



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

Agenda item #18

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 15, 2021

MOTION

Made By: Mr. Rucker **Seconded By:** Ms. Hynes
Action: Motion carried, unanimously

Title: Limited Access Control Change
Route 17 (Mills Drive)
Spotsylvania County

WHEREAS, Route 17 (Mills Drive) was designated as a limited access highway by the State Highway Commission, predecessor to Commonwealth Transportation Board (CTB), on August 17, 1967, in accordance with then Article 3, Chapter 1, Title 33 of the 1950 *Code of Virginia*; and

WHEREAS, in connection with State Highway Project 6017-088-101, RW-201, the Commonwealth acquired certain limited access control easements from Otis S. Eubank by Deed dated May 10, 1968, recorded in Deed Book 239, Page 409, in the Office of the Clerk of Circuit Court of the County of Spotsylvania; and

WHEREAS, Net Lease Development has requested a break in limited access control along Route 17 (Mills Drive) to construct a commercial entrance to serve as direct access to and from a planned convenience store and gas station, 7-Eleven, onto the existing limited access right of way of Route 17 (Mills Drive), approximately 300 feet west of the Route 17 (Mills Drive) and Route 2 (Tidewater Trail) intersection, which will require the installation of a raised concrete median along Route 17 (Mills Drive) in front of the proposed entrance to prohibit left-turn movements entering and exiting the site and the construction of a right turn lane consisting of 150 feet of storage and a 100 foot taper to accommodate vehicles accessing the site via westbound Route 17 (Mills Drive); and

WHEREAS, the requested break in limited access control is approximately 60 feet in length along the proposed limited access control line of the westbound lane of Route 17 (Mills Drive), approximately between stations 327+65 (Route 17 westbound lane centerline) and 328+25 (Route 17 westbound lane centerline), and is shown on Attachment A and on Sheet 12 of the plans for State Highway Project 6017-088-101, RW-201; and

WHEREAS, the County of Spotsylvania, by Resolution No. 2021-3 dated January 12, 2021, endorses the limited access control change (LACC); and

WHEREAS, Virginia Department of Transportation's (VDOT's) Chief Engineer has determined that the proposed break in the limited access control of Route 17 will not have an adverse impact on the safety or operation of the Route 17 (Mills Drive); and

WHEREAS, VDOT's Fredericksburg District Office has reviewed and approved the global traffic analysis, dated November, 2020, prepared by Kimley-Horn and Associates, Inc., and found that it adequately addresses the impacts from the proposed break in limited access control; and

WHEREAS, VDOT's Fredericksburg District Office has reviewed the environmental impact analysis and determined that the location of the proposed LACC is not within a nonattainment area for air quality and that 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 *Free Lance Star* newspaper on April 24, 2021, May 2, 2021, and May 6, 2021, with no request for a public hearing received; and

WHEREAS, the requestor will be required to construct a raised concrete median along Route 17 (Mills Drive) in front of the proposed entrance to prohibit left-turn movements entering and exiting the site and the construction of a right turn lane consisting of 150 feet of storage and a 100 foot taper to accommodate vehicles accessing the site via westbound Route 17 (Mills Drive); and

WHEREAS, compensation shall be paid by the requestor in consideration of the LACC 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

WHEREAS, the requestor will be required to obtain a land use permit prior to any activity within the Route 17 (Mills Drive) limited access right of way; and

WHEREAS, VDOT has reviewed the requested LACC 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 LACC 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.

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**CTB Decision Brief
Route 17 (Mills Drive)
Spotsylvania County
Limited Access Control Change**

Issue: Net Lease Development has requested a break in limited access control along Route 17 (Mills Drive) to construct a commercial entrance to serve as direct access to and from a planned convenience store and gas station, 7-Eleven, onto the existing limited access right of way of Route 17 (Mills Drive), approximately 300 feet south of the Route 17 (Mills Drive) and Route 2 (Tidewater Trail) intersection, requiring the installation of the raised concrete median along Route 17 (Mills Drive) in front of the proposed entrance to prohibit left-turn movements entering and exiting the site, and the construction of a right turn lane consisting of 150 feet of storage and a 100 foot taper to accommodate vehicles accessing the site via westbound Route 17 (Mills Drive). This limited access control change requires 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 17 (Mills Drive) in Spotsylvania County was designated as a limited access highway by the State Highway Commission, predecessor to Commonwealth Transportation Board (CTB), on August 17, 1967.
- In connection with State Highway Project 6017-088-101, RW-201 the Commonwealth acquired certain limited access control easements from Otis S. Eubank by Deed dated May 10, 1968, recorded in Deed Book 239, Page 409, in the Office of the Clerk of Circuit Court of the County of Spotsylvania.
- The requested break in the limited access control is 60 feet in length, along the proposed limited access control line of the westbound lane of Route 17 (Mills Drive), approximately between Stations 327+65 (Route 17 westbound lane centerline) and 328+25 (Route 17 westbound lane centerline).
- This limited access control change is not covered by the General Rules and Regulations of the CTB (24 VAC § 30-21 *et seq.*), or by the Land Use Permit Regulations, (24 VAC § 30-151 *et seq.*), thus requiring action by the CTB.
- The written determination of the Chief Engineer finding that the proposed break in the limited access control of Route 17 will not have an adverse impact on the safety or operation of the Route 17 (Mills Drive) is attached for your consideration.
- The County of Spotsylvania, by Resolution No. 2021-3 dated January 12, 2021, supports the limited access control change (LACC).
- VDOT's Fredericksburg District Office has reviewed and approved the Global Traffic Analysis Technical Memorandum, dated November 2020, prepared by Kimley-Horn and Associates, Inc., and found that it adequately addresses the impacts from the proposed break in limited access control.

- VDOT's Fredericksburg District Office has reviewed the environmental impact analysis and determined that the location of the proposed LACC is not within a non-attainment area for air quality and that there will be no adverse environmental impacts.
- Public notices of willingness to hold a public hearings were posted in the *Free Lance Star* newspaper on April 24, 2021, May 2, 2021, and May 6, 2021, with two comments received. but no requests for a public hearing.
- Compensation shall be paid by the requestor in consideration of the LACC, as determined by the Commissioner of Highways or his designee.
- 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 LACC 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 LACC.

Action Required by CTB: Virginia Code § 33.2-401 requires a majority vote of the CTB approving the recommended LACC. 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.

County of Spotsylvania

Founded 1721



Board of Supervisors
DEBORAH H. FRAZIER
BARRY K. JETT
KEVIN W. MARSHALL
TIMOTHY J. MCLAUGHLIN
DAVID ROSS
GARY F. SKINNER
CHRIS YAKABOUSKI

County Administrator
ED PETROVITCH
Deputy County Administrator
MARK L. COLE
P.O BOX 99, SPOTSYLVANIA, VA 22553
Voice: (540) 507-7010
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Service, Integrity, Pride

At a meeting of the Spotsylvania County Board of Supervisors held on January 12, 2021, on a motion by Supervisor Skinner and passed unanimously, the Board adopted the following resolution:

RESOLUTION NO. 2021-3

A RESOLUTION ENDORSING NET LEASE DEVELOPMENT LIMITED ACCESS WAIVER; TIDEWATER TRAIL AND MILLS DRIVE

WHEREAS, pursuant to Virginia Department of Transportation (VDOT) Regulation 24 VAC 30-401-10, et al., Net Lease Development (Net Lease) has applied for a change of limited access control along U.S. Route 17 (i.e., Mills Drive) and an Access Management Exception (AM-E) along BUS-U.S. Route 17/State Route 2 (Tidewater Trail) for the purposes of developing a 7-Eleven convenience store with fuel services in the northwest quadrant of the Tidewater Trail at Mills Drive intersection (Project);

WHEREAS, Net Lease Development has prepared a conceptual site plan for the site access driveway locations, overarching access restrictions, and off-site improvements to efficiently and safely accommodate future traffic demand, and to the extent reasonably possible meet VDOT Access Management Policy standards; and

WHEREAS, to accommodate the proposed site access driveway along the north side of U.S. Route 17 (Mills Drive) a request for a break in the limited access boundary must be approved by the Commonwealth Transportation Board (CTB) in order for VDOT to allow/permit the construction of the site access driveway improvements; and

WHEREAS, to accommodate the proposed site access driveway along the west side of BUS U.S. Route 17/State Route 2 (Tidewater Trail) an Access Management-Exception must be approved by the VDOT Fredericksburg District Land Use Engineer and VDOT Fredericksburg District Administrator in order allow/permit the construction of the site access driveway improvements; and

WHEREAS, Net Lease has requested the Board's support for the Project, the requested break in the limited access boundary along Mills Drive, and the access management exception along Tidewater Trail; and

WHEREAS, the Spotsylvania County planning and transportation staff have reviewed the Project details and concur with the proposed requests.

NOW, THEREFORE, BE IT RESOLVED, the Spotsylvania County Board of Supervisors endorses the Project, supports the request for the limited access control change along Mills Drive, and the access management exception along Tidewater Trail as submitted by Net Lease.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Virginia Department of Transportation for inclusion with Net Lease's request for limited access control change application, and access management exception application.

Adopted this 12th day of January, 2021.

(SEAL)

A COPY TESTE:



Aimee R. Mann
Deputy Clerk to the Board of Supervisors

**MINUTES
OF
MEETING OF STATE HIGHWAY COMMISSION
RICHMOND, VIRGINIA
AUGUST 17, 1967**

The monthly meeting of the State Highway Commission was held at the Central Highway Office Building in Richmond, Virginia on August 17, 1967, at 10:00 A.M. The Chairman, Douglas B. Fugate, presided.

Present: Messrs. Baughan, Chilton, Fitzpatrick, Holland, Landrith, McWane, Solater, and Weaver.

On motion of Mr. Solater, seconded by Mr. McWane, minutes of the meeting of July 20, 1967, were approved.

Motion was made by Mr. Solater, seconded by Mr. McWane, that permits issued from July 20, 1967, to August 16, 1967, inclusive, as shown by records of the Department, be approved. Motion carried.

On motion of Mr. Solater, seconded by Mr. McWane, cancellation of permits from July 20, 1967, to August 16, 1967, inclusive, as shown by records of the Department, was approved.

Moved by Mr. Landrith, seconded by Mr. Chilton,
that,

the section of proposed U. S. Route 460 in Appomattox and Prince Edward Counties, by passing the town of Pamplin City, Virginia, beginning at a point on existing U. S. Route 460 northwest of Pamplin City, said point being shown on the plans for State Project 0460-006-107-RW-202 and extending in a southeasterly direction 2.439 miles to a point on existing U. S. Route 460 northeast of Pamplin City, said point being shown on the plans for State Project 0460-073-104-RW-201, including any necessary relocations, interchanges, ramps, connections, etc., as shown on the plans be designated as a limited access highway in accordance with Article 3, Chapter 1, Title 33 of the 1950 Code of Virginia as amended.

At-grade, points of access are to be permitted at the following locations:
Point 1, Connection to existing U. S. Route 460 and connection to State Route 601.
Point 2, Connection to State Route 600.
Point 3, Connection to existing U. S. Route 460.

These points are to be made a part of the right of way transaction and record.

MOTION CARRIED.

Moved by Mr. Landrith, seconded by Mr. Chilton,
that,

the proposed relocation of U. S. Route 17 south of Fredericksburg, in Spotsylvania County, as shown on the plans for State Project 6017-088-101-RW-201, beginning at the intersection of U. S. Route 1 and extending in an easterly direction to a point approximately 0.086 miles east of the intersection of State Route 2, including any necessary relocations, interchanges, ramps, connections, etc., as shown on the plans be designated as a limited access highway in accordance with Article 3, Chapter 1, Title 33 of the 1950 Code of Virginia as amended.

At-grade, points of access are to be permitted at the following locations:

Point 1, Relocation of State Route 635
Point 2, Relocation of State Route 608
Point 3, State Route 609
Point 4, State Route 2

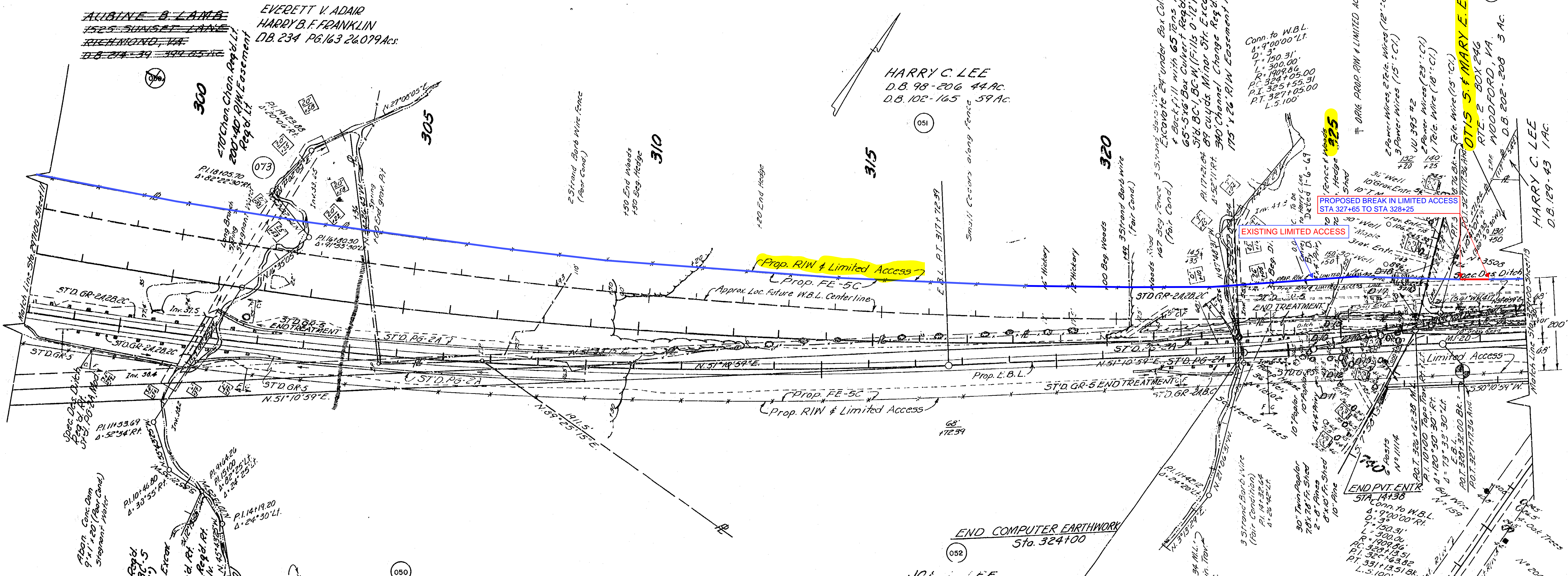
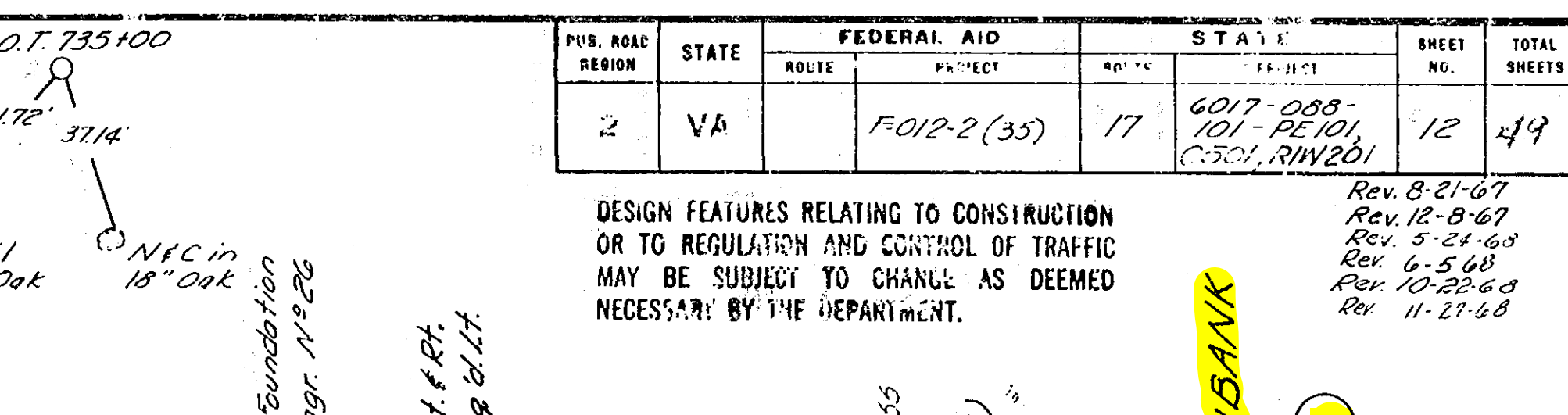
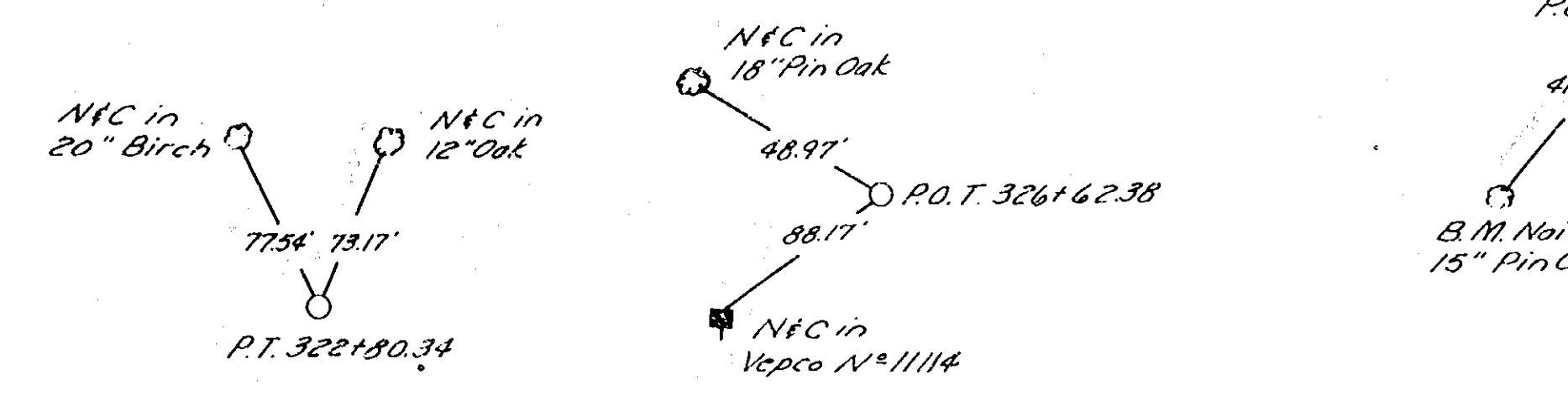
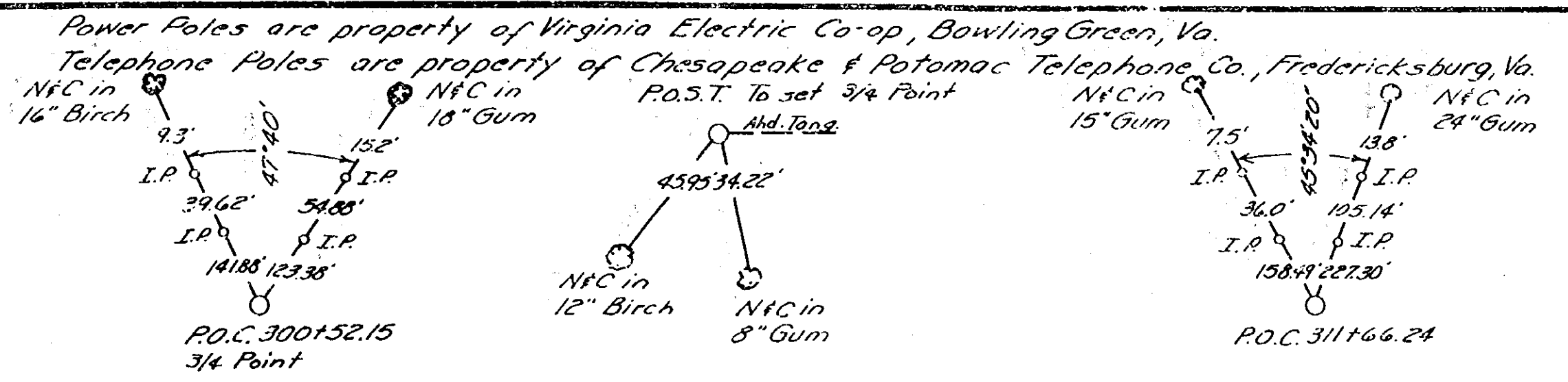
These points are to be made a part of the right of way transaction and record.

MOTION CARRIED.

FED. ROAD REGION	STATE	FEDERAL AID		STA 1 E	SHEET NO.	TOTAL SHEETS
		ROUTE	PERCENT			
2	VA	FOI2-2(35)	17	6017-088-011-PE101 (5.50) R/W201	12	49

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT.

Rev. 8-21-67
Rev. 12-8-67
Rev. 5-21-68
Rev. 6-5-68
Rev. 10-22-68
Rev. 11-21-68



GUARD RAIL REQ'D. ST'D. GR-2A2B2C, W=4.1'-15"

Sta. to	Sta.	Side	Lin. Ft.	Shts.
298+00	303+12.50	Lt.	512.5	1
299+00	303+12.50	Rt.	412.5	2
322+37.50	324+62.50	Rt.	225	2
322+37.50	324+62.50	Lt.	225	2
		Totals	1,375	7

CHANNEL CHANGE REQ'D.

Sta.	Side	Width	Length	Cu. Yds.
301+50	Rt.	20'	95'	568
301+95	Lt.	20'	470'	1,250
323+90	Lt.	5'	340'	874
		Total	*	2,692

PAVED GUTTER, ST'D. PG-2A REQ'D.

Sta. to	Sta.	Side	Depth	Sq. Yds.
297+96	298+45	Rt.	Type 2, 8"	21.32
302+08	302+67	Lt.	Type 2, 10"	19.65
301+75	302+67	Rt.	Type 2, 10"	30.64
302+67	304+00	Lt.	Type 2, 10"	71.42
302+67	307+00	Rt.	Type 2, 8"	188.36
304+00	307+00	Lt.	Type 2, 6"	217.50
307+00	310+00	Rt.	Type 2, 6"	94.50
309+00	311+00	Lt.	Type 2, 6"	63.00
321+64	322+39	Lt.	Type 2, 8"	32.63
321+64	322+39	Rt.	Type 2, 8"	32.63
322+39	323+30	Lt.	Type 2, 10"	46.95
322+39	323+30	Rt.	Type 2, 10"	46.95
		Total		865.53

SPEC. DES. DITCH WITH ST'D. PG-2A MOD.

Sta. to	Sta.	Side	Length	Cu. Yds.	Sq. Yds.
298+45	301+50	Rt.	305'	39.3	216.89
		Total		* 39.3	216.89

BEG. CROSS SECTIONS
Sta. 324+00

SPEC. DES. DITCH REQ'D. LT.

Sta. to	Sta.	Side	Length	Cu. Yds.
323+90	324+00	Lt.	510'	4,612
		Total		* 4,612

Not to be used for fills. See "x" sections for grades.

SCALE 1"=100'

Denotes approximate limits of grading

5
4
0
9
9
5
8
A



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

1401 East Broad Street
Richmond, Virginia 23219

Stephen C. Brich, P.E.
Commissioner

September 1, 2021

MEMORANDUM

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

From: **Lori A. Snider**
State Right of Way and Utilities Director *lls*

RE: **Limited Access Control Change Request**
Route 17 (Mills Drive), Spotsylvania County

The above referenced limited access control change request and supplemental documents are attached for your review. The requestor seeks a break in the limited access control along Route 17 (Mills Drive) 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, 7-Eleven, onto the proposed limited access right of way for Route 17 (Mills Drive). As a part of the project, a raised concrete median will be installed along Route 17 (Mills Drive), in front of the proposed entrance, to prohibit left-turn movements entering or exiting the site and construction of a right-turn lane consisting of 150 ft of storage and a 100 ft taper to accommodate vehicles accessing the site.

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

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



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219-2000

Stephen C. Brich, P.E.
COMMISSIONER

September 1, 2021

The Honorable Shannon Valentine
The Honorable Stephen C. Brich, P. E.
The Honorable Jerry L. Stinson II
The Honorable E. Scott Kasprovicz
The Honorable John Malbon
The Honorable Raymond D. Smoot Jr.
The Honorable Carlos M. Brown
The Honorable Alison DeTuncq
The Honorable Stephen A. Johnsen
The Honorable W. Sheppard Miller III
The Honorable Cedric Bernard Rucker
The Honorable Marty Williams
The Honorable Bert Dodson, Jr.
The Honorable Mary H. Hynes
The Honorable Greg Yates
The Honorable Mark H. Merrill
The Honorable Jennifer Mitchell

Subject: Approval of Limited Access Control Change (LACC) for Route 17 (Mills Drive)

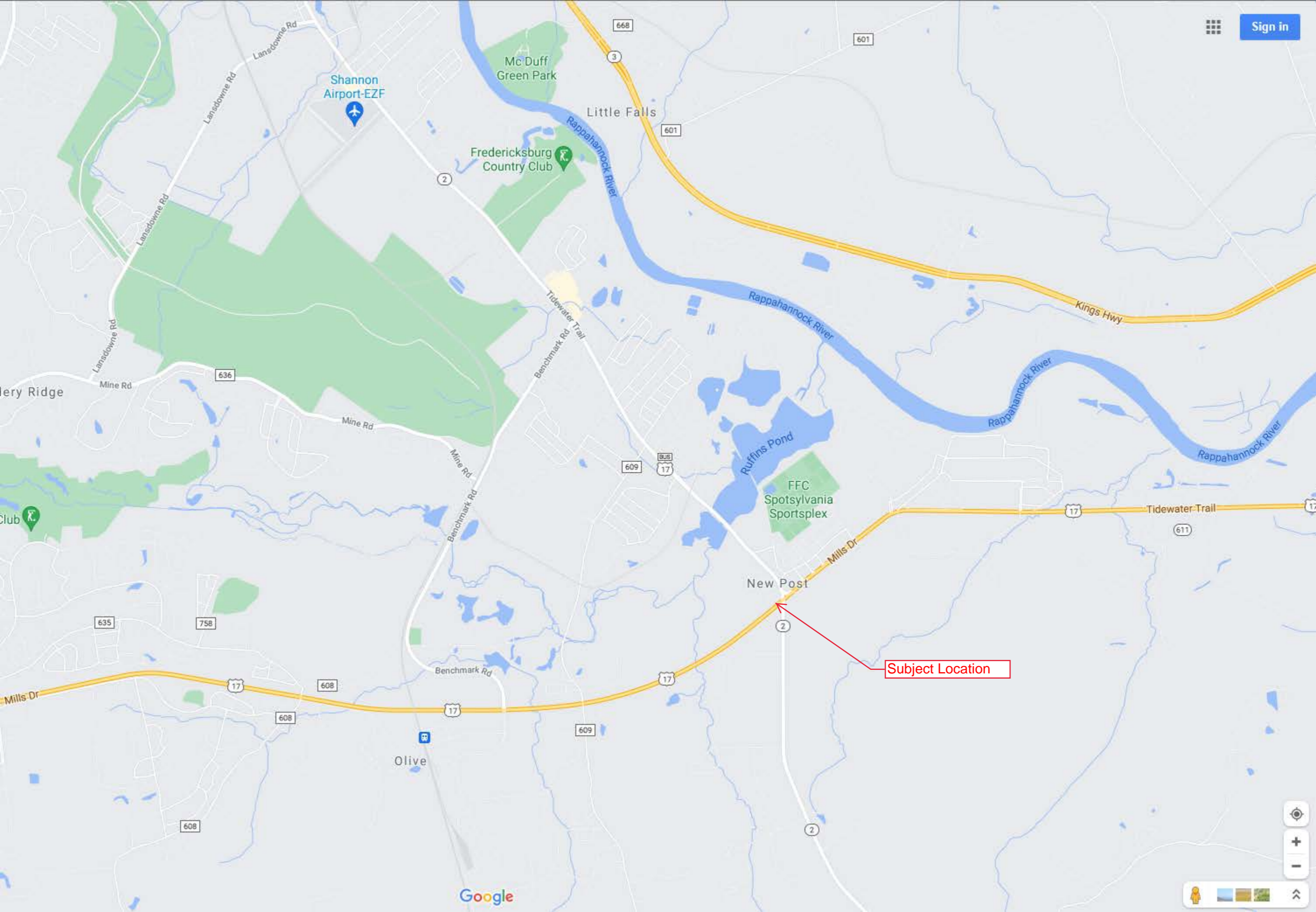
Dear Commonwealth Transportation Board Members:

The Department has received a request for your consideration from Net Lease Development for a break in the limited access control along Route 17 (Mills Drive), 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, 7-Eleven, approximately 300 feet south of the Route 17 (Mills Drive) and Route 2 (Tidewater Trail) intersection, onto the proposed limited access right of way for Route 17 (Mills Drive), requiring the installation of a raised concrete median along Route 17 (Mills Drive) in front of the proposed entrance to prohibit left-turn movements entering and exiting the site and the construction of a right turn lane to accommodate vehicles accessing the site via westbound Route 17 (Mills Drive). The Department's staff has determined there will be minimal impact on the operation to Route 17 (Mills Drive) and that the proposed LACC is 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 change 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,

Barton A. Thrasher, P.E.
Chief Engineer



Subject Location

