COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

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Chairman

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Agenda item #6-A

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

January 16, 2008

MOTION

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

Title: Limited Access Control Changes
Route 37 and Future Extension of Jubal Early Drive Interchange and
Route 621 (Merrimans Lane), Frederick County

WHEREAS, Route 37, between Route 81 south of the City of Winchester and Route 11 north of the City of Winchester, in Frederick County, was designated as a Limited Access Highway by the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), on March 17, 1966; and

WHEREAS, in connection with a section of Route 37, State Highway Project 6037-034-101, RW-201, which is located between the aforesaid locations, the Commonwealth acquired certain lands and limited access easements from various landowners; and

WHEREAS, the land on both the east and west sides of the east and west Route 37 proposed right of way and limited access lines, as shown on the plans for State Highway Project 6037-034-101, RW-201, has been identified for a proposed interchange with a future extension of Jubal Early Drive at Route 621 (Merrimans Lane) by the Developer of adjacent lands and Frederick County (County); and

WHEREAS, the Developer and County identified and requested limited access control changes on the east and west sides of the Route 37 proposed right of way and limited access lines in the area of approximate Station 335+00 to accommodate the said proposed interchange to include turn, taper, bypass, acceleration, and deceleration lanes, median breaks, ramps, as required, and a non-signalized roundabout on both the east and west sides of Route 37 on the future extension of Jubal Early Drive at Route 621 (Merrimans Lane) to provide both ingress and egress of one to the other said Routes, which was approved by the CTB on January 18, 2007, and has expired; and

WHEREAS, the Developer is working cooperatively with the Virginia Department of Transportation (VDOT) and has made good progress on the design development for the said Interchange, and is requesting re-approval of the original request; and

WHEREAS, any lands necessary to accommodate the said proposed interchange to include turn, taper, bypass, acceleration, and deceleration lanes, median breaks, ramps, as required, and a non-signalized roundabout on both the east and west sides of Route 37 on the future extension of Jubal Early Drive at Route 621 (Merrimans Lane) to provide both ingress and egress of one to the other said Routes shall be donated by the Developer; and

WHEREAS, the County, by letter dated March 7, 2006, supports the request for the said limited access control changes for the said proposed interchange; and

WHEREAS, VDOT determined that the proposed limited access control changes on the east and west sides of the Route 37 proposed right of way and limited access lines in the area of approximate Station 335+00 to accommodate the said proposed interchange including turn, taper, bypass, acceleration, and deceleration lanes, median breaks, ramps, as required, and a non-signalized dual lane roundabout on both the east and west sides of Route 37 on the future extension of Jubal Early Drive at Route 621 (Merrimans Lane) to provide both ingress and egress of one to the other said Routes are appropriate for said proposed interchange and safety improvements from a design standpoint subject to continued review and approval; and

WHEREAS, VDOT determined that the said limited access changes and proposed intersection are appropriate from a safety and traffic control standpoint subject to further review and approval; and

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

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

WHEREAS, all costs of engineering and construction, including all necessary safety improvements, will be borne by the Developer; and

WHEREAS, the Developer shall pay just compensation to the Department in consideration of the proposed limited access control changes, this amount to be determined by the Department; and

WHEREAS, public notices were posted and closed on October 21, 2006, October 28, 2006, and November 4, 2006, with no negative comment received; and

WHEREAS, the said limited access control changes remain in compliance with the CTB Policy; and

WHEREAS, upon completion and acceptance of the said proposed interchange and limited access control changes by VDOT, all work, roadway construction, improvements and equipment will become the property of the Commonwealth; and

WHEREAS, VDOT recommends re-approval of the original request for obtaining the necessary permits for said proposed interchange, other improvements and limited access control changes as set forth in herein.

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 request for a period of 180 days to expire on July 15, 2008, for the said limited access control changes for public street purposes as set forth herein and subject to the above referred conditions. The Commonwealth Transportation Commissioner is hereby authorized to execute any and all documents needed to comply with this resolution.

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