

Dec. 1857.2

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of )  
SOUTHERN PACIFIC COMPANY for an order )  
authorizing the construction at grade )  
of a spur track across a portion of ) Application No. 9996.  
Florida Street, in the City and County )  
of San Francisco. )

ORIGINAL

F. W. Mielke for applicant.

Jesse E. Steinhart for Walter H. Sullivan and applicant,

M. E. Dooling for City and County of San Francisco.

Chas. B. Stone for San Francisco Chamber of Commerce.

Harry A. Excell for protestants.

BY THE COMMISSION:

OPINION

In this application filed April 19, 1924, Southern Pacific Company requests permission to construct a spur track at grade across a portion of Florida Street, between Sixteenth Street and Seventeenth Street, in the City and County of San Francisco, State of California.

A public hearing was held in this proceeding before Examiner Satterwhite on May 5, 1924, in San Francisco.

The tracks of the Municipal Railway (formerly Ocean Shore Railroad) and operated by Southern Pacific Company, are located upon Florida Street between Sixteenth and Seventeenth Streets. Florida Street, east of the track, is paved and the remaining portion is not paved and unsuitable for traffic. In this proceeding Southern Pacific Company requests permission to construct a spur track commencing approximately 91 feet north from the north property line of Seventeenth Street and running north easterly across the paved portion of Florida Street, thence continuing parallel with the curb line to Sixteenth Street. This

proposed spur track is for the purpose of serving an industry being constructed by Walter H. Sullivan on the southeast corner of Sixteenth and Florida Streets.

Certain property owners in the block facing this spur track appeared and protested the granting of the application. Protestants claim that switching movements on the proposed spur track would endanger the lives and property of themselves and the lives of their tenants and children. Protestants claim loading platforms extending across the sidewalk between spotted cars and building will force pedestrians to walk in the street as the sidewalk on the opposite side of the street is already occupied by a spur track below the street level, thus increasing the hazard to them. It is further claimed that the hazard would also be increased in the use of private garages facing the spur track.

It would appear that the objection of protestants is largely based on the longitudinal occupation of Florida Street by this spur track and that the actual crossing of a portion of the street, which is the only consideration before this Commission, is only a small portion of the total hazard.

It appears that about thirty freight cars per year or one every twelve days will be moved over the crossing and that the vehicular traffic is comparatively light. The view of approaching trains is unobstructed as the tracks are entirely in the street.

Testimony indicated that several locations for the location of the spur were considered and that the proposed location was the most feasible and safe.

Before the Board of Supervisors of the City and County issued its ordinance No. 6177 N.S., an extended hearing was held in the matter, at which time the protestants were heard.

It is the opinion of the Commission that public convenience and necessity require that the spur be constructed, that the location proposed is the least hazardous and that this application

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should be granted.

ORDER.

Southern Pacific Company having made application for permission to construct a spur track at grade across Florida Street, in the City and County of San Francisco, State of California, a public hearing having been held, the Commission being apprised of the facts, the matter being under submission and ready for decision,

WHEREFORE, IT IS HEREBY ORDERED, that permission and authority be and it is hereby granted to Southern Pacific Company to construct a spur track at grade across Florida Street, in the City and County of San Francisco, State of California, as follows:

Beginning at a point in Florida Street in the center line of the Municipal Railway track 91.0 feet northerly from the Northerly line of 17th Street, said point being 47.5 feet Westerly from the Easterly line of Florida Street; thence Northeasterly on a line making an angle of  $1^{\circ} 36'$  to the right with the center line of said Municipal Railway track for a distance of 15.0 feet to a point; thence on a curve to right with a radius of 385.67 feet for a distance of 44.0 feet to a point; thence tangent to the last mentioned curve for a distance of 13.0 feet to a point; thence on a curve to the right with a radius of 252.35 feet for a distance of 25.0 feet to a point; thence tangent to the last mentioned curve for a distance of 53.0 feet to a point; thence on a curve to the left with a radius of 252.35 feet for a distance of 61.0 feet to a point 19.5 feet Westerly from the Easterly line of Florida Street; and 100 feet southerly from the southerly line of 16th Street; thence northerly parallel to the Easterly line of Florida Street for a distance of 100.0 feet to a point on the Southerly line of 16th Street.

All of the above as shown by the map (Coast Division Drawing 14416) attached to the application; said crossing to be constructed subject to the following conditions, viz:-

(1) The entire expense of constructing the crossing, together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing shall be constructed of a width and type of construction to conform to that portion of said street now graded, with the top of rails flush with the pavement, and with grades of approach not exceeding One (1) per cent; shall be protected

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by a suitable crossing sign and shall in every way 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 crossing.

(4) The authorization herein granted for the installation of said crossing will lapse and become void one year from the date of this order unless further time is granted by subsequent order.

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

This order shall become effective three (3) days after the making thereof.

Dated at San Francisco, California, this 17<sup>th</sup> day of May, 1924.

C. H. H. H. H.

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James M. Austin  
Egerton Shore

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Commissioners