



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

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*Agenda item # 4-A*

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

**February 15, 2012**

#### **MOTION**

**Made By: Mr. Layne Seconded By: Mr. Ellis**

**Action: Motion Carried, Unanimously**

#### **Title: Limited Access Control Change and Land Use Permit, Interstate 464, City of Chesapeake**

**WHEREAS**, Interstate 464 (I-464) was designated as a limited access highway by the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), on October 4, 1956; and,

**WHEREAS**, in connection with a section of I-464, State Highway Project 0464-131-101, RW-202, the Commonwealth acquired certain lands and limited access easements from various landowners, and established certain limited access control as a design feature of the said project; and,

**WHEREAS**, the intersection of Maulden Street (formerly McKinley Avenue) and Middle Street located in the neighborhood of South Hill, in the City of Chesapeake, is adjacent to the right of way and limited access control of I-464, and has been identified by the City of Chesapeake (City), as the location of a proposed limited access control change (LACC), being a break to allow for the construction and utilization of a secured gated access by the City's Emergency Management Officials (EMO) for emergency operations activities, and emergency pedestrian egress from the said neighborhood to the shoulder of I-464; and,

**WHEREAS**, upon evacuation of pedestrians from the South Hill neighborhood to I-464, the City's EMO will provide buses along the shoulder of I-464 for transportation of pedestrians to hospitals and emergency facilities, with all activities being coordinated with VDOT's Operations Center; and,

**WHEREAS**, VDOT has determined that the said break requested by the City would be made available by issuance of a permit; and,

**WHEREAS**, VDOT identified the need for a LACC of approximately 20 feet, more or less, along the northwest proposed right of way and limited access line of I-464, as shown on the plans for the said Project, between approximate Station 175+00 (I-464 SBL centerline), and approximate Station 175+20 (I-464 SBL centerline), to accommodate the said gated access for emergency operations activities, and said egress to the shoulder of I-464; and,

**WHEREAS**, the City, by resolution approved June 28, 2011, authorized the City Manager to request CTB approval of the said break in limited access control; and,

**WHEREAS**, VDOT and the Federal Highway Administration (FHWA) have determined that the proposed LACC, being a break of approximately 20 feet, more or less, along the northwest proposed right of way and limited access line of I-464, as shown on the plans for the said Project, between approximate Station 175+00 (I-464 SBL centerline), and approximate Station 175+20 (I-464 SBL centerline) to accommodate the said emergency egress to the shoulder of I-464 is appropriate from a design standpoint; and,

**WHEREAS**, the said break shall be gated and controlled by the City's Fire Department; and,

**WHEREAS**, there shall be no access provided via the said break to any other public streets or for any other use; and,

**WHEREAS**, the Hampton Roads District has determined that as there will be no impact to the right of way, and the said LACC is appropriate from a safety and traffic control standpoint, and the District has waived the requirement for a Global Traffic Analysis; and,

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

**WHEREAS**, VDOT staff has determined there will be no adverse environmental impacts; and,

**WHEREAS**, all costs for the gate, its security, and for any engineering and construction, including the gravel path from the Middle Street and Maulden intersection right of way to the shoulder of I-464, and all necessary safety improvements, will be borne by the City; and,

**WHEREAS**, VDOT has determined no compensation shall be due in consideration of the proposed LACC for public service purposes; and,

**WHEREAS**, public notices were posted in the *Virginia-Pilot* newspaper on March 13, 2011, and closed on April 11, 2011, with no comment received; and,

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

**WHEREAS**, upon completion of the proposed secured gated path by the City and acceptance by VDOT, all work and improvements within the I-464 right of way and limited access line as shown on the said plans will become the property of VDOT, and will be available for use by the City's EMO for emergency operations activities, and emergency pedestrian egress.

**NOW, THEREFORE, BE IT RESOLVED**, in accordance with the provisions of Section 33.1-58 of the *Code of Virginia* (1950), as amended, the CTB hereby finds and concurs with the determinations set forth herein, and approves the said LACC and Land Use Permit for emergency operations activities, and emergency pedestrian egress from the said neighborhood to the shoulder of I-464, as set forth and subject to the above referred to conditions. The Commissioner of Highways is hereby authorized to execute any and all documents needed to comply with this resolution.

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