

MEETING MINUTES
OF THE
TRAFFIC AND PARKING COMMISSION
FEBRUARY 12, 2018

Note: The monthly meetings of the Traffic and Parking Commission are documented via video and are available through Metro ITS Department (<http://www.nashville.gov/Information-Technology-Services.aspx>) and Metro Nashville's YouTube Channel (<https://www.youtube.com/MetroNashville>)

The regular monthly meeting of the Traffic and Parking Commission was held at 3:00 p.m., on Monday, February 12th, 2018 at the Sonny West Conference Center. The following were present unless noted otherwise:

Commission Members

John Green, Chairman	Metro Council Member – Larry Hagar
Betsy Williams	Breonus Mitchell - Absent
Mary Vavra - Absent	Feller Brown, Vice Chairman
Nora Kern	MNPD – Lieutenant Gilliland
Saralee Woods - Absent	

Staff Members

Chip Knauf, Traffic Engineer	Benny Word, Traffic Calming - Absent
Diane Marshall, Parking Administrator	Theresa Costonis, Legal Advisor
Jackie Conner, Administrative Assistant	Korby Bowden, Engineer Tech Senior

Chairman John Green called the meeting of February 12, 2018 to order at 3:00 p.m.

CALL TO ORDER

Chairman John Green mentioned ordinance No. BL2006-1050 regarding the appeals process of the Traffic and Parking Commission.

"If you are not satisfied with a decision made by the Traffic & Parking Commission, you may appeal the decision by filing for a writ of certiorari with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of the entry of the Commission's decision. We advise that you seek your own independent legal advice to ensure that your appeal is filed in a timely manner and that all procedural requirements have been met."

APPROVAL OF AGENDA

Commissioner Brown moved for **approval** of the Agenda, seconded by Metro Council Member Hagar, and **approved with no opposition**.

APPROVAL OF MINUTES

Commissioner Brown moved for **approval** of the January Minutes, seconded by Metro Council Member Hagar, and **approved with no opposition**.

CONSENT AGENDA - Resolution 02-18

Mandatory Referrals

- a) **CD21:** Proposal 2018M-003AB-001 – A request for the abandonment of Alley #1189 and Alley #1205, Alley #1189 from Clifton Avenue northeastward to Michigan Avenue, Alley #1205 from Alley #1189 southeastward to its terminus (see map for details), easements are to be retained; requested by Jonathan Kingham, applicant

Parking Regulations

b) REMOVED FROM CONSENT AGENDA

- c) **CD19:** Authorize 50-foot Valet Zone at 230 4th Avenue N, 24 hours 7 days a week; requested by Parking Management Company – ***For clarification, this is a main thoroughfare where two valets are at this location. This is an extension to create three consecutive valet zones, it does not take up a lane of traffic.***
- d) **CD19:** Authorize 50-foot Loading Zone from 5AM to 5PM on west side of Magazine Street and 20 feet north of Division Street; requested by Market Street Enterprise
- e) **CD19:** Authorize Loading Zone on south side of Demonbreun Street from 1st Avenue S to 2nd Avenue S; requested by Metro Public Works – ***CM Williams asked for clarification with loading zones from 2nd to 1st Avenues. Per Diane Marshall and Chip Knauf the loading zone will service a new business and is offset which won't be in the travel lane.***
- f) **CD21:** Authorize Valet Zone lane increase from 2 spaces to 4 spaces at 217 Louise Avenue (Jimmy Kelly's Steakhouse); requested by Parking Management Company

g) REMOVED FROM CONSENT AGENDA

- h) **CD21:** Authorize Parking Meter removal on Reidhurst Avenue at 25th Avenue N; requested by Metro Public Works

Traffic Regulations

- i) **CD30:** Authorize all way stop control at Colemont Drive and Kelley Drive; requested by Council Member Potts
- j) **CD19:** Authorize all way stop control at 16th Avenue N and Herman Street; requested by Council Member O'Connell

Commissioner Kern made a motion to remove item g from the consent agenda, and defer one month, seconded by Council Member Hagar, and approved with no opposition.

- g) **CD24:** Authorize Residential Parking Permit 12PM to 12AM on 45th Avenue N from Nebraska Avenue to Utah Avenue; requested by Council Member Kathleen Murphy

Commissioner Kern made a motion to remove item b from the consent agenda, seconded by Commissioner Brown, and approved with no opposition.

- b) **CD17:** Authorize 30-foot Loading Zone from 8AM to 5PM on east side of 3rd Avenue S, 67 feet south of Lea Street in front of 615 3rd Avenue S; requested by Barge Design Solutions

Commissioner Kern was concerned that there would be a conflict with a future bike lane that has been planned for that area. Per Chip Knauf, they did look at the bike plan and it shows there will be a bike facility there but there are a lot of conflicts in that area. We are recommending going ahead with the loading zone up until the actual bike facility will be installed.

Jeff Cundiff with Barge Design Solutions, and Burt Matthews with Matthews Company and the developer of 615 3rd Avenue S spoke to the commission explaining there is currently parking up and down 3rd Avenue. They said there is a planned bike route for 2nd and 4th Avenues but not 3rd Avenue based on the exhibits they have on hand. They are designing around that and assured there will be a future bike lane but currently want to make it safe for everyone. Currently for the next 6 to 18 months they are needing a loading zone in

place for safety. Our intent is to be a bike friendly business, they have showers and a bike rack in the building design. They also expressed a willingness to work with them as needed along the way. Jeff Hammond from Public Works Traffic Engineering spoke to confirm parking is there now but that a bike facility is planned for 3rd Avenue with no time table, earlier sketches show 2nd and 4th Avenue, approximately 1 year to 18 months. There are many projects in the area and we are comfortable to work with them when the bike facility comes back up.

As this clarified and with their willingness to work with them, **Commissioner Kern made a motion to approve Item b, seconded by Commissioner Williams, and approved with no opposition. Motion Passed.**

Consent Agenda consisting of Resolution 02-18 was modified and approved as presented. Commissioner Kern made a motion to approve the resolution on the consent agenda, seconded by Lieutenant Gilliland, and approved with no opposition.

NEW BUSINESS

CD19: Amendment to contract with Metro Public Works regarding management of Howard Office Complex parking; requested by the Nashville Downtown Partnership

Amendment to the contract was approached from the Mayor's office and surrounding businesses at 3rd and Lindsley, Howard Office Complex, and how they are losing parking spaces. They would like the parking deck and service lots, currently business hours, to be used after hours which includes nights and weekends. And, a request to charge up to \$10. During tax season and elections, we would be required to work around those dates, there is a calendar that can be set for those type of dates.

Council Member Hagar made a motion to approve, seconded by Commissioner Brown, and all in favor with no opposition. Motion Passed.

CD19: Requesting 100 complimentary parking spaces at the Metro Courthouse garage on April 14th, 2018; requested by Nashville Cherry Blossom Festival

Per Diane Marshall, according to the contract with the Nashville Downtown Partnership any request for complimentary parking must be approved by this commission, this is something we have done in years past.

Commissioner Kern made a motion to approve, seconded by Council Member Hagar, and all in favor with no opposition. Motion Passed.

CD19: Requesting to speak to the Commission about requesting additional parking spaces for the horse drawn carriages; requested by Sugar Creek Carriage

Sugar Creek Carriage was present to speak, Ms. Warren, operator and John Smith who owns Sugar Creek Carriage. Per Ms. Warren, we are here regarding parking issues with unloading and loading their carriages downtown Nashville. Parking spaces have been allotted for 4 carriages. The carriages may load or unload for marked loading zones only. There is no ordinance stating this. If they can't fit in one of the 4 parking spaces, then the carriages must ride around until one is available. We have 13 carriages, and horses must rest 10 minutes for every 50 minutes of work. We are losing income for drivers and our industry. We are requesting our equines to stand in any loading zone, temporarily, we will not be parking. This keeps our carriages in business. All other types stand their vehicles in any loading zone. This is transportation is not just entertainment as others think. We are also asking for two other areas to park our carriages, first is between 1st and 2nd on 2nd Street next to Rock Bottom, the taxi stand here is not utilized. It fits at least 3 carriages and we would use this space after 6pm, not to impede on the tour buses. The second area will be 2nd Street going to 1st from Rock Bottom. Another issue just came up where NES will be digging up their current stand at 2nd Avenue. By allowing us these three things we will boost business, lower stress, service our horses and satisfy customers.

Per Diane Marshall, we can look at the location on 2nd Avenue, talk to NES, and see what their plans are for that location. We need to talk with Mr. Fields with the transportation license and commission in which we would have to modify that taxi stand, then bring this back to the commission with that approval.

Legal will review to answer Metro code on horse carriages with loading and unloading zones.

Get a temporary permit at certain locations with Diane Marshall.

Added to the Agenda for next month.

APPEAL

CD17: Appeal denial of All Way Stop control on Horton Avenue and 15th Avenue S; requested by Council Member Sledge

Chip Knauf from Public Works talked to the council member about this intersection, he relooked at the data and got a new traffic count, Chip is recommending installation of the All Way Stop control.

Commissioner Brown made a motion to approve installation of All Way Stop control on Horton Avenue and 15th Avenue S, seconded by Council Member Hagar, and all in favor with no opposition. Motion Passed.

CD23: Appeal denial of All Way Stop control at Darden Place and Huckleberry Drive; requested by Council Member Johnson

Per Chip Knauf, when there is very low daily volume and limited sight distance we prefer to install a cross road warning sign. According to the data for this intersection, the volume here meets the criteria balance along with sight distance issues and pedestrians in the area. Based on this we are recommending adding an All Way Stop control.

Per Council Member Mina Johnson representing District 23, there is a lot of traffic volume. An All Way Stop control is normally not standard, however this intersection is unique in topography and we will show with pictures how it warrants one. Even per the pictures a tree causes limited sight distance. If there is not a stop sign they go over Darden in a nice speed, there have been a few near misses at this intersection as well. Based on very limited sight distance and unique topography for the safety we would like an all way stop installed. Per MNPD Lieutenant Gilliland there has been one accident in the past two years.

MNPD Lieutenant Gilliland made a motion to approve the appeal and installation of All Way Stop control at Darden Place and Huckleberry Drive, seconded by Commissioner Kern, and all in favor with no opposition. Motion Passed.

OTHER

CD20: Update on 51st Avenue between Delaware Avenue and Centennial Blvd truck restriction

Chip Knauf sent a document to everyone from the Federal Highway Administration. The document raised the question of whether this body has the authority to implement a truck restriction in the vicinity of a highway/interstate system. TDOT investigated and issued a response stating that the Commission should reconsider its action based on findings by their office.

Per Legal counsel, Federal Highway Admin requested TDOT to look into the question of whether this commission's action in restricting truck traffic on 51st Avenue North violated Federal Highway Act Regulations 23CFR658. TDOT did an analysis using transcripts of previous Commission hearings and received a copy of the KCI/RPM study. They concluded 23CFR658.19 was violated, provision subsections D and A. In conclusion, subsection D was not in violation. 23CFR658.19A does show and concludes 23CFR658.19A was violated because it does not allow us to limit reasonable access between national network and terminus facility for food, fuel, repair, rest and point of loading and unloading household goods. Also, paragraph 12 based on that language, Nashville must have an access review process providing among other things the denial of requested access to terminals and services maybe be made only on the basis of a safety and engineering analysis of the proposed access route. Even though there were several testimonies, the RPM study does show that we should grant truck access on 51st Avenue. A safety study could be made and can be done on a larger scope to increase safety for pedestrians and motorists.

Mr. Knauf followed the testimony of Ms. Costonis by stating with correspondence from both FHWA and the TDOT Commissioner we should reconsider the decision as requested. The issue of concern seems to be whether regulations were met concerning safety. He continued by saying that violations of Federal regulations could result in losses of future Federal funding.

CM Roberts spoke about the concerns of herself and her constituents feeling that the ongoing process seems to be going on for an excessive amount of time but understands the actions recommended to address the FHWA and TDOT memos. She stated that she would like a safety study done.

Mr. Tom Lee representing Marathon Petroleum stated that he agrees with the findings by TDOT and encourages the rescinding of the previous decision. He went on to say that his client would welcome a safety study and would work closely with all parties to seek the best outcome for all.

Per Legal counsel, the current status quo is that there is a stay in place of the action of the commission and that the trucks are still using 51st Avenue N and no signage preventing truck use have been installed.

Chairman Green acknowledged the requests for a safety related study and encouraged MPW staff to make the study a priority.

MNPD Lieutenant Gilliland made a motion to repeal previous decision pending a safety study to rescind the truck restriction on 51st Avenue North, seconded by Commissioner Kern, and all in favor with a hand vote with no opposition. Motion Passed.

Traffic and Parking Commission Resolution No. 02-18 authorized by Chapter 9 of the Charter of the Metropolitan Government of Nashville and Davidson County, Tennessee as amended

BE IT RESOLVED by the Traffic and Parking Commission of the Metropolitan Government of Nashville and Davidson County, Tennessee as follows:

SECTION I: That Chapter 12 of said Metropolitan Code, said Chapter being entitled 'Vehicles and Traffic' is amended as follows:

SECTION II. BE IT FURTHER RESOLVED that this Resolution be published in a daily newspaper in Metropolitan Nashville/Davidson County, Tennessee, and that a certified copy be filed with the Chief of Police of the Metropolitan Police Department, and that a certified copy be filed with the Metropolitan clerk, and that said Resolution take effect five (5) days thereafter.

APPROVED: February 12, 2018

EFFECTIVE: February 16, 2018

The above-mentioned Resolution items were previously approved under the Consent Agenda.

ADJOURNMENT

There being no further business, MNPD Lieutenant Gilliland moved to **adjourn**, seconded by Council Member Hagar and **approved by voice vote with no opposition**. The meeting adjourned at 4:00 p.m.

Approved on the **12th** day of **February** 2018.

Assistant Director
Department of Public Works

Chairperson
Traffic and Parking Commission