

ORIGINAL

Decision No. 4188

Decision No. \_\_\_\_\_.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of )  
the CITY OF VENICE, a municipal cor- )  
poration, for authority to construct )  
a public street or way across the )  
right-of-way and property of PACIFIC )  
ELECTRIC RAILWAY COMPANY, and to )  
effect the extension of Santa Clara )  
Avenue from Washington Boulevard to )  
Electric Avenue. )  
..... )

Application No. 2722.

R. L. Johnston, for City of Venice

R. C. Gortner, for Pacific Electric Railway Com-  
pany.

LOVELAND, Commissioner,

O P I N I O N.

In this application permission is asked by the City of Venice, Los Angeles County, California, an incorporated city of the sixth class, to construct and maintain a highway crossing over the tracks of the Pacific Electric Railway at the point where Santa Clara Avenue, in said City of Venice, extends to the right-of-way of the Pacific Electric Railway from either side; in other words permission is asked to connect the two portions of Santa Clara Avenue over the tracks and right-of-way of said Pacific Electric Railway.

A public hearing was held in the City of Venice at 10:30 A.M. on the 10th day of March, 1917.

For an adequate understanding of the situation it should be stated that the line of the Pacific Electric Railway over which permission is sought to extend Santa Clara Avenue is not the main line of said Pacific Electric Railway, but is a branch line through the outskirts of Venice, running in a general east and west direction from the main line of the Pacific Electric Railway between the City

of Los Angeles and the City of Venice. Santa Clara Avenue lies between California Street, 700 feet to the east, and San Juan Avenue, 400 feet to the west, both of which are open streets, and it will be seen that for a distance of 1100 feet there is no public crossing over this branch line of the railroad.

Witnesses for applicant testified that a crossing of Santa Clara Avenue over the tracks and right of way of the Pacific Electric Railway, at the point in question, would be a matter of great convenience to those residents of Venice who live north of the track of said Pacific Electric Railway in question, and I am convinced that it would be a considerable convenience not only to those who live in the City of Venice but to those who visit Venice.

The Commission, as it is well known, is in general opposed to the opening of new grade crossings. It is now carrying on an extensive investigation of grade crossings in the State and before this work is completed it is hoped that many unnecessary crossings now existing may be closed. It does not look with favor on the opening of new crossings on the general principle that each new crossing creates a certain amount of new travel over the tracks and that a certain amount of hazard inevitably accompanies it. However, it recognizes the fact that new crossings must be constructed and that it cannot, at this time, take the attitude that all future crossings of streets and highways with railroads must be made at separated grades. It must continue to balance the hazard of each grade crossing with the convenience of the public it serves and when the hazard outweighs the convenience the crossing must be refused.

In this case the scales incline the other way. The convenience of the proposed crossing is apparent while the hazard which would be occasioned by its opening is trifling. Except for one corner the view at the intersection of the street and the track is entirely open; and the train service is so light and is of such

slow speed that it does not differ greatly from the service given over an unimportant spur track. In this particular, also, Santa Clara Avenue, to the south of the track, is a blind street and several witnesses testified that the lack of a crossing at this point created a situation more dangerous than a grade crossing would be.

After due consideration of the evidence and the facts of the case I am of the opinion that this application should be granted and recommend the following form of order:

O R D E R.

CITY OF VENICE, having on January 17, 1917, applied to the Commission for permission to construct Santa Clara Avenue at grade over the track of Pacific Electric Railway Company, and a public hearing having been hold, and the Commission being of the opinion that this application should be granted subject to certain conditions,

IT IS HEREBY ORDERED, That permission be and the same hereby is granted City of Venice to construct Santa Clara Avenue at grade over the track of Pacific Electric Railway Company at the point and in the manner shown by the map attached to the application; said crossing to be constructed subject to the following conditions, viz.:-

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

(2) The expense of maintaining the crossing thereafter to a line two (2) feet outside the rails of Pacific Electric Railway 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 Pacific Electric Railway Company.

(3) Said crossing shall be constructed of a width of not less than twenty-four (24) feet, with grades of approach on the south

side not-exceeding six (6) per cent; shall be protected by a suitable crossing sign and shall in every way be made safe 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 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 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 16th day of March, 1917.

Max Thelen

W. H. Leonard

W. H. Leonard

Frank P. DeLeon

Commissioners.