# COMMONWEALTH of VIRGINIA 

## Commonwealth Transportation Board

RESOLUTION<br>OF THE<br>COMMONWEALTH TRANSPORTATION BOARD

July 14, 2020

## MOTION

Made By: Ms. DeTuncq, Seconded By: Mr. Yates Action: Motion Carried, Unanimously

Title: Limited Access Control Changes Route 15/29 (James Madison Highway) Fauquier County

WHEREAS, Route 15/29 (James Madison Highway) and Route 17 Interchange in Fauquier County were designated as a Limited Access Highway by the Commonwealth Transportation Board (CTB) on June 17, 1999; and

WHEREAS, in connection with State Highway Project 0015-030-117, RW-201, the Commonwealth acquired certain limited access control easements from William B. Bayne, Jr, et al., by Certificate dated March 17, 2008, recorded in Deed Book 1290, Page 2476, and concluded by Order dated November 30, 2012, in Deed Book 1414, Page 4; from J.K. Development, LLC, by Certificate dated April 2, 2008, recorded in Deed Book 1292, Page 1134, and concluded by Order dated September 9, 2009, recorded in Deed Book 1327, Page 2497; and from Pangiotis L. Lindarkis, et al., by Deed dated June 20, 2008, recorded in Deed Book 1301, Page 2175; all being recorded in the Office of the Clerk of Circuit Court of the County of Fauquier; and

WHEREAS, VVA - Opal, LLC has requested a break in limited access control along Route 15/29 (James Madison Highway) to construct a commercial entrance to serve as right-in/right-out access to and from their planned convenience store and gas station, Royal Farms, onto the existing limited access right of way of Route 15/29 (James Madison Highway), approximately 351 feet south of the Route 687 (Opal Road) and Route 15/29 (James Madison Highway) intersection, which requires the closure of the two existing entrances on Route 15/29 (James Madison Highway) and a third entrance on Route 687 (Opal Road); and

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WHEREAS, the requested break in limited access control is 118.49 feet in length along the proposed limited access control line of the southbound lane of Route 15/29 (James Madison Highway), between stations 745+02.06 (Route 15/29 SBL centerline) and 746+20.55 (Route 15/29 SBL centerline), is shown on Attachment A and on Sheet 6 of the plans for State Highway Project 0015-030-117, RW-201; and

WHEREAS, the requested extension of the proposed limited access control along Route 15/29 (James Madison Highway) and Route 687 (Opal Road), between station 747+21.84 (Route 15/29 SBL centerline) and station 303+43.90 (Route 687 centerline), is shown on Attachment A, and on Sheets 6,7, and 7B of the plans for Station Highway Project 0015-030-117, RW-201; and

WHEREAS, the County of Fauquier, by resolution 19-079 dated June 13, 2019, endorses the limited access control changes (LACCs); and

WHEREAS, the Virginia Department of Transportation's (VDOT's) Culpeper District has determined, with the Chief Engineer concurring, that the proposed break in the limited access control of Route 29/15 will have minimal impact on the operation of the Route 15/29 (James Madison Highway) right of way; and that the proposed LACCs are appropriate from a safety and traffic control standpoint based upon a Global Traffic Analysis, dated March 20, 2020, prepared by Kittelson \& Associates, Inc; and

WHEREAS, VDOT's Culpeper District has determined the location of the proposed LACCs are not within an air quality maintenance or non-attainment area. In addition, the environmental impact analysis was reviewed and approved by the Culpeper District and there will be no adverse environmental impacts; and

WHEREAS, public notices of willingness to hold a public hearing and to receive public comment were posted in the Fauquier Times newspaper on May 6, 2020, and May 13, 2020; and

WHEREAS, the requestor will be required to convey to VDOT limited access easements along Route 15/29 (James Madison Highway), to close two existing entrances, and along Route 687 (Opal Road), to close one existing entrance; and

WHEREAS, compensation shall be paid by the requestor in consideration of the LACCs and the related easements to be conveyed, as determined by the Commissioner of Highways or his designee; and

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

WHEREAS, all costs of engineering and construction, including all necessary safety improvements, will be borne by the requestor; and

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WHEREAS, the requestor will be required to obtain a land use permit prior to any activity within the Route 15/29 (James Madison Highway) limited access right of way; and

WHEREAS, VDOT has reviewed the requested LACCs and determined that all are in compliance with § 33.2-401 of the Code of Virginia and that the requirements of 24 VAC 30-401-20 have been met; and

WHEREAS, VDOT recommends approval of the LACCs as shown on the attached exhibits.

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, subject to the above referenced conditions.

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.

## CTB Decision Brief Route 15/29 (James Madison Highway) Fauquier County Limited Access Control Changes

Issue: VVA - Opal, LLC, has requested a break in limited access control along Route 15/29 (James Madison Highway) to construct a commercial entrance to serve as direct access to and from their planned convenience store and gas station, Royal Farms, onto the existing limited access right of way of Route 15/29 (James Madison Highway), approximately 351 feet south of the Route 15/29 (James Madison Highway) and Route 687 (Opal Road) intersection, requiring the closure of two existing entrances on Route 15/29 (James Madison Highway) and a third entrance on Route 687 (Opal Road). These limited access control changes require approval of the Commonwealth Transportation Board (CTB) pursuant to § 33.2-401 of the Code of Virginia and 24 VAC 30-401-20 of the Virginia Administrative Code

## Facts:

- Route 15/29 (James Madison Highway) and Route 17 Interchange in Fauquier County was designated as a Limited Access Highway by the Commonwealth Transportation Board (CTB), on June 17, 1999.
- In connection with State Highway Project 0015-030-117, RW-201 the Commonwealth acquired certain limited access control easements from William B. Bayne, Jr, et al., by Certificate dated March 17, 2008, recorded in Deed Book 1290, Page 2476 and concluded by Order dated November 30, 2012, in Deed Book 1414, Page 4; from J.K. Development, LLC, by Certificate dated April 2, 2008, recorded in Deed Book 1292, Page 1134, and concluded by Order dated September 9, 2009, recorded in Deed Book 1327, Page 2497; and from Pangiotis L. Lindarkis, et al., by Deed dated June 20, 2008, recorded in Deed Book 1301, Page 2175; all being recorded in the Office of the Clerk of Circuit Court of the County of Fauquier.
- The requested break in the limited access control is 118.49 feet in length, along the proposed limited access control line of the southbound lane of Route 15/29 (James Madison Highway) between stations 745+02.06 (Route 15/29 SBL centerline) and 746+20.55 (Route 15/29 SBL centerline).
- The requested extension of the proposed limited access control is along Route 15/29 (James Madison Highway) and Route 687 (Opal Road), between station 747+21.84 (Route 15/29 SBL centerline) and station 303+43.90 (Route 687 centerline), as shown on as shown on Attachment A, and Sheets 6, 7, and 7B of the plans for Station Highway Project 0015-030117, RW-201.
- These changes are not covered by the General Rules and Regulations of the CTB, 24 VAC 30-21, or by the Land Use Permit Regulations, 24 VAC 30-151, thus requiring action by the CTB.
- The written determination of the Chief Engineer regarding this proposed project is attached for your consideration.
- The County of Culpeper, by resolution 19-079 dated June 13, 2019, supports the limited access control changes (LACCs).

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- VDOT's Culpeper District has determined, with the Chief Engineer concurring, that the proposed break in the limited access control of Route 15/29 (James Madison Highway) will have no impact on the operation of the Route 15/29 (James Madison Highway) right of way, and the proposed LACCs are appropriate from a safety and traffic control standpoint based upon the Global Traffic Analysis Technical Memorandum, dated March 20, 2020, prepared by Kittelson \& Associates, Inc.
- VDOT's Culpeper District has determined the location of the proposed LACCs are not within an air quality maintenance or non-attainment area. In addition, the environmental impact analysis was reviewed and approved by the Culpeper District and there will be no adverse environmental impacts.
- Public notices of willingness for hearings/comment were posted in the Fauquier Times newspaper on May 6, 2020 and May 13, 2020; with two comments received.
- Compensation shall be paid by the requestor in consideration of the LACCs and the related easements to be conveyed, as determined by the Commissioner of Highways or his designee.
- Requestor will be required to convey, to VDOT, limited access easements along Route 15/29 (James Madison Highway) and Route 687 (Opal Road).
- All right of way, engineering, construction, and necessary safety improvements shall meet all VDOT standards and requirements.
- All costs of any engineering, construction or safety improvements will be borne by the requestor.

Recommendation: VDOT recommends the approval of the proposed LACCs subject to the referenced conditions and facts. VDOT further recommends that the Commissioner be authorized to take all actions and execute all documentation necessary to implement the LACCs.

Action Required by CTB: Virginia Code § 33.2-401 requires a majority vote of the CTB approving the recommended LACCs. The CTB will be presented with a resolution for a formal vote.

Result, if Approved: The project will move forward as proposed and the Commissioner of Highways will be authorized to take all actions necessary to comply with this resolution.

Options: Approve, Deny, or Defer.

Public Comments/Reactions: Two questions or comments were received, neither of noted any preference for or against the project. The questions or comments were answered/resolved by District staff.

# COMMONWEALTH of VIRGINIA 

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000
Stephen C. Brich, P.E.
COMMISSIONER
July 1, 2020
The Honorable Shannon Valentine
The Honorable Stephen C. Brich, P. E.
The Honorable Jennifer Mitchell
The Honorable Jerry L. Stinson II
The Honorable Mary H. Hynes
The Honorable Alison DeTuncq
The Honorable Bert Dodson, Jr.
The Honorable W. Sheppard Miller III
The Honorable Carlos M. Brown
The Honorable Cedric Bernard Rucker
The Honorable Stephen A. Johnsen
The Honorable F. Dixon Whitworth, Jr.
The Honorable E. Scott Kasprowicz
The Honorable Raymond D. Smoot Jr.
The Honorable Marty Williams
The Honorable John Malbon
The Honorable Greg Yates
Subject: Approval of Limited Access Control Change (LACC) for Route 15/29 (James Madison Highway)
Dear Commonwealth Transportation Board Members:
The Department has received a request for your consideration from VVA - Opal, LLC for a break in the limited access control along Route 15/29 (James Madison Highway), for the construction of a right in and right out commercial entrance, to serve as direct access to and from their convenience store and gas station, Royal Farms, approximately 350 feet south of the Route 15/29 (James Madison Highway) and Route 687 (Opal Road) intersection, onto the proposed limited access right of way for Route 15/29 (James Madison Highway), requiring the extension of limited access and closure of two entrances along Route 15/29 (James Madison Highway) and extension of limited access and closure of a third entrance along Route 687 (Opal Road). The Department's staff has determined there will be minimal impact on the operation to Route 15/29 (James Madison Highway) and that the proposed LACCs are appropriate from a design, safety and traffic control standpoint.

The request meets the engineering criteria and guidelines set forth in Title 24, Agency 30, Chapter 401 of the Virginia Administrative Code. I have reviewed the Staff's recommendations, and determined that approving the 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,

# COMMONWEALTH of VIRGINIA 

DEPARTMENT OF TRANSPORTATION
1401 East Broad Street
Richmond, Virginia 23219
Stephen C. Brich, P.E.
Commissioner
June 24, 2020

## MEMORANDUM

## To: Barton A. Thrasher, P.E. Chief Engineer

## From: Lori A. Snider

State Right of Way and Utilities Director

## RE: Limited Access Control Changes Request Route 15/29 (James Madison Highway), Fauquier County

The above referenced limited access control changes request and supplemental documents are attached for your review. The requestor seeks a break in the limited access control along Route 15/29 (James Madison Highway) for the construction of a right in and right out commercial entrance to serve as direct access to and from their convenience store and gas station, Royal Farms, onto the proposed limited access right of way for Route $15 / 29$ (James Madison Highway), requiring the extension of limited access and closure of two entrances along Route 15/29 (James Madison Highway) and extension of limited access and closure of a third entrance along Route 687 (Opal Road).

I concur with the District's recommendations and have approved the disposal of the associated limited access easement subject to the approval of the LACCs by the CTB.

Please let me know if you have any questions. Thank you.

## RESOLUTION

## A RESOLUTION TO SUPPORT A MODIFICATION OF ACCESS ON JAMES MADISON HIGHWAY (US 15/29) BETWEEN THE OPAL INTERCHANGE AND OPAL ROAD (ROUTE 687) AND ON OPAL ROAD BETWEEN JAMES MADISON HIGHWAY AND AVATAR WAY (ROUTE 868)

WHEREAS, James Madison Highway (US 15/29), as depicted on plans for the Opal Interchange Project 0015-030-117, C-501, in Fauquier County is classified as a "Limited Access Highway" by the Virginia Department of Transportation; and

WHEREAS, the County is considering a proposal for commercial development that includes constructing a new entrance on southbound James Madison Highway in exchange for closing two existing entrances further north on James Madison Highway and a third entrance on Opal Road (Route 687); and

WHEREAS, the Fauquier County Board of Supervisors supports the proposal to modify the existing "Limited Access Line" on James Madison Highway and Opal Road; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors on this $13^{\text {th }}$ day of June 2019, That the Fauquier County Board of Supervisors supports the proposal to modify the existing "Limited Access Line" on James Madison Highway and Opal Road as follows:

1. Break the Limited Access Line on James Madison Highway between Station $745+02.06$ and Station $746+20.55$ to allow for a right-in/right-out entrance on James Madison Highway.
2. Extend the northern Limited Access Line on James Madison Highway from its terminus at Station $747+21.84$ north to Opal Road, as a result of closing the two existing right-in/rightout entrances on James Madison Highway, and along Opal Road from James Madison Highway west to Avatar Way (Route 868), as a result of closing the entrance on Opal Road.

RESOLVED FURTHER, That the Fauquier County Board of Supervisors hereby requests that the Commonwealth Transportation Board approve this modification to the "Limited Access Line" on James Madison Highway and Opal Road which is necessary to develop this parcel.

A Copy Teste


Paul S. McCulla, County Administrator Clerk to the Board of Supervisors

Item 10:
Moved by Mr. Myers, seconded by Mr. Whife, that
WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and pollcies of the Commomwalth Transpiortation Board, a Location Public Hearing was held in the community of Bealton, Virginia, on Wednesday, March 19, 1997, for the purpose of consildering the proposed location of Route 15 (Opal Interchange) from 0.910 mille ( 1.464 km ) south intersection of Route 687 , to 0.587 mile ( 0.945 km ) north Intersection of Route 687, in Fauquier County, State Project 0015-030-117, PE-101. RW201,C50I, Federal Project STP-015-7 (); and

WHEREAS, in accordance with the statutes of the Cormmonwealth of Virginia and policies of the Commonwealth Transportation Board, the location of this project was approved in accordance with the plan as proposed and presented at the said Location Public Hearing as Alternative A by the Department's Engineers; and

WHEREAS, In accordance with the statutes of the Commonweath of Virginia and policies of the Commonwealth Transportation Board, a Design Hearing was held in the Lberty High Schod, in the communlty of Bealton, Virginie, on Tuesday, February 23, 1999, between 5:00 p.m. and 7:00 p.m., for the purpose of considering the proposed major design features of Route 15 (Opal Interchange) from $0.910 \mathrm{mlle}\{1.464 \mathrm{~km})$ south intersection of Route 687 , to 0.587 mile ( 0.945 km ) north intersection of Routa 687, in Fauquier County, State Project 0015-030-117, PE-101;RW201;C501 Federal Project STP-015-7( ); and

WHEREAS, proper notice was given in advance, and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presanted, and their statements beling duly recorded; and

WHEREAS, the economic, social, and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, thas been carefully reviewed.

NOW, THEREFORE, BE IT RESOLVED that the major design features for the roadway section of this project be approved as presented at the Design Public Hearing.

BE IT FURTHER RESOLVED that Route 15/29 and Route 17 Interchange be designated as a Lirnited Access Highway from Station 697+00.75, Route 15/29, to Station 710+91.607, Route 15/29, in accondance with the statutes of Virginia and in accordance with the Commonwealth Transportation Board Policles.

Motion caried.

Moved by Mr. Humphreys, seconded by Mr. Folkes, that
WHEREAS, in accordance with the statutes of the Common/realth of Virginla and pollcles of the Commonwealth Transportation Boarc, a Location Puhlic Hearing was held in Goucaster Cacnity, Virginia on Tuesday, Apn.9, 1996, for the purpose of considering the proposed location of Route 614 from Gum Fork Road (Route 831) to Cedar Bush Road Route 633), in Gloucester County, Strie Project 0614-036-11 C-502,D-605; and

WHEREAS, in a coordance with the statyes of the Commonweath of Virginala and policies of the Commorwealth Transportation Board, the location of this project was ap roved on Octoner 16, 1986, in accordance with the plan as proposed and piesented st/he sald Location Public Hearing on the existrg alignment with thy Incluslon of Une " $D$ " at Haynes Mill Pond, wilh modification in the derigh phase to shit the alignment to the north in the area of Carter Cresk to Vsuen the impacts to adjacent wetlands; and

WHEREAS, in acco/dance with the statutes of the Commonwealth of Virginia and policies of y/e Commorwealth Tranisportation Board, a Design Pubilc Hearing yas held In the Page Middie School, licated in Gloucester County, Viginia, on Tuesday, April 13, 1999, between 4:00 p.m. and 7:00 p.m., for the purpose of considering the proposed major design features of Hitko / Fork Road (Route 614) from Gum Fok Road (Route 631) to Cedar Bush Road (Routa 633) in Glouceste, County, State Project 0814-036-111,C-502,B-605; and

WHEREAS, proper notice was given in advance, and all thase present were given a full opportunity to express their opinions and regommendations for or against the proposed project as presented, and Hielr stakements being duly recorded; and







