

COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
REGULAR MEETING  
November 14, 2023

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, November 14, 2023, at 7:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

**Members of the Board Present:**

Frank J. Thornton, Chairman, Fairfield District  
Tyrone E. Nelson, Vice-Chairman, Varina District  
Thomas M. Branin, Three Chopt District  
Patricia S. O'Bannon, Tuckahoe District  
Daniel J. Schmitt, Brookland District

**Other Officials Present:**

John A. Vithoulkas, County Manager  
Andrew R. Newby, County Attorney  
Tanya N. Brackett, CMC, Assistant to the County Manager/Clerk to the Board  
Michael Y. Feinmel, Deputy County Manager for Public Safety  
W. Brandon Hinton, Deputy County Manager for Administration  
Monica Smith-Callahan, Deputy County Manager for Community Affairs  
Cari M. Tretina, Deputy County Manager/Chief of Staff  
Steven J. Yob, Deputy County Manager for Community Operations  
Benjamin A. Sheppard, Director of Public Relations

Jeanetta Lee, Chaplain for the Henrico County Police Division, delivered the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, the Board approved the minutes of the October 24, 2023, Regular and Special Meetings, and the March 20 – 23, 2023, Special Meeting minutes.

The vote of the Board was as follows:

Yes: Thornton, Nelson, Branin, O'Bannon, Schmitt

No: None

**MANAGER'S COMMENTS**

Mr. Vithoulkas recognized Mrs. Helen Wood, the 2023 Christmas Mother. Joining her was Tanya Brackett and Rebecca Slough, the General Government Christmas Mother representatives. Mrs. Wood began volunteering with the Henrico Christmas Mother program in 2004, when she retired from the Henrico County Public Schools after 30 years of teaching. She was the 1992 Gilman Award Recipient and the 2000 - 2001 Teacher of the Year. Mrs. Wood thanked the Manager and the Board and announced she was pleased to bring greetings to the Board and give an update regarding the program. Mrs. Wood

explained the purpose of the program and how it benefits the residents of the community. Mrs. Wood stated this year expenses are anticipated to be \$295,000. She thanked Henrico County employees and encouraged the Board to stop by the warehouse.

Mr. Vithoulkas noted November as National Native American Heritage Month and encouraged all people to learn about the contributions and cultures of indigenous peoples. He recognized Julian Charity, Division Director of History, Heritage & Natural Resources with Henrico Recreation and Parks to the podium to tell us about Native American Heritage Month.

Mr. Charity stated National Native American Month is celebrated each year in November as a time to celebrate the traditions, languages, and stories of Native American, Alaska native, Native Hawaiian, and affiliated island communities and ensure their rich histories and contributions continue to thrive with each passing generation. This November and every month, we celebrate the culture and heritage of these remarkable Americans who deeply enrich the quality and character of our nation. This year's theme is "Celebrating Tribal Sovereignty and Identity." Tribal sovereignty ensures that any decisions about tribes regarding their property and citizens are made with participation and consent. Mr. Charity noted that, despite centuries of violence and oppression, native peoples remain resilient and proud. Today, Native Americans are essential to the fabric of the United States and the County of Henrico. We take a moment this evening to recognize that this county was home to native peoples for thousands of years prior to European exploration and the establishment of Henrico in 1611. We acknowledge the complex history and tremendous contribution of the native peoples who lived and thrived on the land that we call Henrico County. Their contributions to science, humanities, arts, public service, and more have brought prosperity for all of us. Their diverse cultures and communities continue to thrive and lead us forward.

Mr. Vithoulkas stated the County is proud to offer My Henrico Academy, a free program that celebrates our cultural diversity and promotes engagement with immigrants and descendants. This May, the My Henrico Academy began the 2023 session with 29 participants representing 17 countries, 19 ethnicities and nationalities, and 23 native languages. In recognition of their completion of the seven-month program, he invited one of the new 2023 My Henrico Academy ambassadors, Sarah Bice to the podium to offer comments.

Ms. Bice stated she came to America from China 35 years ago as a scholarship student with just \$121 and no friends or relatives. After a long journey, she moved to Glen Allen in 1998. She appreciated the program's in-person interactions and effective communication, with County officials and department leaders answering questions directly. For example, she enjoyed getting to learn about Henrico economic development directly from County supervisors. She applauded My Henrico Academy's organized and effective provision of business opportunities. This program provided rich information for starting businesses, including resources that participants will be able to share with other new Americans who seek similar opportunities. She concluded by noting that China is her birthplace, but Glen Allen is her hometown by choice! She thanked the Board of Supervisors and the County Manager for meeting with the group and sharing their goals for the community. Likewise, Mr. Vithoulkas thanked Raina Vann for all her work with this program.

## **BOARD OF SUPERVISORS' COMMENTS**

Mr. Schmitt recognized Cub Scout Pack 736 from St. Michael the Archangel Catholic Church in Glen Allen, who were attending the meeting working on Building a New World Badge: Emily, Jacob, Samuel, Nathiel, Oryan, Josh, Kain, Roman, Jackson, Connor, Jack, Noah, Grayson, Phin, Thomas, Ethan, and Will. Joining them was Pat Hilbish, the Den Leader. Mr. Schmitt thanked the troop leader for bringing the troop out.

Mr. Branin congratulated Mr. Schmitt and Mr. Nelson on being re-elected and congratulated the three new members of the Board.

Mr. Thornton congratulated the new Fairfield District Supervisor and noted the new faces who will be coming to the Board.

## **RECOGNITION OF NEWS MEDIA**

There was no media present for the meeting.

## **RESIGNATIONS/APPOINTMENT**

- 289-23                      Resolution - Resignation of Member - Board of Building Code Appeals.
- On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.
- 290-23                      Resolution - Appointment of Member - Board of Building Code Appeals.
- On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached resolution.
- 291-23                      Resolution - Resignation of Member - Keep Henrico Beautiful Committee.
- On motion of Mrs. O'Bannon, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached resolution.

## **PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT**

- 115-22                      Markel | Eagle Advisors, LLC: Request to conditionally rezone from A-1  
REZ2022-                      Agricultural District to R-5AC General Residence District (Conditional)  
00002                      part of Parcels 733-778-7649 and 734-777-3893 containing 46.599 acres  
Three Chopt                      located at the southwest intersection of Pouncey Tract Road (State Route  
271) and Wyndham West Drive.

Mr. Vithoulikas announced the applicant has requested a deferral for this item.

No one from the public spoke in opposition to this item.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board deferred this item to the December 12, 2023,

meeting.

The vote of the Board was as follows:

Yes: Thornton, Nelson, Branin, O'Bannon, Schmitt

No: None

292-23  
REZ2023-  
00011  
Brookland

Christine McGuirl: Request to conditionally rezone from B-2 Business District and R-5 General Residence District to UMU-PD Urban Mixed-Use Planned Development District Parcels 773-736-2198 and 773-736-6272 containing 37.247 acres located at the southeast corner of W. Broad Street and Willow Lawn Drive.

Andrew Ryan, Vice President of Floral Gardens Associates, supports the projects and the new development coming in the area but wants to make sure the neighborhoods surrounding the area are not left out of discussions when it comes to improvements of sidewalks, crosswalks, and roads.

Mr. Schmitt thanked Mr. Ryan for his diligent work on behalf of his neighborhood. He noted there have been two community meetings on this case and stated this is a very long-term project which will be done in phases, and they will continue to work with the surrounding neighbors and neighborhoods.

On motion of Mr. Schmitt, seconded by Mrs. O'Bannon, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. Pattern Book. The Property must be developed in general conformance with the Concept Plan, illustrations and information set forth in the *Willow Lawn, Henrico County, Virginia, Pattern Book* (the "Pattern Book") (see case file). All illustrations and information are conceptual in nature and may vary in detail. If the development is not in general conformance with the Pattern Book (see case file), deviations may be approved in any subsequent Plan of Development ("POD"), subdivision approval, or any variations permitted by the Director of Planning upon the Director finding that the variations are generally in keeping with the spirit and concept of the Pattern Book (see case file).
2. Uses.
  - (a) All uses permitted in the UMU-PD district found in Section 24-4205 are allowed except for the following uses which are prohibited on the Property.
    - (i) Gun shop, sales, and repair.

- (ii) Adult uses.
- (iii) Alternative lending institution.
- (iv) Flea markets.
- (v) Billboard signs.
- (vi) Light manufacturing.

(b) One (1) automotive filling station (fuel only) is permitted on the Property.

(c) At least three (3) residential housing types are required on the Property and may include rental residential multi-family buildings with one-, two-, and/or three- bedroom units, rental or for-sale upper story dwellings over commercial, rental or for-sale upper story dwellings over office uses, and condominiums for sale. If Zoning Ordinance Section 24-3507.C.2 is revised to reduce the number of required housing types, then the new number of housing types will apply.

3. **Residential Density.** Density limits for each individual area (an "Area") will be consistent with the "Proposed Master Bubble Diagram" ("Bubble Diagram") in the Pattern Book (see case file) unless otherwise approved by the Director of Planning at the time of POD, provided the overall permitted density is not exceeded. Any density increases allowed for Environmentally Friendly Design Incentives set out in Division 9 of Article 5 in the Zoning Ordinance can be applied to individual Areas as approved at the time of POD and based on the overall acreage of the Property. No more than five percent (5%) of the rental dwelling units in each Area can have three (3) or more bedrooms.

4. **Building Standards.** Development of the Property is subject to the following building standards, unless otherwise approved at the time of POD.

(a) New buildings constructed on the Property must be in general conformance with one or more of the illustrations incorporated into the Pattern Book (see case file). The illustrations are conceptual in nature and may vary in detail. In the event a proposed building is not in general conformance with the Pattern Book (see case file), deviations may be approved in any POD, subdivision approval, or any other time permitted by the Director of Planning upon the Director finding that the deviations are generally in keeping with the spirit and concept of the illustrations shown in the Pattern Book (see case file).

(b) One (1) signature building, up to one hundred and fifty (150) feet in height, is permitted but not required on the Property.

(c) The signature building may be a single use building or contain a mix of uses.

- (d) Other new buildings may be constructed up to one hundred (100) feet in height.
  - (e) Any building constructed over one hundred (100) feet in height may not be located on Areas 1, 9, or 11, with preference given to Areas 6, 7, or 8 as delineated on the Bubble Diagram.
5. **Drive-Through Service Windows.** New Drive-Through Windows must be designed to minimize negative impacts to the pedestrian environment.
  6. **Updated TIA.** With each POD submission, should the proposed use be materially inconsistent with, and negatively impact the findings in the Traffic Impact Analysis ("TIA") submitted with the rezoning (see case file), such TIA must be updated upon request by the Director of Public Works.
  7. **Parking Plan.** An updated parking study, based on the required parking and shared parking set forth in the Zoning Ordinance, must be included with each POD submission. Each POD must identify the location and means of providing alternative parking areas, if needed, during redevelopment/construction.
  8. **Private Streets.** Following construction of any new or updated private street, the Applicant must provide the County Planning Department with certification from a licensed engineer that the streets were constructed according to the approved Concept Plan or POD, and in compliance with County road design standards and specifications (except as to pavement width and turning radii). Such construction must include proper compaction of the subbase soils, utility trenches, base stone, and the base asphalt surface.
  9. **Blocks and Internal Streets.**
    - (a) Except for the existing commercial buildings, block lengths must be limited to 650 feet in length.
    - (b) If the existing commercial buildings are redeveloped/reconstructed such that a mid-block street or pedestrian way is feasible, a mid-block street or pedestrian way must be provided.
    - (c) Internal streets not shown on Bubble Plan but developed at the time of POD approval must conform to one of the Streetscape Sections provided in the Pattern Book (see case file) or as otherwise approved by the Director of Planning.
    - (d) As development occurs, internal roads will be allowed to align and access (where feasible) the adjacent public roads along the eastern Property line.

- (e) At the time of POD, road widths shown in the Pattern Book (see case file) may be reduced if approved by the Fire Department and the Director of Planning. Such reduction can be accomplished with the use of midblock hardscapes or other methods to create the twenty-four (24) foot clearance needed for fire apparatus to serve tall buildings.
- 10. **Parking Structures.** Parking structures that are not faced or wrapped with commercial, office, or residential uses, must be clad or screened in a manner that is consistent with the Pattern Book (see case file).
- 11. **Residential Recycling Facilities.** Recycling facilities must be provided for the residential development for so long as the County either provides or sponsors some form of recycling. Outside recycling and refuse collection area(s) provided must comply with the requirements set forth in Section 24-4428 of the Zoning Ordinance and as shown in the Pattern Book (see case file).
- 12. **Emergency Communication Systems.** The Applicant must install a fire command center and emergency radio communication equipment within any new building exceeding sixty (60) feet in height to allow for adequate public safety and radio coverage within and between the buildings. A communications consultant must certify such equipment as compatible with the County's emergency communication system within ninety (90) days of the owner or tenant obtaining a Certificate of Occupancy ("C/O") for any such building. The County is permitted to perform communications testing within the buildings at any time.
- 13. **Fire Protection-Structured Parking.** A three-inch (3") standpipe for fire protection must be provided within all structured parking at approximately 200-foot intervals or consistent with the standards of the Virginia Construction Code, whichever is more restrictive. The exact location of these improvements and any necessary deviations will be determined by the Division of Fire during POD review.
- 14. **Fire Protection.** All new structures, including parking structures, other than open, standalone parking garages, must be fully sprinkled for fire protection or consistent with the standards of the Virginia Construction Code.
- 15. **Electric Vehicle (EV) Charging Stations Level 3 (the "EV Stations").**
  - (a) At least eight (8) EV Stations must be provided where surface parking lots exist on the Property [includes the existing four (4) EV Stations] at the time of C/O for 70,000 square feet of new commercial space. [excludes existing commercial square footage].

- (b) At least two (2) EV Stations must be provided within each parking garage.
  - (c) The infrastructure for EV Stations in each parking garage must be designed so that up to eight (8) additional EV Stations can be added over time.
16. **Design Criteria and Standards.** In addition to the following, the standards and examples set out in the Pattern Book (see case file) also apply to the Property. The location and design of the various elements listed (as appropriate) will be included at the time of POD review. Deviations may be approved by the Director of Planning upon the Director finding that variations in these standards are generally in keeping with the spirit and concept of the Pattern Book (see case file).
- (a) Signage.
    - (i) New signage must be consistent with the current sign program approved for the Property.
    - (ii) Signs may be illuminated with internal lighting, external lighting, or a combination of both.
    - (iii) Lighting will be selected and installed to avoid glare or impair vision.
  - (b) Site Lighting.
    - (i) Site lighting must be pedestrian in scale and designed to complement the Property architecture.
    - (ii) Streetlights will be ornamental in style and a maximum of fourteen (14) feet in height except poles up to twenty (20) feet in height is allowed at major intersections.
  - (c) Recycling and Dumpster Enclosures. The location and the design must be convenient and complement the Property architecture.
  - (d) Heating, Ventilation, and Air Conditioning ("HVAC").
    - (i) HVAC installed on roofs must be screened by roof or architectural features when viewed from the ground at the Property line.
    - (ii) Ground mounted HVAC must be screened from view at the Property line with approved fencing or landscaping.
  - (e) Bicycle and Pedestrian Facilities.
    - (i) In addition to on-site bicycle parking facilities required by the Zoning Ordinance, each multifamily building with more



than ninety (90) dwelling units must provide an enclosed bicycle storage area in the building or in the parking garage that has a bicycle parking capacity equal to at least five (5) percent of the number of residential units within the building.

- (ii) Crosswalks will be provided at key locations and clearly signed and visible for safe navigation.
- (iii) Traffic calming measures such as on-street parking, curb extensions/bump outs, changing surface material, texture, or color of streets, intersections, and crossings will be provided to facilitate bicycle and pedestrian facilities and such measures will be determined at the time of POD.
- (iv) If the County constructs a crosswalk across Willow Lawn Drive at Fitzhugh Avenue, the Applicant will install a sidewalk to facilitate pedestrian access into the Property. The sidewalk will be installed at the Property entrance at Fitzhugh Avenue as part of the County's crosswalk construction but no later than six (6) months after the crosswalk is completed.

(f) Setbacks.

- (i) The minimum building setback from the Property boundaries will be ten (10) feet.
- (ii) The maximum build-to setback from the Property boundaries will be fifty (50) feet.
- (iii) Setbacks from internal streets are shown in the Streetscape Sections of the Pattern Book (see case file).

(g) Hours of Operation.

- (i) Commercial uses are limited to the hours of operation restriction for the B-2 zoning district.
- (ii) All existing or future Provisional Use Permits that provide exceptions to such hours are exempt from this provision.

17. **Vendor Areas.** New areas of the Property may be designated at the time of POD for the preparation of food or beverages or the sale or display of merchandise conducted in an open area or structure. One or more individual vendors operating from stalls, stands, carts, vehicles, or other spaces which are rented or otherwise made available to such vendors are permitted. Such activities may include a market, sale of merchandise as part of a permitted festival or other similar special event, or the outdoor display or sale by a single food or beverage vendor, operated as an incidental part of retail activity regularly conducted from within a permanent building on the

Property. Sidewalk widths adjacent to outdoor vending areas must not be reduced to less than five (5) feet, except to accommodate a permitted festival or other similar special event. Trash receptacles must be provided and conveniently located for each block that includes an outdoor vending area. Existing areas on the Property already approved and used for vendor display or outdoor seating are not required to meet the above referenced standards unless the areas are redeveloped or redesigned.

18. **Phasing.** The "Proposed Master Bubble Diagram" in the Pattern Book (see case file) will serve as a preliminary phasing plan (the "Phasing Plan") for the Property. The numerical references identify the various Areas of development. Any Area may be broken into multiple parts or reconfigured as determined at the time of POD. The Areas do not have to follow the numerical sequence set out on the Phasing Plan. Notwithstanding where development may occur over time, the following improvements must be constructed as follows.

- (a) Construction of any residential or mixed-use buildings on Area 1 must include construction of a sidewalk or pedestrian way from Area 1 to the existing sidewalk located on the southern side of Kroger.
- (b) Following the construction of any new residential or mixed-use building located outside of Area 1 and prior to the completion of more than 645 total dwelling units, 20,000 square feet of the Central Courtyard must be developed, which may include the existing playground and seating areas. Upon construction of the new streets along the Central Courtyard that will require demolition of portions of the existing retail buildings, the remaining portion of the Central Courtyard must be completed. The Central Courtyard must include several types of seating, shade, and a public art feature. Notwithstanding the requirements set forth above, the Central Courtyard must be completed prior to the completion of more than 995 residential units.
- (b) Construction or reconstruction of cross streets may be phased such that one side of the street may be completed with any required sidewalks and landscaping before the other side of the street is completed. Which improvements are required for the partial street improvements will be determined at the time of POD review.

19. **Tree Cover.**

- (a) At the time of POD submittal for the first development Area, the Applicant will prepare an inventory of existing tree cover for the Property together with the proposed tree cover for the

Area. For each subsequent POD, the tree cover for the Property will be updated.

- (b) The minimum tree cover on the Property must be at least five (5) percent of the Property and meet the standards set out in Section 24-5308 of the Zoning Ordinance. The minimum tree cover will be required upon completion of Area 5.
- (c) Additional elements to provide shade, reduce stormwater, and enhance streetscapes and the appearance of parking lots, will be provided and addressed at the time of POD. These elements include, but are not limited to, the following:
  - (i) Sail Shades
  - (ii) Trellises
  - (iii) Street Trees
  - (iv) Rain Gardens/Bio-Retention
  - (v) Planter Boxes
  - (vi) Sidewalk Canopies and Awnings

20. **Severance.** The unenforceability, elimination, revision, or amendment of any proffer set forth herein, in whole or in part, must not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

The vote of the Board was as follows:

Yes: Thornton, Nelson, Branin, O'Bannon, Schmitt

No: None

293-23  
REZ2023-  
00030  
Varina

Carlson Environmental Consultants, PC: Request to amend proffers accepted with C-051C-01 on Parcel 813-711-8407 located on the north line of Charles City Road approximately 340' northwest of its intersection with Glen Alden Drive.

No one from the public spoke in opposition to this item.

On motion of Mr. Nelson, seconded by Mr. Branin, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. The property shall be developed similar to the attached concept plan, entitled Carlson Office Schematic Layout, by Silvercore, dated August 17, 2023, which is filed herewith (see case file) or as otherwise approved at the time of plan of development review.
2. The exterior building materials shall be in substantial conformity to the plan prepared by Appich Architects and dated August 30, 2023

and revised September 26, 2023 (see case file) or as otherwise approved at the time of plan of development review.

3. Best efforts shall be made to preserve the existing vegetation within all of the required transitional landscape buffers.
4. No building constructed on the property shall exceed thirty (30) feet in height.
5. Parking lot lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade of the base of the lighting standard. The lighting shall be from a concealed source and shall be reduced to minimum security levels after business hours.
6. All proposed utility lines such as electric, telephone, CATV or other similar uses shall be installed underground.
7. Freestanding signs shall not exceed six (6) feet in height and signage shall be limited to monolithic type signs, attached signs and directional signs.
8. All trash receptacles shall be screened with materials compatible with the proposed building.
9. Dedication of right-of-way, pavement widening and installation of curb and gutter and any necessary storm sewer along Charles City Road shall be provided as required by the Department of Public Works at the time of plan of development approval.
10. All retail uses shall be prohibited on the property.
11. A twenty-five (25) foot landscaping strip shall be provided along the property line adjacent to Charles City Road.
12. The enforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of such proffer.

The vote of the Board was as follows:

Yes: Thornton, Nelson, Branin, O'Bannon, Schmitt

No: None

294-23  
REZ2023-  
00029  
Fairfield

Christopher & Marlene Otto: Request to rezone from B-1C Business District (Conditional) to R-4 One-Family Residence District Parcel 782-745-3120 containing 0.17 acres located at the northwest intersection of Dumbarton Road and Bloomingdale Avenue.

No one from the public spoke in opposition to this item.

On motion of Mr. Branin, seconded by Mr. Schmitt, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item:

All that certain lot, piece or parcel of land, with improvements thereon and appurtenances thereto belonging, lying and being in the County of Henrico, Virginia, being designated as Lot 14, Block 5, in the Plan of Bloomingdale, plan of which is recorded in Plat Book 9, page 56, in the Clerk's Office, Circuit Court of Henrico County, Virginia, reference to said plat is being made for a more particular description of the property. Being a part of the same property conveyed to Edos LLC, a Virginia limited liability company, by Deed from Innovative Asset Solutions LLC, a Virginia limited liability company, dated December 2, 2008, and recorded December 16, 2008, in the Clerk's Office, Circuit Court, Henrico County, Virginia, in Book 4586, Page 429.

The vote of the Board was as follows:

Yes: Thornton, Branin, O'Bannon, Schmitt

No: None

Absent: Nelson

135-23  
PUP2022-  
00017  
Varina

DG Virginia CS, 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 Parcel 857-689-8404 located on the south line of Charles City Road approximately 650' east of the intersection of Elko Road (State Route 156).

Mr. Vithoulkas announced this case had been withdrawn by the applicant and there was no action required by the Board.

### **GENERAL AGENDA**

146-23                      Resolution - SIA2022-00002 - DG Virginia CS, LLC - Not Substantially in Accord with 2026 Comprehensive Plan - Varina District.

No action is required by the Board; the item has been withdrawn by the applicant.

### **PUBLIC HEARINGS - OTHER ITEMS**

295-23                      Ordinance - Approval of Cooperative Marketing - Richmond Raceway Fairfield District.

No one from the public spoke in opposition to this item.

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached ordinance.

296-23            Resolution - Condemnation - Right-of-Way and Easements - Magellan Parkway Extension Project - Park Central Drive - Fairfield District.

No one from the public spoke in opposition to this item.

On motion of Mr. Nelson, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.

### **PUBLIC COMMENTS**

Jamie Williams, a resident of the Three Chopt District, expressed concern about unemployment laws in the Commonwealth.

### **GENERAL AGENDA CONT'D**

297-23            Resolution - Authorizing a Public Hearing to Consider Adoption of a Resolution Creating the GreenCity II Community Development Authority.

At the request of Mr. Thornton, Andrew Newby, County Attorney, explained what a CDA is and what authority they have.

On motion of Mr. Schmitt, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

298-23            Resolution - Authorizing a Public Hearing to Consider Adoption of a Resolution Amending the Resolution Creating the GreenCity Community Development Authority.

On motion of Mr. Schmitt, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

299-23            Resolution - Award of Contract - Jail West Security Alterations - Brookland District.

On motion of Mr. Schmitt, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.

300-23            Resolution - Award of Contract - Voter Registrar Renovation - Brookland District.

On motion of Mr. Schmitt, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

301-23            Introduction of Ordinance - To Change the Polling Place for the Elko Precinct in the Varina District from New Bridge Baptist Church to Elko Middle School by Amending and Reordaining Section 9-2 Titled "Precincts

and polling places" of the Code of the County of Henrico.


On motion of Mr. Nelson, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached introduction of ordinance.

302-23

Resolution - Signatory Authority - Amendment to Contract for Engineering Design Services for Fall Line Trail, Longdale Phase - Fairfield District.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.

There being no further business, the meeting was adjourned at 8:20 p.m.

  
\_\_\_\_\_  
Chairman, Board of Supervisors  
Henrico County, Virginia



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 289-23

Page No. of

Agenda Title: RESOLUTION – Resignation of Member – Board of Building Code Appeals

For Clerk's Use Only:

Date: 11/14/2023

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Nelson  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ☒ ☐ ☐

Nelson, T. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Schmitt, D. ☒ ☐ ☐

Thornton, F. ☒ ☐ ☐

WHEREAS, on January 12, 2021, Joseph J. Hayes, Jr. was reappointed to the Board of Building Code Appeals for a five-year term expiring December 31, 2025, or thereafter, when his successor has been appointed and qualified; and,

WHEREAS, Mr. Hayes submitted his resignation from the Board of Building Code Appeals by correspondence dated October 16, 2023, to the Clerk of the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, hereby accepts the resignation of Joseph J. Hayes, Jr. from the Board of Building Code Appeals.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:



**Brackett, Tanya**

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**From:** joe hayes <hayes-joe@comcast.net>  
**Sent:** Monday, October 16, 2023 12:23 PM  
**To:** Brackett, Tanya  
**Subject:** FW: Hayes County resignation letter

P.O Box 69  
Cardinal, VA 23025  
October 14, 2023

Dear Ms. Brackett:

Regretfully, I am stepping down from my position as Professional Electrical Engineer on the Board of Code Appeals for Henrico County. This decision is due to my residential relocation out of Henrico County. I want to take a moment to especially thank Mr. Gregory Revels for his technical and professional support during my time on the Board.

I am proud and honored to have had the opportunity to serve my community in this endeavor.

However, as a previous member, I would like to submit to the Board and highly recommend to you my replacement. Her name is Mrs. Jennie Monette. She is a current resident of Henrico County and a Professional Electrical Engineer in the State of Virginia. Mrs. Monette, in my opinion, is a highly qualified professional with exceptional moral standards and well versed in the consulting engineering field.

Her contact information is below:

***Jennie P. Monette, PE***  
Principal - Electrical Engineer  
**Engineers Plus**  
2900 Hungary Road, Suite 200  
Richmond, VA 23228  
804.501.0845 Office ext. 115  
804-908-0499 cell  
**<http://www.engineers-plus.com>**

Respectfully,

A handwritten signature in black ink, reading "Joseph J. Hayes, Jr." in a cursive script.

Joseph J. Hayes, Jr., PE



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 290-23

Page No. 1 of 1

Agenda Title: RESOLUTION – Appointment of Member – Board of Building Code Appeals

For Clerk's Use Only:

Date: 11/14/2023

- ( ) Approved  
( ) Denied  
( ) Amended  
( ) Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Brani  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	✓		
Nelson, T.	✓		
O'Bannon, P.	✓		
Schmitt, D.	✓		
Thornton, F.	✓		

BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia, appoints the following person to the Board of Building Code Appeals a term expiring December 31, 2025, or thereafter when her successor has been appointed and qualified:

Electrical Engineer

Jennie P. Monette, PE

By Agency Head

By County Manager

Certified:

A Copy Teste:

Copy to:

Clerk, Board of Supervisors

Date:



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 291-23

Page No. 1 of 1

Agenda Title: RESOLUTION - Resignation of Member - Keep Henrico Beautiful Committee

For Clerk's Use Only:

Date: 1/14/2023

- ( ) Approved  
( ) Denied  
( ) Amended  
( ) Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Schmitt  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	✓		
Nelson, T.	✓		
O'Bannon, P.	✓		
Schmitt, D.	✓		
Thornton, F.	✓		

WHEREAS, on January 11, 2022, Linda A. Leigh was reappointed to the Keep Henrico Beautiful Committee ("the Committee") as a representative of the Tuckahoe District for a term expiring December 31, 2023; and,

WHEREAS, by email correspondence dated October 19, 2023, to Patricia S. O'Bannon, Tuckahoe District Supervisor, Mrs. Leigh submitted her resignation from the Committee effective October 21, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Henrico, Virginia, hereby accepts the resignation of Linda A. Leigh from the Keep Henrico Beautiful Committee.

By Agency Head \_\_\_\_\_

By County Manager \_\_\_\_\_

Copy to: \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

**Brackett, Tanya**

---

**From:** Tuckahoe  
**Sent:** Thursday, October 19, 2023 1:14 PM  
**To:** Brackett, Tanya  
**Cc:** Pat O'Bannon (pob@patobannon.com)  
**Subject:** FW: Keep Henrico Beautiful

Hi Tanya,

Please see the below email from Linda Leigh resigning from Keep Henrico Beautiful.

Thanks,  
Gayle

Gayle J. Fridley  
Executive Assistant  
County of Henrico  
Board of Supervisors Office  
(804) 501-4437  
fri51@henrico.us

-----Original Message-----

**From:** Linda Leigh <ljaleigh24@gmail.com>  
**Sent:** Thursday, October 19, 2023 1:08 PM  
**To:** Tuckahoe <Tuckahoe@henrico.us>  
**Cc:** Brown, Megan <BRO172@henrico.us>; yurch1 <yurch1@aol.com>  
**Subject:** Keep Henrico Beautiful

Good afternoon Pat,

This email serves as my formal resignation from the Keep Henrico Beautiful Committee. I appreciate your appointing me to the Committee and have enjoyed working with the committee members and staff employees during the past 5 1/2 years in our hard work toward this important mission for the County.

Megan Brown has been a vital part of the success of the Committee and her many efforts have helped us in our endeavors.

My last day will be after the Plant Native Festival which will be held Saturday, October 21.

Thank you,  
Linda Leigh

Sent from my iPhone



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 295-23  
Page 1 of 1

Agenda Title: ORDINANCE — Approval of Cooperative Marketing — Richmond Raceway — Fairfield District

For Clerk's Use Only:

Date: 11/14/2023

☒ Approved  
☐ Denied  
☐ Amended  
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Nelson  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

	YES	NO	OTHER
Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, Virginia law permits "sports betting" only via "a website, app, or other platform accessible via the Internet or mobile, wireless, or similar communications technology" ("sports betting platform"); and,

WHEREAS, Va. Code § 58.1-4034(G)(2) authorizes cooperative marketing by the holder of a sports betting platform permit on the premises of motor sports facilities if the local governing body approves such marketing by ordinance; and,

WHEREAS, Richmond Raceway, a motor sports facility as defined in Va. Code § 58.1-4030, wishes to engage in cooperative marketing activities with Virginia sports betting platform permit holders on the premises of Richmond Raceway; and,

WHEREAS, the cooperative marketing activities on the premises of the Richmond Raceway may include the advertising and marketing of the permit holders' sports betting platforms through signage and displays as permitted by the County's zoning ordinance; distribution of marketing materials; hospitality areas, lounges, and trailers; sports betting platform demonstrations; logos; music and videos; and information provided by permit holders' employees or agents; and,

WHEREAS, permit holders will not, and may not, offer devices for the placing of bets at the Richmond Raceway, and all bets will be placed solely on personal electronic devices owned or used by the person placing a bet; and,

WHEREAS, this ordinance was advertised pursuant to Va. Code § 15.2-1427(F), and the Board held a public hearing on November 14, 2023.

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors approves cooperative marketing by Virginia sports betting platform permit holders and Richmond Raceway on the premises of Richmond Raceway in accordance with state law.

Comment: The County Manager recommends approval of this Board paper.

By Agency Head \_\_\_\_\_

By County Manager \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Copy to: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 296-23

Page No. 1 of 2

Agenda Title: RESOLUTION — Condemnation — Right-of-Way and Easements — Magellan Parkway Extension Project — Park Central Drive — Fairfield District

For Clerk's Use Only:

Date: 11/14/2023

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Nelson Seconded by (1) Branin  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ☒ ☐ ☐

Nelson, T. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Schmitt, D. ☒ ☐ ☐

Thornton, F. ☒ ☐ ☐

WHEREAS, it is necessary for construction of the Magellan Parkway Extension Project (the "Project") that the County acquire right-of-way containing 40,494 square feet; permanent drainage easements containing 7,877 square feet; permanent slope easements containing 9,674 square feet; temporary construction easements containing 9,399 square feet; and an overlapping joint utility easement for Lumos Networks, Inc. d/b/a Segra, Verizon Virginia, LLC, Comcast of Virginia, Inc., and Virginia Electric and Power Company, a Virginia Public Service Corporation, doing business as Dominion Energy Virginia containing 4,052 square feet (the "Right-of-Way and Easements") across the property located at Park Central Drive, identified as Tax Map Parcel 789-761-0925, and owned by Steve Farag, LLC (the "Owner"); and,

WHEREAS, the County has offered the Owner \$281,920 as compensation for the Right-of-Way and Easements, the affected improvements, and the cost to cure and damages to the remainder, if any, but the parties cannot reach an agreement on the acquisition of the Right-of-Way and Easements; and,

WHEREAS, the Board of Supervisors of Henrico County, Virginia desires to exercise the authority granted by the Code of Virginia (the "Code") to acquire title, to enter upon and to take possession of the Right-of-Way and Easements, and to construct the Project prior to or during the condemnation proceedings; and,

WHEREAS, after advertisement in the *Richmond Times-Dispatch*, the Board held a public hearing pursuant to §§ 15.2-1903 and 15.2-1905 of the Code, at which time the Board declared its intent to enter and take the Right-of-Way and Easements for the Project across portions of the Owner's property.

NOW, THEREFORE, BE IT RESOLVED that:

- (1) The Board directs the County Manager to take the necessary steps to acquire the Right-of-Way and Easements over, under, upon, across, and through the property of the Owner, as shown on the plats made by H&B Surveying and Mapping, LLC dated March 6, 2023,

By Agency Head

By County Manager

Certified:

A Copy Teste:

Copy to:

Clerk, Board of Supervisors

Date:

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 296-23  
Page No. 2 of 2

**Agenda Title: RESOLUTION — Condemnation — Right-of-Way and Easements — Magellan Parkway Extension Project — Park Central Drive — Fairfield District**

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reduced copies of which are attached and marked collectively Exhibit “A”; on the plat made by Dominion Energy Virginia dated February 20, 2023, a reduced size copy of which is attached and marked as Exhibit “B”; and as further described on Sheets No. 5, 6, and 7, all last dated March 30, 2022, and all of the Magellan Parkway Extension #08164, reduced size copies of which are attached and marked as Exhibits “C,” “C-1,” and “C-2”; and,

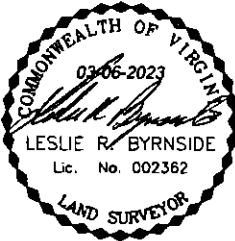
- (2) The Board deems it necessary to enter upon the property and take possession of the Right-of-Way and Easements to construct the Project prior to or during condemnation proceedings in accordance with the Code; and,
- (3) The Board finds a necessity exists to institute condemnation proceedings pursuant to the Code to acquire the Right-of-Way and Easements for the public use of constructing, operating, and maintaining the Project and to determine the amount of compensation and damages, if any, caused by the taking, possession, and acquisition of the Right-of-Way and Easements; and,
- (4) The Board authorizes the County Attorney to institute and conduct condemnation proceedings to acquire the Right-of-Way and Easements in accordance with the Code; and,
- (5) The Board authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Right-of-Way and Easements, to take all steps necessary to acquire the Right-of-Way and Easements, and to enter on and take possession of the required Right-of-Way and Easements in accordance with the Code.

Comments: The Real Property Division has been unsuccessful in negotiating an agreement for the acquisition of the Right-of-Way and Easements. Therefore, the Director of Public Works and the Deputy County Manager for Community Operations recommend approval of this Board paper; the County Manager concurs.

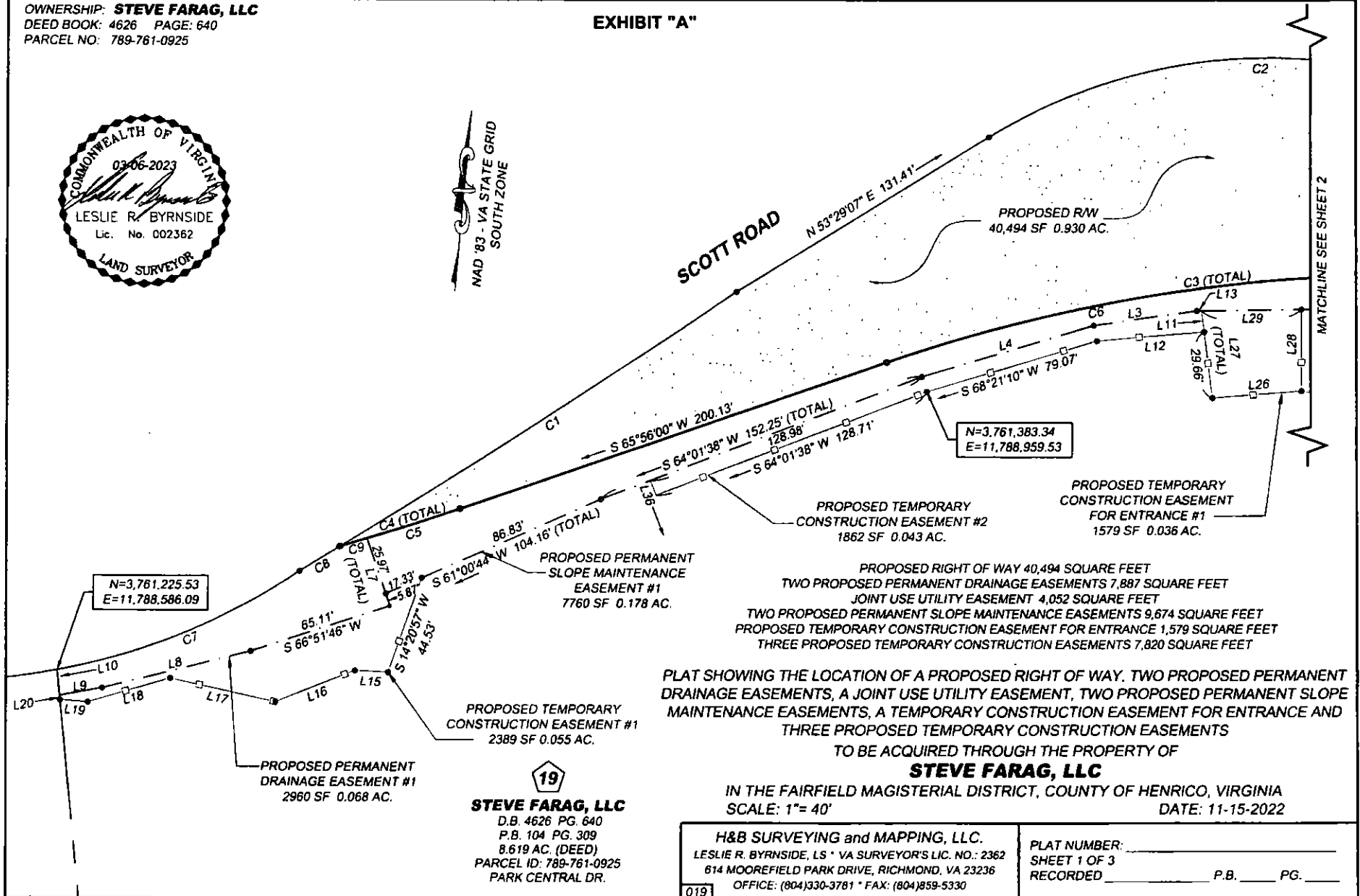


OWNERSHIP: **STEVE FARAG, LLC**  
DEED BOOK: 4626 PAGE: 640  
PARCEL NO: 789-761-0925

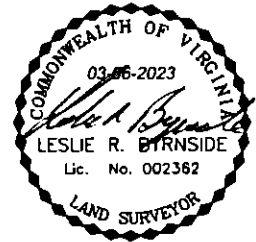
**EXHIBIT "A"**



NAD '83 - VA STATE GRID  
SOUTH ZONE

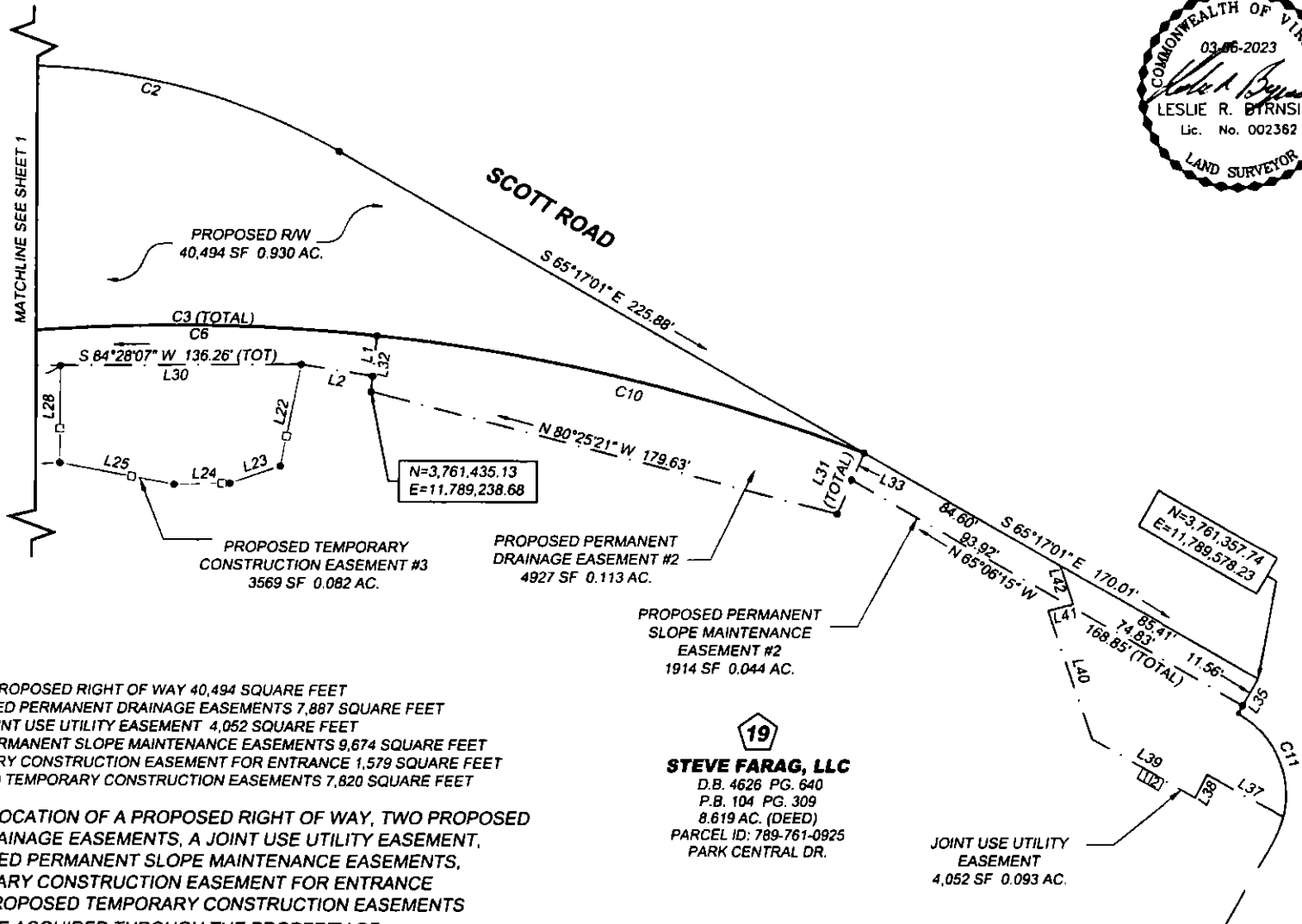


OWNERSHIP: **STEVE FARAG, LLC**  
 DEED BOOK: 4626 PAGE: 640  
 PARCEL NO: 789-761-0925



NAD '83 - VA STATE GRID  
 SOUTH ZONE

MATCHLINE SEE SHEET 1



OWNERSHIP: **STEVE FARAG, LLC**  
 DEED BOOK: 4626 PAGE: 640  
 PARCEL NO: 789-761-0925

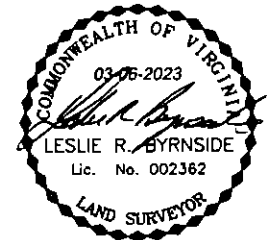
LINE	BEARING	DISTANCE
L1	S 00°49'06" W	15.20'
L2	N 85°50'43" W	27.02'
L3	S 76°52'25" W	46.43'
L4	S 68°21'10" W	79.91'
L5	NOT USED	
L6	NOT USED	
L7	S 23°49'34" E	31.84'
L8	S 70°57'00" W	68.26'
L9	S 74°40'35" W	19.21'
L10	N 10°31'06" W	11.44'
L11	N 12°04'32" W	9.48'
L12	S 80°09'12" W	47.94'
L13	S 84°28'07" W	2.10'
L14	NOT USED	
L15	S 87°36'18" W	14.69'
L16	S 63°24'28" W	38.03'
L17	N 82°29'04" W	48.01'
L18	S 68°32'41" W	38.28'
L19	S 89°02'45" W	12.39'
L20	N 10°31'06" W	2.04'
L21	S 23°49'34" E	5.87'

LINE	BEARING	DISTANCE
L22	S 06°16'21" W	38.80'
L23	S 65°46'53" W	19.80'
L24	S 83°38'15" W	20.74'
L25	N 84°33'05" W	43.59'
L26	S 80°45'24" W	39.58'
L27	N 12°04'32" W	39.14'
L28	S 04°52'03" E	36.32'
L29	S 84°28'07" W	44.37'
L30	S 84°28'07" W	89.79'
L31	S 18°42'10" W	24.89'
L32	N 00°49'06" E	21.02'
L33	N 18°42'10" E	11.09'
L34	S 74°01'58" E	0.87'
L35	S 24°42'59" W	15.00'
L36	N 25°58'22" W	7.00'
L37	N 65°34'40" W	32.64'
L38	S 21°56'39" W	9.81'
L39	N 65°30'02" W	44.41'
L40	N 23°50'22" W	50.65'
L41	N 69°41'42" E	9.71'
L42	N 23°41'48" W	15.20'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	5064.22'	208.69'	208.67'	N 52°03'49" E	2°21'40"
C2	238.48'	254.86'	242.90'	N 84°06'03" E	61°13'48"
C3	707.00'	494.44'	484.42'	S 85°58'05" W	40°04'10"
C4	1139.00'	55.32'	55.31'	S 67°19'29" W	2°46'58"
C5	1139.00'	43.02'	43.02'	S 67°00'56" W	2°09'51"
C6	707.00'	307.07'	304.66'	N 78°22'33" E	24°53'06"
C7	285.81'	117.46'	116.64'	N 62°39'26" E	23°32'53"
C8	5064.22'	21.31'	21.31'	N 53°21'53" E	0°14'28"
C9	1139.00'	12.30'	12.30'	N 68°24'25" E	0°37'07"
C10	707.00'	186.49'	185.95'	S 81°37'30" E	15°06'49"
C11	35.00'	45.20'	42.12'	S 28°17'12" E	73°59'26"

# **NOTES:**

- THIS PLAT IS FOR THE SOLE PURPOSE OF SHOWING A PROPOSED RIGHT OF WAY, TWO PROPOSED PERMANENT DRAINAGE EASEMENTS, A JOINT USE UTILITY EASEMENT, TWO PROPOSED PERMANENT SLOPE MAINTENANCE EASEMENTS, A PROPOSED TEMPORARY CONSTRUCTION EASEMENT FOR ENTRANCE AND THREE PROPOSED TEMPORARY CONSTRUCTION EASEMENTS. THE BOUNDARY LINES SHOWN HEREON DO NOT REPRESENT A CURRENT BOUNDARY SURVEY. BEARINGS AND DISTANCES SHOWN HEREON ARE BASED ON THE SURVEY USED FOR THE DESIGN OF THE PROPOSED EASEMENTS.
- HORIZONTAL (NAD83) DATUM ESTABLISHED THROUGH REAL TIME KINEMATIC (RTK) GPS OBSERVATIONS ON 02-23-2021. DIFFERENTIAL CORRECTIONS WERE DERIVED FROM NATIONAL GEODETIC SURVEY (NGS) CONTINUALLY OPERATING REFERENCE STATION (CORS) "VAAD".
- THE PROPERTY SHOWN HEREON FALLS IN THE FOLLOWING FLOOD HAZARD ZONE: "X"(UNSHADED)-AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN, AS SCALED FROM FEMA FLOOD INSURANCE RATE MAP, MAP NUMBER 51087C0065C, EFFECTIVE DATE: DECEMBER 18, 2007.
- THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE TITLE.



PROPOSED RIGHT OF WAY 40,494 SQUARE FEET  
 TWO PROPOSED PERMANENT DRAINAGE EASEMENTS 7,887 SQUARE FEET  
 JOINT USE UTILITY EASEMENT 4,052 SQUARE FEET  
 TWO PROPOSED PERMANENT SLOPE MAINTENANCE EASEMENTS 9,674 SQUARE FEET  
 PROPOSED TEMPORARY CONSTRUCTION EASEMENT FOR ENTRANCE 1,579 SQUARE FEET  
 THREE PROPOSED TEMPORARY CONSTRUCTION EASEMENTS 7,820 SQUARE FEET

PLAT SHOWING THE LOCATION OF A PROPOSED RIGHT OF WAY, TWO PROPOSED PERMANENT DRAINAGE EASEMENTS, A JOINT USE UTILITY EASEMENT, TWO PROPOSED PERMANENT SLOPE MAINTENANCE EASEMENTS, A TEMPORARY CONSTRUCTION EASEMENT FOR ENTRANCE AND THREE PROPOSED TEMPORARY CONSTRUCTION EASEMENTS TO BE ACQUIRED THROUGH THE PROPERTY OF

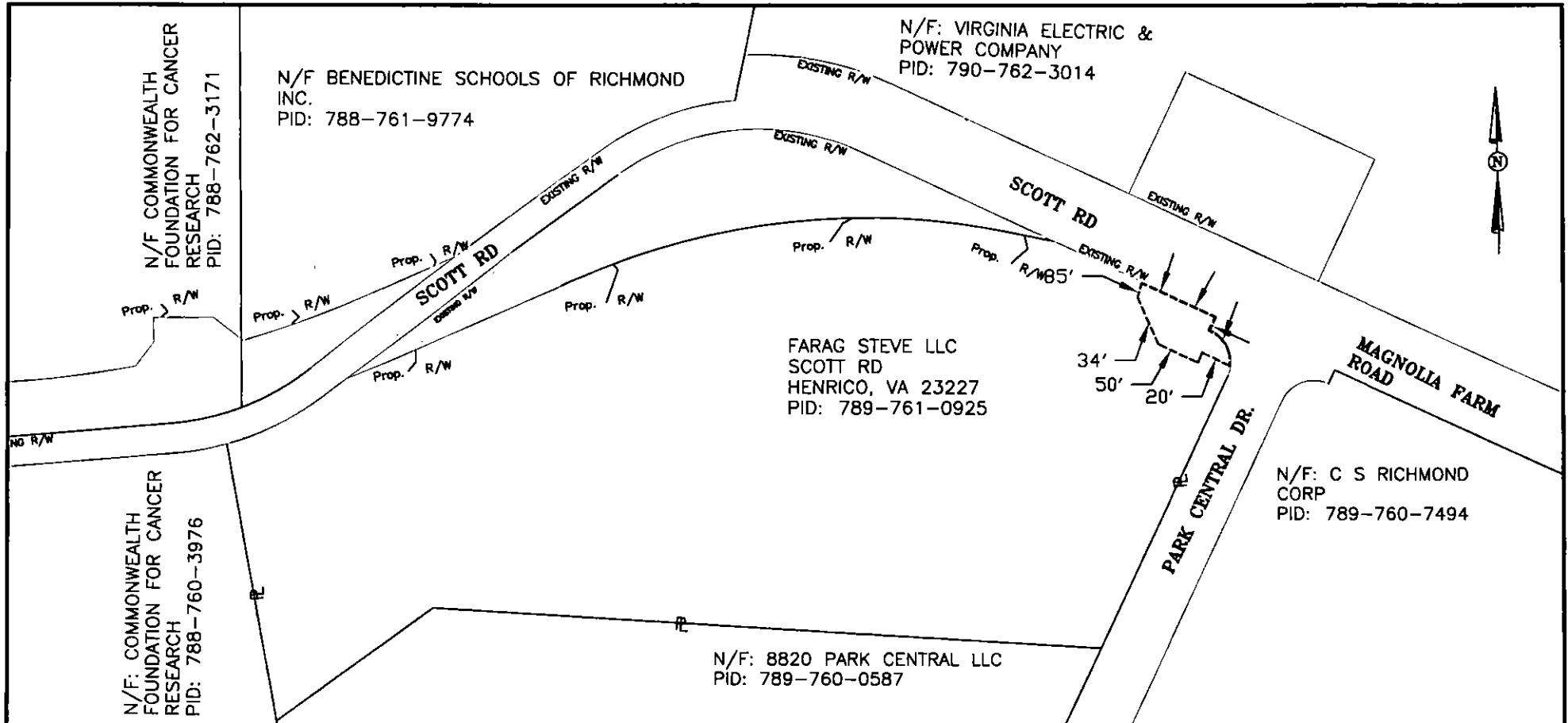
**STEVE FARAG, LLC**

IN THE FAIRFIELD MAGISTERIAL DISTRICT, COUNTY OF HENRICO, VIRGINIA  
 SCALE: 1"= 40'  
 DATE: 11-15-2022

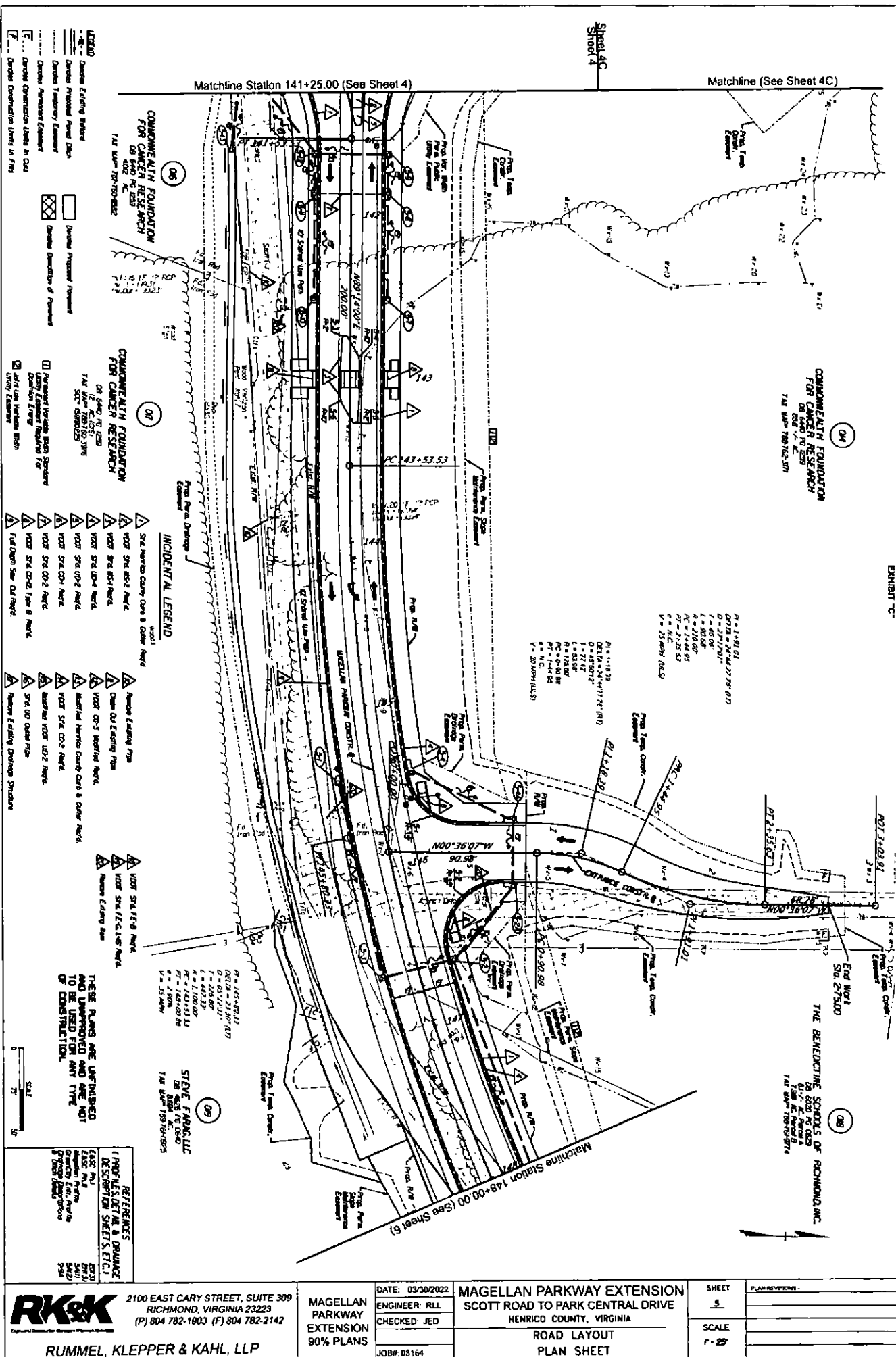
H&B SURVEYING and MAPPING, LLC.  
 LESLIE R. BYRNSIDE, LS \* VA SURVEYOR'S LIC. NO.: 2362  
 614 MOOREFIELD PARK DRIVE, RICHMOND, VA 23236  
 OFFICE: (804)330-3781 \* FAX: (804)859-5330

PLAT NUMBER: \_\_\_\_\_  
 SHEET 3 OF 3  
 RECORDED \_\_\_\_\_ P.B. \_\_\_\_\_ PG. \_\_\_\_\_

# EXHIBIT "B"

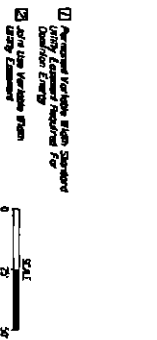








<b>LEGEND</b> --- Location of Right of Way Boundary =P= Indicates Property Line is Right of Way Boundary	Region CENTRAL	Local Office W BROAD	State VA	OH/UG PLAT TO ACCOMPANY RIGHT OF WAY AGREEMENT VIRGINIA ELECTRIC AND POWER COMPANY doing business as Dominion Energy Virginia
	County/City HENRICO	DEVID No. 00-23-0039	Grid Number H0107	
	Work Request Number 10549689	By DIANA	Scale Not to Scale	
	Date 2/20/2023			
OWNER INITIALS _____				Page _____ of _____



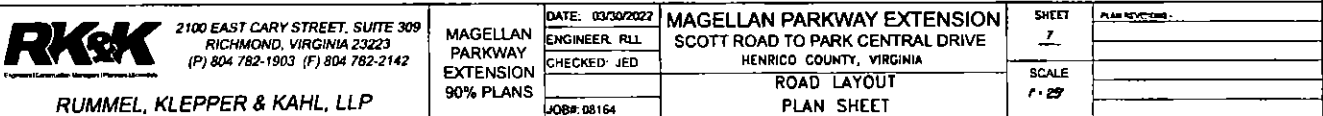
0220

VIRGINIA ELECTRIC AND POWER COMPANY  
DB 5900 PG 8078  
71557 AC  
7 14 14400 TPD TEL 3004



1.  VDOT CO-3 identified project.  
 2.  identified Maryland County Data & County project.  
 3.  VDOT SR-6 CO-2 project.  
 4.  identified VDOT US-2 project.  
 5.  SR-100 County Plan  
 6.  Avenue Eclating Development Structures

REFERENCES	
(1) PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)	
E&S, Inc.	D-90
Incorporated Portland Cement Association	D-96
Portland Cement Association	G-47
& Steel Institute	S-94



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 297-23

Page No. 1 of 1

**Agenda Title: RESOLUTION — Authorizing a Public Hearing to Consider Adoption of a Resolution  
Creating the GreenCity II Community Development Authority**

For Clerk's Use Only:

Date: 11/14/2023

(X) Approved

( ) Denied

( ) Amended

( ) Deferred to:

**BOARD OF SUPERVISORS ACTION**

Moved by (1) Schmidt Seconded by (1) O'Bannon  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**WHEREAS**, the Board of Supervisors of Henrico County, Virginia (the "Board"), has received a petition from Green City Development Corporation, LLC, Scott Farm Partners, LLC, and the Sports and Entertainment Authority of Henrico County, Virginia, requesting the Board to create a community development authority pursuant to Article 6 of Chapter 51, Title 15.2 of the Code of Virginia of 1950, as amended (the "Code of Virginia"), and proposes to schedule a public hearing as required by Section 15.2-5156 of the Code of Virginia.

**NOW, THEREFORE, BE IT RESOLVED** that the Clerk of the Board is authorized and directed to schedule and provide proper legal notice for a public hearing to be held on December 14, 2023, on a resolution creating the GreenCity II Community Development Authority.

Comments: The County Attorney recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Copy to: \_\_\_\_\_

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Date: \_\_\_\_\_





COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 298-23

Page No. 1 of 1

**Agenda Title: RESOLUTION — Authorizing a Public Hearing to Consider Adoption of a Resolution Amending the Resolution Creating the GreenCity Community Development Authority**

For Clerk's Use Only:

Date: 11/14/2023

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Schmitt Seconded by (1) O'Bannon  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Branin, T. ☒ ☐ ☐

Nelson, T. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Schmitt, D. ☒ ☐ ☐

Thornton, F. ☐ ☐ ☐

**WHEREAS**, the Board of Supervisors of Henrico County, Virginia (the "Board"), adopted on January 24, 2023, a resolution creating the GreenCity Community Development Authority pursuant to Article 6 of Chapter 51, Title 15.2 of the Code of Virginia of 1950, as amended (the "Code of Virginia"); and,

**WHEREAS**, the Board has received a petition from Green City Development Corporation, LLC, the owner of all the land within the GreenCity Community Development Authority district, requesting the Board to amend the resolution creating the GreenCity Community Development Authority and proposes to schedule a public hearing as required by Section 15.2-5156 of the Code of Virginia.

**NOW, THEREFORE, BE IT RESOLVED** that the Clerk of the Board is authorized and directed to schedule and provide proper legal notice for a public hearing to be held on December 14, 2023, on a resolution to amend the resolution creating the GreenCity Community Development Authority.

Comments: The County Attorney recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Copy to: \_\_\_\_\_

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Date: \_\_\_\_\_



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 299-23

Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — Jail West Security Alterations — Brookland District

For Clerk's Use Only:

Date: 11/14/2023

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to: \_\_\_\_\_

BOARD OF SUPERVISORS ACTION

Moved by (1) Schmitt Seconded by (1) Boani  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Branin, T. ☒ ☐ ☐

Nelson, T. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Schmitt, D. ☒ ☐ ☐

Thornton, F. ☒ ☐ ☐

**WHEREAS**, the County received two bids on October 23, 2023, in response to Invitation to Bid No. 23-2592-9JMH and Addendum No. 1 for the construction of the Jail West Security Alterations at 4317 E. Parham Road; and,

**WHEREAS**, the project generally consists of providing four new holding cells in the booking area, an accessible shower cell, and the replacement of power-driven doors for three sallyports (secure and controlled entryways); and,

**WHEREAS**, the bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
VIRTEXCO Corp. Richmond, Va.	\$675,000
The Matthews Group, Inc., t/a TMG Construction Corp. Purcellville, Va.	\$829,696

**WHEREAS**, after a review and evaluation of the bids, it was determined that VIRTEXCO Corporation is the lowest responsive and responsible bidder for the fixed price contract with a bid of \$675,000.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors:

1. The contract for \$675,000 is awarded to VIRTEXCO Corporation, the lowest responsive and responsible bidder, pursuant to Invitation to Bid No. 23-2592-9JMH, Addendum No. 1, and the bid submitted by VIRTEXCO Corporation.

By Agency Head \_\_\_\_\_

By County Manager \_\_\_\_\_

Certified:

A Copy Teste: \_\_\_\_\_

Clerk, Board of Supervisors

Copy to: \_\_\_\_\_

Date: \_\_\_\_\_

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 299-23

Page No. 2 of 2

**Agenda Title: RESOLUTION — Award of Contract — Jail West Security Alterations — Brookland District**

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2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.
4. The Board appropriates \$363,856 of additional funding for this project.

**Comment:** Funding will come from the fund balance of the General Fund via interfund transfer to the Capital Projects Fund, project #08373. The Director of General Services, the Sheriff, and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 300-23

Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — Voter Registrar Renovation — Brookland District

For Clerk's Use Only:

Date: 11/14/2023

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to: \_\_\_\_\_

BOARD OF SUPERVISORS ACTION

Moved by (1) Schmitt Seconded by (1) O'Bannon  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS:

**APPROVED**

YES NO OTHER

Branin, T. ☒ ☐ ☐

Nelson, T. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Schmitt, D. ☒ ☐ ☐

Thornton, F. ☒ ☐ ☐

**WHEREAS**, the County received five bids on October 25, 2023, in response to Invitation to Bid No. 23-2581-8EAR and Addendum No.1 for the construction of the Voter Registrar Renovation at 4305 E. Parham Road; and,

**WHEREAS**, the project generally consists of space renovations to improve the efficiency of on-site voting; and,

**WHEREAS**, the bids for the Base Bid Amount and Allowance No. 1 were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Woodland Construction, Inc. Richmond, VA	\$398,387
VIRTEXCO Corporation Richmond, VA	\$402,000
Millennium Enterprises Henrico, VA	\$464,000
The Matthews Group Purcellville, VA	\$472,000
Kenbridge Construction Co., Inc. Kenbridge, VA	\$621,000

**WHEREAS**, after a review and evaluation of the bids, it was determined that Woodland Construction, Inc. is the lowest responsive and responsible bidder for the fixed price contract with a bid of \$398,387.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to: \_\_\_\_\_

Date: \_\_\_\_\_

**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE**

Agenda Item No. 300-23  
Page No. 2 of 2

**Agenda Title: RESOLUTION — Award of Contract —Voter Registrar Renovation —  
Brookland District**

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**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors:

1. The contract for \$398,387 is awarded to Woodland Construction, Inc., the lowest responsive and responsible bidder, pursuant to Invitation to Bid No. 23-2581-8EAR, Addendum No.1, and the Base Bid and Allowance No. 1 submitted by Woodland Construction, Inc.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

**Comment:** Funding to support the contract is available within the project budget. The General Registrar, the Director of General Services, and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 301-23

Page No. 1 of 1

**Agenda Title: INTRODUCTION OF ORDINANCE — To Change the Polling Place for the Elko Precinct in the Varina District from New Bridge Baptist Church to Elko Middle School by Amending and Reordaining Section 9-2 Titled "Precincts and polling places" of the Code of the County of Henrico**

For Clerk's Use Only:

Date: 11/14/2023

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Nelson Seconded by (1) Branin  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ☒ ☐ ☐

Nelson, T. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Schmitt, D. ☒ ☐ ☐

Thornton, F. ☒ ☐ ☐

WHEREAS, the Electoral Board has recommended moving the polling place for the Elko Precinct from New Bridge Baptist Church to Elko Middle School (the "Proposed Change") because New Bridge Baptist Church is no longer able to accommodate a polling place due to the nursery school programs that are held on site during the day; and,

WHEREAS, the Board of Supervisors proposes to effectuate the Proposed Change through the adoption of the attached ordinance (the "Proposed Ordinance"); and,

WHEREAS, the Board of Supervisors will receive public comment on the Proposed Change and Proposed Ordinance from December 1 through December 31, 2023 (the "Public Comment Period") and at a public hearing on December 12, 2023, in accordance with Code of Virginia § 24.2-129(B).

NOW, THEREFORE, the Clerk of the Board is directed to publish on the official County website from November 16, 2023, through the end of the Public Comment Period and in the Richmond Times-Dispatch on November 16, November 29, and December 6, 2023, notice of the Proposed Ordinance, opportunities for public comment during the Public Comment Period, and a public hearing to be held in the Board Room on December 12, 2023, at 7:00 p.m., all in the form of the attached "Notice of Proposed Polling Place Change."

Comments: The Electoral Board requested approval of this Board paper at its meeting on September 26, 2023.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Copy to: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_

**BLACKLINE**

**ORDINANCE — To Change the Polling Place for the Elko Precinct in the Varina District from New Bridge Baptist Church to Elko Middle School by Amending and Reordaining Section 9-2 Titled "Precincts and polling places" of the Code of the County of Henrico**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:**

1. That Section 9-2 of the Code of the County of Henrico be amended and reordained as follows:

**Sec. 9-2. Precincts and polling places.**

The following are the precinct boundaries and polling places for the magisterial districts in the county.

• • • •

(5) *Varina Magisterial District.*

• • • •

- h. *Elko Precinct.* Beginning at the intersection of Charles City Road and Elko Road (State Route 156); thence northeastwardly along Elko Road (State Route 156) to its intersection with Hines Road; thence southwestwardly along Hines Road to its intersection with an unnamed stream (approximately 2,800 feet east of the intersection of Hines Road and Charles City Road); thence northeastwardly along the unnamed stream to its intersection with White Oak Swamp Creek (approximately 7,000 feet west of the intersection of Elko Road (State Route 156) and White Oak Swamp Creek); thence northwestwardly along White Oak Swamp Creek to its intersection with Interstate Route 295; thence northeastwardly along Interstate Route 295 to its intersection with East Williamsburg Road (U.S. Route 60); thence eastwardly along East Williamsburg Road (U.S. Route 60) to its intersection with Old Elko Road extended; thence southeastwardly along Old Elko Road extended to its intersection with Old Elko Road; thence southeastwardly along Old Elko Road to its intersection with Elko Road (State Route 156); thence southeastwardly along Elko Road (State Route 156) to its intersection with the Chessie System Railway; thence northeastwardly along the Chessie System Railway to its intersection with White Oak Swamp Creek; thence northeastwardly along White Oak Swamp Creek to its intersection with the boundary line of New Kent County and Henrico County; thence southeastwardly along the boundary line of New Kent

County and Henrico County to its intersection with the boundary line of Charles City County, New Kent County and Henrico County; thence southwestwardly along the boundary line of Charles City County and Henrico County to its intersection with Charles City Road; thence southwestwardly along Charles City Road to its intersection with Elko Road and the point of beginning. The polling place for Elko Precinct is ~~New Bridge Baptist Church, 5710 Elko Road~~ **Elko Middle School, 5901 Elko Road.**

• • • •

2. This ordinance will be in full force and effect at the conclusion of the 30-day wait period described in Code of Virginia § 24.2-129(C).
3. The Clerk of the Board is directed to send a certified copy of this ordinance to the Henrico County Electoral Board, Department of Elections, and Division of Legislative Services at the conclusion of the 30-day wait period.



## **NOTICE OF PROPOSED POLLING PLACE CHANGE**

The Board of Supervisors of Henrico County proposes to change the polling place for the Elko Precinct in the Varina District from New Bridge Baptist Church to Elko Middle School (the "Proposed Change"). The Proposed Change would be made by an ordinance amending section 9-2 titled "Precincts and polling places" of the Code of the County of Henrico (the "Proposed Ordinance").

The Board will receive public comment on the Proposed Change and Proposed Ordinance from December 1 through December 31, 2023 (the "Public Comment Period"). Interested persons may submit comments, including data, views, and arguments, by email to [bra151@henrico.us](mailto:bra151@henrico.us), by regular mail to Clerk, Henrico County Board of Supervisors, P.O. Box 90775, Henrico, VA 23273-0775, or through the County's webpage at <https://henrico.us/services/Board-of-Supervisors-Meeting-Participation-Registration/>.

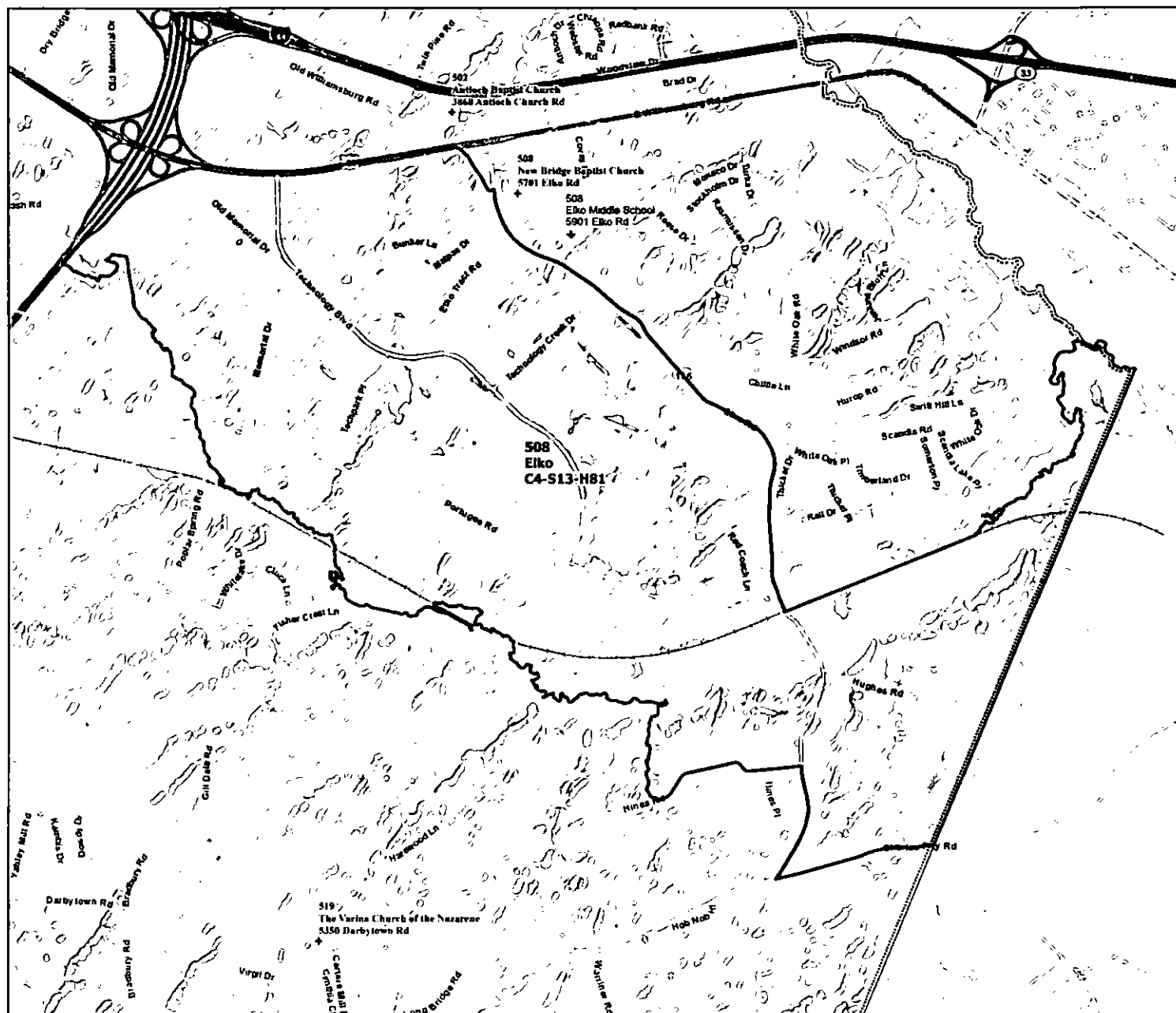
Additionally, the Board will hold a public hearing on the Proposed Change and Proposed Ordinance on **Tuesday, December 12, 2023**, at 7:00 P.M. in the Board Room at the Henrico County Administration Building, Henrico Government Center, 4301 E. Parham Road, Henrico, Virginia to receive public comment.

The full text of the Proposed Ordinance, as well as a description and map of the Proposed Change, are on file in the office of the County Manager, Third Floor, Henrico County Administration Building, 4301 E. Parham Road, Henrico, Virginia, and may be examined by all interested persons during regular County business hours, and online at <https://henrico.us/services/citizen-participation-registration/>.

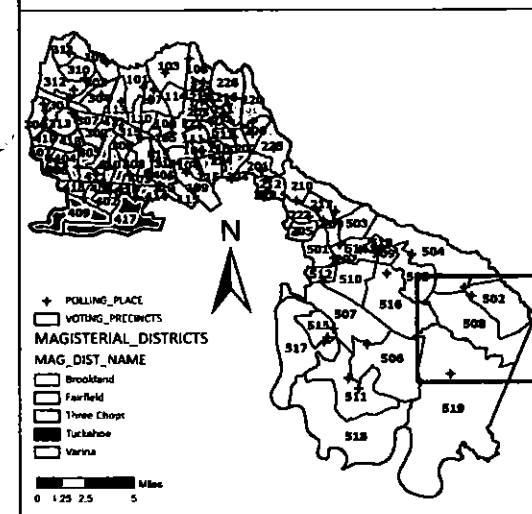
Dated: November 16, 2023

Tanya Brackett Harding, CMC  
Clerk of the Board of Supervisors  
County of Henrico, Virginia

**[TO BE PUBLISHED ON THURSDAY, NOVEMBER 16, 2023; WEDNESDAY, NOVEMBER 29, 2023; AND WEDNESDAY, DECEMBER 6, 2023]**



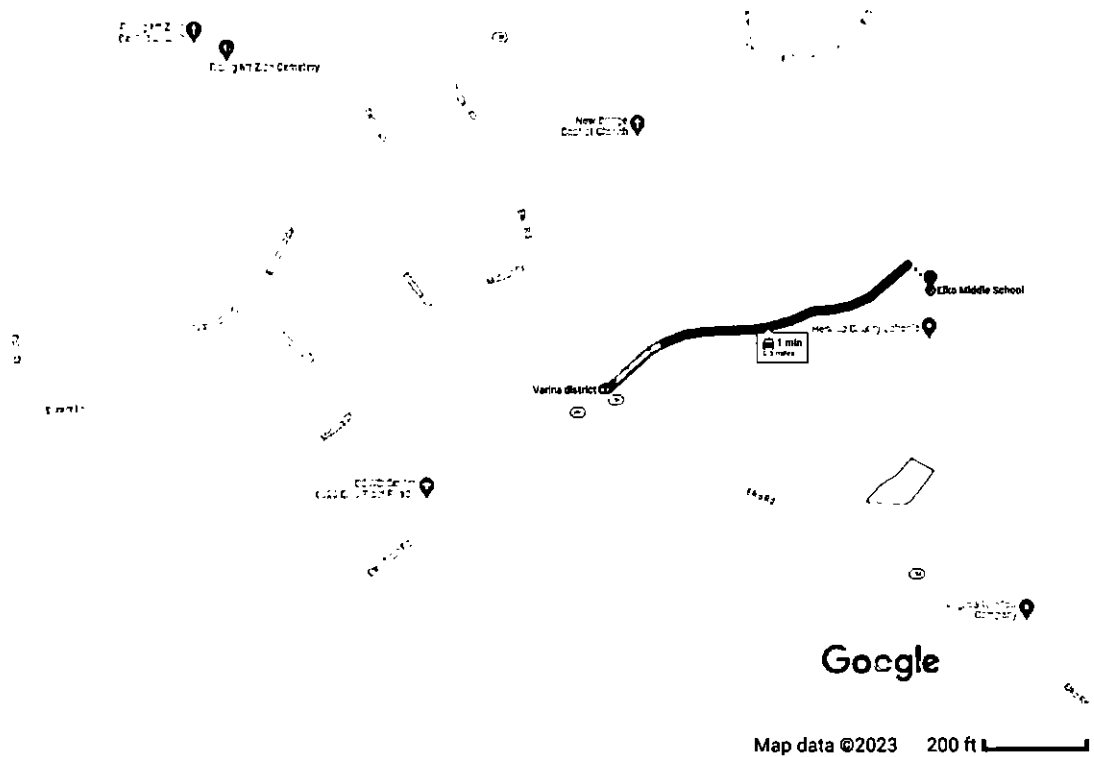
**Elko-508**  
**MAG\_DIST : Varina**  
**New Bridge Baptist Church**  
**5701 Elko Rd**  
**23150, Sandston**  
**C: 4 S: 13 H: 81**





Varina district, Virginia to Elko Middle School

Drive 0.3 mile, 1 min



via Elko School Rd

1 min

Fastest route now due to traffic  
conditions

0.3 mile

Explore nearby Elko Middle School

Restaurants

Hotels

Gas stations

Parking Lots

More



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 146-23

Page No. 1 of 1

Agenda Title: RESOLUTION — SIA2022-00002 — DG Virginia CS, LLC — Not Substantially in Accord with 2026 Comprehensive Plan — Varina District

For Clerk's Use Only:

Date: 11/14/2023

- ( ) Approved  
( ) Denied  
( ) Amended  
( ) Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) \_\_\_\_\_ Seconded by (1) \_\_\_\_\_  
(2) \_\_\_\_\_ (2) \_\_\_\_\_

REMARKS: withdrawn

YES NO OTHER

Branin, T.	___	___	___
Nelson, T.	___	___	___
O'Bannon, P.	___	___	___
Schmitt, D.	___	___	___
Thornton, F.	___	___	___

WHEREAS, Section 15.2-2232A of the Code of Virginia requires the Planning Commission to review and consider whether the general or approximate location, character, and extent of major public facilities are substantially in accord with the County's Comprehensive Plan (the "Plan"); and,

WHEREAS, the Planning Commission reviewed the proposed DG Virginia CS, LLC solar facility site located on the south line of Charles City Road east of its intersection with Elko Road for conformance with the Plan; and,

WHEREAS, a report dated March 22, 2023, presented by the Planning staff to the Planning Commission found the proposed use would not be consistent with the Plan; and,

WHEREAS, on April 13, 2023, the Planning Commission reviewed the staff recommendations and found the proposed use not consistent with the property's future land use designation in the Plan; and,

WHEREAS, the Board of Supervisors has reviewed the Planning Commission's finding and concurs with its conclusion.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the proposed DG Virginia CS, LLC solar facility site is not substantially in accord with the Plan.

Comments: The Director of Planning concurs with the finding of the Planning Commission that the proposed DG Virginia CS, LLC site is not substantially in accord with the Plan and recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:



COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS  
MINUTE

Agenda Item No. 302-23

Page No. 1 of 1

**Agenda Title: RESOLUTION — Signatory Authority — Amendment to Contract for Engineering Design Services for Fall Line Trail, Longdale Phase — Fairfield District**

For Clerk's Use Only:

Date: 11/14/2023

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon, P. Seconded by (1) Branin, T.  
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ☒ ☐ ☐

Nelson, T. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Schmidt, D. ☒ ☐ ☐

Thornton, F. ☒ ☐ ☐

**WHEREAS**, on July 13, 2021, the Board approved Contract #2117A with Whitman, Requardt, and Associates, LLP for a total fixed lump sum fee of \$3,095,856.73 to provide engineering services to design the Longdale Phase of the Fall Line Trail; and,

**WHEREAS**, the County Manager subsequently approved an amendment to the Contract for \$408,970.95 for realignment of the trail along Mountain Road, including a minor trailhead and associated fieldwork; and,

**WHEREAS**, additional work is required for landscaping, lighting, site plan preparation, and property negotiations not included in the current scope of work; and,

**WHEREAS**, Whitman, Requardt, and Associates, LLP and the Department of Public Works have negotiated a second amendment of \$382,310.65 for the additional design work, bringing the total design expenditures to \$3,887,138.33.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors that the County Manager is authorized to execute the second amendment to Contract #2117A with Whitman, Requardt, and Associates, LLP for additional engineering design services for the Longdale Phase of the Fall Line Trail project for an additional fixed lump sum of \$382,310.65 in a form approved by the County Attorney.

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

By Agency Head

By County Manager

Certified:

A Copy Tests:

Copy to: \_\_\_\_\_

Clerk, Board of Supervisors

Date: \_\_\_\_\_



# Fall Line Trail -- Longdale Phase

