

Statement of Technical Infeasibility

Appendix L

Statement of Technical Infeasibility - ADAAG

Project: Duben Avenue Upgrade - Patterson Street to Muldoon Road

MOA Project No: 12-33

The Americans with Disability Act Accessibility Guidelines (ADAAG) contains a provision relating to “technical infeasibility”, applicable only in alterations to existing facilities. *Technical Infeasibility* means that, with respect to an alteration of an existing facility, the alteration has little likelihood of being accomplished in full conformance with the ADAAG because existing physical or site constraints prohibit modification or addition of elements, spaces or features which are necessary to provide accessibility in strict compliance with the minimum ADAAG requirements for new construction. The provision is as follows:

Exception: In alteration work, if compliance with the ADA is technically infeasible, the alteration shall provide accessibility to the maximum extent feasible. Any elements or features of the building or facility that are being altered and can be made accessible shall be made accessible within the scope of the alteration.

The Duben Avenue Upgrade project follows the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) dated July 26, 2011 to the maximum extent feasible. The items listed below are not in full compliance with the respective guidelines because it is Technically Infeasible to do so.

1. **PROWAG Guideline:** R302.5.1 Pedestrian Street Crossings. Where pedestrian access routes are contained within pedestrian street crossings, the grade of the pedestrian access route shall be 5 percent maximum.

Locations: Duben Avenue intersections with Dannilyn Circle, Pamela Place, Creekside Street, Villa Circle, Melody Place, Idaho Street, and Kester Circle.

2. **PROWAG Guideline:** 302.6 Cross Slope. Pedestrian access routes shall be 2% maximum

Locations: Duben Avenue intersections with Dannilyn Circle, Pamela Place, Creekside Street, Villa Circle, Melody Place, Idaho Street, and Kester Circle.

Explanation of “Technical Infeasibility” for meeting PROWAG Guidelines at locations listed above:

- The existing grades on segments of Duben Avenue are relatively steep (8-14%).
- Flattening Duben Avenue so that a 5% grade could be constructed thru the sidestreet intersection crossing locations listed above per PROWAG Guideline R302.5.1 would require extensive utility relocations and significantly impact private property along the roadway. Private property acquisition would be required in some locations.
- Side street intersections must be warped to match the side street into the proposed grade on Duben Avenue. The warping is such that a 2% cross slope through the pedestrian crossing is not achievable unless Duben Avenue is constructed with a

maximum 5% grade thru the intersections. A 5% intersection grade is not feasible as described above.

- Alternate measures for providing pedestrian crossings in accordance with PROWAG Guidelines were analyzed and it was determined that the only constructible measure would be to relocate the pedestrian crossing to end of the curb return on the side street, 20-30 feet back from the edge of Duben Avenue. This location is not considered to be a safe crossing for pedestrians because:
 - it requires pedestrians cross at a non-standard location and may be difficult for visually impaired individuals to navigate,
 - may be out of the line of sight of vehicles making right turns off of Duben Avenue and onto the side street which could increase the number of accidents between pedestrians and vehicles,
 - the alternate location requires pedestrians cross behind and/or between stopped vehicles which could restrict the width of the crossing, trapping pedestrians in the roadway and hide them from vehicles traveling on the side street.

We acknowledge that responsibility for determining “Technical Infeasibility” rests with the MOA and the Project Engineer (CRW).

Sincerely,

CRW ENGINEERING GROUP, LLC

Bill Johnson, PE
Project Manager

Date: _____

Concurrence:

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Date: _____

Date: _____