



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

**FREDDIE O'CONNELL
MAYOR**

**NASHVILLE DEPARTMENT OF TRANSPORTATION
AND MULTIMODAL INFRASTRUCTURE**

MEMORANDUM

TO: Metropolitan Traffic and Parking Commission

FROM: J. Andrew Smith, Engineer 2
Nashville Department of Transportation

DATE: August 6, 2024

SUBJECT: August 12, 2024, Traffic and Parking Commission Agenda Analysis

PURPOSE:

Provide an overview of all items on the upcoming Metropolitan Traffic and Parking Commission agenda to ensure that commission members have the information necessary for discussion and action prior to the commission meeting.

Commissioners are encouraged to contact Nashville Department of Transportation (NDOT) staff prior to the meeting with any questions.

STAFF ANALYSIS:

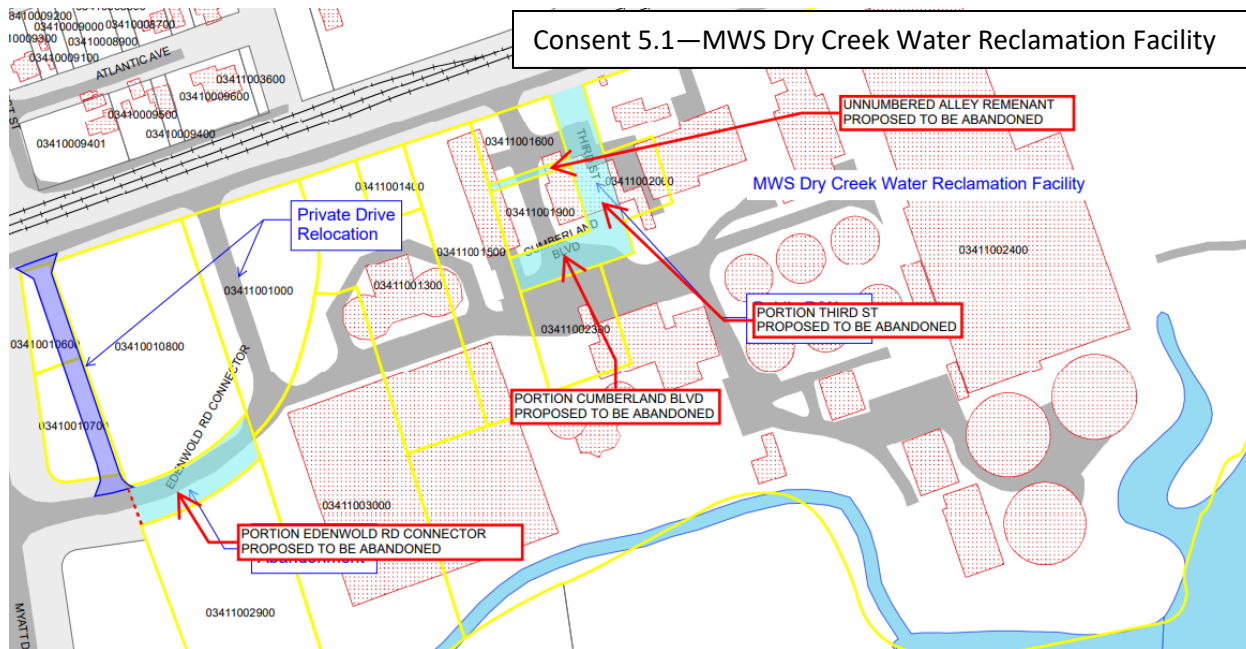
Consent Agenda

5.1 CD 10: Mandatory referral 2024M-006AB-001, a request for Right-of-Way abandonment of a portion of Edenwold Rd Connector, Third St, Cumberland Blvd, and an unnumbered alley, requested by Metro Water Services.

Recommendation: Approval of mandatory referral 2024M-006AB-001.

Analysis: This request proposes an abandonment of a portion of Edenwold Rd Connector, Third St, Cumberland Blvd, and an unnumbered alley right-of-way. Easements are to be retained. Metro Water Services has a plant expansion project for the Dry Creek WRF, and removal of portions of these rights-of-way are necessary for the expansion project.

Consent 5.1—MWS Dry Creek Water Reclamation Facility

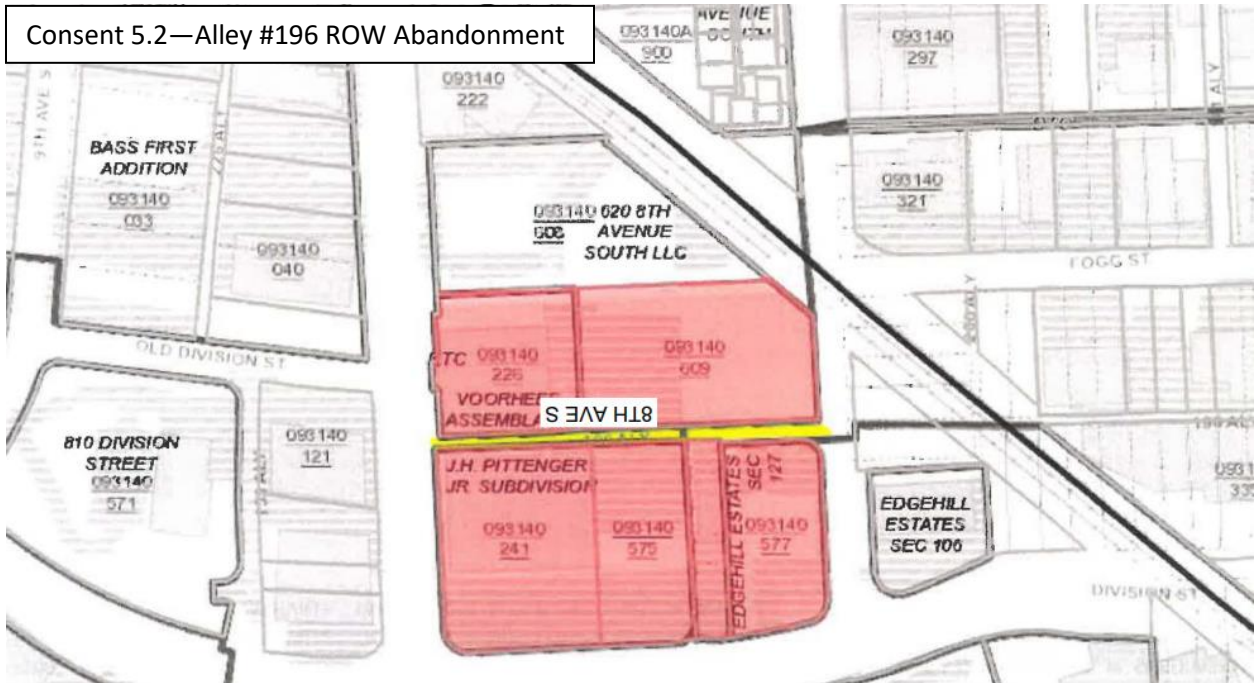


5.2 CD 19: Mandatory referral 2023M-002AB-001, a request for Right-of-Way abandonment of a portion of Alley #196, requested by Kimley Horn & Associates.

Recommendation: Approval of mandatory referral 2023M-002AB-001.

Analysis: This mandatory referral proposes to abandon a portion of Alley #196 right-of-way between Division St and CSX Railroad, with easements retained. Fogg St and 7th Ave S will be connected on the south side of the CSX railroad tracks as part of the Paseo South Gulch development. All access to this future development will be from Fogg St and 7th Ave S. Public utilities will be abandoned and replaced with new infrastructure to support redevelopment of the property.

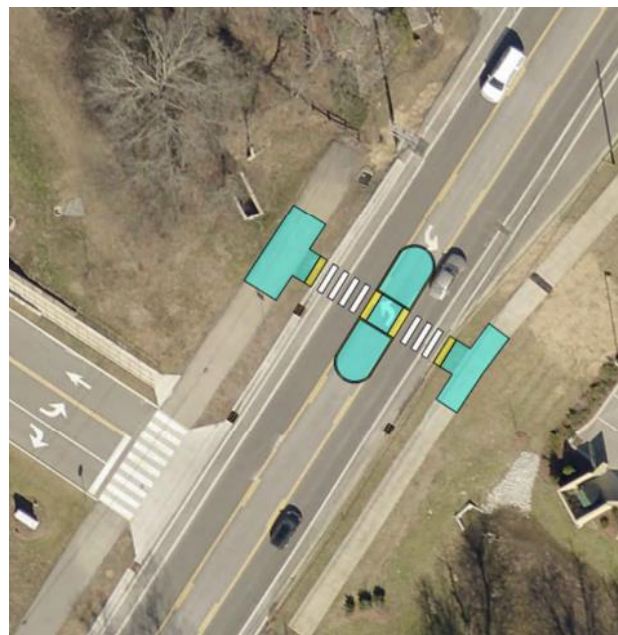
Consent 5.2—Alley #196 ROW Abandonment



5.3 CD 35: Authorization for a new Pedestrian Hybrid Beacon on Hwy 100, approximately 400 ft north of Chaffin Dr, requested by NDOT.

Recommendation: Approval of new Pedestrian Hybrid Beacon on Hwy 100 between Collins Rd and Chaffin Dr.

Analysis: NDOT proposes a midblock crossing about 300 ft west of Collins Rd and 400 ft north of Chaffin Dr as part of a Metro sidewalk project. The posted speed limit on Hwy 100 at this location is 45 mph. The proposed midblock crossing is between two pedestrian-oriented land uses or destinations—an apartment complex and a restaurant/local business and will connect two ADA compliant pedestrian routes. The crossing qualifies as medium priority as it satisfies three or more selection criteria.



5.4 CD 13: Authorization to replace existing Yield control at Quail Road & Quail Run with new stop control, requested by NDOT.

Recommendation: Approval of new stop control on Quail Run at Quail Road.

Analysis: This request is for a change in intersection control for Quail Run at Quail Road. The residential intersection is configured as a three-way intersection with Quail Run at the stem. Quail Run is controlled with a Yield sign while Quail Road is uncontrolled.



Recommendation: Approval of new All Way Stop control at South 5th St and Crutcher St.

Analysis: The intersection of South 5th St and Crutcher St is configured as a two-way stop for traffic on Crutcher St, with South 5th St traffic uncontrolled. NDOT performed a Multi-way stop warrant analysis and determined that the intersection met warrants for an AWS due to reported crash history. For the period 12/16/21 to 12/16/22, there were nine reported crashes, and for the period 5/23/22 to 4/5/23 there were seven reported crashes. Traffic volume counts were not performed.

Sight distance issues have been observed at this intersection. An AWS configuration will help reduce the rate of crashes at this location and is recommended to the Commission.

Consent 5.5—AWS at S 5th St & Crutcher St



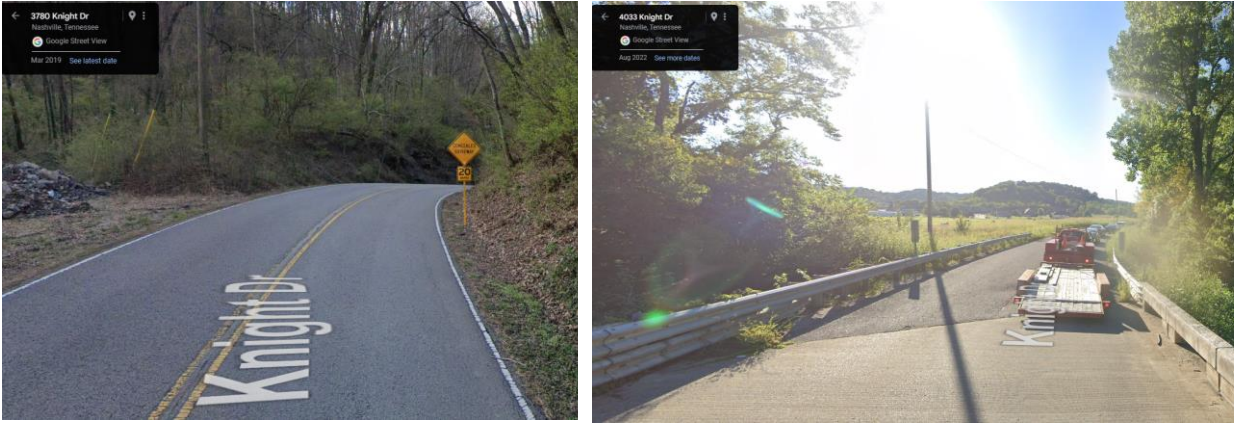
5.6 CD 01: Authorization for vehicle size restrictions (No Trucks over 8T) on Knight Drive from Brick Church Ln to Whites Creek Pk, requested by NDOT.

Recommendation: Approval of vehicle size restriction, No Trucks over 8T, on Knight Dr from Brick Church Ln to Whites Creek Pk.

Analysis: This item was deferred from the July T&P meeting. It originally proposed a truck restriction on Knight Dr from Green Lane to Whites Creek Pk. These original limits from Green Lane to Whites Creek Pk would have created a segment of Knight Dr with no legal outlet for truck traffic by cutting off access to Brick Church Ln (and thence Briley Pkwy). This proposal is to restrict vehicles over 8T on Knight Drive from Brick Church Lane northward to Brick Church Pk. A legal route still would exist to connect Knight Drive to Brick Church Lane southward to Whites Creek Pk. Green Lane and Ewing Dr already have existing vehicle size restrictions (no trucks over 8T).



The major trip generators for this section of Knight Dr are FedEx, UPS, and Rogers Group. The segment of Knight Drive from Brick Church Ln to Whites Creek Pk is between 2.5 and 3 miles with a total roadway width of 20 ft for two 10-ft travel lanes. No shoulders are present and there's no street lighting. Knight Dr is designated as a collector road.



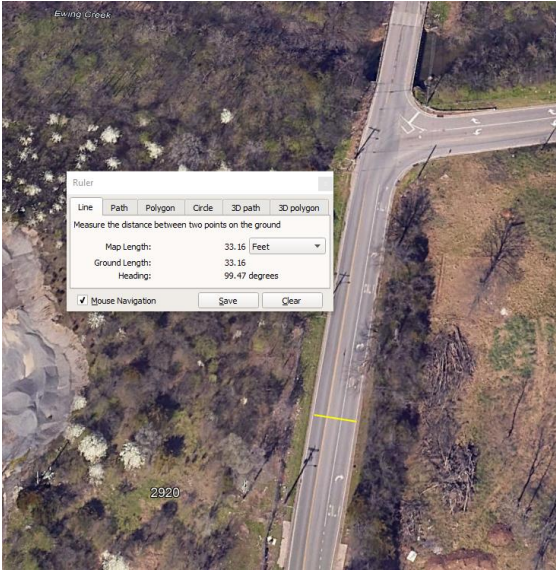
A crash query for May 2021 to May 2024 shows eleven crashes on this segment. Given the short length of this segment and the average daily traffic volume (AADT) of 309 vehicles per day, the crash rate is approximately 10.8 vehicles per mile which is 6.85 times higher than the statewide average for a two-lane rural road. Of these 11 crashes, eight were outside of the travel way. Some of the contributing factors of the run-off-the-road crashes are narrow lane widths and complicated geometric alignment. Knight Dr has two horizontal curves below 110 degrees as well as numerous vertical curves.

On August 3, 2024, MNP North precinct officers responded to a motor vehicle crash between a passenger car and a tractor-trailer at the T-intersection of Knight Dr and Ewing Dr. As the northbound truck on Knight Dr approached Ewing Dr, a passenger car ran the stop sign on Ewing, attempting a left turn to Knight Dr. The truck struck the driver's side of the passenger car with the crash resulting in a loss of life. The preliminary contributing factor in the crash was the failure to obey a traffic control device by the driver of the passenger car.

Unlike the northern segment of Knight Dr, this segment of Knight Dr is configured with streetlights, curbs, gutter, and 11-ft travel lanes. Continued truck access to Knight Dr from Brick Church Ln to the signalized intersection with Whites Creek Pk is essential for FedEx, Rogers Group, UPS, as well as other logistics businesses located off of Brick Church Ln to get to Briley Pkwy and I-24. If a truck restriction included the entirety of Knight Dr, then trucks would be required to travel significantly greater distances on surface streets to find an alternative access to major highway corridors. For these reasons, this segment of Knight Dr is not recommended for inclusion in a truck restriction.

← 3242 Knight Dr
Nashville, Tennessee
Google Street View
Feb 2021 See more dates

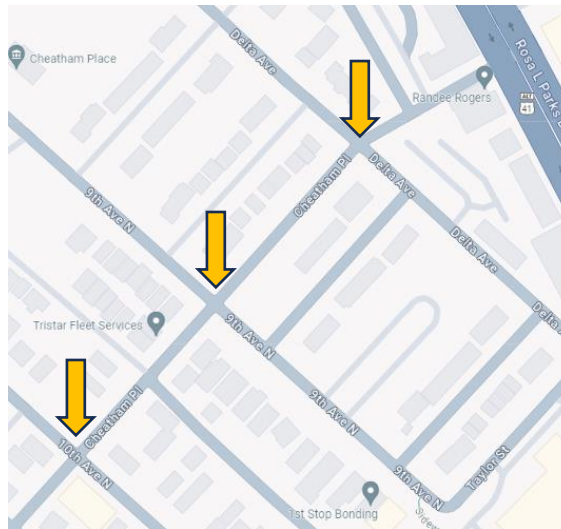
Consent 5.6—Location of recent crash at Knight Dr & Ewing Dr



Regular Agenda

6.1 CD 19: A request for All Way Stop Cheatham Place & Delta Ave, Cheatham Place & 9th Ave N, and Cheatham Place & 10th Ave N, requested by CM Kupin.

Recommendation: Uphold NDOT’s denial of All-Way stop control at Cheatham Pl/Delta Ave, Cheatham Pl/9th Ave N, and Cheatham Pl/10th Ave N.



Analysis: NDOT received a request from a Metro Councilmember to add all-way stop control to the Cheatham Pl intersections with Delta Ave, 9th Ave N, and 10th Ave N.

The Manual of Uniform Traffic Control Devices (MUTCD) recommends that all-way stop installations be made only at locations where it is safe and appropriate to do so. Engineering studies are used to evaluate criteria to determine if all-way stop control is warranted, considering these criteria:

- 1) *An interim installation pending the installation of a traffic signal that has met a qualified traffic signal warrant; and*
- 2) *Five or more crashes in 12-months subject to correction by a multi-way stop; and*
- 3) *Volume of all traffic (cars, bicycles, pedestrians) within an eight-hour peak period (not necessarily consecutive hours); and*
- 4) *The speed of approaching traffic; and*
- 5) *Additional, site specific criteria as permitted.*

Accordingly, NDOT performed a warrant analysis of these intersections to determine whether these met the requirements in the MUTCD for all-way stop control. Cheatham PI is a residential local road with two-way stop control at each of these intersections. Traffic on Delta, 9th, and 10th is uncontrolled. Pavement width is 23 ft +/-.

None of these intersections met warrants for traffic volumes, nor where there five or more angle crashes in any twelve month period during the last five years. Sight distance at each of these intersections is very good. Therefore, NDOT denied the request for all-way stop control.

NDOT had previously studied these intersections and posted a “cross traffic does not stop” plaque on the stop signs on Cheatham and 9th Ave N. Additionally, speed cushions have either been installed or are programmed for Delta Ave, 9th Ave N, and 10th Ave N as a part of NDOT’s Neighborhood Traffic Calming Program.

NDOT recommends against the addition of unwarranted all-way stop control at these intersections.

6.2 Approval of draft sidewalk vending ordinance revisions, amending Section 13.08.040 of the Metro Code to add additional language for the Commission to consider when evaluating disciplinary cases of sidewalk vending permits.

Recommendation: Approval of the draft ordinance amending Section 13.08.040 of the Metro Code.

Analysis: This request is to approve language for a draft council ordinance amending Section 13.08.040 of the Metro Code regarding permits and penalties for vendors on or near public property. It will add language describing probation as a potential disciplinary measure for non-compliance with the requirements of the permit or Metro Code.

The text of the amended ordinance is included with this report as Attachment A.

6.3 Approval of draft loading ordinance revisions, amending Sections 12.48.030 and 12.48.050 of the Metro Code to allow NDOT to set time limits for passenger and freight loading zones.

Recommendation: Approval of the draft ordinance amending Sections 12.48.030 and 12.48.050 of the Metro Code.

Analysis: As a part of the Connect Downtown Action Plan, NDOT seeks to improve and maximize curb access for all users, including delivery drivers, service vehicles, and passenger loading vehicles in support of local businesses and residents. Council Resolution RS2024-369 demonstrated the Council's support of Connect Downtown. Accordingly, NDOT is now seeking the authority to establish time limits for passenger and freight loading zones. The time limits currently in the Code specify a maximum of three minutes for passenger loading and a maximum of 30 minutes for freight loading. Approval of this ordinance will give NDOT the flexibility in setting and enforcing these loading time limits.

The text of the amended ordinance is included with this report as Attachment B.

Unfinished Business

7.1 Approval of Smart Loading Pilot Program, requested by NDOT.

Recommendation: NDOT requests a two-month deferral for additional stakeholder engagement.

Analysis: The policy document for the 2024 Smart Loading Pilot, as well as background information on the previous loading pilot program are provided separately from this agenda analysis report. NDOT would like to defer this item for an additional two months for additional engagement with stakeholders.

7.2 CD 11, 14, 15, 19: Updated discussion on reducing posted speed limits on Hermitage Ave/Lebanon Pk from Korean Veterans Blvd to the Wilson County line, requested by NDOT.

Recommendation: NDOT requests a three-month deferral for reducing posted speed limits on Hermitage Ave/Lebanon Pk for additional stakeholder engagement.

Analysis: NDOT staff has been conducting additional stakeholder engagement and has prepared this presentation on NDOT's best practices for determining speed limits for the Commission.

7.3 Update of sidewalk encroachment permit suspension for Munchies LLC.

NDOT Transportation Licensing Division will be available to inform the Commission about the current status of the Munchies LLC permit suspension, compliance efforts, and fines payment status.

New Business

Other Items

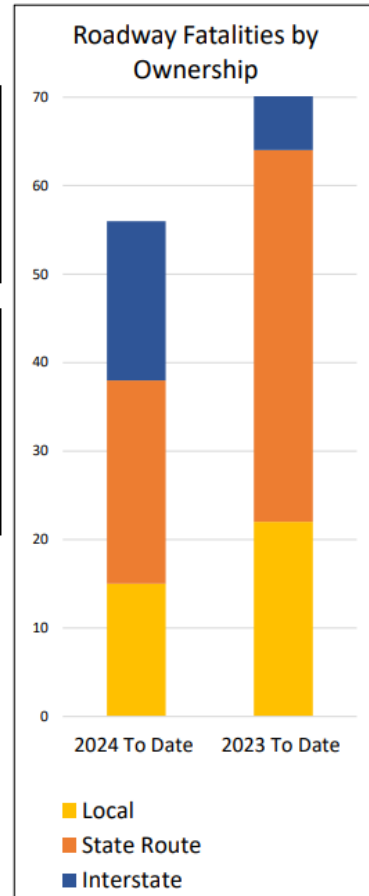
9.1 Vision Zero crash statistics summary

This snapshot of 2024 roadway fatal crashes is provided from the Vision Zero Advisory Committee. This committee meets on the second Tuesday of each month in the Sonny West Conference Room in the Howard Office Building.

2024 Roadway Fatalities To Date

By Ownership	2024 To Date	2023 To Date	Change (%)	July
Interstate	18	11	64%	5
State Route	23	42	-45%	4
Local	15	22	-32%	1
Total	56	75	-25%	10

NDOT Jurisdiction (Local + State Route)	2024 To Date	2023 To Date	Change (%)	July
Vehicle	17	12	42%	1
Pedestrian	15	19	-21%	3
Motorcycle	5	13	-62%	1
Bicycle	0	0	#DIV/0!	0
Single Vehicle	2	21	-90%	0
Total	38	64	-41%	5



9.2 Valet operator license summary

The Commission previously adopted a policy delegating authority to approve valet operator licenses to the NDOT director, with NDOT providing a summary of newly approved valet operators as applicable. For this month, there was one new license granted.

New Valet Operator License Tracker											
License Valid	Valet Operator	Contact Name	Email	Phone Number	Address	City/State	Zip	Complete Packet	Passed Interview	License Issued	Violations in 2024
7/10/2024-7/9/2025	Volunteer Valet	Jack Beckham	volunteervalet@outlook.com		7600 Cabot Dr #1316	Nashville, TN	37209	YES	YES	YES	0

Attachment A

Regular Agenda Item 6.2

An amendment to Section 13.08.040 of the Metro Code regarding permits and penalties for vendors on or near public property

ORDINANCE NO. ____

An ordinance amending Section 13.08.040 of the Metropolitan Code of Laws regarding permits and penalties for vendors on or near public property.

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Subsection 13.08.040.B.3.g is hereby deleted in its entirety and replaced with the following:

- g. Any intentional misrepresentation on the application by a vendor shall constitute grounds for denial, probation, suspension, or revocation of a permit. The applicant will not be allowed to reapply for an application for a twelve-month period.

Section 2. That Subsection 13.08.040.C is hereby deleted in its entirety and replaced with the following:

C. Probation, Suspension, Revocation or Denial of Permits.

1. Any permit issued under this section may be placed on probation, suspended, or revoked by the commission, or its staff, for any of the following reasons:

- a. Fraud or misrepresentation in the application for the permit; or,
- b. Fraud or misrepresentation while conducting the business of vending; or,
- c. Conducting business contrary to the conditions of the permit and/or these regulations; or,
- d. Conducting business in such a manner as to create a public nuisance or to constitute a danger to the public health, safety, or welfare; or,
- e. Cancellation of health department authorization for food or beverage vendors, as applicable.

2. The commission, or its staff, shall consider the following factors in determining whether a permit should be placed on probation, suspended, or revoked:

- a. The number of citations for violation of this section previously received by the vendor; and
- b. The number of previous probations, suspensions, and/or revocations imposed upon the vendor; and
- c. The number of occasions for which the vendor's permit was subject to probation, suspension, or revocation ~~and but no action was taken~~ was not suspended or revoked; and
- d. The seriousness of the violation or misrepresentation and the danger to the health and/or safety of the public presented by the vendor's misrepresentation, noncompliance and/or misconduct; and
- e. Whether or not the condition subjecting the vendor to probation, suspension or revocation is of a nature that has been or can be corrected.

3. Written Notice of Probation, Suspension, Revocation or Denial

a. Upon probation, suspension, revocation, or denial of the issuance of a permit, the commission, or its staff, shall deliver written notice to the permit holder or applicant stating the action taken and the reasons supporting such action, and the right to reconsideration of that decision as set forth below.

b. The written notice shall be delivered to the permit holder's or applicant's place of business, as described on the application, or last known address. Placement of such notice in the U.S. mail shall constitute delivery.

c. A permit which has been placed on probation shall remain on probation until such time as the condition causing the probationary period has been corrected to the satisfaction of the commission, or for a period of time determined by the commission.

de. A permit which has been suspended shall remain suspended until such time as the condition causing the suspension has been corrected to the satisfaction of the commission.

ed. A permit which has been revoked shall remain revoked for one year following the date of revocation. No vendor whose permit has been suspended or revoked may apply for a new permit during the period of suspension or revocation.

4. Any permit holder or applicant whose permit is placed on probation, suspended, or revoked, or whose application for a permit is denied may within fifteen days of the date of that action notify the commission that the permit holder or applicant desires reconsideration of that decision. A hearing of the request shall be scheduled for the next regular meeting of the commission. The probation, suspension, or revocation shall remain in effect pending the hearing. At the hearing, the permit holder or applicant will be afforded an opportunity to be heard and to present facts and witnesses on his or her own behalf. The permit holder or applicant shall not be entitled to an adversarial hearing or to examine any witness except those the permit holder may present on his or her own behalf.

Section 3. That Subsection 13.08.040.E is hereby deleted in its entirety and replaced with the following:

1. Any person who offers merchandise for sale in violation of this regulation or who violates any other provision of this regulation shall be penalized as is provided for in Section 1.01.030 of this Code, or, to the extent permitted by law, a fine of up to \$50.00.

These penalties may be assessed by the commission and will be deposited into the general fund of the metropolitan government. Commission and/or Nashville Department of Transportation staff are authorized to issue citations for these violations, and charged with doing so, as well as peace officers.

2. The permit of any person who offers merchandise for sale in violation of the regulation or who violates any other provision of this regulation may be placed on probation or suspended. The permit of any person who seriously endangers the health and/or safety of the public by misrepresentation or violation of this regulation, or who is convicted of three or more violations of this regulation during any twelve-month period, shall be revoked.

Section 4. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Quin Evans Segall
Member of Council

Attachment B

Regular Agenda Item 6.3

An ordinance amending Section 12.48.030 and 12.48.050 of the Metro Code, granting the NDOT director the authority to establish time limits for passenger and freight loading zones.

ORDINANCE NO. _____

An ordinance amending Sections 12.48.030 and 12.48.050 of the Metropolitan Code of Laws to grant the director of the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) the authority to set time limits for passenger and freight loading zones.

WHEREAS, pursuant to Section 8.404 of the Metropolitan Charter, NDOT is responsible for, among other things, design and management of the public rights-of-way and traffic control devices; and,

WHEREAS, pursuant to Section 8.405 of the Metropolitan Charter, the NDOT director has the power to make rules and regulations for the conduct of NDOT's business that are consistent with the Charter and the Metropolitan Code; and,

WHEREAS, during the past decade, Nashville has been experiencing unprecedented growth that has led to transportation challenges downtown; and,

WHEREAS, to address these transportation challenges, NDOT has been leading a joint project in partnership with WeGo Public Transit, the State of Tennessee Department of Transportation, and the Nashville Downtown Partnership to improve mobility and improve traffic congestion in the downtown core ("Connect Downtown"); and

WHEREAS, as a result of the Connect Downtown project, NDOT and its partners have devised the Connect Downtown Action Plan, which sets forth recommendations for a downtown transportation system that improves safety and accessibility for everyone, balances the needs of all travelers and modes, and reduces congestion; and,

WHEREAS, the Action Plan organizes dozens of project, program, and policy recommendations into five "big moves", one of which is to "maximize the curb", or flex the uses of the curb throughout the day for deliveries, service vehicles, and passenger pick-up and drop-off to support local businesses and residents; and,

WHEREAS, RS2024-369 expressed the Metropolitan Council's endorsement of Connect Downtown; and,

WHEREAS, in order to maximize the curb, NDOT wishes to have the flexibility to determine time limits for passenger and freight loading zones; and,

WHEREAS, as currently written, Sections 12.48.030 and 12.48.050 of the Metropolitan Code do not provide such flexibility; and,

WHEREAS, Section 12.48.025 of the Metropolitan Code requires the NDOT director to submit rules for a curb loading zone management program to the Metropolitan Traffic and Parking Commission for approval; and,

WHEREAS, NDOT presented a draft of this ordinance to the Metropolitan Traffic and Parking Commission during its meeting on August 12, 2024, and the Commission voted to recommend that the Metropolitan Council approve this ordinance; and,

WHEREAS, approval of this amendment is in the best interest of the Metropolitan Government and the citizens of Nashville and Davidson County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Section 12.48.030 of the Metropolitan Code is amended as follows:

12.48.030 – Standing in passenger curb loading zones.

No person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed three minutes ~~an amount of time determined by the director of the department of transportation and multimodal infrastructure (NDOT), or his/her designee, to be appropriate based on the director's, or his/her designee's, professional traffic engineering judgment and investigation.~~ Any time limits for passenger curb loading zones that are set by the NDOT director, or his/her designee, shall be clearly marked and posted on signs located within said zones.

Section 2. Section 12.48.050 of the Metropolitan Code is amended as follows:

12.48.050 – Freight loading zones—Use restrictions.

No person shall stop, stand or park a vehicle for any purpose or length of time other than for expeditious unloading and delivery or pickup and loading of freight and merchandise marked as a freight loading zone during the hours when the provisions applicable to freight loading zones are in effect. ~~In no case shall a stop for loading and unloading exceed thirty minutes.~~ The director of the department of transportation and multimodal infrastructure (NDOT), or his/her designee, may set time limits for loading and unloading in a freight loading zone, based upon professional traffic engineering judgment and investigation. Any time limits for freight loading zones that are set by the NDOT director, or his/her designee, shall be clearly marked and posted on signs located within said zones.

Section 3. This ordinance shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

Diana W. Alarcon, Director
Nashville Department of Transportation
and Multimodal Infrastructure

APPROVED AS TO FORM AND LEGALITY:

Member(s) of Council

Assistant Metropolitan Attorney