

**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 13, 2021, at 5:15 p.m.** in the Board Room of the 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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| 5:15 - 5:45 p.m. | Energy Management Update |
| 5:45 - 6:15 p.m. | Central Virginia Transportation Authority and GRTC Transit System Update |
| 6:15 - 6:30 p.m. | Regular Meeting Agenda Items |

Tanya Brackett Harding

Tanya Brackett Harding, CMC
Clerk, Henrico County Board of Supervisors
April 8, 2021

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
April 13, 2021
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – March 23, 2021, Regular Minutes; and
January 15 -16, 2021, Special Meeting

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATIONS

97-21 Resolution - Recognizing Sandston Elementary School as a National ESEA Distinguished School.

Proclamation - Library Week - April 4 - 10, 2021.

Proclamation - Volunteer Week - April 18 - 24, 2021.

APPOINTMENTS

98-21 Resolution - Appointment of Members - Finance Board.

PUBLIC HEARINGS – REZONING CASE AND PROVISIONAL USE PERMITS

165-21 Skyway Towers, LLC: Request for a Provisional Use Permit under Sections
PUP2020- 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a
00009 monopole communication tower up to 199' in height and related equipment
Fairfield on part of Parcel 812-725-4066 located on the south line of Cedar Fork Road
 approximately 1000' northeast of its intersection with Nine Mile Road (State
 Route 33). The existing zoning is R-4AC One-Family Residence District
 (Conditional). The 2026 Comprehensive Plan recommends Suburban
 Residential 2, density should not exceed 3.4 units per acre. The site is in the
 Airport Safety Overlay District. The Planning Commission voted to
 recommend the Board of Supervisors **grant** the request. **(Deferred from
 October 13, 2020; deferral requested to the July 13, 2021, meeting.)**

99-21 Hundred Acre Woods, Inc.: Request to conditionally rezone from A-1
REZ2020- Agricultural District to R-5AC General Residence District (Conditional) Parcel
00041 752-773-1086 containing 33.62 acres located at the terminus of Opaca Lane.
Three Chopt The applicant proposes a residential development of detached dwellings for
 sale. 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 and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

100-21
PUP2021-
00006
Three Chopt
Hundred Acre Woods, Inc.: Request for a Provisional Use Permit under Sections 24-13.4(c), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow adjustable side setbacks for lots within the R-5A General Residence District on Parcel 752-773-1086 located at the northern terminus of Opaca Lane. The existing zoning is A-1 Agricultural District. The R-5A zoning district is proposed for the A-1 district with REZ2020-00041. The R-5A District allows an overall maximum density of 6 units per acre. 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.

101-21
PUP2021-
00005
Varina
Richard Souter: Request for a Provisional Use Permit under Sections 24-32.1(w), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for commercial or office square footage of less than 25 percent of the total building square footage of the UMU district on Parcels 797-711-6015 and 797-712-6941 located on the west line of Old Osborne Turnpike (State Route 5) at its intersection with Bickerstaff Road. The existing zoning is UMUC Urban Mixed-Use District (Conditional). The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS - OTHER ITEMS

- 102-21 Resolution - Real Estate Tax Levies, 2021.
- 103-21 Resolution - Personal Property, Aircraft, Manufactured Homes, Qualifying Vehicles Owned or Leased by Members of a Volunteer Rescue Squad or Volunteer Fire Department, Disabled Veterans' Vehicles, Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals, Computer Equipment and Peripherals Used in a Data Center, Machinery and Tools, and Machinery and Tools for Semiconductor Manufacturers Tax Levies, 2021.
- 104-21 Ordinance - Approval of Cooperative Marketing - Richmond Raceway - Fairfield District.
- 105-21 Ordinance - Vacation of Building Line - Dorset Woods Subdivision - Tuckahoe District.
- 106-21 Resolution - Signatory Authority - Conveyance of Real Property - 4515 Old Oakleys Lane - Varina District.
- 107-21 Ordinance - To Amend and Reordain Subsections (b) and (c) of Sections 23-359 and 23-360 Titled "Water connection fees" and "Sewer connection fees," Respectively, and Subsection (a) of Sections 23-361 and 23-362 Titled "Water

service and volume charges” and “Sewer service charges and rates,”
Respectively, of the Code of the County of Henrico, All to Change Utility Fees
and Charges.

PUBLIC COMMENTS

GENERAL AGENDA

- 87-21 Resolution - Approval of Operating and Capital Annual Fiscal Plans for FY 2021-22 and Allocation of Car Tax Relief for Tax Year 2021. **(Deferred from March 23, 2021, meeting.)**
- 108-21 Resolution - Award of Solar Power Purchase Agreements - Sun Tribe Solar LLC - Brookland, Fairfield, and Three Chopt Districts.
- 109-21 Resolution - Acquisition of Permanent Traffic Easement - Intersection of Dominion Boulevard and Innslake Drive - Three Chopt District.
- 110-21 Resolution - Signatory Authority - License Agreement for Sewer Line - Varina District.
- 111-21 Resolution - Award of Contract - Azalea Avenue Pedestrian and Signal Improvements - Fairfield District.
- 112-21 Resolution - To Set a Public Hearing for the Abandonment of Elks Pass Lane Beginning at Lake Brook Drive - Three Chopt District.
- 113-21 Resolution - Acceptance of Roads - Three Chopt District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
April 13, 2021**

PRESENTATIONS

RESOLUTION - Recognizing Sandston Elementary School as a National ESEA Distinguished School.

This Board paper congratulates Principal Kimberly Powell, the Sandston Elementary School faculty and staff, and the school's students for their hard work, academic gains, and recognition as a 2020-21 National ESEA Distinguished School.

PROCLAMATION - Library Week - April 4 - 10, 2021.

The American Library Association has sponsored National Library Week annually since 1958 to celebrate the contributions of our nation's libraries and librarians and to promote library use and support. This proclamation recognizes April 4 - 10, 2021, as National Library Week, and National Library Month, April 2021, and encourages all residents to visit their library in person and online to access resources and services.

PROCLAMATION - Volunteer Week - April 18 - 24, 2021.

The County of Henrico has an active and viable Volunteer Services Program, and the Board of Supervisors is continually attempting to improve and expand County services to citizens at the least possible cost. This proclamation recognizes April 18 - 24, 2021, as Volunteer Week in Henrico County and salutes and thanks the County's volunteers, who contributed 90,289 hours during 2020 at an estimated to be two and a half million dollars.

APPOINTMENTS

RESOLUTION - Appointment of Members - Finance Board.

This Board paper appoints the following members to the Finance Board for unexpired terms ending May 8, 2022, or thereafter when their successors shall have been appointed and qualified:

John B. Wack
Susan Worrell

PUBLIC HEARINGS – REZONING CASE AND PROVISIONAL USE PERMITS

PUP2020-00009 Fairfield	Skyway Towers, LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a monopole communication tower up to 199' in height and related equipment on part of Parcel 812-725-4066 located on the south line of Cedar Fork Road approximately 1000' northeast of its intersection with
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Nine Mile Road (State Route 33). The existing zoning is R-4AC One-Family Residence District (Conditional). The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. The site is in the Airport Safety Overlay District. Acting on a motion by Mr. Archer, 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 added services to the community and the recommended conditions should minimize the potential impacts on surrounding land uses. **(Deferred from October 13, 2020; deferral requested to the July 13, 2021, Meeting.)**

REZ2020-00041
Three Chopt

Hundred Acre Woods, Inc.: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcel 752-773-1086 containing 33.62 acres located at the terminus of Opaca Lane. The applicant proposes a residential development of detached dwellings for sale. 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 and Environmental Protection Area. 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 **grant** the request because it continues a pattern of development consistent with the area, and the proffered conditions should minimize the potential impacts on surrounding land uses.

PUP2021-00006
Three Chopt

Hundred Acre Woods, Inc.: Request for a Provisional Use Permit under Sections 24-13.4(c), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow adjustable side setbacks for lots within the R-5A General Residence District on Parcel 752-773-1086 located at the northern terminus of Opaca Lane. The existing zoning is A-1 Agricultural District. The R-5A zoning district is proposed for the A-1 district with REZ2020-00041. The R-5A District allows an overall maximum density of 6 units per acre. 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 the recommended special conditions should minimize the potential impacts on surrounding land uses and it is reasonable in light of the surrounding uses and proposed zoning on the property.

PUP2021-00005
Varina

Richard Souter: Request for a Provisional Use Permit under Sections 24-32.1(w), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for commercial or office square footage of less than 25 percent of the total building square footage of the UMU district on Parcels 797-711-6015 and 797-712-6941 located on the west line of Old Osborne Turnpike (State Route 5) at its intersection with Bickerstaff Road. The existing zoning is UMUC Urban Mixed-Use District (Conditional). The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. 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 is reasonable in light of the surrounding uses and existing zoning on the property and it would not be expected to adversely affect public safety, health or general welfare.

PUBLIC HEARINGS – OTHER ITEMS

RESOLUTION - Real Estate Tax Levies, 2021.

This paper sets the real estate tax levies for calendar year 2021. The levies are to be fixed after an advertised public hearing held on April 13, 2021.

The proposed real estate tax levy is \$0.87 per \$100 of assessed valuation and represents no change from the prior year.

The proposed real estate tax levies for the following Sanitary Districts represent no change from the prior year and are as follows:

Sanitary District #2: \$0.003 per \$100 of assessed valuation
Sanitary District #3: \$0.010 per \$100 of assessed valuation
Sanitary District #3.1: \$0.031 per \$100 of assessed valuation
Sanitary District #12: \$0.010 per \$100 of assessed valuation
Sanitary District #23: \$0.010 per \$100 of assessed valuation
Sanitary District 63.1: \$0.019 per \$100 of assessed valuation

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

RESOLUTION - Personal Property, Aircraft, Manufactured Homes, Qualifying Vehicles Owned or Leased by Members of a Volunteer Rescue Squad or Volunteer Fire Department, Disabled Veterans' Vehicles, Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals, Computer Equipment and Peripherals Used in a Data Center, Machinery and Tools, and Machinery and Tools for Semiconductor Manufacturers Tax Levies, 2021.

This paper sets the levies mentioned above for calendar year 2021. The levies are to be fixed after an advertised public hearing held on April 13, 2021.

The following proposed tax levies represent no change from the prior year:

- Personal property: \$3.50 per \$100 of assessed valuation
- Aircraft: \$0.50 per \$100 of assessed valuation
- Manufactured homes: \$0.87 per \$100 of assessed valuation
- Qualifying vehicles owned or leased by members of a volunteer rescue squad or volunteer fire department: \$1.00 per \$100 of assessed valuation
- Disabled veterans' vehicles: \$0.01 per \$100 of assessed valuation
- Computer equipment and peripherals used in a data center: \$0.40 per \$100 of assessed valuation
- Machinery and tools: \$0.30 per \$100 of assessed valuation

- Machinery and tools used in semiconductor manufacturing: \$0.30 per \$100 of assessed valuation
- Motor vehicles specially equipped to provide transportation for physically handicapped individuals: \$0.01 per \$100 of assessed valuation
- Tangible personal property of public service corporations and other persons with property assessed pursuant to Chapter 26 of Title 58.1 of the Code of Virginia (except aircraft, automobiles, and trucks): \$0.87 per \$100 of assessed valuation
- Property used in a research and development business: \$0.30 per \$100 of assessed valuation
- Certain generating equipment purchased after December 31, 1974, for the purpose of changing the energy source of a manufacturing plant to achieve more efficient use of any energy source: \$0.30 per \$100 of assessed valuation
- Certain property used in manufacturing, testing, or operating satellites: \$0.30 per \$100 of assessed valuation
- Certain motor vehicles, trailers, and semitrailers used to transport property for hire by a motor carrier engaged in interstate commerce: \$0.30 per \$100 of assessed valuation

No change is proposed for the tax levy in Sanitary Districts #2, #3, #3.1, #12, #23, and #63.1 from the prior year. Such proposed tax levy is \$0.001 per \$100 of assessed valuation, except for property taxed at the rate applicable to real property, in which case the levies are as assessed on real property.

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

ORDINANCE - Approval of Cooperative Marketing - Richmond Raceway -Fairfield District.

This ordinance would approve cooperative marketing of the WynnBET sports betting platform on the premises of Richmond Raceway. The cooperative marketing activities may include the advertising and marketing of the WynnBET sports betting platform through signage and displays permitted by the County’s zoning ordinance; distribution of marketing materials; hospitality areas, lounges, and trailers; platform demonstrations; logos; music and videos; and information provided by WynnBET employees or agents. The Board’s approval is required under Va. Code § 58.1-4034(G)(2).

The County Manager recommends approval of the Board paper.

ORDINANCE - Vacation of Building Line - Dorset Woods Subdivision - Tuckahoe District.

This ordinance will vacate the 50’ building line across the side of Lot 7 in Block C, Section A of the Dorset Woods subdivision. The property owners, Robert M. and Robin M. Michie, requested the vacation to bring the existing garage into compliance with the zoning ordinance.

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

RESOLUTION - Signatory Authority - Conveyance of Real Property - 4515 Old Oakleys Lane - Varina District.

This Board paper authorizes the Chairman of the Board of Supervisors and the Clerk to execute the documents necessary to convey the real property at 4515 Old Oakleys Lane, the location of the abandoned Gillies Creek sewer pumping station.

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

ORDINANCE - To Amend and Reordain Subsections (b) and (c) of Sections 23-359 and 23-360 Titled “Water connection fees” and “Sewer connection fees,” Respectively, and Subsection (a) of Sections 23-361 and 23-362 Titled “Water service and volume charges” and “Sewer service charges and rates,” Respectively, of the Code of the County of Henrico, All to Change Utility Fees and Charges.

This ordinance would increase bimonthly service and volume charges for water and sewer.

The increase in water and sewer charges for a typical residential customer using 10 CCF of water every two months would be \$6.10, approximately \$.10 per day. The ordinance would also increase water and sewer connection fees. The water and sewer connection fees for single-family dwellings would increase \$230 and \$280, respectively. These changes would be effective July 1, 2021.

The changes are recommended to help pay annual operating and debt service costs and capital costs associated with water and sewer projects.

The Board approved the introduction of this ordinance on March 23, 2021.

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

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Approval of Operating and Capital Annual Fiscal Plans for FY 2021-22 and Allocation of Car Tax Relief for Tax Year 2021.

This Board paper approves the proposed Operating and Capital Annual Fiscal Plans for FY 2021-22 and allocates car tax relief for tax year 2021. The Board deferred this paper after a public hearing on March 23, 2021.

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

RESOLUTION - Award of Solar Power Purchase Agreements - Sun Tribe Solar LLC - Brookland, Fairfield, and Three Chopt Districts.

This Board paper would award solar power purchase agreements to Sun Tribe Solar LLC to provide electric power generated by solar panels it will install, own, and maintain at the Western Government Center Parking Deck, Recreation and Parks Main Office, Fairfield Area Library, Glen Allen High School, Harvie Elementary School, Holman Middle School, Kaechele Elementary School, and Colonial Trail Elementary School.

Henrico County will lease rooftop space to Sun Tribe Solar LLC for the solar panels and will purchase renewable electric power generated by the systems. The terms of the agreements are 30 years for the Western Government Center Parking Deck and 25 years for all other sites.

The Directors of General Services, Public Libraries, Recreation and Parks, and HCPS Construction and Maintenance recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - Acquisition of Permanent Traffic Easement - Intersection of Dominion Boulevard and Innslake Drive - Three Chopt District.

This Board paper authorizes acquisition of a permanent traffic easement across property at 4340 Innslake Drive for installation and maintenance of a traffic signal at the intersection of Dominion Boulevard and Innslake Drive. The landowner, Wells Fargo Bank, N.A., has agreed to convey the easement to the County for \$690.

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

RESOLUTION - Signatory Authority - License Agreement for Sewer Line - Varina District.

This Board paper authorizes the County Manager to execute a temporary license agreement allowing Godsey Properties, LLC to construct a sewer line on County property at the future Taylor Park. The sewer line will serve the proposed Drybridge Commons development and will become a part of the County's sewer system upon acceptance. The sewer line will not interfere with present or future use of County property.

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

RESOLUTION - Award of Contract - Azalea Avenue Pedestrian and Signal Improvements - Fairfield District.

This Board paper would award a construction contract for \$840,744.83 to Blakemore Construction Corporation for construction of 2,035 feet of sidewalk and replacement of traffic signals with pedestrian signalization at the intersection of Azalea Avenue and Wilkinson Road. New sidewalk will be constructed along Azalea Avenue beginning at Wilkinson Road and continuing west to Pony Farm Drive, and new sidewalk will be constructed along Wilkinson Road between the Dollar General store and Kirkland Drive.

The construction work is anticipated to begin on June 1, 2021, and is scheduled to be completed within 365 calendar days.

The County received five bids on February 10, 2021, in response to ITB No. 20-2041-8JOK and Addendum Nos. 1 and 2. The bidders and bid amounts are as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Blakemore Construction Corporation Rockville, Virginia	\$840,744.83
Jireh Construction Company, Inc. Richmond, Virginia	\$939,117.00
Curtis Contracting, Inc. West Point, Virginia	\$989,605.87
Central Contracting Company, Inc. Richmond, Virginia	\$1,033,395.25
Messer Contracting, LLC Glen Allen, Virginia	\$1,178,263.27

Based upon a review of the bids, Blakemore Construction Corporation is the lowest responsive and responsible bidder.

The final contract amount shall be determined upon completion of the project by multiplying the actual unit quantities authorized by the County times the unit prices 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 - To Set a Public Hearing for the Abandonment of Elks Pass Lane Beginning at Lake Brook Drive - Three Chopt District

Highwood Properties has requested the abandonment of Elks Pass Lane, a 0.10-mile road beginning at Lake Brook Drive. The road is not needed for any public purpose. The Board paper sets a public hearing on the abandonment for May 25, 2021.

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

RESOLUTION - Acceptance of Roads - Three Chopt District.

This Board paper would accept the following named and described sections of roads into the County road system for maintenance.

- 0.19 mile of Smith Grove at Bacova, Section 1 – Three Chopt District
- 0.33 mile of Smith Grove at Bacova, Section 2 and a Resubdivision of the area Reserved for Future Development of Smith Grove at Bacova, Section 1 – Three Chopt District
- 0.41 mile of Welwood, Section 1 – Three Chopt District

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