



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 # 6

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

January 12, 2022

MOTION

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

**Title: Limited Access Control Change
Interstate 66
Fairfax County**

WHEREAS, Interstate 66 was designated as Limited Access Highway by the State Highway Commission, predecessor to Commonwealth Transportation Board (CTB), on October 4, 1956; and

WHEREAS, in connection with State Highway Project 066-029-103, RW-202, the Commonwealth acquired a certain limited access control easement from Albert T. Young, Jr., *et al.* by deed dated June 13, 1963, recorded in Deed Book 2322, Page 70, and recorded in the Office of the Clerk of Circuit Court of the County of Fairfax; and

WHEREAS, Eduardo Lopes, the adjoining landowner, has requested a shift in limited access control along Interstate 66 to remedy an encroachment of an existing garage and modify the right of way limits to create a surplus property, which the requestor will purchase; and

WHEREAS, the requested shift in the limited access control of Interstate 66 is 37.91 feet in length, shown on Sheet 4 of State Highway Project 0066-96A-417, RW-201, beginning at a point on the existing right of way and limited access line 79.26 feet opposite Station 134+80.1 (Interstate 66 EB construction baseline) to a point 80.25 feet opposite Station 135+16.92 (Interstate 66 EB construction baseline), showing the proposed shift of the current limited access control line; and

WHEREAS, the County of Fairfax, by Resolution dated July 27, 2021, endorses the proposed limited access control change (LACC); and

WHEREAS, the Virginia Department of Transportation's (VDOT's) Northern Virginia District has determined, with the Chief Engineer concurring, that the proposed shift in the limited access control of Interstate 66 will have minimal impact on the operation of the Interstate 66 right of way, and that the proposed LACC is appropriate from a safety and traffic control standpoint; and

WHEREAS, VDOT's Northern Virginia District has determined the location of the proposed LACC is within an air quality maintenance or non-attainment area, but is not considered to be regionally significant for air quality purposes. In addition, the environmental impact analysis was reviewed and approved by the Northern Virginia 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 *Washington Post* and *Falls Church News-Press* on December 10, 2020, and posted in *El Tiempo Latin* on December 11, 2020; and

WHEREAS, the Federal Highway Administration has provided the requisite approval for the proposed LACC; and

WHEREAS, VDOT has determined no compensation shall be due in consideration of the proposed LACC, as no value will be added to the adjoining land solely by shifting the said limited access line; and

WHEREAS, the requestor has borne all the appropriate costs in accordance with 24 VAC 30-401-20; 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, 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.

Resolution of the Board
Limited Access Control Change
Interstate 66
Fairfax County
January 12, 2022
Page 3 of 3

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, and directs that Interstate 66 continue to be designated as a limited access control area, with the boundaries of limited access control being modified from the current locations as shown on the attached exhibits and subject to the conditions mentioned herein.

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
Interstate 66
Fairfax County
Limited Access Control Change

Issue: Eduardo Lopes, a Fairfax resident living adjacent to Interstate 66, has requested a shift in limited access control to remedy the encroachment of an existing garage. The shift in limited access control will modify the right of way limits to create surplus property that the requestor will purchase. This limited access control change (LACC) 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:

- Interstate 66 in Fairfax County was designated as a Limited Access Highway by the State Highway Commission, predecessor to Commonwealth Transportation Board (CTB), on October 4, 1956.
- In connection with State Highway Project 0066-029-103, RW-202, the Commonwealth acquired certain limited access control easements from Albert T. Young, Jr., *et al.* by deed dated June 13, 1963, recorded in Deed Book 2322, Page 70, and recorded in the Office of the Clerk of Circuit Court of the County of Fairfax.
- The requested break in the limited access control is 37.91 feet in length along the existing limited access control line of the east bound lane of Interstate 66, beginning at a point 79.26 feet opposite Station 134+80.1 (Interstate 66 EB construction baseline) to a point 80.25 feet opposite Station 135+16.92 (Interstate 66 EB construction baseline).
- The County of Fairfax, by resolution dated July 27, 2021, supports the LACC.
- VDOT's Northern Virginia District has determined, with the Chief Engineer concurring, that the proposed shift in the limited access control of Interstate 66 will have minimal impact on the operation of Interstate 66 right of way, and the proposed LACC is appropriate from a safety and traffic control standpoint.
- VDOT's Northern Virginia District has determined the location of the proposed LACC is within an air quality maintenance or non-attainment area, but is not considered to be regionally significant for air quality purposes. In addition, the environmental impact analysis was reviewed and approved by the Northern Virginia District and there will be no adverse environmental impacts.
- Public notices of willingness to hold a public hearing and to receive public comment were posted in the *Washington Post* and *Falls Church News-Press* on December 10, 2020, and posted in *El Tiempo Latin* on December 11, 2020, with one comment received objecting to the request, one question answered and resolved by district staff, and no requests for a public hearing.
- The Federal Highway Administration has provided the requisite approval for the proposed LACC.
- No compensation shall be due in consideration of the proposed LACC, as no value will be added to the adjoining land solely by shifting the said limited access line.
- The requestor has borne all appropriate costs in accordance with 24 VAC 30-401-20.
- All right of way, engineering, construction, and necessary safety improvements shall meet all VDOT standards and requirements.

- All costs of engineering and construction, including all necessary safety improvements, will be borne by the requestor.
- 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.
- 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.

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. The questions or comments were answered/resolved by District staff.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 East Broad Street
Richmond, Virginia 23219

Stephen C. Brich, P.E.
Commissioner

January 1, 2022

MEMORANDUM

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

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

Subject: Limited Access Control Change Request
Interstate 66, Fairfax County

The above referenced limited access control change request and supplemental documents are attached for your review. The requestor seeks a shift in the limited access limits along Interstate 66 to remedy the encroachment of a garage which was built within the existing limited access and right of way limits. The district divisions have reviewed this request and has confirmed that the area is not necessary for the continued operation and maintenance Interstate 66 and supports the shift of the limited access limits, opening the area up, containing 289 square feet, for conveyance to the adjacent landowner.

I concur with the District's recommendations and have approved the disposal of the 289 square feet of surplus land 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

January 1, 2022

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

Subject: Approval of Limited Access Control Change (LACC) for Interstate 66

Dear Commonwealth Transportation Board Members:

The Department has received a request for your consideration from Eduardo Lopes for a shift in the limited access control along Interstate 66, to remedy the encroachment a garage constructed within the existing limited access and right of way limits. The shift in limited access control will shift the right of way limits to create a surplus property, the requestor will purchase. The Department's staff has determined the proposed shift will have minimal impact on the operation of Interstate 66 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 this shift in limited access control 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,

Bart Thrasher

Barton A. Thrasher, P.E.
Chief Engineer

RESOLUTION

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Fairfax County Government Center at Fairfax, Virginia, on Tuesday, July 27, 2021, at which meeting a quorum was present and voting, the following resolution was adopted:

WHEREAS, the Virginia Department of Transportation has proceeded with improvements to Interstate 66 in the vicinity of Hallwood Avenue;

WHEREAS, the limited access line for Interstate 66 is located to the rear of a private residence; and

WHEREAS, the recent improvements to Interstate 66 and impact to the private property owner dictate the need to adjust the limited access line; and

WHEREAS, the adjustment of the limited access line requires review and approval by the Commonwealth Transportation Board; and

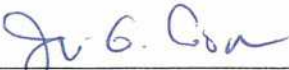
WHEREAS, to process these requests, Section 24VAC30-401-20 of the Virginia Administrative Code requires a resolution, letter of support, or formal request, or any combination of these, from the locality within which the changes in limited access are proposed;

NOW THEREFORE, BE IT RESOLVED, that this Board, supports these proposed changes to the limited access controls along Interstate 66 in the vicinity of Hallwood Avenue; and

BE IT FURTHER RESOLVED, that this Board hereby requests, pursuant to Section 24VAC30-401-20 of the Virginia Administrative Code, that the Commonwealth Transportation Board approve the proposed changes to the limited access controls.

ADOPTED this 27th day of July, 2021.

A Copy - Teste:



Jill G. Cooper

Clerk for the Board of Supervisors





COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

Stephen C. Brich, P.E.
Commissioner

1401 East Broad Street
Richmond, Virginia 23219

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

October 21, 2020

Mr. Thomas Nelson, Jr. P.E.
Division Administrator
Federal Highway Administration
400 N. 8th Street Room 750
Richmond, Virginia 23240-0249
Attention Ms. Janice L. Williams

Request for Modification of Limited Access Line

Route: Interstate I-66
VDOT Projects: Acquisition 066-029-103, R202; Current 0066-96A-417, R201/UPC 108424
Federal Project Number: Acquisition Project – I-66-1(45)69 - ROW; I-66-1(101) 70 - Construction
Current Project - NHPP-066-1(356) ROW and Construction

Dear Mr. Nelson,

The Virginia Department of Transportation (VDOT) is processing a request for a shift in limited access along I-66 in Fairfax County.

During the survey process for the Project, it was realized that a garage was encroaching within the limited access and right of way limits of Interstate 66. After completing additional research, it was discovered in 1996 that Fairfax County issued a permit based on the application the then landowner submitted in order to construct a detached garage, which was built within the existing limited access and right-of-way limits.

VDOT has confirmed that the limited access and right of way is no longer needed and would like to convey the property that is necessary and move the lines to ensure the garage is situated only on homeowner's land. To that effect, VDOT has completed a surplus property disposal that is contingent upon the approval and completion of this limited access shift.

Therefore, VDOT is requesting your concurrence in modification to the existing limited access lines along I-66 at this location, as shown on the attached exhibits between station 134+80.1 and 135+16.92

Attached please find a copy of the recent plans, showing with the Limited Access Control Change, and a location map.

VDOT approves of the Limited Access Control Change as shown on the exhibit. We are requesting a quick review and approval of this limited access change so that the Commonwealth Transportation Board can approve the changes at their meeting on December 9, 2020.

If additional information is needed, please contact Kimberly Leckner at 703-346-5445 or by email at Kimberly.Leckner@vdot.virginia.gov.

Best regards,

Kimberly M. Leckner
Assistant Program Manager
Right of Way and Utilities Division

Approved: _____ Date: _____

Minutes of the Meeting of the State Highway
Commission of Virginia, held in
Richmond
October 4, 1956

The Commission met in the Central Office Building, Richmond, Virginia, at 9:00 A.M., Thursday, October 4, 1956. The following members were present: Messrs. E. P. Barrow, S. S. Flythe, S. D. May, Burgess E. Nelson, Wm. A. Wright and J. A. Anderson.

The meeting was called to order by the Chairman.

The Chairman read a letter from Mr. Howard G. Rogers stating that he would not be able to attend because of illness.

On motion made and seconded, the minutes of the August 9-10 meeting were approved.

Moved by Mr. May, seconded by Mr. Barrow, that the permits issued from the August 9-10 meeting to date, inclusive, as recorded in the Auditing Division, be approved. Motion carried.

Moved by Mr. May, seconded by Mr. Barrow, that the permits cancelled by the Commissioner from the August 9-10 meeting to date, inclusive, as authorized June 25, 1947, and recorded in the Auditing Division, be approved. Motion carried.

Moved by Senator Nelson, seconded by Senator Wright, that the Commission confirm award of contract on bids received August 15 for the construction of Project 1587-15-16, Route 615, Bridge and Approaches Three Creek, Southampton County, to the low bidder, Norfolk Contracting Co., Norfolk, Va., at the bid of \$102,949.41, that 10% additional be set aside to cover the cost of engineering and additional work and \$1,064.54 for work by the A. & D. Railroad, making a total of approximately \$114,500.00 chargeable to this project; to be financed 50/50 State and Federal. Motion carried.

Moved by Senator Wright, seconded by Mr. Barrow, that the Commission confirm award of contract on bids received August 15 for the construction of Project 1307-24, Route 600, S. End of Bridge over Claytons Mill Creek-0.884 Mile N. Rockbridge County Line, Augusta County, to the low bidder, Echols Brothers, Inc., Staunton, Va., at the bid of \$67,455.18 and that 10% additional be set aside to cover the cost of engineering and additional work, making a total of approximately \$74,180.00 chargeable to this project; to be financed 50/50 State and Federal. Motion carried.

Moved by Mr. Barrow, seconded by Mr. Flythe, that the Commission confirm award of contract on bids received August 15 for the construction of Project 1581-10, Routes 681, 640, 0.01 Mile E. of W. Int. Route 681, (E. of Pissaro)-Franklin County Line, Floyd County, to the low bidder, D. E. Worley Construction Co., Rocky Mount, Va., at the bid of \$127,855.70, that 10% additional be set aside to cover the cost of engineering and additional work and \$1,226.50 for work by State Forces (not included in contract), making a total of approximately \$141,900.00 chargeable to this project; to be financed with \$71,580.00 State and \$70,520.00 Federal Funds. Motion carried.

Moved by Mr. Flythe, seconded by Senator Nelson, that, Whereas, under authority of Section 33-115.2 of the 1950 Code of Virginia, as amended, request is made by City of Warwick for payment at the base rate of \$500 per Mile annually on additional streets meeting the required standards; Now, Therefore, be it resolved, that quarterly payments at the base rate of \$500 Per Mile annually be made to the City of Warwick on additional streets totaling 11.20 miles, effective beginning the second quarter, October 1, 1956. Motion carried.

Moved by Mr. Flythe, seconded by Senator Nelson, that, Whereas, under authority of Section 33-115.2 of the 1950 Code of Virginia, as amended, request is made by City of Waynesboro for payment at the base rate of \$500 per Mile annually on additional streets meeting the required standards; Now, Therefore, be it resolved, that quarterly payments at the base rate of \$500 Per Mile annually be made to the City of Waynesboro on additional streets totaling 10.612 miles, effective beginning the second quarter, October 1, 1956. Motion carried.

Moved by Mr. Flythe, seconded by Senator Nelson, that, Whereas, under authority of Section 33-115.2 of the 1950 Code of Virginia, as amended, request is made by the Town of Wytheville for payment at the base rate of \$500 Per Mile annually on additional streets meeting the required standards; Now, Therefore, be it resolved, that quarterly payments at the base rate of \$500 Per Mile annually be made to the Town of Wytheville on additional streets totaling 0.984 Mile, effective beginning the second quarter, October 1, 1956. Motion carried.

Moved by Mr. Flythe, seconded by Senator Nelson, that, it so be declared that, Whereas, by action of the Congress of the United States, whereby all routes on the National System of Interstate and Defense Highways are to be constructed to interstate standards and whereas, one of the requirements of interstate standards is the control of access to these routes; Therefore, be it resolved that all routes on the National System of Interstate and Defense Highways within the confines of the Commonwealth of Virginia, upon determining the final location of said routes, including all necessary grade separations, interchanges, ramps, etc., are here and now designated Limited Access Highways, pursuant to Article 8, Chapter 1, Title 33, of the Code of Virginia of 1950, as amended. Motion carried.

On motion made by Senator Nelson, seconded by Mr. Barrow, the Chairman was instructed to report to the Bureau of Public Roads, at a meeting called for October 9, that the Virginia Department of Highways will undertake one-third of the cost of operation and maintenance of the proposed bridge over the Potomac River at Jones Point, with the thought that the other two-thirds shall be borne by the State of Maryland and the District of Columbia. This could be handled by written agreement looking to appropriate Federal legislation.

PROJECT MANAGER: Mark Gibney, P.E. (703) 259-2734, NOVA Location and Design
SURVEYED BY: DATE: Blue Associates, (703) 968-3200, 09/30/2006
DESIGN BY: L&E, GEC, Project Team
SUBSURFACE UTILITY BY: DATE: Acumark, Inc. (804) 550-7740, 10/19/2015

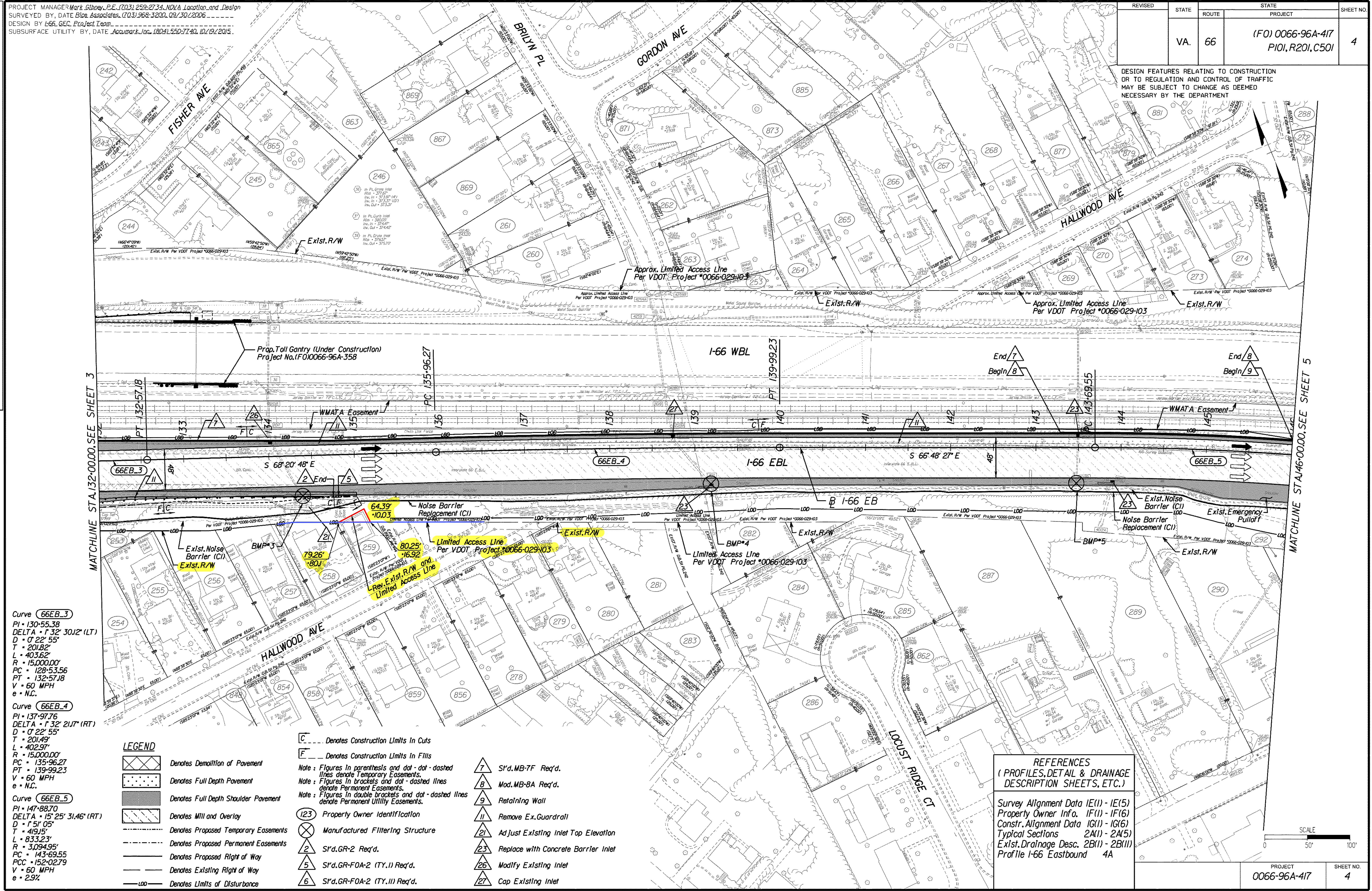
REVISED	STATE	ROUTE	STATE	PROJECT	SHEET NO.
	VA.	66		(FO) 0066-96A-417 PIO, R201, C501	4

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

THESE PLANS ARE UNFINISHED AND UNAPPROVED AND ARE NOT TO BE USED FOR ANY TYPE OF CONSTRUCTION OR THE ACQUISITION OF RIGHT OF WAY. ADDITIONAL EASEMENTS MAY BE REQUIRED BEYOND THE PROPOSED RIGHT OF WAY SHOWN ON THESE PLANS.

RFP PLANS

NOVA DISTRICT



Curve (66EB_3)
PI = 130+55.38
DELTA = 7° 32' 30.12" (LT)
D = 0° 22' 55"
T = 201.82'
L = 403.62'
R = 15,000.00'
PC = 128+53.56
PT = 132+57.18
V = 60 MPH
e = N.C.

Curve (66EB_4)
PI = 137+97.76
DELTA = 7° 32' 21.17" (RT)
D = 0° 22' 55"
T = 201.49'
L = 402.97'
R = 15,000.00'
PC = 135+96.27
PT = 139+99.23
V = 60 MPH
e = N.C.

Curve (66EB_5)
PI = 147+88.70
DELTA = 15° 25' 31.46" (RT)
D = 1° 51' 05"
T = 419.15'
L = 833.23'
R = 3,094.95'
PC = 143+69.55
PCC = 152+02.79
V = 60 MPH
e = 2.9%

LEGEND

	Denotes Demolition of Pavement
	Denotes Full Depth Pavement
	Denotes Full Depth Shoulder Pavement
	Denotes Mill and Overlay
	Denotes Proposed Temporary Easements
	Denotes Proposed Permanent Easements
	Denotes Proposed Right of Way
	Denotes Existing Right of Way
	Denotes Limits of Disturbance

	Denotes Construction Limits In Cuts		S'd.MB-7F Req'd.
	Denotes Construction Limits In Fills		Mod.MB-8A Req'd.
Note: Figures in parenthesis and dot-dot-dashed lines denote Temporary Easements.			Retaining Wall
Note: Figures in brackets and dot-dashed lines denote Permanent Easements.			Remove Ex. Guardrail
Note: Figures in double brackets and dot-dashed lines denote Permanent Utility Easements.			Adjust Existing Inlet Top Elevation
	Property Owner Identification		Replace with Concrete Barrier Inlet
	Manufactured Filtering Structure		Modify Existing Inlet
	S'd.GR-2 Req'd.		Cap Existing Inlet
	S'd.GR-FOA-2 (TY.I) Req'd.		
	S'd.GR-FOA-2 (TY.III) Req'd.		

REFERENCES
(PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)

Survey Alignment Data 1E(1) - 1E(5)
Property Owner Info. 1F(1) - 1F(6)
Constr. Alignment Data 1G(1) - 1G(6)
Typical Sections 2A(1) - 2A(5)
Exist. Drainage Desc. 2B(1) - 2B(11)
Profile I-66 Eastbound 4A



PROJECT	SHEET NO.
0066-96A-417	4



PMI-10438

Hallwood Ave

Hallwood-Ave

694

Great Falls-S

© 2018 Google

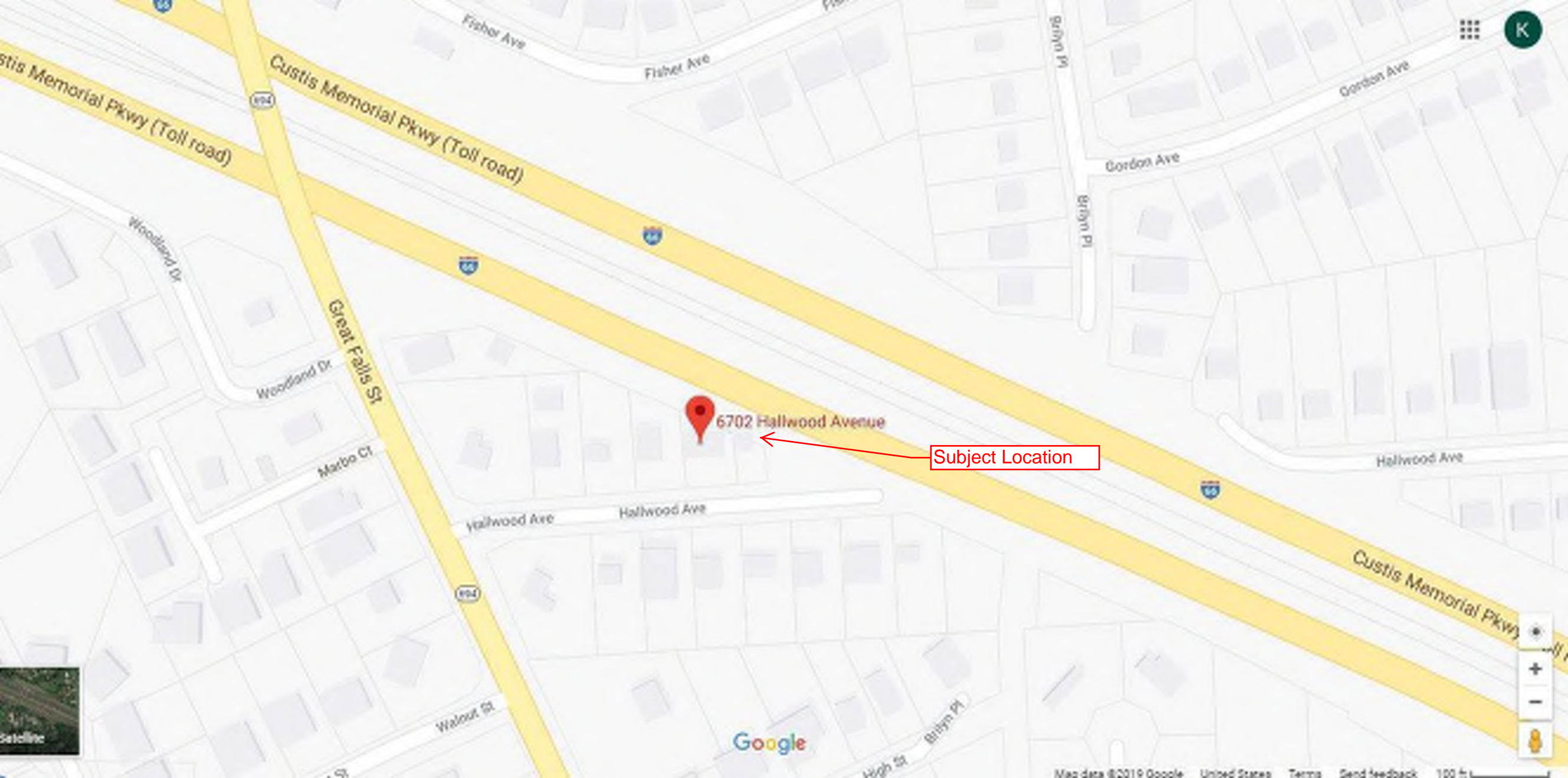
Google earth

Imagery Date: 4/14/2016

1586

38°53'48.88" N 77°10'34.61" W elev: 377 ft

Eye alt: 1136 ft



Custis Memorial Pkwy (Toll road)

Great Falls St

6702 Hallwood Avenue

Subject Location

Custis Memorial Pkwy

Google