

Decision No. 22292

In the Matter of the Application of San Joaquin)
County, acting through its Board of Supervisors,) Application
for permission to construct Alpine Avenue at) No. 22292
grade across the Western Pacific Railroad.)

E. P. Peterson, for The Western Pacific Railroad Company
Ray Dunne, Asst. District Attorney, and Julius B. Manthey,
County Surveyor, for Applicant.
Jesse J. Inman, for Property Owners along Alpine
Avenue, Stockton.

ORIGINAL

BY THE COMMISSION:

O P I N I O N

In this application San Joaquin County requests permission to construct Alpine Avenue at grade over the tracks of The Western Pacific Railroad Company near the north city limits of Stockton.

A public hearing was held in this matter before Examiner Hall on Thursday, March 30, 1939, at Stockton, at which time the matter was submitted.

The tracks of The Western Pacific Railroad Company in this area run in a general northerly and southerly direction. The site of the proposed crossing is one mile north of Harding Way in the City of Stockton. Alpine Avenue is an east and west street, being constructed from Sanguinetti Lane (State highway) about one-half mile north of the proposed crossing and extending across the railroad westerly to Stockton Golf and Country Club.⁽¹⁾ At the present time certain portions of Alpine Avenue are constructed and in use but are disconnected so that this avenue cannot be used as a through street. This street is primarily being constructed to allow people living to the east of Stockton to travel westerly without going through the congested area of the city. Adjacent to the crossing is located Oak Park, a city recreational area, which attracts,

(1) Shown on map of Stockton and vicinity filed as Exhibit 1 in this proceeding.

particularly in the summer time, people not only from Stockton but from the area east thereof.

Applicant contends that although Alpine Avenue will be a through east and west street, the traffic over the proposed crossing will not be abnormally heavy and suggests that no further protection will be necessary other than a Standard No. 1 crossing sign.

The record shows that the Western Pacific operates one passenger train, approximately six freight trains, and two switching movements each day over the location of the proposed crossing, most of these train movements being between the hours of 4:00 and 10:00 p.m.

The view of approaching trains is unobstructed, except on the southeast corner of the crossing where some large Oak trees are growing in private property. About one-quarter of a mile east of the proposed crossing Alpine Avenue crosses at grade the main line track of Southern Pacific Company, which runs between Stockton and Sacramento, and this crossing is protected by a Standard No. 1 crossing sign, as required by Decision No. 31202, dated August 15, 1938, in Application No. 22064.

The granting of the instant application was not opposed although The Western Pacific Railroad Company contended that automatic protection should be installed and that the County should bear the entire cost of constructing and maintaining the crossing, including protection and maintenance thereof.

A review of the record clearly indicates that the construction of this crossing, coupled with the construction of Alpine Avenue as a through road between Sanguinetti Road on the east and Stockton Golf and Country Club on the west constitutes a public convenience and necessity. It appears, however, that due to the reasonably good view conditions at the crossing and the relatively light traffic expected, the only protection necessary at this time are two Standard No. 1 crossing signs. The cost of constructing the crossing should be borne by applicant and, although The Western Pacific Railroad Company contended otherwise, the maintenance of the track section thereafter

should be borne by The Western Pacific Railroad Company, and the following order will so direct.

O R D E R

The Board of Supervisors of San Joaquin County is authorized to construct Alpine Avenue at grade across the main line of The Western Pacific Railroad Company near Stockton, San Joaquin County, at the location described in the application, to be identified as Crossing No. 4-95.7. Applicant shall bear entire construction expense, also maintenance cost outside of lines two feet outside of rails. The Western Pacific Railroad Company shall bear maintenance cost between such lines. 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. 72. Protection shall be by two Standard No. 1 crossing signs.

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, April 25, 1939.

Raymond
James
Carl
H. Baker
Justin F. Cooney
Commissioners