

ORIGINAL

Decision No. 7912

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application  
of the County of Fresno, in the  
State of California, for a permit  
to construct and maintain a public  
highway crossing over the right of  
way and tracks of The Atchison,  
Topeka & Santa Fe Railway Company  
at Third Street, in the townsite of  
Del Rey, Fresno County, California. )  
) Application No. 5396.  
)

W. A. Collins for applicant.  
M. W. Reed for The Atchison, Topeka &  
Santa Fe Railway Company.

BY THE COMMISSION:

O P I N I O N

In this application Fresno County seeks permis-  
sion to establish a street crossing at grade over the right of  
way and tracks of The Atchison, Topeka & Santa Fe Railway Com-  
pany at Third Street in the town of Del Rey, Fresno County,  
California.

A public hearing upon the application was held  
at Del Rey by Examiner Westover, at which all interested parties  
were represented.

The town of Del Rey, which is located in the  
northeast quarter of Section 5, T. 15 S., R. 22 E., is the

shipping center of a large fruit growing district. The town is served by two county roads: Washington Avenue, along the north line of Section 5, and Clifton Avenue, along the east line of Section 5. They are each 60 feet wide, with 25 foot oiled runways along their center lines. They meet at the northeast corner of Section 5. The streets of the main portion of the town run parallel with and at right angles to the station grounds of the Santa Fe. Railroad Avenue, which is the main business street and fronts on the station grounds, connects Washington and Clifton Avenues at an angle of about 45 degrees, thus forming a triangle in which are the Santa Fe Station grounds, most of the packing houses and residences in Wilkinson Addition at the corner of Washington and Clifton Avenues. Washington Avenue, west of Railroad Avenue, Railroad Avenue, and Clifton Avenue, south of Railroad Avenue, are soon to be paved as part of the county highway system.

The station grounds of the Santa Fe, 300 feet in width, extend through the town at an angle of approximately 45 degrees from Washington Avenue to Clifton Avenue, a distance along the main line track of 2300 feet. That portion of the station grounds on the north side of the track from a point about 150 feet south of Fourth Street to Clifton Avenue is lined with packing houses. There are also two large packing houses east of Clifton Avenue just off of the railroad right-of-way.

The County's main reason for asking a crossing at Third Street is to relieve the congestion on Clifton Avenue during the fruit shipping season, to afford direct access to two or three packers houses from Washington Avenue,

and to give the 60 or 70 people in Wilkinson Addition a more direct route to the business part of Del Rey, the total population of which is about 200. The testimony shows from 30 to 50 teams and trucks are sometimes in line along Clifton Avenue waiting to deliver their loads. This line very often extends 400 to 500 feet north, and 300 feet south of the crossing. The heavy loads on the wagons and trucks cause the drivers to keep as much of their vehicles on or near the oiled roadway as is possible. As a result, the width of roadway available for traffic is cut down to the width of one vehicle. Traffic in one direction only is possible, and the opposing traffic must wait at one end of the line of vehicles until the lane is cleared. At times, automobiles have been forced to wait on the railroad tracks until oncoming traffic had passed by them.

The Railroad Company opposes the opening of this crossing for several reasons. It is in the middle of the yard which will require the cutting of all freight trains using the passing track and sidings. The crossing is over four tracks: the main line, a passing track, a house track and the packing-house track. The view of the tracks from the roadway will be obscured by the packing houses and standing cars when approaching the crossing from the northeast, and by the depot and section buildings when approaching from the southwest. There are eight or nine scheduled trains, several extra trains and some switching over the proposed crossing daily. The switching crews work for several hours in this yard during the fruit shipping season. The proposed crossing could not be protected satisfactorily by an automatic flagman as only

the main line track could be connected with it. It could not be connected with the other tracks, as they have cars standing on them for long periods of time, which would cause the flagman to ring continuously. The testimony also showed that the County has no right of way for the new street and cannot proceed without condemnation proceedings.

Although the railroad company objects to the opening of this crossing it is willing to do all possible in other ways to relieve the congestion at the packing houses. The company through its superintendent, Mr. Walker, offers to deed to the County a 40 foot roadway parallel with and along the north side of its station grounds, from Washington Avenue to a point opposite the California Peach Growers' house and from there due east to Clifton Avenue. The company also expressed its willingness to deed to the County the corner of its station grounds in the angle formed by Clifton Avenue and Railroad Avenue at First Street in order that traffic may be able to go by an easy curve from Railroad Avenue north on Clifton.

From a study of the situation on the ground and the testimony it would seem that the proper thing for the County to do would be to attempt to relieve traffic conditions by improving Clifton Avenue and by accepting and improving the road along the north side of the station grounds before attempting to open a dangerous crossing over four tracks. Clifton Avenue is 60 feet wide. If in connection with the paving of Railroad Avenue a strip of paved road 36 feet in width were constructed <sup>for a distance of 800 to 1000 feet</sup> along Clifton Avenue, traffic conditions would be largely relieved, as vehicles 9 feet in width could

line up along each side of the roadway and a driveway 18 feet in width would be left along the center for traffic wide enough for two vehicles to pass. If the proposed road offered by the Santa Fe were properly improved by graveling and oiling, we believe that teamsters would prefer to drive their animals on this road rather than on the hard concrete paving along Railroad Avenue from Washington to Clifton Avenues. These suggestions toward relieving traffic conditions should be given a thorough trial and the County, the packers, and the residents of Del Rey should be willing to give the improvements suggested a trial before considering opening the crossing applied for. If these measures fail to relieve the congestion, the Commission will be willing to give the matter further consideration. The application should be denied.

O R D E R

County of Fresno having applied to the Commission for permission to open a highway crossing at grade across the tracks of The Atchison, Topeka & Santa Fe Railway Company at Third Street in the town of Del Rey, a public hearing having been held, and the Commission being of the opinion that traffic conditions in the town of Del Rey can be better relieved by the improvements discussed in the opinion herein,

IT IS HEREBY ORDERED that this application be and it is hereby denied without prejudice.

Dated at San Francisco, California, this 26<sup>th</sup> day of July, 1920.

Edwin O. Edgerton  
H. D. [unclear]  
Frank R. [unclear]  
Dwight Martin