

Decision No. 13859

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
the City of Burlingame for a cross- )  
ing over the tracks of the Southern ) Application No. 9603.  
Pacific Company and the Market Street )  
Railway Company at Morell Avenue. )

John F. Davis for Applicant.

F. W. Mielke for Southern Pacific Company.

Wm. M. Abbott and E. W. Cannon for Market Street  
Railway Company.

ORIGINAL

WHITTLESEY, COMMISSIONER:

O P I N I O N

In this application the City of Burlingame asks permission to construct Morrell Avenue at grade across the double track main line of Southern Pacific Company and the nearby double track main line of Market Street Railway Company. The proposed crossing would also cross a ten foot right of way on the northeasterly side of the Southern Pacific's right of way belonging to The Pacific Telephone and Telegraph Company and a strip of land about forty feet wide between the two railroad rights of way belonging to private parties.

A public hearing was held on this proceeding on February 18, 1924, at Burlingame.

Morrell Avenue is the most northwesterly of the roads running northeast and southwest through the Villa Park subdivision of Burlingame. This subdivision lies on the bay or northeasterly side of the two railroads. The property northwest of this subdivision is devoid of houses and is held in one large holding by the Winchester Estate. The property on the southeast side of the Villa Park tract is known as the Corbitt Subdivision. The latter subdivision is

sometimes included with the former under the one name of Villa Park. Testimony of the City Clerk shows there are thirty-seven residences in the Villa Park subdivision proper and twenty-three residences in the Corbitt subdivision, or a total of sixty residences interested to some degree in this crossing.

Park or Villa Avenue which is parallel to and about seven hundred and fifty feet distant from Morrell Avenue, separates these two subdivisions but does not cross the railroad tracks. Oak Grove Avenue runs along the southeasterly side of the Corbett Subdivision and crosses both lines of railroad. The northwesterly and southeasterly roads through the Corbett Tract are not parallel or opposite the corresponding roads in the Villa Tract, thus necessitating two sharp turns in driving from Oak Grove Avenue to Morrell Avenue, a distance of less than fifteen hundred feet.

The San Mateo Union High School is built on a 20.75 acre tract on the southeasterly side of Oak Grove Avenue. This tract is adjacent to a 10 acre tract occupied by a public park which is bounded on its southeasterly side by Burlingame Avenue. This Avenue crosses the railroad tracks at North and South Lanes, one on each side of the Southern Pacific Burlingame station building, which straddles Burlingame Avenue and makes necessary the use of two crossings, where one would perform better service. A roadway has been built through the High School and park grounds along the Southern Pacific right of way from North Lane to Oak Grove Avenue. This street layout requires traffic to make a number of short runs with right angle turns close to the railroad, and thus creates a condition which is more than ordinarily hazardous at times of heavy travel, such as are occasioned by athletic meets at the High School.

The nearest crossing to the northwest of Morrell Avenue is at Broadway station about a half mile distant. The nearest crossing

to the southeast is at Oak Grove Avenue about three tenths of a mile distant. San Mateo Drive, which is adjacent and parallel to the southwesterly right of way line of Market Street Railway Company, connects the crossings of Burlingame Avenue, Oak Grove and Broadway, but as there is no similar road on the Villa Park Tract side of the railroads except through the high school grounds as hereinbefore mentioned, it is impossible for residents of this tract to reach Broadway Station and vicinity without first going southeast to Oak Grove Avenue, crossing at that point and doubling back on San Mateo Drive.

Residents of the Villa Park Tract claim that the lack of a crossing at Morrell Avenue forces a number of commuters to San Francisco to travel from Burlingame Station rather than from Broadway Station at an additional commutation fare of about forty cents a month. It was also claimed that the Oak Grove Crossing, 1537 feet south of Morrell Avenue is blocked at times by trains and that at such times it is impossible in case of fire in the Villa Park Tract for the city fire apparatus to reach the fire without considerable loss of time. However, other testimony shows that the crossings have not been blocked for nearly a year's time and that the opening of the Morrell Avenue crossing would in no way shorten the distances that the fire apparatus, town tradesmen and other vehicles would have to travel in order to reach this section from Burlingame proper.

The Winchester Tract at a distance of approximately 1250 feet north of the intersection of Morrell Avenue and Second Avenue, is only approximately 950 feet wide between the railroad right of way and the bay shore, according to Market Street Railway Company's Exhibit No.1. It is proposed to build a new through highway from San Francisco south on the east side of the railroad and this highway will pass through this narrow strip of land. Broadway will undoubtedly be extended easterly to this highway and it will be comparatively easy

to connect the Villa Park Tract with the highway. This will give the residents of this tract an automobile outlet to Broadway Station and San Francisco, and thus afford substantially the same traffic relief that would be provided by the construction of the proposed crossing.

Both of the railroad companies were opposed to the opening of Morrell Avenue across their tracks on account of the hazard due to crossing four main line tracks and on account of impaired view conditions and steep short grades of approach. The view of the tracks is badly obstructed by a long line of large, closely set eucalyptus trees extending parallel with the tracks of the two companies on the narrow strip of privately owned right of way between them.

Southern Pacific Company claimed public convenience and necessity did not require a crossing at Morrell Avenue and based its opinion on traffic counts taken at Broadway and Oak Grove Crossings and filed as its Exhibits Nos. 9, 10, 11 and 12. These exhibits show the following traffic results:

<u>Time</u>	<u>Oak Grove Crossing.</u>	<u>Time</u>	<u>Broadway Crossing.</u>
8:00 A.M. Feb. 8, to 8:00 A.M. Feb. 9, 1924.	Autos 418 Pedestrians 466 Motorcycles 1 Bicycles 94 Teams 1 Total 980	8:00 A.M. Feb. 7, to 8:00 A.M. Feb. 8, 1924.	Autos 44 Pedestrians 81 Motorcycles 0 Bicycles 3 Teams 0 Total 128
8:00 A.M. Feb. 10, to 8:00 A.M. Feb. 11, 1924.	Autos 496 Pedestrians 475 Motorcycles 3 Bicycles 96 Teams 5 Total 1075	8:00 A.M. Feb. 10, to 8:00 A.M. Feb. 11, 1924.	Autos 28 Pedestrians 103 Motorcycles 1 Bicycles 8 Teams 4 Total 144

From 71 to 95 high speed Southern Pacific Company trains pass daily over these two crossings and Market Street Railway Company interurban cars run under a ten minute headway about every 5 minutes over the crossings, taking into account headway in both directions.

This traffic count shows that approximately half of the traffic over the Oak Grove Crossing is pedestrian in character and that auto traffic amounts to only some twenty per hour. It may be that there is a necessity for a pedestrian crossing in this neighborhood, but it is not clear from the testimony that this pedestrian crossing should be at Morrell Avenue.

The whole crossing situation in Burlingame is unsatisfactory and dangerous and it would be preferable for the city to use the several thousand dollars estimated as the cost of installing this proposed grade crossing toward a separation of grades at some other point.

Giving due consideration to the more than ordinary hazard involved, and the relatively small amount of traffic over the nearby crossing at Oak Grove Avenue, it would appear that the proposed crossing is not a public convenience and necessity and that this application should be denied.

#### O R D E R

The City of Burlingame having made application to this Commission for permission to construct a crossing at grade across the tracks of the Southern Pacific Company and the tracks of the Market Street Railway Company at Morrell Avenue, 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 the same hereby is 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 31st day of  
July  
~~August~~, 1924.

---

*H. R. ...*

*Darius M. ...*

---

*J. L. Whittney*  
Commissioners.