

ORIGINAL

Decision No. 3741

Decision No. .

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of
the CITY OF SACRAMENTO for an order
authorizing the opening of Thirty-
fourth Street across the right of
way and tracks of the Southern Pac-
ific Company on its "R" Street line
in said city.
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Application No. 2518.

Archibald Yell for the City of Sacramento.
George D. Squires for the Southern Pacific Company.

GORDON, Commissioner.

O P I N I O N

CITY OF SACRAMENTO in this application asks the Commis-
sion to authorize the construction of Thirty-fourth Street,
widened and extended as proposed by the City, across the right
of way and tracks of the Southern Pacific Company's "R" Street
line at a point indicated on the map and profile accompanying
the application.

The City proposes to construct this crossing at grade
and asks the Commission to change the grade of the railroad so
as to make it conform more nearly than it does at present to the
proposed street grade. The application came up for hearing in
Sacramento on October 3, 1916, when evidence was submitted by
both parties, and it is now ready for the Commission's decision.

Thirty-fourth Street is a north and south thoroughfare
and at present extends northerly, and in irregular width, as far
as the right of way of the Southern Pacific Company. It is pro-
posed by the City to widen this street to a uniform width of 80
feet and carry it in a straight line across the tracks of the rail-
road to a connection with what is now known as Florence Avenue.
The street as widened and extended is intended to become one of

the main north and south thoroughfares in the eastern part of the city of Sacramento.

The railroad crossing situation in the vicinity of the proposed crossing of Thirty-fourth Street is extremely unsatisfactory. Within 130 feet easterly of the center of the proposed grade crossing is the center of the existing grade crossing of Upper Stockton Road. This highway is probably one of the most important roads entering Sacramento and in fact is a part of the Lincoln Highway. An exceedingly large amount of traffic moves over this road at all times of the day and the night, and the largest part of this activity consists of automobile traffic. It is also certain that vehicular traffic on the Lincoln Highway will steadily increase as time goes by.

The City in its application asks the Commission to establish a new grade for the railroad and to lower the present railroad grade as suggested on a plan and profile submitted by the city engineer of Sacramento. This profile contemplates lowering the railroad grade at the point of proposed crossing approximately 3 feet. The proposed change of grade of the railroad would, of course, make itself felt on both sides of the Thirty-fourth Street crossing, and the profile submitted by the city engineer shows that the lowering of the railroad grade would be necessary for a distance of approximately 4,400 feet if his plan were adopted.

Even if there were no other considerations, I doubt that I could recommend to the Commission the granting of this application. It is clear to me that with the well established and, to my mind, absolutely sound policy of the Commission, to discourage the establishment of new grade crossings wherever possible, the construction of this additional crossing would seem unjustifiable and unnecessary within a distance of only a few feet of an existing grade crossing. There is, however, an additional reason why in my opinion the Commission is not justified in

giving its permission. I am convinced that the grade of Upper Stockton Road should be separated from the railroad grade at the present crossing, and that the Lincoln Highway, or Upper Stockton Road, should be carried, by means of a subway, underneath the Southern Pacific tracks. This particular grade separation, in my opinion, is one of the most urgent ones in the state and should be made at the earliest opportunity. Engineering studies looking towards this end are in fact now being carried on by the Commission's engineering department and the engineering department of the Railroad Company. The establishment of a grade crossing within less than 100 feet of the proposed subway would throw further obstacles in the way of the proposed grade separation and, in any event, would be expense wasted as soon as the grade separation on Upper Stockton Road comes about.

A study of the plans on file with the Commission and an inspection of the situation on the ground have convinced me that it is entirely feasible to bring Thirty-fourth Street into Upper Stockton Road immediately south of the Southern Pacific right of way, and by means of this connection continue Thirty-fourth Street to the north side of the railroad tracks. If this is done, and it can be done with very little or no expense to the City as compared with the expense of crossing the railroad at grade as proposed, one grade crossing will take care of the entire traffic on both Thirty-fourth Street and Upper Stockton Road, and this will also be the logical arrangement, having the ultimate construction of the subway in view. The inconvenience to the public by reason of the detour from the straight line will be practically negligible. Pedestrians or vehicles traveling north or south on Thirty-fourth Street will have to lengthen their journey not more than 200 feet if they have to use the existing crossing and the establishment of the proposed crossing is not permitted.

The portion of Sacramento in the vicinity of this pro-

posed crossing has in recent years developed into the industrial section of the city and a number of important industrial establishments are located in this neighborhood. The City is fostering a further industrial development in this vicinity. The Southern Pacific Company's "R" Street line consists of a main line with numerous sidings and industrial spurs leaving the main line on both sides of the track. The line is almost exclusively used for transfer and switching purposes and train movements, conforming to no regular schedule, are of necessity carried on at all times of the day and also during the night. The Southern Pacific crosses the point of proposed crossing with a double track. This condition would make the proposed crossing, as it does the existing neighboring Upper Stockton Road crossing, even more dangerous than normally would be the case.

Immediately north and northwest of the proposed grade crossing is situated the large packing and canning establishment of Libby, McNeil & Libby. A connecting track between the Southern Pacific Company's and the Northern Electric Railway Company's lines and an industrial spur track leave the Southern Pacific main line at the point of the proposed crossing, and the switch for this turnout would be located on the sidewalk or in the street if Thirty-fourth Street were extended across the Southern Pacific track as proposed. The division engineer for the Southern Pacific Company, Mr. Kirkbride, testified at the hearing that it would be an impossibility to shift this switch, for the reason that the resulting excessive curvature would seriously interfere with switching movements on the connecting track and on the industry spur. A moveable switch point in the street would be, of course, an additional hazard at that grade crossing.

The attorney for the City of Sacramento made the point that the Commission should grant this application because the City had gone to considerable trouble and had nearly perfected

all arrangements for the acquirement of the necessary property in connection with the widening of the street and its extension across the Southern Pacific as proposed. I regret, and I am sure this Commission regrets, that the City of Sacramento may find it necessary to change its arrangements to some extent if this application is denied. Such inconvenience could have been avoided if the City had made its application to this Commission before perfecting its street widening and crossing arrangements.

In view of the conditions as set out, and having in mind the principal duty of this Commission in such cases, namely, to safeguard by all means within its power the lives of the traveling public and the public using railroad crossings, I am unable to recommend to the Commission that this application be granted. I am of the opinion that a slight change in the proposed location of Thirty-fourth Street and the use of the existing grade crossing on Upper Stockton Road until such time as a separation of grades is brought about at that point, will result in so little inconvenience to the public using Thirty-fourth Street as to be practically negligible, and I recommend that the application be denied.

I recommend the following form of order:

O R D E R

CITY OF SACRAMENTO, having applied to this Commission for permission to open Thirty-fourth Street across the right of way and tracks of the Southern Pacific Company on its "R" Street line in said city, as shown on the map and profile accompanying the application; and a public hearing having been held and testi-

mony having been given; and it appearing from the facts in this case that this application should be denied;

IT IS HEREBY ORDERED, That this application be and the same is hereby denied without prejudice.

The foregoing opinion and order are hereby approved and filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 7th day of October, 1916.

Max Theiler

Alex. Gordon

Edwin C. Edgerton

Frank R. Polue

Commissioners.