



# 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 #9*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 18, 2019

#### MOTION

Made By: Mr. Brown, Seconded By: Mr. Stinson  
Action: Motion Carried, Unanimously

Title: Limited Access Control Change (LACC)  
Route 288  
Chesterfield County

**WHEREAS**, Route 288, from the intersection of Route 250 and 295 (West of Richmond) to an intersection with Route 360 (Southwest of Richmond), Henrico, Goochland, and Chesterfield Counties was designated as a Limited Access Highway by the Commonwealth Transportation Board (CTB), on August 28, 1969; and

**WHEREAS**, in connection with State Highway Project 0288-020-105, RW-203, the Commonwealth acquired certain limited access control easements from Canal Land II, LLC, by Deed dated July 14, 1999, recorded in Deed Book 3642, Page 505, recorded in the Office of the Clerk of Circuit Court of the County of Chesterfield; and

**WHEREAS**, Waterford Park, LLC, the adjoining landowner, has requested a shift in limited access control along Route 288, to accommodate for a planned 13 acre Wake Lake structure for the development, The Lake. The shift in the limited access control will also allow for a shift in right of way limits to create a surplus property the requestor will purchase; and

**WHEREAS**, the requested shift in the limited access control of Route 288 is 1,281.97 feet in length, shown on Sheets 5 and 6 of State Highway Project 0288-020-105, RW-203, beginning at a point on the existing limited access line 42.66 meters opposite Station 16+68.81 (Route 288 S.B. baseline) to a point 38.91 meters opposite Station 21+59.52 (Route 288 S.B. baseline), showing the proposed shift of the current limited access control line; and

**WHEREAS**, the County of Chesterfield, by letter dated August 8, 2019, endorses the LACC; and

**WHEREAS**, VDOT's Richmond District has determined, with the Chief Engineer concurring, that the proposed shift in the limited access control of Route 288 will have minimal impact on the operation of the Route 288 right of way, and the proposed LACC is appropriate from a safety and traffic control standpoint based upon a Global Traffic Analysis, dated April 6, 2019, prepared by RK&K; and

**WHEREAS**, VDOT's Richmond 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 Richmond 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 *Chesterfield Observer* newspaper on May 15, 2019 and May 22, 2019, with no comments or requests for a public hearing received; 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**, 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 VDOT has reviewed the requested LACCs 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**, the VDOT recommends approval of the LACCs 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, and directs that Route 288 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.

Resolution of the Board  
Limited Access Control Change  
Route 288  
Chesterfield County  
September 18, 2019  
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**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.

####

**CTB Decision Brief  
Route 288  
Chesterfield County  
Limited Access Control Change**

**Issue:** Waterford Park, LLC, has requested a shift in limited access control along Route 288, to accommodate for a planned 13 acre Wake Lake structure for the development, The Lake. Under the existing conditions, a portion of the 13-acre recreational wake lake would encroach into the limited access and right of way. The shift in the limited access control will also allow for a shift in right of way limits to create a surplus property the requestor will purchase. 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 288, from the intersection of Route 250 and 295 (West of Richmond) to an intersection with Route 360 (Southwest of Richmond), Henrico, Goochland, and Chesterfield Counties was designated as a Limited Access Highway by the Commonwealth Transportation Board (CTB), on August 28, 1969.
- In connection with State Highway Project 0288-020-105, RW-203 the Commonwealth acquired certain limited access control easements from Canal Land II, LLC, et al., by Deed dated July 14, 1999, recorded in Deed Book 3642, Page 505, recorded in the Office of the Clerk of Circuit Court of the County of Chesterfield.
- The requested shift in the limited access control of Route 288 is 1,281.97 feet in length, shown on Sheets 5 and 6 of State Highway Project 0288-020-105, RW-203, beginning at a point on the existing limited access line 42.66 meters opposite Station 16+68.81 (Route 288 S.B. baseline) to a point 38.91 meters opposite Station 21+59.52 (Route 288 S.B. baseline)
- This change is not covered by the General Rules and Regulations of the CTB or by the Land Use Permit Regulations, thus requiring action by the CTB.
- The written determination of the Chief Engineer regarding this proposed project is attached for your consideration.
- The County of Chesterfield by letter dated August 8, 2019, supports the LACC.
- VDOT's Richmond District has determined, with the Chief Engineer concurring, that the proposed shift in the limited access control of Route 288 will have no impact on the operation of the Route 288 right of way, and the proposed LACC is appropriate from a safety and traffic control standpoint based upon the Global Traffic Analysis Technical Memorandum, dated April 6, 2019 prepared by RK&K.
- VDOT's Richmond District has determined the location of the proposed LACC is within an air quality maintenance or non-attainment area, however, the proposed project does not qualify as being regionally significant and no air quality conformity review is required. In addition, the environmental impact analysis was reviewed and approved by the Richmond District and there will be no adverse environmental impacts.
- Public notices of willingness for hearings/comment were posted in the *Chesterfield Observer* newspaper on May 15, 2019 and May 22, 2019; with no comments or requests for a public hearing received.

CTB Decision Brief  
Limited Access Control Change  
Route 288  
County of Chesterfield  
September 18, 2019  
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- 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
- 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:** None



**Chesterfield County, Virginia**  
**Community Development**

9901 Lori Road, Suite 500 – P.O. Box 40 – Chesterfield, VA 23832  
Phone: (804) 748-1047 – Fax: (804) 748-3952 – Internet: chesterfield.gov

**William D. Dupler**  
Deputy County Administrator

August 8, 2019

Mr. Kyle S. Bates, P.E.  
Residency Engineer  
Chesterfield Residency  
Virginia Department of Transportation  
1401 E. Broad Street  
Richmond, VA 23219

***Re: Route 288 Limited Access Control Willingness Comment***

Dear Mr. Bates:

I am writing regarding the proposed boundary line changes along Route 288 southbound between Powhite Parkway (Route 76) and Genito Road (Route 604). We are aware of the request by a private developer for these changes in the limited access, which are shown in detail on county site plan 18PR0240 and are supportive of this request. In addition, we are aware that no access to or from Route 288 will be permitted as part of this requested change to the limited access right of way.

Please feel free to reach out to me if there is a need for any further discussion of this matter.

Sincerely,

William D. Dupler  
Deputy County Administrator  
Community Development

WDD/nab

cc: Joseph P. Casey, Ph.D., County Administrator  
Jesse Smith, Director of Transportation







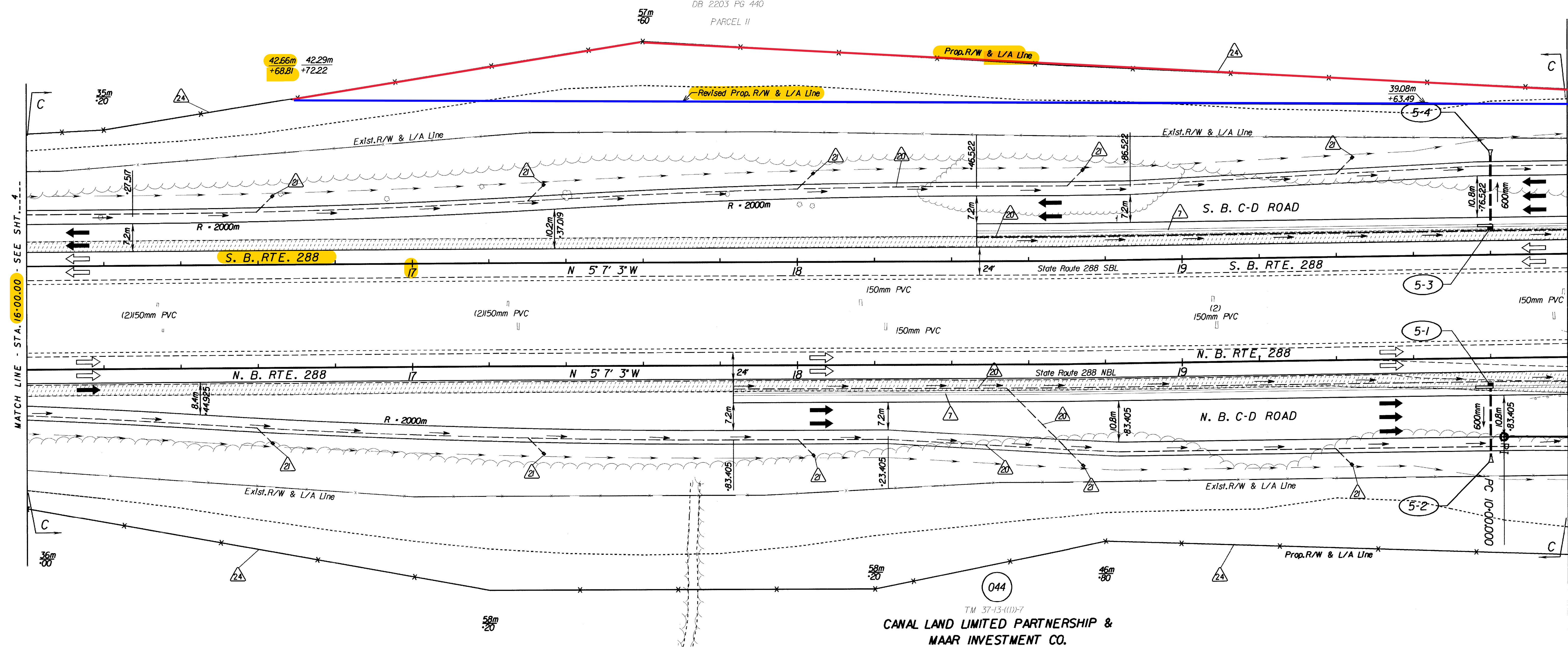
REVISED	FHWA REGION	STATE	FEDERAL AID PROJECT	ROUTE	STATE PROJECT	SHEET NO.
1-4-98 4-10-98 6-19-98	3	VA.		288	0288-020-105, RW-203	5

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

**NOTE:**  
 Figures In Parenthesis And Dot-Dot-Dashed Lines Denote Temporary Easements.  
 Figures In Brackets And Dot-Dashed Lines Denote Permanent Easements.  
 \*Permanent Easement Required For Installation And Maintenance Of Prop. Drainage Structure.  
 All Easements And R/W Referenced From Const. B/L And Conn. B/L.



002  
 TM 37-13-1(11)-7  
**CANAL LAND LIMITED PARTNERSHIP & MAAR INVESTMENT CO.**  
 DB 2203 PG 440  
 PARCEL II

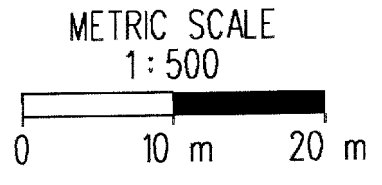


**KEYS**

- |   |   |  |
|---|---|--|
| 1 Curb, Std. CG-3 Req'd.  | 16 Fixed Object Attachment, Std. GR-FOA-4 Type I Req'd.                 | 31 Remove Existing Guardrail                     |
| 2 Curb and Gutter, Std. CG-7 Req'd.                             | 17 Fixed Object Attachment, Std. GR-FOA-4 Type III Req'd.               | 32 Remove Existing Fence                         |
| 3 Asphalt Curb, Std. MC-3C Req'd.                               | 18 Special Design Impact Attenuator Req'd., See Sheet                   | 33 Remove Existing Drop Inlet                    |
| 4 Curb Ramp, Std. CG-12 Req'd.                                  | 19 Underdrain Std. UD-2 Req'd.  | 34 Adjust Existing Drop Inlet                    |
| 5 Raised Conc. Med., Std. MS-1A Req'd.                          | 20 Underdrain Std. UD-4 Req'd.  | 35 Adjust Existing Manhole                       |
| 6 Raised Grass Med., Std. MS-2 Req'd.                           | 21 Endwall For Pipe Underdrain, Std. EW-12 Req'd.                       | 36 Pipe To Be Abandoned                          |
| 7 Conc. Med. Barr., Std. MB-7D Req'd.                           | 22 Combination Underdrain, Std. CD-1 & 2 Req'd.                         | 37 Pipe To Be Removed                            |
| 8 Conc. Med. Barr., Std. MB-7B Req'd.                           | 23 Paved Ditch Req'd. - See Ditch Tabulations                           | 38 Pipe Culvert Rehabilitation Req'd. (Method D) |
| 9 Conc. Med. Barr., Std. MB-7C Req'd.                           | 24 Fence, FE-CL Req'd.  | 39 Back-Up Berm Req'd.                           |
| 10 Guardrail Std. GR-2 Req'd.                                   | 25 Fence Gate, Std. FE-CL-5m  | 40 Clean Out Existing Pipe                       |
| 11 Guardrail Terminal, Std. GR-6 Req'd.                         | 26 Stone For Erosion Control, Std. EC-I Class I Req'd.                  | 41 Clean Out Existing Structure                  |
| 12 Guardrail Terminal, Std. GR-7 Req'd.                         | 27 Stone For Erosion Control, Std. EC-I (Mod.) Cl. II Req'd., See Sheet | 42 Seepage Control Liner                         |
| 13 Guardrail Terminal Installation Site Preparation, Std. GR-SP | 28 Stone For Erosion Control, Std. EC-I (Mod.) Cl. II Req'd., See Sheet | 43 Rock Check Dam Type I                         |
| 14 Fixed Object Attachment, Std. GR-FOA-2 Type I Req'd.         | 29 Class I Dry Riprap at 600mm Depth Req'd.                             | 44 Rock Check Dam Type II                        |
| 15 Fixed Object Attachment, Std. GR-FOA-2 Type II Req'd.        | 30 Class II Dry Riprap at 900mm Depth Req'd.                            |  |

044  
 TM 37-13-1(11)-7  
**CANAL LAND LIMITED PARTNERSHIP & MAAR INVESTMENT CO.**  
 DB 2203 PG 440  
 PARCEL II

- LEGEND:**
- OVERLAY EXISTING PAVEMENT
  - DEMOLITION OF ASPHALT PAVEMENT
  - DEMOLITION OF CONCRETE PAVEMENT
  - OBSCURING ROADWAY
  - DENOTES CONSTRUCTION LIMITS IN CUTS
  - DENOTES CONSTRUCTION LIMITS IN FILLS



Sh. No.	REFERENCE DWGS. Description
5A	288 PROFILE

Virginia Department Of Transportation  
**VIIT**  
 Route 288  
 Rte. 288/Route 76 Interchange  
 GRADING, DRAINAGE & PAVEMENT PLAN

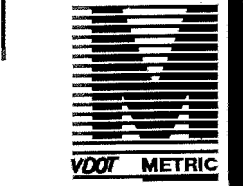
**Dewberry & Davis**  
 801 Adams Blvd  
 Fairfax, VA 22031  
 Engineers  
 Architects  
 Planners  
 Surveyors

Date: DEC. 1996  
 Scale: 1:500 m  
 Designed By: JSM  
 Drawn By: KLT  
 Checked By: PTB

Sheet 5 of 5

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MATCH LINE - STA. 20+00.00 - SEE SH. 4









MINUTES  
OF  
MEETING OF STATE HIGHWAY COMMISSION  
RICHMOND, VIRGINIA  
August 28, 1969

The monthly meeting of the State Highway Commission was held at the Central Highway Office in Richmond on August 28, 1969, at 10 A.M. The chairman, Mr. Douglas B. Fugate, presided.

Present: Messrs. Fugate, Baughan, Chilton, Duckworth, Fitzpatrick, Glass, Hairston, Landrith, and Weaver.

On motion of Mr. Landrith, seconded by Mr. Fitzpatrick, minutes of the meeting of July 24, 1969 were approved.

Motion was made by Mr. Landrith, seconded by Mr. Fitzpatrick, that permits issued from July 24, 1969 to August 27, 1969, as shown by records of the Department, be approved. Motion carried.

On motion of Mr. Landrith, seconded by Mr. Fitzpatrick, cancellation of permits from July 24, 1969 to August 27, 1969, as shown by records of the Department, was approved.

On motion of Mr. Duckworth, seconded by Judge Weaver, the Commission approved final budget for the year 1969-70 for facilities financed by the Virginia Toll Revenue Bonds (Series 1954). A copy of budget is attached. Pages 91-95.

Mr. A. B. Eure, Director of Administration, reviewed the status of Highway funds at the close of the year ended June 30, 1969 and the effect on the funds of emergency spending.



8-28-69

Moved by Judge Weaver, seconded by Mr. Landrith  
that,

WHEREAS, in accordance with the provisions of Section 128 of Title 23 - Highways, United States Code, a public hearing was held in the auditorium of the Highway Office Building at 1221 East Broad Street, Richmond, Virginia, on October 10, 1967, at 10:00 a. m., concerning the proposed location of Route 288 from the intersection of Routes 250 and 295 (West of Richmond) to the intersection of Routes 1 and 295 (South of Richmond), and

WHEREAS, as a result of information and requests received at the public hearing on October 10, 1967, further study was made of other alternate locations through the section from the intersection of Routes 250 and 295 (West of Richmond) to an intersection with Route 360 (Southwest of Richmond), with the results of this additional study to be presented at a second public hearing, and

WHEREAS, in accordance with the provisions of Section 128 of Title 23 - Highways, United States Code, and Policy and Procedure Memorandum 20-8, a second Location Public Hearing was held in the Auditorium of the Highway Office Building at 1221 East Broad Street, Richmond, Virginia, on February 19, 1969, at 10:00 a. m., concerning the proposed location of Route 288 from the intersection of Routes 250 and 295 (West of Richmond) to an intersection with Route 360 (Southwest of Richmond), in Henrico, Goochland and Chesterfield Counties, State Projects 0288-043-101, 0288-037-101 and 0288-020-101, and

WHEREAS, the Original Location and the most feasible Alternate Location were presented for consideration, and

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 improvement as planned, and their statements being duly recorded, and

WHEREAS, the economic, social and environmental effects of the proposed improvement 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 location corridor for Route 288 from the intersection of Routes 250 and 295 (West of Richmond) to the intersection of Route 360 (Southwest of Richmond) be approved in accordance with the general plan as proposed and presented at said Location Public Hearing on February 19, 1969, by the Department Engineers, along the Original Location.

BE IT FURTHER RESOLVED, that this project, be designated as a Limited Access Highway in accordance with Article 3, Chapter 1, Title 33 of the 1960 Code of Virginia, as amended, and in accordance with the Highway Commission Policy for by-passes of cities and towns.

8-28-69

BE IT FURTHER RESOLVED, that pursuant to Section 33-26 of the 1950 Code of Virginia, as amended, the proposed new location herein approved, in Henrico, Goochland and Chesterfield Counties, approximately 16.3 miles, be added to the Primary System of Highways and designated Virginia Route 288.

MOTION CARRIED.

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

WHEREAS, in connection with Route 60, State Highway Project 2147-04, now Project 0060-047-004, the Commonwealth acquired by agreement dated December 4, 1957, an easement for drainage purposes from Reba M. Alexander and Maxwell R. Alexander, her husband, (life tenants), and Maxwell R. Alexander, Jr. (remainderman), as recorded in Deed Book 64, Page 8, in the Office of the Clerk of the Court for the City of Williamsburg and the County of James City; and

WHEREAS, Prior to the use of this easement, the plans were revised locating the easement off of this property; and

WHEREAS, the adjacent landowner or landowners are in the process of selling their property and have requested that this easement be returned to them in order to clear the cloud on their title; and

WHEREAS, the State Highway Commissioner has certified in writing that the land lying on the south property line of the lands of the aforementioned landowners at a point approximately 276 feet opposite approximate Station 12+76 (centerline of Line "U") does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, the conveyance of said parcel of land, in accordance with the provisions of § 33-76.6 of the 1950 Code of Virginia, as amended, is approved and the State Highway Commissioner is hereby authorized to execute in the name of the Commonwealth a quitclaim deed conveying same to the owner or owners of the adjoining land for a consideration satisfactory to the State Right of Way Engineer.

MOTION CARRIED.

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

WHEREAS, in connection with Route 97, State Highway Project 3738-01, the Commonwealth did acquire land from Betty Jo Smith and James Smith,