

MINUTES
OF THE MEETING OF THE
TRAFFIC AND PARKING COMMISSION
February 9, 2009

The regular monthly meeting of the Traffic and Parking Commission was held at 3:00 p.m. on Monday, February 9, 2009, at the Metro Southeast at Genesco Park. The following were present unless noted otherwise:

Commission Members

Debbie Frank, Chairperson	Feller Brown - absent
Richard Fletcher, Vice Chairperson - absent	Breonus Mitchell, Sr.
Kathy Austin	Richard M. Morin
Capt. Randall Hickerson	Council Member Carl Burch
Gene Ward	

Staff Members

Jon Michael, Legal Advisor	Korby Bowden, Engineering Tech II
Chip Knauf, Traffic Engineer	Diane Marshall, Parking Administrator
Benny Word, Collier Engineering	Mauri Wood, Collier Engineering
Mark Macy, Assistant Director	

Others Present

Council Member Pam Murray, District 5
Toks Omishakin, Bicycle and Pedestrian Advisory Committee
Alan Zirken, Brother Z's Wangs
Ted Bakett, Mr. T & More
Amanda Benson, Sheer Excellence Beauty Salon
Glen Wanner, Walk/Bike Nashville
Joyce Stallworth, NEON

Chairperson Debbie Frank called the meeting of February 9, 2009, to order at 3:05 p.m.

CALL TO ORDER

Ms. Frank 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

Mr. Richard Morin moved for **approval** of the Agenda, seconded by Council Member Carl Burch and **approved with no opposition**.

APPROVAL OF MINUTES

Mr. Morin moved for approval of the January 12, 2009, Minutes and seconded by Mr. Gene Ward, ***approved by voice vote with no opposition.***

CONSENT AGENDA

Ms. Frank read a list of items proposed for ***approval*** on consent.

1. **Proposal No. 2009M-001AB-001** – Request to abandon a portion of right-of-way on Old Baker Rd. at Baker Rd., requested by Mr. Lloyd Crawford. (Council Member Rip Ryman, District 10)
2. **RESOLUTION NO. 2009-02**
 - Authorize Stop sign on Georgia Ave. at 47th Ave. N
 - Authorize Phillips St. as a west bound one-way street and prohibit parking on the north side of street
 - Remove “No Parking 6am-6pm” on Commerce St. from 6th Ave. to 8th Ave. and establish “No Parking or Standing Anytime” on Commerce St. from 6th Ave. to 8th Ave.
 - Authorize 2 Hour (\$.75/hour) Parking Meters on Chet Atkins, both sides from 19th Ave. S to 20th Ave. S
 - Authorize Permit Parking with 1-Hour Non-Permit Parking on Althorp Way, east side from Lenox Village Dr. to Porter House Dr.
 - Authorize 50' Loading Zone at #20 Keith Street, east side, between Hermitage Ave. and Green St.

REPORTS

1. Parking – *included in agenda packet*
2. Engineering – *included in agenda packet*
3. Accepted Roadway Report – *included in agenda packet*

Mr. Ward made a motion to approve the Consent Agenda, seconded by Council Member Burch and ***approved by a 5-0 hand vote.***

OLD BUSINESS

1. Request to authorize parking in the bike lane on Douglas Ave. between Meridian St. and Alley #344, deferred from January 12, 2009, meeting.

Mr. Chip Knauf presented slides and reviewed information regarding parking in the bike lanes on Douglas Ave. He noted with a 6' bike lane and 12' travel lane, there is not enough space to allow bikes, parking, and traffic movement. He referred to Mr. Tokes Omishakin for a report from the Mayor's Office.

Mr. Tokes Omishakin, Bicycle and Pedestrian Coordinator for the Bicycle and Pedestrian Advisory Committee, said that Bicycle and Pedestrian Advisory Committee (BPAC) is a new committee that has been created by the Mayor's Office to serve as a resource to bikers and other programs. He noted that the first official meeting for the BPAC is February 17, 2009. Mr. Omishakin requested that the Commission defer this item for the Committee to make a recommendation.

Mr. Richard Fletcher asked if the Traffic and Parking Commission would meet again on this item. Mr. Omishakin said that he would like for the BPAC to discuss and research the options for this item and bring it back before the Traffic and Parking Commission in the March meeting. Mr. Gene Ward asked that the Committee be mindful of the impact it would have on the businesses that surround this area. Mr. Omishakin assured that the Committee will take a holistic and comprehensive view and recommendation.

Chairperson Frank asked if there were any efforts to make the community aware of the meeting on February 17. Mr. Omishakin said that he has coordinated with Council Member Murray to let the citizens and business owners know that this item will be on the BPAC meeting agenda and a recommendation would be made at this time.

Mr. Morin asked if the BPAC is aware that this item was deferred from last month. Mr. Omishakin said that this is the first meeting ever and want to make sure it is on the agenda. Mr. Ward asked if the Traffic and Parking Commission will have the final vote after hearing the recommendation by the BPAC and Mr. Omishakin said that the Commission would have the final vote.

Council Member Pam Murray, District 5, acknowledged that she would support the Commission in the decision they make, as well as the neighbors and merchants in the Douglas Ave. area. She said she was positive in that there is some compromise that can be made.

Mr. Morin made a motion to defer this item for one month, seconded by Rev. Breonus Mitchell.

Ms. Kathy Austin said she would like to hear from the members in the audience and asked if there had been a community meeting held to work towards a compromise in this area. Council Member Murray said she is planning to have a community meeting with the neighbors and merchants within the next 30 days. Mr. Morin asked if this will be

a public meeting and Council Member Murray said it would be open to the public and anyone will be welcome to attend.

Mr. Alan Zirken, Brother Z's Wangs, supports parking in the bike lanes on Douglas Ave., as he has a business that utilizes the on-street parking. He said he has spoken with the cyclists and he said that this appears to be a unique situation that not many bike lanes interfere with the parking in front of businesses. Mr. Zirken noted that the bike traffic uses the sidewalk more than the bike lanes. He said that the inability to park in these lanes at his entrance has a significant effect on the success of his business. Mr. Zirken requested clarification concerning the motion to defer; he asked if patrons of his business parked in the bike lanes will get ticketed during this 1 month deferral.

Capt. Randall Hickerson said that as the law stands, those who park in the bike lanes will be ticketed, unless otherwise noted. Mr. Zirken asked if there were any public meetings held to notify the public of this change before it was approved. Mr. Mark Macy, Metro Public Works, said that the changes were brought forth in the form of an Ordinance and had three readings at the Metro Council and was recommended for approval by the Traffic and Parking Commission. Both the Traffic and Parking Commission meeting and the second Metro Council reading are open to the public.

Mr. Zirken asked if these changes were accepted without any input from the public. Council Member Burch said that when the changes were made, it was a semantic change from eliminating parking to allowing parking. Mr. Knauf added that the old Ordinance was confusing and the new Ordinance was to clarify that there would be no parking in bike lanes, unless otherwise approved by the Traffic and Parking Commission. Council Member Burch said that this is one of the situations where parking could be evaluated on a case-by-case basis.

Mr. Ted Bakett, Mr. T & More, said he had been in business at 305 Douglas Ave. for 8 years and is in support of parking in bike lanes in this area.

Ms. Amanda Benson, Sheer Excellence Beauty Salon, noted that on the rare occasion that a bike comes through this area, they use the sidewalk. She said she has been in business for 17 years and that her customers are very loyal. Many are elderly who need to be able to park in front of her business, as they always have, rather than a block away. She said her customers currently are taking a chance of getting a ticket so they can be close to the entrance and can see their car to make sure it is safe. Ms. Benson said that this is an uncompromising situation for her business and is concerned about her future at this location.

Rev. Mitchell asked her how many bikes are coming through this area. Ms. Benson said that in 17 years, she has seen less than 5 bikes, and they have been on the sidewalk.

Council Member Murray said that she was responsible for the installation of the bike lanes in this area as she saw it as an opportunity to help the progress in this neighborhood. She said she stands in support of the bike lanes, the neighbors, and the merchants and is proud of the changes that are happening in District 5. Council Member

Murray added that it is not important to focus on the existing amount of bikers in this area but the opportunity for potential bikers in the future. She said she would like to see parking allowed at certain hours to help the business and to compromise with the bikers.

Chairperson Frank concurs that this is a neighborhood in transition and she would like to see all effected by these changes come to a compromise. Chairperson Frank added that she feels certain that the BPAC will take all aspects into consideration in their recommendation and hopes that the community will attend the meeting to voice their concerns.

Council Member Burch asked if there was a possibility of parking in the rear of these businesses. Council Member Murray said there was no parking available in the rear due to the MDHA property near the alley. Mr. Knauf added that other parking options are very limited within close proximity to these businesses, especially for the elderly.

Mr. Gene Ward said that he had been to visit this area and found there was no convenient parking. He said that around the alley and down the street are too far to walk. Mr. Ward said that he wanted to note that the decisions and recommendations made could potentially put these owners out of business.

Council Member Murray said she had faith that the neighbors and merchants in this area would come together to make a compromise. Rev. Mitchell asked what levels of bikers are in discussion. Mr. Knauf said that bike lanes are installed to be utilized by everyone, from small children to advanced bikers. Rev. Mitchell noted that over the past 4 years, the amount of bikers in this area has not increased and this Ordinance is obviously having an adverse effect on these businesses. He said he would like to find a way to help these business owners.

Mr. Glen Wanner, representing Walk/Bike Nashville, said that he wanted the Commission to be aware of the risks to the biker of cars parked in these lanes. He said that bicyclists are a quiet group and often go unnoticed and would like to see a process take place in order to be mindful of the safety of the cyclists. He said he is hopeful and feels positive that the new committee will evaluate all aspects regarding the neighbors, merchants, and bikers. Mr. Wanner said that he does not want to see businesses suffer but is also concerned about the potential danger that parking in bike lanes poses for the cyclists.

Mr. Fletcher asked if the BPAC and Commission will be looking at the issues that are noted by Mr. Wanner. Mr. Wanner said that he is not on the new committee but hopes that they will make efforts to create guidelines for these types of issues and could have a standard for future cases.

Ms. Joy Stallworth expressed her concern about patrons of these businesses parking in the school parking lot if not allowed to park on Douglas Ave. She said she is concerned for the safety of the people parking and the children at the school. Ms. Stallworth supports parking in the bike lanes.

Chairperson Frank noted that there was Memo provided by Metro Public Works with the names of those who have expressed opposition of this item but were unable to attend the meeting.

The motion and second to defer this item for one month was approved by a voice vote.

APPEALS

There were no Appeal Items this month.

NEW BUSINESS

1. Resolution No. 09-02: The February monthly regulatory Resolution was previously approved under the Consent Agenda.

Traffic and Parking Commission Resolution No. 09-02 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:

Schedule IV, 'One Way Streets and Alleys'

ADD:

Phillips St westbound from 9th Av to 10th Av

Schedule V, 'Through Streets'

ADD:

Olive Cr from Ranson Pl to Dead End

Schedule VI, 'Stop and Yield Intersections'

DELETE:

Stop on Phillips St at 9th Av N

ADD:

Stop on Althorp Way at Persia Way
Stop on Bienville Dr at Nolensville Pk
Stop on Dutens Ln at Althorp Way
Stop on Georgia Av at 47th Av N
Stop on Persia Way at Bienville Dr
Stop on Van Antwerp Ln at Bienville Dr

Schedule VII, 'Parking Restrictions'

Section A: Stopping, Standing, or Parking Prohibited

DELETE:

Commerce St, north side from 4th Av N to 8th Av N, NO PARKING OR STANDING 6AM-6PM

Commerce St, south side from 3rd Av N to 8th Av N, NO PARKING OR STANDING 6AM-6PM

ADD:

Commerce St, both sides from 4th Av N to 8th Av N, No Parking or Standing Anytime

Commerce St, both sides from 4th Av to 6th Av, No Parking or Standing 6am-6pm

Commerce St, south side from 3rd Av to 4th Av, No Parking 7-8:30am & 4-5:30pm

Commerce St, both sides from 6th Av to 8th Av, No Parking or Standing Anytime

Phillips St, north side from 9th Av to 10th Av, No Parking Anytime

Section C: Curb Parking

ADD:

Althorp Way, east side from Lenox Village Dr to Porterhouse Dr, Permit Parking Only, 1 hr. Non-Permit

Schedule VIII, 'Parking Meters'

Section I: 0.25/20 Minutes, 0.75/1 Hour, Limit 2 Hours

ADD:

Chet Atkins, both sides from 19th Av S to 20th Av S

Schedule X, 'Loading Zones'

Section B: Public

ADD:

Keith St, east side (20 Keith St), 50', Loading Zone (Hermitage Av and Green St)

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 9, 2009

EFFECTIVE: February 14, 2008

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

OTHER BUSINESS

There were no Other Business Items this month.

ADJOURNMENT

There being no further business, Capt. Randall Hickerson moved to *adjourn*, seconded by Rev. Mitchell and ***approved by voice vote with no opposition***. The meeting adjourned at 3:47 p.m.

Approved on this the _____ day of _____, 2009.

Director
Department of Public Works

Chairperson
Traffic and Parking Commission