

**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, August 13, 2024, at 3:30 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:

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| 3:30 - 3:45 p.m. | Henrico Police Recognition – Virginia Association of Chiefs of Police Awards |
| 3:45 - 4:00 p.m. | Division of Fire Youth Engagement |
| 4:00 - 4:15 p.m. | Bus Transfer Station Parking |
| 4:15 - 4:45 p.m. | Division of Police Crime Update |
| 4:45 - 5:00 p.m. | Closed Meeting - Consultation with Legal Counsel |
| 5:00 - 5:15 p.m. | Review of Regular Meeting Agenda Items |

Tanya N. Brackett

Tanya N. Brackett, CMC
Clerk, Henrico County Board of Supervisors
August 8, 2024

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
August 13, 2024
6:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – July 9, 2024, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATION

228-24 Resolution - Commending Hannah Smith.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

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 June 11, 2024,
meeting; Deferral requested to the October 8, 2024, meeting.)**

208-24 LLBB, LLC: Request to conditionally rezone from O-2C Office District
REZ-2024- (Conditional) to R-6C General Residence District (Conditional) Parcel 739-765-
100816 2992 containing 3.65 acres located at the northwest intersection of Pouncey
Three Chopt Tract Road (State Route 271) and Liesfeld Farm Drive. The applicant proposes
a townhouse development. The use will be controlled by zoning ordinance
regulations and proffered conditions. The 2026 Comprehensive Plan
recommends Suburban Mixed-Use. The Planning Commission voted to
recommend the Board of Supervisors **grant** the request. **(Deferred from the
July 9, 2024, meeting.)**

229-24 Glenwood Redevelopment, LLC: Request to conditionally rezone from B-2
REZ-2024- Business District, R-4 One-Family Residence District, and R-5 General
101034 Residence District to UMU-PDC Urban Mixed-Use Planned Development
Fairfield District (Conditional) Parcels 803-733-6779, 803-733-8666, 803-733-8838, 803-
733-9862, 803-734-7239, 803-734-9319, and 804-733-0683 containing 34.409
acres located on the north and south line of Byron Street between Carlton
Road and Howard Road, and the north and south line of E. Laburnum Avenue
at its intersection with Bolling Road and Howard Road. The applicant proposes
rezoning for a mixed-use development with residential and commercial uses.
The uses will be controlled by zoning ordinance regulations and proffered

conditions. The 2026 Comprehensive Plan recommends Commercial Concentration, Multi-Family Residential, Suburban Residential 2 and Urban Residential. The site is located in the Airport Safety Overlay District and a portion is located in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

230-24
REZ-2024-
100950
Fairfield
Joseph B McCutcheon Jr: Request to amend proffers accepted with C-72C-83 on Parcel 805-737-7793 located on the west line of Valley Side Drive at its intersection with Farm Creek Drive. The applicant proposes to amend a proffer related to recreational space to allow for the development of new single-family homes. The existing zoning is R-3AC One-Family Residence District (Conditional). The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. The site is located in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

231-24
REZ-2024-
100932
Varina
Hanover Road LLC: Request to conditionally rezone from A-1 Agricultural District to R-2C One-Family Residence District (Conditional) Parcel 830-723-5805 containing 1.66 acres located at the northeast intersection of Hanover Road and Graves Road. The applicant proposes a single-family subdivision. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre. The site is located in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

232-24
PUP-2024-
101026
Varina
Hull St Properties, LLC: Request for a Provisional Use Permit under Sections 24-2306 and 24-4315.E of Chapter 24 of the County Code to allow for 24-hour operation of a restaurant with a drive through on part of Parcel 823-720-9629 located on the east line of S. Airport Drive (State Route 156) approximately 390' north of its intersection with Eastpark Court. The existing zoning is B-2 Business District. The 2026 Comprehensive Plan recommends Office. The site is located in the Enterprise Zone and Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS – OTHER ITEMS

233-24
Ordinance - To Comply with Changes in State Law Regarding Disconnections of Water and Sewer Service by Amending and Reordaining Section 23-331 Titled “Overdue bills; discontinuance of service” of the Code of the County of Henrico.

234-24
Ordinance - To Comply with Changes in State Law Regarding Verification of Compliance with General Construction Permit Requirements by Amending and Reordaining Section 10-42 Titled “General Construction Permit requirements” of the Code of the County of Henrico.

235-24
Ordinance - To Exempt From Personal Property Taxation Certain Farm Machinery, Equipment, and Implements by Amending and Reordaining

Section 20-114 Titled “Exemption for agricultural animals and products” of the Code of the County of Henrico.

236-24 Resolution - Signatory Authority - Easement Agreement - 7015 Stoneman Road - Wistar Farms Subdivision - Virginia Electric and Power Company - Brookland District.

237-24 Resolution - Signatory Authority - Acquisition of Portion of Real Property and Leaseback - Old Parham Road Between West Broad Street and East Parham Road - Three Chopt District.

PUBLIC COMMENTS

GENERAL AGENDA

238-24 Resolution - Signatory Authority - The Community Foundation, Inc. - Establishment of Glenwood Farms Resident Support Fund.

239-24 Resolution - Award of Contract - Eastover Gardens Firehouse 6 - Varina District.

240-24 Resolution - Signatory Authority - Acquisition of Real Property - 1314 Herman Street - Varina District.

241-24 Resolution - Signatory Authority - Acquisition of Real Property - 1583 New Market Road - Varina District.

242-24 Resolution - Award of Contract - Croydon Road Area Sewer Extension - Fairfield District.

243-24 Resolution - Award of Contract - Gillies Creek Sewage Pump Station Upgrade - Varina District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
August 13, 2024**

PRESENTATION

RESOLUTION - Commending Hannah Smith.

This resolution commemorates Hannah Smith on her well-deserved accolades and her ongoing dedication to advancing adaptive sports globally.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

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 **grant** 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 June 11, 2024, meeting; Deferral requested to the October 8, 2024, meeting.)**

REZ-2024-100816
Three Chopt

LLBB, LLC: Request to conditionally rezone from O-2C Office District (Conditional) to R-6C General Residence District (Conditional) Parcel 739-765-2992 containing 3.65 acres located at the northwest intersection of Pouncey Tract Road (State Route 271) and Liesfeld Farm Drive. The applicant proposes a townhouse development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Mixed-Use. Acting on a motion by Mr. Shippee, seconded by Mr. Winterhoff, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because it is appropriate residential zoning at this location and is not expected to adversely affect the pattern of zoning and land use in the area. **(Deferred from the July 9, 2024, meeting.)**

REZ-2024-101034
Fairfield

Glenwood Redevelopment, LLC: Request to conditionally rezone from B-2 Business District, R-4 One-Family Residence District, and R-5 General Residence District to UMU-PDC Urban Mixed-Use Planned Development District (Conditional) Parcels 803-733-6779, 803-733-8666, 803-733-8838, 803-733-9862, 803-734-7239, 803-734-9319, and 804-733-0683 containing 34.409 acres located on the north and south line of Byron Street between Carlton Road and Howard Road, and the north and south line of E. Laburnum Avenue at its intersection with Bolling Road and Howard Road. The applicant proposes rezoning for a mixed-use development with residential and commercial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration, Multi-Family Residential, Suburban Residential 2, and Urban Residential. The site is located in the Airport Safety Overlay District and a portion is located in the Enterprise Zone. Acting on a motion by Mr. Dandridge, seconded by Mr. Mackey, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because it would permit development of the land in an appropriate manner and the proffered conditions will provide appropriate quality assurances and should minimize the potential impacts on surrounding land uses.

REZ-2024-100950
Fairfield

Joseph B McCutcheon Jr: Request to amend proffers accepted with C-72C-83 on Parcel 805-737-7793 located on the west line of Valley Side Drive at its intersection with Farm Creek Drive. The applicant proposes to amend a proffer related to recreational space to allow for the development of new single-family homes. The existing zoning is R-3AC One-Family Residence District (Conditional). The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. The site is located in the Airport Safety Overlay District. Acting on a motion by Mr. Dandridge, seconded by Mr. Mackey, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because the change in use is compatible with surrounding development.

REZ-2024-100932
Varina

Hanover Road LLC: Request to conditionally rezone from A-1 Agricultural District to R-2C One-Family Residence District (Conditional) Parcel 830-723-5805 containing 1.66 acres located at the northeast intersection of Hanover Road and Graves Road. The applicant proposes a single-family subdivision. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre. The site is located in the Airport Safety Overlay District. Acting on a motion by Mr. Mackey, seconded by Mr. Witte, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the

Board of Supervisors **grant** the request because it conforms to the recommendations of the Comprehensive Plan and would not adversely affect the adjoining area if properly developed as proposed.

PUP-2024-
101026
Varina

Hull St Properties, LLC: Request for a Provisional Use Permit under Sections 24-2306 and 24-4315.E of Chapter 24 of the County Code to allow for 24-hour operation of a restaurant with a drive through on part of Parcel 823-720-9629 located on the east line of S. Airport Drive (State Route 156) approximately 390' north of its intersection with Eastpark Court. The existing zoning is B-2 Business District. The 2026 Comprehensive Plan recommends Office. The site is located in the Enterprise Zone and Airport Safety Overlay District. Acting on a motion by Mr. Mackey, seconded by Mr. Shippee, the Planning Commission voted 4-0 (one absent, 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.

PUBLIC HEARINGS - OTHER ITEMS

ORDINANCE - To Comply with Changes in State Law Regarding Disconnections of Water and Sewer Service by Amending and Reordaining Section 23-331 Titled “Overdue bills; discontinuance of service” of the Code of the County of Henrico.

This ordinance is necessary to comply with changes in state law effective July 1, 2024.

The changes prohibit the disconnection of water and sewer service for nonpayment when the forecasted temperature is at or above 92 degrees within the 24 hours following the scheduled disconnection; on Fridays, weekends, state holidays, or the day immediately preceding a state holiday; and for 30 days after the Governor declares a state of emergency in response to a communicable disease.

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

ORDINANCE - To Comply with Changes in State Law Regarding Verification of Compliance with General Construction Permit Requirements by Amending and Reordaining Section 10-42 Titled “General Construction Permit requirements” of the Code of the County of Henrico.

This Board paper would update the County Code to incorporate changes in state law that took effect on July 1, 2024. The new state law requires that the County, as opposed to the property owner, verify that a land disturbing activity is covered under the County’s General Construction Permit.

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

ORDINANCE - To Exempt From Personal Property Taxation Certain Farm Machinery, Equipment, and Implements by Amending and Reordaining Section 20-114 Titled “Exemption for agricultural animals and products” of the Code of the County of Henrico.

This Board paper would exempt from personal property taxation certain farm machinery, farm equipment, and farm implements used by an indoor, closed, controlled-environment commercial agricultural facility. The exemption is allowed by changes in state law effective July 1, 2024.

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

RESOLUTION - Signatory Authority - Easement Agreement - 7015 Stoneman Road - Wistar Farms Subdivision - Virginia Electric and Power Company - Brookland District.

This Board paper would authorize the Chairman to execute an easement agreement with Virginia Electric and Power Company for underground electric line facilities across County property at 7015 Stoneman Road, a vacant lot in the Wistar Farms subdivision. The underground facilities will alleviate load issues and provide more reliable electric service to County facilities and the surrounding area. The easement will not interfere with the County’s use of its land.

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

RESOLUTION - Signatory Authority - Acquisition of Portion of Real Property and Leaseback - Old Parham Road Between West Broad Street and East Parham Road - Three Chopt District.

This Board paper authorizes the acquisition of a portion of a 1.453-acre strip mall along Old Parham Road roughly situated between West Broad Street and East Parham Road for use in a future public transit project. The owner, Julia F. Robins Family Limited Partnership, has agreed to sell the property for \$1,339,000.

This Board paper also authorizes a leaseback agreement so that the seller can continue to use an approximately 861 square-foot portion of the property for one year with the option to renew for an additional three years. The seller will pay \$700 a month in rent.

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 - The Community Foundation, Inc. - Establishment of Glenwood Farms Resident Support Fund.

This Board paper authorizes the establishment of the Glenwood Farms Resident Support Fund as a component fund of The Community Foundation, Inc. The Fund will be administered by the Foundation with recommendations from an advisory committee and spokesperson appointed by the County Manager. The Fund will support residents of Glenwood Farms during the redevelopment of that community from donations made by other charitable and governmental entities.

The Deputy County Manager for Community Affairs recommends approval of the Board paper; the County Manager concurs.

RESOLUTION - Award of Contract - Eastover Gardens Firehouse 6 - Varina District.

This Board paper awards a fixed-price contract in the amount of \$13,104,000 to Kenbridge Construction Co., Inc. for design and construction of Eastover Gardens Firehouse 6. The project consists of design and construction of a new firehouse, including all required sitework, on 4.64 acres of County-owned property located at 3401 Gay Avenue.

Work on the project is anticipated to begin August 2024 and be completed within 18 months.

The County received three proposals on April 5, 2024, in response to RFP 23-2556-7JOK and Addendum Nos. 1 and 2.

Discussions and negotiations were entered into with the following firms:

David A. Nice Builders, Inc.
Gulf Seaboard General Contractors, Inc.
Kenbridge Construction Co., Inc.

The selection committee selected Kenbridge Construction Co., Inc. as the top-ranked firm and negotiated a fixed-price contract in the amount of \$13,104,000.

Funding to support the contract is available within the project budget. The Fire Chief and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Acquisition of Real Property - 1314 Herman Street - Varina District.

This Board paper authorizes the County Manager to execute a purchase agreement and accept the deed to acquire a 31,899 square foot parcel at 1314 Herman Street for future use as part of the New Market Road improvements project.

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

RESOLUTION - Signatory Authority - Acquisition of Real Property - 1583 New Market Road - Varina District.

This Board paper authorizes the acquisition of a parcel known as 1583 New Market Road for flood and drainage remediation and prevention. The owner, Neil Barry George, Jr., has agreed to sell the property for \$32,775.

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

RESOLUTION - Award of Contract - Croydon Road Area Sewer Extension - Fairfield District.

This Board paper awards a fixed price contract for \$1,603,961.05 to Central Site and Utilities, Inc. for the Croydon Road Area Sewer Extension project. The project consists of providing approximately 2,930 linear feet of 8-inch sanitary sewer main along Neale Street, Skelton Street, Croydon Road, Broadgate Drive, and Aldersgate Drive.

Work on the project is anticipated to begin in October 2024 and to be completed within 300 calendar days.

The County received three bids on June 6, 2024, in response to ITB 24-2686-4JL. The bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Central Site and Utilities, Inc. Montpelier, VA	\$1,603,961.05
Perkinson Construction, LLC Prince George, VA	\$1,693,195.64

Godsey & Son, Inc. \$1,854,754.00
Richmond, VA

Based upon a review of the bids, Central Site and Utilities, Inc. is the lowest responsive and responsible bidder.

Funding to support the contract is available within the project budget. The Directors of Public Utilities and Purchasing recommend approval of the Board paper, and the County Manager concurs.

RESOLUTION - Award of Contract - Gillies Creek Sewage Pump Station Upgrade - Varina District.

This Board paper awards a fixed price contract for \$2,785,000 to Waco, Inc. for the Gillies Creek Sewage Pump Station Upgrade Project. The purpose of the project is to replace variable frequency drives, bar screens, and slide gates, and the performance of associated miscellaneous work at the Gillies Creek Sewage Pump Station.

Work on the project is anticipated to begin in October 2024 and be completed within 420 calendar days. Funding will be provided by the Water and Sewer Revenue Fund.

Three bids were received on May 23, 2024, in response to Invitation to Bid No. 24-2651-2JL and Addendum No. 1:

<u>Bidders</u>	<u>Bid Amounts</u>
Waco, Inc. Sandston, VA	\$2,785,000
Southwood Building Systems, Inc. Ashland, VA	\$2,845,250
English Construction Company, Inc. Lynchburg, VA	\$3,850,000

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

Funding to support the contract is available within the project budget. The Directors of Public Utilities and Purchasing recommend approval of the Board paper, and the County Manager concurs.