

Decision No. \_\_\_\_\_.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 3186

ORIGINAL

In the matter of the application of )  
CITY OF SAN FERNANDO for permission )  
to construct McFarland Street at )  
grade over the tracks of Southern )  
Pacific Company, in the City of )  
San Fernando, Los Angeles County, )  
California. )  
..... )

Application No. 2051.

Frederick Baker for applicant

Geo. D. Squires for Southern Pacific Company

GORDON, Commissioner,

O P I N I O N.

This application is an outgrowth of Application 1975, which was decided by the Commission on December 30, 1915. (Decision No. 3012). In that application the City of San Fernando applied to the Commission for permission to construct Jessie Street at grade across the Southern Pacific tracks. The present application looks to the opening of McFarland Street, a parallel street north of Jessie Street, and it was filed with the Commission on January 19, 1916.

The Commission's opinion in Application 1975 described the location of both Jessie and McFarland streets, as well as the other streets in this vicinity, in their relation to each other and the tracks of the railroad company and I shall not repeat that description in this opinion.

At the hearing held on Application 1975 the question of opening McFarland Street was touched upon but was not considered as no application was before the Commission for a crossing there at that time. It was made apparent then, however, and was so stated in the opinion covering the Jessie Street application, that while it was reasonable to open a new crossing in this vicinity it did not appear that two crossings were required by public convenience so close together as are Jessie and McFarland Streets.

At the hearing held on the present application no evidence was introduced which convinced me that this opinion was in error.

The Jessie Street crossing has not yet been constructed and the right was reserved in that order, as in all similar orders, to revoke the permission granted if public convenience required it. We are, therefore, in the position of being called upon to decide which of the two proposed crossings, McFarland Street or Jessie Street, will the better serve public convenience, when the hazard is also considered.

I am satisfied that McFarland Street is the street which should be opened. If it is protected as it was proposed to protect Jessie Street, that is by an automatic flagman, I am convinced that it will be as safe a crossing as Jessie Street would have been although but two tracks would have been crossed at Jessie Street and there are three to be crossed at McFarland. The Jessie Street crossing would have been at the entrance to the San Fernando yard where there is undoubtedly more switching than at McFarland Street. There are no obstructions to the view at either crossing, and the railroad company would not be particularly inconvenienced by the construction of either.

At the hearing held on this application many witnesses were examined as to the relative importance of the two crossings under consideration and with but one or two exceptions all were of the belief that the McFarland Street crossing would be by far the most important. This should be apparent from the location of the two streets. Jessie Street is the southerly street of the city and is not a through street in either direction from the proposed crossing. The country to the south of this street on the east side of the track is low and not susceptible of development and improvement. The McFarland Street crossing, on the other hand, will be an extension of Brand Boulevard, to the west, which is a highly improved road connecting with all the principal roads west of the

railroad. On the east McFarland connects directly with the main roads on that side of the track. McFarland Street is also the street which is used to reach the packing plants on the railroad's reservation and the crossing at Jessie Street could not be used as a substitute for it. McFarland will best serve the convenience of the pupils attending the high school, and I am satisfied that with the construction of a street parallel to the railroad, on the east side of the track, through the high school grounds between Jessie and McFarland Streets, as suggested in the opinion in Application 1975, the City of San Fernando will be amply served by crossings in this vicinity for some time to come.

I recommend that the order granting Application 1975 be revoked and this application be granted in accordance with the following order:-

O R D E R.

CITY OF SAN FERNANDO having applied to the Commission for permission to construct McFarland Street at grade across the tracks of Southern Pacific Company and a public hearing having been held, and the Commission having this day revoked its permission heretofore granted for the construction of a grade crossing at Jessie Street, and it appearing that this application should be granted subject to certain conditions to be hereinafter specified,

IT IS HEREBY ORDERED, That the City of San Fernando, Los Angeles County, California, be and the same hereby is granted permission to construct McFarland Street at grade cross the tracks of Southern Pacific Company at the place and in the manner shown by the map attached to the application; said crossing to be constructed subject to the following conditions and not otherwise, viz.:-

(1) The crossing shall be constructed of a width of not less than twenty-four (24) feet, with grades of approach not exceeding four (4) per cent, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(2) The cost of maintaining this crossing thereafter in good and first-class condition shall be borne by the applicant up to a point within two (2) feet of the rails of Southern Pacific Company. The cost of maintaining the crossing thereafter between the rails and to a point two (2) feet outside thereof shall be borne by Southern Pacific Company.

(3) For the protection of this crossing there shall be installed a first-class automatic flagman of a type approved by the Commission. The cost of this installation shall be borne by applicant, and the cost of its maintenance thereafter in first-class operating condition shall be borne by Southern Pacific Company.

(4) 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 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 25th day of March, 1916.

Max Thelen  
H. H. Loveland  
W. J. Anderson  
Edwin U. Edgerston  
Frank R. DeWitt

Commissioners.