

Decision No. 14036

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
the CITY OF SOUTH SAN FRANCISCO for
a grade crossing at Orange Avenue
and Third Street in said City.

Application No. 10110.

ORIGINAL

J. F. Davis, City Attorney, for applicant.
J. W. Mielke, for Southern Pacific Company.
Wm. M. Abbott and K. W. Cannon, by K. W.
Cannon, for Market Street Railway Company.

WHITTLESEY, COMMISSIONER:

O P I N I O N

In this application the City of South San Francisco requests permission to construct a new street at grade across two tracks belonging to Southern Pacific Company and also at grade across a double track line of Market Street Railway Company.

A public hearing was held on this application at South San Francisco, August 4, 1924.

The proposed grade crossings involved in this proceeding are located on a street which the city plans to open in order to connect Third Street and Orange Avenue in City of South San Francisco. This proposed street crosses at grade Market Street Railway Company's double track San Mateo line, Southern Pacific Company's Baden Branch and Southern Pacific Company's Valencia Street Branch. The Market Street Railway Company's right-of-way and that of Southern Pacific Company's Valencia Street Branch are adjacent, the latter being on the easterly side. The tract of land traversed by the proposed road between the two branches of Southern Pacific Company involved herein is low ground which is sometimes overflowed during the rainy season.

as it is the natural outlet for a rather large water-shed to the northwest. At the present this area is overgrown with a dense growth of willows. The evidence shows there is a tentative plan to reclaim this tract by constructing a drainage channel to confine the surface water in a definite channel and filling the low ground. The Assistant City Engineer testified that the proposed road, in addition to being used as a highway, would act as a levee to check the flow of the surface water and cause the sediment to deposit on the upper side. The primary object of the proposed street, however, is to offer a more or less direct route between the business center of South San Francisco and a subdivision of the City known as Los Cerritos.

The Los Cerritos subdivision is sometimes designated as Baden. It is located between the State highway and the right-of-way of Market Street Railway, the highway being on the westerly boundary of the subdivision. At present there are some fifteen buildings in the Los Cerritos subdivision, the greater portion of which are small dwellings.

Vehicular traffic between the Los Cerritos tract and the business center of South San Francisco now travels northerly on the State Highway to Baden Station, thence northerly on Mission Road, crossing all the tracks involved herein at grade, to Oak Avenue, Ashton Avenue or Grand Avenue, thence in an easterly direction to the business center of South San Francisco. As Oak Avenue and Ashton Avenue are not now improved, vehicular traffic cannot pass over either during the wet season and is therefore required to travel northerly to Grand Avenue, which materially increases the distance the traffic is required to travel in going between Los Cerritos and the business center of South San Francisco. Another course between these two points for vehicular traffic would be by way of San Bruno, a route, however, which is very indirect. Chestnut Avenue, which is now only passable for light vehicles during dry weather, if im-

proved between Grand Avenue and Mission Road, would materially shorten the distance between the Los Cerritos tract and the business district of South San Francisco, as compared to any of the other courses now available. The maps submitted in evidence show the comparative distance between Los Cerritos and the business center of South San Francisco to be approximately as follows:

By way of proposed road	1.56 miles;
By way of Chestnut Avenue	1.75 miles;
By way of Oak Avenue	1.86 miles;
By way of Ashton Avenue	1.98 miles;
By way of Grand Avenue.	2.18 miles; and
By way of San Bruno.	3.82 miles.

Both Market Street Railway Company and Southern Pacific Company appeared to oppose the granting of this application on the ground that public convenience and necessity does not justify the same. Market Street Railway Company introduced evidence to show that there is a favorable location for an overgrade crossing over its tracks and the Valencia Branch of the Southern Pacific, at a point approximately 1000 feet southerly from the point of crossing proposed herein, where the Market Street Railway Company's tracks pass through a cut. A highway at this location would divide in a more nearly equal manner the rather large area above referred to as located between the two branches of the Southern Pacific, which is not now traversed by a highway, than does the road proposed herein.

The said San Mateo line of the Market Street Railway is an important interurban electric line with a ten minute service in each direction, which is equivalent to a train movement in the vicinity of the proposed crossing every five minutes. Due to the fact that these cars are operated at high rates of speed and the view to the southeast is impaired by rising ground, the proposed crossing if constructed would create a public hazard of considerable magnitude.

Southern Pacific Company's Valencia Branch was, previous to the construction of the so-called Bay Shore Cutoff, their main line into San Francisco from the south. At the present time,

however, the train movement over the Valencia Branch in the vicinity of the proposed crossing is not heavy, there normally being two passenger and eight freight trains operated over this track daily except Sunday. That portion of the Southern Pacific's Baden Branch in the vicinity of the proposed crossing is not in operation at the present time. While the construction of the proposed crossings over Southern Pacific Company's tracks would not, under the present conditions, create a public hazard of unusual magnitude at this time, due consideration must be given to the fact that the Railroad Company has the right to modify the amount of traffic over its lines at any time so as to meet future conditions.

From the evidence at hand, it appears that there is not at this time a public necessity of sufficient magnitude to warrant the granting of this application. When the time arrives that public convenience and necessity justify a crossing in this vicinity, it should be constructed overhead at the nearby cut. The improvements suggested by applicant for the low ground traversed by the road proposed herein, in the way of constructing a city park on a portion of it and organizing a reclamation district to confine the surface water to one channel and filling the low ground, are merely suggested plans which have not taken final form; therefore public interest requires that the granting of a grade crossing over the railroad tracks involved should be withheld until there is a real public necessity for the same. It would appear that Chestnut Avenue, if improved, would offer a route between Los Cerritos and the business center of South San Francisco, which would be but very little longer than by way of the road involving the crossings proposed herein.

The following form of Order is recommended:

O R D E R

The City of South San Francisco having applied to the

Commission for permission to construct an unnamed street connecting Orange Street and Third Street at grade across Market Street Railway Company's so-called "San Mateo Line", Southern Pacific Company's "Valencia Street Branch" and Southern Pacific Company's "Baden Branch", in the City of South San Francisco, County of San Mateo, 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,

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 10th day of August, 1924.

C. L. Seamy
H. K. Prudig
Irving Martin
Ernest Shore
J. T. Whittney
Commissioners