



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

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*Agenda item # 2-C*

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

**May 18, 2011**

#### **MOTION**

**Made By:Mr. Martin Seconded By:Dr. Davis Action: Motion Carried, Unanimously**

#### **Title: Limited Access Control Changes - Amended** **Franklin Turnpike Extension, Spring Lake Road, City of Danville**

**WHEREAS**, the Franklin Turnpike Extension, constructed as a part of the Route 265 Danville Bypass, between Route 360 and the existing Route 41 and Route 293 intersection, in the City of Danville, was designated as a Limited Access Highway by the Commonwealth Transportation Board (CTB) on September 20, 2001; and,

**WHEREAS**, in connection with the engineering design, a section of the Franklin Turnpike Extension, State Highway Project 6265-071-V05, RW-201, which is located between the aforesaid locations, was identified by the City of Danville (City) for design refinements to the limited access controls on both the northeast and southwest sides of the Franklin Turnpike Extension, as shown on the plans for said Project, necessary for future economic development of certain lands; and,

**WHEREAS**, the City, by resolution dated February 7, 2006, authorized and directed the City Manager to request that the previously approved limited access break for Spring Lake Road, being 21.61 feet, more or less, on either side of Station 149+65.18, along the Franklin Turnpike Extension northeast proposed right of way and limited access line, be relocated approximately 550 feet to the south (32.085 feet, more or less, on either side of Station 154+42.08) along said line; and the previously approved limited access break for Spring Lake Road, being 19.14 feet, more or less, on either side of Station 149+77.285, along the Franklin Turnpike Extension southwest proposed right of way and limited access line, be relocated approximately 550 feet south (28.03 feet, more or less, on either side of Station 154+38.034) along the said line, both to provide future public street entrances for the said lands on the northeast and southwest sides of Franklin Turnpike Extension; and,

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**WHEREAS**, these changes to the said right of way and limited access lines for public street purposes were approved at a meeting of the CTB held on February 20, 2008, by a resolution duly adopted and recorded in the minutes of the said meeting; and,

**WHEREAS**, the City, by letter dated July 2, 2010, requested the said previously approved Limited Access Control Changes (LACC) be expanded to allow for full turning movements with turning lanes and median crossover to promote commercial development of the adjacent property; and,

**WHEREAS**, these changes to the said right of way and limited access lines for public street purposes were approved at a meeting of the CTB held on July 14, 2010, by a resolution duly adopted and recorded in the minutes of the said meeting; and,

**WHEREAS**, VDOT has also determined, as a result of the ongoing negotiations, which commenced following approval of the February 20, 2008 resolution, refinement of the location for these LACC would be appropriate to mitigate potential costs for residual property damages to the lands being acquired as a result of the said project and to better serve the traveling public and surrounding community, and is requesting the CTB approve an amendment to the aforesaid resolutions of February 20, 2008 and July 14, 2010; and,

**WHEREAS**, the requested amendment is to shift the location of the limited access breaks approved by resolution dated February 20, 2008, on the northeast and southwest proposed right of way and limited access lines of the said Franklin Turnpike Extension from the vicinity of Stations 154+40, approximately 240 feet to the northwest to approximate Station 152+00 with a break in both of the said right of way and limited access lines beginning at Station 151+55 and ending at approximate Station 152+55; and,

**WHEREAS**, VDOT has determined that an intersection with full turning movements at the said revised location is appropriate from a design, safety and traffic control standpoint; and,

**WHEREAS**, VDOT has further determined, as a result of such negotiations that certain land acquired by VDOT for said Spring Lake Road access road at the previous break that is now being shifted, as shown on Sheet 9 of the said Project plans, should be conveyed back to its former owner, the Estate of Donald A. Hardison, in exchange for a comparable quantity of land owned by the Estate of Donald A. Hardison, for the purpose of accessing the existing unimproved Spring Lake Road at the new breaks at approximate Station 152+00, and to better serve the traveling public, upon the dedication of such land by the Estate of A. Hardison to the City of Danville, Virginia; and,

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

**WHEREAS**, the said full turning movements, being the median crossover and required turn lanes shall be constructed by others as development of the adjacent properties occurs, and their need is indicated and justified pursuant to applicable VDOT regulations; and,

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

**WHEREAS**, all other conditions and requirements of the said Resolution previously approved on February 20, 2008, and July 14, 2010, remain unchanged.

**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 approves the said amendment to the resolutions approved on February 20, 2008, and July 14, 2010, of limited access control changes for public street purposes, being removal of the limitation of right in and right out only turning movements, and that a median crossover and related turn lanes can be constructed, and shifting the location of the said breaks along the said northeast and southwest right of way and limited access lines to beginning at Station 151+55 and ending at approximate Station 152+55 at as set forth, and subject to the above referred to conditions. The Commonwealth Transportation Commissioner is hereby authorized to execute any and all documents needed to comply with this resolution; and,

**BE IT FURTHER RESOLVED**, that any connecting roadway constructed at the previously approved limited access break locations may remain in place until such time as a new connecting roadway is constructed at the herein approved location. At such time as the said connecting roadway is opened, the limited access breaks approved on February 20, 2008, shall automatically terminate reestablishing the right of way and limited access lines as originally designed and approved by the CTB.

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