

# City of Alexandria, Virginia

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## MEMORANDUM

DATE: NOVEMBER 5, 2018

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: MARK B. JINKS, CITY MANAGER 

SUBJECT: TRANSURBAN STUDY OF SEMINARY ROAD RAMP  
OPERATIONS AND IMPACTS ON COMPLETE STREETS PROJECT

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The purpose of this memorandum is to provide background on the south-facing ramp from the I-395 median lanes to Seminary Road, provide an update on Transurban's study of changing operations of that ramp, and describe planned staff actions to address this issue and the Complete Streets study of Seminary Road in process.

The Virginia Department of Transportation (VDOT) in October notified the City that Transurban, the I-395 Express Lanes concessionaire, is proposing to evaluate the current use of the Seminary Road high-occupant vehicle-only (HOV) ramp and to consider potential operational changes at the ramp for express lane/high-occupancy toll (HOT) traffic.

**BACKGROUND:** In 2012, Council resolved (Attachment 1) that it was concerned about potential traffic impacts of a proposed new south-facing high-occupancy vehicle (HOV)/transit ramp to Seminary Road from points south and endorsed a build option that restricted all traffic from using this ramp to go to or from points east of I-395. This option was not selected by VDOT.

In 2015, VDOT made a commitment (Attachment 2) to restrict traffic on the new Seminary Road ramp to transit and HOV traffic only, highlighting this as one of the distinctions between the I-395 Express Lanes project currently under construction and prior proposals.

The existing north-facing ramp (serving traffic going to and from points north, in the mornings and evenings respectively) was always planned to serve HOV, transit and HOT vehicles as a part of the I-395 Express Lanes project. The south-facing ramp opened in early 2016 and planned to only serve HOV and transit traffic traveling north in the morning and south in the evening. This ramp was the subject of the 2015 commitment to remain restricted to HOV traffic.

Transurban, the company that built and manages the toll lanes, recently informed the city and VDOT that it would like to analyze the south-facing ramp for HOT vehicle access.

This new information prompted city staff to postpone the planned October 18, 2018 community meeting on the Seminary Road Complete Streets project to evaluate the Transurban request and seek additional information.

City of Alexandria Mayor Silberberg sent a letter to the Virginia Secretary of Transportation on October 16, 2018 (Attachment 3) to express the City's continued opposition to changes that would allow HOT access to and from the south-facing ramp. The letter also stressed the importance of consulting the public on any such proposed change.

Staff met with representatives of Transurban and VDOT on October 19, 2018 to discuss the scope and process for the planned study. The City was told that data would be collected during the months of October and November but the timeframe for analysis is not yet clear. VDOT stated that they will evaluate the results to determine if the data shows a public benefit that could result from modifying the existing framework, which could include safety or traffic management. It is important to note that should Transurban and VDOT propose to change the approved traffic patterns at this interchange, they will have to submit an Intersection Modification Report (IMR), requiring the approval of the Commonwealth Transportation Board and the Federal Highway Administration. VDOT anticipates the following items will be needed if the Seminary Ramp operations are modified to allow Express Access:

1. NEPA documentation - most likely a re-evaluation of the Environmental Assessment for the 395 Express Lanes (FHWA approver)
2. An Interchange Modification Report (IMR) - traffic report (FHWA approver)
3. Public Involvement - VDOT is still determining what type of involvement will be needed, but in any case, there will be opportunity for public input and comment, either through public information meetings, and other meetings, working in coordination with the City, and possibly a Public Hearing.
4. Commonwealth Transportation Board approval to designate use of the ramp (HOV or HOT).

This process is expected to be fast-paced, taking six-to-nine months to complete.

**DISCUSSION:** Moving forward, staff will continue to work with Transurban and VDOT to ensure a reliable study is conducted that will provide information on the potential traffic impacts of the contemplated change. The City was provided the opportunity to comment on the scope of the study area and specific study intersections. Staff will, in all communications with the public, emphasize that the staff role is solely to coordinate on and review the analysis and that the City's official position is that it is opposed to this change. The obligation to analyze the impacts, engage with the public, decide how to proceed, and mitigate any impacts lies with VDOT and Transurban.

As soon as the Complete Streets project team has a reliable forecast of how a potential change in the off-ramp operation could impact Seminary Road traffic, the project team will conduct a revised traffic analysis of the conceptual alternatives. The project team has

paused work on this study. However, after considering feedback from Council during an update on the project on October 23, will proceed as soon as more information is known about the timing of the study and potential future impacts of the contemplated changes.

It is important to note that the City continues to oppose any change to the allow HOT users to access the south-facing ramp at Seminary Road and will remain involved with the traffic study to ensure the methodology used and data analysis is accurate.

**ATTACHMENTS:**

Attachment 1: 2012 City Council Resolution #2520

Attachment 2: 2015 Framework Agreement

Attachment 3: Letter from Alexandria Mayor

cc: Emily Baker, Deputy City Manager  
Yon Lambert, Director, Transportation & Environmental Services  
Hillary Orr, Deputy Director, Transportation & Environmental Services

**RESOLUTION NO. 2520**

Resolution Denoting the City of Alexandria Position with Respect to the Design and Operation of the Northbound I-395/Seminary Road HOV/Transit Ramp

**WHEREAS**, the Federal Highway Administration has issued a Finding of No Significant Impact (FONSI) for the I-395 HOV/Transit Ramp at Seminary Road; and

**WHEREAS**, the City Council has previously discussed the benefits associated with the construction of the HOV/Transit ramp; and

**WHEREAS**, the City Council agreed in January 2012 and June 2012 that the HOV/Transit ramp should be operated in a way that precludes northbound right turns at the top of the ramp in the morning and westbound left turns in the afternoon; and

**WHEREAS**, the analysis of traffic operations indicates that 80 vehicles are expected to turn right at the top of the ramp in the morning and 225 westbound vehicles are expected to turn left onto the ramp in the afternoon in 2015, and 100 vehicles are forecast to turn right in the morning and 300 are expected to turn left in the afternoon in 2035; and

**WHEREAS**, safety conditions immediately east of the Seminary Road interchange, where there are sensitive land uses including a middle school and a library, would be negatively affected by the addition of traffic if full movements are allowed on the HOV/Transit ramp, and

**WHEREAS**, pedestrian counts taken at the intersection of Seminary Road and Library Lane indicate that more than 100 pedestrians cross this intersection during the AM and PM peak hours; and

**WHEREAS**, the traffic volumes may exceed the forecasts in the future; and

**WHEREAS**, the Federal Highway Administration will be making a technical determination with respect to the ramp operation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL  
OF ALEXANDRIA, VIRGINIA**

That the City Council of Alexandria, Virginia:

1. Endorses the design and construction of the I-395 HOV/Transit ramp precluding northbound right turns in the morning and westbound left turns in the afternoon, consistent with City Council's previous position.
2. If the Federal Highway Administration determines that the option that does not preclude northbound right turns in the morning and westbound left turns in the afternoon is the one to be implemented, the City of Alexandria requests that the following tasks/measures be undertaken.
  - a) VDOT should not permit turning options to be operational until traffic studies are completed post construction to justify the efficiency and effects on nearby neighborhoods and such studies shall use the following criteria:
    - i. Determine safety impacts to intersections between Beauregard Street and Seminary Road to Pickett Street and Seminary Road;
    - ii. Take vehicular and pedestrian counts annually for a period of two years prior to any proposed allowance for turning movements. Counts should be taken during the AM and PM peak period for three days in late September between Beauregard Street and Seminary Road to Pickett Street and Seminary Road. Project maximum queue lengths for each of the approaches during the peak hours and project impacts to pedestrian movements;

- iii. Collect accident data for corridor segment described above for a period of two years prior to any proposed allowance for turn movements and analyze future trends given the additional vehicular volumes associated with these turning movements; and
  - iv. Calculate the level of service for the AM and PM peak hour given the additional vehicular volumes associated with these additional turning movements.
- b) Implement mitigation measures if anyone of the following are met:
- i. The Seminary Road and Library Lane intersection level of service deteriorates to below "D" ("E" or "F"), as defined in the latest version of the Highway Capacity Manual, during the AM or PM peak hour;
  - ii. The queue on either of the Seminary Road approaches at Library Lane extends beyond the next signalized intersection; and
  - iii. Vehicle/pedestrian accidents or accident rates increase to a level that is more than 20 percent higher when compared to the average of other signalized intersections along Seminary Road between I-395 and North Quaker Lane or vehicle/pedestrian accidents or accident rates increase to a level that is more than 50 percent higher when compared to the baseline accidents and accident rates at the intersection of Seminary Road and Library Lane established at a time immediately prior to the opening of the HOV/Transit ramp.
- c) Focus the mitigation measures on addressing traffic operations and safety deficiencies. In the event no options can be implemented to address the safety and operations issues, the Virginia Department of Transportation and/or the City will approach the Federal Highway Administration and request that the northbound right turns be precluded in the morning and westbound left turns be precluded in the afternoon.
- d) FHWA and VDOT agree, in writing, at the time of the determination that if any one of the mitigation criteria listed in (2) (e) i, ii or iii above are met that FHWA and VDOT will approve the implementation of mitigation measures which would include construction, or other measures, to preclude the AM peak right turn and the PM peak left turn from and to the HOV/Transit ramp.
- e) The counts, analysis and assessment of mitigation measures will be conducted by the Virginia Department of Transportation and will be reviewed by Federal Highway and the City of Alexandria. If funding is identified, construction of mitigation measures will be the responsibility of the Virginia Department of Transportation and should occur in a reasonable timeframe after the need for the improvement is identified.
- f) The City reserves the right to implement safety measures in or around Seminary Road to preserve and protect public safety.

Adopted: September 15, 2012

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, MMC City Clerk

**Development Framework  
395 Project in Northern Virginia**

**Background**

In 2012, the Virginia Department of Transportation (the "Department") and 95 Express Lanes LLC ("95 Express") (collectively the "Parties") entered into a Comprehensive Agreement (the "I-95 Comprehensive Agreement") for the development of the 95 Express Lanes.

The I-95 Comprehensive Agreement contemplates the potential future development of the Northern HOT Lanes along the I-395 corridor (the "395 Project"). The Department has expressed an interest in pursuing the 395 Project at this time and has had preliminary discussions with 95 Express with regard to the 395 Project.

This development framework agreement is intended to outline the Parties shared understanding of 95 Express and the Department's initial roles and responsibilities in connection with development of the 395 Project. The Parties agree that the intent of this Development Framework is to advance the 395 Project as a Concessionaire Project Enhancement under the structure of Section 12.06(a) of the I-95 Comprehensive Agreement.

Any terms not defined herein will have the same meaning as in the I-95 Comprehensive Agreement.

**Scope of the 395 Project**

The 395 Project would expand the two (2) existing HOV lanes to three (3) HOT Lanes along the I-395 corridor for approximately eight (8) miles from Turkeycock Run near Duke Street to the vicinity of Eads Street near the Pentagon. The 395 Project would pass through the City of Alexandria as well as Arlington and Fairfax Counties and would connect to the 95 Express Lanes.

Subject to the 395 Project satisfying parent-company investment criteria and the Department's approval, 95 Express would commit to design, build, finance, operate, and maintain the currently contemplated scope of the 395 Project (the "Project Cost"). Final funding of the Project Cost would be subject to 95 Express parent-company Board and lender approval.

The Parties agree that the scope of the 395 Project would include the following:

- Rehabilitation of two existing HOV travel lanes and construction of one additional HOV travel lane;
- Installation of a Tolling and Traffic Management System to enable active traffic management and dynamic tolling;
- Installation of directional, regulatory and dynamic messaging signs;
- Construction of soundwalls consistent with minimum Federal and State requirements; and
- Construction of an improved connection to the 395 Project at Eads Street.

All existing HOV ramps along I-395 would be converted to HOT ramps, with the exception of the south-facing bus/HOV ramp at Seminary Road.

*Exclusions*

The Parties agree that the scope of the 395 Project would not include the following:

- Construction of additional entrance/exit ramps in the Shirlington area;
- Construction of additional pedestrian/bike facilities along the I-395 corridor; and
- Surrounding network or community enhancements along the I-395 corridor, such as soundwall improvements that exceed the existing minimum Federal or State requirements, reforestation or landscaping enhancements or other amenities, or upgrades to adjacent or arterial roadways (collectively, the "Surrounding Enhancements"), unless planned and funded by the Department (including use of funds in the Community Enhancement Fund, below).

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**395 Project in Northern Virginia**

The Concept of Operations, Technical Requirements and Joint Operating and Maintenance Protocols for the 395 Project would be consistent with the practices, principles and procedures already agreed for the 95 Express Lanes, as may be updated by the Parties for lessons learned from the 95 Express Lanes project.

**Long-Term Transit Investment**

95 Express will fund an annual transit payment amount as agreed by the Parties (adjusted each year based on an escalation methodology to be agreed by the Parties) until contract termination (the "Annual Transit Investment"). The Annual Transit Investment will be administered solely by the Department.

Notwithstanding Section 12.06(a) of the I-95 Comprehensive Agreement, the parties agree to update any applicable project documentation to permit the use of public funds or other financial support or credit as deemed necessary by the Department to advance its interests related to the transit investment or Surrounding Enhancements by the Department.

**95 Express Responsibilities**

95 Express would be responsible, as part of the overall Project Cost, for the following initial actions (collectively the "95 Express Development Activities") and deliverables to support development of the 395 Project:

- Preparation of engineering designs and associated bid documents necessary to support a competitive design-build procurement process for the 395 Project, including project performance requirements, preliminary design plans and/or contract drawings and specifications and special provisions (the "Preliminary Engineering and Design Work");
- Development of estimates for design-build, operations, routine maintenance, major maintenance, and special purpose vehicle costs (the "Cost Estimating Efforts");
- Development of a financing plan to support the 395 Project, with full flexibility in the composition of equity and debt financing, including development of draft and final applications and agreements for TIFIA, PABs, and/or other equity and debt financing facilities (the "Financing Plan Efforts");
- Management of bid process and public procurement efforts for the 395 Project, while collaborating with the Department as necessary (the "Procurement Efforts");
- Completion of traffic and revenue studies to support the financial and operational modeling of the 395 Project (the "Modeling Work");
- Community outreach and public information efforts in consultation with the Department (the "Community Outreach Efforts");
- Support the Department through the preparation of the materials, designs, data and other supporting documentation required for the Environmental Approvals and the Stormwater Approvals (both as defined below);
- Per the I-95 Comprehensive Agreement, seek all Approvals as described below ;
- Prepare the draft version of the 95 Express proposal (the "Draft Proposal"); and
- Prepare the final 95 Express proposal (the "Final Proposal") as required under Section 12.06 (a)(ii) of the I-95 Comprehensive Agreement.

**Department Responsibilities**

The Department would be responsible for the following initial actions and deliverables required to support the development of the 395 Project, and which are not included in the overall Project Cost:

- Completing all necessary environmental studies and approvals, including the inclusion of the 395 Project in the Transportation Planning Board's Financially Constrained Long-Range Transportation Plan and Transportation Improvement Plan (the "Environmental Approvals");

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- Obtaining written determinations from the Department of Environmental Quality and/or any other applicable Federal, state or local agencies that the 395 Project would be subject to the Part II-C stormwater management requirements contemplated by the grandfathering provisions of Virginia Stormwater Management Program (VSMP) Regulation (9VAC25-870 et seq.), or funding or providing for alternative arrangements (the “Stormwater Approvals”);
- Managing formal soundwall public engagement and approval processes (the “Preliminary Soundwall Work”);
- Setting up the process and administering any available transit investment monies (the “Transit Funding Efforts”);
- Providing assistance in good faith to 95 Express in their obtaining of approvals from local jurisdictions, the District of Columbia, and all Federal agencies and departments (other than the Environmental Approvals and the Stormwater Approvals described above) (the “Approvals”);
- Making available any current Department rights-of-way necessary for the 395 Project (the “ROW Work”);
- Supporting any efforts on 95 Express’ part to obtain TIFIA funding and/or PABs treatment for any bond issuances related to the 395 Project; and
- Drafting any required amendments to the I-95 Comprehensive Agreement associated with the 395 Project.

The Department would be responsible, at its sole cost, for any Surrounding Enhancements not already included in the scope of the Project, while collaborating with 95 Express as necessary to the extent any such Surrounding Enhancements have an impact upon the 395 Project.

**95 Express and Department Coordination**

95 Express will share all available data requested by the Department on the 95 Express Lanes and 395 Project. Consistent with the I-95 Comprehensive Agreement, the Department will safeguard 95 Express’ proprietary and confidential information

The Department and its advisors will be entitled to review requested material associated with the 395 Project in an “open book” manner, including, but not limited to, the following 95 Express Responsibilities:

- The financial model developed by 95 Express to support the plan to design, build, finance, operate and maintain the 395 Project (the “Financial Model”);
- Development costs;
- Traffic and revenue assumptions and forecast
- Preliminary engineering and design work;
- Financing plan efforts;
- The design-build procurement efforts;
- Modeling work; and
- Community outreach efforts.

**Key Milestones**

Within 30 days of signing this agreement, the Parties will agree on a more detailed development schedule for implementation of the development work. 95 Express and the Department recognize that improvements are needed to the I-395 corridor and will make a good-faith effort to reach the following milestones to ensure the success of the 395 Project:

- Provision of traffic and revenue data and assumptions as soon as they become available;
- Provision of a preliminary cost estimate as soon as it becomes available;

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- Preliminary Engineering and Design Work to be commenced by November 30, 2015;
- Community Outreach Efforts to be commenced by November 30, 2015;
- Approvals to be commenced by November 30, 2015;
- Modeling Work to be commenced by November 30, 2015;
- EA Approvals to be commenced by November 30, 2015;
- Preliminary Soundwall Work to be commenced by December 31, 2015;
- ROW Work to be commenced by December 31, 2015;
- Agreement on the technical requirements, construction scope, and design-build summary of key terms by March 31, 2016;
- Submission of the Draft Proposal by 95 Express to the Department by April 30, 2016 (the Department will provide 95 Express the Draft Proposal submission requirements 60 days prior to the due date);
- Procurement Efforts to be commenced by April 30, 2016;
- Selection of Design Build Contractor(s) by December 31, 2016; and
- Submission of the Final Proposal 30 days following selection of Design Build Contractor(s); and
- Final Financial Model, Execution of Concessionaire Project Enhancement and Financial Close by March 31, 2017.

These milestones are based on the timely completion of the Environmental Approvals.

**Financing Considerations**

Notwithstanding Section 4(g) of Exhibit J to the I-95 Comprehensive Agreement, the Parties agree that the Committed Investment required to support the 395 Project shall be included in the calculation of the Actual Equity IRR.

**Exclusivity**

After the Parties reach agreement on this framework and before the earlier of (i) the Parties enter into an agreement for the Concessionaire Project Enhancement pursuant to the terms of the I-95 Comprehensive Agreement, (ii) the Parties mutually agree to not continue development work for the 395 Project, (iii) 95 Express fails to submit the Final Proposal pursuant to the terms of Section 12.06(a)(ii) of the I-95 Comprehensive Agreement, or (iv) the Department reviews and doesn't approve the Final Proposal, the Department agrees to negotiate exclusively with 95 Express with respect to the 395 Project. If the 395 Project does not proceed due to circumstances unrelated to deficiencies in the Final Proposal, the exclusivity rights afforded to 95 Express pursuant to Article 12 of the I-95 Comprehensive Agreement shall be retained.

**Development Framework  
395 Project in Northern Virginia**

**Existing Development Rights for the Northern HOT Lanes**

Prior to undertaking the initial actions and deliverables described in this document, 95 Express and the Department agree that this framework and the scope of work and deliverables described herein and contemplated in connection therewith does not constitute an offer or proposal by 95 Express to develop the Northern HOT Lanes within the meaning of Section 12.06 of the I-95 Comprehensive Agreement, nor does it constitute a waiver or relinquishment of any rights afforded to 95 Express (or the Department) pursuant to Article 12 of the I-95 Comprehensive Agreement.

**Work Product**

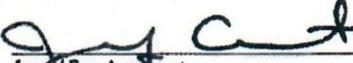
Treatment of any Work Product is to be consistent with existing treatment and protection of Work Product under the I-95 Comprehensive Agreement. However, if the Department determines not to proceed with the 395 Project, any Work Product prepared and paid for by 95 Express (on its behalf or at its request) shall belong to and remain with 95 Express.

**Other Items**

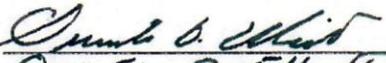
The Parties agree to address any issues not addressed in this framework relating to the preliminary development work for the 395 Project in good faith and in an expeditious manner.

**Agreed and Confirmed:**

**95 Express Lanes LLC**

By:   
Name: Jennifer Aument  
Title: President  
Date: November 21, 2015

**Virginia Department of Transportation**

By:   
Name: Quintin D. Elliott  
Title: Chief Deputy Commissioner  
Date: 11/24/15



*City of Alexandria, Virginia*  
 301 King Street, Suite 2300  
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Allison Silberberg  
 Mayor

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October 16, 2018

The Honorable Shannon Valentine  
 Secretary of Transportation, Commonwealth of Virginia  
 Patrick Henry Building, 4th Floor  
 1111 East Broad Street  
 Richmond, Virginia 23219

Dear Secretary Valentine,

I want to thank you for meeting with me, City Manager Mark Jinks, and Deputy City Manager Emily Baker on October 1. I appreciate your service to the Commonwealth and acknowledge the challenging transportation issues that you are addressing within the framework of inadequate financial resources. To summarize the issues discussed:

- You raised the issue of the possibility of using the current I-395 HOV-only ramp at the Seminary interchange for HOT-lanes traffic. As I stated at our meeting, a number of City residential neighborhoods currently experience severe cut-through traffic related to their geographic position between the center of the Alexandria I-395 corridor and the south of Alexandria I-95 Beltway corridor. This is in fact one of our most challenging issues. The City's position has long been and continues to be one of strongly opposing the use of the Seminary HOV ramp for HOT-lane purposes because of the concern about the impact of cut-through traffic. As the City Manager stated in our meeting, it is important that traffic analyses are conducted so that the discussion between the Alexandria community and VDOT/Transurban can be based on data and measured impact to our residential neighborhoods. We already have in place a central city traffic committee which would be the appropriate community forum to discuss this issue. VDOT did reach out to the City earlier this week and indicated that Transurban had now asked for this HOT lanes enhancement, and City staff reiterated to VDOT our concerns, as well as the need for analyses and data. We also have been informed that Transurban plans to begin traffic data collection this month. And as I mentioned, community input is needed and warranted as soon as possible.
- In regard to the fire suppression system issues on the Woodrow Wilson Bridge (WWB), it appears that VDOT and MDOT are beginning to make progress on the long overdue list of fixes and improvements to the current dry pipe system. We will continue to monitor the progress to ensure that these life safety improvements are made in a timely manner. We appreciate your initiative in getting this stalled project moving. While these

*"Home Town of George Washington"*

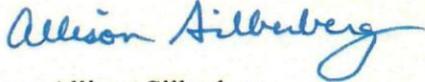
The Honorable Shannon Valentine  
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enhancements to the dry pipe system will upgrade the current level of protection to the WWB, only a wet pipe solution (which was value engineered out of the original WWB construction project budget) will truly give the WWB the protection that an investment of that magnitude deserves. Therefore, as we discussed, fixing the pipe with a wet pipe solution is paramount, given the need to ensure public safety and the WWB's structural integrity after an incident.

- The Cameron Run dredging under the I-95 Beltway bridges is a concern for the City as the siltation under the Beltway bridges and in stream vegetation to the south beyond the bridges reduces the flow capacity of Cameron Run and increases the risk of flooding on the Alexandria side of the Beltway. As we saw in 2006, Cameron Run (despite an aggressive and periodic dredging by the City) can overrun its dredged channel and indeed significantly flooded the adjacent office park with damage to the buildings and their contents, which can occur because of an inadequate under-bridge flow capacity.

Thank you for your service and for all you do. It was a pleasure to meet you. Please feel free to let me know your thoughts, concerns, and ideas about any of these issues. We look forward to continuing to work with you, your staff, VDOT and DRPT in the years ahead.

Always my best,



Mayor Allison Silberberg  
Alexandria, Virginia

cc: The Honorable Members of the Alexandria City Council  
Mark B. Jinks, City Manager  
Emily Baker, P.E., Deputy City Manager  
Yon Lambert, Director, Transportation & Environmental Services  
Robert Dubé, Fire Chief