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Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the COUNTY OF FRESNO, State of California, for permission to construct and maintain a public highway at grade across the right of way and track of the Clovis Branch of the Southern Pacific Company at its intersection with Florodora Avenue in Fresno County, California.

ORIGINAL

Application No. 23891

HENRY A. HUNTER, Deputy District Attorney, for Applicant.

R. S. MYERS, for Southern Pacific Company, Protestant.

BY THE COMMISSION:

O P I N I O N

In this application the County of Fresno seeks permission to construct a public highway at grade across the right of way of the Clovis Branch of the Southern Pacific Company at its intersection with Florodora Avenue in said county.

A public hearing was held in this matter before Examiner Hall, in Fresno, on April 30, 1941.

The Clovis Branch of Southern Pacific Company runs in a northerly and southerly direction east of and parallel to Clovis Avenue, a main thoroughfare between the town of Clovis and Fresno. Florodora Avenue is a short east and west street located approximately eight miles south of Clovis and runs in an easterly direction from a point about one-half mile east of Clovis Avenue. About one-fourth mile north of Florodora Avenue are located the tracks of the Fresno Interurban Railroad (The Atchison, Topeka and Santa Fe Railway Company) and about one-half mile south is located Olive Avenue, a through, improved street. One-half mile east of Clovis Avenue is located Sunnyside Avenue, running south from the Interurban tracks and crossing both Florodora and Olive Avenues.

The purpose of opening Florodora Avenue at grade across the tracks would be to provide an outlet from the property immediately east of the tracks between Olive Avenue, Sunnyside Avenue, and the Fresno Interurban Railroad tracks. With the exception of a small portion of this area adjacent to Olive Avenue, there has been as yet no development.

A witness for the owners of the property testified that they do not know exactly how the property will be developed and that this will depend largely on the Government bombing base located adjacent to Clovis Avenue and a little over a mile north of Florodora Avenue.

The property involved now has access to Clovis Avenue over the railroad via Sunnyside Avenue and Olive Avenue, as well as a north and south driveway midway between Clovis Avenue and Sunnyside Avenue. For present purposes the existing outlets are sufficient but applicant desires the opening of Florodora Avenue so that the entire area may be subdivided and developed.

The granting of the application was opposed by Southern Pacific Company on the grounds that the area involved has not been developed and that there is no necessity for the crossing.

A review of the entire evidence in this proceeding clearly demonstrates that the use to which the extension of Florodora Avenue across the railroad would be put is problematical and if the crossing were now constructed, future development might require an entirely different location. It is clear that under present conditions, therefore, there is no need for the crossing and this application will be denied.

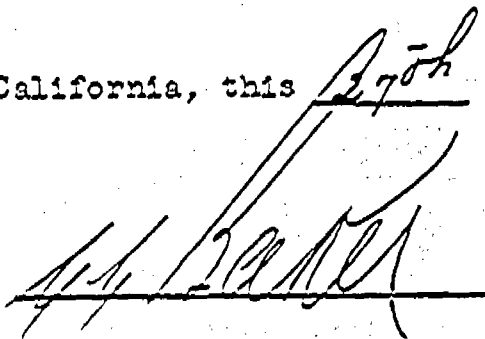
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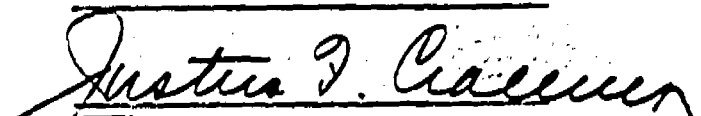


A public hearing having been held and the matter being under submission,

IT IS HEREBY ORDERED that the above entitled application is hereby denied.

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

Dated at San Francisco, California, this 27th day of May, 1941.






Commissioners