

Decision No. 30215.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
the County of Contra Costa, State of
California, for the construction of
a grade crossing over the tracks of
the Sacramento Northern Railway Company
on the extension of Sixth Street into
the Goodman Tract, located near the
City of Walnut Creek, in Supervisorial
District No. Three of said county.

Application No. 20949.

H. Jacobi, Assistant District Attorney, for applicant

L. M. Bradshaw, for Sacramento Northern Railway, protestant

BY THE COMMISSION:

O P I N I O N

In this proceeding the County of Contra Costa requests permission to construct a public highway at grade over the track of the Sacramento Northern Railway as an extension of Sixth Street (County Road No. C-60) located westerly of the City of Walnut Creek in said county.

A public hearing was held in this matter by Examiner Hall in Walnut Creek on August 6, 1937, at which time the matter was submitted.

Sixth Street runs in a south easterly direction from its connection with the Walnut Creek-Oakland State Highway (Route 75) and crosses the railroad approximately two-tenths of a mile south of the State highway. The point at which Sixth Street intersects the State highway is about one-half mile west of the center of Walnut Creek. About 300 feet southerly from the crossing another county road extends north easterly from Sixth Street and connects with the Walnut Creek-Danville Highway at the south city limits of Walnut Creek.

In the last few years the area immediately west of Sixth Street and south of the railroad has developed quite rapidly as a residential section. These people are all separated from the Walnut

Creek-Oakland Highway by the railroad.

At the point of the proposed crossing over the railroad there has been, for many years, a private crossing, equipped with farm gates. This private crossing is now being used by the residents of the area in reaching the Oakland Highway or in going to Walnut Creek.

The county proposes to improve the crossing as well as its immediate approaches. The crossing is located in a draw between two hills and the grades on either side are downhill to the crossing. These grades are 15% and 20% respectively. For a distance of approximately seventy-five feet on each side of the crossing the road is proposed to be level.

Many residents testified at the hearing that the crossing of Sixth Street is necessary for their use in going to both Oakland and Walnut Creek, by way of the State Highway No. 75. It was brought out that these people could use the unnamed county road that intersects the Walnut Creek-Danville Highway but that it would be a circuitous route.

These witnesses also testified that this road is used considerably by the public in general (particularly on Sundays) to avoid travelling through the congested business streets of Walnut Creek in order to reach the Danville Highway and that occasionally, when celebrations are being held in Walnut Creek, its main streets are blocked and traffic moving between the Oakland Highway and the Danville Highway must use the proposed crossing.

The view of approaching trains is obscured, particularly from the south, and all witnesses for applicant testified that automatic signals should be installed for the protection of users of the crossing.

Sacramento Northern Railway pointed out that the people of the district had an outlet by way of the county road which intersects the Danville Highway. This is, of course, true but it would be a cir-

cuitous route for those going to, or coming from the Oakland direction.

A review of the record clearly indicates that public convenience and necessity require the opening of this crossing for public use and travel and that it should be protected by two Standard No. 3 wigwag signals as prescribed in our General Order No. 75-A and it will be so ordered.

O R D E R

The County of Contra Costa is authorized to construct Sixth Street (County Road No. C-60) at grade, across main line track of Sacramento Northern Railway, near Walnut Creek, Contra Costa County, at the location described in the application, to be identified as Crossing No. 8-26.9. Applicant shall bear entire construction expense, including protection signals, also maintenance cost outside of lines two feet outside of rails. Sacramento Northern Railway shall bear maintenance cost between such lines and maintenance of protective signals. Width of crossing shall be not less than twenty-four feet and grades of approach not greater than four per cent. Construction shall be equal or superior to Standard No. 2 of G. O. No. 72. Protection shall be by two Standard No. 3 wigwag signals. (G. O. 75-A).

Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall become void if not exercised within one year (unless time be extended), or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

The effective date of this Order shall be twenty (20) days from the date hereof.

Dated, San Francisco, California October 11, 1937.

Matthew C. Brown
Frank R. W. W. W.
Robert C. W. W.
Walter C. W. W.
Commissioners