



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

**JOHN COOPER
MAYOR**

**NASHVILLE DEPARTMENT OF TRANSPORTATION
AND MULTIMODAL INFRASTRUCTURE**

INSTRUCTIONAL BULLETIN NO. 2022-3 (Revised)
Multimodal Access Closure Policy Update

Instructional Bulletin No. 2022-3 is hereby revised effective on 9/20/2022. These revisions are being made to clarify the previous policy bulletin as a result of questions and to address internal Department operations and workflow. The following list outlines the substantive portion of this revision:

- The intent of this policy is to prohibit the continuous closure of multimodal pathways in the public rights of way for a period of seven (7) days or more. The word “continuous” was added to clarify that this policy does not apply to permit requests for discrete locations where the total amount of time the closure will be in place is less than seven (7) days.
- The terminology describing the process in which those seeking an exemption from this policy was changed from “variance” to “exception”. This revision was made to prevent confusion and/or false assumption between this and other processes referred to as variances.
- An additional paragraph was added to provide more guidance to those seeking a permit for work less than seven (7) days. These permit request will require traffic control plans, however only those submitted through the exception process will require plans stamped and signed by a licensed engineer.
- The body established by the Director to support the review of those seeking an exemption for closures seven (7) days or more is being clarified as an advisory committee. All policy exceptions are at the sole discretion of the Director. The advisory committee will provide technical support and industry feedback.

Effective immediately, all newly permitted construction activities closing a multimodal pathway of travel in Metro Nashville’s right-of-way for a continuous period of seven (7) days or more will be explicitly prohibited. All ongoing currently permitted work will be under review by the Nashville Department of Transportation & Multimodal Infrastructure (NDOT).

To provide for the safety, health, and welfare of the citizens of Davidson County, this policy update seeks to ensure all modes of transportation including traffic lanes, sidewalks, bikeways, pedestrian crossing and bridges, and bus stops remain open and in good condition. NDOT will limit right-of-way closures to keep its infrastructure in a state free from obstruction and in good working order.

For work that impacts multimodal pathway travel for a period of less than 7 days, a traffic control plan must be submitted at the time of the permit application. This plan should outline the layout of required the MUTCD traffic control signage and an alternate travel pathway that meets ADA standards. Traffic control plans for closures less than 7 days are not required to be stamped by a licensed engineer.

The Nashville Department of Transportation and Multimodal Infrastructure (NDOT) has the discretion to move the effective date to the end of the year after review on a case-by-case basis. If the applicant believes that the inability to utilize Metro right-of-way for more than seven days will constitute an undue burden to completion of a construction project, the applicant may submit a request for an exception. Under the authority and discretion of the Director, NDOT may grant exceptions on a case-by-case basis. The Director will create an advisory committee to support providing industry feedback during the exception process. Please refer to the enclosed exception request guidelines and application template for further process details.

A handwritten signature in black ink, appearing to read "Brad Freeze", is written over a horizontal line.

Brad Freeze, PE

Chief Engineer/Assistant Director

FAQ

Who does this new policy apply to?

The Multimodal Access Closure Policy applies to all new permit applicants seeking to close multimodal paths of travel in the public right-of-way for a continuous period of seven (7) days or more. The policy also applies to current permit holders looking to renew right-of-way permits for seven (7) days or more. For example, if a current permit holder has a 30 day sidewalk closure permit, once that permit expires, the permit holder will work with NDOT to assess closure needs and will either receive a permit for less than 7 days, or if necessary, may request an exception as outlined in this policy.

How does the policy affect construction projects that have been permitted but have not yet begun?

Permits that have been issued prior to August 19, 2022 will be honored for the permitted amount of time. Once the permit has expired, closures will be subject to the new policy.

How does this policy affect construction projects that are seeking a permit for future construction?

This policy will impact future contractors seeking to obtain a construction easement permit in that they would not be allowed to close a multimodal path of travel without the approval of an exception.

What recourse exists if a construction firm maintains they need to use the public right-of-way to implement a project?

Any entity maintaining a need to close multimodal access in the public right-of-way for a continuous period of seven (7) days or more may apply for an exception through the process described herein. The exception will be considered by NDOT and approved or denied by the Director on a case-by-case basis.

Guidelines for Submitting a Multimodal Access Closure Exception For Public Right-of-Way

Section 1 – General Notes

Prior to any permit approval that requires temporary right-of-way closures impacting multimodal access facilities within Davidson County, the project owner shall submit a construction package to the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) for review. If any parts listed below are missing and/or incomplete, the package will be immediately rejected. It is therefore recommended that the owner prepare the exception requirements at the conceptual stage of the project. This will allow both NDOT and the owner to understand all requirements needed for the project before any permitting is granted.

NDOT will have the authority to reject any exception application for any reason deemed necessary. Under such circumstances, the fee will not be reimbursed, and a second, and possible subsequent, submittal will be required until all requirements are met. Applying for an exception does not guarantee that the proposed project closures will be approved by NDOT.

See Section 2 for fees and the following Application Form and Checklist.

Section 2 – Fee Requirements

1st Submittal: \$500

2nd and Subsequent Submittals: \$250

MULTIMODAL ACCESS CLOSURE EXCEPTION APPLICATION FORM AND CHECKLIST

Submittal Date: 1 February 24 New Submittal Re-Submittal No: _____

Related Building Permit No: _____

Project Name: Peabody Union

Street Name Location: Koreans Veterans Blvd / 1st Ave

Between: 1st Ave And: Bridge

Applicant Name: Steve Shockley

Address: 92 Peabody Street

Phone: 281-684-3033 Fax: _____ Contact: _____

Email: sshockley@tcco.com

Project Description: Multi Family Highrise / Office / Retail - Sewer upgrade

Start Date: 2/19/24 End Date: 5/31/24 Project Length: 102 days

Describe Type of Closure: Phased work, complete closure of 1st Ave. Closure of three lanes of KVB, night work on east bound lanes of KVB.

Provide Reasons why Project cannot be completed without closures and what other options were considered (attach documents as needed): _____

Upgrading existing sewer lines / existing manholes to tie in.

PROJECT INFORMATION CHECKLIST:

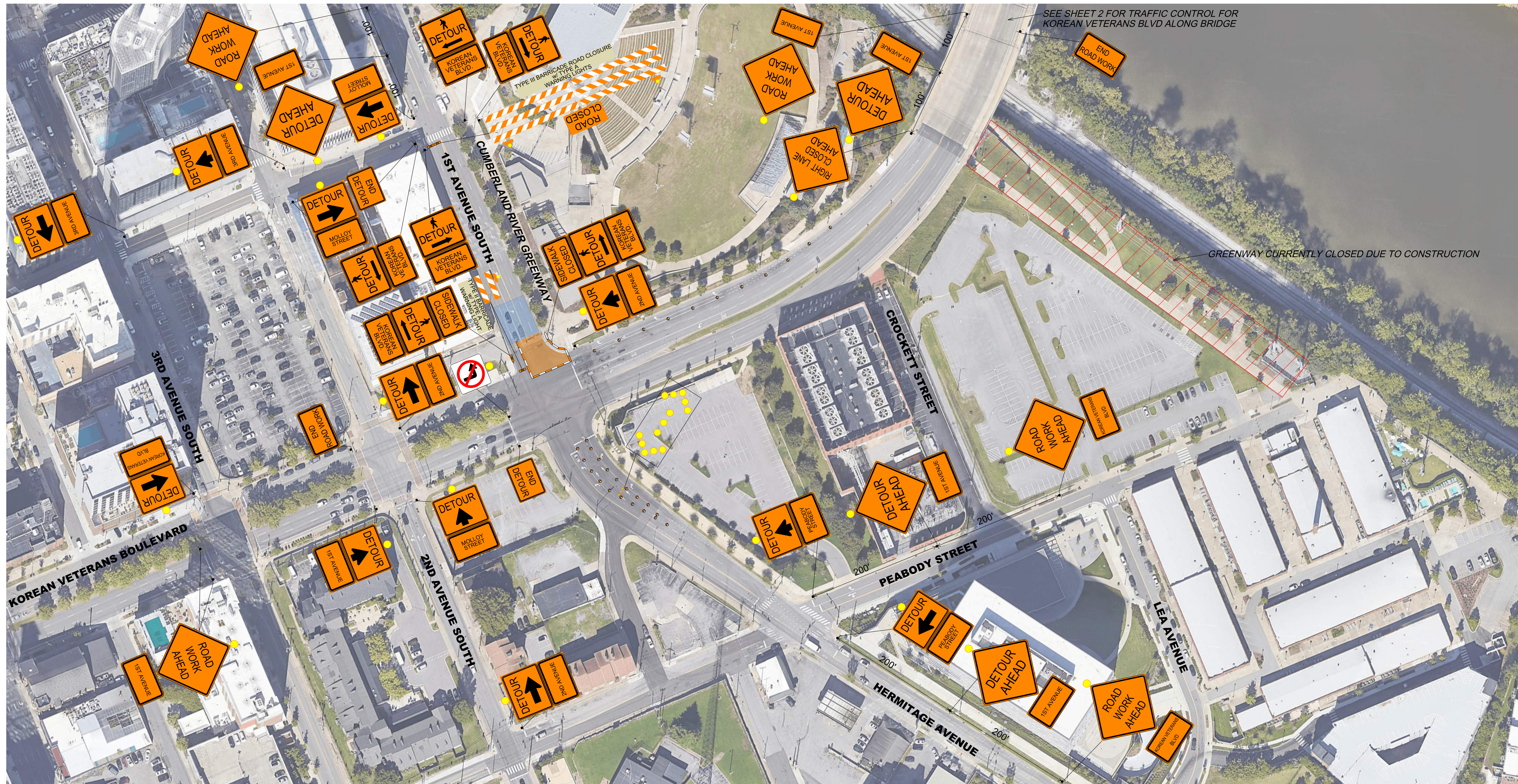
Included Not Applicable

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Project Vicinity Map with Project Area shown, street names, property information, existing pavement and striping, gutter and building locations, north arrow, and scale. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Planned work hours included. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Exact location and dimensions of the construction work zone shown. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | If multiple phases are necessary, include perimeter impact of each phase, phase number, anticipated work hours and phase duration. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Details on construction activity and equipment being used as part of construction included for each phase. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Specify if any on-street parking, and/or metered parking, is to be restricted and if bus zone will need to be relocated. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Specify if trash pickup will be impacted. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Provide information on all utility work and utility connections. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | List all affected residents, businesses, agencies, and schools and any conversations/agreements taken place. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Show ongoing construction projects within vicinity of proposed project impact. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Provide plan to address conflicts with other nearby projects. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Provide traffic control plan for each phase of construction (see traffic control checklist for more information). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Provide information on work vehicle parking locations. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Show construction trucks ingress/egress to project location. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Provide information on any traffic signals, traffic signal loops, and traffic signal cabinets in close proximity to project. |

TRAFFIC CONTROL PLAN CHECKLIST:

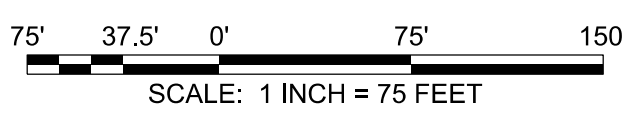
Included Not Applicable

- All temporary traffic control plans shall be designed in accordance with the most recent ADA regulations and requirements of the Manual of Uniform Traffic Control Devices.
- Clearly show the locations of all existing signs (including speed limit) as well as the proposed signs for each construction phase.
- Show the location of all existing pedestrian paths and pedestrian detour route of each stage of construction.
- Show dimensions of travel lane width, shoulder width, sidewalk of each phase, and overall roadway width along the length of affected area.
- Show all existing striping and markings to remain, to be removed, and all proposed striping and markings for each construction stage.
- Provide detour plan clearly showing detour route for any roadway or pedestrian/bike path closures.
- Specify placement of all temporary traffic control devices.
- Specify spacing of all temporary traffic control devices.
- Show all existing traffic signals and streetlights in the work zone location.
- Lighting provided for all pedestrian detour routes.
- Provide minimum eleven (11) foot travel lanes at all times.
- Show size, height, and location of all channelizing devices, warning lights, flag trees, barriers, etc.
- Label all taper lengths and widths.
- Provide locations of police officers for each phase as needed.
- Temporary Traffic Control Plan has been stamped and signed by a TN licensed Civil Engineer.



LEGEND

	LAYDOWN AREA
	WORK ZONE
	ARROW BOARD TYPE C (SINGLE ARROW)
	ARROW BOARD TYPE C (DOUBLE ARROW)
	TYPE A WARNING LIGHT
	PORTABLE WATER-WALL JERSEY BARRIER

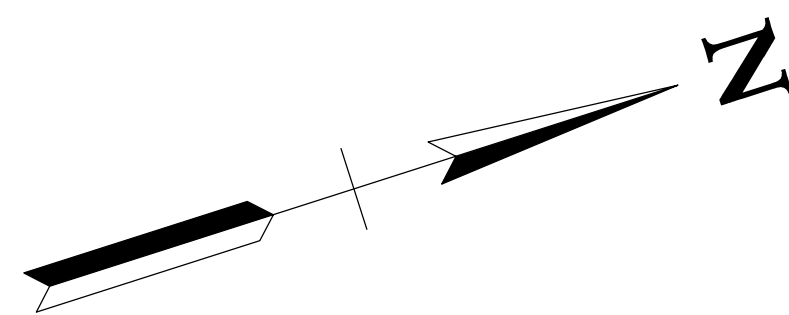


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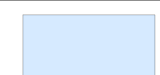

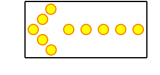
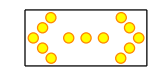


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7. WORKING HOURS ARE TO BE A CONSTANT 24 HOUR OPERATION UNTIL WORK IS COMPLETED FOR THIS PHASE.

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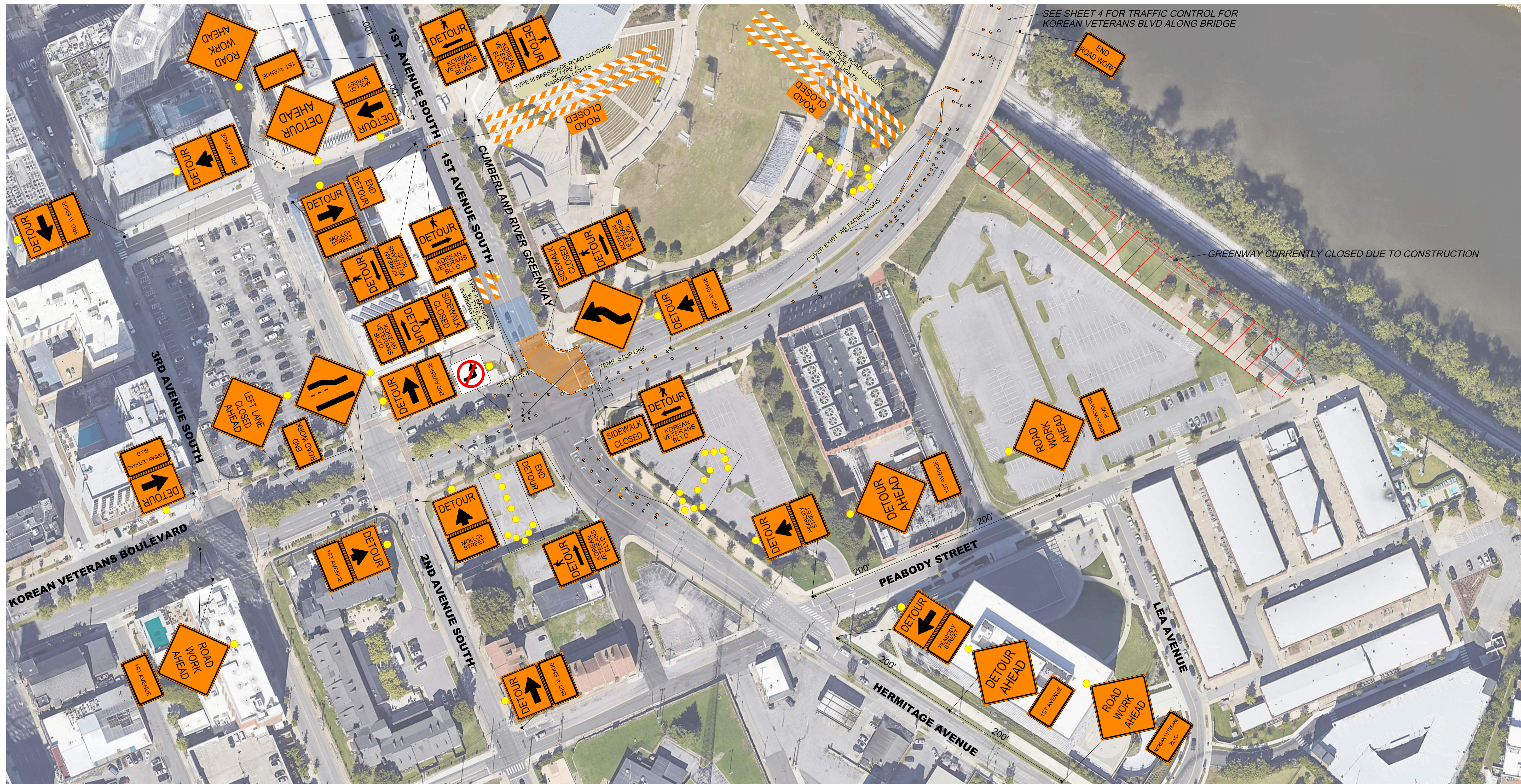
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	TYPE A WARNING LIGHT
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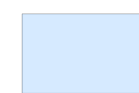

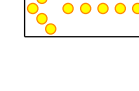
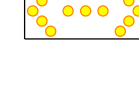


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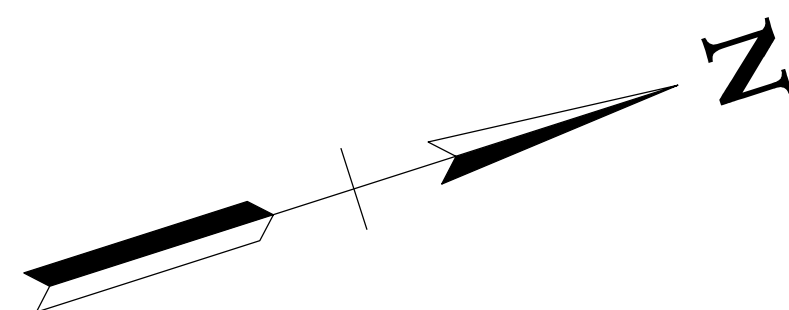


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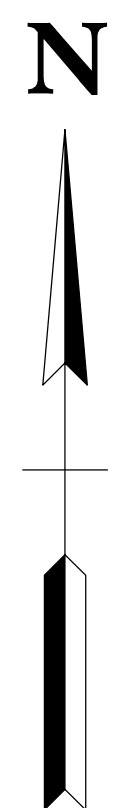
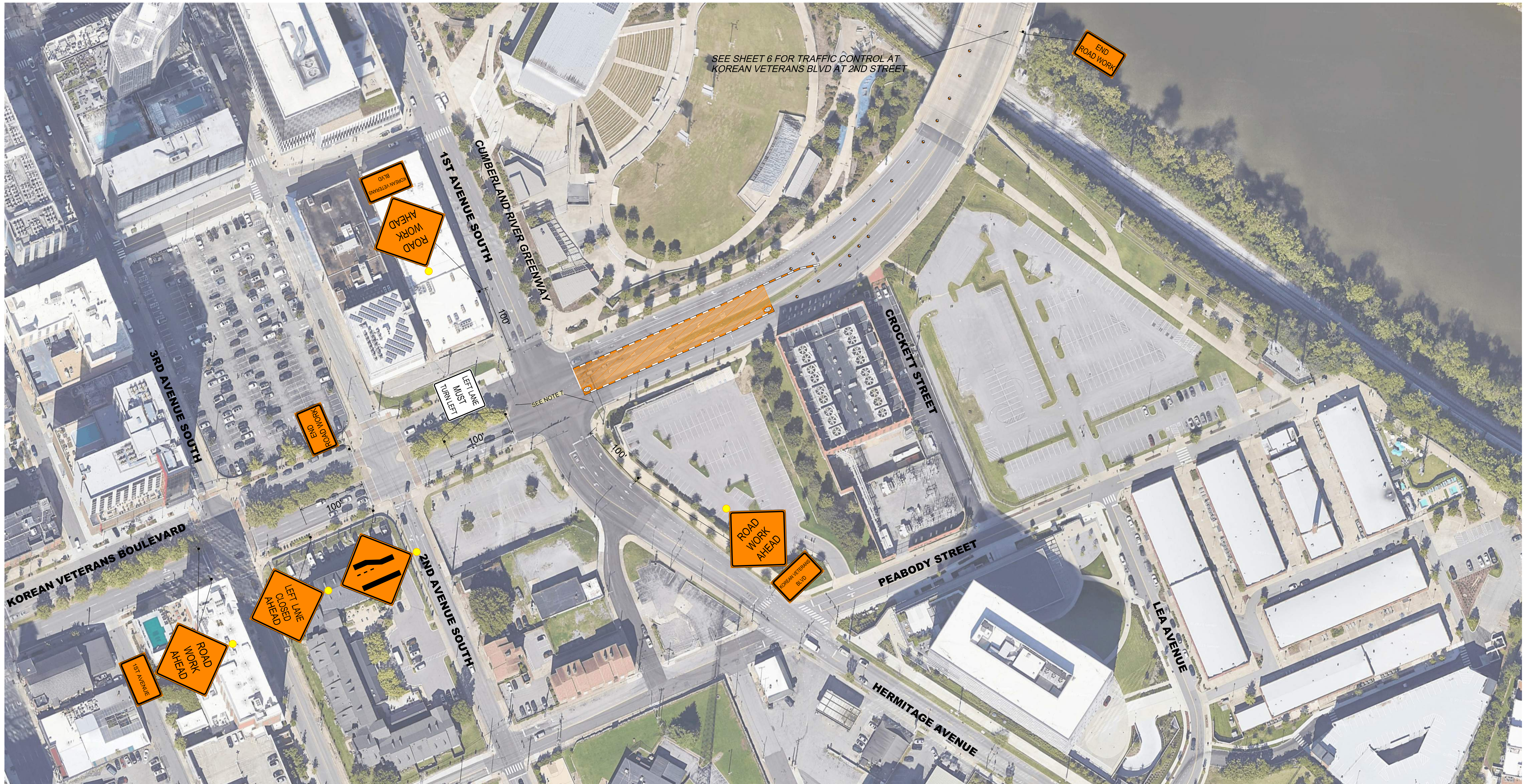
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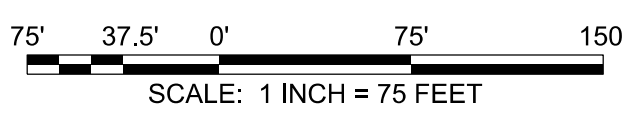
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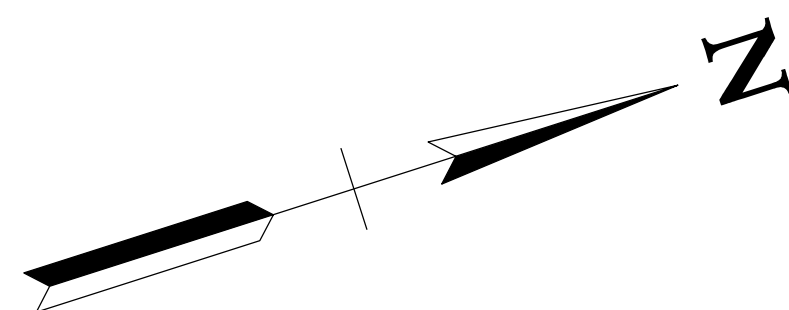
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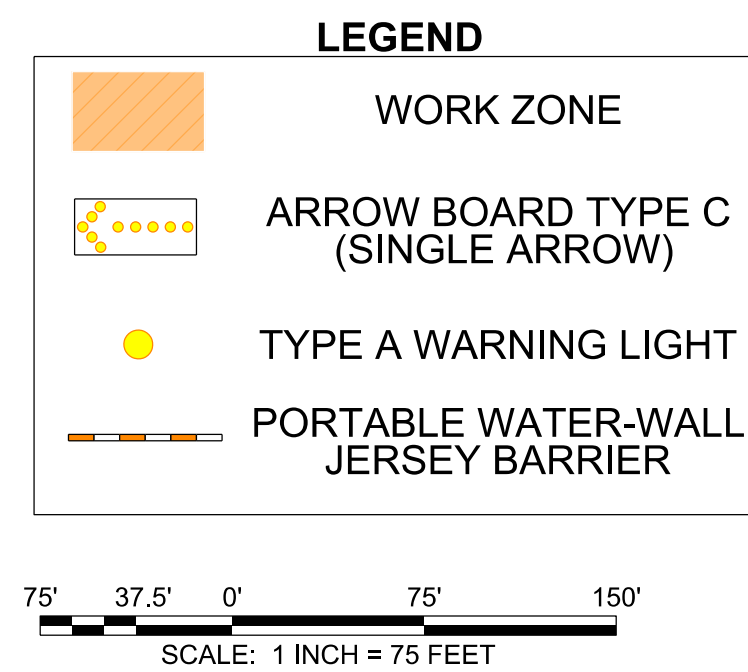
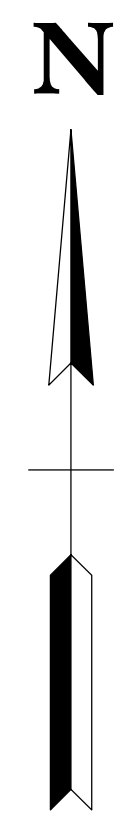
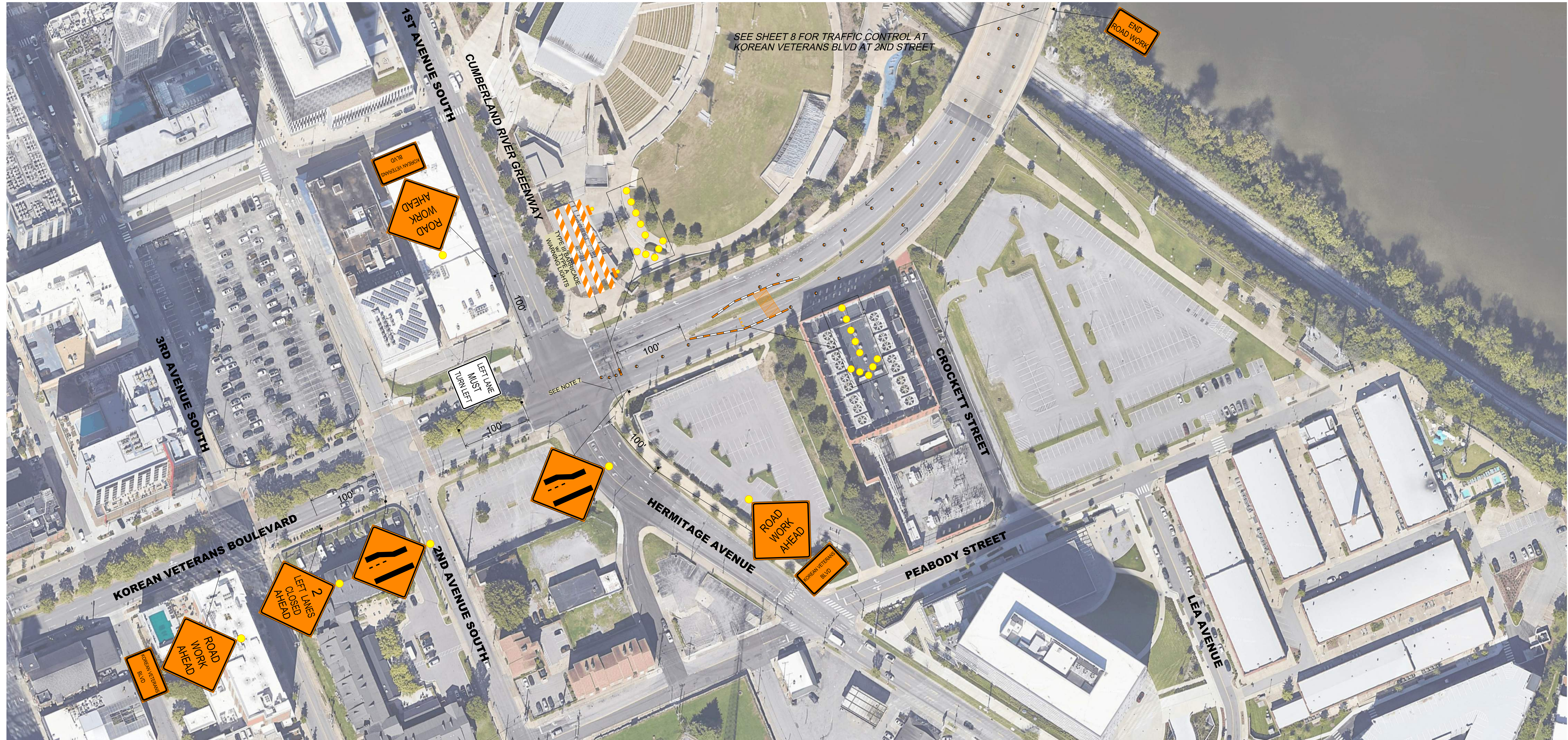
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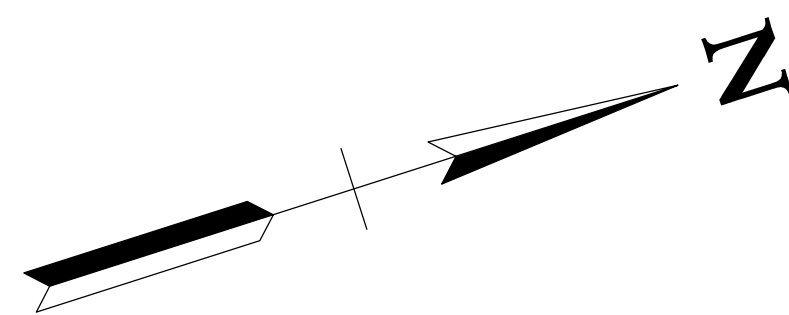
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	TYPE A WARNING LIGHT
	PORTABLE WATER-WALL JERSEY BARRIER

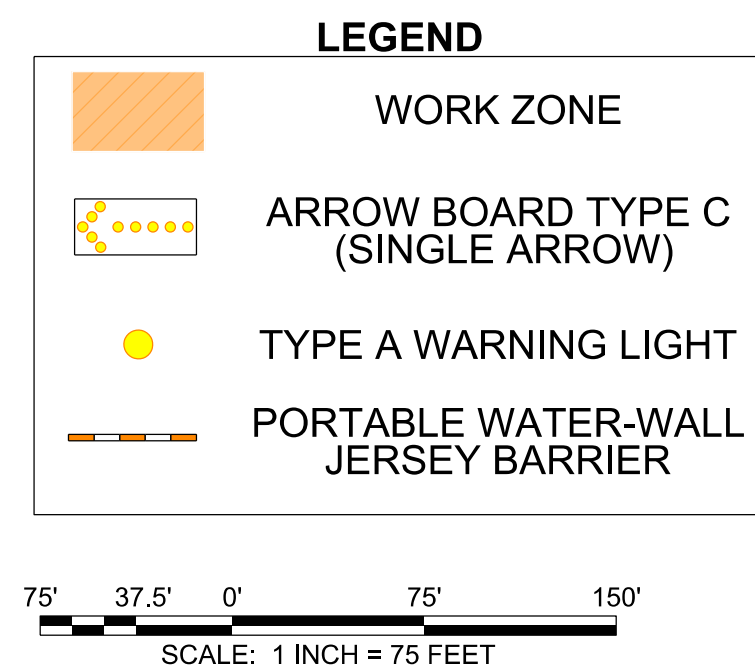
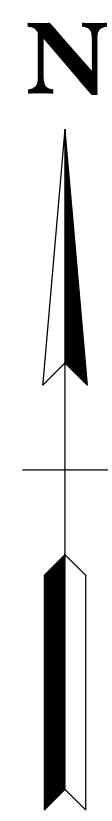
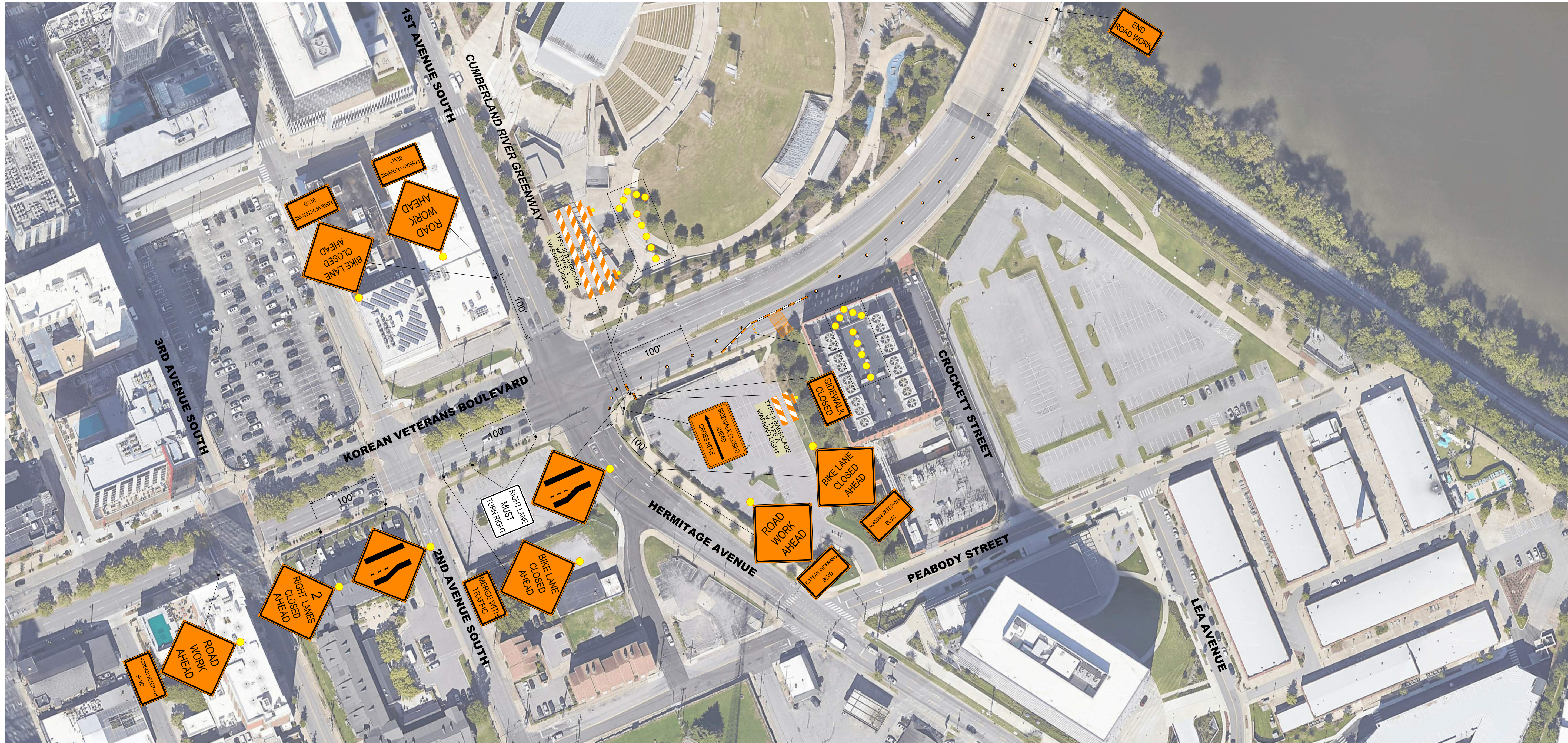


TRAFFIC CONTROL

1. ALL ADVANCE WARNING SIGNS, BARRIERS, TEMPORARY STRIPING AND ANY OTHER NECESSARY TRAFFIC CONTROL ITEMS MUST BE IN PLACE PRIOR TO CONSTRUCTION AND ACTIVITIES TAKING PLACE.
2. TRAFFIC CONTROL MEASURES MUST COMPLY WITH MUTCD AND NDOT STANDARDS.
3. CONTRACTOR MUST COORDINATE ALL PHASES OF TRAFFIC CONTROL WITH THE NASHVILLE DEPARTMENT OF TRANSPORTATION (NDOT) AND COMPLY WITH ANY WORK HOUR RESTRICTIONS FOR LANE CLOSURES REQUESTED BY NDOT.
4. THIS WORK PERFORMED IN THE RIGHT-OF-WAY NDOT WILL REQUIRE OFF-DUTY SWORN PEACE OFFICERS FOR TRAFFIC CONTROL AT THE CONTRACTORS EXPENSE. REFER TO NDOT'S "UNIFORM REQUIREMENTS FOR TRAFFIC OR POLICE OFFICERS WORKING AT PERMITTED RIGHT-OF-WAY SITES."
5. TRAFFIC CONTROL SHALL BE PROVIDED FOR PEDESTRIAN TRAFFIC AS NEEDED TO KEEP THE PUBLIC ADJACENT TO THE WORK ZONE SAFE.
6. THIS TRAFFIC CONTROL PLAN IS EXCLUSIVELY FOR THE INTERSECTION OF 1ST AVENUE AND KOREAN VETERANS BLVD.
7. THE EASTBOUND LEFT TURN RESTRICTED HOURS SIGN SHALL BE COVERED DURING THIS PHASE.

REV.	DR.	CHK.	DATE	DESCRIPTION

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TRAFFIC CONTROL

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KOREAN VETERANS BLVD LANE CLOSURE PLAN - PHASE 3B

TURNER CONSTRUCTION COMPANY
PEABODY UNION DEVELOPMENT
DOWNTOWN NASHVILLE, DAVIDSON COUNTY, TENNESSEE

REV.	DR.	CHK.	DATE	DESCRIPTION

PEABODY UNION PROJECT SCHEDULE (1/17/24)

Activity ID	Activity Name	Original Duration	Actual Duration	Start	Finish	2024																
						Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Working Copy - KVB Street Work		174	109	08-Aug-23 A	10-Jul-24																	
Project Scope Milestones		107	0	09-Feb-24	10-Jul-24																	
A1000	NTP - Project Scope Start	0	0	09-Feb-24																		
A1010	Project Scope Completion	0	0		10-Jul-24																	
Design & Approval		67	109	08-Aug-23 A	08-Feb-24																	
A1020	Design KVB Underground Scope of Work	60	66	08-Aug-23 A	08-Nov-23 A																	
A1200	Metro Water Services Plan Review	30	40	09-Nov-23 A	09-Jan-24 A																	
A1030	Metro Water Plan Review with NDOT	0	0		12-Jan-24 A																	
A1210	NDOT Approval - Traffic Control Plan	5	0	15-Jan-24	19-Jan-24																	
A1040	MultiModal Plan Review and Approval	1	0	08-Feb-24*	08-Feb-24																	
Construction		107	0	09-Feb-24	10-Jul-24																	
Phase 1 - Corner of 1st & KVB (24 Hrs.)		24	0	09-Feb-24	13-Mar-24																	
A1170	Have 811 Locate Utilities Prior to Work	1	0	09-Feb-24	09-Feb-24																	
A1050	Set Up Lane Closure and Traffic Controls	2	0	12-Feb-24	13-Feb-24																	
A1300	Hydrovac	2	0	14-Feb-24	15-Feb-24																	
A1070	Excavate / Install/Backfill/Cold Patch	19	0	16-Feb-24	13-Mar-24																	
Phase 2 Center-2 Lanes (Day Work)		45	0	14-Mar-24	15-May-24																	
A1180	Have 811 Locate Utilities Prior to Work	1	0	14-Mar-24	14-Mar-24																	
A1090	Set Up Lane Closure and Traffic Controls	1	0	15-Mar-24	15-Mar-24																	
A1320	Hydrovac	1	0	18-Mar-24	18-Mar-24																	
A1100	Excavate / Install/Backfill/Cold Patch	30	0	19-Mar-24	29-Apr-24																	
A1110	Install Curb & Sod	10	0	30-Apr-24	13-May-24																	
A1120	Remove Traffic Control Barricades & Signage	2	0	14-May-24	15-May-24																	
Phase 3 DES Tie-In (Night Work)		13	0	30-Apr-24	16-May-24																	
A1190	Have 811 Locate Utilities Prior to Work	1	0	30-Apr-24	30-Apr-24																	
A1130	Set Up Lane Closure and Traffic Controls	1	0	01-May-24	01-May-24																	
A1330	Hydrovac	1	0	02-May-24	02-May-24																	
A1140	Excavate / Install/Backfill/Cold Patch	10	0	03-May-24	16-May-24																	
Phase 4 (DES to Peabody) (Day Work)		37	0	17-May-24	10-Jul-24																	
A1340	Have 811 Locate Utilities Prior to Work	1	0	17-May-24	17-May-24																	
A1360	Hydrovac	1	0	20-May-24	20-May-24																	
A1370	Excavate / Install/Backfill	20	0	21-May-24	18-Jun-24																	
A1400	Irrigation Repair	5	0	19-Jun-24	25-Jun-24																	
A1480	Plant Trees	5	0	26-Jun-24	02-Jul-24																	
A1490	Re-Sod Excavation Area	5	0	03-Jul-24	10-Jul-24																	
Phase 5 Peabody (Night Work)		8	0	26-Jun-24	08-Jul-24																	
A1410	Have 811 Locate Utilities Prior to Work	1	0	26-Jun-24	26-Jun-24																	
A1420	Set Up Lane Closure and Traffic Controls	1	0	27-Jun-24	27-Jun-24																	
A1430	Hydrovac	1	0	28-Jun-24	28-Jun-24																	
A1440	Excavate / Install/Backfill/Cold Patch	5	0	01-Jul-24	08-Jul-24																	