



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

1401 East Broad Street  
Richmond, Virginia 23219

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

*Agenda item # 2-A*

### **RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD**

**April 18, 2012**

#### **MOTION**

**Made By: Mr. Layne**

**Seconded By: Mr. Ellis**

**Action: Motion Carried, Unanimously**

#### **Title: Limited Access Control Changes (LACC), Interstate 264 , City of Portsmouth**

**WHEREAS**, Interstate 264, State Highway Project 0264-124-105, RW-201 (Elizabeth River Tunnel Project), between Des Moines Avenue and the Elizabeth River, in the City of Portsmouth, was designated a Limited Access Highway by the State Highway Commission of Virginia, predecessor to the Commonwealth Transportation Board (CTB), [on October 4, 1956](#); and,

**WHEREAS**, portions of the Crawford Street Connector and Ramps shown on the plans of State Highway Project U000-124-101, RW-201, between Interstate 264 and Columbia Street, in the City of Portsmouth, were designated a Limited Access Highway, as a design feature of the project, by the State Highway Commission, predecessor to the CTB, on [July 24, 1969](#); and,

**WHEREAS**, in connection with the said State Highway Projects 0264-124-105, RW-201 and U000-124-101, RW-201, the Commonwealth acquired certain lands and easements from various landowners; and,

**WHEREAS**, subsequent to the aforesaid State Highway Projects, the City of Portsmouth (City) designed and built the Crawford Street Traffic Circle Project, which relocated and/or obscured portions of Connector N and Ramps NN, S and NS between Court Street and Crawford Street, as shown on the aforesaid State Highway Project plans; and,

**WHEREAS**, to coincide with the said City project as built, the CTB approved a south shift of the limited access control along the southwest quadrant of the Relocated Crawford and

Bart Streets intersection as shown on the revised plans for State Highway Project 0264-124-105, RW-201, beginning along Relocated Bart Street at a point 78 feet right opposite Station 23+91.66 (Connector N), for a distance of 134.13 feet, thence along the limits of the southwest quadrant of the said traffic circle with a 100 foot right radius curve for a distance of 68.42 feet, and thence with a 100 foot left radius curve for a distance of 81.77 feet to a point 247.29 feet right of Station 25+48.43 (Connector N) tying into the west existing limited access line for former Ramp NS on October 20, 2010; and,

**WHEREAS**, the City, [by letter dated December 14, 2011](#), has identified, requested and supports an approximately 75 foot break in the said revised limited access control along the south side of Relocated Bart Street from a point 98.50 feet (right) opposite Station 23+57.59 (Relocated Bart Street centerline) to a point 94.37 feet (right) opposite Station 24+31.12 (Relocated Bart Street centerline) with conversion of the existing Relocated Bart Street eastbound transition lane to a right turn only lane, with no median break, signalization, or additional lanes, to permit the City to construct Harbor Centre Way, being an access road to the City's new Municipal Courts Complex scheduled for opening in September 2012; and,

**WHEREAS**, VDOT has determined the location of the proposed LACC is within an air quality maintenance or non-attainment area, however since Harbor Centre Way is a not the primary access for the Municipal Courts Complex, the City's project does not qualify as being regionally significant, and there will be no adverse environmental impacts; and,

**WHEREAS**, VDOT's Hampton Roads District has reviewed the request and waived the requirement for a global traffic analysis, and environmental analysis, and air quality conformity review, separate from those made for the said Project, as set forth in Title 24, Section 30, Chapter 401 of the Virginia Administrative Code, as the said City project does not significantly impact the operation of any roadways or streets; and has determined that the said break in the limited access control is appropriate for the construction of the said Harbor Centre Way right of way from a design, maintenance, safety, traffic control, environmental and operational standpoint; and,

**WHEREAS**, VDOT has determined that all right of way, engineering, construction, and safety improvements shall meet all VDOT standards and requirements; and,

**WHEREAS**, the Federal Highway Administration (FHWA) has determined that the said break in the limited access control is appropriate for the construction of the said Harbor Centre Way right of way from a design, maintenance, safety, traffic control, environmental and operational standpoint; and,

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**WHEREAS**, all costs for just compensation or damages, engineering and construction, work, demolition, or removal, including all necessary safety improvements, for the aforesaid City Project and changes will be borne by the City, and VDOT is expressly relieved and exempt of any cost of any kind, claim or nature; and,

**WHEREAS**, the City shall pay just compensation to the VDOT in consideration of the proposed limited access control changes, said compensation may include the donation of land, or be in a form or amount to be determined by VDOT, and acceptable to the State Director, Right of Way and Utilities; and,

**WHEREAS**, [public notices](#) were posted on December 25, 26, and 27, 2011, in the *Virginia Pilot Newspaper*; and in the *Beacon Community Tabloid* on December 29, 2011, and January 1, 2012; and the *Clipper* and the *Current Community Tabloisd* on January 1, 2012, and all closed on January 4, 2012, with no comment received; and,

**WHEREAS**, VDOT has determined that the proposed LACC are in compliance with Title 24, Section 30, Chapter 401 of the Virginia Administrative Code; and,

**WHEREAS**, upon completion of the City project, and LACC, all right of way, work, roadway construction, improvements and equipment within the City project and limited access control will remain the property of the City or as currently titled; and,

**NOW, THEREFORE, BE IT RESOLVED**, in accordance and compliance with the provisions and notice requirements of Section 33.1-58 of the *Code of Virginia* (1950), as amended, the CTB hereby finds and concurs with the determinations made by VDOT and the FHWA, and approves the said LACC for public street purposes as set forth and subject to the above conditions. The Commissioner of Highways is hereby authorized to execute, in the name of the Commonwealth, any and all documents needed to comply with this resolution subject to such restrictions as may be deemed appropriate.

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