

**HENRICO COUNTY
NOTICE OF SPECIAL MEETING
BOARD OF SUPERVISORS**

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, April 11, 2023, at 5:30 p.m.** in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

The matters to be reviewed by the Board at this time are:

5:30 - 5:45 p.m. Tax Relief for the Elderly

5:45 - 5:55 p.m. Review of Regular Meeting Agenda Items

Tanya N. Brackett

Tanya N. Brackett, CMC
Clerk, Henrico County Board of Supervisors
April 6, 2023

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
April 11, 2023
6:00 p.m.

PLEDGE OF ALLEGIANCE
INVOCATION

PUBLIC HEARING

104-23 Resolution - Approval of Operating and Capital Annual Fiscal Plans for Fiscal Year 2023-24 and Allocation of Car Tax Relief for Tax Year 2023.

BEGINNING AT 7:00 P.M.

APPROVAL OF MINUTES – March 28, 2023, Regular and Special Meetings
MANAGER'S COMMENTS
BOARD OF SUPERVISORS' COMMENTS
RECOGNITION OF NEWS MEDIA

APPOINTMENT

105-23 Resolution - Appointment of Member - Belmont Advisory Committee.

PUBLIC HEARING ITEMS – REZONING CASES AND PROVISIONAL USE PERMITS

115-22 Markel | Eagle Advisors, LLC: Request to conditionally rezone from A-1
REZ2022- Agricultural District to R-5AC General Residence District (Conditional) part of
00002 Parcels 733-778-7649 and 734-777-3893 containing 46.599 acres located at the
Three Chopt southwest intersection of Pouncey Tract Road (State Route 271) and Wyndham
West Drive. The applicant proposes a single-family residential development.
The R-5A District allows a maximum gross density of 6 units per acre. The use
will be controlled by zoning ordinance regulations and proffered conditions. The
2026 Comprehensive Plan recommends Rural Residential, density should not
exceed 1 unit per acre. The Planning Commission voted to recommend the
Board of Supervisors **grant** the request. **(Deferred from the January 24,
2023, meeting; Deferral Requested to the June 13, 2023, meeting.)**

271-22 Hunt Gunter: Request for a Provisional Use Permit under Sections 24-4205
PUP2022- and 24-2306 of Chapter 24 of the County Code to allow a car wash on Parcel
00010 737-751-0413 located on the west line of John Rolfe Parkway approximately
Tuckahoe 260' north of the intersection of Ridgefield Parkway. 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 **deny** the request. **(Deferred from the February 14,
2023, meeting.) Withdrawn by Applicant.**

- 106-23 REZ2023-00003
Fairfield Ashley Terrace Realty, LLC: Request to conditionally rezone from B-2 Business District and R-5 General Residence District to R-6C General Residence District (Conditional) parcels 788-747-4162 and 788-747-5728 containing 8.196 acres located on the east line of Chamberlayne Road approximately 800 feet north of its intersection with Brook Hill Circle. The applicant proposes a master-planned development with multifamily residential and accessory solar uses. The R-6 District allows for multifamily dwellings at a density of 19.8 units per acre unless modified by Provisional Use Permit. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.
- 107-23 PUP2023-00002
Fairfield Ashley Terrace Realty, LLC: Request for a Provisional Use Permit under Sections 24-2306 and 24-4205 of Chapter 24 of the County Code to allow for zoning modifications as part of a master-planned development on parcels 788-747-4162 and 788-747-5728 located on the east line of Chamberlayne Road approximately 800 feet north of its intersection with Brook Hill Circle. The existing zoning is B-2 Business District and R-5 General Residence District. R-6C General Residence District (Conditional) is proposed with REZ2023-00003. The 2026 Comprehensive Plan recommends Commercial Concentration. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.
- 108-23 REZ2023-00005
Varina 4731 East, LLC: Request to conditionally rezone from M-1 Light Industrial District to M-2C General Industrial District (Conditional) Parcel 815-711-9946 containing 6.438 acres located on the south line of Eubank Road, approximately 345' west of S. Laburnum Avenue. The applicant proposes outdoor storage. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Planned Industry. The site is located in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS - OTHER ITEMS

- 109-23 Ordinance - To Amend and Reordain Section 20-78 of the Code of the County of Henrico Titled “Elderly or permanently and totally disabled persons” to Increase the Maximum Annual Real Estate Tax Exemption for the Real Estate Advantage Program From \$3,000 to \$3,200.
- 110-23 Resolution - Signatory Authority - Quitclaim of a Portion of a Utility Easement - 5420 West Broad Steet - Brookland District.
- 111-23 Resolution - Signatory Authority - Conveyance of Former Well Lot - 2200 20th Street - Fairfield District.
- 112-23 Resolution - Signatory Authority - Acquisition and Lease of Real Property - 1149 New Market Road - Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

- 113-23 Resolution - Signatory Authority - License Agreement - Richmond Raceway - Metro Aviation Unit - Fairfield District.
- 114-23 Resolution - Modification of Annual Spending Limit - Annual Contract for Small Capital Improvement Projects.
- 115-23 Resolution - Request for Letter of Necessity - Lambert Way - Brookland District.
- 116-23 Resolution - Request for Letter of Necessity - Magellan Parkway Over I-95 - Fairfield District.
- 117-23 Resolution - Request for Letter of Necessity - Liesfeld Farm Drive Extension Project - Three Chopt District.
- 118-23 Resolution - Award of Contract - Four Mile Creek Restroom and Amenities - Varina District.
- 119-23 Resolution - Award of Contract - Turner Road and Darbytown Road Modular Roundabout - Varina District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
April 11, 2023**

PUBLIC HEARING – Beginning at 6:00 p.m.

RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for FY 2023-24 and Allocation of Car Tax Relief for Tax Year 2023.

On Tuesday, April 11, 2023, this paper will be considered but must be deferred (at least seven days, according to law) before being approved. At the scheduled regular meeting on Tuesday, April 25, 2023, the proposed Operating and Capital Annual Fiscal Plans may be approved, amended, substituted for, or deferred until a later date. However, the Schools' budget must be approved by May 15, 2023. This paper will also allocate car tax relief for tax year 2023.

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

APPOINTMENT – Beginning at 7:00 p.m.

RESOLUTION - Appointment of Member - Belmont Advisory Committee.

This Board paper appoints the following person to the Belmont Advisory Committee for a term expiring December 31, 2025, or thereafter when his successor has been appointed and qualified:

At-Large Paul Mallory

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

| | |
|------------------------------|---|
| REZ2022-00002 Three Chopt | Markel Eagle Advisors, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) part of Parcels 733-778-7649 and 734-777-3893 containing 46.599 acres located at the southwest intersection of Pouncey Tract Road (State Route 271) and Wyndham West Drive. The applicant proposes a single-family residential development. The R-5A District allows a maximum gross density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Rural Residential, density should not exceed 1 unit per acre. Acting on a motion by Mrs. Thornton, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors <u>grant</u> the request because it would permit development of the land for residential use in an appropriate manner and the proffered conditions will provide appropriate quality assurances not otherwise available. (Deferred from the January 24, 2023, meeting; Deferral Requested to the June 13, 2023, meeting.) |
|------------------------------|---|

PUP2022-00010
Tuckahoe
Hunt Gunter: Request for a Provisional Use Permit under Sections 24-4205 and 24-2306 of Chapter 24 of the County Code to allow a car wash on Parcel 737-751-0413 located on the west line of John Rolfe Parkway approximately 260' north of the intersection of Ridgefield Parkway. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. 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 deny the request because of concerns regarding noise, visual impacts, and peak traffic flow, which could have a detrimental effect on property owners in the vicinity. **(Deferred from the February 14, 2023, meeting.) Withdrawn by Applicant.**

REZ2023-00003
Fairfield
Ashley Terrace Realty, LLC: Request to conditionally rezone from B-2 Business District and R-5 General Residence District to R-6C General Residence District (Conditional) parcels 788-747-4162 and 788-747-5728 containing 8.196 acres located on the east line of Chamberlayne Road approximately 800 feet north of its intersection with Brook Hill Circle. The applicant proposes a master-planned development with multifamily residential and accessory solar uses. The R-6 District allows for multifamily dwellings at a density of 19.8 units per acre unless modified by Provisional Use Permit. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. 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 the proffered conditions will provide appropriate quality assurances not otherwise available and it reflects the type of residential growth in the area.

PUP2023-00002
Fairfield
Ashley Terrace Realty, LLC: Request for a Provisional Use Permit under Sections 24-2306 and 24-4205 of Chapter 24 of the County Code to allow for zoning modifications as part of a master-planned development on parcels 788-747-4162 and 788-747-5728 located on the east line of Chamberlayne Road approximately 800 feet north of its intersection with Brook Hill Circle. The existing zoning is B-2 Business District and R-5 General Residence District. R-6C General Residence District (Conditional) is proposed with REZ2023-00003. The 2026 Comprehensive Plan recommends Commercial Concentration. 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 the proffered conditions should minimize the potential impacts on surrounding land uses 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.

REZ2023-00005
Varina
4731 East, LLC: Request to conditionally rezone from M-1 Light Industrial District to M-2C General Industrial District (Conditional) Parcel 815-711-9946 containing 6.438 acres located on the south line of Eubank Road, approximately 345' west of S. Laburnum Avenue. The applicant proposes outdoor storage. The use will be controlled by zoning ordinance regulations

and proffered conditions. The 2026 Comprehensive Plan recommends Planned Industry. The site is located in the Airport Safety Overlay District. Acting on a motion by Mr. Mackey, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it reflects the Comprehensive Plan and future use and zoning of the area and it is appropriate industrial zoning in this area.

PUBLIC HEARINGS - OTHER ITEMS

ORDINANCE - To Amend and Reordain Section 20-78 of the Code of the County of Henrico Titled “Elderly or permanently and totally disabled persons” to Increase the Maximum Annual Real Estate Tax Exemption for the Real Estate Advantage Program From \$3,000 to \$3,200.

This ordinance increases the maximum annual real estate tax exemption for participants in the Real Estate Advantage Program from \$3,000 to \$3,200. This change would be retroactive to January 1, 2023, and apply to participants in the Program this year.

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

RESOLUTION - Signatory Authority - Quitclaim of a Portion of a Utility Easement - 5420 West Broad Steet - Brookland District.

This Board paper authorizes the Chairman to execute a quitclaim deed releasing any interest the County may have in a portion of the utility easement area across the property owned by Sauer Properties, Inc. at 5420 West Broad Street. The owner has requested this action to accommodate construction. There are no County facilities in the easement area, the County does not need the easement area, and the owner conveyed a replacement easement on the same property to the County earlier this year.

The Real Property Division has processed this request through the Departments of Planning and Public Utilities without objection. The Director of Real Property recommends approval of the Board paper; the County Manager concurs.

RESOLUTION - Signatory Authority - Conveyance of Former Well Lot - 2200 20th Street - Fairfield District.

This Board paper authorizes the County to declare 2200 20th Street, a former well lot, as surplus real property and sell it to CID, Inc. for \$100. CID plans to use the parcel for gardens for the adjoining church, and the County does not need the property for any purpose.

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

RESOLUTION - Signatory Authority - Acquisition and Lease of Real Property - 1149 New Market Road - Varina District.

This Board paper authorizes the County Manager to execute a purchase agreement and accept the deed to acquire a 3.935-acre parcel at 1149 New Market Road (the "Property") for future road reconfiguration or future construction of a new fire station.

The Board paper also authorizes the County Manager to execute a deed of lease to allow Stephen W. Gallmeyer, Sr. to continue farming the Property at an annual rent of \$1.00 per year for up to six years, unless terminated earlier by the County.

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

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Signatory Authority - License Agreement - Richmond Raceway - Metro Aviation Unit - Fairfield District.

This Board paper authorizes the County Manager to execute a license agreement with the owner of the Richmond Raceway to install and use communications equipment at the Raceway for the Metro Aviation Unit for a maximum term of 25 years for \$1.00 a year.

The Chief of Police recommends approval of the Board paper; the County Manager concurs.

RESOLUTION - Modification of Annual Spending Limit - Annual Contract for Small Capital Improvement Projects.

This Board paper increases the annual spending limit under the Annual Contract for Small Capital Improvement Projects from \$2,500,000 to \$5,000,000, with the fees for any single project not to exceed \$500,000.

The County awarded the contract to Blakemore Construction Corporation on July 27, 2021. The contract provides for the construction of various "small" projects, including roads, turn lanes, sidewalks, multi-use trails, bus pads, and minor roadway reconfigurations.

The initial contract period was from August 1, 2021, to July 30, 2022, with an option for the County to renew the contract for two additional one-year terms. The proposed increase to the annual spending limit will allow the County to accomplish additional projects under the Contract.

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

RESOLUTION - Request for Letter of Necessity - Lambert Way - Brookland District.

On June 25, 2019, the Board of Supervisors approved the hiring of CHA Consulting, Inc. to provide design and engineering services for master planning as well as architectural and

engineering services required to continue the development of Glover Park. The Glover Park amended master plan was approved by the Planning Director on September 28, 2022, and includes a new access road alignment to connect the interior of Glover Park with Woodman Road.

In November of 2021, the new 2,125-foot access road was named Lambert Way, in honor of the late Captain Donald L. Lambert Jr. of the Henrico County Police Division. In December of 2022, the Lambert Way project was awarded \$5,000,000 in Community Project Funding from the U.S. House of Representatives Committee on Appropriations.

This Board paper directs the County Engineer to examine the proposed improvements and provide a letter of necessity and report to the Clerk of the Board, in accordance with procedures established by state law.

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

RESOLUTION - Request for Letter of Necessity - Magellan Parkway Over I-95 - Fairfield District.

Magellan Parkway is identified as a Major Access Roadway on the 2026 Major Thoroughfare Plan. The Board of Supervisors has begun a project to construct a new 4-lane curb and gutter roadway with a raised median, a shared-use path along the south side of the roadway, and a sidewalk along the north side, between Englewood Farms Drive and Scott Road, including a bridge across Interstate 95.

This Board paper directs the County Engineer to examine the proposed improvements and provide a letter of necessity and report to the Clerk of the Board, in accordance with procedures established by state law.

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

RESOLUTION - Request for Letter of Necessity - Liesfeld Farm Drive Extension Project - Three Chopt District.

The Liesfeld Farm Drive extension project would extend a new roadway west from the intersection of N. Gayton Road and Liesfeld Farm Drive approximately 3,500 feet and include a shared-use path, sidewalk, curb and gutter, storm sewer, stormwater management, traffic signal, pavement markings, signs, and maintenance of traffic.

This Board paper directs the County Engineer to examine the proposed improvements and provide a letter of necessity and report to the Clerk of the Board, in accordance with procedures established by state law.

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

RESOLUTION - Award of Contract - Four Mile Creek Restroom and Amenities - Varina District.

This Board paper awards a contract for \$985,680 to Suburban Remodeling Corp., dba SRC, Inc., for construction of the Four Mile Creek Restroom and Amenities project. The project consists of the construction of a new restroom facility at Four Mile Creek Park as part of the Virginia Capital Trail, including a drinking fountain, additional bike racks, signs, storm sewer, water lines, and a small sanitary sewer pump station.

Work on this project is anticipated to begin in May 2023 and be completed within 330 calendar days.

The County received one bid on February 14, 2023, in response to ITB No. 22-2382-6JOK and Addendum No. 1. The bidder and bid amount was as follows:

| <u>Bidder</u> | <u>Bid Amount</u> |
|---|--------------------------|
| Suburban Remodeling Corp., dba SRC, Inc. Richmond, Virginia | \$985,680 |

Based upon a review of the bid, Suburban Remodeling Corp., dba SRC, Inc., is the lowest responsive and responsible bidder.

The final contract amount will be determined upon completion of the project by multiplying the actual unit quantities authorized by the County for construction by the unit prices submitted in the contractor's bid.

The County Manager is authorized to execute the contract in a form approved by the County Attorney.

The County Manager, or the Purchasing Director as his designee, is also authorized to execute change orders within the scope of the project budget.

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

RESOLUTION - Award of Contract - Turner Road and Darbytown Road Modular Roundabout - Varina District.

This Board paper awards a unit price contract for \$479,055 to J. R. Caskey, Inc. for the Turner Road and Darbytown Road Modular Roundabout project. The project consists of constructing a modular roundabout using material fabricated by a vendor that fits within the existing pavement at the intersection of Turner Road and Darbytown Road.

Work on the project is anticipated to begin in June of 2023 and be completed within 90 days.

The County received four bids on March 23, 2023, in response to ITB 22-2491-2JL and Addendum No. 1. The bids were as follows:

| <u>Bidders</u> | <u>Bid Amount</u> |
|---|--------------------------|
| J. R. Caskey, Inc. Oilville, VA | \$479,055.00 |
| JIREH Construction Co., Inc. Richmond, VA | \$625,135.00 |
| Blakemore Construction Corporation Rockville, VA | \$707,071.20 |
| J. L. Kent & Sons, Inc. Spotsylvania, VA | \$718,362.95 |

Based upon a review of the bids, J. R. Caskey, Inc. is the lowest responsive and responsible bidder.

The final contract amount will be determined upon completion of the project by multiplying the unit quantities authorized by the County by the unit prices submitted in the contractor's bid.

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