

ORIGINAL

Decision No. 68323

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
MASON AVENUE at grade across the
tracks of Southern Pacific Company's
Coast Line.

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Application No. 46176
Filed February 4, 1964

Charles W. Sullivan, for applicant.
E. D. Yeomans and Walt A. Steiger, by
Walt A. Steiger, for Southern Pacific
Company, protestant.

Paul Abrams, appearing for himself and
also as representative of others, as
per signatures on petitions; John W.
Haman and Robert Burns, for Van Nuys
Chamber of Commerce; Rev. Donald W.
Head, for The Congregational Church of
Chatsworth, Redeemer Lutheran Church,
and St. John Eudes Parish; Paul McCann,
for Northridge Chamber of Commerce;
James A. Stanley, for West Valley
Associate Chamber of Commerce and Valley
Wide Streets and Highway Committee of
San Fernando; and Morris Goodstein,
for Mason Street Crossing, interested
parties.

Elinore Charles and William F. Hibbard,
for the Commission's staff.

O P I N I O N

This matter was heard in Los Angeles before Examiner DeWolf on June 24 and 25 and August 5 and 6, 1964, and was submitted on the latter date.

Applicant seeks authority to construct Mason Avenue at grade across the tracks of Southern Pacific Company's Coast Line.

Mason Avenue is a six mile secondary highway extending between Victory Boulevard and the north City boundary, and the street is fully paved and improved on each side of the proposed crossing. The Southern Pacific Company's right of way runs in a general northwest-southeast direction and intersects Mason Avenue at the proposed crossing. The right of way is approximately 100 feet in width and Mason Avenue is 64 feet in width. The proposed crossing is in the northwest section of the San Fernando Valley of greater Los Angeles which is a rapidly growing and expanding community. The area surrounding the Mason Avenue intersection with the railroad for one-half mile both north and south and one mile and a half both east and west has been zoned M1, and is being developed as an industrial subdivision, and most of the area has not yet been improved but is still in vacant land.

The nearest existing public crossing westerly of Mason Avenue is at DeSoto Avenue, Crossing No. E-446.8 which is a distance of approximately one-half mile westerly from Mason Avenue. The nearest existing public crossing easterly of Mason Avenue is at Reseda Boulevard, Crossing No. E-449.8 which is a distance of approximately two and one-half miles from Mason Avenue. Application No. 44864, filed on October 16, 1962, to construct Corbin Avenue at grade across the tracks of Southern Pacific Company's Coast Line was granted by the Public Utilities Commission on the 17th day of December, 1963, Decision No. 66483. The authorized Corbin Avenue crossing of the Southern Pacific Company's Coast Line, Crossing No. E-448.3, is approximately one mile east of the proposed Mason Avenue crossing.^{1/}

^{1/} The Corbin Avenue crossing was opened to traffic on September 14, 1964.

Ten witnesses testified on behalf of the applicant City of Los Angeles and six public witnesses appeared and supported the opening of the crossing. One of the public witnesses submitted a petition signed by 95 persons in the area who support the opening of the crossing for transportation to shops, schools, and for other uses and conveniences. Six of these signers gave addresses south of the railroad and the rest gave addresses to the north. Letters in support of the application were received from the West Valley Associated Chamber of Commerce, Northridge Chamber of Commerce, Ralphs Grocery Company, and Safeway Stores. All of these persons expressed need for additional crossings in the area.

Twenty-one exhibits were admitted in evidence. Exhibits 1, 2 and 3 are maps of this portion of the San Fernando Valley, public facilities and generalized use plan. Exhibit 4 is a detailed map of this Chatsworth District showing the industrial area involved. Exhibits 5 and 6 are rate of population increase tables and estimates. Exhibit 7 is a blueprint of the Mason Avenue crossing. Exhibits 8, 9, 10, 11 and 12 are traffic flow charts. Exhibit 13 is a cost estimate sheet. Exhibit 14 is a plat showing schools. Exhibits 15 and 16 are comparisons of distance and charts. Exhibit No. 17 is a copy of a letter from the Railroad. Exhibits 18, 19 and 20 are maps of the railroad in the area, and Exhibit 21 is the Staff report.

It appears from the maps in evidence and the testimony that Mason Avenue terminates just north of Pierce College at

Victory Boulevard and that Mason Avenue is the only north-south secondary street in the area that has no possibility of being extended through to the Ventura Freeway because it is blocked off by the Pierce College acreage.

The evidence further discloses that the DeSoto Avenue crossing one-half mile to the west of Mason Avenue is not yet nearly fully developed. To the east one-half mile Winnetka Avenue has no railroad crossing and this street could be extended through to the Ventura Freeway. A crossing at the next street, Corbin Avenue, has been authorized. At the next half-mile street, Tampa Avenue, there is no crossing and at the next half mile, Reseda Avenue, there is a crossing, and a grade separation is contemplated. All of these other half-mile streets are now or may be in the future extended through to the Ventura Freeway on the south.

The Southern Pacific Railroad Company appeared and protested the application and two witnesses testified in support of its position. Counsel and witnesses for the Southern Pacific Company contend that an orderly master plan should be prepared for the development of the major north and south arterials crossing the railroad at separated grades at intervals of approximately one mile; that crossings at Mason Avenue and Winnetka should be by separated grades. The witnesses for the Railroad testified that the Industrial Zone M1 from DeSoto Avenue to Tampa Avenue is bisected by its Coast Line railroad and is the only remaining undeveloped industrial area along its lines in the Valley, and that

in order to fully develop the area, the Railroad will have to meet the requirements of the future industries coming in, and provide additional facilities consisting of support tracks and sidings of proper length for the use of the freight trains to serve these industries. The witnesses testified that such tracks can be constructed between Corbin Avenue and DeSoto Avenue along a length of about one and one-half miles.

It is further contended by the protestant witnesses that crossings at grade at Mason and Winnetka Avenues would seriously interfere with construction of sufficiently long support tracks, and this one and one-half mile strip would then be cut into three approximately equal lengths, none of which would be of sufficient use for constructing additional tracks. The evidence of protestant shows that the stopping of long freight trains to set out and pick up cars at an industrial area, and the switching movements which are necessary to provide service to such an area, would result in extreme interference with vehicular traffic attempting to use the grade crossing. The witness for the Railroad testified that it is not good planning to construct major streets carrying high volumes of traffic subject to frequent and rather extended delays at railroad crossings in industrial areas when it would be only a relatively short time before these grade crossings would have to be replaced by grade separations, and that such planning would result in needless waste of money.

The protestant submitted evidence of costs which shows that a grade separation would involve a cost approaching a million

dollars when a grade separation is built after a grade crossing has been established and the surrounding area is built up. However, it was pointed out that an important thing to consider is the difference in cost between establishing a grade crossing or a grade separation before the area is built up, and afterward when severance damages and condemnation costs increase, and that partially offsetting this difference is the cost of automatic crossing protection which would be required for a grade crossing and not for a separation. Protestant claims that it appears a reasonable estimate of the difference between constructing a grade crossing and a grade separation initially would be approximately \$300,000 to \$350,000.

The Commission staff appeared and opposed the application. Exhibit 21 is the staff report which states that a grade crossing over the Coast Line at Corbin Avenue was authorized by the Commission in Decision No. 66483, dated December 17, 1963. When opened, the Corbin Avenue crossing will be one mile east of the proposed Mason Avenue crossing.

Exhibit 21 states that at the hearing in the Corbin Avenue matter, witnesses testified that a crossing at Corbin Avenue would (1) facilitate the sale of property and provide better access to the Northridge Industrial Area, (2) serve the Porter Ranch subdivision, (3) divide equally the three-mile space between existing crossings at Reseda Boulevard and DeSoto Avenue, (4) provide for continuity of movement that would not be afforded by Mason Avenue which does not extend south of Victory Boulevard - Tophan Street, where it is cut off by the campus of Pierce College,

(5) provide needed facilities for east-west and north-south traffic to serve present needs and well into the future, (6) provide north-south traffic capacity until the area develops and the Corbin Avenue crossing can no longer carry the load, (7) provide greater financial benefit in connection with school bus transportation than the opening of any other crossing between DeSoto Avenue and Reseda Boulevard, (8) provide greater benefits to the Police Department than a crossing at Mason Avenue.

The staff report further states that the Corbin Avenue crossing is expected to be opened about October 1, 1964, so there has been no opportunity to determine whether or not it will meet the needs of the area as expressed by witnesses who testified in favor of its opening.

Decision No. 66483, which authorizes the Corbin Avenue crossing, states:

"It is the plan of the City to develop a crossing at Winnetka Avenue, the first street west of Corbin Avenue, but the time for this proposed crossing is not known at present."

Winnetka Avenue is designated as a major highway, is one-half mile east of Mason Avenue, and extends from the hills south of the Ventura Freeway to the Southern Pacific's Coast Line. North of the railroad, there are disconnected sections of Winnetka Avenue extending to Mission Boulevard near the Los Angeles City boundary. The opening of Winnetka Avenue across the Coast Line, as a separation, has been the subject of correspondence

between the City and the Railroad and it is reasonable to believe that such a crossing will be constructed within a few years.

A crossing at Winnetka Avenue would further reduce the need for a crossing at Mason Avenue.

The Commission staff concluded that until the Corbin Avenue crossing has been opened and in use for a reasonable period it cannot be determined whether or not there is need for an additional crossing at Mason Avenue. The Corbin Avenue crossing may adequately fulfill the needs of the area for many years and if a crossing is constructed at Winnetka Avenue there may never be sufficient need to justify a crossing at Mason Avenue.

The Commission finds that:

1. The industrial area zoned for manufacturing surrounds the intersection of Mason Avenue in all directions, and future development of this tract will require construction of grade separations.

2. The crossing at Corbin Avenue is just being opened and there is no evidence in the record to show how the use of this crossing will affect traffic patterns in the area.

3. The DeSoto Avenue crossing is not fully developed to handle traffic at its maximum efficiency.

4. The mile long industrial area at Mason Avenue will require installation of support and side tracks for switching of cars and will increase traffic hazards for a crossing at grade.

5. There is no substantial evidence that the present crossings do not provide for a reasonably adequate movement of motor vehicles between these north and south portions of the City, nor that the establishment of an additional crossing at Mason Avenue would be anything more than an unsatisfactory partial solution of the crossing problem which the City is seeking to improve. The delay and blocking of Mason Avenue by trains in both directions and switching operations to the industrial tract would create a more serious problem.

6. At present there is no emergency requiring this crossing. However, it is apparent from the record that the future growth of the City will require an improvement over and above the present crossing facilities and that which would be forthcoming from the crossing as herein proposed.

7. Public convenience and necessity do not require that the City of Los Angeles be authorized to construct Mason Avenue across the Southern Pacific Company right-of-way.

The Commission concludes that the construction of a grade crossing at Mason Avenue is not warranted. The application will be denied.

ORDER

IT IS ORDERED that the application of the City of Los Angeles to construct Mason Avenue across the Southern Pacific Company right of way is denied.

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

Dated at San Francisco, California, this 9th day of DECEMBER, 1964.

Frederick B. Hallock
President

George A. Thayer

William M. DeWitt

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.