

Shannon Valentine Chairperson

Commonwealth Transportation Board

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701 Fax: (804) 786-2940

Agenda item # 10

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

April 18, 2018

MOTION

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

Title: Limited Access Control Changes (LACCs) First Colonial Road and Virginia Beach Boulevard Intersection Improvement City of Virginia Beach

WHEREAS, on October 4, 1956, the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), designated the Interstate Highway System to be Limited Access Highways in accordance with then Article 3, Chapter 1, Title 33 of the Code of Virginia of 1950, as amended, and established the limited access line locations and limits as "the final locations of said routes, including all necessary grade separations, interchanges, ramps, etc."; and

WHEREAS, on December 12, 1963, the State Highway Commission (Commission), predecessor to the Commonwealth Transportation Board (CTB), designated Route 44 from its intersection with limited access portions of the Routes 64-264 interchange, west of Kempsville Road to the intersection of Parks Avenue in the City of Virginia Beach, including all interchanges, interchange ramps, auxiliary connecting roads, and sections of relocated or existing roads through the interchange areas be designated a limited access highway in accordance with Article 3, Chapter 1, Title 33, of the *Code of Virginia*; and

WHEREAS, a Notice of Willingness to hold a Public Hearing on State Highway Project 0058-134-R18, (CIP #2-072) Utility Project #5-140, 6-067, UPC 105622 ("First Colonial Road/Virginia Beach Boulevard Intersection Improvement" or "Project") and a change in limited

Resolution of the Board
Proposed Limited Access Control Change (LACC)
First Colonial Road and Virginia Beach Boulevard Intersection Improvement
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access was advertised or posted on July 09, 2017 with the comment period closing August 02, 2017 and no requests for a hearing or other comments were received; and

- WHEREAS, the proposed Project will provide additional capacity improvements to the First Colonial Road and Virginia Beach Boulevard vicinity. The roadway improvements will reduce traffic congestion and delays by adding turn lanes, improving signalization timing, aesthetic enhancements, and existing utility betterment; and
- WHEREAS, the Hampton Roads District has reviewed and approved on March 22, 2018 the traffic analysis report completed August 2016 and found that it adequately addresses the impacts from the Project and the proposed change to the limited access controls; and
- WHEREAS, While the Project is in an attainment area, Air Quality Reports were completed for VDOT on October 26, 2016 that determined that this project would not significantly impact air quality and that no further studies were required; and
- WHEREAS, the Chief Engineer has determined that the proposed change will not adversely affect the safety or operation of the highways; and
- WHEREAS, the economic, social and environmental effects of the proposed Project have been duly examined and given proper consideration and this evidence, along with all other, has been carefully reviewed; and
- **WHEREAS**, the proposed Project is in compliance with National Environmental Policy Act (NEPA) requirements and a Categorical Exclusion (CE) was prepared under an agreement between VDOT and the Federal Highway Administration on October 18, 2016; and
- **WHEREAS,** the proposed Project is in the City of Virginia Beach and is supported by a letter from the City Manager dated August 30, 2017; and
- **WHEREAS,** the FHWA provided approval for State Highway Project 0058-134-R18 UPC 105622 and the proposed LACC by letter dated March 29, 2018; and
- **WHEREAS**, the Department has reviewed the requested change and determined that all requirements of 24 VAC 30-401-20 have been met; and
- WHEREAS, VDOT recommends approval of the LACC as proposed and seeks authorization for the Commissioner to take all actions necessary to implement that decision;
- **NOW, THEREFORE, BE IT RESOLVED,** in accordance with §33.2-401 of the *Code of Virginia* and Title 24, Agency 30, Chapter 401 of the *Virginia Administrative Code*,

Resolution of the Board Proposed Limited Access Control Change (LACC) First Colonial Road and Virginia Beach Boulevard Intersection Improvement City of Virginia Beach April 18, 2018 Page 3 of 3

that the CTB hereby finds and concurs in the determinations and recommendations of VDOT made herein, and directs that the Interstate 264 continue to be limited access control, with the area of limited access control being modified from the current locations as shown on the exhibits.

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

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Commonwealth Transportation Board

1401 East Broad Street Richmond, Virginia 23219

Shannon Valentine

Chairperson

(804) 786-2701 Fax: (804) 786-2940

Agenda item # 10

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

April 18, 2018

MOTION

Made By: Seconded By: Action:

<u>Title: Limited Access Control Changes (LACCs) First Colonial Road and Virginia</u>

<u>Beach Boulevard Intersection Improvement</u>

<u>City of Virginia Beach</u>

WHEREAS, on October 4, 1956, the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), designated the Interstate Highway System to be Limited Access Highways in accordance with then Article 3, Chapter 1, Title 33 of the Code of Virginia of 1950, as amended, and established the limited access line locations and limits as "the final locations of said routes, including all necessary grade separations, interchanges, ramps, etc."; and

WHEREAS, on December 12, 1963, the State Highway Commission (Commission), predecessor to the Commonwealth Transportation Board (CTB), designated Route 44 from its intersection with limited access portions of the Routes 64-264 interchange, west of Kempsville Road to the intersection of Parks Avenue in the City of Virginia Beach, including all interchanges, interchange ramps, auxiliary connecting roads, and sections of relocated or existing roads through the interchange areas be designated a limited access highway in accordance with Article 3, Chapter 1, Title 33, of the *Code of Virginia*; and

WHEREAS, a Notice of Willingness to hold a Public Hearing on State Highway Project 0058-134-R18, (CIP #2-072) Utility Project #5-140, 6-067, UPC 105622 ("First Colonial Road/Virginia Beach Boulevard Intersection Improvement" or "Project") and a change in limited access was advertised or posted on July 09, 2017 with the comment period closing August 02, 2017 and no requests for a hearing or other comments were received; and

Resolution of the Board
Proposed Limited Access Control Change (LACC)
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Page 2 of 3

- WHEREAS, the proposed Project will provide additional capacity improvements to the First Colonial Road and Virginia Beach Boulevard vicinity. The roadway improvements will reduce traffic congestion and delays by adding turn lanes, improving signalization timing, aesthetic enhancements, and existing utility betterment; and
- WHEREAS, the Hampton Roads District has reviewed and approved on March 22, 2018 the traffic analysis report completed August 2016 and found that it adequately addresses the impacts from the Project and the proposed change to the limited access controls; and
- **WHEREAS**, While the Project is in an attainment area, Air Quality Reports were completed for VDOT on October 26, 2016 that determined that this project would not significantly impact air quality and that no further studies were required; and
- WHEREAS, the Chief Engineer has determined that the proposed change will not adversely affect the safety or operation of the highways; and
- WHEREAS, the economic, social and environmental effects of the proposed Project have been duly examined and given proper consideration and this evidence, along with all other, has been carefully reviewed; and
- WHEREAS, the proposed Project is in compliance with National Environmental Policy Act (NEPA) requirements and a Categorical Exclusion (CE) was prepared under an agreement between VDOT and the Federal Highway Administration on October 18, 2016; and
- **WHEREAS**, the proposed Project is in the City of Virginia Beach and is supported by a letter from the City Manager dated August 30, 2017; and
- **WHEREAS,** the FHWA provided approval for State Highway Project 0058-134-R18 UPC 105622 and the proposed LACC by letter dated March 29, 2018; and
- **WHEREAS**, the Department has reviewed the requested change and determined that all requirements of 24 VAC 30-401-20 have been met; and
- WHEREAS, VDOT recommends approval of the LACC as proposed and seeks authorization for the Commissioner to take all actions necessary to implement that decision;
- **NOW, THEREFORE, BE IT RESOLVED,** in accordance with §33.2-401 of the *Code of Virginia* and Title 24, Agency 30, Chapter 401 of the *Virginia Administrative Code*, that the CTB hereby finds and concurs in the determinations and recommendations of VDOT made herein, and directs that the Interstate 264 continue to be limited access control, with the

Resolution of the Board Proposed Limited Access Control Change (LACC) First Colonial Road and Virginia Beach Boulevard Intersection Improvement City of Virginia Beach April 18, 2018 Page 3 of 3

area of limited access control being modified from the current locations as shown on the exhibits.

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

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CTB Decision Brief

Proposed Limited Access Control Changes (LACCs)

<u>First Colonial Road and Virginia Beach Boulevard Intersection Improvement</u> Project 0058-134-R13 (CIP #2-072) Utility Project #5-140, 6-067

UPC 105622

City of Virginia Beach

Issues: The area designated as limited access on the Interstate 264 off ramp and First Colonial Road and Virginia Beach Boulevard needs to be modified to provide additional capacity improvements. The roadway improvements will reduce traffic congestion and delays by adding turn lanes, improving signalization timing, aesthetic enhancements, and existing utility betterment. These changes require the approval of the Commonwealth Transportation Board ("CTB").

Facts:

- Notice of Willingness to hold a Public Hearing on State Highway Project 0058-134-R18, (CIP #2-072) Utility Project #5-140, 6-067, UPC 105622 ("First Colonial Road/Virginia Beach Boulevard Intersection Improvement" or "Project") and a change in limited access was advertised or posted on July 09, 2017 with the comment period closing August 02, 2017 and no requests for a hearing or other comments were received.
- The proposed Project is in the City of Virginia Beach and is supported by a letter from the City Manager dated August 30, 2017.
- The proposed Project is in compliance with National Environmental Policy Act (NEPA) requirements and Categorical Exclusion (CE) was prepared under an agreement between VDOT and the Federal Highway Administration on October 18, 2016
- The economic, social, and environmental effects of the proposed Project have been duly examined and given proper consideration, and this evidence, along with all other has been carefully reviewed.
- The Hampton Roads District has reviewed and approved the traffic analysis report on March 22, 2018 and found that it adequately addresses the impacts from the Project and the proposed change to the limited access controls.
- The proposed Project is in compliance with National Environmental Policy Act (NEPA) requirements and a Categorical Exclusion (CE) was prepared under an agreement between VDOT and the Federal Highway Administration on October 18, 2016.
- While the Project is in an attainment area, Air Quality Reports were completed for VDOT on October 26, 2016 that determined that this project would not significantly impact air quality and that no further studies were required.
- The FHWA has provided approval for State Highway Project 0058-134-R13 (CIP #2-072), UPC 105622 and the proposed LACCs on March 29, 2018.
- The Chief Engineer has determined that the proposed change will not adversely affect the safety or operation of the highways.
- The proposed project is in the City of Virginia Beach and is supported by a letter from the City Manager dated August 30, 2017.
- The proposed LACC is in compliance with the polices and requirements of the CTB contained in Title 24, Agency 30, Chapter 401 of the *Virginia Administrative Code*.

CTB Decision Brief
Proposed Limited Access Control Changes
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Recommendations: It is recommended that, pursuant to §33.2-401 of the *Code of Virginia*, and Title 24, Agency 30, Chapter 401 of the Virginia Administrative Code, that the **I-264** corridor in Virginia Beach continue to be designated as a Limited Access Highway with the limited access control being modified and/or established as shown on the attached exhibits. This action will modify the limited access line and right of way previously approved by the CTB's predecessor, the State Highway Commission, on October 4, 1956 and December 12, 1963.

Action Required by CTB: Virginia Code § 33.2-401 requires a majority vote of the CTB to approve the recommended LACC. The CTB will be presented with a resolution for a formal vote to approve the limited access control for the proposed project and to provide the Commissioner of Highways the requisite authority to execute all documents necessary to implement the LACC.

Result, if Approved: The LACC will be modified, the Commissioner of Highways will be authorized to execute any and all documents needed to comply with the resolution, and the First Colonial Road and Virginia Beach Boulevard Project will move forward.

Options: Approve, Deny, or Defer.

Public Comments/Reactions: A Posting of Willingness to hold a Public Hearing was advertised and no request for a Public Hearing was received.



DEPARTMENT OF TRANSPORTATION 1401 EAST BROAD STREET RICHMOND, VIRGINIA 23219 2000

Stephen Brich Commissioner

April 1, 2018

The Honorable Shannon Valentine

The Honorable Stephen C. Brich, P.E.

The Honorable Jennifer Mitchell

The Honorable Jerry L. Stinson II

The Honorable Henry "Hap" Conners, Jr.

The Honorable Mary Hughes Hynes

The Honorable Alison DeTuncq

The Honorable F. Gary Garczynski

The Honorable Carlos M. Brown

The Honorable Stephen A. Johnsen

The Honorable F. Dixon Whitworth, Jr.

The Honorable E. Scott Kasprowicz

The Honorable Court G. Rosen

The Honorable Marty Williams

The Honorable John Malbon

The Honorable Greg Yates

Subject: Approval of Limited Access Control Change (LACC) for First Colonial Road/Virginia Beach Boulevard Intersection Improvement in the City of Virginia Beach.

Dear Commonwealth Transportation Board Members:

11 Woon

The Department has initiated the above request for a limited access control change (LACC) for your consideration. The proposed limited access control changes on State Highway Project 0058-134-R13 (CIP #2-072), Utility Project #5-140,6-067 have been determined as a necessary design feature and recommended for approval by the Department's staff.

I have reviewed the staff's recommendations and determined that approving these limited access control changes will not adversely affect the safety or operation of the affected highway network. I have determined that this request should be considered by the Board.

Sincerely,

Garrett W. Moore, P.E.

Chief Engineer



DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Stephen Brich Commissioner

March 16, 2018

Ms. Jessie Yung, P.E. Division Administrator Federal Highway Administration P.O. Box 10249 400 N. 8th Street Room 750 Richmond, Virginia 23240-0249

Attention Ms. Janice L. Williams

First Colonial Road/Virginia Beach Boulevard Intersection Improvements Project: 0058-134-R18, P101 Federal Project Number: None City of Virginia Beach

Request for Modified Limited Access Line

Dear Ms. Yung,

As you may be aware, the City of Virginia Beach is developing plans for the reconstruction and widening of the intersection of First Colonial Road and Virginia Beach Boulevard (U. S. Route 58, just south of Interstate I-264 in the eastern part of the city. This project is an Urban Construction Initiative, locally administered project funded by local and state funds. Interstate I-264 (as State Route 44) was designated a Limited Access Highway by the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), on December 12, 1963 and is also now covered by the CTB resolution of October 4, 1956, designating all Interstate Highways as Limited Access Highways.

The current design for the widening and slight realignment of First Colonial Road to the east requires the relocation of approximately three hundred fifty (350) feet of the Limited Access Line in the southeast quadrant of the I-264/First Colonial Road interchange, along First Colonial Road. The lateral shift of the limited Access Lines ranges from 25' near the ramp to 90' near Wisconsin

Avenue. The City, through VDOT, submitted a Categorical Exclusion NEPA environmental document for this federal action, which was approved on November 30,2017.

Attached please find a copy of the Location Map, Aerial Photo, Title Sheet, Plan Sheets and an exhibit showing the changes to the Limited Access Line.

VDOT approves of the Limited Access Control Changes as shown on the exhibit. We are requesting a quick review and approval of this limited access change no later than March 28 so that the Commonwealth Transportation Board can approve the changes at their next meeting on April 18, 2018.

If additional information is needed, please contact Mr. Richard C. Worssam, P.E. at 804.786.2501.

Sincerely,

Susan H. Keen, P.E.

State Location and Design Engineer

Approved: Janie Williams Date 3-29-18

Enclosure **Location Map** Plans Layout Exhibit



City of Virginia Beach

VBgov.com

MUNICIPAL CENTER BUILDING 1, ROOM 234 2401 COURTHOUSE DRIVE VIRGINIA BEACH, VA 23458-9001

OFFICE OF THE CITY MANAGER (757) 385-4242 FAX (757) 385-5626

August 30, 2017

Mr. James S. Utterback
District Administrator
Hampton Roads District
Virginia Department of Transportation
1700 North Main Street
Suffolk, VA 23434

Subject: First Colonial Road/Virginia Beach Boulevard Intersection

Improvements Project, (CIP 2-072, UPC 105622)

Dear Mr. Utterback.

The First Colonial Road/Virginia Beach Boulevard project is an intersection improvement project that adds capacity to a congested intersection within the City of Virginia Beach. Improvements include the addition of turn lanes, through lanes, wide outside lanes for bicycles, widened sidewalks for pedestrians and drainage improvements to an area of the City subject to recurring flooding. The project is located adjacent to interstate I-264 and is a vital link between the northern and southern parts of the City.

In order to construct the project, it is necessary to move an interstate "Limited Access Line" to make our improvements and not encroach onto the limited access area; and to secure a permanent easement over a proposed drainage feature. Our understanding is that these two items require Commonwealth Transportation Board (CTB) approval, and as part of the submittal package a letter of support from the locality is required. This letter serves as that letter of support from the City of Virginia Beach.

The following further describe the two items:

Widening of First Colonial Road – The project includes the widening of First Colonial Road south of I-264. The majority of the widening will be on the east side of First Colonial Road. This alignment will require the shifting of the limited access line to the east, between Wisconsin Avenue and I-264, such that the

Jim Utterback
First Colonial Road/Virginia Beach Boulevard Intersection Improvements Project (CIP 2-072, UPC 105622)
August 30, 2017
Page 2

proposed improvements are not located within the limited access area. (See attached Figure). This alignment was selected to reduce the impact to a church and businesses on the west side of First Colonial Road.

Construction of a Storm Water Management Pond – The proposed storm water pond for the project is located on Commonwealth of Virginia property adjacent to the I-264 limited access line. (See attached Figure). The project design requires a permanent easement be granted to the City of Virginia Beach, in order to construct and maintain the storm water pond.

The City of Virginia Beach supports the proposed improvements included with the First Colonial Road/Virginia Beach Boulevard Intersection Improvement project inclusive of the necessary impacts to the Commonwealth of Virginia property noted above. We will gladly provide any additional information VDOT or the CTB needs to evaluate and approve the aforementioned items.

ppreciate all that your teams does for our City. Thanks

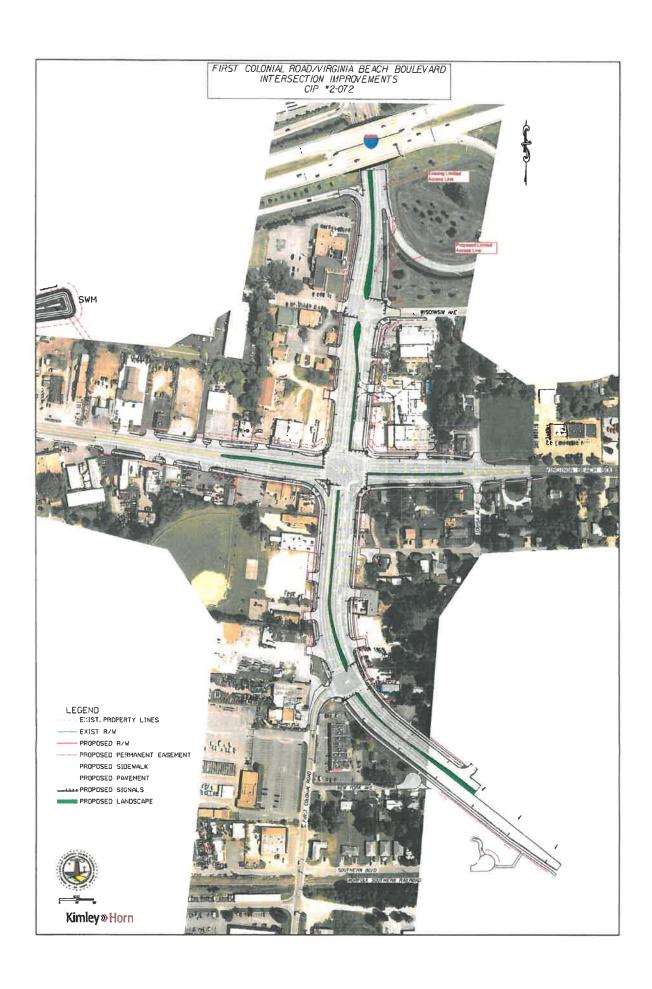
Sincerely,

David L. Hansen City Manager

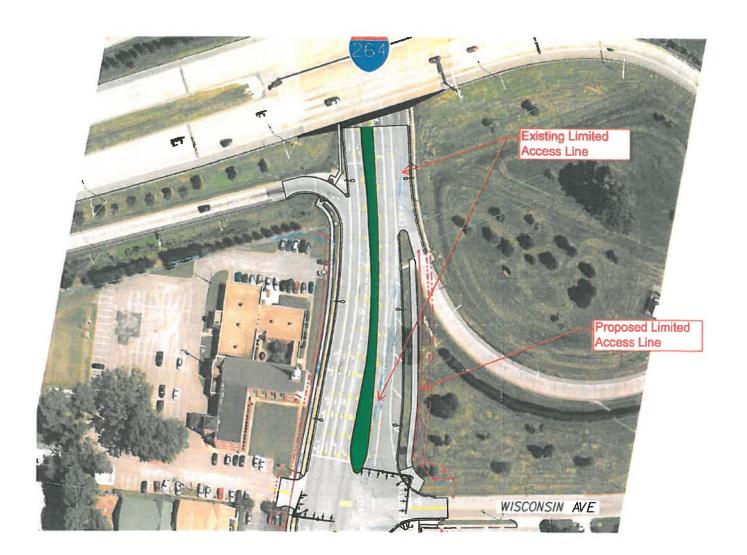
DLH/WH/po

Attachments

C: Phillip A. Davenport, Director, Public Works John Fowler, P.E., City Engineer, Public Works Phillip D. Pullen, Transportation Division Manager









Novad by Mr. Chilton , Seconded by Judge Heaver , that
The Morfolk-Virginia Seach Toll Road, presently designated
as Route 44, Projects 0044-122-101; 0044-134-101, from its intersection with the limited access portions of the Routes 64-266 Interchange, west of Empaville Road, in the City of Morfolk, to the intersection of Farks Avenue, in the City of Virginia Beach, including all
interchanges, interchange ramps, sumiliary connecting roads, and
sections of relocated or existing roads through the interchange areas,
be designated a limited access highest in accordance with Article 3,
Chapter 1, Title 33, of the 1950 Gode of Virginia, amended.
Motion carried.

Noved by Mr. Chilton , Seconded by Judge Heaver , that The Section of Boute 301, through A. P. Hill Military Reservation, in Caroline County, beginning at a point on the Military Reservation Property Line, said point being shown as the north right of way line for state Noute 608 on the plans for state Project 0301-016-103,C-502 and extending in a northarly direction to the north property line of the Military Reservation, said point being in the vicinity of Station 546+000 on the west side of the survey centerline and Station 596% on the east side of the survey centerline a distance of approximately 8.8 miles on the aforementioned plans, be designated as a Limited Access Highway in accordance with Article 3, Chapter 1, Title 33, of the 1950 Gods of Virginia, as amended; except that crossings will be permitted for use by the Military at approximately four locations. Motion carried.

Moved by Mr. Helland ,Seconded by Mr. Chilton ,that WHEREAS, Section 501 of the Trust Indenture securing the \$95 Million State of Virginia Toll Revenue Bonds (Series 1954) permits the discontinuance of toll charges from the Mansemond River Bridge of the James River Bridge System in the event (a) the gross revenue from the projects for two consecutive fiscal years immediately preceding shall have exceeded by not less than \$150,000 in each such year the gross revenues of the Projects as estimated by the Traffic Engineers for such years in their August, 1954 traffic report, and (b) a public hearing shall have been held, after at least ten days' published notice thereof, at which interested persons may be heard, and

WHERRAS, (a) grows income from the Projects exceeded the Traffic Engineers estimate for the fiscal year ended August, 1962 by approximately \$234,000, and gross income exceeded the estimate for the fiscal year ended August, 1963 by approximately \$419,000, and (b) a public hearing was held on December 5, 1963, pursuant to notice published Hovember 18, 1983, at which interseted persons appeared and expressed unanimous approval for the discontinuance of toll charges on the Management River Bridge, and

HERMAS, Section 33-230 of the Code of Virginia prohibits the operation of any project, constructed or acquired under the State Revenue Bond Act, in a manner that would serve to increase competition or depreciate the value of any other project maned in this Act but not acquired under it, as a result of which the State Highway Commission authorized the purchase of the King's Highway Toll Bridge and connecting roadway in Management County at its meeting on September 19, 1963 and operation of this competing toll project commenced under State operation November 1, 1963, and

