

ORIGINAL

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Decision No. 8053

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
the Council of the City of Richmond,)
State of California, for an order)
permitting the construction and main-)
tenance of a grade crossing across)
the railroad tracks of the Southern)
Pacific Company, at BISSELL AVENUE in)
the City of Richmond, County of Contra)
Costa, State of California.)

Application No. 4447.

D. J. Hall, City Attorney for Applicant.
Frank B. Austin, for the United States Railroad Administration,
Southern Pacific Company.

MARTIN, COMMISSIONER,

O P I N I O N.

This is an application by the City of Richmond for an order permitting the opening of Bissell Avenue at grade across the right of way and tracks of the Southern Pacific Company. A public hearing was held at Richmond on May 8, 1919, in conjunction with Applications 3781 and 4446 and a decision in this proceeding was held in abeyance pending compliance with the decisions in the applications just referred to. The orders in Decisions 6875, 7029 and 7106 have not yet been fully carried out, however, and this decision should be delayed no longer.

Bissell Avenue is parallel with and one block south of MacDonald Avenue which is the main business street of Richmond. Bissell Avenue is improved west of the Southern Pacific right of way to First Street, a distance of about twenty blocks, and east of the railroad for three blocks to Twenty Third Street. The nearest public

crossings are the MacDonald Avenue subway, about 775 feet to the north, and the grade crossing at Twenty Third Street about 1150 feet to the south, measured along the railroad.

The object of the City in applying for the crossing is to make Bissell Avenue a through street and to give direct access to the triangle formed between MacDonald Avenue, Twenty Third Street and the Southern Pacific tracks. The High School is situated in this triangle, on the west side of Twenty Third Street, half way between MacDonald and Bissell Avenue. Many of the school children living on Bissell or Chanslor Avenues, west of the railroad, cross over the tracks at Bissell Avenue by slipping through the right of way fence. A well worn trail extends across the right of way at this point. It is also anticipated by the City that a large part of the trucking, heavy teaming and automobile traffic now going through the MacDonald Subway would use this grade crossing in preference to the subway.

The proposed crossing will be over four tracks of the Southern Pacific Company. The view of the railroad tracks from the street is open except on the north east corner where the fence around the street railway yard obstructs the view. There are from 55 to 65 trains a day over the Southern Pacific Lines through Richmond. Some of these trains operate through the city at high speed, but most of them stop at the station about 1,000 feet north of Bissell Avenue.

The railroad company is opposed to the opening of this crossing as they feel that the existing grade crossings and the MacDonald Avenue subway are sufficient to care for the traffic of the City. They believe that every new crossing is an additional hazard

and that it is almost impossible to protect pedestrian traffic with gates, automatic flagmen, or other devices, as very little attention is paid to them by people on foot.

Unless very unusual conditions existed, it would be most unwise and against the general policy of the Commission to open up a grade crossing within one block of a subway. No valid reason appears in this case why this policy should be varied from. It is clearly established that the existing subway at MacDonald Avenue is inadequate and dangerous to traffic in its present condition, but the Commission has dealt with that situation in its Decision No. 7029 in Application 3781 rendered on January 12, 1920. It is to be hoped that the improvements contemplated in that decision will soon be made. When improved as ordered, the capacity and convenience of the subway will be greatly increased and an additional grade crossing less than 800 feet distant will not be necessary. If, on the other hand, a grade crossing is now established, the very purpose of the subway will be ignored and its improvement will certainly be postponed if not entirely neglected. Until the traffic conditions through the improved subway at Macdonald Avenue have been given a thorough trying out, this crossing should not be opened. It is recommended, therefore, that the application be denied.

O R D E R.

Council of the City of Richmond having filed with the Railroad Commission an application for an order permitting the construction and maintenance of a grade crossing across the railroad track of the Southern Pacific Company at Bissell Avenue in the City of Richmond, Contra Costa County, California, a public hearing having been held and the Commission being fully apprised in the premises and being of the opinion that an additional grade crossing within 800 feet of the Mac

Donald Avenue Subway, the improvement of which has been ordered by the Commission, is not warranted at this time and 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 ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California,
this 7th day of August, 1920.

Edwin O. Edgerton

H. H. ...

Dwight Martin
Commissioners.