

ORIGINAL

49098

Decision No. \_\_\_\_\_

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Commission Investigation concerning the grade crossing of Anna Street and The Atchison, Topeka and Santa Fe Railway Company tracks within the City of San Diego.

Case No. 5471

In the Matter of the Application of the City of San Diego, County of San Diego, State of California, for an order authorizing the alteration of Anna Avenue in said City of San Diego and The Atchison, Topeka & Santa Fe Railway Company.

Application No. 34085

Hoyt E. Ray, Deputy City Attorney for the City of San Diego, applicant.

Howard Turrentine for Golden Construction Company and National Transfer and Storage, and Robert W. Walker and Henry M. Moffat for The Atchison, Topeka and Santa Fe Railway Company, interested parties.

John Power and H. F. Christenson for the Public Utilities Commission, State of California.

## O P I N I O N

The City of San Diego, by application filed February 9, 1953, seeks an order of the Public Utilities Commission authorizing the construction of a crossing at grade of the tracks of the Santa Fe Railway Company and Anna Avenue in the City of San Diego. It is alleged that the prior grade crossing P.U.C. No. 2-263.6 was rendered unusable when the roadbed of the railway was raised because of the construction of the levees

of the San Diego River Flood Channel. Accordingly, the City now proposes to raise the grade of Anna Avenue and to re-establish the grade crossing.

Under date of June 16, 1953, this Commission issued an order of investigation to inquire into the maintenance, operation, use and protection of grade crossing No. 2-263.6 to determine whether that crossing is hazardous, whether there is a public need therefor, and whether or not it should be abolished by physical closing, or altered or relocated, or whether protective devices should be installed at such crossing.

A public hearing was held in San Diego on July 14, 1953, before Examiner Syphers, at which time evidence was adduced and the matter submitted.

At the hearing the principal civil engineer for the City of San Diego presented testimony and exhibits relative to the physical situation in the vicinity of the crossing. He stated that prior to the raising of the tracks traffic crossed at will, but on May 25, 1950, the crossing was closed and has remained closed ever since.

Exhibit No. 1 is a map of the area, and Exhibits Nos. 2 to 6 are photographs taken from various locations showing the area of the crossing. Exhibits Nos. 7 and 8 are maps showing the crossing which the City proposes to construct. The witness further testified that there are industries located in the area, which industries would use the crossing were it open. It was developed that any person using such a crossing in a westerly direction, due to the location of Highway 101, would be required

to turn north on that highway after crossing the railway tracks at Anna Avenue. Exhibit No. 9 is a resolution of the City Council of San Diego granting permission to Army engineers to do the flood control work which resulted in the raising of the tracks, and Exhibit No. 10 is a map showing the right of way for Anna Avenue across these tracks.

The projects manager for the M. H. Golden Construction Company testified that his company presently owned property in the vicinity and that it was engaged in the development of this property with a view to attracting industrial occupants. He also enumerated the industrial concerns which now have plants in the area. He estimated that if the crossing were reopened there would be a minimum of sixty trucks per day which would use it.

Exhibit No. 11 is a copy of Resolution No. 51419 of the City Council of San Diego, showing the acceptance by the City of a deed from the Santa Fe Railway Company granting an easement for street purposes for Anna Avenue.

The representatives of three companies which own property or operate businesses in the area presented testimony requesting that the crossing be opened, pointing out that it would be a convenience to the operation of the businesses in that area.

An engineer of this Commission presented a study, Exhibit No. 12, detailing the past history of this crossing, setting out a description of its physical features, listing the present train movements and estimating the traffic which

would use the crossing, and also which operates over the highways in the area. This report also enumerated the existing crossings in the area which now are available.

Exhibit No. 13 is a document executed by the Santa Fe Railway Company relating to the area of the proposed crossing and which, among other things, provides that the City will assume all costs of any reopening of the crossing. Exhibit No. 14 is a photograph of a grade separation of the Santa Fe tracks and Balboa Avenue, a little more than 3 miles north of the proposed Anna Avenue crossing. ✓

It appears that in the area under consideration, the Santa Fe tracks run north and south, paralleled a short distance to the west by U.S. 101 and on the east, at a distance of about .3 mile, by Morena Blvd. The tract that would be served by the proposed crossing lies between the railroad tracks and Morena Blvd. Vehicular traffic to or from the affected area destined to San Diego can cross the tracks as well as U.S. 101 at a grade separation structure to the south of Anna Avenue. Traffic destined to points north can pass under the tracks at an underpass to the north of Anna Avenue and enter or leave U.S. 101 at a traffic signal controlled intersection at Balboa Avenue.

A consideration of all of this evidence leads us to the conclusion, and we now find, that the establishment of a grade crossing of the tracks of the Santa Fe Railway with Anna Avenue in the City of San Diego is not in the public interest. The evidence discloses that there are other crossings in the area which can be used, two of which are at separated grades, and the occupants of the tract immediately in the vicinity of Anna Avenue have other means of ingress and egress to their properties. The rail tracks are the main line tracks of the Santa Fe Railway, and U.S. Highway 101 in this area is a heavily traveled high speed highway. We are of the opinion it would not be in the public interest to permit another grade crossing at this point.

O R D E R

Application as above entitled having been filed, a Commission order of investigation having been instituted, public hearing having been held thereon, the Commission being fully advised in the premises and hereby finding it to be in the public interest,

IT IS ORDERED:

(1) That the application to establish a grade crossing at Anna Avenue and the tracks of the Santa Fe Railway Company in the City of San Diego be, and it hereby is, denied.

(2) That the order instituting investigation be, and it hereby is, dismissed.

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

Dated at San Francisco, Cal., California, this 15th day of September, 1953.

R. J. [Signature]  
President  
Justin F. [Signature]  
Harold P. [Signature]  
[Signature]  
[Signature]  
Commissioners

APPLICATION  
NO 34085  
CASE NO 5471

CITY

SAN

JELLETT ST  
Crossing No 2-261.8 (At grade)

OF  
DIEGO

PACIFIC HIGHWAY  
HAYMAVE

INDUSTRIAL DEVELOPMENT

MANIST

PROPOSED CROSSING

SAN DIEGO RIVER FLOOD CONTROL

MISSION VALLEY OVERHEAD  
CROSSING NO. 2-263.94  
(over)

SCALE  
1 MILE

