present western termini at Pacific Avenue. The extensions to both of these streets are desired for the convenience of the public in passing from the city proper to the proposed pier and to the ocean-front with its amusement concessions, restaurants and bathing establishments. Both crossings are absolutely necessary in order to make the beach accessible. They are, in fact, used at this time, although no public roads cross the private rights of way of the railroad companies.

At Emerald Street pedestrians and vehicles habitually cross the rights of way of both the Santa Fe and the Pacific Electric Railway, and have done so for a good many years. Within the last year posts have been placed in such a way as to interfere with vehicular traffic. These posts, however, can be removed by hand at will, and teams pass freely back and forth over the railroad rights of way.

The railroad traffic at this point is very light. The Santa Fe operates but two regular passenger trains a day, one each way, and the balance of train movements consists of switching operations under very slow speed.

At the hearing in Redondo Beach on September 11, 1915 it developed that The Atchison, Topeka & Santa Fe Railway Company was willing to grant an easement for both the Diamond Street and the Emerald Street crossings, and that the Pacific Electric Railway

has agreed to grant an easement on Emerald Street provided the city purchases from them the necessary approach to the pier. This purchase is practically completed.

The city claims that now an average of about one thousand (1,000) pedestrians on week-days and several thousands on Sundays and holidays cross the rights of way and tracks of both railroad companies at or near Emerald Street. After the completion of the pleasure pier this number will undoubtedly largely increase. Under present conditions people in reaching the waterfront cross the railroad tracks anywhere, while, if the proposed crossing is constructed the traffic will undoubtedly use Emerald Street, and danger to pedestrians and vehicles will be greatly lessened. The vehicular traffic at this point is very light and consists only of such teaming as is necessary to serve the concessions on the beach. It is not the intention of the city to permit wagons and automobiles on the pier at all times, but only in limited numbers on holidays and other special occasions. This traffic will be regulated by city ordinance.

The grade of the proposed pier is but a few inches above the present grade of the rights of way, and for that reason a separation of grades is impracticable.

The crossing desired at Diamond Street is to be maintained for pedestrians only. The parcel of land involved at this point is included in the property considered in a former application by the City of Redondo Beach and covered by the Commission's order in Decision No. 1768. That order granted permission to construct a grade crossing across the tracks of The Atchison, Topeka and Santa Fe Railway Company and the Pacific Electric Railway on Hermosa Avenue, with the condition that the Benita Avenue crossing be discontinued and closed. The Hermosa Avenue crossing is not as yet constructed, and conditions have arisen which will prevent the construction of Hermosa Avenue from the west side to the east side

of the railroad tracks for some time to come. I am of the opinion, therefore, that this application, as far as the Diamond Street crossing is concerned, should be considered on its own merits and should not be dependent on the Hermosa Avenue crossing. Diamond Street, if the application is granted, will cross two (2) tracks of The Atchison, Topeka & Santa Fe Railway Company and also two (2) tracks of the Pacific Electric Railway, the latter connecting with a double track electric line on Pacific Avenue. The strip owned by the city and designated as Diamond Street Extension abuts the right of way of The Atchison, Topeka & Santa Fe Railway Company on the west and is forty-nine (49) feet wide. Diamond Street proper, which connects with Pacific Avenue, is eighty (80) feet wide, and the proposed crossing which will connect these two streets is shown on the map accompanying the application as being 91.81 feet on the east side and 91.14 feet on the west side. The crossing was purposely designed to be much wider than the Diamond Street extension and a little wider than Diamond Street proper, on account of the character of the junction of Pacific Avenue and Diamond Street and the fact that it must necessarily run diagonally across all tracks. A separation of grades for this crossing is practically impossible, by reason of the close proximity of the point of crossing to the ocean. After a discussion at the hearing the representatives of the railroad companies withdrew all objections to the installation of both of these crossings, and inasmuch as I am convinced that public necessity and convenience require this installation, I shall recommend to the Commission that the application be granted. By reason of the light railroad traffic at both points of crossing and the fact that the view in all directions is unobstructed, the installation of automatic signals or flagmen does not appear necessary. The hazard to the public will not be increased but lessened by the installation of the two crossings.

I recommend the following form of order.

O R D E R

The City of Redondo Beach, California, having applied to the Commission for permission to establish grade crossings at Emerald Street and at Diamond Street, both within the limits of said city, as shown by the map and profiles filed with the application; and a hearing having been held, and it appearing to the Commission that the application should be granted subject to the conditions hereinafter specified;

IT IS HEREBY ORDERED, That permission be granted applicant for the construction of the grade crossings as above described and under the following conditions, viz:

(1) The entire expense of constructing both crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant, except as hereinafter ordered under (2).

(2) The expense of maintaining the crossings in good and first-class condition for the safe and convenient use of the public inside the tracks and two (2) feet on the outside thereof, shall be borne by The Atchison, Topeka & Santa Fe Railway Company and the Pacific Electric Railway, respectively, for each of their tracks.

(3) The grade crossings shall be constructed of a width and type to conform with the specifications as set forth in the application, and shall in every way be made safe and convenient for the passage thereover of vehicles and other road traffic.

(4) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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 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 30th day of September, 1915.

Max Thelen

Alvin G. ...

Edwin O. Edgerton

Frank R. ...

Commissioners.