

ORIGINAL

Decision No. 47342

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Oceanside,)
California, requesting an order)
authorizing the construction of a)
street 40 feet wide across the) Application No. 33178
Escondido Branch of The Atchison,)
Topeka and Santa Fe Railway at)
Tremont Street, within the City of)
Oceanside.)

Ernest A. Taylor, Planning Director, City of Oceanside,
and James E. Neal, Chief Administrative Officer, City of Oceanside,
for applicant. Robert W. Walker, Henry M. Moffett, and Richard K.
Knowlton, for The Atchison, Topeka and Santa Fe Railway Company.
protestants. Howard T. Richardson, in propria persona, and
Paul Eckert, for Pacific Van and Storage Company, interested
parties.

O P I N I O N

By the above-numbered application the City of Oceanside seeks the Commission's authority to construct Tremont Street at grade across two wye tracks of The Atchison, Topeka and Santa Fe Railway Company, which tracks are a part of the company's Escondido Branch.

Public hearing in the matter was held at Oceanside on May 8, 1952, at which time oral and documentary evidence was received and the matter was submitted for determination.

Tremont Street runs in a general northwesterly and southeasterly direction paralleling Hill Street (U. S. Highway 101), which is the principal artery for through vehicular traffic, at a distance of one short block (about 275 feet). Applicant alleges

that a major industrial area is being developed immediately southeast of the tracks and that a crossing at Tremont Street is necessary in order to eliminate the hazard created by vehicles turning into and out of the fast-moving traffic on U. S. Highway 101. It also contends that the crossing is necessary to serve a bowling alley located southeast of the tracks and in the same general area.

The record shows that the industrial development referred to consists primarily of warehouses which have been constructed in the area to provide storage for household effects of service people who are moving into or out of Camp Pendleton. It appears that some 75 to 100 van loads of these effects are transported into or out of these warehouses monthly. The manager of the Pacific Van and Storage Company testified that trucks frequently travel southeasterly on Tremont Street and, upon finding it dead-ended at the track, are obliged to turn around and go back to the highway in order to reach the warehouses. It is his contention that operating these vans into and out of the fast-moving traffic on U. S. Highway 101 constitutes a serious hazard, not only to the drivers of through vehicles but to the drivers of the moving vans as well.

Applicant also contends that the proposed crossing would provide a safer means of access to the bowling alley. Applicant submitted evidence of vehicular counts taken by the State Division of Highways which indicate that during July, 1951, the average weekday and Sunday traffic along U. S. Highway 101 in this vicinity was approximately 22,000 cars per day. Rail traffic on the Escondido Branch consists of one freight train in each direction daily, six days per week, at a speed of not to exceed 10 miles

per hour. The trains vary from 6 to 30 cars in length, and additional movements might be necessary during certain periods of the year.

Approximately 400 feet southeast of the site of the proposed crossing there is a steep declivity, from 15 or 20 feet in height, dropping to a depression known as Loma Alta Creek. It would be impossible, without the expenditure of substantial sums of money, to extend Tremont Street beyond this point, and therefore any development, industrial or otherwise, must necessarily take place in the area between this point of drop and the railway tracks. The record shows that there are approximately 10 acres in this area, a considerable portion of which is now occupied by the warehouses and bowling alley.

Exhibit No. 1 is a map on which there is shown the proposed location of State Highway Route 2 through the city of Oceanside. While it was developed at the hearing that the location shown thereon is not entirely correct, it was agreed that the plans are to relocate the state highway approximately as shown on the exhibit. It was further agreed that the construction of this new route through Oceanside would result in a reduction of traffic along the present highway route by a minimum of 40 per cent, thus reducing substantially the hazard of accident to traffic entering or leaving the site of the bowling alley or warehouses. It may be two or three years before this state highway by-pass is constructed, but an analysis of the evidence in this proceeding leads to the conclusion that there is no greater hazard involved to traffic entering or leaving the state highway from the area involved than is the case at any other street intersection with the highway where automatic

traffic signals are not provided. On the other hand, any railroad grade crossing must be recognized as a point of potential hazard, and we believe the hazard which would be created if Tremont Street were opened would be far greater than that which exists under present conditions.

Further than this, the record shows that on occasions when the main line tracks are occupied by other trains, it would be necessary to hold trains coming into Oceanside over the Escondido Branch until such time as the main line was cleared. This would result in blocking the proposed crossing at Tremont Street.

In view of the imminent construction of the new state highway route through Oceanside and the consequent reduction in traffic volume over the present route, plus the fact that Tremont Street, even if fully developed, could extend only a short distance beyond the site of the proposed crossing and would serve an extremely small number of establishments, we are of the opinion that it would not be in the public interest to authorize the construction of a crossing at grade at this point, even though the rail traffic consists of but one train a day in each direction. The application will be denied.

O R D E R

Public hearing having been held and the Commission being fully advised,

IT IS HEREBY ORDERED that the application of the City of Oceanside to construct Tremont Street at grade over the Escondido

Branch of The Atchison, Topeka and Santa Fe Railway Company be,
and it hereby is, denied.

The effective date of this order shall be twenty (20)
days after the date hereof.

Dated at San Francisco, California, this 24th
day of June, 1952.

R. E. [Signature]
President

Justice A. [Signature]

Harold P. [Signature]

Samuel [Signature]

John E. [Signature]
Commissioners