

**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, May 10, 2022, at 5:15 p.m.** in the County Manager's Conference Room on the Third Floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

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

- |                  |   |
|------------------|---|
| 5:15 - 5:30 p.m. | Henrico Explorer Program Update               |
| 5:30 - 6:00 p.m. | Recognition of Henrico Volunteer Rescue Squad |
| 6:00 - 6:15 p.m. | Finance Update                                |
| 6:15 - 6:30 p.m. | Regular Meeting Agenda Items                  |

*Tanya N. Brackett*

Tanya N. Brackett, CMC  
Clerk, Henrico County Board of Supervisors  
May 5, 2022

**COUNTY OF HENRICO, VIRGINIA**  
**Henrico County Board Room**  
**Board of Supervisors' Agenda**  
**May 10, 2022**  
**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**APPROVAL OF MINUTES** – April 26, 2022, Regular and Special Meeting

**MANAGER'S COMMENTS**

**BOARD OF SUPERVISORS' COMMENTS**

**RECOGNITION OF NEWS MEDIA**

**PRESENTATIONS**

Proclamation - Law Enforcement Officers Week - May 11 - 17, 2022.

Proclamation - Emergency Medical Services Week - May 15 - 21, 2022.

Proclamation - Proclaiming the Henrico Volunteer Rescue Squad a Distinguished Community Service Medal Recipient.

**PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS**

22-22 Atlantic Crossing, LLC: Request to conditionally rezone from A-1 Agricultural  
REZ2021- District to M-2C General Industrial District (Conditional) Parcels 841-712-  
00056 8524, 842-712-1529, 842-712-5063, 843-711-6375, 843-712-6388, and 844-709-  
Varina 3698 containing 530.47 acres located on the north and south lines of E.  
Williamsburg Road (U.S. Route 60) at its intersection with Technology  
Boulevard. The applicant proposes industrial and distribution uses. The uses  
will be controlled by zoning ordinance regulations and proffered conditions.  
The 2026 Comprehensive Plan recommends Office, Office/Service, Commercial  
Concentration, Traditional Neighborhood Development, and Environmental  
Protection Area. Part of the site is in the Airport Safety Overlay District. The  
Planning Commission voted to recommend the Board of Supervisors **grant**  
the request. **(Deferred from the March 8, 2022; meeting; Deferral  
requested to the July 12, 2022, meeting)**

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  
April 12, 2022, meeting; Deferral requested to the July 12, 2022,  
meeting)**

- 139-22  
REZ2021-  
00058  
Brookland  
Crenshaw Realty: Request to conditionally rezone from B-1 Business District to R-6C General Residence District (Conditional) Parcels 772-736-3855, -4241 and -4766 containing 2.432 acres located on the west line of Willow Lawn Drive approximately 135' north of its intersection with Grace Street. The applicant proposes a master-planned development with multifamily dwellings and commercial uses. The R-6 District allows a density of 19.8 units per acre for multifamily. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Environmental Protection Area. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.
- 140-22  
PUP2021-  
00021  
Brookland  
Crenshaw Realty: Request for a Provisional Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the County Code to allow commercial uses and zoning modifications as part of a master-planned development on Parcels 772-736-3855, -4241 and -4766 located on the west line of Willow Lawn Drive approximately 135' north of its intersection with Grace Street. The existing zoning is B-1 Business District. R-6C General Residence District (Conditional) zoning is proposed with REZ2021-00058. The 2026 Comprehensive Plan recommends Environmental Protection Area. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.
- 141-22  
PUP2022-  
00013  
Varina  
Bridleton SPE, LLC: Request for a Provisional Use Permit under Sections 24-4205 and 24-2306 of Chapter 24 of the County Code to allow a solar array on Parcels 837-693-5764, 837-695-5661, 838-693-9348, and 839-691-4296 located on the west line of Gill Dale Road approximately 1,700' north of the intersection of Darbytown Road. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Prime Agriculture and Environmental Protection Area. The site is in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.
- 142-22  
REZ2022-  
00014  
Brookland  
Weinstein Associates, LLC: Request to amend proffers accepted with C-50C-90 on Parcel 753-759-7208 located at the northwest intersection of W. Broad Street (U.S. Route 250) and Stillman Parkway. The applicant proposes to amend proffers regarding permitted uses and building and site design to allow an oil change facility. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.
- 143-22  
PUP2022-  
00012  
Brookland  
Weinstein Associates, LLC: Request for a Provisional Use Permit under Sections 24-4205 and 24-2306 of Chapter 24 of the County Code to allow automotive parts and installation and minor servicing (oil change facility) on Parcel 753-759-7208 located at the northwest intersection of W. Broad Street (U.S. Route 250) and Stillman Parkway. The existing zoning is B-2C Business District (Conditional). A proffer amendment request is proposed with REZ2022-00014. The 2026 Comprehensive Plan recommends Commercial Arterial. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

- 144-22  
REZ2022-  
00005  
Three Chopt
- Shafquat Buttar: Request to conditionally rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional) Parcel 744-762-0359 containing .677 acres located at the southern intersection of Belfast and Edinburgh Roads. The applicant proposes a single-family dwelling. The R-3 District allows a minimum lot area of 11,000 square feet and a maximum gross density of 3.96 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.
- 145-22  
REZ2019-  
00031  
Three Chopt
- Park Commons Condominium Association: Request to amend proffers accepted with Rezoning case C-13C-02 on part of Parcel 745-770-4859 located at the southeast intersection of Twin Hickory Road and Hickory Bend Drive. The applicant proposes to amend proffers regarding age restriction. The existing zoning is R-6C General Residence District (Conditional). The 2026 Comprehensive Plan recommends Multi-Family Residential. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.
- 146-22  
REZ2022-  
00011  
Fairfield
- Middleburg Real Estate Partners, LLC: Request to conditionally rezone from R-4 One-Family Residence District and B-3 Business District to R-6C General Residence District (Conditional) Parcels 783-759-6898, 783-760-6078, 783-760-6649, 783-760-1787, 783-760-2589, 783-760-3589, 783-760-4996, 783-760-4783, and 783-761-6400 containing 13.475 acres located on the west line of Brook Road (U.S. Route 1) at its intersection with Magellan Parkway. The applicant proposes a master-planned development with multifamily dwellings and commercial uses. The R-6 District allows a density of 19.8 units per acre for multifamily. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration and Suburban Residential 2. Part of the site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.
- 147-22  
PUP2022-  
00006  
Fairfield
- Middleburg Real Estate Partners, LLC: Request for a Provisional Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the County Code to allow commercial uses and zoning modifications as part of a master-planned development on Parcel 783-759-6898 and part of Parcels 783-760-6078, and 783-760-6649 located on the west line of Brook Road (U.S. Route 1) at its intersection with Magellan Parkway. The existing zoning is R-4 One-Family Residence District and B-3 Business District. R-6C General Residence District (Conditional) zoning is proposed with REZ2022-00011. The 2026 Comprehensive Plan recommends Commercial Concentration. Part of the site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.
- 148-22  
REZ2022-  
00012  
Brookland
- Gumenick Properties: Request to conditionally rezone from R-3 One-Family Residence District to UMU-PD Urban Mixed-Use - Planned Development District Parcels 772-740-3867, -4462, -4982, -5677, -5788, -6095, -6273, -7287, and -7493 containing 2.247 acres located on the north and south lines of Indigo Road and its intersection with Libbie Avenue. The applicant proposes

inclusion in the adjacent urban mixed-use development (Libbie Mill). 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 applicant also proposes to amend proffers accepted with Rezoning cases REZ2015-00018, REZ2018-00044, and REZ2021-00042 on Parcels 771-740-8005, -9118, 772-739-8575, 772-740-0431, -1137, -1743, -2229, -2836, -4017, -7798, -8502, -8536, 772-741-6201, -6408, -6715, -7023, -7440, -7848, -7905, -8137, -8211, -8357, -8419, -8836, -8968, -9348, -9573, -9839, 773-739-3547, -3784, -9074, 773-740-4815, -5180, -9572, 773-741-0179, -0354, -0565, -0945, -1360, -1654, -2048, 774-739-2373, 774-740-0192, -0448, -0863, -3781, -4456, -4637, -4716, -4802, -5174 and 774-740-0801 located on the east line of Libbie Avenue approximately 310' north of W. Broad Street (U. S. Route 250) at its intersection with N. Crestwood Avenue, then between the east line of Spencer Road and west line of Staples Mill Road (U.S. Route 33) along the south line of Bethlehem Road. The applicant proposes to amend proffers related to the pattern book and density. The existing zoning is UMUC Urban Mixed-Use District (Conditional). The 2026 Comprehensive Plan recommends Light Industrial, Urban Mixed-Use and Environmental Protection Area. A portion of the site along Libbie Avenue north of W. Broad Street (U.S. Route 250) and along Staples Mill Road (U.S. Route 33) is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

149-22 REZ2022-00016 Brookland Mirako, LLC: Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional) Parcel 763-753-8296 containing 1.894 acres located at the southeast line of Shrader Road and Carousel Lane. The applicant proposes wholesale sales of coffee and related equipment. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Semi-Public. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

**PUBLIC HEARINGS – OTHER ITEMS**

150-22 Resolution - Approval of Siting Agreement for Solar Project - Bridleton SPE, LLC - Varina District.

151-22 Ordinance - Vacation of Building Line - Brandon Subdivision - Tuckahoe District.

**PUBLIC COMMENTS**

**GENERAL AGENDA**

152-22 Emergency Ordinance - To Reduce Penalties and Interest on Late Payments of Taxes for Personal Property and Machinery and Tools to Zero Percent from June 6 to August 5, 2022, and to Extend the Time for Payment of Vehicle License Taxes to August 5, 2022.

- 153-22 Introduction of Ordinance - To Reduce Penalties and Interest on Late Payments of Taxes for Personal Property and Machinery and Tools to Zero Percent from June 6 to August 5, 2022, and to Extend the Time for Payment of Vehicle License Taxes to August 5, 2022.
- 154-22 Resolution - Signatory Authority - Amendment to Lease - 7740 Shrader Road - Brookland District.
- 155-22 Resolution - Signatory Authority - Richmond-Henrico Turnpike Improvements Project - Agreement for Continued Possession by Tenant After Closing - Fairfield District.
- 156-22 Resolution - Award of Contract - Alycia Avenue Sewer Rehabilitation - Brookland District.
- 157-22 Resolution - Award of Contract - Annual Contract for Asphalt-In-Place Services.
- 158-22 Resolution - Award of Contract - Annual Contract for Surface Asphalt Recycling.
- 159-22 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation - Lakeside Avenue Bridge Replacement - Fairfield District.
- 160-22 Resolution - Claim of Fluvial Solutions, Inc. - Water Reclamation Facility Stream Restoration Project.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS' RESUME  
May 10, 2022**

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**PRESENTATIONS**

**PROCLAMATION - Law Enforcement Officers Week - May 11 - 17, 2022.**

The professional law enforcement officers of Henrico County serve our citizens daily, protecting lives and property while upholding local ordinances and state laws. By the nature of their duties, these officers endure grave danger and, on occasion, loss of their own lives. Each year, the 15<sup>th</sup> day of May is nationally designated as Peace Officers Memorial Day and the calendar week in which that date occurs is nationally designated as Police Week. The Police Division will hold its annual memorial service and wreath-laying ceremony at Police Memorial Park on Friday, May 13, 2022, to honor the County's fallen police officers. This proclamation recognizes May 11 - 17, 2022, as Law Enforcement Officers Week and Friday, May 13, 2022, as Law Enforcement Officers Day in Henrico County; encourages Henrico citizens to take note of these special dates; and salutes the County's law enforcement officers for their steadfast commitment to the County's public safety efforts and for contributing significantly to the quality of life of this community.

**PROCLAMATION - Emergency Medical Services Week - May 15 - 21, 2022.**

This proclamation recognizes May 15 - 21, 2022, as Emergency Medical Services Week and encourages the community to observe this week with appropriate programs, ceremonies, and activities.

**PROCLAMATION - Proclaiming the Henrico Volunteer Rescue Squad a Distinguished Community Service Medal Recipient.**

This proclamation bestows the Distinguished Community Service Medal upon the members and leadership of the Henrico Volunteer Rescue Squad for exemplifying the Henrico Way through decades of dedicated and selfless service to the community.

**PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS**

REZ2021-00056 Varina	Atlantic Crossing, LLC: Request to conditionally rezone from A-1 Agricultural District to M-2C General Industrial District (Conditional) Parcels 841-712-8524, 842-712-1529, 842-712-5063, 843-711-6375, 843-712-6388, and 844-709-3698 containing 530.47 acres located on the north and south lines of E. Williamsburg Road (U.S. Route 60) at its intersection with Technology Boulevard. The applicant proposes industrial and distribution uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office, Office/Service, Commercial Concentration, Traditional Neighborhood Development, and Environmental Protection Area. Part of the site is in the Airport Safety Overlay District. Acting on a motion by Mr. Mackey,
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seconded by Mrs. Thornton, 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 March 8, 2022, meeting; Deferral requested to the July 12, 2022, meeting)**

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 April 12, 2022, meeting; Deferral requested to the July 12, 2022, meeting)**

REZ2021-00058  
Brookland  
Crenshaw Realty: Request to conditionally rezone from B-1 Business District to R-6C General Residence District (Conditional) Parcels 772-736-3855, -4241 and -4766 containing 2.432 acres located on the west line of Willow Lawn Drive approximately 135' north of its intersection with Grace Street. The applicant proposes a master-planned development with multifamily dwellings and commercial uses. The R-6 District allows a density of 19.8 units per acre for multifamily. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Environmental Protection Area. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the proffered conditions will assure a level of development otherwise not possible and the proffered conditions should minimize the potential impacts on surrounding land uses.

PUP2021-00021  
Brookland  
Crenshaw Realty: Request for a Provisional Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the County Code to allow commercial uses and zoning modifications as part of a master-planned development on Parcels 772-736-3855, -4241 and -4766 located on the west line of Willow Lawn Drive approximately 135' north of its intersection with Grace Street. The existing zoning is B-1 Business District. R-6C General Residence District (Conditional) zoning is proposed with REZ2021-00058. The 2026 Comprehensive Plan recommends Environmental Protection Area. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the



conditions should minimize the potential impacts on surrounding land uses and it would not be expected to adversely affect public safety, health or general welfare.

PUP2022-00013  
Varina  
Bridleton SPE, LLC: Request for a Provisional Use Permit under Sections 24-4205 and 24-2306 of Chapter 24 of the County Code to allow a solar array on Parcels 837-693-5764, 837-695-5661, 838-693-9348, and 839-691-4296 located on the west line of Gill Dale Road approximately 1,700' north of the intersection of Darbytown Road. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Prime Agriculture and Environmental Protection Area. The site is in the Airport Safety Overlay District. Acting on a motion by Mr. Archer, seconded by Mr. Witte, the Planning Commission voted 3-0 (three abstentions) 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 would not adversely affect the adjoining area if properly developed as proposed.

REZ2022-00014  
Brookland  
Weinstein Associates, LLC: Request to amend proffers accepted with C-50C-90 on Parcel 753-759-7208 located at the northwest intersection of W. Broad Street (U.S. Route 250) and Stillman Parkway. The applicant proposes to amend proffers regarding permitted uses and building and site design to allow an oil change facility. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. Acting on a motion by Mr. Witte, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it is appropriate business zoning in the area and it conforms to the recommendations of the Comprehensive Plan.

PUP2022-00012  
Brookland  
Weinstein Associates, LLC: Request for a Provisional Use Permit under Sections 24-4205 and 24-2306 of Chapter 24 of the County Code to allow automotive parts and installation and minor servicing (oil change facility) on Parcel 753-759-7208 located at the northwest intersection of W. Broad Street (U.S. Route 250) and Stillman Parkway. The existing zoning is B-2C Business District (Conditional). A proffer amendment request is proposed with REZ2022-00014. The 2026 Comprehensive Plan recommends Commercial Arterial. Acting on a motion by Mr. Witte, seconded by Mr. Mackey, 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.

REZ2022-00005  
Three Chopt  
Shafquat Buttar: Request to conditionally rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional) Parcel 744-762-0359 containing .677 acres located at the southern intersection of Belfast and Edinburgh Roads. The applicant proposes a single-family dwelling. The R-3 District allows a minimum lot area of 11,000 square feet and a maximum gross density of 3.96 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. Acting on a

motion by Mrs. Thornton, 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 type of residential growth in the area and the proffered conditions would provide for a higher quality development than would otherwise be possible.

REZ2019-00031  
Three Chopt  
Park Commons Condominium Association: Request to amend proffers accepted with Rezoning case C-13C-02 on part of Parcel 745-770-4859 located at the southeast intersection of Twin Hickory Road and Hickory Bend Drive. The applicant proposes to amend proffers regarding age restriction. The existing zoning is R-6C General Residence District (Conditional). The 2026 Comprehensive Plan recommends Multi-Family Residential. 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 the changes clarify interpretive problems and are not expected to adversely impact the surrounding area.

REZ2022-00011  
Fairfield  
Middleburg Real Estate Partners, LLC: Request to conditionally rezone from R-4 One-Family Residence District and B-3 Business District to R-6C General Residence District (Conditional) Parcels 783-759-6898, 783-760-6078, 783-760-6649, 783-760-1787, 783-760-2589, 783-760-3589, 783-760-4996, 783-760-4783, and 783-761-6400 containing 13.475 acres located on the west line of Brook Road (U.S. Route 1) at its intersection with Magellan Parkway. The applicant proposes a master-planned development with multifamily dwellings and commercial uses. The R-6 District allows a density of 19.8 units per acre for multifamily. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration and Suburban Residential 2. Part of the site is in the Enterprise Zone. Acting on a motion by Mr. Archer, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would not adversely affect the surrounding area if properly developed as proposed and the proffered conditions will assure a level of development otherwise not possible.

PUP2022-00006  
Fairfield  
Middleburg Real Estate Partners, LLC: Request for a Provisional Use Permit under Sections 24-4315.C and 24-2306 of Chapter 24 of the County Code to allow commercial uses and zoning modifications as part of a master-planned development on Parcel 783-759-6898 and part of Parcels 783-760-6078, and 783-760-6649 located on the west line of Brook Road (U.S. Route 1) at its intersection with Magellan Parkway. The existing zoning is R-4 One-Family Residence District and B-3 Business District. R-6C General Residence District (Conditional) zoning is proposed with REZ2022-00011. The 2026 Comprehensive Plan recommends Commercial Concentration. Part of the site is in the Enterprise Zone. 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 it would allow greater flexibility for the proposed use 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.

REZ2022-00012  
Brookland

Gumenick Properties: Request to conditionally rezone from R-3 One-Family Residence District to UMU-PD Urban Mixed-Use - Planned Development District Parcels 772-740-3867, -4462, -4982, -5677, -5788, -6095, -6273, -7287, and -7493 containing 2.247 acres located on the north and south lines of Indigo Road and its intersection with Libbie Avenue. The applicant proposes inclusion in the adjacent urban mixed-use development (Libbie Mill). 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 applicant also proposes to amend proffers accepted with Rezoning cases REZ2015-00018, REZ2018-00044, and REZ2021-00042 on Parcels 771-740-8005, -9118, 772-739-8575, 772-740-0431, -1137, -1743, -2229, -2836, -4017, -7798, -8502, -8536, 772-741-6201, -6408, -6715, -7023, -7440, -7848, -7905, -8137, -8211, -8357, -8419, -8836, -8968, -9348, -9573, -9839, 773-739-3547, -3784, -9074, 773-740-4815, -5180, -9572, 773-741-0179, -0354, -0565, -0945, -1360, -1654, -2048, 774-739-2373, 774-740-0192, -0448, -0863, -3781, -4456, -4637, -4716, -4802, -5174 and 774-740-0801 located on the east line of Libbie Avenue approximately 310' north of W. Broad Street (U. S. Route 250) at its intersection with N. Crestwood Avenue, then between the east line of Spencer Road and west line of Staples Mill Road (U.S. Route 33) along the south line of Bethlehem Road. The applicant proposes to amend proffers related to the pattern book and density. The existing zoning is UMUC Urban Mixed-Use District (Conditional). The 2026 Comprehensive Plan recommends Light Industrial, Urban Mixed-Use and Environmental Protection Area. A portion of the site along Libbie Avenue north of W. Broad Street (U.S. Route 250) and along Staples Mill Road (U.S. Route 33) is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it represents a logical continuation of the development in the area, the proffered conditions will provide appropriate quality assurances not otherwise available, and the proffer changes are not expected to adversely impact adjacent properties.

REZ2022-00016  
Brookland

Mirako, LLC: Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional) Parcel 763-753-8296 containing 1.894 acres located at the southeast line of Shrader Road and Carousel Lane. The applicant proposes wholesale sales of coffee and related equipment. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Semi-Public. Acting on a motion by Mr. Witte, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it continues a form of zoning consistent with the area and it would not adversely affect the adjoining area if properly developed as proposed.

## **PUBLIC HEARINGS – OTHER ITEMS**

### **RESOLUTION - Approval of Siting Agreement for Solar Project - Bridleton SPE, LLC - Varina District.**

This Board paper would authorize the County Manager to execute a Siting Agreement with Bridleton SPE for a proposed solar project in the Varina District.

The Siting Agreement would deem Bridleton's Project substantially in accord with the County's Comprehensive Plan. In return, the Siting Agreement would require Bridleton to (1) comply with the County's zoning ordinance and any provisional use permit issued for the Project; (2) address visual buffers for the Project; (3) allow for inspections of the Project by the County; (4) submit a plan for decommissioning of the Project and restoring the site to a condition similar to its prior condition upon the occurrence of certain conditions, such as abandonment of the Project; and (5) make annual payments to the County for capital improvement projects.

The Director of Planning and the Planning Commission recommend approval of the Board paper; the County Manager concurs.

### **ORDINANCE - Vacation of Building Line - Brandon Subdivision - Tuckahoe District.**

This ordinance will vacate the 50' building line of Lot 3, Block D, Section B of Brandon subdivision, also known as 9309 Belfort Road. The property owners, Mark and Susanne Schnittger, requested the vacation to build a garage.

The Real Property Division processed the requested vacation 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**

### **EMERGENCY ORDINANCE - To Reduce Penalties and Interest on Late Payments of Taxes for Personal Property and Machinery and Tools to Zero Percent from June 6 to August 5, 2022, and to Extend the Time for Payment of Vehicle License Taxes to August 5, 2022.**

This Board paper would reduce penalties and interest on late payments of taxes for personal property and machinery and tools to zero percent from June 6 to August 5, 2022. This Board paper would also extend the time for payment of vehicle license taxes to August 5, 2022.

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

### **INTRODUCTION OF ORDINANCE - To Reduce Penalties and Interest on Late Payments of Taxes for Personal Property and Machinery and Tools to Zero**

**Percent from June 6 to August 5, 2022, and to Extend the Time for Payment of Vehicle License Taxes to August 5, 2022.**

This Board paper would introduce for advertisement and a public hearing on June 14, 2022, an ordinance to reduce penalties and interest on late payments of taxes for personal property and machinery and tools to zero percent from June 6 to August 5, 2022. This Board paper would also extend the time for payment of vehicle license taxes to August 5, 2022.

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

**RESOLUTION - Signatory Authority - Amendment to Lease - 7740 Shrader Road - Brookland District.**

This Board paper authorizes the County Manager to execute a lease amendment to lease 1,315 square feet of office space in addition to 1,902 square feet currently leased at 7740 Shrader Road. The Human Resources Employee Health Services clinic has occupied the space since 2006 and needs the additional space to better serve its clients.

The amendment would extend the lease for a seven-year term beginning July 1, 2022. The annual rent for the first year will be \$59,570 and will increase 3% each year thereafter. The amendment provides for suite refurbishments, including relocation of walls, doors, and fixtures, all at the landlord's expense.

The lease is subject to annual appropriation. The Directors of Human Resources and Real Property recommend approval of the Board paper; the County Manager concurs.

**RESOLUTION - Signatory Authority - Richmond-Henrico Turnpike Improvements Project - Agreement for Continued Possession by Tenant After Closing - Fairfield District.**

This Board paper would authorize the County Manager to execute an agreement to allow Caudie B. Kelley to continue to reside at 600 Grayson Avenue after such property is conveyed to the County to improve the Richmond-Henrico Turnpike. Mr. Kelley is the current tenant of the property and would remain until no later than July 31, 2022.

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

**RESOLUTION - Award of Contract - Alycia Avenue Sewer Rehabilitation - Brookland District.**

This Board paper awards a fixed price contract for \$728,599 to Walter C. Via Enterprises, Inc. for the Alycia Avenue Sewer Rehabilitation project. The project consists of replacing approximately 970 linear feet of 8-inch and 10-inch sanitary sewer and the cured-in-place rehabilitation of approximately 650 linear feet of 8-inch and 10-inch sanitary main along Hermitage Road, Alycia Avenue, and Dalmain Drive.

Work on the project is anticipated to begin July 2022 and be completed within 240 calendar days.

The County received four bids on March 30, 2022, in response to ITB 22-2299-2JL and Addendum No. 1. The bids were as follows:

<b><u>Bidders</u></b>	<b><u>Bid Amounts</u></b>
Walter C. Via Enterprises, Inc. West Point, VA	\$728,599
G. L. Howard, Inc. Rockville, VA	\$1,082,800
Tidewater Utility Construction, Inc. Suffolk, VA	\$1,330,300
Enviroscape, Inc. Sandston, VA	\$1,385,750

Based upon a review of the bids, Walter C. Via Enterprises, Inc. is the lowest responsive and responsible bidder.

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

**RESOLUTION - Award of Contract - Annual Contract for Asphalt-In-Place Services.**

This Board paper awards a unit price contract for \$2,375,000 to Lee Hy Paving Group for an annual contract to provide asphalt-in-place services. The contract is to furnish all tools, labor, materials, equipment, fees, and supervision necessary to provide asphalt-in-place services when requested by the Department of Public Works for a contract term ending April 30, 2023, with the option for two additional one-year terms.

The County received three bids on March 10, 2022, in response to ITB 22-2301-2EAR. The bids were as follows:

<b><u>Bidders</u></b>	<b><u>Bid Amounts</u></b>
Lee Hy Paving Group Glen Allen, VA	\$2,375,000.00
Allan Myers VA, Inc. Glen Allen, VA	\$2,595,777.11
Branscome Rockville, VA	\$3,114,770.00

Based upon a review of the bids, Lee Hy Paving Group 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 approved in the contract.

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 - Award of Contract - Annual Contract for Surface Asphalt Recycling.**

This Board paper awards a unit price contract for \$982,200 to American Asphalt Recycling, Inc. for surface asphalt recycling. The contract is to furnish all tools, labor, materials, equipment, fees, and supervision necessary for surface asphalt recycling on County streets when requested by the Department of Public Works and other County departments as needed, for a contract period ending April 30, 2023, with the option for the County to extend the contract for two additional one-year terms.

The County received one bid on March 10, 2022, in response to ITB 22-2304-2EAR. The bid was as follows:

<u>Bidder</u>	<u>Bid Amount</u>
American Asphalt Recycling, Inc. New Lenox, IL	\$982,200

Based upon a review of the bid, American Asphalt Recycling, 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 approved in the contract.

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 - Signatory Authority - Agreement with Virginia Department of Transportation - Lakeside Avenue Bridge Replacement - Fairfield District.**

The Department of Public Works has negotiated an agreement with the Virginia Department of Transportation (VDOT) under which VDOT will reimburse part of the County's cost to demolish and replace the Lakeside Avenue Bridge with a new bridge, bridge approaches, drainage structures, guardrail, and a retaining wall. The estimated construction cost is \$5,627,000, of which VDOT will reimburse the County a maximum of \$3,485,000 from the Federal State of Good Repair Program. The County will pay for the remainder of the project cost.

The Board paper would authorize the County Manager to execute the agreement in a form approved by the County Attorney. The County will provide the necessary oversight to ensure the project is developed in accordance with all applicable federal, state, and local requirements for its design, right-of-way acquisition, and construction.

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

**RESOLUTION - Claim of Fluvial Solutions, Inc. - Water Reclamation Facility Stream Restoration Project.**

This Board paper would deny the claim of Fluvial Solutions, Inc. in the amount of \$190,185. The claim arises from Fluvial's contract with the County for earthwork related to the restoration of Roundabout Creek at the Water Reclamation Facility.

Fluvial claims it performed additional earthwork for which it should be paid under the contract.

County staff recommends denial of the claim because (1) Fluvial has not provided proof that it performed the earthwork for which it seeks payment, (2) the County did not approve the earthwork because a verification survey was not conducted prior to excavation, and (3) Fluvial did not follow the contractual and statutory requirements for bringing its claim.

The Director of Public Works and the County Attorney recommend approval of the Board paper (which would deny the claim), and the County Manager concurs.