



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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Agenda item # 3

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

March 29, 2023

MOTION

Made By: Ms. Hynes, **Seconded By:** Mr. Kasprowicz

Action: Motion Carried, Unanimously

Title: Discontinuance – Secondary System of State Highways Route 1049 in Fairfax County

WHEREAS, a portion of Route 1049, located in Fairfax County, measuring approximately 0.04 of a mile, is no longer necessary for the uses of the Secondary system of state highways, and therefore no longer provides a public convenience that warrants maintenance at public expense, rendering it eligible for discontinuance; and

WHEREAS, the Fairfax County Board of Supervisors has approved a resolution on January 24, 2023, attached hereto as Exhibit A, supporting the discontinuance described as the 0.04 of a mile length of Route 1049, as seen in the map attached hereto as Exhibit B; and

WHEREAS, pursuant to § 33.2-908 of the *Code of Virginia*, a section of highway may be discontinued from the Secondary system of state highways by the Commissioner of Highways, with the approval of the Commonwealth Transportation Board, if the highway is deemed to be no longer necessary for the uses of the Secondary system of state highways when a part of the highway no longer provides a public convenience that warrants maintenance at public expense; and

NOW, THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board approves the discontinuance of the roadway segment identified below and as depicted on Exhibit B attached hereto, as part of the Secondary system of state highways, pursuant to §33.2-908, *Code of Virginia*, as the roadway is no longer necessary for the uses of the Secondary system of state highways and is no longer providing sufficient public convenience to warrant maintenance at public expense.

Secondary System of State Highways

Discontinuance

Northern Virginia District
Fairfax County
• Route 1049

0.04 Mi.

Total Mileage Discontinued from the Secondary System:

0.04 Mi.

####

CTB Decision Brief

Discontinuance - Secondary System of State Highways: Route 1049 in Fairfax County

Issue: The Fairfax County Board of Supervisors has requested the discontinuance of a portion of Route 1049 in Fairfax County. Pursuant to §33.2-908 of the *Code of Virginia*, said discontinuance must be approved by the Commonwealth Transportation Board (Board).

Facts: Upon review of the area, VDOT staff determined that a 0.04 of a mile portion of Route 1049 should be discontinued as a part of the Secondary System of State Highways, pursuant to §33.2-908 of the *Code of Virginia*, as it no longer provides a public convenience that warrants maintenance at state expense.

The Fairfax County Board of Supervisors requested, by resolution on January 24, 2023 (Exhibit A, attached), the discontinuance of the 0.04 mile portion of Route 1049 (road noted in “Orange” on Exhibit B, attached).

In accordance with §33.2-908, notice of the discontinuance was published in the *Washington Times* on November 7, 2022 (Exhibit C, attached). Section 33.2-908 requires that notice be provided to the County Board of Supervisors and property owners with land abutting the section of roadway considered for discontinuance.

Recommendation: VDOT recommends the Board approve the discontinuance of the 0.04 mile portion of Route 1049 referenced above.

Action Required by CTB: The *Code of Virginia* requires a majority of the Board’s members to approve the proposed discontinuance. A resolution describing the proposed road to be discontinued is provided for the Board’s consideration.

Result if Approved: If approved, VDOT will suspend all of its maintenance activity on the roadway segment.

Options: Approve, Deny or Defer

Public Comments/Reaction: There was no request for a public hearing made to the Fairfax County Board of Supervisors regarding this proposed discontinuance and there were no requests for a public hearing received by VDOT in response to the notices provided.

Exhibit A
Fairfax County Resolution

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at 12000 Government Center Parkway, Fairfax, Virginia, on January 24, 2023, at which a quorum was present and voting, the following resolution was adopted:

WHEREAS, the Fairfax County Department of Transportation (FCDOT) requests to discontinue a portion of Route 1049 (Mackall Avenue);

WHEREAS, Route 1049 (Mackall Avenue), located within the Langley Forest Section 4 Subdivision, was accepted into VDOT's Secondary System of State Highways in 1952 (Attachments II & III); and

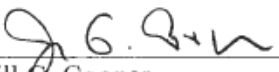
WHEREAS, the subject portion, located between Heather Brook Court and the intersection of Holland Street / Mackall Avenue, is unimproved and currently used as an unofficial natural-surface pedestrian connection by the surrounding community; and

WHEREAS, the County will be responsible for future maintenance within the dedicated right-of-way; and

WHEREAS, notice of intention to discontinue this portion of Route 1049 (Mackall Avenue) was given on November 7, 2022, in accordance with Virginia Code Ann. § 33.2-908 (2014),

NOW THEREFORE, BE IT RESOLVED that this Board hereby requests, pursuant to Virginia Code Section § 33.2-908 (2014), that the Commonwealth Transportation Board, discontinue as part of the secondary system of state highways, the .04-mile portion of Route 1049 (Mackall Avenue) as indicated on Attachment II.

A Copy – Teste:



Jill G. Cooper
Clerk for the Board of Supervisors

Exhibit B

Sketch of Proposed Road Segment to be Discontinued

**Mackall Avenue, Route 1049
Discontinuance (Portion of)
Fairfax County - Dranesville District
Tax Map: 21-4**

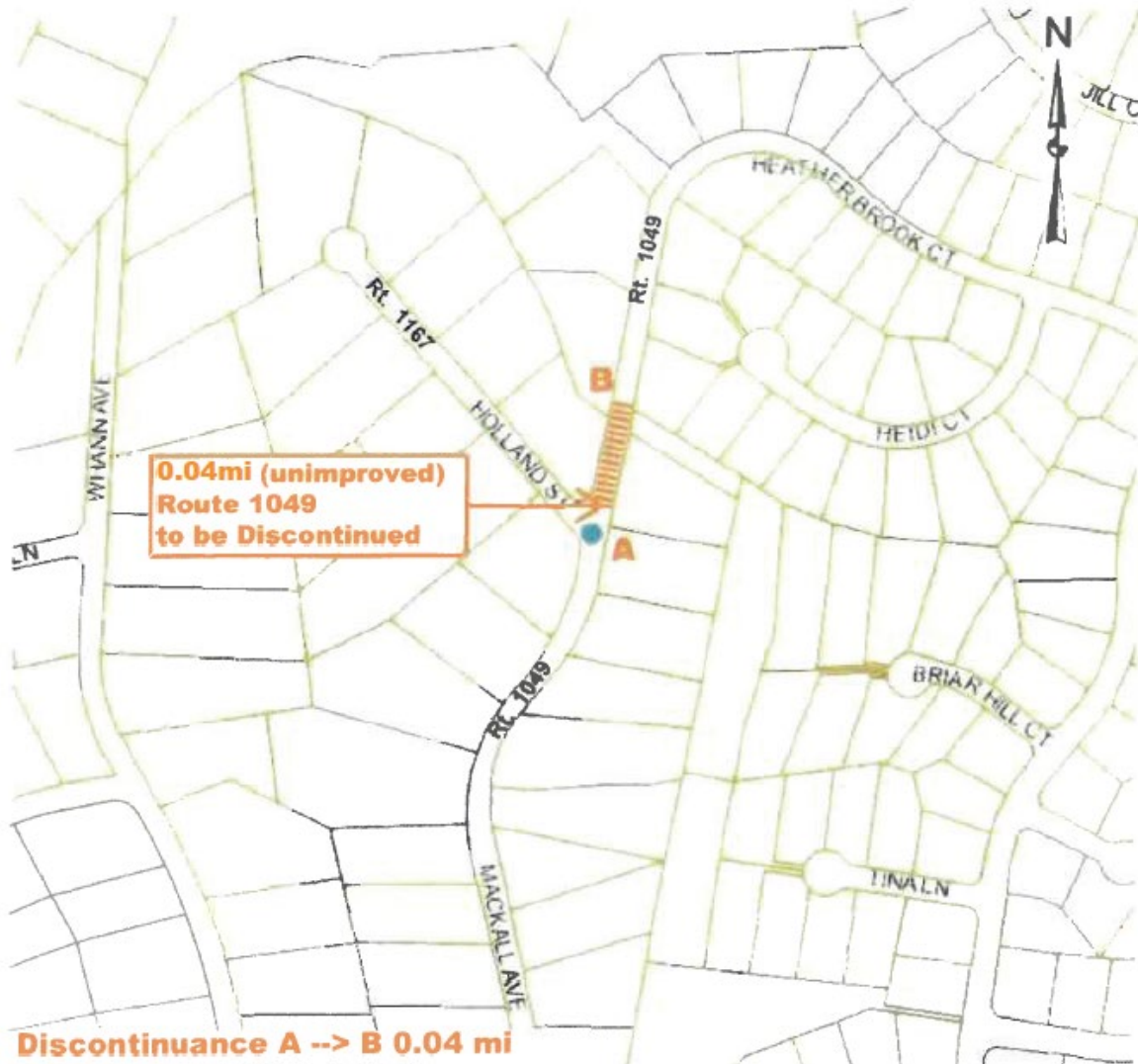


Exhibit C

Public Notice of Discontinuance
Published in the *Washington Times* on November 7, 2022

