

ORIGINAL

Decision No. 47897

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
The Board of Supervisors of the)	
County of Alameda, State of)	Application No. 33469
California, for authorization to)	
construct a public highway across)	
a railroad.)	

Richard H. Klippert, Deputy District Attorney, for applicant.
R. S. Myers, for Southern Pacific Company, protestant.
M. E. Getchel, for Transportation Division, Public Utilities Commission of the State of California.

O P I N I O N

The County of Alameda seeks an order authorizing it to construct a crossing at grade over the tracks of the Southern Pacific Company at Paseo Grande in San Lorenzo Village in said county.

Public hearings were held in San Lorenzo Village on September 24 and 25, 1952, before Examiner Gillard.

San Lorenzo Village occupies an area of a little in excess of one square mile which is bounded on the west by undeveloped areas bordering on San Francisco Bay, on the east by the trackage of the Southern Pacific Company, on the south by Hathaway Avenue and on the north by San Lorenzo Creek. Paseo Grande is midway between Hathaway Avenue and San Lorenzo Creek, and is the only street which traverses the entire area on the east-west axis. It terminates on the east at the railroad right of way. Applicant would extend Paseo Grande a distance of 800 feet easterly from the tracks to connect with Meekland Avenue.

Hesperian Boulevard (State Highway No. 17) bisects the area on the north-south axis. Lowelling Boulevard is just north of and parallel to San Lorenzo Creek, and intersects Hesperian Boulevard

at right angles. This intersection will be referred to hereinafter as "four corners". There is a grade crossing at Lowelling Boulevard which is 1,480 feet north of the proposed crossing and another at Blossom Way which is 3,810 feet to the south.

The Eastshore Freeway development of the Division of Highways, which will run from Oakland to San Jose, passes through San Lorenzo Village approximately midway between Hesperian Boulevard and the Southern Pacific tracks. The completed portion of the freeway terminates at four corners. The next section of the freeway, which extends four miles south of four corners, is now under construction with completion expected in June of 1953.

Within the area of San Lorenzo Village the Paseo Grande overcrossing is the only street which crosses the freeway.

That portion of San Lorenzo Village which lies between the freeway and the tracks contains 630 dwellings, all constructed since 1945. These residents have no direct means of egress to the east. The most direct route to the north would be via Paseo Grande overpass, Hesperian Boulevard and four corners. Access to the south via the Blossom Way crossing is sometimes blocked by trains, but is otherwise not too inconvenient.

The San Lorenzo School District maintains the Colonial Acres School just east of the tracks and adjacent to the proposed Paseo Grande extension. At the present time this school serves children residing east of the tracks. However, the population in San Lorenzo Village has increased so rapidly that four other schools in the village are badly overcrowded. To ease the burden, 240 children from the village area will be shifted to the Colonial Acres School. For this purpose the proposed crossing is almost a necessity.

For the purposes of police and fire protection, the Sheriff of Alameda County and the Chief of the Cherryland Fire

District testified for the proposed crossing. The extremely heavy traffic conditions on Lewelling and Hesperian were described by them and also by several other witnesses. During morning and evening rush hours, access to the village from the north via four corners is extremely delayed. Any other route would be too circuitous to be timely in an emergency.

A representative of Key System Transit Lines testified that service to this area would be instituted if the crossing were constructed. He stated that use of the proposed Paseo Grande crossing, rather than the Blossom Way crossing, would enable Key System to serve 20 per cent more people with no additional mileage.

Under construction at the present time is a bridge across San Lorenzo Creek which will connect Via Granada with Lewelling Boulevard. Completion is expected next spring. Access to this bridge is four blocks east of four corners. The testimony on this record indicates that this bridge will not supply the needed accessibility to this area.

The proposed crossing involves a single track and no spurs or sidings. Only freight trains operate over this trackage (except special passenger trains). Exhibits of record disclose an average of 16 freight trains daily and no passenger trains. The through trains operate at 40 miles per hour, and the local switches at 25 miles per hour.

Southern Pacific Company opposed the crossing on the grounds that it would be of no benefit to it, would be an added hazard, and would cost about \$300 annually to maintain.

After careful consideration of the evidence we are of the opinion, and so find, that construction of a public crossing as proposed is in the public interest. The normal hazard created by any grade crossing would be somewhat alleviated in this case by

diversion of traffic from congested Lewelling Boulevard, and all witnesses agreed that flashing signal lights would be adequate protection.

Applicant presented detailed evidence on the cost of construction of the crossing and did not request that any of such costs be borne by the Southern Pacific Company. The railroad, however, should maintain the crossing and the protective devices, and the order will so provide.

O R D E R

Public hearings having been held and based upon the conclusions and findings contained in the foregoing opinion,

IT IS ORDERED that the County of Alameda is authorized to construct at Paseo Grande in San Lorenzo Village a public crossing at grade over the tracks of the Southern Pacific Company at the location more particularly described in the application, subject to the following conditions:

- (a) The above crossing shall be identified as Crossing No. D-18.4.
- (b) The crossing shall be constructed of a width of not less than 40 feet with grades of approach not greater than six per cent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. The crossing shall be protected by two Standard No. 8 flashing light signals as prescribed in General Order No. 75-B.
- (c) The entire expense of constructing the crossing, inclusive of the protection herein ordered, shall be borne by applicant. The cost of maintenance of that portion of the crossing up to lines two feet outside of the outside rails shall be borne by applicant. The cost of maintenance between said lines, and of the protective devices, shall be borne by Southern Pacific Company.

(d) Within thirty (30) days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall lapse if not exercised within one (1) year, unless time be extended.

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

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

R. J. [Signature]
 President

James J. [Signature]

Harold K. [Signature]

Samuel [Signature]

Edwin E. [Signature]
 Commissioners