

**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 14, 2023, at 5:30 p.m.** in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

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

5:30 - 5:45 p.m.	Greater Richmond Transit Company Update
5:45 - 6:00 p.m.	Virginia 250 Update
6:00 - 6:15 p.m.	HOME ARP Plan Update
6:15- 6:30 p.m.	Review of Regular Meeting Agenda Items

Tanya N. Brackett

Tanya N. Brackett, CMC
Clerk, Henrico County Board of Supervisors
March 9, 2023

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
March 14, 2023
7:00 p.m.

PLEDGE OF ALLEGIANCE
INVOCATION

APPROVAL OF MINUTES – February 28, 2023, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATION

Proclamation - Recognizing A Day of Honor for Pocahontas and a Celebration of American's Native American Tribes.

APPOINTMENTS

76-23 Resolution - Appointment of Member - Historic Preservation Advisory Committee.

77-23 Resolution - Appointment of Member - Belmont Advisory Committee.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

78-23 Family Holdings, LLC: Request for a Provisional Use Permit under Sections PUP2023-24-2306 and 24-3708 of Chapter 24 of the County Code to allow a mixed-use development with multifamily residential on Parcel 776-736-1392 located on the west line of Westmoreland Street at its intersection with Jacque Street. The existing zoning is M-1 Light Industrial District and B-3 Business District. The 2026 Comprehensive Plan recommends Heavy Industry. The site is in the Westwood Redevelopment Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.
00001
Brookland

298-22 4911 Augusta LLC: Request to conditionally rezone from B-1 Business District to R-6C General Residence District (Conditional) Parcel 773-736-5900 containing .699 acres located on the south line of Augusta Avenue approximately 160' west of the intersection of Staples Mill Road (U.S. Route 33). The applicant proposes a master-planned development with commercial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request. **(Deferred from the January 24, 2023, meeting.)**
REZ2022-00033
Brookland

299-22 4911 Augusta LLC: Request for a Provisional Use Permit under Sections PUP2022-24-4205 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 00018
Brookland 773-736-5900 located on the south line of Augusta Avenue approximately

160' west of the intersection of Staples Mill Road (U.S. Route 33). The existing zoning is B-1 Business District. R-6C General Residence District (Conditional) zoning is proposed with REZ2022-00033. The 2026 Comprehensive Plan recommends Office. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request. **(Deferred from the January 24, 2023, meeting.)**

79-23
REZ2022-
00036
Fairfield

Sauer Properties, Inc.: Request to conditionally rezone from O-3C Office District (Conditional), B-3C Business District (Conditional), and M-2C General Industrial District (Conditional) to CMUC Community Mixed-Use District (Conditional) (60.35 acres) and M-2C General Industrial District (Conditional) (33.05 acres) Parcels 784-766-7690, 785-769-6656, 786-768-8517 and part of 784-767-4440 containing 93.4 acres located on the west line of Jeb Stuart Parkway at the intersection of Telegraph Road, the east line of Jeb Stuart Parkway between Virginia Center Parkway and Telegraph Road, and the south line of Virginia Center Parkway west of its intersection with Battlefield Road. The applicant proposes a community mixed-use development and industrial uses. The CMU District allows a minimum gross density of 10 units per acre and a maximum gross density of 40 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office/Service, Office, Commercial Arterial, and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS - OTHER ITEMS

80-23 Resolution - Declaration of Surplus Property - Signatory Authority - Conveyance of Two 5-Foot-Wide Access Strips to Abandoned Well Lot in Rollingwood Subdivision - Tuckahoe District.

81-23 Resolution - Declaration of Surplus Property - Signatory Authority - 9524 North Run Rd. and 2200 20th St. (Fairfield District) - 7010 Woodside St., 5125 Robin Grey Ln., 5001 Audubon Dr., 4938 Stonewall Ave., 3500 Britton Rd., and 7014 Woodside St. - (Varina District).

PUBLIC COMMENTS

GENERAL AGENDA

82-23 Resolution - Receipt of Operating and Capital Budget Estimates for FY 2023-24 and Notice of Public Hearings on the Budget and Proposed Tax Rates.

83-23 Resolution - Intent to Form Tourism Improvement District - Notice of Public Hearing.

84-23 Introduction of Ordinance - To Amend and Reordain Section 20-78 of the Code of the County of Henrico Titled "Elderly or permanently and totally disabled persons" to Increase the Maximum Annual Real Estate Tax Exemption for the Real Estate Advantage Program From \$3,000 to \$3,200.

- 85-23 Resolution - Award of Contract - Cancer and Cardiovascular Screening for the Division of Fire.
- 86-23 Resolution - Adoption of Procedures for Construction Management Contracts.
- 87-23 Resolution - Authorizing the County Manager to Submit an Amendment to the Henrico County 2021-22 Annual Consolidated Action Plan adding the HOME-ARP Allocation Plan and to Execute an Amended HOME Agreement.
- 88-23 Resolution - Signatory Authority - Memorandum of Understanding - Maggie Walker Community Land Trust - Varina District.
- 89-23 Resolution - Signatory Authority - License Agreements - Henrico Sports & Events Center - Fairfield District.
- 90-23 Resolution - Signatory Authority - Acquisition of Real Property - Pump Station - Varina District.
- 91-23 Resolution - Signatory Authority - Acquisition of Real Property - 3151 Varina on the James - Varina District.
- 92-23 Resolution - Award of Contracts - Annual Traffic and Roadway Engineering Services.
- 93-23 Resolution - Acceptance of Roads - Three Chopt District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
March 14, 2023**

PRESENTATION

Proclamation - Recognizing a Day of Honor for Pocahontas and Celebrating American's Native American Tribes.

This proclamation designates March 21 as "A Day of Honor for Pocahontas" in the County of Henrico and calls on its residents to join in honoring Pocahontas as a patron of peace and cross-cultural understanding and celebrating American's Native American Tribes.

APPOINTMENTS

RESOLUTION - Appointment of Member - Historic Preservation Advisory Committee.

This Board paper appoints the following person to the Historic Preservation Advisory Committee for a three-year term ending December 31, 2025, or thereafter when her successor has been appointed and qualified:

Varina District Betty Estes

RESOLUTION - Appointment of Member - Belmont Advisory Committee.

This Board paper appoints the following person to the Belmont Advisory Committee for a term expiring December 31, 2025, or thereafter when his successor has been appointed and qualified:

At-Large Darius O. Webster

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

PUP2023-00001 Brookland	Family Holdings, LLC: Request for a Provisional Use Permit under Sections 24-2306 and 24-3708 of Chapter 24 of the County Code to allow a mixed-use development with multifamily residential on Parcel 776-736-1392 located on the west line of Westmoreland Street at its intersection with Jacque Street. The existing zoning is M-1 Light Industrial District and B-3 Business District. The 2026 Comprehensive Plan recommends Heavy Industry. The site is in the Westwood Redevelopment Overlay District. Acting on a motion by Mr. Witte, seconded by Mrs. Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because it would provide added residential and commercial services to the community and the conditions should minimize the potential impacts on surrounding land uses.
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REZ2022-00033
Brookland

4911 Augusta LLC: Request to conditionally rezone from B-1 Business District to R-6C General Residence District (Conditional) Parcel 773-736-5900 containing .699 acres located on the south line of Augusta Avenue approximately 160' west of the intersection of Staples Mill Road (U.S. Route 33). The applicant proposes a master-planned development with commercial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Archer, 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 and the proffered conditions will provide appropriate quality assurances not otherwise available. **(Deferred from the January 24, 2023, meeting.)**

PUP2022-00018
Brookland

4911 Augusta LLC: Request for a Provisional Use Permit under Sections 24-4205 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 773-736-5900 located on the south line of Augusta Avenue approximately 160' west of the intersection of Staples Mill Road (U.S. Route 33). The existing zoning is B-1 Business District. R-6C General Residence District (Conditional) zoning is proposed with REZ2022-00033. The 2026 Comprehensive Plan recommends Office. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Archer, 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. **(Deferred from the January 24, 2023, meeting.)**

REZ2022-00036
Fairfield

Sauer Properties, Inc.: Request to conditionally rezone from O-3C Office District (Conditional), B-3C Business District (Conditional), and M-2C General Industrial District (Conditional) to CMUC Community Mixed-Use District (Conditional) (60.35 acres) and M-2C General Industrial District (Conditional) (33.05 acres) Parcels 784-766-7690, 785-769-6656, 786-768-8517 and part of 784-767-4440 containing 93.4 acres located on the west line of Jeb Stuart Parkway at the intersection of Telegraph Road, the east line of Jeb Stuart Parkway between Virginia Center Parkway and Telegraph Road, and the south line of Virginia Center Parkway west of its intersection with Battlefield Road. The applicant proposes a community mixed-use development and industrial uses. The CMU District allows a minimum gross density of 10 units per acre and a maximum gross density of 40 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office/Service, Office, Commercial Arterial, and Environmental Protection Area. 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 reflects the type of residential growth in the area and the employment uses support the County's economic development policies.

PUBLIC HEARINGS - OTHER ITEMS

RESOLUTION - Declaration of Surplus Property - Signatory Authority - Conveyance of Two 5-Foot-Wide Access Strips to Abandoned Well Lot in Rollingwood Subdivision - Tuckahoe District.

This Board paper authorizes the Chairman and the County Manager to execute documents necessary to convey two 5-foot-wide strips of land that formerly provided access to a County well lot. The well lot has since been abandoned, and the County no longer needs the access strips. Accordingly, the County proposes to convey the strips to the neighboring property owners for \$5.00.

The Real Property Division has processed the quitclaim 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 - Declaration of Surplus Property - Signatory Authority - 9524 North Run Rd. and 2200 20th St. (Fairfield District) - 7010 Woodside St., 5125 Robin Grey Ln., 5001 Audubon Dr., 4938 Stonewall Ave., 3500 Britton Rd., and 7014 Woodside St. (Varina District)

This Board paper authorizes One South Realty Group, LLC to market for sale a total of nine surplus County parcels for a minimum sales price of the 2023 assessed values for the Parcels.

Address	Subdivision	Magisterial District	Current Assessment (01/30/2023)	Approximate Parcel Size
7010 Woodside St	Sunset Heights	Varina	\$7,100	11,050 sq. ft.
5125 Robin Grey Ln	Robin Grey	Varina	\$34,000	8,906 sq. ft.
5001 Audubon Dr	None	Varina	\$157,700	33,206 sq. ft.
4938 Stonewall Ave	Larchmont	Varina	\$1,900	2,600 sq. ft.
3500 Britton Rd	None	Varina	\$57,300	142,006 sq. ft.
7014 Woodside St	Sunset Heights	Varina	\$7,100	11,050 sq. ft.
9524 North Run Rd	Winona Park	Fairfield	\$1,300	3,600 sq. ft.
2200 20th St	Mechanicsville Gardens	Fairfield	\$20,000	15,594 sq. ft.

Under this authorization, any contract for sale must be executed before December 31, 2023.

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.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Receipt of Operating and Capital Budget Estimates for FY 2023-24 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 2023-24. 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 6:00 p.m., on Tuesday, April 11, 2023.

This paper further directs the Clerk to advertise the proposed tax rates and levies for calendar year 2023 and a public hearing thereon to be held at 7:00 p.m., on Tuesday, April 25, 2023.

Both advertisements are to appear on or before Sunday, March 26, 2023, in a newspaper having general circulation in the County.

Legal constraints require such advertising but 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 20, 2023.

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

RESOLUTION - Intent to Form Tourism Improvement District - Notice of Public Hearing.

This Board paper declares the County's intent to form a tourism improvement district and sets a public hearing for March 28, 2023.

The district would include all lodging businesses in the County with 41 or more rooms. Those businesses would pay a 2% business fee on gross revenues for all stays of 30 days or less. The fees would be used for sales, marketing, promotions, and special events programs to market those lodging businesses in the County as tourist, meeting, and event destinations. Richmond Regional Tourism would administer the district on behalf of the County.

Following the public hearing on March 28, affected business owners would have 30 days to file objections with the Clerk of the Board. After the objection period concludes, staff anticipates the Board would consider an ordinance to establish the district on May 9, 2023.

Similar actions are contemplated by the counties of Chesterfield and Hanover, the towns of Ashland and Colonial Heights, and the City of Richmond.

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

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 20-78 of the Code of the County of Henrico Titled “Elderly or permanently and totally disabled persons” to Increase the Maximum Annual Real Estate Tax Exemption for the Real Estate Advantage Program From \$3,000 to \$3,200.

This Board paper introduces for advertisement and a public hearing on April 11, 2023, an ordinance to increase the maximum annual real estate tax exemption for participants in the Real Estate Advantage Program from \$3,000 to \$3,200. This change would be retroactive to January 1, 2023, and apply to participants in the Program this year.

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

RESOLUTION - Award of Contract - Cancer and Cardiovascular Screening for the Division of Fire.

This Board paper awards a professional services contract to Hampton Roads Ultrasound, LLC to provide cancer and cardiovascular screening services for the Henrico County Division of Fire on an if-and-when needed basis.

Two proposals were received in response to RFP 22-2430-10EMP. After review of the written proposals, the selection committee interviewed United Diagnostic Services, LLC and Hampton Roads Ultrasound, LLC.

Based on the written proposals and interviews, the selection committee selected Hampton Roads Ultrasound, LLC as the top-ranked firm and negotiated a unit price contract of \$5,600 per scheduled exam day. A maximum of 14 appointments will be available per scheduled exam day.

The Board paper authorizes the County Manager to execute the contract and the County Manager or Purchasing Director to execute contract amendments within the scope of the contract.

The Fire Chief and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

RESOLUTION - Adoption of Procedures for Construction Management Contracts.

This Board paper would adopt procedures for procuring construction management contracts. A “construction management contract” allows a public body to engage a construction manager early in the design process to provide input in the design of construction projects. The construction manager would coordinate and administer construction projects on behalf of the County and, if provided in the contract, provide construction services.

With the construction management process, a construction manager is brought into the project earlier in the process and works with the design team and County staff to make project design recommendations. Once the design is finished, the construction manager and County agree on a fixed price, or not to exceed price, for the project. The construction manager accepts responsibility for procuring project subcontractors, negotiating prices, and

ensuring the timely completion of the project. As such, the construction manager takes on the risks associated with project completion and cost. Ultimately, specific projects which lend themselves to the construction management process may incur less costs and faster completion.

As required by law, the proposed procedures are consistent with (i) the construction management procedures adopted by the Virginia Secretary of Administration and (ii) the standards for a two-step competitive negotiation process established by the Virginia Department of General Services, Division of Engineering and Buildings.

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

RESOLUTION - Authorizing the County Manager to Submit an Amendment to the Henrico County 2021-22 Annual Consolidated Action Plan adding the HOME-ARP Allocation Plan and to Execute an Amended HOME Agreement.

This resolution authorizes the County Manager to submit to HUD an amendment to the 2021-22 Annual Consolidated Action Plan to add a HOME-ARP Allocation Plan. The amendment is required to have access to an additional \$3,216,865 of HOME funds allocated through the American Rescue Plan Act of 2021.

The resolution also authorizes the County Manager to execute an amended HOME Agreement with HUD to accept these funds.

The Department of Community Revitalization has prepared the required HOME-ARP Allocation Plan consistent with HUD requirements and conducted a public hearing on February 16, 2023. The HOME-ARP Allocation Plan identifies proposed uses of these funds.

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

RESOLUTION - Signatory Authority - Memorandum of Understanding - Maggie Walker Community Land Trust - Varina District.

This Board paper authorizes the County Manager to execute a memorandum of understanding with the Maggie Walker Community Land Trust. The Trust proposes to develop property at Willson Road, just north of the intersection of New Market Road on the site of the proposed Arcadia development, into 20 single-family detached homes. Under the community land trust model, these affordable homes will be available to qualified purchasers earning no more than 115% of the area median income for the Richmond metropolitan area.

The memorandum of understanding anticipates a future appropriation of \$500,000 to the Trust following final subdivision approval for the necessary lots. The Trust will solicit at least \$300,000 in matching donations for the grant.

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

RESOLUTION - Signatory Authority - License Agreements - Henrico Sports & Events Center - Fairfield District.

This Board paper delegates management authority of the Henrico Sports & Entertainment Center to the Sports and Entertainment Authority (“SEA”) and authorizes the County Manager or his designee, with the Executive Director of SEA, to execute license agreements granting prospective users permission to use the Center for sports and entertainment events. This Board paper further authorizes SEA to establish suitable regulations, terms, and conditions of use, including fees. SEA will manage reservations of the Center to ensure that proposed sports and entertainment events do not interfere with the County's use of the property.

The Executive Director of the Sports and Entertainment Authority of Henrico County, Virginia, recommends approval of the Board paper; the County Manager concurs.

RESOLUTION - Signatory Authority - Acquisition of Real Property - Pump Station - Varina District.

This Board paper authorizes the County Manager to execute a Memorandum of Agreement and accept a deed from the Economic Development Authority for 2.7 acres of land at the intersection of Portugee Road and Memorial Drive. The Department of Public Utilities will use the land for a pump station and related facilities necessary for water pressure requirements at the White Oak Technology Park. The 2.7 acres is a portion of a 53.88-acre tract of land that the EDA has under contract. The EDA approved the execution of the Memorandum of Agreement and the conveyance of the 2.7 acres to the County at its meeting on February 16, 2023.

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

RESOLUTION - Signatory Authority - Acquisition of Real Property - 3151 Varina on the James - Varina District.

This Board paper would appropriate funding and authorize the County Manager to take all actions necessary to acquire the property known as 3151 Varina on the James for its 2023 assessed value of \$1,332,000. The property consists of an historic house and 5.6 acres of scenic land on the James River. The County intends to use the property for historic preservation, education, and recreation purposes.

Funding will come from the fund balance in the General Fund via an interfund transfer to the Capital Projects Fund, project # 06552. The Director of Real Property recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - Award of Contracts - Annual Traffic and Roadway Engineering Services.

This Board paper would award contracts to A. Morton Thomas and Associates, Inc.; Clark Nexsen, Inc.; Kimley-Horn and Associates, Inc.; Rummel, Klepper & Kahl, LLP; Timmons Group; and Whitman, Requardt & Associates, LLP to provide annual traffic and roadway engineering services. The contracts would be for design and engineering services for various

infrastructure projects across the County, including roadway, bicycle, and pedestrian improvements.

On September 29, 2022, eight proposals were submitted in response to RFP# 22-2414-8JOK. Based upon the review and evaluation of the proposals, the Selection Committee interviewed the following firms:

A. Morton Thomas and Associates, Inc.
Clark Nexsen, Inc.
Kimley-Horn and Associates, Inc.
Rummel, Klepper & Kahl, LLP
Timmons Group
Whitman, Requardt & Associates, LLP

Based on the written proposals and interviews, the committee members selected A. Morton Thomas and Associates, Inc.; Clark Nexsen, Inc.; Kimley-Horn and Associates, Inc.; Rummel, Klepper & Kahl, LLP; Timmons Group; and Whitman, Requardt & Associates, LLP as the top-ranked firms and negotiated a unit cost rate schedule with each firm. The contracts will be for a one-year term and may be renewed for three additional one-year terms. The project fees for each contract may not exceed \$2,500,000 for any single project and \$10,000,000 per one-year term.

The Director of Public Works and the Purchasing Director recommend approval of this 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 road into the County road system for maintenance:

0.05 miles of Village Springs Drive – Three Chopt District
0.13 miles of Leakes Mill Drive – Three Chopt District
0.06 miles of Forest Hollow Drive – Three Chopt District
0.17 miles of Forest Hollow Court – Three Chopt District
0.05 miles of Holman Ridge Road – Three Chopt District

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