

ORIGINAL

Decision No. 4001

DECISION NO. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

J. C. HARTMAN, et al.,

Complainant,

-vs-

ATCHEISON, TOPEKA & SANTA FE RAILWAY
COMPANY, a corporation,

Defendant.

CASE NO. 1007.

F. W. Henderson for Complainant.

M. W. Reed for Defendant.

GORDON, Commissioner.

O P I N I O N.

This is a complaint on behalf of J. C. Hartman et al., as members of and constituting the City Planning Commission of the City of Merced, requesting that this Commission order the erection of separate freight and passenger stations by the Atchison, Topeka & Santa Fe Railway Company in the City of Merced to replace the combination freight and passenger station heretofore destroyed by fire. The defendant filed its answer denying the necessity for the construction of separate stations for the accommodation of freight and passenger traffic and stating its intention to reconstruct the combined freight and passenger station in the City of Merced substantially as same existed prior to its destruction by fire.

A public hearing was held in Merced on November 8, 1916, the matter was submitted and is now ready for decision.

The combined freight and passenger station of the Atchison, Topeka & Santa Fe Railway was located on the northeasterly quarter of the block bounded by "K" Street, 24th Street, "J" Street and 23rd Street in the City of Merced. The station was totally destroyed by fire on August 18, 1916, and it was the intention of the defendant company to reconstruct same along the lines of the structure destroyed by fire. The complainants desiring separate stations filed complaint with the Commission seeking the construction of separate facilities and for the erection of a passenger station of more ornate design.

The former combined freight and passenger station was a one story wood frame structure, twenty-six by one hundred fifty feet in size. The passenger and office portion of the structure was about twenty-six by fifty-five feet in size, an open waiting room, eighteen by twenty-six feet being provided at one end. The arrangement for passenger accommodation was not modern in that no toilet facilities were provided within the structure and there was no separate waiting or retiring room provided for women passengers. In these respects the passenger facilities provided by the former station were inadequate and unsuitable for the needs of the defendant's patrons.

The present population of the City of Merced is about four thousand people. The facilities herein provided will be ample to accommodate the needs of Merced.

The present location of the station is seven blocks north

and two blocks east of the business section of the city and it is estimated that from 25 to 35 per cent of the passenger business and approximately 50 per cent of the local freight business of the city of Merced is enjoyed by the defendant corporation.

Various locations were discussed at the hearing for the establishment of a separate passenger station, one of same involving the closing of "K" Street. It appears that the sentiment of the citizens of Merced is strongly against the closing of "K" Street. Another suggested location was in the depot park in the northwesterly corner of the block in which the station facilities are located. This park, however, has been in process of development for some fifteen years and should not be eliminated at this time.

In view of all the evidence presented in this matter, I am of the opinion that the complainants have not justified the necessity for the erection of separate freight and passenger stations by the Atchison, Topeka & Santa Fe Railway Company in the City of Merced. I am, however, of the opinion that the reconstruction of the joint freight and passenger station should include provision for sanitary toilets within the station and also for a women's rest or retiring room.

I recommend the following form of order:

O R D E R.

J. C. Hartman, et al, having filed complaint with this Commission requesting that separate freight and passenger stations be provided by the Atchison, Topeka & Santa Fe Railway Company in

the City of Merced, a public hearing having been held and the Commission being fully advised in the premises,

IT IS HEREBY ORDERED, That in the reconstruction of the joint passenger and freight station at Merced to replace the station heretofore destroyed by fire, arrangements be made for the installation of sanitary toilets and for a women's rest or retiring room and that plans specifying such facilities be presented to this Commission for its approval within thirty days after the effective date of this order, and

IT IS HEREBY FURTHER ORDERED, That as to the other matters covered by the above-entitled complaint, same are hereby dismissed.

The above 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 11th day of January, 1917.

Max Thelen
H. B. Leland
Chas. L. Gordon
Frank R. Dorn
Commissioners.