



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Aubrey L. Layne, Jr.  
Chairman

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*Agenda item # 11*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

November 12, 2014

#### MOTION

**Made By: Mr. Malbon, Seconded By: Mr. Williams  
Action: Motion Carried**

**Title: Proposed Limited Access Control Change  
Route 171 (Victory Boulevard)  
County of York**

**WHEREAS**, Route 171 (Victory Boulevard), State Highway Project 0171-099-101, RW-201, C-501, in the County of York was designated as a Limited Access Highway by the State Highway and Transportation Commission, predecessor to the Commonwealth Transportation Board (CTB), on September 15, 1977; and

**WHEREAS**, in connection with the said Route 171 project, the Commonwealth acquired certain limited access control easements from Tabb Enterprises, Limited, by Instrument dated February 23, 1979, recorded in Deed Book 325, Page 401, concluded by Final Order dated April 23, 1980, recorded in Deed Book 340, Page 133, both recorded in the Office of the Clerk of the Circuit Court of the County of York; and

**WHEREAS**, Smith/Packett, d/b/a York IL/AL Investors, LLC has requested a break in limited access control along Route 171 (Victory Boulevard) to install a commercial driveway entrance for access to and from the planned development of an assisted living facility, The Crossings on the Peninsula, onto the existing limited access right of way of Route 171 (Victory Boulevard) approximately 1,000 feet east of the Route 171 and Route 134 Intersection and being a break of approximately 40 feet, along the north proposed right of way and limited access line of Route 171, as shown on the plans for State Highway Project, 0171-099-101, RW-201, from a point approximately 115 feet opposite Station 228+61.31 (Route 171 EBL construction centerline) to a point approximately 115 feet opposite Station 229+00.71 (Route 171 EBL

construction centerline) for a connection to the westbound lane (WBL) of Route 171, with both left and right in and right out only turning movements, including a partial median break, and the construction of a left turn taper and storage along the eastbound direction of Route 171 and the construction of a right turn taper along the westbound direction of Route 171; and

**WHEREAS**, the County of York, by Resolution R14-57 adopted on May 20, 2014 approved a Special Use Permit to authorize the establishment of a senior housing-assisted living facility on two parcels of land along Route 134 (Hampton Highway) and Route 171 (Victory Boulevard) with certain conditions to include that access to and from the development be via Route 171 (Victory Boulevard) and that direct access to the property via Route 134 (Hampton Highway) not be permitted, all subject to the approval of the CTB; and

**WHEREAS**, VDOT's Hampton Roads District has determined based upon a Traffic Impact Analysis, dated May 19, 2014, prepared by URS Corporation, that there will be no impact to the operation of the Route 171 right of way, and the said proposed Limited Access Control Change (LACC) is appropriate from a safety and traffic control standpoint; and

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

**WHEREAS**, public notices were posted in the *Daily Press* newspaper, on October 19, 2014 and October 26, 2014 and closed on November 3, 2014, with no comments received; and

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

**WHEREAS**, all costs of any engineering and construction or 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; and

**WHEREAS**, VDOT has determined that compensation in an amount satisfactory to the State Right of Way and Utilities Director shall be required for the limited access control changes; and

**WHEREAS**, the proposed LACC is in compliance with Title 24, Section 30, Chapter 401 of the Virginia Administrative Code.

**NOW, THEREFORE, BE IT RESOLVED**, in accordance and compliance with the provisions and notice requirements of Section 33.2-401 of the *Code of Virginia*, the CTB hereby finds and concurs with the determinations made by VDOT, and approves the said LACC for public street purposes as set forth and subject to the above conditions.

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**BE IT FURTHER RESOLVED**, the Commissioner of Highways is authorized to execute any and all documents necessary to implement such changes.

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