

Witherby Street at this location is not less than 20 feet wide and extends from Hill Street to Tremont Street. It is not improved but is now used for parking and for egress and ingress to the side and rear of the bowling alley, cocktail lounge and warehouse site which are located immediately to the southeast of the southeasterly map line of Witherby Street.. Tremont Street is not a dedicated street beyond its intersection with said Witherby Street, and the proposed crossing at grade would terminate at said intersection.

The evidence shows that the alleged industrial area is developed only to the extent indicated except that a transit mix concern, which uses an entirely different means of access, is also located in the general area. Evidence is lacking that there is any material daytime traffic congestion or parking problem along Witherby Street. The warehouse conducts its business between 8 a.m. and 4:30 p.m., six days weekly, and the bowling alley and bar are busiest at night. On the other hand, during night league play, many cars are parked near and around the bowling alley, and some are parked on the dedicated street area of Witherby Street. There is no evidence of record that Witherby Street could not be improved and made available for public use.

Although a crossing at Tremont Street would provide additional access to the area, the buildings are not without fire protection as there is a fire hydrant at the intersection of Hill Street and Witherby Street in front of the bowling alley. Witherby Street abuts said bowling alley on the southwest and continues on to the warehouse location. Egress and ingress to said property could be further improved and controlled both by interested parties and by the City.

The Commission records show that an application for authority to establish Tremont Street at grade at this same location was denied by the Commission in June 1952 (Decision No. 47342). Since

said denial there has been no material development in the vicinity of the proposed crossing, and the evidence further shows that traffic on Hill Street, which was then U. S. Highway No. 101, has decreased from 30 to 40 per cent, as a result of the relocation of said highway.

Although there is usually only one daily train movement in each direction over the north spur of said branch line, we cannot find from the evidence in this record that the construction of the crossing at grade, which would dead end at the intersection of said two streets and only 20 feet beyond the railroad right of way, would be in the public interest, and therefore the application will be denied.

O R D E R

A public hearing having been held in the above-entitled proceeding, and the Commission being fully advised in the premises,

IT IS 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, being Application No. 36346, be and it hereby is denied.

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

Dated at San Francisco, California, this
10th day of May, 1955.

John E. Mitchell
President

Justus J. Calver

Paulo L. ...

Markus ...

Commissioners