

Decision No. 13248

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-oOo-

In the matter of application of
Southern Pacific Company for an
order authorizing the construction
at grade of spur track crossing
16th St., A Street and alley bounded
by A and North B Sts., and 14th and
15th Sts., and spur tracks across
North B Street, in the City and County
of Sacramento, also crossing County
Highway known as 16th Street Road, in
the County of Sacramento, State of
California.

ORIGINAL

Application No. 9615.

F. W. Mielke and Wm. H. Devlin, for Applicant.

H. C. Bottorff and R. L. Shinn, for City of
Sacramento.

Mr. Chas. Deterding, County Engineer, for
County Highway Department.

Carl A. Lamus, John Clauss, Jr., and Irvin Engler,
for Sacramento Chamber of Commerce.

E. J. Bradley, for Sacramento Pipe Works.

Jay Wheeler, Mrs. Anna Gaskill and J. W. Gross, for
Sixteenth Street Improvement Club.

MARTIN, COMMISSIONER:

O P I N I O N

In this application Southern Pacific Company asks permission to construct certain crossings at grade incident to the construction of three drill tracks in the area north of "B" Street and lying between Thirteenth Street and Eighteenth Street in the City of Sacramento. Of these crossings, one is at grade

over Sixteenth Street. In addition there is also one crossing proposed at grade over Sixteenth Street in the unincorporated territory of Sacramento County a short distance north of the northerly city limit line of the City of Sacramento.

A public hearing was held on this application on February 4, 1924, in the City of Sacramento.

The proposed drill tracks are for the purpose of giving industrial track service to a portion of the area lying north of the "B" Street levee. This area has been designated as a heavy industrial district by ordinance of the City of Sacramento. In order to develop this section for that purpose, applicant contemplates the construction of a system of drill tracks from which industrial spur tracks can be constructed. Applicant's engineer testified that the entire area lying between North "B" Street and the American River could be reasonably expected ultimately to be developed into industrial territory and that the section to be served by the tracks proposed in this application was the most readily available space suitable for immediate industrial development at Sacramento. If adequate railroad service is provided, it was stated that an intense industrial development could be expected.

The plan presented in this application is to connect a main drill track with the present Twelfth Street yard at a point immediately east of the existing Twelfth Street subway and to extend this drill track in a northeasterly and northerly direction across "A" Street, North "B" Street and certain intervening alleys. From this main drill track it is proposed to take two other drill tracks. One of these, designated as Spur No. 1, would be located immediately south of and parallel to "A" Street

and would cross Fifteenth, Sixteenth and Seventeenth Streets. The other drill track, designated as Spur No. 2, would cross North "B" Street and run in an easterly direction north of and parallel to North "B" Street across Sixteenth Street. All of these proposed crossings except the one last mentioned are in the City of Sacramento. Applicant has secured from the City of Sacramento and the County of Sacramento, respectively, the necessary permits for the installation of all of these proposed grade crossings. None of the streets or alleys crossed are at present improved or open to public travel except Sixteenth Street.

Twelfth Street and Sixteenth Street are two of the most important traffic arteries leading north from the City of Sacramento, each connecting with the State Highway route, known as the Auburn Boulevard. Twelfth Street passes through a subway under the main line tracks of Southern Pacific Company at "B" Street, and there is now under construction a subway which will carry Sixteenth Street under these "B" Street tracks. It is expected that the Sixteenth Street subway together with the pavement between "B" Street and the Auburn Boulevard will be completed and opened to travel in April of this year. Thereafter, it is estimated that more than one-half of the traffic now moving via Twelfth Street will be diverted to Sixteenth Street and the evidence indicates that this traffic is very heavy and is rapidly increasing. A count taken on the Auburn Boulevard near the southerly end of the American River bridge in the fall of 1920 shows an average daily movement of 3822 vehicles and a similar count made at the same point in the fall of 1922 shows an average daily traffic of 5894 vehicles or an increase of approximately fifty-four per cent in two years.

The construction of the track designated as Spur No. 1, as contemplated by applicant across Sixteenth, would be a short

distance north of the end of the bow levee installed for the protection of the Sixteenth Street Subway and this levee would to a certain extent obstruct the view of this crossing. Although at present there are no other serious obstructions to view in this vicinity it must be anticipated that with the industrial development of the adjacent territory further obstructions to view will be inevitable.

The Engineering Department of the Commission made an investigation and prepared a report on this application. This report, which was introduced in evidence at the hearing, proposed an alternative plan for giving industrial track service to the territory between Sixteenth and Eighteenth Streets and north of "B" Street without the construction of any track at grade across Sixteenth Street. This plan contemplated the construction of a drill track connecting with the existing "B" Street tracks of applicant immediately east of Sixteenth Street and leading northeasterly into Seventeenth Street. The Commission's engineer estimated that the cost of constructing such a track would be approximately \$7400.00 more than the cost of constructing the tracks east of Sixteenth Street in accordance with the plan proposed in this application. The reasonableness of this estimate was not disputed.

Applicant objected to the plan proposed by the Commission's engineer on the ground that it would be inconvenient to operate such a drill track connected to the "B" Street tracks with a switch leading from the west. It was pointed out, however, that the plan would be just as effective and could be carried out for approximately the same cost by connecting this drill track to the "B" Street tracks by a switch leading from the east. Applicant's engineer also pointed out that the construction of such a track

with a two per cent grade from the "B" Street levee would cross "A" Street some six feet above its official grade. It appears, however, that inasmuch as "A" Street has not yet been physically improved and opened to traffic, the disadvantage of raising its official grade six feet at the intersection with Seventeenth Street would not be nearly as objectionable as the hazard and inconvenience of having two tracks constructed at grade across such an important highway as Sixteenth Street.

The construction of a grade crossing over an artery having the traffic importance of Sixteenth Street is a serious matter and such a crossing should not be permitted if there is any other reasonable method of rendering adequate transportation service to the adjacent property. In the present instance, under the plan proposed by the Commission's Engineer, it appears that this service can be rendered at an additional cost of approximately \$7400.00 in a manner that will not only eliminate the necessity of the two grade crossings of Sixteenth Street applied for in this proceeding but also such other grade crossings of Sixteenth Street as may reasonably be required by the future development of the adjacent property, under the plan presented by applicant. It is apparent, however, that the plan of the Engineering Department of the Commission will require the use of a substantial amount of additional land owned by applicant, and it is only fair to consider the value of this land as a part of the cost of the plan. No testimony was introduced as to the value of this land, but admitting that its value would be substantial, it is concluded that the total additional cost of this plan would be amply justified in order to eliminate not only the two grade crossings now requested over Sixteenth Street but also the

probable future necessity of additional crossings if the plan proposed by applicant were authorized.

The plan contemplated in this application for track development west of Sixteenth Street does not appear to be particularly objectionable and the application insofar as it pertains to those tracks located west of Sixteenth Street should be granted. But that portion of the application which asks permission for the construction of crossings at grade over Sixteenth Street should be denied.

The following form of Order is recommended:

O R D E R

Southern Pacific Company having filed an application in the above entitled matter for the construction of certain grade crossings, 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 permission be and it is hereby granted Southern Pacific Company to construct its tracks at grade across certain streets and alleys, described as follows:

1. Commencing at a point in the center line of proposed track, said point being on the south line of A Street, 632.36 feet westerly from the west side of 16th Street, said distance being measured along the southerly side of A Street; thence northerly along center line of proposed track on a curve concave to the left (with curve radius of 286.84 feet) across A Street on arc distance of 95.58 feet to a point on the northerly line of A Street, 580.6 feet westerly from the west line of 16th Street measured along the northerly line of A Street, said described center line of proposed track forming the westerly leg of switch, with switch points 10 feet northerly from the south line of A Street and switch frog ten (10) feet southerly from the north line of A Street, and,

2. Commencing at a point on center line of proposed track, said point being on the south line of alley in block bounded by 14th and 15th Streets, A and North B Streets, said point is also 555.05 feet westerly from the west line of 16th Street, said distance being measured along the south line of said alley; thence northerly along center line of proposed track across alley a distance of 20 feet to a point on the northerly line of said alley, 555.05 feet westerly from the west line of 16th Street measured along the north line of said alley, and,.

3. Commencing at a point on the center line of proposed track (3), said point being on the south line of North B Street, 555.05 feet westerly from the west line of 16th Street, said distance being measured along the south line of North B Street; thence northerly along center line of proposed track a distance of 80 feet across North B Street to a point on the north line of North B Street, 555.05 feet westerly from the west line of 16th Street measured along the north line of North B Street, and,

4. Commencing at a point on the center line of proposed track (4), said point being on the south line of North B Street, 547.96 feet westerly from the west line of 16th Street, said distance being measured along the south line of North B Street; thence northeasterly along center line of proposed track on a curve concave to the right (with curve radius 286.84 feet) across North B Street an arc distance of 84.56 feet to a point on the northerly line of North B Street, 521.16 feet westerly from the west line of 16th Street, measured along the north line of North B Street.

All of the above as shown on the map (Sacramento Division Drawing U 695a) attached to the application, subject to the following conditions:

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition shall be borne by applicant.

(2) Said crossings shall be so constructed that grades of approach not exceeding two (2) per cent will be feasible in the event that the construction of roadway along all of said streets and alleys shall hereafter be authorized and so that said grade crossings may be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter,

notify this Commission, in writing, of the completion of the installation of said crossings.

(4) If said crossings shall not have been installed within one year from the date of this order the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

(5) This order is made upon the express condition that all of said streets and alleys are not now actually constructed and open to travel at the respective points of crossing, and said order shall not be deemed an authorization for the construction of an opening of said streets and alleys to public use across said railroad tracks.

(6) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings 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.

IT IS HEREBY FURTHER ORDERED, that that portion of the above entitled application asking permission to construct a drill track at grade across Sixteenth Street in the City of Sacramento and a drill track at grade across Sixteenth Street in the County of Sacramento 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, this 4th day of March, 1924.

C. Seaver
H. B. ...
Dwight ...
J. T. ...
Commissioners.

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS
PRISON INDUSTRY AUTHORITY

**Certificate of Individual Microfilm or
Other Photographic Reproduction**

Section 14756, Government Code

I, the undersigned, hereby certify to the following in connection with the accompanying microfilm (photographic reproduction):

That I, Thomas Coupe', Industrial Supervisor, P.I.A. Micrographics or 3-99531 an employee in the charge of Mr. Coupe', have been provided with access to the records, documents, instruments, plans, books or papers (hereinafter referred to as "records") of PUBLIC UTILITIES COMMISSION at CM 3, for the purpose of microfilming; that such access was provided with the consent of said person or entity; that such records are reproduced in the accompanying microfilm; and that each Department of Corrections P.I.A. of the State of California reproduction includes the following identifying symbol, roll number U 8 161.

That pursuant to delegation of the Department of Corrections P.I.A., I am authorized to direct and control the reproduction of documents and records of the Department or of other persons and entities in the manner authorized by Section 14756 of the Government Code, and Section 1551 of the Evidence Code; to execute certificates as required by Section 1531 and 1551 of the Evidence Code; and to certify under the official seal of the Department.

That this microfilm of the above described records was taken under my direction and control on the date hereof and that it is a complete, true and correct copy thereof;

That the microfilming or other photographic processes were accomplished in a manner and on film which meet with the standard specification of the United States National Bureau of Standards and A.N.S.I.

That this certificate was made at the time of the taking of this microfilm.

WITNESS my hand and the seal of the Department of Corrections Prison Industry Authority

26, day of July, 19 85.

Thomas R. Coupe'
(name)

california



prison
industry
authority