

# ORIGINAL

Decision No. 55160

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of )  
THE CITY OF LOS ANGELES, a municipal )  
corporation, to construct ROSCOE )  
BOULEVARD, a public street, across )  
the right-of-way of the Coast Line )  
of the Southern Pacific Company. )

Application No. 37507  
Amended

Roger Arnebergh and Alan G. Campbell, by Alan G. Cambell,  
for applicant.

E. D. Yeomans and Walt A. Steiger, by Walt A. Steiger,  
for the Southern Pacific Company, protestant.

G. R. Mitchell, for the Brotherhood of Locomotive Engineers;  
E. O. Blackman, for the California Dump Truck Owners  
Association; Frank Gillelen, for various industries  
affected by Roscoe Boulevard crossing; interested parties.

Harold J. McCarthy and Edward F. Walsh, for the Public  
Utilities Commission staff.

## O P I N I O N

In this application the City of Los Angeles seeks an order of this Commission authorizing the establishment of a crossing at grade of Roscoe Boulevard and the Southern Pacific Company right of way and track, providing for necessary crossing protection, and apportioning the costs of the crossing as well as the maintenance and protection thereof.

Public hearings were held in Los Angeles before Commissioner Rex Hardy and Examiner Grant E. Syphors on November 7, 8 and 9, December 12, 13 and 14, 1956, and January 3, 1957. On these dates a mass of oral and documentary evidence was adduced,

and on the last named date the matter was submitted subject to the filing of briefs. The briefs were filed by May 10, 1957, and the matter now is ready for decision.

Roscoe Boulevard is planned to be a major traffic artery in the San Fernando Valley section of the City of Los Angeles, running in an easterly-westerly direction, from the Sunland area on the east to the Canoga Park area on the west. The city's plans call for an ultimate right of way of 100 feet in width, with an 80-foot completed roadway between curbs, except in some sections already completed where the roadway width will be 74 feet. This will provide for six traffic lanes, three in each direction.

At the present time this boulevard is open and improved from its intersection with Tuxford Street near Lankershim Boulevard, thence westerly to its intersection with Hayvenhurst Avenue, near the Van Nuys airport, a distance of slightly less than six miles. Immediately to the west of its intersection with Hayvenhurst Avenue, Roscoe Boulevard comes to a dead end, being blocked by the right of way and track of the Southern Pacific Company. The railroad right of way is 115 feet in width and has on it a single track over which the Southern Pacific Company's Coast Line operations are conducted. Eight daily first-class trains operate over this track at the point of the proposed crossing with permissible speeds of 79 miles per hour. Approximately 14 additional freight trains also operate over this track each day at speeds up to 55 miles per hour at the proposed crossing.

The railroad track runs in a generally west-northwesterly east-southeasterly direction and would form an angle of about  $14^{\circ}$

with a straight line projection of Roscoe Boulevard. The proposed street extension will follow a reverse curve and actually intersect the railroad track at an angle of about  $48^{\circ}$ .

From Balboa Boulevard westerly to Topanga Canyon Boulevard, Roscoe Boulevard is open and is planned to be widened and improved to the standards hereinbefore mentioned.

The City of Los Angeles has instituted proceedings to secure a right of way for Roscoe Boulevard between Hayvenhurst Avenue on the east and Balboa Boulevard on the west. All of this right of way is available, except for the proposed crossing over the railroad right of way and track.

The evidence presented by the city and by various groups which supported the application concerned two general propositions, (1) that there is a public need for the proposed crossing, and (2) that the proposed crossing at grade is practicable and safe.

There was considerable testimony by various residents and businessmen of the area as to the growth and increase in population of that territory, both residential and industrial, which has occasioned a large amount of vehicular traffic which must cross the railroad tracks at one point or another. As a matter of fact, that vehicular traffic now is crossing the railroad tracks at various locations. Parthenia Boulevard, an east-west street approximately one-half mile north of Roscoe Boulevard, crosses the railroad tracks at a point approximately four miles to the west of the proposed crossing, and Sherman Way, another east-west street about a mile and a half to the south of Roscoe Boulevard, crosses the railroad tracks at a point approximately

six miles to the east. There are various north-south streets crossing the tracks. One is Balboa Boulevard which crosses the tracks about 2500 feet to the west of the proposed crossing. Another is Woodloy Avenue which crosses the railroad tracks at a point about 3500 feet to the east of the proposed crossing. The existing traffic now is crossing the railroad right of way at these and other crossings. It was testified by various witnesses that the opening of Roscoe Boulevard would relieve congestion at these other crossings, would enable a complete traffic movement between the east and west ends of the San Fernando Valley, and indeed would provide a more safe condition than now exists at the other crossings which are now available for such traffic movement. The site of the proposed crossing has good visibility inasmuch as there are no appreciable grades on either the railroad right-of-way or the proposed street, and is in an area where there will be very few new spur tracks installed. Roscoe Boulevard in this vicinity will not traverse or penetrate any commercial center.

It was further testified that it is highly desirable to have an east-west crossing of the tracks at Roscoe Boulevard for the aforementioned reasons. Such a crossing will save approximately five to seven minutes of time for each truck delivery in the area, and it will aid materially in the passenger traffic of workers going to and from their various places of employment. This testimony was presented and endorsed by representatives of chambers of commerce, commercial and industrial associations, the California Dump Truck Association, and various manufacturing plants in the area.

The director of Civil Defense of the city testified that the proposed crossing would be very desirable in any civil defense evacuation or movement of people which might be necessary in times of emergency. The Deputy Chief of Police of the city, and a battalion chief of the city's Fire Department, both expressed the view that the crossing should be opened as a necessary aid to police work and fire protection. The present blocked street hinders access to the city's airport and causes delays in answering emergency calls. A grade crossing at this point, in the opinion of these witnesses, would not increase the accident hazard since traffic now is crossing the tracks at less desirable crossings, and must continue to do so.

The Director of Planning of the City of Los Angeles presented a list of twenty proposed grade separations and twenty-one future grade crossings which are contemplated in the future planning of the city. He stated that while it would be desirable to have a grade separation at Roscoe Boulevard, the necessary money to meet the costs thereof is not available. He contended that there are other railroad crossings in the city which, in his opinion, present a greater need for separation, and that in the planning of the development of streets it is necessary to handle such projects in an order of priority. He stated that Roscoe Boulevard is fifteenth on a tentative list which had been prepared by city officials, which purported to establish the priority of all crossings to be ultimately separated. In the opinion of this witness, it is better to open the crossing now and protect it with acceptable safety devices. If this is not done, the traffic would

be forced over to the other crossings which might present a greater safety hazard than a grade crossing at Roscoe Boulevard. Various photographs of the area were presented showing industrial plants and other developments in the vicinity.

The General Manager of the Department of Traffic of the city likewise testified as to the industrial and residential development in the area and as to the problems which are being generated by this growth. He was of the opinion that the crossing should be now opened at grade, and that if this were done approximately 20,000 vehicles per day would use it within a relatively short period of time. He also described certain signal devices which, in his opinion, could be used to make the crossing safe. These would consist of advance warning signals on Roscoe Boulevard, stop lights at the tracks, and one set of gates to be installed on each side of the tracks. He further testified that Roscoe Boulevard is planned to be signalized throughout its length about every half mile, which means that the lights would control the flow of vehicles to a speed of approximately thirty miles per hour. This witness did not believe that the fact that the proposed crossing would intersect the tracks at an acute angle presented any particular hazard. He testified that the city plans to relocate Hayvenhurst Avenue so that it will connect with Roscoe Boulevard at a point farther to the east than its present location. This will remove the traffic on Hayvenhurst Avenue from the direct area of the proposed crossing. Until this relocation is accomplished, a left turn off of Roscoe Boulevard would be physically prohibited by the installation of a traffic barrier.

With the signals and the traffic controls as proposed, it was the opinion of this witness that a grade crossing at Roscoe Boulevard would be safer than any other crossings in the general area. He further stated that the city would be willing to install whatever types of signals or safety devices the Commission might require.

Other witnesses presented testimony showing that the City Council has by resolution approved the proposed grade crossing, and amplified the testimony that the proposed crossing would not be more hazardous than existing grade crossings in the general area. Photographs of other grade crossings were introduced in evidence to show the conditions which now exist.

The Assistant City Administrative Officer of the city testified as to the financial status of the city, and as to the money available for its so-called capital projects such as grade separations. Exhibits 30 and 31 contain this data and, in the opinion of the witness, it is not now practicable for the city to finance a grade separation at the proposed crossing since the necessary funds are not available for this purpose.

Evidence was received as to an alternate proposal to enlarge the existing grade crossing over Balboa Boulevard, but it was testified that this would be more expensive than the proposed crossing at Roscoe Boulevard, and would not create as satisfactory a crossing since traffic would have to make more of a turn in order to reach the crossing. Various witnesses estimated that the proposed crossing of Roscoe Boulevard, with the necessary approaches, will cost approximately \$194,000, whereas the alternate grade crossing of Balboa Boulevard would

cost approximately \$379,000. The city witnesses likewise estimated that a proposed grade separation would cost between \$700,000 and one million dollars.

The plans and profiles of the proposed grade separation were introduced in evidence as Exhibit 41.

A Supervising Civil Engineer of the County of Los Angeles presented a study, Exhibit 29, entitled Accident Reduction at Railroad Grade Crossings. This study shows that after the installation of crossing gates accidents at grade crossings have generally decreased approximately 78 percent. Likewise, the installation of flashing signals has resulted in a reduction in vehicle-train collisions of approximately 69 percent.

In summary, the city's direct case attempts to establish that (1) there is a need for the proposed crossing due to the increased growth of the area and the increased demands for motor vehicles to cross the railroad tracks, (2) the proposed crossing can be operated safely by means of signals and safety devices, and (3) the funds are available to construct this proposed crossing, but are not available to construct a grade separation.

The Southern Pacific Company presented evidence as to its train operations and as to the railroad installations in the area. The track in question extends between Chatsworth on the west and Burbank on the east, a distance of 18.3 miles. Over this track is operated the Coast Line railroad traffic, with eight daily first-class trains operating at speeds of up to 79 miles per hour, and in addition there are between 12 and 16 freight trains daily operating at speeds of up to 55 miles per hour. The freight trains



range in length from 80 to 100 cars, which means that some of them are approximately a mile in length. On this section of the railroad's tracks there are now 18 grade crossings and 2 grade separations.

It was the opinion of a witness for the railroad that to open a grade crossing at Roscoe Boulevard would be to create a hazardous condition. The vehicular traffic, on this record, is estimated initially to be approximately 20,000 cars per day. This, combined with the number and speed of the trains, would create a dangerous crossing. The position of the railroad in substance was that if there is to be a crossing it should be separated. If a separation is now effected the railroad would not, in its opinion, be required to contribute to the crossing since this would be a new crossing. However, if a grade crossing is established and later a separation is required, the fear of the railroad is that it will be required to contribute to this separation. It should also be noted that while the testimony was to the effect that a grade crossing would be dangerous, it was also conceded by the railroad witness that a grade crossing at Roscoe Boulevard with automatic gates and other safety devices would be as safe as other similar grade crossings now in existence.

An engineer of the staff of the Public Utilities Commission presented a report contained in Exhibit 22. This exhibit discloses the physical facts of the area and concludes that if a crossing is to be effected it should be separated. It was the opinion of the staff witness that a crossing at grade would be hazardous. This opinion was based upon the physical conditions

involved and a study of accidents at other existing grade crossings.

A consideration of all of the evidence presented in this matter impels us to conclude, and we do hereby find, that the opening of a crossing at Roscoe Boulevard and the tracks of the Southern Pacific Company would meet the public convenience and necessity.

The growth of the area, the increasing demands of vehicular traffic, and the delays and inconveniences occasioned by the now blocked portion of Roscoe Boulevard, all lead to the conclusion that this crossing should be opened. It is clear from this record that Roscoe Boulevard is to be a major traffic artery in the San Fernando Valley. In the light of existing conditions, the number of existing grade crossings, and other factors involved, The City of Los Angeles should now be permitted to open this crossing at grade.

The consideration of a problem such as this cannot be viewed in too narrow a light. There is no question on this record but that there are many grade crossings in the City of Los Angeles which handle more traffic than is estimated will use the proposed Roscoe Boulevard crossing. There is no question but that the most desirable situation is to abolish all grade crossings and to have separations in lieu thereof. However, under present conditions it does not appear possible to immediately achieve this result. It is obvious that if the public desires completely safe highway and railroad crossings a great deal more money than is now available will have to be expended. We do not approve of the

hazards of grade crossings, but our function in this matter is to render the best possible decision in the light of existing conditions. Therefore, since there is such a rapid growth in the San Fernando Valley, and since Roscoe Boulevard is a major traffic artery, and since this traffic will cross the railroad tracks at one point or another, it is now in the public interest to permit the establishment of a grade crossing at this point and to require the provision of adequate safety devices. It seems to us better to have a grade crossing with the best-known safety devices than to permit the traffic to flow over other grade crossings which may present more hazards than will the one at Roscoe Boulevard, all to the inconvenience and without regard for the public needs.

According to this record the City of Los Angeles does not now have the money available to construct a grade separation at the intersection herein concerned. Regardless of this fact, however, the determination as to whether or not this crossing shall be opened at grade as requested rests with this Commission. We could, if the facts so justified, refuse to permit any crossing at all. As above indicated, there are compelling reasons in this matter to warrant the opening of a grade crossing. For these reasons a grade crossing will be permitted, subject to the restrictions hereinafter set out.

O R D E R

Application as above entitled having been filed, public hearings having been held thereon, the Commission being fully advised in the premises and hereby finding that the grade crossing requested should be authorized,

IT IS ORDERED that:

The City of Los Angeles, State of California, be, and it hereby is, authorized to construct Roscoe Boulevard at grade across the Coast Line of Southern Pacific Company in the City of Los Angeles at the location described in the application subject to the following conditions:

1. The total cost of the proposed construction, together with the installation of signals and protective devices, shall be borne by the City of Los Angeles. This City shall also bear the maintenance cost outside of lines two feet outside of rails. Southern Pacific Company shall bear maintenance cost between such lines.
2. The crossing shall be protected by four Standard No. 8 flashing light signals (General Order 75B), the center two of which shall be installed on a raised median strip with a minimum width of six feet. The two outside flashing light signals shall be supplemented with automatic crossing gates. Advance warning signals suspended over the roadway on cantilevers approximately three hundred feet from the crossing shall be provided over the roadways and shall each normally display a single amber flashing light when trains are not in the approach circuit. When pre-empted by trains the single amber signal shall be extinguished and two such lights on either side of the single light shall alternate with flashing amber indications.
3. The City of Los Angeles shall proceed with all due diligence to relocate the intersection of Hayvenhurst Avenue and Roscoe Boulevard to the east of its present location a sufficient distance so that the western boundary of Hayvenhurst Avenue shall be at least fifty feet easterly of the nearest advance warning signal provided for in paragraph 2 above. Pending this relocation, no left turning vehicular movements shall be permitted from Roscoe Boulevard to Hayvenhurst Avenue.
4. The width of pavement of each of the two divided roadways at the grade crossing shall be not less than thirty-six feet with grades of approach not greater than one percent. Pavement shall be equal or superior to Standard No. 2 of General Order 72.

- 5. The construction herein authorized shall be completed within one year after the date hereof unless further time is granted by subsequent order.
- 6. Applicant, within thirty days after the completion of construction, shall notify this Commission in writing of the completion thereof.

The effective date of this order shall be twenty days after the date hereof.

Dated at Los Angeles, California,  
this 25<sup>th</sup> day of June, 1957.

*W. E. Mitchell*  
President

*Raymond L. ...*

*W. ...*

*R. ...*

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Commissioners

Commissioner L. Lyn Fox, being necessarily absent, did not participate in the disposition of this proceeding.