

**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, February 13, 2024, at 4:15 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:

4:15 - 4:30 p.m.	Teen Summit 2024
4:30 - 4:45 p.m.	All Henrico Reads 2024
4:45 - 5:15 p.m.	Marcus Alert and Crisis Response Update
5:15 - 5:30 p.m.	Review of Regular Meeting Agenda Items

Tanya N. Brackett

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

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

PLEDGE OF ALLEGIANCE
INVOCATION

APPROVAL OF MINUTES - January 23, 2024, Regular and Special Meetings; and January 17, 2024, Special Meeting

MANAGER'S COMMENTS
BOARD OF SUPERVISORS' COMMENTS
RECOGNITION OF NEWS MEDIA

APPOINTMENTS

- 58-24 Resolution - Appointment of Member - PlanRVA Commission.
- 59-24 Resolution - Appointment of Persons Eligible to Serve as Third Member of Employee Grievance Panels.

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 December 12,
2023, meeting; Deferral requested to the March 12, 2024, meeting.)**
- 319-23 Lingerfelt Development, LLC: Request to conditionally rezone from A-1
REZ2023- Agricultural District and B-3 Business District to M-1C Light Industrial
00033 District (Conditional) parcel 812-713-2294 containing 13.723 acres located on
Varina the south line of Williamsburg Road (U.S. Route 60) approximately 150' east of
its intersection with Millers Lane. The applicant proposes office and industrial
uses. The uses will be controlled by zoning ordinance regulations and proffered
conditions. The 2026 Comprehensive Plan recommends Office/Service. The site
is located in the Airport Safety Overlay District and Enterprise Zone. The
Planning Commission voted to recommend the Board of Supervisors **grant**
the request. **(Deferred from the December 12, 2023, meeting; Deferral
requested to the March 12, 2024, meeting.)**
- 320-23 VOZ724 Park City, LLC: Request to conditionally rezone from R-4 One-Family
REZ2023- Residence District to M-1C Light Industrial District (Conditional) parcels 810-
00034 711-9186 and 811-711-2166 containing 8.185 acres located on the south line of
Varina Charles City Road approximately 600' west of its intersection with Brighton

Road. The applicant proposes office and industrial uses. The uses 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. **(Deferred from the December 12, 2023, meeting; Deferral requested to the March 12, 2024, meeting.)**

321-23
REZ2023-
00035
Varina

VOZ724 Park City, LLC: Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional) parcel 810-712-6260 containing 5.56 acres located on the north line of Charles City Road approximately 1,345' west of its intersection with Brighton Road. The applicant proposes office and industrial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office/Service. The site is located in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request. **(Deferred from the December 12, 2023, meeting; Deferral requested to the March 12, 2024, meeting.)**

322-23
REZ2023-
00037
Varina

VOZ724 Park City, LLC: Request to conditionally rezone from A-1 Agricultural District and B-3 Business District to M-1C Light Industrial District (Conditional) parcel 811-712-4375 containing 15.936 acres located on the north line of Charles City Road approximately 525' west of its intersection with Brighton Road. The applicant proposes office and industrial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office/Service. The site is located in the Airport Safety Overlay District and Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request. **(Deferred from the December 12, 2023, meeting; Deferral requested to the March 12, 2024, meeting.)**

60-24
REZ-2023-
100203
Varina

Lingerfelt Development, LLC: Request to conditionally rezone from A-1 Agricultural District and B-3 Business District to M-1C Light Industrial District (Conditional) parcel 812-713-6990 containing 3.90 acres located on the south line of Williamsburg Road (U.S. Route 60) approximately 50' east of its intersection with Clayton Road. The applicant proposes office and industrial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Airport Safety Overlay District and Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request. **(Deferral Requested to the March 12, 2024, meeting.)**

61-24
PUP2023-
00020
Varina

Cappie and John Montgomery: Request for a Provisional Use Permit under Sections 24-4205 and 24-4325.A of Chapter 24 of the County Code to allow a bed and breakfast and an event venue on parcel 826-679-8969 located on the north line of Kingsland Road at its intersection with Deep Bottom Road. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per

acre, and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS - OTHER ITEMS

- 62-24 Resolution - Signatory Authority - Quitclaim of Portions of Drainage Easements - 2015 and 2103 Staples Mill Road and 2000 Maywill Street - Brookland District.
- 63-24 Resolution - Declaration of Surplus Property - Signatory Authority - Conveyance of Well Lot - Block E, Berkshire Park Subdivision - Tuckahoe District.
- 64-24 Resolution - Signatory Authority - Abandonment and Quitclaim of Portion of Gordon Road - Varina District.
- 65-24 Resolution - Signatory Authority - Lease of County Property - 1080 Dabbs House Road - Varina District.
- 66-24 Ordinance - Vacation of Portion of Alley - 310 Jennings Road - Jackson Terrace Subdivision - Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

- 67-24 Introduction of Resolution - Receipt of Requests for Amendments to FY 2023-24 Annual Fiscal Plan - February 2024.
- 68-24 Resolution - Approval of Commonwealth Care Ambulance LLC to Operate a Medical Transport Service in Henrico County.
- 69-24 Resolution - SIA2023-00002 - Longdale Recreation Trailhead for the Fall Line Trail - Substantially in Accord with Comprehensive Plan - Fairfield District.
- 70-24 Resolution - SIA2023-00003 - Mountain Road Trailhead for the Fall Line Trail - Substantially in Accord with Comprehensive Plan - Fairfield District.
- 71-24 Resolution - Award of Contract - Lake Overton Wet Pond Retrofit and Dam Safety Improvements - Fairfield District.
- 72-24 Resolution - Acceptance of Road - River Mill - Fairfield District.



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

APPOINTMENTS

RESOLUTION - Appointment of Member - PlanRVA Commission.

This Board paper appoints the following person to the PlanRVA Commission for a three-year term expiring December 31, 2026, or thereafter when his successor has been appointed and qualified:

Citizen At-Large Chris Bast

RESOLUTION - Appointment of Person Eligible to Serve as Third Member of Employee Grievance Panels.

This Board paper appoints the following person as eligible to serve as the third member of employee grievance panels for a one-year term expiring December 31, 2024, or thereafter when her successor has been appointed and qualified:

Fairfield District Samantha Thompson

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 December 12, 2023, meeting; Deferral requested to the March 12, 2024, meeting.)**

REZ2023-00033
Varina

Lingerfelt Development, LLC: Request to conditionally rezone from A-1 Agricultural District and B-3 Business District to M-1C Light Industrial District (Conditional) parcel 812-713-2294 containing 13.723 acres located on the south line of Williamsburg Road (U.S. Route 60) approximately 150' east of its intersection with Millers Lane. The applicant proposes office and

industrial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office/Service. The site is located in the Airport Safety Overlay District and Enterprise Zone. Acting on a motion by Mr. Mackey, seconded by Mr. Archer, 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. **(Deferred from the December 12, 2023, meeting; Deferral requested to the March 12, 2024, meeting.)**

REZ2023-00034
Varina

VOZ724 Park City, LLC: Request to conditionally rezone from R-4 One-Family Residence District to M-1C Light Industrial District (Conditional) parcels 810-711-9186 and 811-711-2166 containing 8.185 acres located on the south line of Charles City Road approximately 600' west of its intersection with Brighton Road. The applicant proposes office and industrial uses. The uses 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 Mrs. Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would not adversely affect the adjoining area if properly developed as proposed. **(Deferred from the December 12, 2023, meeting; Deferral requested to the March 12, 2024, meeting.)**

REZ2023-00035
Varina

VOZ724 Park City, LLC: Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional) parcel 810-712-6260 containing 5.56 acres located on the north line of Charles City Road approximately 1,345' west of its intersection with Brighton Road. The applicant proposes office and industrial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office/Service. The site is located in the Airport Safety Overlay District. Acting on a motion by Mr. Mackey, seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms with the objectives and intent of the County's Comprehensive Plan. **(Deferred from the December 12, 2023, Meeting; Deferral requested to the March 12, 2024, meeting.)**

REZ2023-00037
Varina

VOZ724 Park City, LLC: Request to conditionally rezone from A-1 Agricultural District and B-3 Business District to M-1C Light Industrial District (Conditional) parcel 811-712-4375 containing 15.936 acres located on the north line of Charles City Road approximately 525' west of its intersection with Brighton Road. The applicant proposes office and industrial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office/Service. The site is located in the Airport Safety Overlay District and Enterprise Zone. Acting on a motion by Mr. Mackey, seconded by Mr. Witte, 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. **(Deferred from the December 12, 2023, meeting; Deferral requested to the March 12, 2024, meeting.)**

REZ-2023-
100203
Varina

Lingerfelt Development, LLC: Request to conditionally rezone from A-1 Agricultural District and B-3 Business District to M-1C Light Industrial District (Conditional) parcel 812-713-6990 containing 3.90 acres located on the south line of Williamsburg Road (U.S. Route 60) approximately 50' east of its intersection with Clayton Road. The applicant proposes office and industrial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Airport Safety Overlay District and Enterprise Zone. Acting on a motion by Mr. Mackey, seconded by Mr. Dandridge, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would assist in achieving the appropriate development of adjoining property. **(Deferral Requested to the March 12, 2024, meeting.)**

PUP2023-
00020
Varina

Cappie and John Montgomery: Request for a Provisional Use Permit under Sections 24-4205 and 24-4325.A of Chapter 24 of the County Code to allow a bed and breakfast and an event venue on parcel 826-679-8969 located on the north line of Kingsland Road at its intersection with Deep Bottom Road. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre, and Environmental Protection Area. Acting on a motion by Mr. Mackey, seconded by Mr. Shippee, 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.

PUBLIC HEARINGS – OTHER ITEMS

RESOLUTION - Signatory Authority - Quitclaim of Portions of Drainage Easements - 2015 and 2103 Staples Mill Road and 2000 Maywill Street - Brookland District.

This Board paper authorizes the Chairman to execute a quitclaim deed releasing any interest the County may have in portions of drainage easements on 2015 and 2103 Staples Mill Road and 2000 Maywill Street. The owners of the property encumbered by the drainage easements have requested this action. The County does not need the areas to be quitclaimed, and there are no County facilities in those areas.

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

RESOLUTION - Declaration of Surplus Property - Signatory Authority - Conveyance of Well Lot - Block E, Berkshire Park Subdivision - Tuckahoe District.

This Board paper would declare a well lot in the Berkshire Park subdivision as surplus to the needs of the County and authorize the sale of the well lot to Charlotte and Michael Whitten and C & L Real Estate, LLC.

Charlotte Whitten is employed by the County and has not participated, nor will she participate, in any way in her official capacity in this transaction.

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

RESOLUTION - Signatory Authority - Abandonment and Quitclaim of Portion of Gordon Road - Varina District.

This Board paper authorizes the Board to abandon a portion of Gordon Road. A replacement road serving the same users has been constructed and opened to the public. The resolution also authorizes the Chairman to execute a deed quitclaiming any interest the County may have in the abandoned portion to Mrs. Cheryl G. Sutton.

The Real Property Division has processed the 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 - Lease of County Property - 1080 Dabbs House Road - Varina District.

This Board paper authorizes the County Manager to execute a lease and pre- and post-access agreements with Ken Spero for the single-family dwelling at 1080 Dabbs House Road. The lease would be for a one-year term beginning on March 1, 2024, and ending on February 28, 2025. Mr. Spero will pay a monthly rent of \$1,000 and perform routine maintenance of the dwelling. The parties may agree to renew and extend the lease term.

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

ORDINANCE - Vacation of Portion of Alley - 310 Jennings Road - Jackson Terrace Subdivision - Varina District.

The owner of the property located at 310 Jennings Road has requested vacation of a portion of the alley adjacent to their property in the Jackson Terrace subdivision.

The Real Property Division has processed this 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.

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF RESOLUTION - Receipt of Requests for Amendments to FY 2023-24 Annual Fiscal Plan - February 2024.

This Board paper introduces for advertisement and a public hearing on February 27, 2024, a resolution to amend the annual fiscal plan for FY 2023-24. The requested amendments are shown in a list dated February 6, 2024, provided by the County Manager to the Board.

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. Amendments that exceed 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 Director of Finance recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - Approval of Commonwealth Care Ambulance LLC to Operate a Medical Transport Service in Henrico County.

This Board paper approves Commonwealth Care Ambulance LLC to provide medical transport services within the entire geographical area of the County upon receiving an emergency medical services license from the Virginia Department of Health – Office of Emergency Medical Services.

The Fire Chief recommends approval of this Board Paper; the County Manager concurs.

RESOLUTION - SIA2023-00002 - Longdale Recreation Trailhead for the Fall Line Trail - Substantially in Accord with Comprehensive Plan - Fairfield District.

At the request of the Department of Public Works, the Planning Department conducted a study to determine whether the proposed site of the Longdale Recreation Trailhead for the Fall Line Trail is substantially in accord with the County's Comprehensive Plan (the "Plan"). The site consists of a portion of a parcel and comprises approximately 1.24 acres in size located at the southeast corner of Francis Road and Greenwood Road.

The Planning staff's December 28, 2023, report concluded the proposed use for this site would be substantially in accord with the Plan.

At its meeting on January 11, 2024, the Planning Commission found the proposed use for the site substantially in accord with the Plan. This resolution concurs with the finding of the Planning Commission.

Further details regarding the proposed use and 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 Longdale Recreation Trailhead for the Fall Line Trail is substantially in accord with the Plan and recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - SIA2023-00003 - Mountain Road Trailhead for the Fall Line Trail - Substantially in Accord with Comprehensive Plan - Fairfield District.

At the request of the Department of Public Works, the Planning Department conducted a study to determine whether the proposed site of the Mountain Road Trailhead for the Fall Line Trail is substantially in accord with the County’s 2026 Comprehensive Plan (the “Plan”). The 0.7-acre site is located on the east side of Mountain Road between New York Avenue and Virginia Avenue.

The Planning staff’s report concluded that the proposed use for this site would be substantially in accord with the Plan.

At its meeting on January 11, 2024, the Planning Commission found the proposed site can be designed to be compatible with the surrounding area and the proposed use is substantially in accord with the Plan. This resolution concurs with the finding of the Planning Commission.

Further details regarding the proposed use and 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 Mountain Road Trailhead for the Fall Line Trail is substantially in accord with the Plan and recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - Award of Contract - Lake Overton Wet Pond Retrofit and Dam Safety Improvements - Fairfield District.

This Board paper awards a unit price contract for \$1,490,881.98 to Dorin Landscaping for construction of the Lake Overton Wet Pond Retrofit and Dam Safety Improvements project. The project consists of retrofitting Lake Overton to a VDEQ wet pond with safety improvements made to the earthen dam. The design plan includes dredging sediment, creation of a forebay, lake shoreline erosion protection, a new concrete spillway, dam embankment repairs, and forest mitigation plantings.

The County received three (3) bids on December 26, 2023, in response to ITB 23-2607-10JOK and Addendum No. 1 & 2. The bids were as follows:

Bidders	Bid Amount
Dorin Landscaping Blackstone, VA	\$1,490,881.98
RES Warrenton, VA	\$2,487,129.49
Bright Construction Group Merrifield, VA	\$2,636,244.00

Based upon a review of the bids, Dorin Landscaping 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.

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

RESOLUTION - Acceptance of Road - River Mill - Fairfield District.

This Board paper would accept the following named and described section of road into the County road system for maintenance:

0.10 miles of Rivermere Lane

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