

Decision No. 22105.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the application of the City of Pittsburg for permission to construct Central Avenue across the Atchison Topeka and Santa Fe Railroad Transfer Track.

ORIGINAL

Application No. 16160.

R. N. Wolfe, City Attorney, for Applicant.  
H. W. Hobbs, for Southern Pacific Company.  
E. T. Lucey, for The Atchison, Topeka and Santa Fe Railway Company.

LOUTTIT, COMMISSIONER:

O P I N I O N

This is an application filed with this Commission on December 11, 1929, wherein the City of Pittsburg asks permission to construct Central Avenue at grade across The Atchison, Topeka and Santa Fe Railway Company's transfer track in the City of Pittsburg, County of Contra Costa, State of California.

Public hearings were held in this matter in the City of Pittsburg on January 17th and 28th, 1930, on which latter date the matter was submitted.

Central Avenue is an east and west street paved to a width of forty (40) feet and extending from Railroad Avenue on the west to Columbia Street on the east, a distance of approximately 4,000 feet. Said street extends along the center of a district recently annexed to the City of Pittsburg, said district being located between the main line tracks of The Atchison, Topeka and Santa Fe Railway Company on the north and of the Southern Pacific Company on the south. The transfer tracks connecting these two railroads lie immediately east of Railroad

Avenue and are the transfer tracks across which the city desires to construct Central Avenue. The railway depots are located adjacent to Railroad Avenue and on the north side of the respective railroads.

Nearly all of the City of Pittsburg, including the business district, is located north of the Santa Fe tracks. A number of homes and small business houses are located along Railroad Avenue between the tracks of the Santa Fe and Southern Pacific. Also a number of homes have been constructed in the new subdivisions, hereinafter referred to as newly subdivided district, between Harbor Street (a north and south street midway between Columbia Street and Railroad Avenue) and Columbia Street. The territory between Harbor Street and Railroad Avenue is undeveloped except along Railroad Avenue. The important industries of Pittsburg, employing in excess of 2,000 men daily, are located east of the city and north of the Santa Fe tracks, along East 3rd Street extended.

Applicant alleges the proposed crossing would provide a route that would avoid the traffic congestion in the business and restricted districts of Pittsburg, for traffic:

- (a) Between the railway depots and the industries.
- (b) Between territory south of Southern Pacific tracks and the industries.
- (c) Between newly subdivided district and City of Pittsburg.
- (d) Between territory immediately east of the transfer tracks and territory immediately west thereof.
- (e) Passing through City of Pittsburg.

Applicant presented witnesses testifying in support of the above allegation. The record shows that there is a proposal before the city to build a school in the block bounded on the west by the transfer track, on the north by the Santa Fe tracks, on

the east by Solari Street and on the south by Central Avenue. It was further testified that if said school were constructed the proposed crossing would be used by children attending the school from territory west thereof and would discourage promiscuous crossing of the Santa Fe tracks.

The Santa Fe and Southern Pacific appeared in protest to the granting of the application. They submitted testimony showing the volume of truck traffic between the depots and the industries, the routes used by traffic into and through the City of Pittsburg and the number of vehicles using the various subways and railway grade crossings. Photographs showing the physical conditions and views at the subways and grade crossings were also submitted.

Witnesses for the railways testified that all switching to and from the industries was performed by the Santa Fe, the Southern Pacific cars being received and delivered over the interchange tracks. All cars placed on the interchange must be pushed ahead of the engine, which manner of operation, it was contended, would be of considerable hazard to the highway traffic if the crossing were constructed.

It was further pointed out that the construction of the crossing would decrease the capacity of the interchange tracks from six (6) to eight (8) cars and that cars stored on said tracks would seriously obscure the view of the crossing.

The County of Contra Costa and the railroads have constructed subways under the Southern Pacific and Santa Fe tracks west of Pittsburg, under the Santa Fe tracks along Solari Street east of Pittsburg, and under the Santa Fe and Southern Pacific tracks along Harbor Street.

The subways west of Pittsburg and under the Santa Fe tracks along Solari Street east of Pittsburg provide a route,

connecting with the main east and west county highway, into and through Pittsburg without crossing the tracks of either railroad at grade. The subways along Harbor Street provide a route between the territory south of the Southern Pacific tracks and the City of Pittsburg and industrial district north of the Santa Fe without crossing the tracks of either railroad at grade.

It was testified that streets south of the Southern Pacific tracks connecting the north and south county road with Harbor Street are unpaved and in very poor condition. Exhibits indicate that very little use is made of Harbor Street.

A careful study of the record in this matter indicates that the construction of this crossing would largely tend to divert traffic from the existing subways. To the extent the crossing is used by the county highway traffic desiring to come into or pass through the City of Pittsburg, this is entirely true. Also, those who might use the crossing in going between the City of Pittsburg north of the Santa Fe tracks or the territory south of the Southern Pacific tracks and the newly subdivided district could very conveniently use the subways along Harbor Street or Solari Street and thereby not cross any tracks at grade. The use of the proposed crossing would in all cases require a crossing of the main lines of either the Southern Pacific or Santa Fe except for traffic within the territory located between the Southern Pacific and the Santa Fe to or from the east, which the record indicates would be very light.

Very little distance would be saved by the use of the proposed crossing and having in mind the fact that most traffic using the proposed crossing would be required to cross some tracks at grade along the new routes rather than at separated grade along the present routes, it is felt that the use of the proposed cross-

ing will not result in the saving of any time.

The physical conditions existing at the crossings of the Santa Fe tracks and Southern Pacific tracks along Railroad Avenue make these grade crossings potentially very hazardous. Their use should be discouraged to the extent possible, consistent with the convenience of the public using the highways and streets in the vicinity of Pittsburg.

It is concluded that public convenience and necessity do not require the proposed crossing.

The following form of Order is recommended:

O R D E R

The City of Pittsburg having filed an application for authority to construct Central Avenue across the transfer tracks of The Atchison, Topeka and Santa Fe Railway Company in the City of Pittsburg, County of Contra Costa, State of California, public hearings having been held, the matter being submitted and ready for decision, the Commission being fully advised and basing its order on the findings and conclusions contained in the foregoing opinion,

IT IS HEREBY ORDERED that the above entitled application be and it 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 11<sup>th</sup> day of February, 1930.

CC Seamy

Leon Whiteley  
Thos B. Smith