

ORIGINAL

Decision No. 16088.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
CITY OF REEDLEY, State of California,
for a permit to construct and maintain
a public street at grade over the rights
of way and tracks of the Southern Pacific
Company and The Atchison, Topeka and San-
ta Fe Railway Company at Fifteenth Street
in the City of Reedley.

Application No. 12014.

Loren A. Butts, and Mark E. Edwards,
for the City of Reedley.

E. W. Hobbs for Southern Pacific Company.

Jas. Gallagher for The Atchison, Topeka
and Santa Fe Railway Company.

BY THE COMMISSION:

O P I N I O N

This is an application by the City of Reedley to open
Fifteenth Street across the tracks of the Southern Pacific Company
and The Atchison, Topeka and Santa Fe Railway Company. Public
hearing was held at Reedley before Examiner Austin on January 22nd,
1926, at which time the matter was submitted.

The City of Reedley is approximately 20 miles southeast
of the City of Fresno and is approximately one mile square. The
City proper is bounded on the north by North Avenue, on the west
by West Avenue, on the south by South Avenue and on the east by
East Avenue. The two railroad companies run diagonally through
the City in a northwesterly and southeasterly direction, parallel
to each other and with main lines approximately 190 feet apart.
All of the main streets within the area above described are either
parallel to or at right angles to the railroad tracks, the north-
westerly and southeasterly streets being lettered from A to M and

and the northeasterly and southwesterly streets, which cross the tracks, being numbered from Sixth to Sixteenth. The main highways in and out of town are to the north across the railroad tracks via West Avenue, to the northeast via Eleventh Street and to the south and east via South Avenue. There is also a north and south street, called Holmes Road, leading north from town from the junction of Tenth and D Streets and a north and south road, called Mallory Lane, leading south from town from the junction of Fifteenth and I Streets. These two north and south roads are directly in line with each other but on opposite sides of the city.

West Avenue is paved for the full length of the city limits. North Avenue is paved from F Street west to West Avenue. East Avenue is unpaved and is occupied by an irrigating canal. This canal is spanned by bridges at Duff, August and McGrew Avenues. South Avenue is paved from Mallory Lane to the easterly city limits. Holmes Road and Mallory Lane are both paved to the city limits. F, G and I Streets are paved for their full length within the city. Eighth Street is paved from F Street to West Avenue, Tenth Street is paved from Holmes Road to West Avenue, Eleventh Street is paved from West Avenue northeast to the city limits, Twelfth Street is paved from the west side of the Santa Fe tracks to F Street, and Thirteenth Street is paved from I Street to F Street. The remaining streets are unpaved and Fourteenth and Sixteenth Streets have been closed from the Santa Fe tracks to the alley between the Santa Fe tracks and G Street.

The main business district of Reedley is situated on G Street from Tenth to Twelfth Streets. A little more than one-half of the population also lives on this side of the railroad track. Chinatown is situated in the triangle formed by Fourteenth and I Streets and South Avenue on the westerly side of the Santa Fe tracks. Fifteenth

Street, which it is proposed to open under this application, extends three blocks east of the Santa Fe tracks to the irrigating canal in East Avenue and two and one-half blocks west of the Southern Pacific tracks, through Chinatown, to South Avenue.

Between G Street and the Santa Fe tracks on Fifteenth Street are four industries. The Earl Fruit Company and the Reedley Ice Company are on the north side of Fifteenth Street, the former being adjacent to the Santa Fe tracks and the Ice Company on the west corner of G and Fifteenth Streets. The Dinuba Grape Growers Association and the California Table Fruit Company are on the south side of Fifteenth Street, the Dinuba Grape Growers Association being situated next to the Santa Fe tracks.

The evidence shows that the principal reasons for desiring the construction of the Fifteenth Street crossings are to afford an outlet to the west for the Reedley Ice Company, for teams serving the three fruit companies above mentioned and as an additional outlet for the fire department, which is located on Tenth Street just east of the Santa Fe tracks. It is claimed by applicant that at times the crossings at Tenth, Eleventh and Thirteenth Streets are blocked by trains and the fire department is therefore required to double back after crossing the tracks at South Avenue at the southerly town limits, in order to reach fires in the southerly portion of the town.

The evidence of applicant shows, however, that the main reason it desires to open this crossing is to relieve traffic congestion in that portion of Fifteenth Street lying between the Santa Fe tracks and G Street. This congestion is caused by traffic turning into Fifteenth Street from G Street in order to get deliveries from the Reedley Ice Company. During the summer season, which is

also the busy fruit season, congestion in this block makes it difficult to turn around and causes further congestion by such traffic again endeavoring to enter G Street. It is contended by applicant that if this crossing were opened, this traffic could continue southwest across the railroad tracks to I Street, then north or south on I Street to Thirteenth Street or South Avenue, respectively, and then east again on Thirteenth Street or South Avenue to G Street crossing both railroads a second time. However, it was pointed out by the protestants, Southern Pacific Company, that it would be just as difficult to enter the traffic on G Street at Thirteenth Street as it would at Fifteenth Street.

The carriers contend that the congestion in Fifteenth Street between the Santa Fe tracks and G Street during the summer months can be relieved by the paving of the alley running longitudinally through Blocks 47 and 48. This alley is crossed by spur tracks, one in Block 47 and one in Block 49, but these crossings would not interfere with the use of the alley as a public street. It appears to the Commission that if this paving were laid considerable of the traffic congestion would be relieved and the necessity of constructing a hazardous railroad crossing minimized.

The nearest public crossings to Fifteenth Street are at Thirteenth Street to the northwest and South Avenue to the southeast. Each of these crossings is approximately 950 feet distant from Fifteenth Street on the Santa Fe and 950 and 750 feet distant, respectively, on the Southern Pacific. There are four other crossings in town at Twelfth, Eleventh, Tenth and West Avenue. Twelfth Street crosses the Santa Fe tracks but does not cross the Southern Pacific.

The proposed crossing would be over three Southern Pacific tracks and seven Santa Fe tracks. One of the Santa Fe tracks is approximately one-half block east of the main line and is parallel to and 40 feet west of the northeasterly line of the alley traversing the block on the east side of the Santa Fe. The most westerly Santa Fe track is a scale track. In order to construct this crossing it would be necessary to remove this scale track and the scale house,

which latter is located within the lines of Fifteenth Street.

Witness for The Atchison, Topeka and Santa Fe Railway Company testified that it would cost approximately \$7,000.00 to relocate this scale and track and from \$2,500.00 to \$3,000.00 to construct the crossing of the Santa Fe tracks. On the same basis it may be estimated that it would cost between \$1,000.00 and \$1,500.00 to construct the crossing on the Southern Pacific tracks. Both of the railroad companies objected to the construction of this crossing through their yards.

The testimony shows that there would be considerable hazard at the crossing on account of the number of tracks and obstructions to view, caused by the location of the packing houses on the easterly side of the Santa Fe and westerly side of the Southern Pacific Company and by cars standing on the sidings serving these packing houses. The testimony further shows that this crossing would require greater protection than that afforded by a standard crossing sign but that automatic flagmen would not be satisfactory on account of the number of switching movements over the side tracks. The protection recommended was the installation of a human flagman.

The railroad companies contended that the busy season at the ice company and the fruit packing houses is also the busy season in the railroad yards and that it is desirable to place as many cars as possible at one time opposite these packing houses, which sometimes causes strings of cars to encroach slightly on the street lines, making the crossings more hazardous. They further contended that the location of their stations is such that north bound trains would block Fifteenth Street crossing as well as Thirteenth Street but this would only occur on the Southern Pacific in trains of more than 45 cars and on the Santa Fe in trains of more than 32 cars. North-

bound and southbound freight trains would have to be at the station at the same time in order to block all of the crossings in town from West Avenue to Fifteenth Street.

The Southern Pacific Company stated that it would be necessary to move the building on the southeasterly side of Fifteenth Street and west of its tracks some 25 feet back of the property line as the Southern Pacific requires this 25 feet clear space in order to afford additional protection at the crossing through the unimpaired view afforded by this set back. This building belongs to the Kings County Claming Company which, it was testified, desires to extend its plant directly across Fifteenth Street.

The Santa Fe operates four passenger trains at high speed over this crossing and a number of freight and switching moves. The Southern Pacific Company likewise operates four passenger trains and an additional four or five freight trains. During the fall fruit season of 1925, the Southern Pacific Company operated eight freight trains daily, which consumed from six to eight hours switching time at Reedley. The Santa Fe showed that during the months from July to the middle of November, 1925, it handled 2100 carloads of green fruit out of Reedley and had a regular switch engine service established at this point from 4:00 A.M. to the middle of the afternoon.

In its Decision No. 15859, dated January 15th, 1926, the Commission has held that more than the usual public convenience and necessity must exist before a public street should be opened through the middle of a railroad yard. In this instance we have a public street which it is desired to open across two railroad yards. Testimony shows that Fifteenth Street is short, is not a main artery and will serve not more than five industries and patrons and a small sparsely settled residence section of the City.

The Commission is of the opinion that the opening of a

crossing such as this through two railroad yards is not justified primarily from a desire on the part of applicant to regulate traffic on a dead end street and at its intersection with a principal business street in order to relieve the congestion caused by the operation of two or three industries which are operated at capacity for only a portion of the year, particularly when as in this instance other means of ingress and egress to these industries can be made available. In addition in this case a portion of the testimony introduced by applicant questions the hazard at such street intersection.

It appears from the record that the granting of this application would not be in the interests of the safety, convenience, and necessity of the public as a whole and that the application should be denied.

O R D E R

The City of Reedley, having on January 11, 1926, made application for permission to open Fifteenth Street across the tracks of the Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company, 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 is hereby denied.

Dated at San Francisco, California, this 9th day of March, 1926.

H. B. ...
C. ...
Leon Whitell

Commissioners.