

Decision No. 36142

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
LOS ANGELES & SALT LAKE RAILROAD)
COMPANY and its lessee, UNION PACIFIC)
RAILROAD COMPANY, for an order direct-)
ing the physical closing of crossings)
at grade of 13th Street, 9th Street)
and North Market Street, over the)
tracks of applicants in the city of)
Riverside, California.)

Application No. 25189

MALCOLM DAVIS, for applicants.

MIGUEL ESTUDILLO, City Attorney of Riverside, and
WALTER C. DAVISON, Mayor of Riverside, protestants.

H. F. CHRISTENSON, for Railroad Commission.

BY THE COMMISSION:

O P I N I O N

Los Angeles & Salt Lake Railroad Company and its lessee, Union Pacific Railroad Company, make application to the Railroad Commission for an order directing the physical closing of crossings at grade at 13th Street (Crossing No. 3-57.1), 9th Street (Crossing No. 3-57.4) and North Market Street (Crossing No. 3R-0.8) over the tracks of applicants in the city of Riverside.

A public hearing was held by Examiner Cannon at Riverside on October 22, 1942 and the matter was submitted.

The application alleges that none of the crossings in question is immediately necessary and that each of them constitutes a hazard to the flow of troop movements and defense materials along said railroad tracks with vehicular traffic across said grade crossings.

Chief witness for applicant was the office engineer of Union Pacific Railroad Company who testified in substance as follows regarding the three crossings:

13th Street

The tracks are protected by a standard crossing sign and automatic wigwag. Street surface is paved and level and visibility fairly good between Union Pacific and Santa Fe tracks. Thirteenth Street is now blocked immediately east of Pachappa Street so there is no need for a crossing on the west. There is a present danger of collision between vehicles and trains, which would cause delay to trains. Railroad crossing immediately precedes entrance to highway for eastbound vehicular traffic and hence is particularly hazardous.

9th Street

The Union Pacific tracks enter Vine Street on the south side of 9th Street and thence continue northerly along the westerly portion of Vine Street. Pavement of both streets is good and crossing is protected by standard crossing signs and automatic wigwag. On the west side of Vine Street the city has constructed a barricade across 9th Street which prohibits any movement of through vehicular traffic along 9th Street across Union Pacific tracks. There is a hazard to vehicular as well as train traffic on Vine Street due to fact that Union Pacific tracks enter Vine Street on a curve. Wigwags were installed because of previous accidents at that point. Proposal of applicant is to install barricades across Vine Street south of the point where trains enter that street and the east side of Vine Street across 9th Street in order to lessen the hazard.

North Market Street

North Market Street crosses the tracks of the Union Pacific from the south and over a steep grade, and approach from north is also a fairly steep grade, with standard crossing signs. On the south side of the right of way Market Street runs practically parallel to the tracks, then makes a sharp right-hand turn up and across the tracks which are located upon a substantial fill. Due to steep grade of approach there is a distinct possibility of vehicles stalling on the tracks. The crossing is a dangerous one. An underpass is constructed and in use at North Fairmount Boulevard, about two blocks west.

Traffic counts for typical days showed the following results:

13th Street - Trains	18
Pedestrians	23
Automobiles and trucks	72
Bicycles	11

9th Street - Trains	18
Pedestrians	71
Automobiles and trucks	117
Bicycles	35
North Market Street -	
Switch movements	2
Pedestrians	13
Automobiles and trucks	100
Bicycles	9

There was some objection by protestant to the closing of the crossing at 13th Street principally on the part of local residents on the representation that such closing might inconvenience certain merchants and others. Protestant took the position that the 9th Street crossing did not constitute a hazard, and that a barricade across Vine Street would prevent traffic moving north and south of 9th Street on Vine. The owner of an orange packing plant, located a short block east of the proposed 9th Street barricade, testified that the closing of the crossing would divert an abnormal amount of traffic into Santa Fe Avenue, already congested with vehicles making deliveries to his establishment.

The major protest was directed against the closing of the North Market crossing. This was based on the theory that the closing of such crossing would deprive residents in the area of a direct route to the business center of the city of Riverside at a time when private transportation is being restricted. Another reason advanced was the fact that the crossing had been available to residents of this section of the community for a long period of years.

Giving due consideration to the record in this proceeding, we are of the opinion that authority should issue for the closing of the crossings at 9th Street and 13th Street. Both

these main-line crossings involve transcontinental movements of troops and defense materials, and we believe it to be in the public interest that they be closed.

The crossing at North Market Street serves a distinct neighborhood purpose. Its elimination would involve a substantial increase in mileage for residents of the southern part of this area at a time when every effort is being exerted to avoid unnecessary use of private automobiles. Upon this record, therefore, it is concluded that applicants' request to close the North Market Street crossing should be denied.

O R D E R

IT IS HEREBY ORDERED that Los Angeles & Salt Lake Railroad Company and its lessee Union Pacific Railroad Company are authorized to effectively close the existing public grade crossings over its tracks at 13th Street (Crossing No. 3-57.1) and 9th Street (Crossing No. 3-57.4) in the city of Riverside, California until further order of this Commission.

IT IS FURTHER ORDERED that the request for authorization to close the crossing at North Market Street (Crossing No. 3R-0.8) be and it hereby is denied.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 2nd day of February, 1943.

Francis O. Havens
Arthur F. Casper
Richard B. ...
Henry ...
COMMISSIONERS