



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

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Agenda Item # New Business 1

**RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD
January 16, 2013**

MOTION

**Made By: Mr. Garczynski Seconded By: Ms. Fisher
Action: Motion Carried, Unanimously**

**Title: Limited Access Control Change (LACC)
Route 267 Extended (Dulles Greenway), Loudoun County**

WHEREAS, Toll Road Investors Partnership II, LP (TRIP II) owns and operates a toll road that serves as an extension of Route 267, known as the Dulles Greenway, from Route 28 at Washington Dulles International Airport to Route 7/15 in the Town of Leesburg under the terms of the Virginia Highway Corporation Act of 1988 (the Act); and

WHEREAS, the Commonwealth Transportation Board (CTB) by Resolution dated July 20, 1989 approved the application of Toll Road Corporation of Virginia (precursor to TRIP II) to build the Dulles Greenway under the Act; and

WHEREAS, pursuant to the terms of the Act, a Certificate of Authority to build and operate the Dulles Greenway was issued to TRIP II by the State Corporation Commission on June 6, 1990 and is currently set to expire on December 31, 2099; and

WHEREAS, the CTB by Resolution dated June 21, 1991, approved the location and design features of the Dulles Greenway, including its designation as a limited access highway in Loudoun County; and

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WHEREAS, TRIP II and The Peterson Companies (collectively, the Requestors) have identified and requested various proposed shifts, changes and a break to the limited access control to construct a proposed conceptual exit ramp along westbound Dulles Greenway between the Battlefield Parkway interchange in the Town of Leesburg and the Route 653 Shreve Mill Road (future Crosstrail Boulevard) interchange in Loudoun County as shown in the figures and exhibits contained in the Global Traffic Analysis entitled “Interchange Justification Report, Dulles Greenway Ramp to Hawling Farm Blvd, Loudoun County, VA”, dated March 12, 2012 and revised through December 21, 2012, prepared for The Peterson Companies by Gorove / Slade, Inc. in conjunction with Dewberry & Davis, LLC; and

WHEREAS, the design of the said proposed exit ramp has been coordinated with Loudoun County’s Comprehensive Plan and Countywide Transportation Plan; and

WHEREAS, CTB approval of changes in limited access control is governed by policy and regulations relating to change of limited access control set forth in 24 VAC 30-401-10 et. seq. (“CTB Policy”) which set forth the conditions for said approval; and

WHEREAS, Willingness for Public Comment notices were posted with the comment period closing on November 30, 2012 and no public comments were received; and

WHEREAS, a global traffic analysis has been submitted to, and reviewed and approved by Virginia Department of Transportation (VDOT) staff; and

WHEREAS, VDOT’s Chief Engineer has determined that the said proposed ramp, shifts, changes and break of the limited access control, based on the conceptual plans submitted, are viable from a safety and traffic operations standpoint and will not have an adverse effect on the operation of the Dulles Greenway; and

WHEREAS, other conditions for approval of the proposed change in limited access required pursuant to CTB policy and regulations, namely conditions relating to locality support, an environmental assessment, an air quality conformity review, payment to VDOT of incurred or anticipated expenses associated with VDOT’s consideration of the request, and payment of monetary compensation and other consideration, are under review by VDOT; and

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

WHEREAS, all costs of engineering and construction will be borne by the Requestors; and,

WHEREAS, upon completion and acceptance of the said proposed exit ramp, all work, roadway construction, improvements and equipment will become the property of TRIP II and until dedication to the Commonwealth upon termination of the Certificate of Authority, all associated land rights, and maintenance and operations responsibilities will attach to and become the responsibility of TRIP II as previously established for the Greenway.

NOW, THEREFORE, BE IT RESOLVED, in accordance with the provisions of the Highway Corporation Act, section 33.1-58 of the *Code of Virginia* (1950), as amended, and CTB Policy, the Commonwealth Transportation Board hereby concurs with the determinations set forth herein, and subject to a determination by the Commissioner of Highways that all remaining conditions necessary for CTB approval of the above-referenced change in limited access control for the Dulles Greenway proposed and requested by the Requestors have been satisfied, approves the requisite limited access control changes as set forth for the proposed exit ramp. The Commissioner is hereby authorized to take all actions and execute any and all documents needed to comply with this resolution.

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