

Decision No. 24528

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of
 The People of the State of California,
 on relation of the Department of Pub-
 lic Works, for an order authorizing the
 construction of a State highway cross-
 ing at grade over the tracks of the
 Southern Pacific Company railroad spur
 serving the United States Naval Air
 Base near Sunnyvale, in San Mateo
 County.

ORIGINAL

Application No. 17949.

BY THE COMMISSION:

ORDER

In the above entitled application, authority is sought to construct State Highway Route #68 (Bay Shore Highway) at grade across Southern Pacific Company's newly constructed spur track serving the United States Naval Air Base located about two miles to the north of Sunnyvale, Santa Clara County (erroneously stated to be San Mateo County in the application).

The highway involved is the new Bay Shore Highway which, when completed, will afford a direct high speed artery between San Francisco and San Jose. It is now opened for traffic between San Francisco and Redwood City. The section involved herein is located opposite the United States Naval Air Base and is part of the un-completed portion of the proposed new State Highway south of Redwood City. Applicant is opening up this section of the highway, which extends for a distance of about one mile, affording a connection between Whisman Road and Mountain View and Alviso Road, in advance of

the adjoining portion, to accommodate vehicular traffic to and from the said Naval Air Base. Applicant plans to improve this section of the road with gravel for the present, to be improved with some type of pavement when it becomes a part of the through highway.

Southern Pacific Company has indicated, in writing, that it will not oppose the granting of this application. It appears that the train movements over this crossing will be infrequent and at slow rates of speed.

While it is desirable to keep this important highway artery free from grade crossings, it does not appear that under present conditions the expense of a separation is justified. In view of the fact that this section will be a part of a high speed highway artery, when it is paved and becomes a part of the main Bay Shore Highway, trains moving over the highway on the track involved should be announced by signals as well as illuminated.

In the interest of accommodating traffic to the Naval Air Base, particularly in view of the fact that there are expected to be large crowds to witness the naval dirigible "Akron," due here in the near future, the Commission will grant this application without requiring the immediate installation of crossing signals but will require suitable protection when this becomes a portion of a through highway.

IT IS HEREBY ORDERED that the People of the State of California, on relation of the Department of Public Works, Division of Highways, is hereby authorized to construct a State Highway at grade across a spur track of Southern Pacific Company at the location more particularly described in the application and as shown by

the map (Exhibit A) attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. E-38.27-C.
- (2) The entire expense of constructing the crossing, excepting the track improvement, shall be borne by applicant. Southern Pacific Company shall, at its own expense, prepare its track to receive the pavement or other surfacing material. 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. Southern Pacific Company shall supervise all actual work of constructing the crossing between lines two (2) feet outside of the outside rails.
- (3) The crossing shall be constructed of a width of not less than forty (40) feet and at an angle to the railroad as shown on the map accompanying the application and with grades of approach not greater than two (2) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; shall be protected by two Standard No. 1 crossing signs, as specified in our General Order No. 73, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Before this crossing becomes a part of a through highway, it shall be protected with automatic signals and flood lights in accordance with a plan to be approved by the Commission, said plan to be presented by applicant. The expense of providing such signals shall be borne by applicant. The expense of maintaining same shall be borne by Southern Pacific Company. Pending the time signals are installed, traffic on the highway shall be protected by a member of the train crew or other competent employee acting as flagman.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year

year from the date hereof unless further time is granted by subsequent order.

- (7) 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, public convenience and necessity demand such action.

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

Dated at San Francisco, California, this 23rd day of February, 1932.

C. Leary

Leon Whiskey

W. A. C.

M. B. Harris

Fred G. Stewart

Commissioners.