



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

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Chairman

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Agenda item # 10

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

November 12, 2014

MOTION

**Made By: Mr. Malbon, Seconded By: Mr. Williams
Action: Motion Carried, Unanimously**

**Title: Proposed Limited Access Control Change
Norfolk Consolidated Courts Complex Access Road
Interstate 264 On-Ramp at East City Hall Avenue
City of Norfolk**

WHEREAS, Chapter 130 of the 1942 Virginia Acts of Assembly created and authorized the Elizabeth River Tunnel District and the Elizabeth River Tunnel Commission; and

WHEREAS, pursuant to the aforesaid 1942 Act, the Elizabeth River Tunnel Commission was granted the authority to purchase lands, buildings, structures, rights of way, franchises, easements and interests in lands deemed necessary for the construction or operation of the project to construct a tunnel and bridge over the East Branch of the Elizabeth River, named the Berkley Bridge; and

WHEREAS, the Berkley Bridge was later incorporated into the location and design of Interstate 264 (I-264); and

WHEREAS, Interstate 264 was designated as Limited Access Highways by the State Highway Commission of Virginia, predecessor to the Commonwealth Transportation Board (CTB), on October 4, 1956; and

WHEREAS, Chapter 203 of the 1973 Virginia Acts of Assembly dissolved the Elizabeth River Tunnel District and the Elizabeth River Tunnel Commission and transferred all powers,

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covenants, obligations and agreements to the State Highway Commission, predecessor of the CTB; and

WHEREAS, the City of Norfolk, by letter from the Project Coordinator of Public Works dated October 9, 2013, has requested a limited access control change along the on-ramp to I-264 West towards the Berkley Bridge to accommodate the construction of an improved proposed one-way access road around the northeast corner of the Norfolk Consolidated Courts Complex and the transfer of approximately 5,609 square feet of surplus land create by the proposed shift; and

WHEREAS, the said access road will provide a safe means of egress via Union Street for judiciary, law enforcement personnel and large service vehicles to access the secure area at the rear of the building and improve the efficiency of the existing unpaved fire lane with access to the said road restricted to vehicles authorized by the Norfolk Sheriff; and

WHEREAS, VDOT and the Federal Highway Administration (FHWA) have determined that a northeast shift in the said existing right of way and limited access lines, commencing from a point northwest of the East Main Street and East Street intersection on the northeast right of way line of East Main Street, thence continuing along said right of way, N51°09'19"W, 317.77 feet to a point on the northwest existing right of way and limited access line of I-264; thence, continuing along the I-264 existing right of way and limited access line, N34°15'56"E, 264.79 feet to a point; thence, continuing S55°40'49"E, 12.07 feet to the point of beginning of the proposed right of way and limited access line shift; thence, continuing along the proposed right of way and limited access line, S55°40'49"E, 4.58 feet to a point; thence, continuing N34°19'37"E, 88.06 feet to a point; thence, continuing N30°20'53"E, 22.85 feet to a point; thence, continuing along the said proposed right of way and limited access line with a curve left having a radius of 105.00 feet, arc length of 111.68 feet, chord length of 106.49 feet and a chord bearing N00°07'16"W to a point; thence, continuing N30°35'25"W, 15.23 feet to a point; thence, continuing along the said proposed right of way and limited access line with a curve left having a radius of 255.00 feet, arc length of 130.25 feet, chord length of 128.84 feet and a chord bearing N45°13'24"W to a point; thence, continuing N59°51'32"W, 41.21 feet to a point on the existing right of way and limited access line and representing the end point of the shift in the right of way and limited access line, as shown on an exhibit title, "Exhibit Showing VDOT Permit for the Norfolk Civic Center Norfolk, Virginia" by the City of Norfolk, Division of Public Works, would be necessary to create the said surplus parcel and is appropriate from a design standpoint; and

WHEREAS, VDOT's Hampton Roads District and FHWA have determined based upon a Traffic Report Summary that, as there will be no impact to the operation of the I-264 right of way, and the said proposed Limited Access Control Change (LACC) is appropriate from a safety

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and traffic control standpoint, the requirement for a Global Traffic Analysis has been waived;
and

WHEREAS, a public notice was posted in the *Virginian-Pilot* newspaper, on October 14, 2014 and October 22, 2014 and closed on October 29, 2014 and was posted in the *New Journal & Guide* newspaper, on October 16, 2014 and October 23, 2014 and closed on October 29, 2014, with no comments received; and

WHEREAS, all right of way, engineering, construction, and necessary safety improvements shall meet all VDOT standards and requirements; and

WHEREAS, all costs of any engineering and construction or necessary safety improvements will be borne by the City; and

WHEREAS, the City will be required to obtain a Land Use Permit prior to any activity within the I-264 limited access right of way; and

WHEREAS, VDOT staff and the FHWA have determined there will be no adverse environmental impacts; and

WHEREAS, VDOT has determined no compensation shall be due in consideration of the proposed LACC, as no value will be added to the adjoining land solely by shifting the said line; however, compensation in an amount satisfactory to the State Right of Way and Utilities Director shall be required for the surplus land conveyance; and

WHEREAS, the proposed LACC is in compliance with Title 24, Section 30, Chapter 401 of the Virginia Administrative Code.

NOW, THEREFORE, BE IT RESOLVED, in accordance with the provisions of Section -33.2-401 of the *Code of Virginia* the CTB hereby finds and concurs with the determinations set forth herein and approves the said LACC to facilitate the said land conveyance as set forth, and subject to the above referred to conditions.

BE IT FURTHER RESOLVED, the Commissioner of Highways is authorized to execute any and all documents necessary to implement such changes.

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