

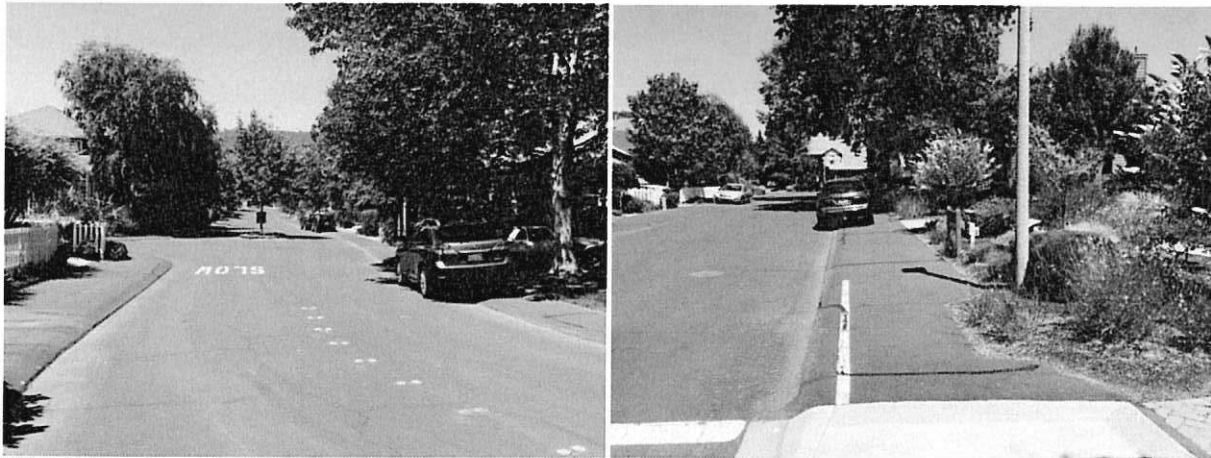


June 12, 2015

Dear Washington Park Neighborhood Residents:

I am writing to give you a status update from the Town on the ongoing neighborhood discussion about Americans with Disability Act (ADA) concerns related to the raised asphalt shoulders in your neighborhood. The Town is hosting a special meeting focusing just on the unique concerns of your neighborhood at Town Hall on Monday June 22, 2015, 6 pm to 7 pm. A general public workshop on the Town's comprehensive ADA Transition Plan will occur following this meeting at 7:30 pm.

What is the Issue: Are the paved raised shoulders a sidewalk, for parking, and regardless are they in compliance with ADA? The Town received several complaints from residents concerned about the safety of these shoulders and potential for trip and fall injury. The Town also received complaints about cars parking on the sidewalks and impeding a person's ability to walk on the shoulders. The Town's preliminary review (both legal and engineering) indicated there is indeed potential concern as the raised shoulders are not in compliance with current ADA standards. They conclude there is the potential risk of an individual filing an ADA complaint about a lack of accessible path of travel, non-compliance with ADA construction standards or a liability suit from injury occurring on the raised shoulder.



Washington Park Neighborhood raised asphalt shoulders

What we heard from you: The Town's initial response was a comprehensive set of ADA curb cuts and sidewalks in the neighborhood. To say the least, this plan was not well received by many in the neighborhood. At a community workshop we heard the following concerns from residents:

- The 8 foot wide sections of raised shoulder used historically for parking was originally the intended use. Desire to retain as much parking as possible.
- Neighborhood built to mimic Old Town; but over time gravel/DG removed and replaced with asphalt and concrete
- They are not sidewalks. Meant to work and function like the old town neighborhood without sidewalks.
- Don't do anything. Leave it the way it is.
- Aesthetics – not want to change unique character, look and feel of the neighborhood.
- What are consequences of not complying with ADA law?
- Maintain the existing paths and sidewalks in Town.
- Some residents voiced desire to use raised shoulder as walking paths to get in/out of neighborhood.



Old Town Neighborhood, no curb and gravel and DG shoulders

What we did: We listened to resident input from the meeting as well as feedback directly given to staff. Based on this input, Town staff reflected and went back to the drawing board to better evaluate the situation. We slowed down and took time to consider your neighborhood input along with the legal and engineering analysis. The Town has consulted with our risk insurance pool (PARSAC) staff, other outside engineering consultants, additional outside specialty legal consultants and various ADA consultants.

Our proposed solution: Town staff, working with these external consultants, has developed a hybrid solution which we believe addresses most of the neighborhood's and Town's concerns about the current situation. The solution:

- ✓ Addresses Town's concerns about providing a safe accessible path of travel that is ADA compliant.
- ✓ Provides a defensible course of action to show ADA compliance, reduces potential for an ADA litigant to successfully sue the town.
- ✓ Limits the amount of new "sidewalk" pathway.
- ✓ Retains a maximum amount of the existing parking.
- ✓ Generally retains the character and feel of the neighborhood.

The proposed solution involves the following:

- ✓ A limited amount of ADA accessible sidewalk/path and ADA curb cut construction. The constructed paths will provide an accessible path of travel in and out of the neighborhood connecting at Mount Street, Vista, and Stags View Lane. The new construction would look like the recently completed Stags View connection to the Vineyard Path. (See map exhibit for where paths would be constructed)
- ✓ A focus on public facilities such as Forrester Park, the pathway along the vineyards, and Three Weir Park which includes access to other paths, and the construction of ADA accessible at street grade parking for users of these parks and pathways. The parking would look similar to the at grade parking off of Oak Circle at Vineyard View Park (see map exhibit for where parking would be constructed).
- ✓ Installation of signage stating “not an ADA accessible pathway” in other areas to let people know the raised shoulder is not a sidewalk or ADA accessible path of travel. (see map exhibit for where signs be installed)
- ✓ Construction would be phased over several years with initial construction focused at Town Park facilities.



Stags View sidewalk at Lande Lane curve at street grade parking Vineyard Park

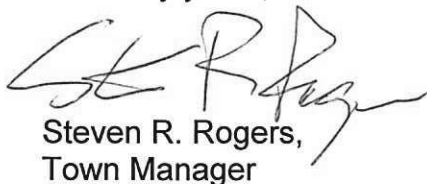
What work has been done to date: Some ADA related work has already happened. The Town recently converted the internal Washington Park DG/gravel path to a concrete path to ADA standards. The raised asphalt section which connects to the new Stags View Lane sidewalk to vineyard path at corner of Lande Way has been replaced with a concrete sidewalk. Town-wide there has been significant work as well including:

- ✓ Replacement of existing paths and sidewalks along Washington Street in several locations (Edward James Courtyard scheduled for replacement this summer).
- ✓ New construction to provide ADA accessible sidewalk on east side of Yount Street near Madison/Yountville Cross Road to connect going south.
- ✓ Replacement of asphalt path with concrete along Yountville Cross Road and North Yount Street at Crossroads Condos.
- ✓ New sidewalk construction on South Washington to Catholic Church.
- ✓ A number of ADA path improvements in Yountville Community Park, Veterans Memorial Park, and Vineyard View Park and Hopper Creek path system.

Next Steps: We have included informational attachments and pictures to help illustrate the proposed solution so you can better understand how this proposed solution would look. We are also including a copy of the language about this specific Washington Park issue that is included in the final draft of the Proposed ADA Transition Plan that the Town Council will consider at its August 4, 2015 council meeting. You can review a complete copy of the proposed ADA Transition Plan document at www.townofyountville.com. We welcome you to come to our neighborhood meeting on June 22, 2015 at Town Hall at 6 pm or to call or email us.

While we realize that this proposed solution may not be perfect or what everyone individually desires, we do believe it achieves the vast majority of the concerns and objectives expressed by neighborhood residents and technical experts during this process. Thank you for providing valuable feedback for this potential solution. Your input has helped to craft what we believe is a better solution than what we initially proposed. Thank you for your help in crafting this potential solution. If you have any questions please call me at 944.8851 or email me at srogers@yville.com.

Sincerely yours,



Steven R. Rogers,
Town Manager

Copies: Town Council
 Joe Tagliaboschi, Public Works Director
 Tim Gilbert, MIG Consultant

Attachments:

Map of proposed ADA accessible paths and sign location
Washington Park Neighborhood ADA Transition Plan language

From the Draft ADA Transition Plan, beginning on page 73

H. Washington Park Subdivision Pedestrian Right of Way

Currently much of the Washington Park subdivision has a street profile that consists of a 24 foot wide roadway with a raised asphalt surface on both sides. This raised surface is used for both parking and walking. The separation between the horizontal surfaces is a beveled asphalt "curb". Homes and driveways in the Washington Park subdivision are set apart from the street by an asphalt strip with a rolled curb that appears to have been intended, and are used for pedestrian travel. Washington Park was originally designed to mimic the look of "old town" without sidewalks or raised asphalt shoulders. When the gravel edge was replaced by asphalt over time it created the ADA concern about whether this surface is considered a pedestrian sidewalk or a parking shoulder.

Yountville's Municipal Code defines "sidewalk area" as "that portion of a public street between adjacent property line and edge of street pavement, including parking strips, parkways, sidewalks, curbs and gutters." (Municipal Code §12.08.010.) The subject area seems to fit within the definition of a "sidewalk area". Attorneys for Town have stated: "The California Vehicle Code defines "sidewalk" as "that portion of a highway, other than the roadway, set apart by curbs, barriers, markings or other delineation for pedestrian travel." (Vehicle Code §555.) "Highway" is defined as "a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street." (Vehicle Code §360.)

It is generally agreed that a sidewalk cannot include a provision for vehicle parking or vehicle travel other than the temporary travel over a driveway. The ADA does not mandate the installation of sidewalks. But where sidewalks are provided, the ADA requires a distinct edge delineating the division between pedestrians and vehicles. It is never appropriate to park on sidewalks and many municipalities have ordinances that are clear on this point.

Washington Park is distinct from other areas of the Town such as the Old Town neighborhood where there are no formal or informal sidewalks. The development of the raised and paved margins in the Washington Park neighborhood has resulted in a condition that has created the expectation of a pedestrian route without the required safety and accessibility benefits. Accessible sidewalks require cross slopes (the slope of the walk from side to

side) that do not exceed 2% (ADA and California Code). In Washington Park the raised asphalt surface at the edge of the road has a typical cross slope exceeding 2%. Accessible sidewalks require curb ramps at each intersection where a curb prevents travel from one side to a sidewalk on the other side. Washington Park does not have curb ramps at each intersection. Accessible sidewalks are not blocked by parked cars. In Washington Park street side parking most often occurs on the raised portion of asphalt at the edge of the roadway forcing pedestrians to travel over an inaccessible beveled curb to enter the roadway.

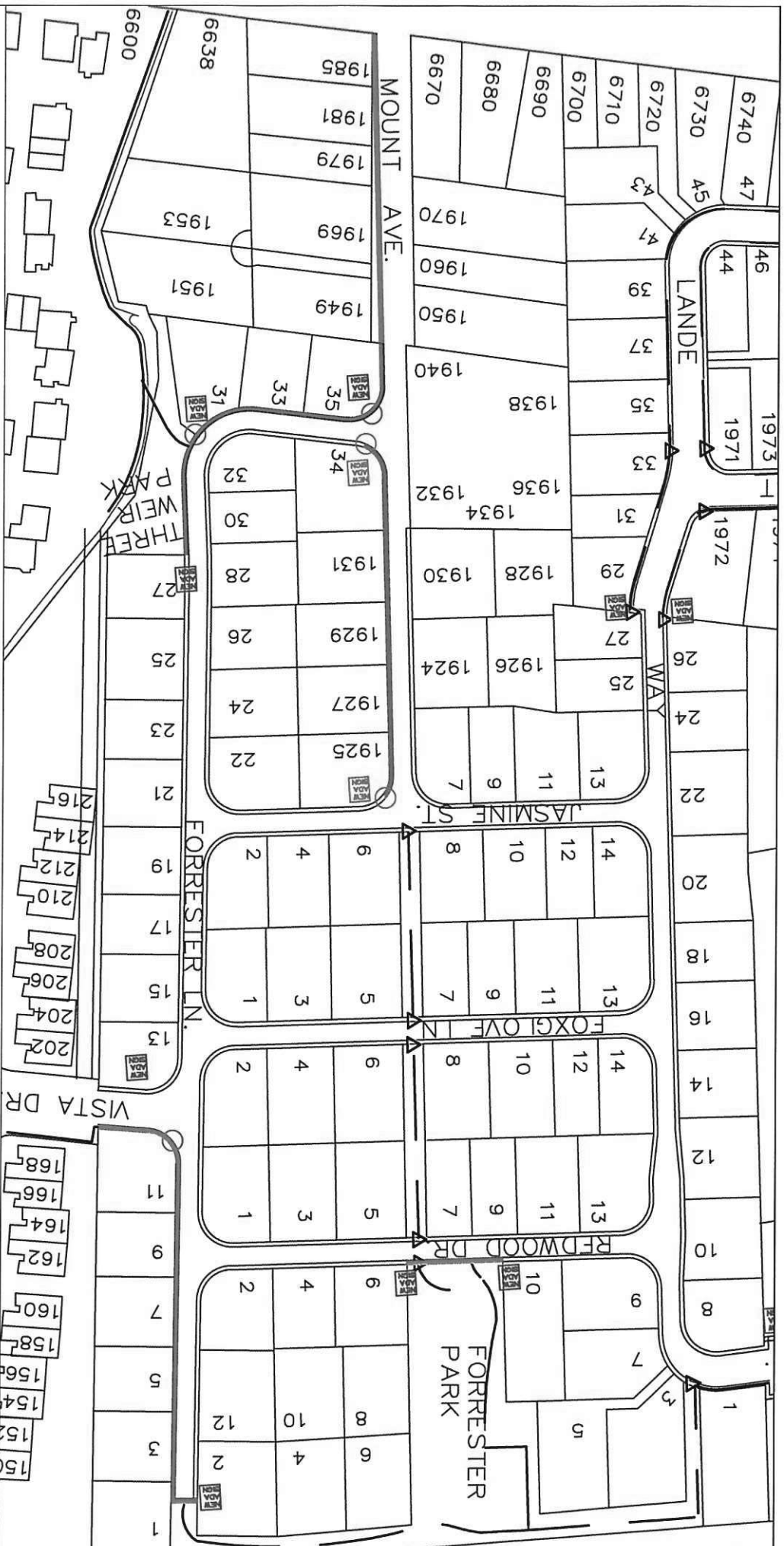
A public meeting was held on October 3, 2013, to discuss the Town's ADA Self Evaluation and Transition Plan and Washington Park's pedestrian facilities. Resident concerns included all of the following:

- loss of existing parking on the paved raised shoulders
- the need for ADA improvements in the neighborhood
- safe accessible walking areas connecting to parks and other areas of town
- the aesthetics of the neighborhood and the desire to maintain as much of the original 1992 design intent, which resulted in the raised asphalt replacing the original gravel shoulder that was installed
- a preference for the least invasive path network, if needed.

Recommendations for Washington Park Pedestrian Access

- Town will undertake a study to develop a workable plan/design for the future construction of a network of accessible sidewalks with vertical curbs providing pedestrian access from existing sidewalks to Forrester Park and Three Weir Park, with a focus on retaining as much of the existing parking on the raised shoulders as feasible
- Provide curb ramps or blended transitions at intersections where sidewalks are provided or desired on both sides of the street linking existing sidewalks to Forrester Park and Three Weir Park
- Provide signage at the termination of existing sidewalks indicating the end of a pedestrian route
- Allow use of continued parking on raised shoulder where the shoulder is not a designated accessible path of travel
- Town will install at grade designated accessible parking on its frontage at Forrester Park and Three Weir Park.

You can review a complete copy of the draft ADA Transition Plan at the Town's website www.townofyountville.com.



- NEW CURB RAMP
- △ EXISTING CURB RAMP
- ADVISORY SIGNAGE
- EXISTING ADA PATH
- NEW CONCRETE SIDEWALK OPTION "A"
- OPTION "B"