

Decision No. 18582.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the City of Berkeley for an order authorizing a street crossing at grade across the tracks and right-of-way of the Southern Pacific Company at the intersection of the Shattuck Avenue Line and Addison Street in the City of Berkeley, California.

Application No. 11582.

WHITSELL, COMMISSIONER:

FIRST SUPPLEMENTAL OPINION AND ORDER

The Commission rendered its Decision No. 15634, November 13, 1925, in Application No. 11582, wherein the City of Berkeley was authorized to construct Addison Street at grade across the tracks of Southern Pacific Company's East Bay Electric Interurban Line on Shattuck Avenue, under certain conditions, one of which, No. (3), provides that this crossing, if constructed, "shall be protected by the stationing of a uniformed police officer in control of all traffic at the crossing during the hours 7 A.M. to 8 P.M. daily. Cost of said officer or officers shall be divided in accordance with an agreement between Applicant, City of Berkeley, and Southern Pacific Company, to be hereafter filed with and subject to the approval of this Commission,*****."

On December 17, 1926, the City of Berkeley filed a petition, requesting certain modifications of said Condition

(3). On January 11, 1927, the Commission issued its Order in this matter "Granting Petition for Hearing on Modification of Condition Qualifying Prior Order." A further hearing was held January 21, 1927. At this hearing it was shown that the volume of vehicular traffic over this grade crossing since its opening has not been heavy; in fact, much less than that anticipated at the time the Commission made its original order. The record also shows that the City recently has established boulevard stops on Addison Street on the east side of Southern Pacific tracks.

From the record now before the Commission in this proceeding, it appears that the requirement specified in said Condition (3) reasonably can be omitted without resulting in a seriously hazardous condition to the vehicular traffic using this crossing; if the following provisions are carried out:

1. The installation of a reflector type of traffic button located in the roadway of Addison Street east of Southern Pacific tracks.
2. The illumination at night of the boulevard stop sign located on the north side of Addison Street and east of Southern Pacific tracks.
3. The prohibiting of parking on the north side of Addison Street between Shattuck Avenue and Stanford Place.
4. The installation of an illuminated overhead crossing sign over the said Addison Street grade crossing.
5. Restricting speed of trains on Southern Pacific tracks to eight miles per hour over Addison Street.

Therefore, it is recommended that these requirements be substituted for Condition (3) of said order.

O R D E R

City of Berkeley, applicant herein, having filed a petition asking for a modification of the Commission's order, as set out above, a further hearing having been held, the matter

having been submitted and being now ready for decision, therefore

IT IS HEREBY ORDERED that Decision No. 15634, dated November 13, 1925, in Application No. 11582, be modified by inserting the following conditions in lieu of Condition (3) on Page 11 of said order, referred to in the foregoing opinion:

1. City of Berkeley shall, at its sole expense, install and thereafter maintain a reflector type traffic button to be located in the roadway of Addison Street east of Southern Pacific tracks.
2. City of Berkeley shall, at its sole expense, cause to have illuminated at night, the boulevard stop sign, located on the north side of Addison Street and east of Southern Pacific tracks.
3. City of Berkeley shall take the necessary steps to pass and enforce an ordinance prohibiting parking on the north side of Addison Street between Shattuck Avenue and Stanford Place.
4. Southern Pacific Company shall, at its sole expense, install and thereafter maintain an illuminated overhead crossing sign over the said Addison Street grade crossing.
5. The maximum speed of all trains on Southern Pacific tracks shall be reduced to eight (8) miles per hour over said Addison Street crossing.

In all other respects this Commission's Decision No. 15634, dated November 13, 1925, in the above entitled proceeding shall remain in full force and effect.

Dated at San Francisco, California, this 8th day of ~~June~~ July, 1927.

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Commissioners.