



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

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Richmond, Virginia 23219

(804) 786-2701
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Agenda item # 4

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

January 16, 2019

MOTION

Made By: Mr. Malbon, Seconded By: Mr. Johnsen
Action: Motion Carried, Unanimously

Title: Limited Access Control Change (LACC)
Route 171 (Victory Boulevard)
York County

WHEREAS, Oyster Point Road (Proposed Route 171 Extension) now Route 171 (Victory Boulevard), State Highway Project 0171-099-102, RW-201, York County was designated as a Limited Access Highway by the Commonwealth Transportation Board (CTB), on April 16, 1987; and

WHEREAS, in connection with State Highway Project 0171-099-102, RW-201, the Commonwealth acquired certain limited access control easements from Marshall W. Cook, by Instrument dated November 4, 1987, recorded in Deed Book 507, Page 241 and concluded by Order dated May 21, 1991, both recorded in the Office of the Clerk of Circuit Court of the County of York; and

WHEREAS, Landbridge Acquisitions, LLC has requested a break in limited access control along Route 171 (Victory Boulevard) to construct a commercial entrance to serve as direct access to and from their planned senior housing development, Phoenix at Yorktown, onto the existing limited access right of way of Route 171 (Victory Boulevard), approximately 860 feet west of the Route 171 and Route 17 Intersection; and

WHEREAS, the requested break is approximately 89 feet, along the centerline alignment of Route 171, as shown on the attached Exhibit A, showing the proposed break in the current limited access control line, and Exhibit B, showing the proposed entrance and its intersection with Route 17, all as shown on the plans for State Highway Project, 0171-099-102, RW-201; and

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WHEREAS, the County of York, by resolution, R-17-115, adopted August 15, 2017, endorses the LACC; and

WHEREAS, VDOT's Hampton Roads District has determined, with the Chief Engineer concurring, that the proposed break in the limited access control of Route 171 will have minimal impact on the operation of the Route 171 right of way, and the proposed LACC is appropriate from a safety and traffic control standpoint based upon a Global Traffic Analysis, dated November 14, 2016, prepared by DRW Consultants, LLC; and

WHEREAS, VDOT's Hampton Roads District has determined the location of the proposed LACC is not within an air quality maintenance or non-attainment area. In addition, the environmental impact analysis was reviewed and approved by the Hampton Roads 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 *Daily Press* newspaper on October 20, 2017 and October 27, 2017, with no comments or requests for a public hearing received; 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 171 limited access right of way.

NOW, THEREFORE, BE IT RESOLVED, in accordance with Section 33.2-401 of the *Code of Virginia* and 24 *Virginia Administrative Code* 30-401--10 et seq., the CTB hereby finds and concurs with the determinations of VDOT, and approves said LACC, as set forth 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 171 (Victory Boulevard)
County of York
Limited Access Control Change

Issues: Landbridge Acquisitions, LLC has requested a break in limited access control along Route 171 (Victory Boulevard) to construct a commercial entrance to serve as direct access to and from their planned senior housing development, Phoenix at Yorktown, onto the existing limited access right of way of Route 171 (Victory Boulevard), approximately 860 feet west of the Route 171 and Route 17 Intersection. 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:

- Oyster Point Road (Proposed Route 171 Extension) now Route 171 (Victory Boulevard), State Highway Project 0171-099-102, RW-201, C-501, York County was designated as a Limited Access Highway by the Commonwealth Transportation Board (CTB), on April 16, 1987.
- In connection with State Highway Project 0171-099-102, C-501, RW-201, the Commonwealth acquired certain limited access control easements from Marshall W. Cook, by Instrument dated November 4, 1987, recorded in Deed Book 507, Page 241 and concluded by Order dated May 21, 1991, both recorded in the Office of the Clerk of Circuit Court of the County of York.
- The proposed break is from a point 78.80 feet right of Station 228+57.48 (Proposed Relocated Oyster Point Road centerline) to a point 176.05 feet right of Station 229+46.72 (Proposed Relocated Oyster Point Road centerline) for a connection to the eastbound lane (EBL) of Route 171.
- The proposed break is also approximately 89 feet, along the centerline alignment of Route 171, as shown on the plans for State Highway Project, 0171-099-102, RW-201, C-501 (Limited Access Control Change or LACC), and includes the addition of a right turn lane on eastbound Route 171, a left turn lane on westbound Route 171, an extension of the left turn lane on eastbound route 171 into Wal-Mart and modification of the existing signal, with both left and right in and left and right out and no through movements.
- The written determination of the Chief Engineer regarding this proposed project is attached for your consideration.
- The County of York, by resolution, R-17-115, adopted August 15, 2017, endorses the LACC.
- VDOT's Hampton Roads District has determined, with the Chief Engineer concurring, that the proposed break in the limited access control of Route 171 will have minimal impact on the operation of the Route 171 right of way, with a projected increased delay at the Wal-Mart/Victory Boulevard intersection of only one second on average, and the proposed LACC is appropriate from a safety and traffic control standpoint based upon a Global Traffic Analysis, dated November 14, 2016, prepared by DRW Consultants, LLC.
- VDOT's Hampton Roads District has determined the location of the proposed LACC is not within an air quality maintenance or non-attainment area. In addition, the environmental impact analysis was reviewed and approved by the Hampton Roads 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 *Daily Press* newspaper on October 20, 2017 and October 27, 2017, with no comments or requests for a public hearing received.
- 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.

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- 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.
- The requestor will be required to obtain a Land Use Permit prior to any activity within the Route 171 limited access right of way.

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 and 24 *Virginia Administrative Code* 30-401--10 et seq. 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: None

**MINUTES
OF
MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD**

Richmond, Virginia

April 16, 1987

The monthly meeting of the Commonwealth Transportation Board was held in the Central Office in Richmond, Virginia, on April 16, 1987, at 10:00 a.m. The chairman, Mr. Ray D. Pethel, presided.

Present: Messrs. Pethel, Bacon, Beyer, Davidson, Guiffre, Humphreys, Kelly, Leafe, Malbon, Musselwhite, Quicke and Smalley and Mrs. Kincheloe and Dr. Thomas.

Absent: Dr. Howlette.

On motion of Mr. Malbon, seconded by Mr. Beyer, the minutes of the meeting of February 19, 1987, were approved.

On motion of Mr. Kelly, seconded by Mr. Musselwhite, permits issued and canceled from March 19, 1987, to April 15, 1987, inclusive, as shown by the records of the Department, were approved.

Moved by Mr. Musselwhite, seconded by Mrs. Kincheloe, that the Board approve additions and abandonments to the Secondary System from February 23, 1987 to March 26, 1987, inclusive, as shown by the records of the Department. Motion carried.

4/16/87

Moved by Mr. Kelly, seconded by Mr. Beyer, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a Design Public Hearing was held in the Lutrelle F. Palmer Elementary School on February 23, 1987, at 7:00 p.m. for the purpose of considering the proposed major design features of Oyster Point Road (Proposed Route 17 Extension) from the intersection of Jefferson Avenue in Newport News to Int. Route 17 in York County, State Projects U000-121-108, C502; 0064-121-105, C501; and 0171-099-102, C501; Federal Projects M-5122 () and IR-64-3(),

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed projects as presented, and their statements being duly recorded, and

WHEREAS, the economic, social and environmental effects of the proposed projects have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed,

NOW, THEREFORE, BE IT RESOLVED, that the major design features of these projects be approved in accordance with the plan as proposed and presented at the said Design Public Hearing by the Department's Engineers, and

BE IT FURTHER RESOLVED, that in accordance with the Code of Virginia and Commonwealth Transportation Board Policy, access is granted to Interstate Route 64 for Oyster Point Road as shown on the plans presented at the Design Public Hearing, and

BE IT FURTHER RESOLVED, that in accordance with the Code of Virginia and Commonwealth Transportation Board Policy, Oyster Point Road be designated as a limited access highway from Canon Boulevard in the City of Newport News to Route 17 in York County with access to Interstate Route 64 in Newport News and two access points in York County for proposed development, and

BE IT FURTHER RESOLVED, that in accordance with the Code of Virginia and Commonwealth Transportation Board Policy and in the interest of public safety, (1) pedestrians, (2) persons riding bicycles or mopeds, (3) horse-drawn vehicles, (4) self-propelled machinery or equipment, and (5) animals led, ridden, or driven on the hoof be prohibited from using the designated limited access segment of this highway, and

4/16/87

BE IT FURTHER RESOLVED, that in accordance with the Code of Virginia proposed Oyster Point Road as approved in the City of Newport News and York County, approximately 2.4 miles, be added to the Primary System of Highways and designated as Route 171.

Motion carried.

**BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA**

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall,
Yorktown, Virginia, on the 15th day of August, 2017:

| <u>Present</u> | <u>Vote</u> |
|-----------------------------------|-------------|
| Sheila S. Noll, Chairman | Nay |
| Jeffrey D. Wassmer, Vice Chairman | Yea |
| Walter C. Zaremba | Yea |
| W. Chad Green | Yea |
| Thomas G. Shepperd, Jr. | Yea |

On motion of Mr. Zaremba, which carried 4:1, the following resolution was adopted:

A RESOLUTION TO SUPPORT THE REQUEST OF LANDBRIDGE ACQUISITIONS, LLC TO OBTAIN APPROVAL FROM THE COMMONWEALTH TRANSPORTATION BOARD FOR A BREAK IN THE LIMITED ACCESS RESTRICTION ON THE EASTBOUND LANES OF ROUTE 171 (VICTORY BOULEVARD) APPROXIMATELY 860 FEET WEST OF ROUTE 17

WHEREAS, Landbridge Acquisitions, LLC has approached the York County Board of Supervisors to seek the Board's support of a request to the Commonwealth Transportation Board for authorization of a break in the limited access status of Route 171 (Victory Boulevard); and

WHEREAS, Landbridge Acquisitions, LLC has proposed to develop the 8.1-acre parcel for which access is requested, along with two adjoining parcels, as a 170-unit senior housing facility and the Board of Supervisors has approved a Special Use Permit to authorize the proposed development subject to various conditions, one of which is that it be accessed from Route 171; and

WHEREAS, Landbridge Acquisitions, LLC has proposed a conceptual plan of development for the property depicting a driveway access to Route 171 located approximately 860 feet west of George Washington Memorial Highway (Route 17) and also showing associated improvements within the Route 171 right-of-way, all of which would be funded exclusively by Landbridge Acquisitions, LLC; and

WHEREAS, the only other access option available to the property would be from Byrd Lane and/or Oak Street, both of which are older residential streets that do not meet VDOT's minimum pavement width standards and are not appropriate for commercial traffic beyond their intersections with Route 17; and

WHEREAS, the Board of Supervisors has carefully considered the developer's proposal and determined that it is a request worthy of support, subject to conditions and agreements sufficient to guarantee the prospective developer implements the improvements to Route 171 that have been pledged;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 15th day of August, 2017, that it does hereby endorse the request of Landbridge Acquisitions, LLC to obtain authorization from the Commonwealth Transportation Board for a limited access break that would allow the installation of a driveway on the eastbound lanes of Route 171 (Victory Boulevard) approximately 860 feet west of Route 17 and including the improvements within the Route 171 right-of-way all of which are depicted on the site concept plan titled "PLAN FOR REZONING: THE PHOENIX AT YORKTOWN" prepared by AES Consulting Engineers, dated April 27, 2017 and revised June 23, 2017.

BE IT FURTHER RESOLVED that the Board's endorsement of this request limited to this specific land use proposal and with the understanding that all necessary improvements within the Route 171 right-of-way will be undertaken solely at the expense of Landbridge Acquisitions, LLC and in accordance with all requirements and standards prescribed and established by the Commonwealth Transportation Board and the Virginia Department of Transportation.

A Copy Teste:


Mary E. Simmons
Deputy Clerk

S:\JOBS\W10423\01-Phoenix at Yorktown\For Others\2018-12-27 Limited Access Exhibits for Dexter\W10423-01_2018-12-27 Limited Access Exhibit A.dwg 12/27/2018 10:39:41 AM melanie.hallinger

NOTES:

1. THE LOCATIONS OF THE EXISTING AND PROPOSED LIMITED ACCESS LINES ALONG VICTORY BOULEVARD ROUTE 17 ARE TIED BY STATION AND OFFSET TO THE EXISTING CENTERLINE ALIGNMENT PER VDOT PROJECT 0171-099-102.
2. THIS EXHIBIT SHOWS THE LOCATION OF THE EXISTING LIMITED ACCESS LINE AS DELINEATED ON SHEET 14 OF THE VDOT PROJECT 0171-099-102.

VICTORY BOULEVARD ROUTE 171 (WBL)

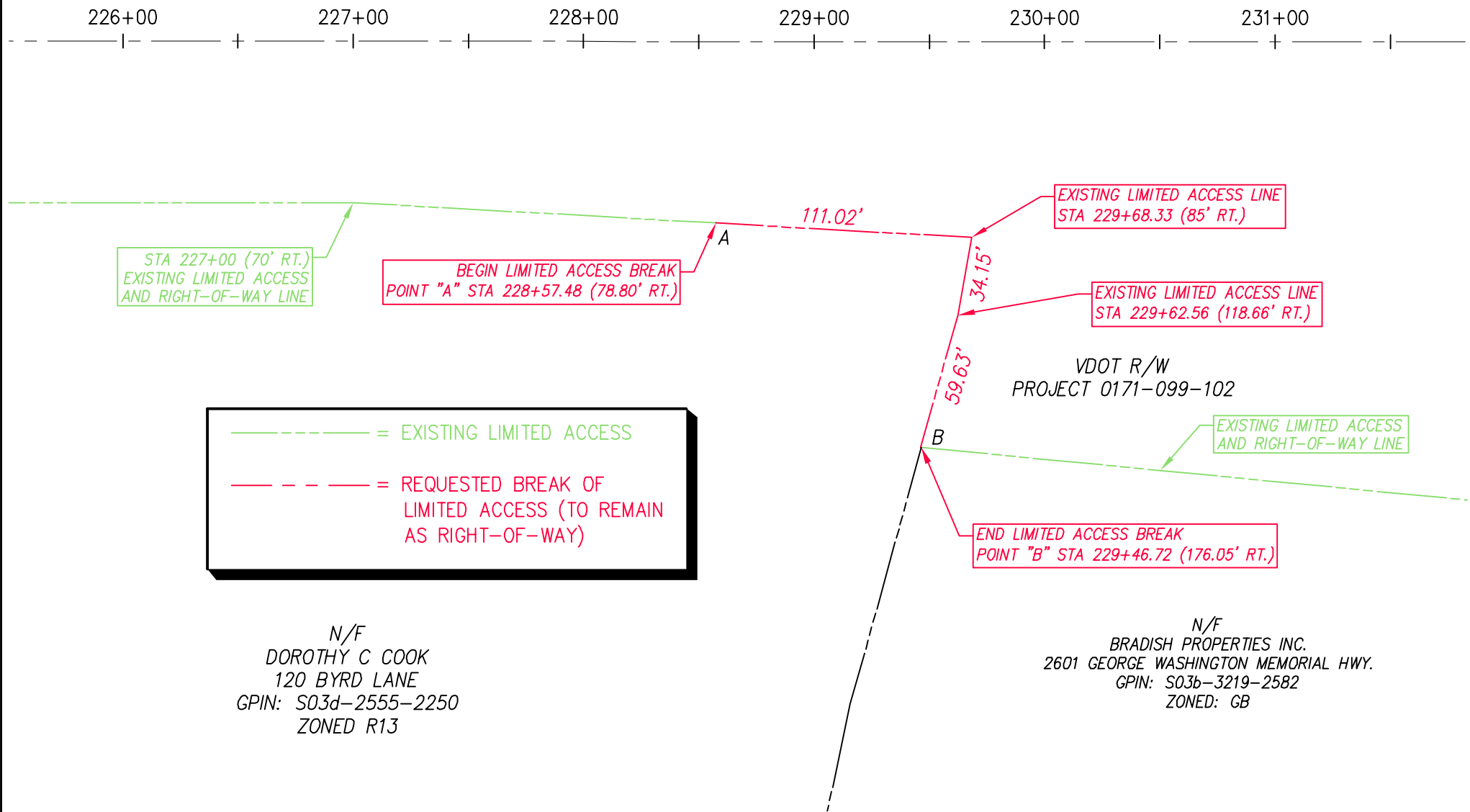


EXHIBIT A: LIMITED ACCESS BREAK

VICTORY BOULEVARD & U.S. ROUTE 17
ROAD IMPROVEMENTS

THE PHOENIX AT YORKTOWN

120 BYRD LANE

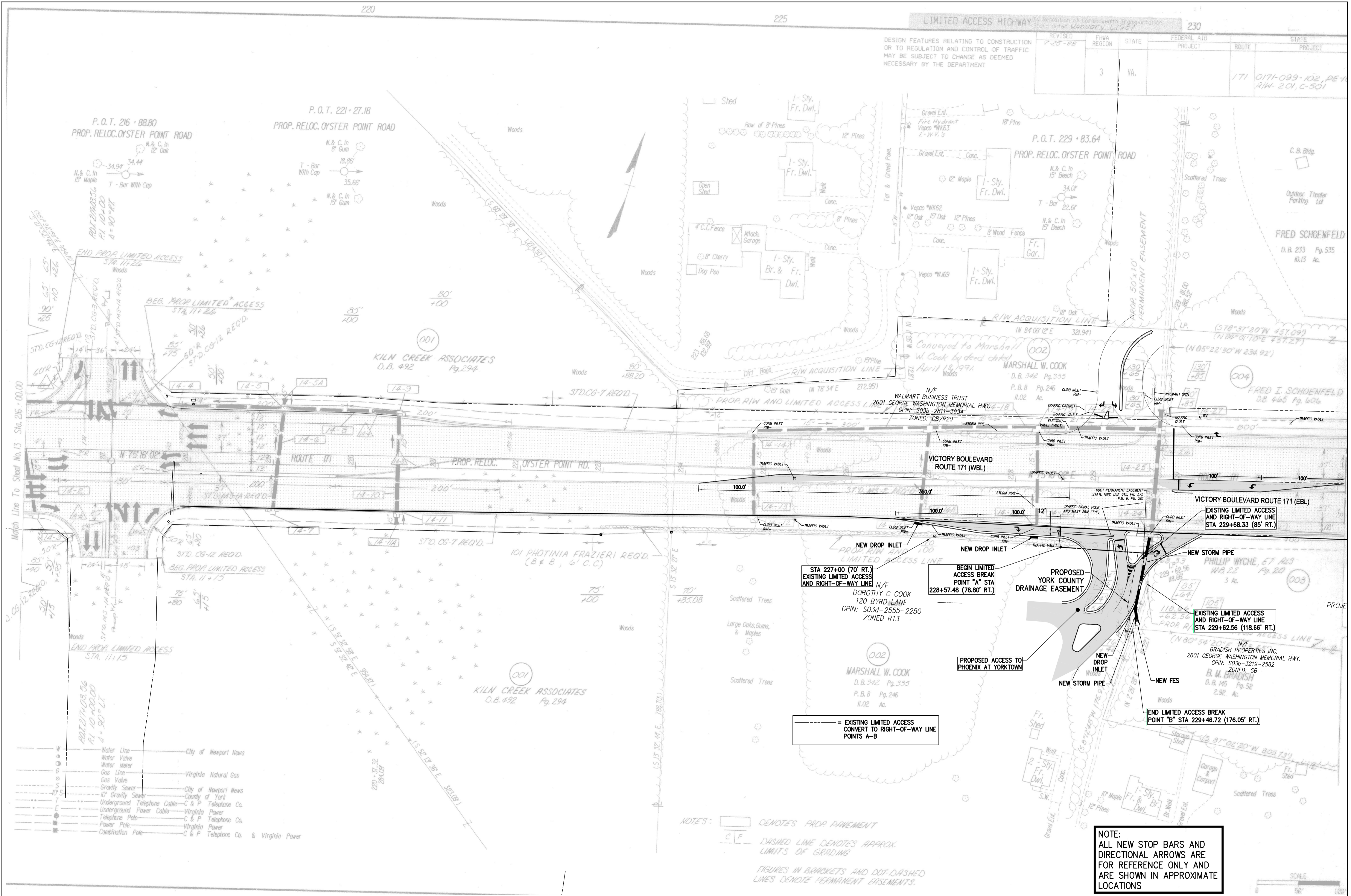
KILN CREEK DISTRICT YORK COUNTY VIRGINIA

| | |
|-------------------|------------|
| Project Contacts: | JAG/DLD |
| Project Number: | W10423-01 |
| Scale: | Date: |
| 1"=60' | 12/27/2018 |

AES
CONSULTING ENGINEERS

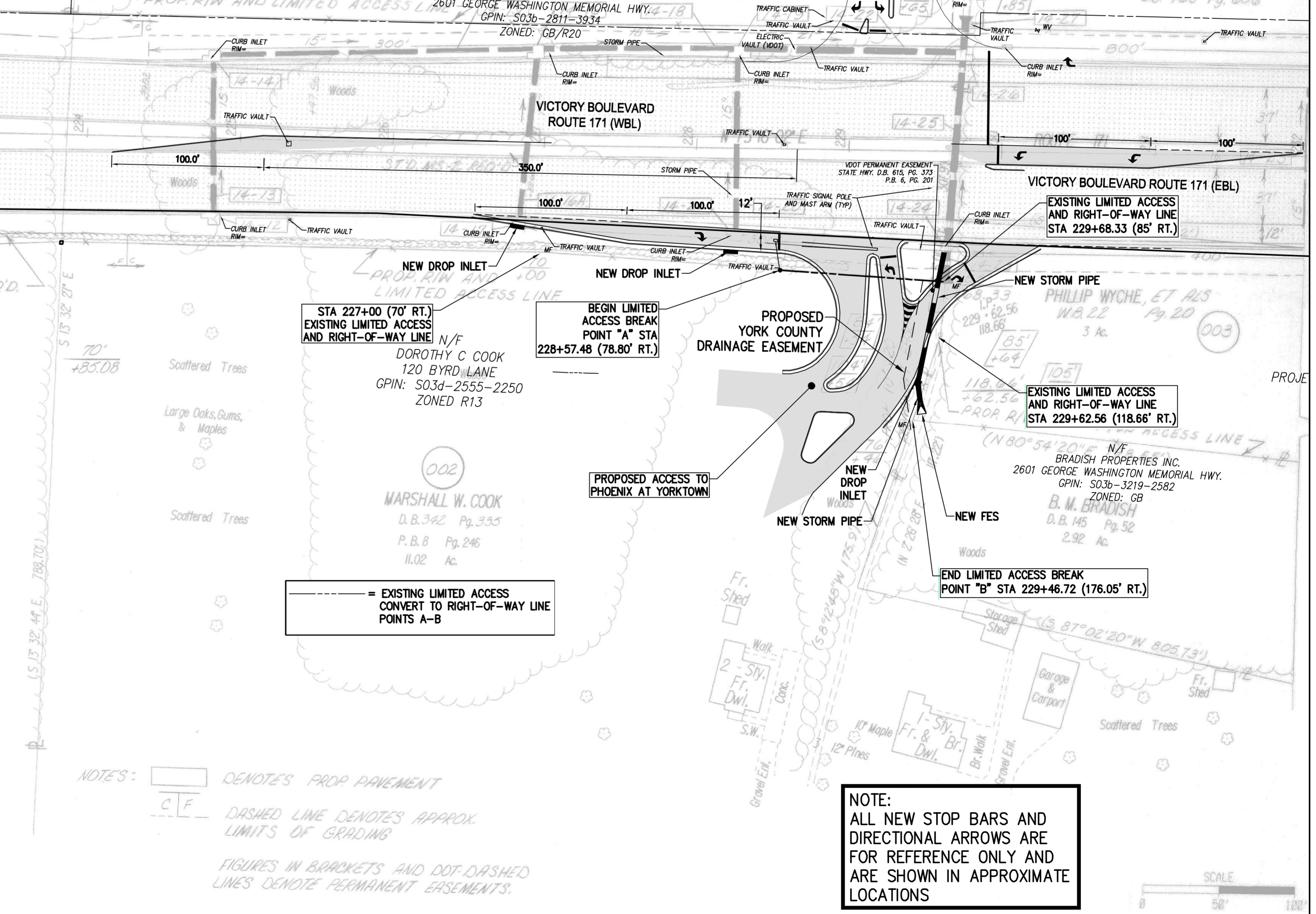
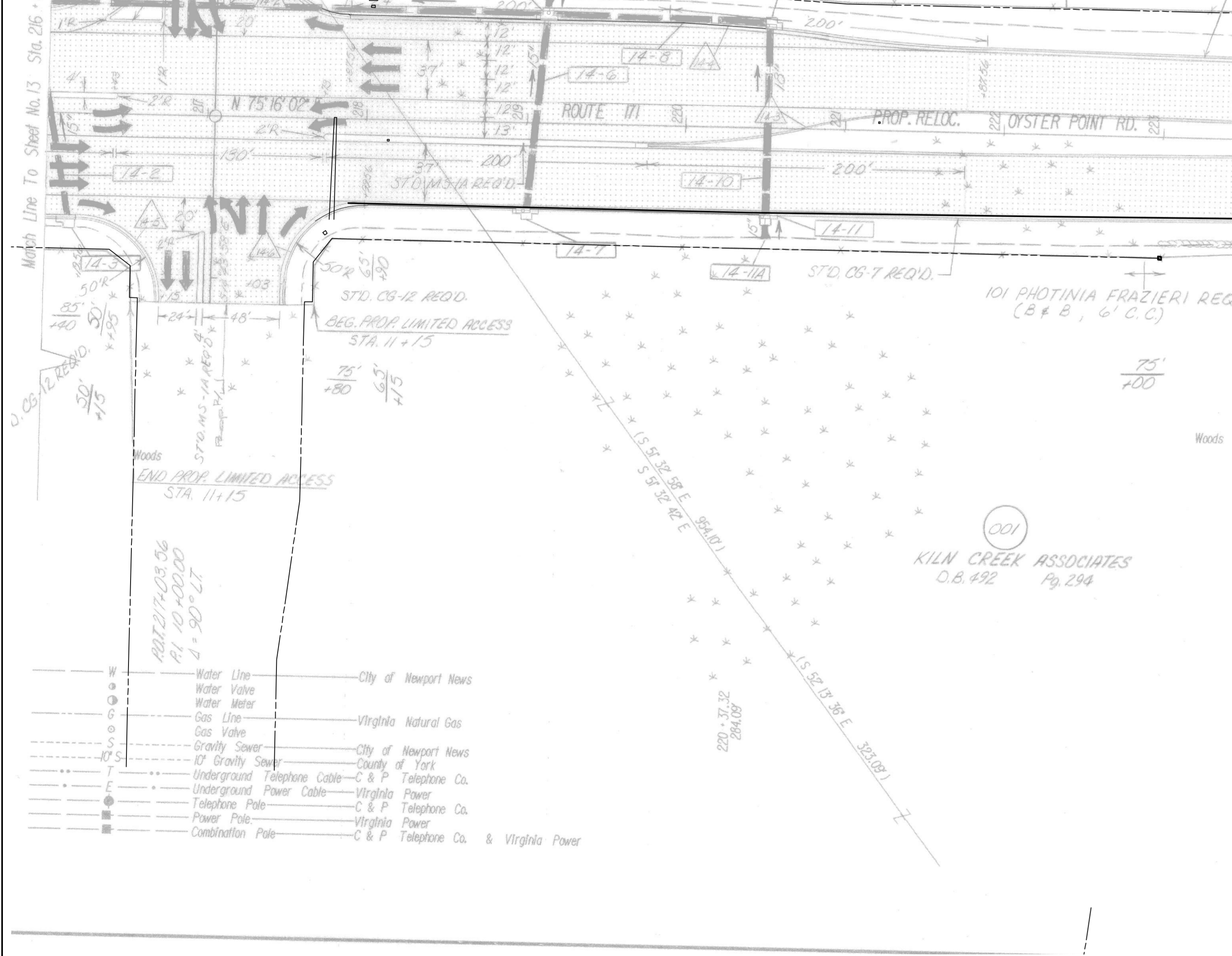
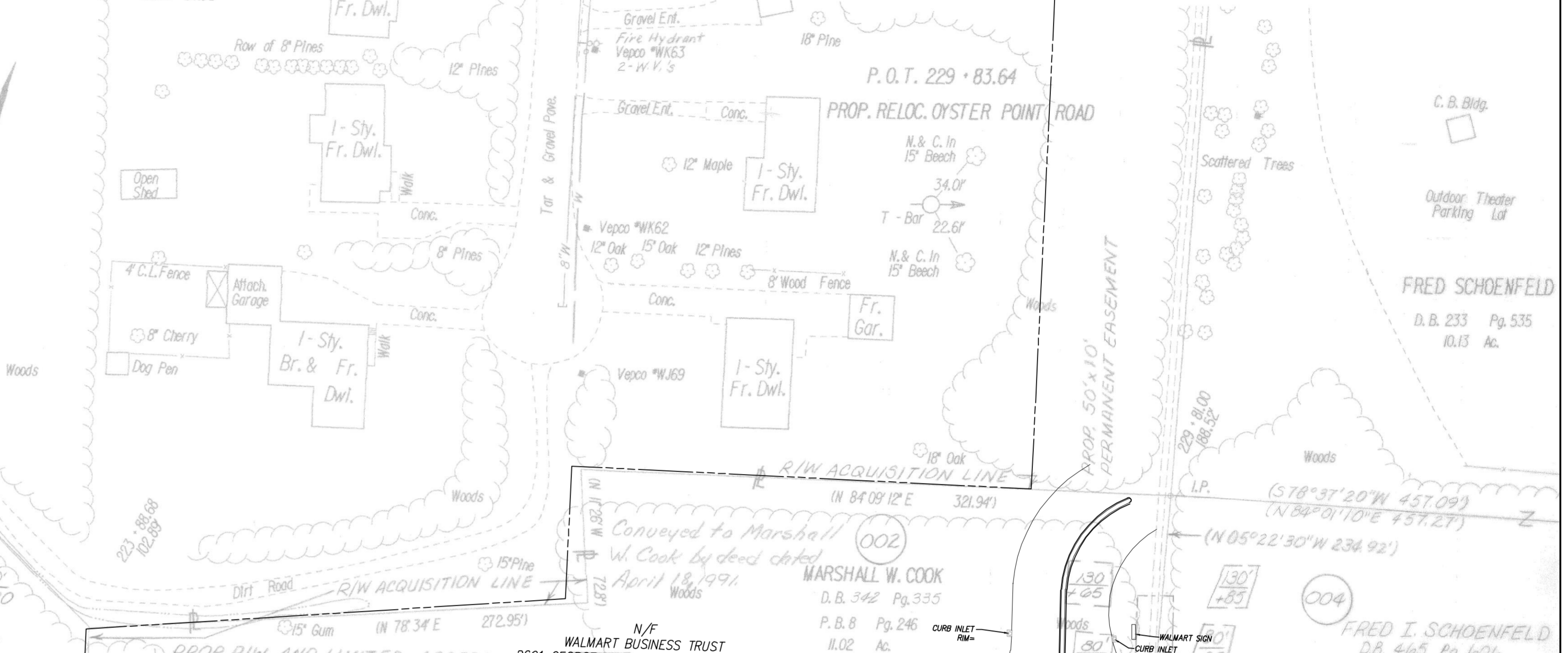
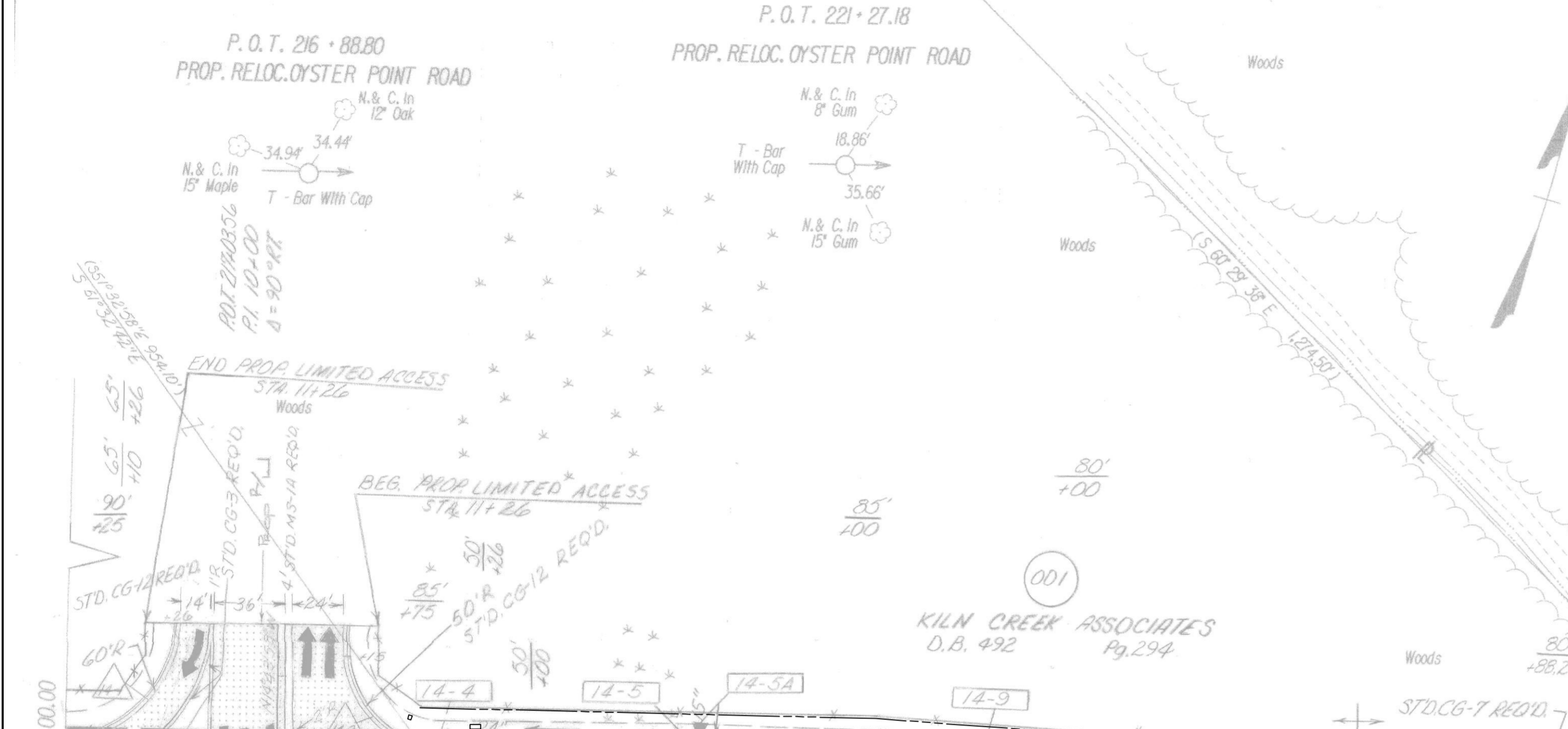
5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 253-0040
Fax: (757) 220-8884
www.aesva.com

Hampton Roads | Central Virginia | Middle Peninsula



| REVISED | FHWA REGION | STATE | FEDERAL AID PROJECT | ROUTE | STATE PROJECT |
|---------|-------------|-------|---------------------|-------|--------------------------------------|
| 7-25-88 | 3 | VA. | | 171 | 0171-099-102, PE-1 RIW-201, C-501 |

| Rev. | Date | Description |
|------|----------|---------------------------------------|
| 4 | 10/19/18 | REVISIONS PER VDOT REQUEST |
| 3 | 10/09/18 | REVISIONS PER VDOT REQUEST |
| 2 | 10/02/18 | REVISIONS PER DEXTER WILLIAMS REQUEST |
| 1 | 9/10/18 | REVISIONS PER VDOT MEETING 9/10/18 |



- W Water Line
- WV Water Valve
- WM Water Meter
- G Gas Line
- GV Gas Valve
- S Gravity Sewer
- 10" S 10" Gravity Sewer
- T Undergr. Telephone Cable
- E Undergr. Power Cable
- P Telephone Pole
- PP Power Pole
- CP Combination Pole
- City of Newport News
- Virginia Natural Gas
- City of Newport News
- County of York
- C & P Telephone Co.
- Virginia Power
- C & P Telephone Co.
- Virginia Power
- C & P Telephone Co. & Virginia Power

NOTES:

- DENOTES PROP. PAIEMENT
- DASHED LINE DENOTES APPROX. LIMITS OF GRADING
- FIGURES IN BRACKETS AND DOT-DASHED LINES DENOTE PERMANENT EASEMENTS.

NOTE:
ALL NEW STOP BARS AND DIRECTIONAL ARROWS ARE FOR REFERENCE ONLY AND ARE SHOWN IN APPROXIMATE LOCATIONS



5248 Old Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 263-0040
Fax: (757) 226-8584
www.ahs.com

AHS
CONSULTING ENGINEERS

Hampton Roads | Central Virginia | Middle Peninsula | YORK COUNTY, VIRGINIA

PHOENIX AT YORKTOWN
FOR LANDBRIDGE ACQUISITIONS, LLC

| | |
|-------------------|------------------------|
| Project Contacts: | JAG |
| Project Number: | W10423-00 |
| Scale: | 1"=50' |
| Date: | 07/27/2018 |
| Sheet Title: | LIMITED ACCESS EXHIBIT |

Sheet Number
EXHIBIT B