

**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, March 12, 2024, at 4:00 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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| 4:00 - 4:30 p.m. | Sidewalk Project Prioritization |
| 4:30 - 4:45 p.m. | Division of Police Update |
| 4:45 - 5:00 p.m. | Regional Greenhouse Gas Plan |
| 5:00 - 5:30 p.m. | Dinner Break/Review of Regular Meeting Agenda Items |

Tanya N. Brackett

Tanya N. Brackett, CMC
Clerk, Henrico County Board of Supervisors
March 7, 2024

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
March 12, 2024
6:00 p.m.

PLEDGE OF ALLEGIANCE
INVOCATION

APPROVAL OF MINUTES – February 27, 2024, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

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 February 13,
2024, meeting; Deferral requested to April 9, 2024, meeting.)**
- 86-24 Harsh Thakker, Dorado Capital, LLC: Request to conditionally rezone from A-
REZ2023- 1 Agricultural District to R-4C One-Family Residence District (Conditional)
00041 parcels 815-728-4458, 815-728-6843, and 816-727-0343 containing 30.411 acres
Varina located between Orams Lane and Westover Avenue approximately 1,585' north
of its intersection with Nine Mile Road (State Route 33). The applicant
proposes a single-family subdivision. The uses 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 site is located in the Airport Safety Overlay District. The Planning
Commission voted to recommend the Board of Supervisors **grant** the request.
- 87-24 Maggie Walker Community Land Trust: Request to conditionally rezone from
REZ-2023- B-1 Business District to B-1C Business District (Conditional) (2.84 acres) and
100260 R-6C General Residence District (Conditional) (3.85 acres) Parcel 828-723-
Varina 0639 containing 6.69 acres located at the southeast intersection of N. Airport
Drive (State Route 156) and E. Washington Street. The applicant proposes an
early education facility, commercial uses, multifamily residential, and
townhouses. The uses will be controlled by zoning ordinance regulations and
proffered conditions. The 2026 Comprehensive Plan recommends Government.
The site is located in the Airport Safety Overlay District. The Planning
Commission voted to recommend the Board of Supervisors **grant** the request.

88-24 Diamond Communications, LLC: Request for a Provisional Use Permit under
PUP2023- Sections 24-4205 and 24-4314.F of Chapter 24 of the County Code to allow a
00003 155' telecommunication tower on part of Parcel 748-741-1823 located at the
Tuckahoe southwest intersection of Patterson Avenue (State Route 6) and Maybeury
Drive. The existing zoning is R-2A One-Family Residence District. The 2026
Comprehensive Plan recommends Semi-Public. The Planning Commission
voted to recommend the Board of Supervisors **deny** the request.

PUBLIC COMMENTS

GENERAL AGENDA

- 89-24 Resolution - Receipt of Operating and Capital Budget Estimates for
FY2024-25 and Notice of Public Hearings on the Budget and Proposed Tax
Rates.
- 90-24 Resolution - Changing the Time of the Regular Meetings of the Board of
Supervisors on March 26 and April 9, 2024.
- 91-24 Resolution - Consent to Assignment - Solar Power Purchase Agreement and
Lease - Eastern Henrico Recreation Center - Fairfield District.
- 92-24 Resolution - SIA2023-00005 - Tuckahoe Creek Park (Lakewood) Boardwalk
Connection - Substantially in Accord with Comprehensive Plan - Tuckahoe
District.
- 93-24 Resolution - Authorization to Submit Application - Virginia Dam Safety,
Flood Prevention and Protection Assistance Fund - Three Chopt District.
- 94-24 Introduction of Ordinance - To Change Utility Charges by Amending and
Reordaining Section 23-361 Titled "Water service and volume charges" and
23-362 Titled "Sewer service charges and rates" of the Code of the County of
Henrico.
- 95-24 Resolution - Award of Contract - Parham Road Pedestrian and Transit
Improvements - Brookland District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
March 12, 2024**

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 February 13, 2024; meeting; Deferral requested to the April 9, 2024, meeting.)**
- REZ2023-00041
Varina
- Harsh Thakker, Dorado Capital, LLC: Request to conditionally rezone from A-1 Agricultural District to R-4C One-Family Residence District (Conditional) parcels 815-728-4458, 815-728-6843, and 816-727-0343 containing 30.411 acres located between Orams Lane and Westover Avenue approximately 1,585' north of its intersection with Nine Mile Road (State Route 33). The applicant proposes a single-family subdivision. The uses 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 site is located in the Airport Safety Overlay District. 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 it would not be expected to adversely affect the pattern of zoning and land use in the area and it conforms to the Suburban Residential 2 recommendation of the Land Use Plan.
- REZ-2023-100260
Varina
- Maggie Walker Community Land Trust: Request to conditionally rezone from B-1 Business District to B-1C Business District (Conditional) (2.84 acres) and R-6C General Residence District (Conditional) (3.85 acres) Parcel 828-723-0639 containing 6.69 acres located at the southeast intersection of N. Airport Drive (State Route 156) and E. Washington Street. The applicant proposes an early education facility, commercial uses, multifamily residential, and townhouses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Government. The site is located in the Airport Safety Overlay District. 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 conforms to the objectives and intent of the County's Comprehensive Plan and the proffered conditions will provide appropriate quality assurances not otherwise available.

PUP2023-
00003
Tuckahoe

Diamond Communications, LLC: Request for a Provisional Use Permit under Sections 24-4205 and 24-4314.F of Chapter 24 of the County Code to allow a 155' telecommunication tower on part of Parcel 748-741-1823 located at the southwest intersection of Patterson Avenue (State Route 6) and Maybeury Drive. The existing zoning is R-2A One-Family Residence District. The 2026 Comprehensive Plan recommends Semi-Public. Acting on a motion by Mr. Winterhoff, seconded by Mr. Shippee, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **deny** the request because the proposed tower would have a visual impact on the neighborhood and it does not conform to the recommendation of the Land Use Plan nor the Plan's goals, objectives, and policies.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Receipt of Operating and Capital Budget Estimates for FY 2024-25 and Notice of Public Hearings on the Budget and Proposed Tax Rates.

This Board paper receives the County Manager's proposed Operating Annual Fiscal Plan (operating budget) and Capital Annual Fiscal Plan (capital budget) for FY 2024-25. The plans include all contemplated expenditures and estimated resources necessary to meet those requirements, including the estimate of funds needed for educational purposes. The paper directs the Clerk to advertise a synopsis of the budget and a public hearing thereon to be held at 5:00 p.m., on Tuesday, March 26, 2024.

This paper further directs the Clerk to advertise the proposed tax rates and levies for calendar year 2024 and a public hearing thereon to be held at 6:00 p.m., on Tuesday, April 9, 2024.

Both advertisements are to appear on or before Sunday, March 17, 2024, in a newspaper having general circulation in the County.

The required advertisements do not preclude continued work sessions and deliberations to consider changes to the budget or tax rates. Currently, the Board is scheduled to review the budget in meetings during the week of March 18, 2024.

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

RESOLUTION - Changing the Time of the Regular Meetings of the Board of Supervisors on March 26 and April 9, 2024.

This Board paper changes the time of the regular meeting on March 26, 2024, to 5:00 p.m., instead of 6:00 p.m., to accommodate the public hearing on the FY 2024-25 budget. The paper also changes the time of the regular meeting on April 9, 2024, to 6:00 p.m., instead of 5:00 p.m.

RESOLUTION - Consent to Assignment - Solar Power Purchase Agreement and Lease - Eastern Henrico Recreation Center - Fairfield District.

This Board paper authorizes the County Manager to execute a consent to the assignment of the solar power purchase agreement and associated lease for the Eastern Henrico Recreation Center from Sun Tribe Solar, LLC (“Sun Tribe”) to Henrico PV 1, LLC, a Madison Energy-affiliated entity (“Madison Energy”). Madison Energy will assume all of Sun Tribe’s rights and obligations under the power purchase agreement and lease, and the assignment will not otherwise affect or alter any term, condition, obligation, or provision of the power purchase agreement or lease.

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

RESOLUTION - SIA2023-00005 - Tuckahoe Creek Park (Lakewood) Boardwalk Connection - Substantially in Accord with Comprehensive Plan - Tuckahoe District.

At the request of the Henrico County Division of Recreation and Parks, the Planning Department conducted a study to determine whether a proposed site for the boardwalk connection for the Tuckahoe Creek Park Trail is substantially in accord with the County’s 2026 Comprehensive Plan (the “Plan”). The site runs through parts of three parcels (GPINs 734-744-4554, 733-745-8147, and 732-744-7564) and is located southwest of Quietwood Court and south of the Lakewood Manor Retirement Facility. The site is approximately 8.32 acres in size.

The Planning staff’s January 25, 2024, report concluded that the proposed use for this site would be substantially in accord with the Plan.

At its meeting on February 15, 2024, the Planning Commission found the proposed boardwalk connection 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 boardwalk connection for the Tuckahoe Creek Park Trail is substantially in accord with the Plan and 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 - Three Chopt District.

This Board paper authorizes the Director of Recreation and Parks to apply for grants from the Virginia Department of Conservation and Recreation's Dam Safety, Flood Prevention and Protection Assistance Fund ("Fund"). The Fund allocates grant funds for dam safety and floodplain projects, such as updates to emergency action plans, professional engineering inspections, and engineering analyses including dam break inundation studies and precipitation impact studies. Grants are administered as a reimbursement and require a 50% County match.

The County has identified potential dam safety projects at Echo Lake Park that are eligible for Fund grants: (1) Professional Design and Engineering, (2) Dam Restoration, and (3) Spillway Low-Level Drain Device Replacement. The projects are required to maintain compliance with the Virginia Dam Safety Impounding Structure Regulations.

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

INTRODUCTION OF ORDINANCE - To Change Utility Charges by Amending and Reordaining Section 23-361 Titled "Water service and volume charges" and 23-362 Titled "Sewer service charges and rates" of the Code of the County of Henrico.

This Board paper introduces for advertisement and a public hearing on April 9, 2024, a proposed ordinance to change utility fees and charges effective July 1, 2024.

The ordinance would increase bimonthly service and volume charges for water and sewer. The total increase in water and sewer charges for the median residential account holder using 10 CCF of water every two months will be \$6.95, or approximately \$0.11 per day. The changes would be effective July 1, 2024, and are recommended to support annual operating, debt service, and capital costs associated with water and sewer projects.

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

RESOLUTION - Award of Contract - Parham Road Pedestrian and Transit Improvements - Brookland District.

This Board paper awards a contract for \$446,362.86 to Liquid, Inc. for the Parham Road Pedestrian and Transit Improvements project. The project consists of two locations on the westbound side of Parham Road. The first location consists of construction of approximately 425 linear feet of 5-foot-wide sidewalk with curb and gutter and drainage improvements beginning at Hungary Spring Road and extending to the west. The second location consists of the construction of approximately 160 linear feet of 5-foot-wide sidewalk beginning at the main entrance to Parham Doctors' Hospital and extending to the west with a bus platform and shelter.

It is anticipated that work on the project will begin in April 2024 and be completed within 180 calendar days.

The County received eight bids on December 21, 2023, in response to ITB No. 23-2599910-JL. The bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Liquid, Inc. Richmond, VA	\$446,362.86
Blakemore Construction Corporation Rockville, VA	\$462,264.66
Finley Asphalt & Sealing, LLC (dba Pinley Asphalt & Concrete) Ashland, VA	\$475,583.70
M&F Concrete, Inc. Manassas, VA	\$481,656.68
Dickerson Construction, LLC Chesterfield, VA	\$484,414.34
A&M Concrete Corporation Sterling, VA	\$572,366.22
North Construction, Inc. Ashburn, VA	\$585,569.07
Bright Masonry Inc. (d/b/a Bright Construction Group) Fairfax, VA	\$654,653.97

Based upon a review of the bids, Liquid, 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 County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget.

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