



## COMMONWEALTH of VIRGINIA

### *Commonwealth Transportation Board*

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Chairman

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*Agenda item # 13*

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

**February 20, 2013**

### **MOTION**

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

**Action: Motion Carried, Unanimously**

**Title: Limited Access Control Changes (LACC)  
Route 105 (Fort Eustis Boulevard), City of Newport News and York County**

**WHEREAS**, Route 105 (Fort Eustis Boulevard), was designated as a Limited Access Highway by the State Highway and Transportation Commission, predecessor to the Commonwealth Transportation Board (CTB), on September 12, 1974; and,

**WHEREAS**, prior to the nation's Bicentennial Celebration in 1976, VDOT, York County and the City of Newport News designed, acquired the right of way and constructed a new two-lane roadway on a planned four-lane divided limited access right of way named Fort Eustis Boulevard, State Highway Project 0105-099-101, PE-101, RW-201, C-501, from Route 143 (Jefferson Avenue) in the City of Newport News to Route 17 (George Washington Memorial Highway) in York County in anticipation of the said Bicentennial; and,

**WHEREAS**, The Virginia Independence Bicentennial Commission passed Resolution 1604 on January 22, 1973, agreeing to donate City-owned land to the Commonwealth of Virginia for the project right of way and a deed was executed on April 14, 1975; and,

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**WHEREAS**, the said project when completed constructed five access points for the City of Newport News Waterworks with piped driveways through the limited access fence at gated locations where the new roadway crossed maintenance access roads within the Waterworks property so the City of Newport News could continue to access their property for maintenance purposes; and,

**WHEREAS**, breaks in the limited access control were never established for these access points and the City of Newport News Waterworks, public safety personnel and York County staff have been using these access points since 1976; and,

**WHEREAS**, a recently completed State Highway Project 0105-965-030, C-501, constructed the additional two lanes to complete the planned four-lane divided highway and as a result two access points were disturbed, two remain available for use and one is being abandoned; and,

**WHEREAS**, the City of Newport News on behalf of Newport News Waterworks, a regional utility, and York County, in mutual cooperation, by letter dated November 20, 2012, have requested CTB approval of the proposed breaks in limited access control on Route 105 (Fort Eustis Boulevard) for maintenance access only and being a break of approximately 20 feet, along the north existing right of way and limited access line of Route 105, centered on a point opposite Station 125+09.524 (Route 105 construction baseline) and being a break of approximately 20 feet, along the south existing right of way and limited access line of Route 105, from a point opposite Station 132+54.748 (Route 105 construction baseline) to a point opposite Station 132+60.844 (Route 105 construction baseline) and being a break of approximately 20 feet, along the north existing right of way and limited access line of Route 105, from a point opposite Station 133+18.518 (Route 105 construction baseline) to a point opposite Station 133+24.614 (Route 105 construction baseline) and being a break of approximately 20 feet, along the north existing right of way and limited access line of Route 105, centered on a point opposite Station 145+08.646 (Route 105 construction baseline), all as shown on the plans for State Highway Project 0105-965-030, C-501, with no additional turning, acceleration or deceleration lanes needed, no median breaks and no traffic signals and said breaks shall be gated; and,

**WHEREAS**, the requested breaks in limited access control are needed for access by Newport News Waterworks staff to maintain their watershed property and fire, law enforcement and life safety personnel may need access at times to these areas; and,

**WHEREAS**, the requested breaks in limited access control are for maintenance purposes and therefore VDOT has determined there is no further need for public involvement; and,

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**WHEREAS**, VDOT staff has determined that as there will be no impact to the operation of Route 105, and the said Limited Access Control Changes (LACC) are appropriate from a safety and traffic control standpoint; 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**, VDOT has determined no compensation shall be due in consideration of the proposed LACC for public service purposes; and,

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

**NOW, THEREFORE, BE IT RESOLVED**, in accordance and compliance 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 made by VDOT, and approves the said LACC for the purpose of allowing access to the City of Newport News Waterworks property for maintenance purposes. 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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