

Decision No. 11613

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of the application )  
of the County of Fresno for per- )  
mission to construct and maintain )  
a public highway crossing at grade )  
over the right of way and track of )  
Southern Pacific Company at Ashland )  
Avenue in said County. )

Application No. 8321.

Ray C. Wakefield, for Applicant.

F. B. Austin, for Southern Pacific Company.

M. F. Tarpey, in persona propria

BY THE COMMISSION:

O P I N I O N

This is an application by the County of Fresno for permission to construct Ashland Avenue across the Friant Branch of the Southern Pacific.

A public hearing was held on this application in Fresno before Examiner Satterwhite, December 13, 1922.

The railroad in this location runs north and south along the westerly side of Section 21, T.13 S., R.21 E., M.D.B&M. There are ordinarily operated on the railroad approximately four passenger trains and eight freight trains daily at speeds from 25 to 40 miles per hour.

Clovis Avenue, a paved county highway, is located parallel with and adjacent to the railroad on its west side, and

the purpose of the proposed crossing is to give access to this paved highway from the territory east of the railroad. The county proposes to construct Ashland Avenue from Clovis Avenue across the railroad and along the northerly line of Section 21 to a connection with that portion of Ashland Avenue which is now open and extends east eleven miles from the northeast corner of Section 21. The principal use that would be made of this crossing would be by those people living on or near Ashland Avenue between the railroad and Highland Avenue, which is a north and south road located four miles east of the railroad. There are about twenty five such families.

With the exception of that portion of Ashland Avenue along the north line of Sections 20 and 21, there are roads on practically all the section lines in this vicinity, running both east and west and north and south, the road one mile north being known as Shaw Avenue and the road one mile south being known as Shields Avenue, both of which cross the railroad at grade.

All of the territory in this vicinity consists of highly developed agricultural lands devoted to the culture of grapes or deciduous fruits. All traffic naturally moves as directly as possible to the paved highways, two of which traverse this general section, namely; Clovis Avenue, above referred to, running north and south, and Ventura Avenue running east and west and located four miles south of Ashland Avenue. The other roads are all well graded and graveled county roads. All of the traffic originating on or intersecting Ashland Avenue at a location more than four miles east of the proposed crossing would normally move south to Ventura Avenue, except the relative minor portion of the traffic as is destined to Clovis or other points to the north. The large majority of the traffic moves to Fresno.

It thus appears that insofar as through traffic is concerned there is but little justification for the construction of the Ashland Avenue crossing, and the local traffic that would be benefitted is limited to that serving the convenience of some twenty five families; and as for these families, routes are available along existing roads which require no additional distance of travel for any point to which they desire to go, the only advantage being that, were Ashland Avenue constructed, they would gain access to the paved highway (Clovis Avenue) one mile sooner and thus replace one mile travel on dirt roads with a mile of travel on paved road.

Considering conditions at the proposed crossing itself, it appears that the railroad is more than three feet above the elevation of the adjacent pavement on Clovis Avenue some fifty feet distant, under which circumstances the grade of approach of at least seven per cent would be necessary for this crossing if installed. Such a grade of approach, when considered with the right angle turn necessary in going over this crossing in an easterly direction, would create a hazard at this crossing that would be somewhat more than exists at the average crossing. On the other hand, the obstructions to view are not serious.

In view of the relatively slight public convenience and necessity to be served by this crossing, as compared with the public hazard that would result from its installation, the application should be denied.

ORDER

The Board of Supervisors of the County of Fresno having made application for permission to construct a public highway at grade across the track of Southern Pacific Company on the north line of Section 21, T.13 S, R.21 E., M.D.B. & M., a public hearing having been held, the Commission being apprised of the facts, the matter being under submission and ready for decision.

IT IS HEREBY FOUND AS A FACT that public necessity and convenience do not require the establishment of a public grade crossing at the point above set forth, therefore

IT IS HEREBY ORDERED that the above entitled application be, and it is, hereby denied.

✓ Dated at San Francisco, California, this 1<sup>th</sup> day of February ~~January~~, 1923.

C. A. Sawyer

Irving Martin

J. T. Whittier