

ORIGINAL

Decision No. 5227

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of the City of Santa Monica for)
permission to construct a grade)
crossing of Euclid Avenue in said) Application No. 2981.
city over the line of the Pacific)
Electric Railway Company.)
.....

Victor R. McLucas, for Applicant.
R. C. Gardner, for Pacific Electric Ry. Co.

GORDON, Commissioner.

O P I N I O N

Euclid Avenue on which the City of Santa Monica desires to construct the crossing covered by this application extends northwesterly from Colorado Street and southeasterly from the southerly line of the Southern Pacific Company's right of way, which is operated by the Pacific Electric Railway Company under lease, in the City of Santa Monica. Colorado Street is at right angles with Euclid Avenue and distant 116.42 feet northwesterly from the northerly right of way line at the intersection of the center line of Euclid Avenue.

The Pacific Electric Railway Company's tracks consisting of a main and spur make an angle of 92°24' with Euclid Avenue. The main track is known as the Air Line and extends from the City of Los Angeles to the City of Santa Monica.

A public hearing was held in Santa Monica on July 19, 1917, at which time a petition with signatures of residents of the said city was filed with the Commission. The request of applicant is made for the reason that there are numerous

houses on Euclid Avenue, inhabited by residents of the city, and that ingress and egress to and from the premises along said street is now denied by reason of the absence of the proposed railway crossing.

It appeared at the hearing that although there were numerous signers to the petition filed not one property owner was present to give testimony.

The nearest existing crossings are about 400 feet to the northeast and 1600 feet to the southwest, namely 14th and 8th Streets, but there is a crossing at 11th Street 1800 feet southwest which is considered private and although no private right of way sign is maintained it appeared that the crossing is used almost exclusively by J. D. King Company, Contractors. No evidence was given to show the status but some of the witnesses stated that it is their belief the crossing has been in use by the public as well as private parties for a longer period than five years.

It appeared further that a few families would use the proposed crossing as there are only three houses in the first two blocks of Euclid Avenue southeast of the tracks and ten houses in the first block northwest of the tracks and that the said Avenue will not be improved at present.

12th Street, the next street southwest of Euclid Avenue would be the logical point to install a crossing as it would divide the distance more equally between the present crossings so that the necessity if ever for a second crossing would be postponed for a longer time.

Before adjourning the applicant made a request for another hearing at which time he proposed to have property owners appear and show cause and necessity why the application should be granted.

The next hearing was set for September 18, 1917, 10 A.M. City Hall, Santa Monica. On September 13, 1917, the Commission was notified by the applicant that the City Council has advised the individuals who petitioned for said crossing to take up the matter directly with the Commission if they so desired, and that the City Council itself is now willing that the application be decided by the Commission without any further showing on the part of the Council.

It does not seem to me that this crossing should be constructed at this time. 14th Street which is open and only 400 feet northeast from Euclid Avenue can be conveniently used by all parties that the proposed crossing would serve. If 11th Street is proven to be a private crossing, I can recommend that a crossing be constructed at 12th Street.

I recommend the following form of order:-

O R D E R

THE CITY OF SANTA MONICA, having applied to the Commission for permission to construct a public highway crossing over the tracks of the Pacific Electric Railway Company at Euclid Avenue; and a public hearing having been held, and it appearing that the public necessity and convenience do not now make it necessary to open the crossing applied for,

IT IS HEREBY ORDERED, That this application be and the same is hereby denied.

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 22d-
day of March, 1918.

Max Thelen
H. D. Howard
W. G. Brown
Edwin O. Edgerton
Francis R. Lewis

Commissioners.