

ORIGINAL

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application
of the CITY OF SAN DIEGO for per-
mission to construct Sorrento Val-
ley Road at grade across the tracks
of The Atchison, Topeka & Santa Fe
Railway Company, a corporation, in
Sorrento, in the City of San Diego.

} Application No. 2730.
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T. B. Cosgrove and S. J. Higgins
for applicant.

F. W. Stearns for The Atchison,
Topeka & Santa Fe Railway
Company.

BY THE COMMISSION:

O P I N I O N

A public hearing was conducted by Examiner Westover upon above application to construct Sorrento Valley Road at grade across the tracks of The Atchison, Topeka & Santa Fe Railway Company near Sorrento, in the City of San Diego. The railway company does not oppose the establishment of the proposed crossing provided the present impassable crossing be formally closed.

In the vicinity of the proposed crossing, the railroad, the wagon road and a small stream run northerly and southerly through a comparatively narrow valley, to the station, store and postoffice at Sorrento, where the Rose Canyon road from San Diego to Los Angeles crosses the railroad at grade on Edelweiss Street, formerly 5th Street. A former crossing at a point about 4500 feet southerly from Edelweiss

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Street was washed out and rendered inaccessible by the floods of January, 1916. It has not been formally and legally closed. Since the flood, the travel from the south by way of Sorrento Valley Road has approached Sorrento along the easterly side of the railroad over private lands, crossing the railroad at Calla Street, formerly 3rd Street, two blocks southerly from Edelweiss Street. This arrangement is only temporary.

The city has procured a right of way 30 feet wide for the proposed crossing, passing over the railroad tracks at a right angle about 2300 feet southerly from the crossing at Edelweiss Street, and for a road continuing from the proposed crossing westerly about 500 feet, and thence northerly to a dedicated street in Sorrento townsite.

There are four or five families in the valley within the city limits of San Diego and a few in the unincorporated territory immediately beyond. They use the road in question to reach Sorrento and the store and postoffice which are now located on the westerly side of the railroad on Edelweiss Street.

The point of crossing is visible from locomotives for a distance of about two miles from the north

and about three-quarters of a mile from the south. The view from vehicles and of pedestrians is somewhat obscured by temporary rank growth of wild mustard.

There appear to be three methods of avoiding a second crossing and using only the present crossing at Edelweiss Street:

1. A right of way could probably be procured from Mr. Charles J. Swanson for a road along the southerly line of parcel C, lot 9, Sorrento Townsite, extending from the proposed crossing to Lilly Street, a dedicated street in the townsite, instead of using the right of way which he has already donated, extending westerly across the railroad tracks about 500 feet. The land involved in the two instances appears to be about equal in area and value.

2. A better route would be to continue from the point of crossing straight northerly along the easterly side of the railroad right of way to the present crossing at Edelweiss Street. The city reports, however, that it has not been able to agree upon satisfactory terms with the property owners for such a right of way. The advantages to the property abutting upon the railroad appear to be of such a character that there should be little difficulty about terms.

3. Arrangement might be made with the railroad company to use part of its hundred foot right of way for part or all of the road, the travelled portion of which is about ten feet wide.

There is no public necessity for more than one crossing in the vicinity. It does not appear that sufficient effort has been made to avoid a second crossing. It is the desire of the Commission to eliminate grade crossings wherever feasible. We feel confident that a better solution can be found than the reconstruction of the existing second crossing or the establishment of any new crossing; and that the city will so solve this problem and later request a dismissal of the application. We therefore make no order in the matter at this time.

Dated at San Francisco, California this 3rd. day
of May, 1917.

Max Thelen

Alv. Gordon

Edwin C. Edgerton

Frank R. Wilson

Commissioners