

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
February 9, 2021
7:00 p.m.

PLEDGE OF ALLEGIANCE
INVOCATION

APPROVAL OF MINUTES - January 26, 2021, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

42-21 Henrico Plaza, LLC: Request to conditionally rezone from R-6 General Residence
REZ2020- District and B-2 Business District to UMUC Urban Mixed Use District
00046 (Conditional) Parcels 803-737-0018 and 803-737-5815 containing 27.416 acres
Fairfield located on the west line of Mechanicsville Turnpike (U.S. Route 360),
 approximately 675' north of its intersection with E. Laburnum Avenue. The
 applicant proposes a mixed use development. The uses will be controlled by
 zoning ordinance regulations and proffered conditions. The 2026 Comprehensive
 Plan recommends Commercial Concentration. The site is in the Enterprise Zone
 and the Airport Safety Overlay District. The Planning Commission voted to
 recommend the Board of Supervisors **grant** the request.

43-21 Henrico Plaza, LLC: Request for a Provisional Use Permit under Sections 24-
PUP2020- 32.1(a, k, m, v, w, z, aa, bb), 24-120 and 24-122.1 of Chapter 24 of the County
00025 Code to allow for outdoor vendors; drive-through service window; office-
Fairfield warehouse, when all materials are stored within an enclosed building for use by
 the business occupying the building; open space of less than 20 percent;
 commercial/office space less than 25 percent of total building square footage;
 number of for-lease multifamily dwelling units exceeding 30 percent of the total
 units; parking plan; auto service without the parking garage requirement; and
 one temporary sales/rental office located on Parcels 803-737-0018 and 803-737-
 5815 located on the west line of Mechanicsville Turnpike (U.S. Route 360),
 approximately 675' north of its intersection with E. Laburnum Avenue. The
 existing zoning is R-6 General Residence District and B-2 Business District.
 UMUC zoning is proposed with REZ2020-00046. The 2026 Comprehensive Plan
 recommends Commercial Concentration. The site is in the Enterprise Zone and
 the Airport Safety Overlay District. The Planning Commission voted to
 recommend the Board of Supervisors **grant** the request.

44-21 MS Richmond Investor, LLC: Request to conditionally rezone from A-1
REZ2021- Agricultural District, R-3C One-Family Residence District (Conditional) and R-
00008 5AC General Residence District (Conditional) to R-5AC General Residence
Three Chopt District (Conditional) Parcels 744-762-4165, 744-763-8661, 744-763-9175, 745-
 763-2013, 745-763-2727, 745-763-3440, 745-763-4567, 745-763-5481, 745-763-
 6093, 745-764-0618, 744-762-4780, 744-762-5294, 744-762-9757, 745-762-0472,
 and 745-763-4053 containing 33.03 acres generally between the east line of

Belfast Road and west line of Glasgow Road at its intersection with Ireland Lane. The applicant proposes detached dwellings for sale with zero lot lines. The R-5AC District allows an overall maximum density of 6 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

45-21
REZ2021-
00001
Three Chopt
Kain Road Investors, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 748-767-4828, 748-767-7842, and 748-767-8852 containing 7.745 acres located on the south line of Sadler Road, approximately 175' west of its intersection with Cedar Branch Court. The applicant proposes detached dwellings for sale with zero lot lines. The R-5AC District allows an overall maximum density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

46-21
REZ2020-
00038
Brookland
Sam Tu: Request to conditionally rezone from B-1C and B-3C Business Districts (Conditional) to B-2C Business District (Conditional) Parcels 769-741-6348 and 769-741-7358 containing .93 acres located at the southeast intersection of W. Broad Street (U.S. Route 250) and Morningside Drive. The applicant proposes a neighborhood shopping center with accessory dwelling units on the second floor. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Arterial, Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

47-21
PUP2020-
00021
Brookland
Sam Tu: Request for a Provisional Use Permit under Sections 24-58.2(g), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow accessory dwellings on Parcels 769-741-7358 and 769-741-6348 located at the southeast intersection of W. Broad Street (U.S. Route 250) and Morningside Drive. The existing zoning is B-3C Business District (Conditional). B-2C zoning is proposed with REZ2020-00038. The 2026 Comprehensive Plan recommends Commercial Arterial, Suburban Residential 2, density should not exceed 3.4 units per acres, and Environmental Protection Area. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

48-21
REZ2021-
00009
Fairfield
Stanley Martin Homes: Request to conditionally rezone from B-3C Business District (Conditional) to R-6C General Residence District (Conditional) Parcel 784-771-0908 containing 4.631 acres located approximately 200' east of Brook Road (U.S. Route 1) at its intersection with Magnolia Ridge Drive. The applicant proposes a master-planned community. The R-6 District allows a maximum gross density of 19.8 units per acre. The uses will be controlled by zoning

ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Arterial. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

49-21 Stanley Martin Homes: Request for a Provisional Use Permit under Sections 24-
PUP2021- 36.1(b) 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a master-
00003 planned community on Parcel 784-771-0908 located approximately 200' east of
Fairfield Brook Road (U.S. Route 1) at its intersection with Magnolia Ridge Drive. The
existing zoning is B-3C Business District (Conditional). R-6C zoning district is
proposed for with REZ20201-00009. The 2026 Comprehensive Plan recommends
Commercial Arterial. The Planning Commission voted to recommend the Board
of Supervisors **grant** the request.

50-21 1408 N. Parham Oz Fund LC: Request to conditionally rezone from B-3 Business
REZ2021- District to UMUC Urban Mixed Use District (Conditional) Parcel 753-743-7768
00007 containing 6.973 acres located at the southwest intersection of N. Parham and
Tuckahoe Quioccasin Roads. The applicant proposes an expansion of the Regency urban
mixed-use development. The use will be controlled by zoning ordinance
regulations and proffered conditions. The 2026 Comprehensive Plan
recommends Urban Mixed-Use. The Planning Commission voted to recommend
the Board of Supervisors **grant** the request.

51-21 1408 N. Parham Oz Fund LC: Request for a Provisional Use Permit under
PUP2021- Sections 24-32.1(a, c, e, f, g, i, j, k, m, n, o, p, q, r, s, t, v, x, y, z and aa), 24-120
00002 and 24-122.1 of Chapter 24 of the County Code to allow for outdoor vending; an
Tuckahoe automotive filling station; indoor antique auction; auditorium and assembly hall,
coliseum, and stadium; billiard parlor; single offices, clinics and labs for medical,
dental and optical uses greater than 30,000 square feet of floor area; grocery or
convenience food store greater than 30,000 square feet of floor area; indoor
recreation facility/swimming pool greater than 10,000 square feet of floor area;
drapery making and furniture upholstery shops; drive-through service
window; office-warehouse; parking garage; radio and television stations and
studios; outdoor recreation facilities; sign printing and painting shop; television
receiving antennas; buildings in excess of 60' in height; density of residential
development exceeding 30 dwelling units per acre; open space less than 20
percent; general hospitals; extended hours of operation for any business
containing one or two billiard, pool, or bagatelle tables to 2:00 a.m.; number of
for-lease multifamily dwelling units exceeding 30 percent of the total units of the
UMU district; and parking plan Parcel 753-743-7768 at the southwest
intersection of N. Parham and Quioccasin Roads. The existing zoning is B-3
Business District. UMUC zoning is proposed with REZ2021-00007. The 2026
Comprehensive Plan recommends Urban Mixed-Use. The site is in the
Enterprise Zone. The Planning Commission voted to recommend the Board of
Supervisors **grant** the request.

52-21 Dominion Realty Partners: Request to conditionally rezone from O-3C Office
REZ2020- District (Conditional) to UMUC Urban Mixed Use District (Conditional) part of
00044 Parcel 748-763-6189 containing 12.58 acres located approximately 200' west of
Three Chopt the western terminus of Waterfront Place. The applicant proposes a multifamily
development. The use will be controlled by zoning ordinance regulations and
proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed

Use. The site is in the Innsbrook Redevelopment Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

53-21
PUP2020-
00024
Three Chopt
Dominion Realty Partners: Request for a Provisional Use Permit under Sections 24-32.1(n, v, w, z), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a parking garage with no associated ground floor retail or useable floor space for residential or nonresidential uses along a façade facing street; open space within a development of less than 20 percent; commercial or office square footage of less than 25 percent of the total building square footage of the UMU district; and the number of for-lease multifamily dwelling units to exceed 30 percent of total units of the UMU district on part of Parcel 748-763-6189 located at the terminus of Waterfront Place. The existing zoning is O-3C Office District (Conditional). UMUC zoning is proposed with REZ2020-00044. The 2026 Comprehensive Plan recommends Urban Mixed Use. The site is in the Innsbrook Redevelopment Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

54-21
REZ2021-
00006
Three Chopt
Krispy Kreme Doughnut Corporation: Request to amend proffers accepted with Rezoning case C-52C-94 on Parcel 742-761-8390 located on the north line of West Broad Street (U.S. Route 250) approximately 680' west of Tom Leonard Drive. The applicant proposes to amend Proffer #13 to allow additional outparcel development. The existing zoning is M-1C Light Industrial District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. The site is in the West Broad Street Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

55-21
REZ2020-
00040
Three Chopt
Louis Salomonsky: Request to rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 744-755-7296 and 744-755-5798 containing 2.83 acres located on the south line of Church Road, approximately 170' west of its intersection with Guyana Drive. The applicant proposes a residential development of detached dwellings for sale with zero lot lines. The R-5A District allows an overall maximum density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. The Planning Commission voted to recommend the Board of Supervisors **deny** the request.

56-21
REZ2020-
00031
Brookland
Bhoopendra Prakash: Request to amend proffers accepted with Rezoning case C-81C-96 on Parcel 774-746-2037 located at the northeast corner of Staples Mill Road and Aspen Avenue. The applicant proposes to amend proffers regarding setbacks and landscape buffers. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

57-21
PUP2020-
00018
Brookland
Bhoopendra Prakash: Request for a Provisional Use Permit under Sections 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for 24-hour operation of a convenience store with fuel pumps and car wash on Parcel 774-746-2037 located at the northeast corner of Staples Mill Road and Aspen Avenue. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the

Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **deny** the request.

PUBLIC HEARINGS - OTHER ITEMS

- 58-21 Resolution - Authorizing County Manager to Submit Fourth Amended Henrico County FY 2019-20 Annual Consolidated Action Plan; to Execute Additional CDBG Agreement; and to Execute Contracts for CDBG Activities.
- 59-21 Ordinance - Vacation of Portion of Alley - Westwood Subdivision - Brookland District.
- 60-21 Ordinance - Vacation of Building Line - Westham Subdivision - Tuckahoe District.
- 61-21 Ordinance - Vacation of Portion of Drainage Easement - Countryside Subdivision - Tuckahoe District.
- 62-21 Resolution - Signatory Authority - Conveyance of Real Property - Well Site at 302 Woodview Drive - Varina District.
- 63-21 Resolution - Signatory Authority - Quitclaim of Utility Easement - 4500 Sarellen Road - Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

- 64-21 Resolution - Signatory Authority - Commonwealth's Development Opportunity Fund Performance Agreement - T-Mobile USA, Inc.- Varina District.
- 65-21 Introduction of Resolution - Receipt of Requests for Amendments to FY 2020-21 Annual Fiscal Plan.
- 66-21 Resolution - Award of Contracts - Annual Building Demolition Services.
- 67-21 Resolution - SIA2021-00001 - Glover Park Expansion Phase II Site - Substantially in Accord with 2026 Comprehensive Plan - Brookland District.
- 68-21 Resolution - Signatory Authority - Contract Amendment for Engineering Design Services - Sadler Road Improvements - Three Chopt District.
- 69-21 Resolution - Authorization to Submit Application - Virginia Dam Safety, Flood Prevention and Protection Assistance Fund - Brookland, Three Chopt, and Tuckahoe Districts.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
February 9, 2021**

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

- REZ2020-00046
Fairfield
Henrico Plaza, LLC: Request to conditionally rezone from R-6 General Residence District and B-2 Business District to UMUC Urban Mixed Use District (Conditional) Parcels 803-737-0018 and 803-737-5815 containing 27.416 acres located on the west line of Mechanicsville Turnpike (U.S. Route 360), approximately 675' north of its intersection with E. Laburnum Avenue. The applicant proposes a mixed use development. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone and the Airport Safety Overlay District. Acting on a motion by Mr. Archer, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would not be expected to adversely affect the pattern of zoning and land use in the area and the proffered conditions will provide appropriate quality assurances not otherwise available.
- PUP2020-00025
Fairfield
Henrico Plaza, LLC: Request for a Provisional Use Permit under Sections 24-32.1(a, k, m, v, w, z, aa, bb), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for outdoor vendors; drive-through service window; office-warehouse, when all materials are stored within an enclosed building for use by the business occupying the building; open space of less than 20 percent; commercial/office space less than 25 percent of total building square footage; number of for-lease multifamily dwelling units exceeding 30 percent of the total units; parking plan; auto service without the parking garage requirement; and one temporary sales/rental office located on Parcels 803-737-0018 and 803-737-5815 located on the west line of Mechanicsville Turnpike (U.S. Route 360), approximately 675' north of its intersection with E. Laburnum Avenue. The existing zoning is R-6 General Residence District and B-2 Business District. UMUC zoning is proposed with REZ2020-00046. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone and the Airport Safety Overlay District. Acting on a motion by Mr. Archer, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because when properly developed and regulated by the recommended special conditions, it would not be detrimental to the public health, safety, welfare and values in the area.
- REZ2021-00008
Three Chopt
MS Richmond Investor, LLC: Request to conditionally rezone from A-1 Agricultural District, R-3C One-Family Residence District (Conditional) and R-5AC General Residence District (Conditional) to R-5AC General Residence District (Conditional) Parcels 744-762-4165, 744-763-8661, 744-

763-9175, 745-763-2013, 745-763-2727, 745-763-3440, 745-763-4567, 745-763-5481, 745-763-6093, 745-764-0618, 744-762-4780, 744-762-5294, 744-762-9757, 745-762-0472, and 745-763-4053 containing 33.03 acres generally between the east line of Belfast Road and west line of Glasgow Road at its intersection with Ireland Lane . The applicant proposes detached dwellings for sale with zero lot lines. The R-5AC District allows an overall maximum density of 6 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. Acting on a motion by Mrs. Thornton, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it continues a similar level of single-family residential zoning as currently exists in the area and it would assist in achieving the appropriate development of adjoining property.

REZ2021-00001
Three Chopt
Kain Road Investors, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 748-767-4828, 748-767-7842, and 748-767-8852 containing 7.745 acres located on the south line of Sadler Road, approximately 175' west of its intersection with Cedar Branch Court. The applicant proposes detached dwellings for sale with zero lot lines. The R-5AC District allows an overall maximum density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. Acting on a motion by Mrs. Thornton, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would provide for appropriate development and would not adversely affect the adjoining area if properly developed as proposed.

REZ2020-00038
Brookland
Sam Tu: Request to conditionally rezone from B-1C and B-3C Business Districts (Conditional) to B-2C Business District (Conditional) Parcels 769-741-6348 and 769-741-7358 containing .93 acres located at the southeast intersection of W. Broad Street (U.S. Route 250) and Morningside Drive. The applicant proposes a neighborhood shopping center with accessory dwelling units on the second floor. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Arterial, Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it reasonable in light of the business and residential zoning in the area and the proffered conditions will assure a level of development otherwise not possible.

PUP2020-00021
Brookland
Sam Tu: Request for a Provisional Use Permit under Sections 24-58.2(g), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow accessory dwellings on Parcels 769-741-7358 and 769-741-6348 located at the southeast intersection of W. Broad Street (U.S. Route 250) and Morningside

Drive. The existing zoning is B-3C Business District (Conditional). B-2C zoning is proposed with REZ2020-00038. The 2026 Comprehensive Plan recommends Commercial Arterial, Suburban Residential 2, density should not exceed 3.4 units per acres, and Environmental Protection Area. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would provide added services to the community and when properly developed and regulated by the recommended special conditions, it would not be detrimental to the public health, safety, welfare and values in the area.

REZ2021-00009
Fairfield

Stanley Martin Homes: Request to conditionally rezone from B-3C Business District (Conditional) to R-6C General Residence District (Conditional) Parcel 784-771-0908 containing 4.631 acres located approximately 200' east of Brook Road (U.S. Route 1) at its intersection with Magnolia Ridge Drive. The applicant proposes a master-planned community. The R-6 District allows a maximum gross density of 19.8 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Arterial. Acting on a motion by Mr. Archer, seconded by Mrs. Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would permit development of the land for residential use in an appropriate manner and would not adversely affect the adjoining area if properly developed as proposed.

PUP2021-00003
Fairfield

Stanley Martin Homes: Request for a Provisional Use Permit under Sections 24-36.1(b) 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a master-planned community on Parcel 784-771-0908 located approximately 200' east of Brook Road (U.S. Route 1) at its intersection with Magnolia Ridge Drive. The existing zoning is B-3C Business District (Conditional). R-6C zoning district is proposed for with REZ20201-00009. The 2026 Comprehensive Plan recommends Commercial Arterial. Acting on a motion by Mr. Archer, seconded by Mrs. Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it when properly developed and regulated by the recommended special conditions, it would not be detrimental to the public health, safety, welfare and values in the area.

REZ2021-00007
Tuckahoe

1408 N. Parham Oz Fund LC: Request to conditionally rezone from B-3 Business District to UMUC Urban Mixed Use District (Conditional) Parcel 753-743-7768 containing 6.973 acres located at the southwest intersection of N. Parham and Quioccasin Roads. The applicant proposes an expansion of the Regency urban mixed-use development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Enterprise Zone. Acting on a motion by Mr. Baka, seconded by Mrs. Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it continues a form of zoning consistent with the area, and conforms with the objectives and intent of the County's Comprehensive Plan.

PUP2021-00002
Tuckahoe

1408 N. Parham Oz Fund LC: Request for a Provisional Use Permit under Sections 24-32.1(a, c, e, f, g, i, j, k, m, n, o, p, q, r, s, t, v, x, y, z and aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for outdoor vending; an automotive filling station; indoor antique auction; auditorium and assembly hall, coliseum, and stadium; billiard parlor; single offices, clinics and labs for medical, dental and optical uses greater than 30,000 square feet of floor area; grocery or convenience food store greater than 30,000 square feet of floor area; indoor recreation facility/swimming pool greater than 10,000 square feet of floor area; drapery making and furniture upholstering shops; drive-through service window; office-warehouse; parking garage; radio and television stations and studios; outdoor recreation facilities; sign printing and painting shop; television receiving antennas; buildings in excess of 60' in height; density of residential development exceeding 30 dwelling units per acre; open space less than 20 percent; general hospitals; extended hours of operation for any business containing one or two billiard, pool, or bagatelle tables to 2:00 a.m.; number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district; and parking plan Parcel 753-743-7768 at the southwest intersection of N. Parham and Quioccasin Roads. The existing zoning is B-3 Business District. UMUC zoning is proposed with REZ2021-00007. The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Enterprise Zone. Acting on a motion by Mr. Baka, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because when properly developed and regulated by the recommended special conditions, it would not be detrimental to the public health, safety, welfare and values in the area.

REZ2020-00044
Three Chopt

Dominion Realty Partners: Request to conditionally rezone from O-3C Office District (Conditional) to UMUC Urban Mixed Use District (Conditional) part of Parcel 748-763-6189 containing 12.58 acres located approximately 200' west of the western terminus of Waterfront Place. The applicant proposes a multifamily development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed Use. The site is in the Innsbrook Redevelopment Overlay District. Acting on a motion by Mrs. Thornton, seconded by Mr. Witte, the Planning Commission voted 3-0 (three abstentions) to recommend the Board of Supervisors **grant** the request because it continues a form of zoning consistent with the area, and conforms with the objectives and intent of the County's Comprehensive Plan.

PUP2020-00024
Three Chopt

Dominion Realty Partners: Request for a Provisional Use Permit under Sections 24-32.1(n, v, w, z), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a parking garage with no associated ground floor retail or useable floor space for residential or nonresidential uses along a façade facing street; open space within a development of less than 20 percent; commercial or office square footage of less than 25 percent of the total building square footage of the UMU district; and the number of for-lease multifamily dwelling units to exceed 30 percent of total units of the UMU

district on part of Parcel 748-763-6189 located at the terminus of Waterfront Place. The existing zoning is O-3C Office District (Conditional). UMUC zoning is proposed with REZ2020-00044. The 2026 Comprehensive Plan recommends Urban Mixed Use. The site is in the Innsbrook Redevelopment Overlay District. Acting on a motion by Mrs. Thornton, seconded by Mr. Archer, the Planning Commission voted 3-0 (three abstentions) to recommend the Board of Supervisors **grant** the request because when properly developed and regulated by the recommended special conditions, it would not be detrimental to the public health, safety, welfare and values in the area.

REZ2021-00006
Three Chopt
Krispy Kreme Doughnut Corporation: Request to amend proffers accepted with Rezoning case C-52C-94 on Parcel 742-761-8390 located on the north line of West Broad Street (U.S. Route 250) approximately 680' west of Tom Leonard Drive. The applicant proposes to amend Proffer #13 to allow additional outparcel development. The existing zoning is M-1C Light Industrial District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. The site is in the West Broad Street Overlay District. Acting on a motion by Mr. Archer, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the recommendations of the Land Use Plan and it continues a form of zoning consistent with the area.

REZ2020-00040
Three Chopt
Louis Salomonsky: Request to rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 744-755-7296 and 744-755-5798 containing 2.83 acres located on the south line of Church Road, approximately 170' west of its intersection with Guyana Drive. The applicant proposes a residential development of detached dwellings for sale with zero lot lines. The R-5A District allows an overall maximum density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. Acting on a motion by Mrs. Thornton, seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **deny** the request because it represents an increase in intensity which could influence future zoning and development of adjacent properties and it would have a detrimental impact on the adjoining residential neighborhood.

REZ2020-00031
Brookland
Bhoopendra Prakash: Request to amend proffers accepted with Rezoning case C-81C-96 on Parcel 774-746-2037 located at the northeast corner of Staples Mill Road and Aspen Avenue. The applicant proposes to amend proffers regarding setbacks and landscape buffers. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of

Supervisors **grant** the request because it would not be expected to adversely affect the pattern of zoning and land use in the area and it conforms to the recommendations of the Land Use Plan.

PUP2020-00018
Brookland

Bhoopendra Prakash: Request for a Provisional Use Permit under Sections 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for 24-hour operation of a convenience store with fuel pumps and car wash on Parcel 774-746-2037 located at the northeast corner of Staples Mill Road and Aspen Avenue. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mrs. Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **deny** the request because it could have a precedent setting impact on existing land uses in the area and it could influence future land use decisions in the area.

PUBLIC HEARINGS - OTHER ITEMS

RESOLUTION - Authorizing County Manager to Submit Fourth Amended Henrico County FY 2019-20 Annual Consolidated Action Plan; to Execute Additional CDBG Agreement; and to Execute Contracts for CDBG Activities.

This Board paper authorizes the County Manager to submit a fourth amended Henrico County Annual Consolidated Action Plan for Fiscal Year 2019-20 to the United States Department of Housing and Urban Development (HUD) to obtain additional CDBG funds. These funds have been allocated to Henrico County by the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

The Board paper also authorizes the County Manager to execute an additional CDBG agreement with HUD and to execute contracts with subrecipients to perform activities using CARES Act funding.

HUD allocated \$1,417,098 additional CDBG CARES Act funds to Henrico County. The Department of Community Revitalization has prepared a table summarizing how \$676,000 of those funds will be used. Recommendations for use of the remaining funds will be brought to the Board at a subsequent meeting.

The Director of Community Revitalization recommends approval of the Board paper, and the County Manager concurs.

ORDINANCE - Vacation of Portion of Alley - Westwood Subdivision - Brookland District.

The owner of Lots 7 and 8, Block 25, Section 1 in Westwood subdivision, also known as 6109 W. Broad Street, and the owner of Lots Part of 9 and 10, Block 25, Section 1 in Westwood subdivision, also known as 6103 W. Broad Street, have requested vacation of the portion of an alley adjacent to their properties. A permanent sewer easement will be retained through the property to be vacated. SKY88, LLC is requesting the vacation to join two properties,

and West End Rentals, Inc. is requesting the vacation to complete the vacation of the remainder of the alley.

The Real Property Department has processed this request through the Departments of Planning, Public Works, and Public Utilities without objection.

ORDINANCE - Vacation of Building Line - Westham Subdivision - Tuckahoe District.

This ordinance will vacate the 50' building line across the front of Lot 4, Block WW of Westham subdivision. The property owners, Todd B. Allen and Theresa C. Allen, requested the vacation to construct a front porch.

The Real Property Department has processed this request through the Departments of Planning, Public Utilities, and Public Works without objection.

ORDINANCE - Vacation of Portion of Drainage Easement - Countryside Subdivision - Tuckahoe District.

This ordinance will vacate a portion of the variable width drainage easement located across Lot 6 in Block H, Section G of Countryside subdivision. The property owner, Richmond Hill Design Build, LLC, requested the vacation because this portion of the drainage easement interferes with the location for a house on its property.

The Real Property Department has processed this request through the Departments of Planning and Public Works without objection.

RESOLUTION - Signatory Authority - Conveyance of Real Property - Well Site at 302 Woodview Drive - Varina District.

This Board paper authorizes the Chairman and the County Manager to execute the documents necessary to convey a well site known as Tax Map Parcel 850-714-5706 that is located at the northeast corner of Lot 2, Section A, Block C in the Bradley Acres subdivision which is owned by Robert C. Binns and Anita L. Binns. The sale price would be \$4,500, its assessed value. The County does not need the property for any public purpose.

The Real Property Department has processed this conveyance through the Departments of Planning, Public Utilities, and Public Works without objection. The Director of Real Property recommends approval; the County Manager concurs.

RESOLUTION - Signatory Authority - Quitclaim of Utility Easement - 4500 Sarellen Road - Varina District.

This Board paper authorizes the Chairman to execute a quitclaim deed releasing the County's interest in an unneeded easement across property at 4500 Sarellen Road. The owner, JE Investments LLC, has requested this action. There are no County facilities in the easement area, the County does not need the easement to be quitclaimed, and a replacement easement has been dedicated to the County.

The Directors of Public Utilities, Planning, and Real Property recommend approval of the Board paper; the County Manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Signatory Authority - Commonwealth's Development Opportunity Fund Performance Agreement - T-Mobile USA, Inc. - Varina District.

This Board paper would authorize the County Manager to execute a performance agreement among T-Mobile USA, Inc. ("T-Mobile"), the County, the County's Economic Development Authority (EDA), and the Virginia Economic Development Partnership Authority (VEDP) regarding the relocation of T-Mobile's regional headquarters and customer experience center from western Henrico to 4571 South Laburnum Avenue in the White Oak Village Shopping Center.

Pursuant to the agreement, VEDP will pay a \$826,350 grant from the Commonwealth's Development Opportunity Fund to T-Mobile USA, Inc. The grant requires a 1:1 local match that consists of a payment by the EDA of \$200,000 in performance-based grants pursuant to an agreement between the EDA and T-Mobile; \$91,000 in Enterprise Zone permit fee exemptions; and 249 additional parking spaces valued at \$535,350. In return, T-Mobile has agreed to make a capital investment of at least \$30,000,000 in its new County facility and to create at least 500 new jobs in the County at an average salary of \$59,000.

The Executive Director of the Economic Development Authority recommends approval, and the County Manager concurs.

INTRODUCTION OF RESOLUTION - Receipt of Requests for Amendments to FY 2020-21 Annual Fiscal Plan.

This Board paper introduces a resolution to amend the annual fiscal plan for fiscal year 2020-21. The requested amendments are shown in a list dated February 2, 2021, provided by the County Manager to the Board of Supervisors.

Pursuant to Virginia Code Section 15.2-2507, the County may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year. However, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing notice of a meeting and public hearing once in a newspaper having general circulation in the County at least seven days prior to the meeting date. The notice states the intent of the Board of Supervisors to amend the budget and includes a brief synopsis of the proposed budget amendments.

The budget amendments that are the subject of this paper are greater than one percent of the total expenditures shown in the currently adopted budget. Therefore, to comply with the notice requirement, this paper directs the Clerk of the Board to advertise, in the Richmond Times-Dispatch on February 16, 2021, a synopsis of the proposed amendments and a public hearing to be held on February 23, 2021. A separate paper will be submitted to the Board to amend the Annual Fiscal Plan and appropriate funds for expenditure, as applicable, after the February 23, 2021, public hearing.

The Director of Finance recommends approval of this Board paper, and the County Manager concurs.

RESOLUTION - Award of Contracts - Annual Building Demolition Services.

This Board paper would award contracts to Pryor Hauling, Inc., S. B. Cox, Inc., and P & J Contracting Company, Inc. for annual building demolition services on single projects estimated to be between \$50,000 and \$500,000, on an if-and-when needed basis. Each contract will be limited to \$1 million.

Non-emergency project assignments will be made on a competitive basis by obtaining turnkey pricing from each contractor. Emergency project assignments will be made based upon the unit prices set forth in each contractor's bid.

The County received three bids on January 26, 2021, in response to Invitation to Bid # 21-2104-1JOK and Addendum No. 1. The bidders and bid amounts are as follows:

Bidders	Bid Amounts
Pryor Hauling, Inc. (Richmond, VA)	\$116,956.50
S. B. Cox, Inc. (Richmond, VA)	\$126,231.40
P & J Contracting Company, Inc. (Baltimore, MD)	\$170,654.00

Based upon review and evaluation of the bids received, it was determined that all bidders are responsive and responsible bidders. The Board paper authorizes the County Manager to execute a contract with each bidder. Funding for project assignments will come from the project's budget.

The Director of General Services and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - SIA2021-00001 - Glover Park Expansion Phase II Site - Substantially in Accord with 2026 Comprehensive Plan - Brookland District.

At the request of the Division of Recreation and Parks, the Department of Planning conducted a study to determine whether the proposed expansion of Glover Park is substantially in accord with the County's 2026 Comprehensive Plan (the "Plan"). The site consists of two parcels totaling approximately 2.438 acres located on the north line of Greenwood Road just west of Quail Walk Drive.

The Planning staff's report concluded that the proposed use for this site would not conflict with, or be a significant departure from, the Goals, Objectives, and Policies of the Plan and would support the intent of the Plan that identifies the need for public services and facilities to provide additional recreational opportunities for residents. Staff also determined the proposed improvements would be a logical expansion of the park and its services and can be designed to be compatible with the land uses in the surrounding area.

At its meeting on January 14, 2021, the Planning Commission approved the resolution finding the proposed Glover Park Expansion Phase II site substantially in accord with the Plan.

Further details regarding the proposed site are contained in the staff report prepared for the Planning Commission.

The Director of Planning concurs with the finding of the Planning Commission that the proposed Glover Park Expansion Phase II site is substantially in accord with the Plan and recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Contract Amendment for Engineering Design Services - Sadler Road Improvements - Three Chopt District.

On February 24, 2004, the Board of Supervisors approved a contract with Austin Brockenbrough & Associates, LLP for \$928,259 for the preparation of design and construction plans for Sadler Road from Dominion Boulevard to 150 feet east of Cedar Branch Court (approximately 1.90 miles). Contract amendments were approved by the Board of Supervisors on June 14, 2011, April 28, 2015, and March 27, 2018.

Additional work is necessary for out-of-scope plan and plat revisions required for right-of-way negotiations and utilities. Austin Brockenbrough & Associates, LLP and the Department of Public Works have negotiated a contract amendment for the additional work for an amount not to exceed \$211,520.82.

The Board paper approves the amendment to the contract and authorizes the County Manager to execute the amendment.

The Director of Public Works recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - Authorization to Submit Application - Virginia Dam Safety, Flood Prevention and Protection Assistance Fund - Brookland, Three Chopt, and Tuckahoe Districts.

This Board paper would authorize the Directors of Public Works and Recreation and Parks to apply for grants from the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund (“Fund”). The Fund allocates grants for dam safety and floodplain projects, such as updates to emergency action plans and professional engineer inspections. The grants require a 50% County match for reimbursable costs.

The County must apply for each project through the Virginia Department of Conservation and Recreation. The County has identified 12 dam safety projects that are eligible for Fund grants:

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| (1) Echo Lake Dam (Rec & Parks/DPW) | <ol style="list-style-type: none">1. Professional Engineer Inspection2. Emergency Action Plan Update3. Repair, Replace/Install Low-Level Draining Devices |
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(2) Wyndham Lake Dam (DPW)	<ol style="list-style-type: none"> 1. Professional Engineer Inspection 2. Emergency Action Plan Update
(3) Wellesley Lake Dam (DPW)	<ol style="list-style-type: none"> 1. Professional Engineer Inspection 2. Dam Break Inundation Zone Analysis 3. Emergency Action Plan Update
(4) Cox Road Dam (DPW)	<ol style="list-style-type: none"> 1. Professional Engineer Inspection 2. Emergency Action Plan Update
(5) Pump Road Dam (DPW)	<ol style="list-style-type: none"> 1. Professional Engineer Inspection 2. Emergency Action Plan Update

These activities are required to comply with the Virginia Dam Safety Impounding Structure Regulations.

The Directors of Public Works and Recreation and Parks recommend approval of this Board paper, and the County Manager concurs.