

**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, June 11, 2024, at 4:00 p.m.** in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

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

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| 4:00 - 4:15 p.m. | Regency Update |
| 4:15 - 4:45 p.m. | Closed Meeting Proposed Business Facility Expansion |
| 4:45 - 5:00 p.m. | Climate Resilient RVA Update |
| 5:00 - 5:15 p.m. | Discussion of Four Budget Amendments on Tonight's Agenda |
| 5:15 - 5:20 p.m. | Review of Regular Meeting Agenda Items |

Tanya N. Brackett

Tanya N. Brackett, CMC
Clerk, Henrico County Board of Supervisors
June 6, 2024

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
June 11, 2024
6:00 p.m.

PLEDGE OF ALLEGIANCE
INVOCATION

APPROVAL OF MINUTES – May 28, 2024, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

APPOINTMENTS

177-24 Resolution - Appointment of Members - Sports and Entertainment Authority of Henrico County, Virginia.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

115-22 Markel | Eagle Advisors, LLC: Request to conditionally rezone from A-1
REZ2022- Agricultural District to R-5AC General Residence District (Conditional) part of
00002 Parcels 733-778-7649 and 734-777-3893 containing 46.599 acres located at the
Three Chopt southwest intersection of Pouncey Tract Road (State Route 271) and Wyndham
West Drive. The applicant proposes a single-family residential development.
The R-5A District allows a maximum gross density of 6 units per acre. The use
will be controlled by zoning ordinance regulations and proffered conditions.
The 2026 Comprehensive Plan recommends Rural Residential, density should
not exceed 1 unit per acre. The Planning Commission voted to recommend the
Board of Supervisors **grant** the request. **(Deferred from the April 9, 2024,
meeting; Deferral requested to the August 13, 2024, meeting.)**

151-24 Costco Wholesale Corp.: Request to conditionally rezone from O-2C Office
REZ-2023- District (Conditional), B-2C Business District (Conditional), and B-3C
100258 Business District (Conditional) to B-3C Business District (Conditional)
Brookland Parcels 754-758-1687, 754-758-7677, 754-759-3406, and 754-759-7616
containing 17.81 acres located at the northwest intersection of W. Broad
Street (U.S. Route 250) and Springfield Road (State Route 157). The
applicant proposes an expansion of existing retail operations and the
relocation of existing fuel pumps. The uses will be controlled by zoning
ordinance regulations and proffered conditions. The 2026 Comprehensive
Plan recommends Commercial Arterial and Office. The Planning Commission
voted to recommend the Board of Supervisors **grant** the request. **(Deferred
from the May 14, 2024, meeting.)**

178-24 Janice Clifton: Request for a Provisional Use Permit under Sections 24-4205
PUP-2024- and 24-4325.A of Chapter 24 of the County Code to expand a bed and
100396 breakfast use on parcels 771-767-7742, 771-767-9566, and 772-767-2363
Brookland located at the northeast intersection of Mountain Road and Old Washington
Highway. The applicant proposes to incorporate an additional dwelling into
the bed and breakfast for overnight guest accommodations. The existing

zoning is R-2A One-Family Residential District and A-1C Agricultural District (Conditional). The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors grant the request. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

179-24
PUP-2024-
100425
Fairfield
Springdale Park Outparcels LLC: Request to amend Provisional Use Permit PUP2020-00025 under Sections 24-4205 and 24-4318 of Chapter 24 of the County Code to allow an additional drive-through service window on parcel 803-736-2259 located on the west line of Mechanicsville Turnpike (U.S. Route 360) approximately 200' south of its intersection with Neale Street. The existing zoning is UMUC Urban Mixed Use District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS – OTHER ITEMS

180-24 Resolution - Amendments to FY 2023-24 Annual Fiscal Plan - June 2024.

181-24 Resolution - Amendments to FY 2023-24 Annual Fiscal Plan for Public Works Projects - June 2024.

182-24 Resolution - Signatory Authority - Conveyance of Real Property - Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

183-24 Introduction of Resolution - Amendment to FY24-25 Annual Fiscal Plan to Establish Affordable Housing Trust Fund - June 2024.

184-24 Resolution - Amendments to FY 2023-24 Annual Fiscal Plan - Elementary School Replacement Project Shortfall Funding - June 2024.

185-24 Resolution - Authority to Submit Henrico County Plan for the Virginia Juvenile Community Crime Control Act (2024 - 2026).

186-24 Resolution - Acquisition of Right-of-Way and Easements - Level Green Lane - Magellan Parkway Improvements Project - Fairfield District.

187-24 Resolution - Award of Contract - Tuckahoe Creek Trunk Sewer - Phase I - Three Chopt District.

188-24 Resolution - Award of Contract - Sadler Road Improvements - Three Chopt District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
June 11, 2024**

APPOINTMENTS

RESOLUTION - Appointment of Members - Sports and Entertainment Authority of Henrico County, Virginia.

This Board paper appoints the following persons to the Sports and Entertainment Authority of Henrico County, Virginia, for terms expiring January 31, 2026, or thereafter when their successors have been appointed and qualified:

Todd "Parney" Parnell
Peter Farrell
Jen Kostyniuk

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

REZ2022-00002
Three Chopt
Markel | Eagle Advisors, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) part of Parcels 733-778-7649 and 734-777-3893 containing 46.599 acres located at the southwest intersection of Pouncey Tract Road (State Route 271) and Wyndham West Drive. The applicant proposes a single-family residential development. The R-5A District allows a maximum gross density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Rural Residential, density should not exceed 1 unit per acre. Acting on a motion by Mrs. Thornton, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would permit development of the land for residential use in an appropriate manner and the proffered conditions will provide appropriate quality assurances not otherwise available. **(Deferred from the April 9, 2024, meeting; Deferral requested to the August 13, 2024, meeting.)**

REZ-2023-100258
Brookland
Costco Wholesale Corp.: Request to conditionally rezone from O-2C Office District (Conditional), B-2C Business District (Conditional), and B-3C Business District (Conditional) to B-3C Business District (Conditional) Parcels 754-758-1687, 754-758-7677, 754-759-3406, and 754-759-7616 containing 17.81 acres located at the northwest intersection of W. Broad Street (U.S. Route 250) and Springfield Road (State Route 157). The applicant proposes an expansion of existing retail operations and the relocation of existing fuel pumps. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Arterial and Office. Acting on a motion by Mr. Witte, seconded by Mr. Dandridge, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request

because it is not expected to have a precedent setting effect on the zoning in the area and it is appropriate business zoning in this area. **(Deferred from the May 14, 2024, meeting.)**

PUP-2024-100396
Brookland

Janice Clifton: Request for a Provisional Use Permit under Sections 24-4205 and 24-4325.A of Chapter 24 of the County Code to expand a bed and breakfast use on parcels 771-767-7742, 771-767-9566, and 772-767-2363 located at the northeast intersection of Mountain Road and Old Washington Highway. The applicant proposes to incorporate an additional dwelling into the bed and breakfast for overnight guest accommodations. The existing zoning is R-2A One-Family Residential District and A-1C Agricultural District (Conditional). The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. Acting on a motion by Mr. Witte, seconded by Mr. Winterhoff, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would provide added services to the community and it would not be expected to adversely affect public safety, health or general welfare.

PUP-2024-100425
Fairfield

Springdale Park Outparcels LLC: Request to amend Provisional Use Permit PUP2020-00025 under Sections 24-4205 and 24-4318 of Chapter 24 of the County Code to allow an additional drive-through service window on parcel 803-736-2259 located on the west line of Mechanicsville Turnpike (U.S. Route 360) approximately 200' south of its intersection with Neale Street. The existing zoning is UMUC Urban Mixed Use District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. Acting on a motion by Mr. Dandridge, seconded by Mr. Winterhoff, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would provide added services to the community and the conditions continue to assure a quality form of development.

PUBLIC HEARINGS - OTHER ITEMS

RESOLUTION - Amendments to FY 2023-24 Annual Fiscal Plan - June 2024.

The Board approved a resolution on May 28, 2024, that received requests to appropriate funds for certain programs, directed their advertisement, and set the date for a public hearing. This paper, if approved after the public hearing, would amend the Annual Fiscal Plan and appropriate funds for expenditure for the indicated purposes.

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

RESOLUTION - Amendments to FY 2023-24 Annual Fiscal Plan for Public Works Projects - June 2024.

The Board approved a resolution on May 28, 2024, that received requests to appropriate funds for certain Public Works programs, directed their advertisement, and set the date for a public hearing. This paper, if approved after the public hearing, would amend the Annual Fiscal Plan and appropriate funds for expenditure for the indicated purposes.

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

RESOLUTION - Signatory Authority - Conveyance of Real Property - Varina District.

This Board paper declares surplus two pieces of a larger tract of land owned by the County along Varina Road and known as GPIN 815-670-5252. The two pieces are separated from the remainder of the County's property by Hoke Brady Road and other parcels of land not owned by the County. This Board paper also authorizes the County to convey (1) one piece containing approximately 1.032 acres to Ulrich Properties Two, LLC, (2) the other piece containing approximately 2.674 acres to the adjoining property owner, Trails End Properties, LLC, and (3) approximately 0.466 acres from the remainder to Trails End Properties, LLC to resolve encroachments from the property owned by Trails End Properties onto GPIN 815-670-5252. All conveyances will be for \$8,234 per gross acre.

The Director of Real Property recommends approval of the Board paper; the County Manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF RESOLUTION - Amendment to FY24-25 Annual Fiscal Plan to Establish Affordable Housing Trust Fund - June 2024

This Board paper introduces for advertisement and a public hearing on June 25, 2024, a resolution to amend the annual fiscal plan for FY24-25 to establish an affordable housing trust fund in the amount of \$60,000,000 to provide additional affordable housing opportunities in the community.

The affordable housing trust fund, funded by incremental real estate tax revenues from data centers, will provide \$60,000,000 over the next five years for innovative approaches to increase the quantity and quality of affordable and workforce housing in Henrico. The County will collaborate with the Partnership for Housing Affordability and multiple community partners to identify and mitigate barriers to affordable housing. In addition to

project proposals to be funded through the trust, the County has committed to refunding permitting costs and utility connection fees on eligible projects.

Pursuant to Virginia Code Section 15.2-2507, the County may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year. Amendments that exceed one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing notice of a meeting and public hearing once in a newspaper having general circulation in the County at least seven days prior to the meeting date. The notice states the intent of the Board of Supervisors to amend the budget and includes a brief synopsis of the proposed budget amendments.

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

RESOLUTION - Amendments to FY 2023-24 Annual Fiscal Plan - Elementary School Replacement Project Shortfall Funding - June 2024.

This Board paper, if approved, amends the FY 2023-24 Annual Fiscal Plan and appropriates bond premiums for general obligation bonds sold in 2024 and the proceeds from the sale of the former Mount Vernon Adult Education Center for the purpose of covering construction shortfalls for the replacements of Longan Elementary School and Jackson Davis Elementary School. In addition to this appropriation, meals tax proceeds from FY 2024-25 and current project balances will be used to cover the shortfalls in these two projects.

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

RESOLUTION - Authority to Submit Henrico County Plan for the Virginia Juvenile Community Crime Control Act (2024 - 2026).

This Board paper authorizes the County Manager to submit the biennial plan for services, programs, and facilities for juveniles before the Henrico County Juvenile and Domestic Relations District Court and the 14th District Court Services Unit to the State Board of Juvenile Justice. The juveniles to be served by the program are in need of services, in need of supervision, or delinquent. The plan has been developed after consultation with the Judges of the Henrico County Juvenile and Domestic Relations District Court.

The County's Virginia Juvenile Community Crime Control Act Coordinator and Detention Superintendent recommend approval of the Board paper, and the County Manager concurs.

RESOLUTION - Acquisition of Right-of-Way and Easements - Level Green Lane - Magellan Parkway Improvements Project -Fairfield District.

This Board paper authorizes the acquisition of right-of-way containing 97,430 square feet; a

joint use utility easement containing 7,878 square feet; a permanent drainage easement containing 10,024 square feet; and temporary construction easements containing 7,600 square feet (the “Right-of-Way and Easements”) across the property located along Level Green Lane, identified as Tax Map Parcel 787-761-0950, for the Magellan Parkway Improvements Project. The owner has agreed to accept \$762,976.58 for the Right-of-Way and Easements.

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

RESOLUTION - Award of Contract - Tuckahoe Creek Trunk Sewer - Phase I - Three Chopt District.

This Board paper awards a fixed price contract for \$2,637,625 to Godsey & Son, Inc. for the Tuckahoe Creek Trunk Sewer- Phase I project. The project consists of providing approximately 4,560 linear feet of 16- and 20-inch sanitary sewer main from Kain Road to Bacova Drive.

Work on the project is anticipated to begin in August 2024 and to be completed within 480 calendar days.

The County received two bids on May 2, 2024, in response to ITB 24-2658-3JL and Addendum No. 1. The bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Godsey & Son, Inc. Richmond, VA	\$2,637,625
G.L. Howard, Inc. Rockville, VA	\$3,240,250

Based upon a review of the bid, Godsey & Son, Inc. is the lowest responsive and responsible bidder.

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

RESOLUTION - Award of Contract - Sadler Road Improvements - Three Chopt District.

This Board paper awards a unit price contract for \$24,585,000 to Branch Civil, Inc. for the Sadler Road Improvements project. The project consists of a two-lane curb and gutter roadway with a shared center left turn lane, realignment of a portion of Sadler Road with signage, pavement markings, proposed water and sewer improvements, landscaping, construction of two roundabouts (at Sadler Grove Road and Old Sadler/Innslake Drive), three stormwater management basins, a shared use path, and a stream crossing.

Work on the project is anticipated to begin August 2024 and be completed within 790 calendar days.

The County received three bids on May 7, 2024, in response to ITB 24-2655-3JOK and Addendum Nos. 1 and 2. The bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Branch Civil, Inc. (Roanoke, VA)	\$24,585,000.00
Shirley Contracting Company, LLC (Lorton, VA)	\$26,776,603.37
Branscome Operating, LLC dba Branscome (Williamsburg, VA)	\$28,477,242.82

Based upon a review of the bids, Branch Civil, Inc. is the lowest responsive and responsible bidder.

The final contract amount will be determined upon completion of the project by multiplying the unit quantities authorized by the County by the unit prices submitted in the contractor's bid.

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

RESOLUTION - Award of Contract - Sadler Road Improvements - Three Chopt District.

This Board paper awards a unit price contract for \$24,585,000 to Branch Civil, Inc. for the Sadler Road Improvements project. The project consists of a two-lane curb and gutter roadway with a shared center left turn lane, realignment of a portion of Sadler Road with signage, pavement markings, proposed water and sewer improvements, landscaping, construction of two roundabouts (at Sadler Grove Road and Old Sadler/Innslake Drive), three stormwater management basins, a shared use path, and a stream crossing.

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<u>Bidders</u>	<u>Bid Amounts</u>
Branch Civil, Inc. (Roanoke, VA)	\$24,585,000.00
Shirley Contracting Company, LLC (Lorton, VA)	\$26,776,603.37
Branscome Operating, LLC dba Branscome (Williamsburg, VA)	\$28,477,242.82

Based upon a review of the bids, Branch Civil, Inc. is the lowest responsive and responsible bidder.

The final contract amount will be determined upon completion of the project by multiplying the unit quantities authorized by the County by the unit prices submitted in the contractor's bid.

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