

Decision No. 17415

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the application of the City of Davis for permission to construct and maintain a public crossing over and across right-of-way of the Southern Pacific Company at Fourth and Woodland Streets in the City of Davis.

Application No. 8981

ORIGINAL

F. A. PLANT, for Applicant

F. W. Mielke, for Southern Pacific
Company

COMMISSIONER, WEST VIRGINIA:

O P I N I O N

This is an application by the City of Davis for permission to construct Fourth Street at grade across the track of Southern Pacific Company.

A public hearing was held on this application in Davis on July 13, 1923.

The City of Davis extends approximately three-quarters of a mile in an easterly and westerly direction and one-half mile in a northerly and southerly direction. The main line of the Southern Pacific between San Francisco and Sacramento crosses the southeasterly corner of the city, there being no portion of the built-up section of the city south of this track. Davis is a junction of the main line to Sacramento and

the main line north to Tehama via Woodland. The Tehama line runs along Woodland Street in the City of Davis and is the one concerned in this proceeding. Approximately one-fourth of the area of Davis lies east of Woodland Street, which street is not open to public travel, being devoted entirely to railroad use and for its major portion occupied by four tracks.

There are at present two crossings over this line of railroad; namely, at Second Street and at Third Street. Fourth Street is the only street in the City of Davis open east of the railroad which does not have a grade crossing over tracks. All of these streets are approximately four hundred feet apart. The business section of Davis is located between Second and Third Streets one block west of the railroad. North of Third Street there are approximately one hundred and thirty residences of which twenty-five are east of the railroad. Of these twenty-five thirteen are located north of Fourth Street. The installation of a crossing at Fourth Street would not add to the convenience of any of the residents east of the track in reaching the business center of Davis but it would be a convenience to the occupants of approximately twenty houses in reaching the more northerly residential district of Davis west of the track. The principal convenience to be served by the Fourth Street crossing would be that afforded delivery boys of various merchants in making deliveries.

The next crossing over the tracks north of Fourth Street is a county road located approximately one-quarter of a mile north, but there is no connection between this county road east of the track and that portion of the City of Davis lying east of the track. This crossing, therefore, is of no benefit to that portion of Davis for whose convenience the Fourth Street crossing is requested.

The crossings at both Second and Third Streets are fairly hazardous crossings, the view being very seriously obstructed at both the crossings. A crossing at Fourth Street would probably not be as hazardous as these crossings as view is practically unobstructed, except for cars standing on the sidings adjacent to the main line, which condition also frequently obtains at the two existing crossings.

No definite information is available as to the amount of travel that would pass over the Fourth Street crossing, but it was estimated that it would approximate fifty vehicles per day. The railroad operates ten passenger trains and four regular freight trains over this line in addition to which in the busy season there are ordinarily run eight additional freight trains. There is also a very considerable amount of switching over the entire length of Woodland Street.

The City of Davis is bounded on its westerly and southerly sides by the property of the University of California and on its easterly side by the property of the Pacific Gas and Electric Company, which it is expected will be devoted to shop purposes. There is, therefore, only one direction in which the city can expand, namely northerly. If it expands northerly, on the easterly side of the track it will probably grow to a connection with the east and west county road which now is across the railroad just north of the city limits. If it grows northerly, on the westerly side of the railroad little or no additional necessity will arise for a new crossing.

The city contends that fire hazard to that portion of the city east of the track would be materially decreased if the crossing at Fourth Street were opened for the reason that freight trains in the past have frequently blocked both the Second and Third Street crossings for considerable periods. Although the installation of

the Fourth Street crossing would be some relief in this respect, it appears that most of the freight trains operated on this line are sufficiently long to block not only the Second and Third Street crossings, but also the Fourth Street crossing if installed, and, it further appears that Southern Pacific Company has recently taken measures which has materially reduced the time that the existing crossings are blocked. It should, of course, be noted that the enforcement of regulations requiring the cutting of trains standing over the crossings is a proper matter of enforcement by the police authorities of the city itself.

Within a total distance of one-quarter of a mile to be served there are now two grade crossings and the hazard incident to the establishment of an additional grade crossing would not seem to be justified by the small public convenience that would be served by an additional crossing within such a short distance. Although it is true that the crossing at Fourth Street would present, if anything, less hazardous conditions than the crossing at Third Street, the city contends that the existing crossing at Third Street is substantially more of a public convenience than the one at Fourth Street. If this were not true, it might be proper that this application be granted upon the condition that the Third Street crossing were closed.

In view of all of these conditions it does not appear that the public hazard incident to the installation of a third crossing over the track of the Southern Pacific is at this time justified and that, therefore, the application should be denied.

The following form of order is recommended.

O R D E R

The City of Davis having made application for permission to construct a grade crossing at Fourth and Woodland Streets in the City of Davis, a public hearing having been held, the Commission being apprised of the facts, the matter being under submission and ready for decision,

IT IS HEREBY ORDERED, that the above entitled application be and it 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 30th day of July, 1923.

C. L. Seavey
H. H. R. ...
Jessie M. ...
Eugene Shore
J. T. Whittier
Commissioners.