

ORIGINAL

Decision No. 22342

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Petition and)
 Application of the COUNTY OF SAN)
 MATEO, through the Board of Supervisors,)
 for permission of said Commission to)
 establish, construct and maintain a)
 grade crossing over the Southern Pacific)
 Right of Way at Harbor Boulevard near)
 Belmont, California, and for permission) Application
 to abandon and abolish the grade crossing) No. 16235
 across the right of way of said company)
 at O'Neil Avenue, at Belmont, California.)

Chas. M. Kirkbride, for Applicant.
 R. C. Hillebrand, for Southern Pacific Company,
 Interested Party.
 R. A. Rapsey, for certain property owners, Protestants.
 John H. Skeggs, for State of California, Department
 of Public Works, Division of Highway,
 Interested Party.

BY THE COMMISSION -

OPINION

The Board of Supervisors of the County of San Mateo has petitioned the Railroad Commission for an order authorizing the construction of a crossing at grade across the tracks and right of way of the Southern Pacific Company at Harbor Boulevard near Belmont. Applicant also requests authority to abandon and abolish a crossing at grade at O'Neil Avenue with said tracks in the vicinity of the proposed crossing.

A public hearing on this application was conducted by Examiner Handford at Redwood City, the matter was duly submitted and is now ready for decision.

In the vicinity of Belmont, Southern Pacific right-of-way is paralleled on the westerly side by the main peninsula highway and on the easterly side by a county road which extends from Beresford through Belmont to Redwood City. Harbor Boulevard, is a street eighty (80) feet in width extending northeasterly from the northeasterly line of the railroad right-of-way into

property known as Port San Francisco which is being developed industrially. It crosses the proposed location of the Bayshore Highway which is now under construction in this vicinity. At present, however, it does not extend westerly to the main state highway on account of being blocked by the right-of-way and tracks of the Southern Pacific Company. This is the crossing it is proposed to open.

Harbor Boulevard is located about one-quarter (1/4) mile southeasterly from the Belmont Station and six hundred (600) feet southeasterly from the present limits of the City of Belmont. There are two other crossings in the vicinity, one known as Ralston Avenue, an important cross county traffic artery crossing the tracks of the railroad at the Belmont Station, and O'Neil Avenue, an unimportant highway crossing the tracks at the city limits, part of this crossing being in the City of Belmont and part in the unincorporated portion of San Mateo County. O'Neil Avenue is approximately half way between Ralston Avenue and Harbor Boulevard.

The County of San Mateo, by its resolution under date November 18, 1929, has vacated, abandoned and abolished its portion of O'Neil Avenue between the state highway and the parallel county road, this being in effect that part of O'Neil Avenue which crosses the Southern Pacific right of way, a certified copy of said resolution being filed as an exhibit attached to the application.

At the hearing considerable opposition to the closing of O'Neil Avenue developed. This protest came principally from the residents and property owners in the small section of the city lying northeast of the railroad between Ralston Avenue and an extension of O'Neil Avenue known as "A" Street. There are some twenty (20) houses in this district and it is no doubt true that O'Neil Avenue serves a limited public convenience to these residents in reaching the business

district, schools and that portion of the city situated west of the highway. Subsequent to the hearing, and prior to the submission of the matter, there was filed with the Commission a certified copy of the resolution of the City Council of the City of Belmont as adopted March 5, 1930, authorizing the closing of O'Neil Avenue (also known as "A" Street), between the county road and the State Highway (also known as "El Camino Real"), said resolution to be effective and said road to be closed when a crossing at Harbor Boulevard will have been established.

In the vicinity of Harbor Boulevard there are at present no buildings on the westerly side of the railroad but on the easterly side a considerable development has taken place and there are now approximately thirty (30) modern homes in the district known as Bay View Heights.

In the present state of development in the vicinity of Belmont, it is probably true that the public would not be greatly inconvenienced if only the one crossing at Ralston Avenue existed. With the development of the community, however, particularly the industrial operations at Port San Francisco there will in the future be a need for an additional crossing, and it appears to the Commission that the more logical location for such a crossing would be at Harbor Boulevard rather than at O'Neil Avenue. It appears, therefore, to be in the public interest to substitute a wide, open crossing with modern protection at Harbor Boulevard in place of existing narrow crossing at O'Neil Avenue, and the authority for such substitute crossing will therefore be given.

The railroad involved in this proceeding is the double track main line of the Southern Pacific Company between San Francisco and San Jose carrying seventy (70) or eighty (80) high speed passenger trains daily and from ten (10) to twenty (20) freight trains. Highway grade crossings over tracks

of this nature require adequate protection and we are of the opinion that Harbor Boulevard should be protected by two automatic wigwag signals, each equipped with second train indicators, and located at points satisfactory to and as approved by the Commission's Engineering Department.

In authorizing new crossings at grade with railroad tracks, it has been customary for the Commission to assess the entire cost of installation to the applicant, but in the present case it appears that there is now in existence at O'Neil Avenue a crossing which Southern Pacific Company is obliged to maintain and at which it would eventually be required to provide adequate and proper protection. By reason of the elimination of the O'Neil Avenue crossing it appears reasonable and equitable that the cost of providing the automatic signal protection required by this order at the proposed Harbor Boulevard crossing be assessed 50% to the applicant and 50% to the Southern Pacific Company.

A suggestion was made at the hearing that on the west approach to the proposed crossing the roadway be flared to provide a wider entrance into the main state highway. In view of the fact that the presence of such an important traffic artery as this highway within a distance of less than one hundred (100) feet from a double track main line crossing has an important bearing on the hazards at that crossing, it appears to the Commission desirable that this roadway be flared as suggested and the order herein will so provide.

O R D E R

The Board of Supervisors of the County of San Mateo, having made application for permission to construct a public road at grade across the tracks of Southern Pacific Company at Harbor Boulevard, and to close an existing crossing at O'Neil Avenue, a public hearing having been held,

the matter having been duly submitted and the Commission being now fully advised,

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the establishment of a public highway crossing at grade at Harbor Boulevard, near Belmont, in the County of San Mateo, and

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to the Board of Supervisors of the County of San Mateo, State of California, to construct at Harbor Boulevard/grade across the right of way and tracks of Southern Pacific Company at the location shown by the map attached to the application.

The above crossing shall be identified as Crossing No.E-22.2.

Said crossing shall be constructed subject to the following conditions and not otherwise:

1- The entire expense of constructing the crossing, excepting the protection thereof as described in Condition No.3 of this order, shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by Southern Pacific Company.

2- The crossing shall be constructed of a width not less than seventy (70) feet and at an angle as shown on the above mentioned map and with grades of approach not greater than four (4) per cent; shall be constructed substantially in accordance with Standard No.3 as specified in General Order No.72 of this Commission; shall be protected by Standard No.1 crossing signs as specified in General Order No.75 of this Commission, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.

3- Said crossing shall be protected by two automatic wigwag signals, each equipped with second train indicators, installed and located in accordance with plans to be approved by the Commission. The cost of installation of said signal protection shall be borne 50 per cent by the applicant and 50 per cent by the Southern Pacific Company. The cost of maintenance of said signal protection shall be borne by Southern Pacific Company.

4- The westerly approach of said crossing at its intersection with the State Highway shall be so constructed as to provide a flare in the roadway as illustrated on the map filed at the hearing by the California Department of Public Works, Division of Highways, said map bearing the title "Proposed Improvement by San Mateo County at Intersection of Harbor Boulevard and Peninsula Highway."

5- On completion of the installation of the crossing at Harbor Boulevard as herein authorized, the existing public crossing of O'Neil Avenue with the tracks of Southern Pacific Company, located approximately 600 feet northwesterly from Harbor Boulevard, shall be legally abandoned and effectively closed to public use and travel.

6- Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing at Harbor Boulevard.

7- If said crossing at Harbor Boulevard shall not have been installed within one year from the date of this order, the authorization therefor as herein granted shall then lapse and become void, unless further time is granted by subsequent order.

8- The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and proper and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 16th day of April, 1930.

C. Seaver

W. S. Lott

M. J. Carr
COMMISSIONERS.