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Henrico County Board of Supervisors Regular Meeting, Tuesday, August 13, 2024

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- Official agenda (Henrico County): <https://henrico.gov/pdfs/manager/meetings2024/081324ag.pdf>
- Official minutes (Henrico County, regular meeting): <https://henrico.gov/pdfs/manager/meetings2024/081324regmins.PDF>
- Agend-O-Gram, Aug 27, 2024 (records the Board's approval of these minutes): <https://henrico.gov/pdfs/manager/meetings2024/8-27-24Agend-O-Gram.pdf>

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[00:07:43] Ladies and gentlemen, thank you for being a part of our August the 13th, 2024 meeting in Rico County Board of Supervisors. Public comments will be given from the lectern in the back for everyone who is watching the live stream of our meeting on the county's website.

[00:08:04] You can participate remotely in the public hearings and public comment portion of the meeting. Go to the Board of Supervisors webpage at henrico.us forward slash supervisors. Click on Guidance for Board of Supervisors meeting. Scroll down and click on the WebEx event line.

[00:08:26] And a moderator will let you know when it is your turn to speak. I want to ask that you stand with us as we recite our Pledge of Allegiance and then be led in the invocation prayer by Jeanetta Lee, who is our chaplain for Henrico County Police Division.

[00:08:45] Pledge of allegiance to the flag of the United States of America, to the Republic of Sanitation. Good evening. Let us pray.

[00:09:05] Gracious Lord, before we ask you for anything, we give you thanks for the blessing of today. Bless our community, bless our leaders and their families. Bless the agenda and the meeting to follow. Give our leaders the wisdom needed to carry out your vision for him, Ryko.

[00:09:24] Continue to remind us that all that we do is for the greater glory of you and for the service of humanity. May you be proud of our progress and cause us to be excited about our future. In Jesus' name we pray, amen.

[00:09:40] Amen.

[00:09:48] That was good.

[00:10:14] Mr. Manchin.

[00:10:30] Mr. Chair, we have a request for approval of minutes from July 9, 2024, both regular and special meetings. So moved. Second motion made by Mr. Smith second by Reverend Cool Ball in favor say aye any opposed Thank you. Mr. Chairman members of board. I have one comment this evening with your indulgence I'd like to invite Lieutenant Rob Netherland of Henrico police and traffic engineer John Chayka And if any of you individuals if you have any family members with you, please bring them down

[00:11:12] So this comment also involves our vice chairman, Dan Schmidt, and I'd like to direct everyone's attention to the slideshow on the screens. which I hope. There we go. So prior to the NASCAR Cup Series Cookout 400 Sunday afternoon, Richmond International Raceway officials paid tribute to Supervisor Schmidt,

[00:11:46] Lieutenant Netherland, and Mr. Chayka in a surprise ceremony. So these public servants were recognized for their dedicated service over the course of many years at the raceway and for providing their professional expertise to ensure each race operates smoothly. I've heard as early as 5 a.m. Some days, weather, all the weather that you've had. And by each race, I mean literally

[00:12:18] dozens. So Rob Netherland worked his 67th race on Sunday. And Mr. Schmidt reached the 50 race milestone. And when you add in the races that Mr. Chayka has worked over his career, the three of these individuals have worked, have combined to serve more than 150 races at the track. So I should point out also that as we did this celebration, we couldn't keep them away from

[00:12:55] their duties for too long. In fact, Rob Netherland pulled on a vest and headed to gate four to direct traffic on Laburnum Avenue Mr Schmidt was going to was supposed to be at another recognition but he's noticed that traffic kept coming on so he said look that's enough uh notoriety for now I've got to park cars and that is what he did so um on a bittersweet note I do want to note that this is

[00:13:23] Rob's last was his last race and that he will be retiring soon, but he'll be gone, but every opportunity, especially with Encore and John, I want to thank you for everything you've done, not just for the raceway, but for the county and traffic engineering along the way.

[00:13:50] So I simply wanted to note this because it's the kind of thing that happens behind the scenes often. And I wanted the board to be aware, but I also wanted the residents of the county to be aware that you've got not just county employees, but board members that are so integral to so many things that happen in our community.

[00:14:13] And I simply wanted to say thank you to all of you for doing this. So thank you all. Thank you. Chairman, I have no other comments this evening. Thank you Mr. Manager colleagues are there any

comments or the supervisor comments? Mr. Chair. I just wanted to Remind folks listening about the listening sessions. We have going on for the comprehensive plan I think three of the five scheduled sessions have occurred three chop district has not occurred yet I believe mr. Chair you have yours Next week and as well and just as a reminder for those listening

[00:14:52] This is we're holding them in each district, but it's not limited to the folks who live in each district So if for whatever reason it's more convenient for you to go to the Varina one or the three-chopped one, if you haven't been able to go to one yet or your neighbors and friends have not been able to, I would encourage you to check out either Monday or Tuesday and have your voices heard for the comprehensive plan process.

[00:15:15] Thank you. Thank you, Ms. Whitehead. Any other comments, colleagues? Mr. Chair, I do have one. I just want to note the passing of former First Lady Roxanne Gilmore this past Wednesday. I had the opportunity to know both the First Lady and the former governor, and her loss is a profound loss not only on Henrico with her history as a Henrico educator, her incredible impact that she left on the tourism piece of Virginia, this Commonwealth, particularly with the Jamestown Foundation.

[00:15:46] But the heart of that amazing lady will be missed by this Commonwealth and this county. And I wanted to make note that, you know, for Mr. Gilmore and their sons, that this county mourns the loss of the former First Lady. Thank you, Mr. Chair.

[00:16:02] Thank you, Mr. Smith. Anyone else? All right. Thank you, colleagues. There is no news media here with us tonight, not in person. Maybe they're watching online. If you are, thank you for covering in Reichel County. We do have some Boy Scouts with us tonight.

[00:16:21] They are from local Troop 777 at the St. Martin Episcopal Church. And they are from the Tuckahoe District. I'm going to ask that they stand and come on up front to the microphone.

[00:16:41] And I think I already said what troop. But just come up and tell us what troop and what badge you're working on. My name is Mark, and I'm working on Eagle. All right. Thank you, Mark. My name is Rahul Chandran, and I'm working on first class.

[00:17:01] All right, thank you, Rahul. We appreciate you being with us. Thank you so much. Mr. Manchin. Mr. Chairman, we move into presentation 228-24 as a resolution commending Hannah Smith.

[00:17:20] This resolution commemorates Hannah on her well-deserved accolades and her ongoing dedication to advancing adaptive sports globally. I'd first ask a motion before Tuckahoe District Supervisor Rogish goes to the podium.

[00:17:37] Mr. Chair? Is there a motion? Mr. Chair, remove the resolution. Motion made by Mr. Smith, seconded by Ms. Whitehead. All in favor say aye. Aye. Any opposed? Thank you. Hannah, if you would come forward to this podium.

[00:18:04] So for those of you that don't know, Hannah was recently won an ESPY award. For those that don't know what the ESPYs are, that is the top award in sports like the Oscars.

[00:18:23] but for sports. So Hannah, I'm going to read the resolution from the Board of Supervisors of Henrico County commending Hannah Smith. Whereas Hannah Smith, a dedicated athlete and advocate for adaptive sports, has been honored as a recipient of the Billie Jean King Youth Leadership Award by ESPN Sports Humanitarian Awards. And whereas Hannah Smith's unwavering commitment to adaptive

sports through Sportable has profoundly impacted the global community. And whereas Hannah Smith's exemplary leadership in creating and promoting opportunities for athletes with

[00:18:58] disabilities embodies the spirit of the Billie Jean King Youth Leadership Award and whereas the recognition of Hannah Smith during ESPY's Week in Hollywood California on July 10th 2024 stands as an inspiration to athletes worldwide now therefore be it resolved that the Henrico County Board of Supervisors celebrates and honors Hannah Smith for her remarkable achievements and contributions to the adaptive sports community and be it further resolved that the clerk of the board of supervisors shall prepare a copy of this resolution for presentation to hannah smith commemorating her

[00:19:34] well-deserved accolades and her ongoing dedication to advancing adaptive sports globally signed by our chair tyrone nelson i don't necessarily have anything prepared but as we know richmond and the Henrico area is a sports town and we call it a sports town and that doesn't just mean a certain

[00:20:09] type of sports that means all sports including adaptive sports as we've seen the Henrico Sports and Events Center welcome thousands of athletes to Wichita Basketball Nationals last year and this coming year as well. Thank you to Sportable. Forrest is here from Sportable for all the opportunities to create these opportunities awesome thank you thank you so much mr manager

[00:20:43] mr chairman uh we move into our zoning uh cases this evening the first one agenda item 115-22 in the three chop district markel eagle llc with a application proposed single family residential development we have another deferral that is requested on this case to october the 8th is that correct this more that's correct so mr chairman do you want to see if anyone is here yes this is a public hearing case is there anyone here to speak to this particular case

[00:21:20] is there anyone online yes no one to speak to this item all right mr chairman i move that rez to 022-00002 markel legal advisors llc be deferred to the october 8th 2024 meeting at the request of the board second all right motion made by ms whitehead second by reverend cooper all in favor to say aye. Aye. Any opposed? Motion passed. Thank you. Mr. Manchin. Next, Mr. Chairman. Also in the three-chop district, 208-24 is LLBB LLC with a conditional rezoning request from O2C to R6C

[00:21:59] General Residence District. The applicant here is proposing a townhouse development at the northwest intersection of Pouncey Track Road and Leasefield Farm Drive. And in this case, the planning commission voted to recommend uh approval miss moore thank you very much this is a request to rezone 3.65 acres from o2c office district to r6c general residential district to construct 32 town homes the property lies at the eastern entrance of the bakova community and was zoned office in 2011 as part of that overall development surrounding uses include short pump

[00:22:39] manor north and west colonial elementary school to the south and office and a condominium that's currently under development called the point to the east across bounty track road as shown on the proper conceptual plan access to the site would be provided from laysfield farm opposite pacova drive a 25 foot wide and a 35 foot wide buffers are proposed along leesfield farm drive and bounty track road respectively This is to continue the vegetation and streetscape already established within the community.

[00:23:17] A 15-foot-wide buffer planted to a transitional buffer 25 is proposed adjacent to Short Pump Manor to the north. Sidewalks would be provided throughout the sites connecting to the existing sidewalk that runs along Leesfield Farm Drive.

[00:23:35] Originally, all the townhomes were proposed to be four stories in height, which shows three stories with dormers in the front, transitioning to four stories with an upper terrace in the back. Because of concerns raised about the height, privacy, and massing compared to the adjacent surrounding homes, the applicant is now proposing to add three-story townhomes, moving and removing the terrace or four-story, and relocating the balcony to the second level.

[00:24:11] These three-story units or buildings would be placed on the buildings one here, three, and four, which have the closest and most massing against Short Pump Manor. Four-story buildings would still be optional here in two, six, and five.

[00:24:30] Put to offset any privacy concerns, the elevations that are adjacent to the north would include a screening wall against this upper terrace. Other proffers address minimum finished floor area, building materials, And they set construction hours between 7 a.m. and 7 p.m. Monday through Friday and 8 a.m. to 5 p.m. on Saturday with no construction hours on Sunday.

[00:24:59] The comprehensive plan for the majority of the Bekova and this property is designated for suburban mixed use on the 2026 comprehensive plan. This classification encourages a unified high quality developments with a variety of home housing types.

[00:25:20] The proposal and overall density of 8.7 units per acre would be generally consistent with this designation, and with the revised proffers and elevation, it would be compatible with the adjacent uses. Therefore, staff supports this request, and as noted, the Planning Commission recommended approval after June 13, 2024 meeting.

[00:25:42] I will notice before this was deferred from your last meeting to work out those elevations that we just discussed. That concludes my presentation. I'd be happy to answer any questions you may have. Thank you. Are there any questions from my colleagues?

[00:26:00] No questions from my colleagues. This is a public hearing. Is there anyone here to speak to this case? Is there anyone here? I mean, I'm sorry. Is there anyone on WebEx? There's no one to speak to this item. All right. Thank you. Ms. Whitehead. Mr. Conlon, were you able to, I had asked you about a conversation that we had had about the pond area in the back.

[00:26:26] So could you give me an update on where we are with that? Yes, Ms. Whitehead. I was able to get the letter to Mr. Emerson to document the commitment we made with respect to the association and the improvements to that pond. Thank you. I appreciate that. So I will say this was a challenging case, as noted by the deferral request from the last meeting, and it was a really informative case for me.

[00:26:50] And I appreciated the exercise of going through it, probably to the anxiety and frustration of the applicant. It's a challenging area, very small acreage, as is part of the issue with 3Chopton, what we're working with, with new developments.

[00:27:07] And the applicant was certainly very responsive, in good faith, working with the community, as well as addressing my concerns and trying to, you know, make a product, thinking outside of the box a little bit, and making a product that was fairly significantly different than what was originally envisioned.

[00:27:26] And the end product, I do think, really does address to the best of the ability with what we're working with my concerns. I appreciate the applicant being so thorough with and candid and being candid about the limitations that the project presented as far as feasibility.

[00:27:44] Being open to looking at the green space area that we're working with, not only in this particular plat, but in Bacova generally. really happy about the commitment to um to make improvements on some of the green spaces in bakova and happy with the discussion that we had about even sprucing up some of the green space in this particular plat to make it palatable for residents that are there the design changes to make it compatible compatible from an aesthetic point of view and even down to being flexible with the price point so that a variety of different folks will be able to eventually get into these homes

[00:28:21] so very pleased with the way that our discussions worked out and um thank you for the good faith work that all of you guys put into it as well as mr shippy my planning commissioner in working to get a good product so all of that being said mr chair i move that we follow the recommendation of the planning commission and approve rez 2024 100 816 llbb llc with the proffers dated august 1 2024 second all right motion made by ms whitehead second by mr mr rogers all in favor say aye aye any opposed thank you motion passes the manager next mr chairman 229-24 is glenwood

[00:28:59] redevelopment llc in the fairfield district with a conditional rezoning request from b2 business district r41 family residence district and r5 general residence district to umu pdc urban mixed use plan development district. This is a 34.4 acre parcel approximately at intersections with Laburnum and Howard and Laburnum and Byron Street. The applicant is proposing in this rezoning for a mixed use development with residential and commercial uses and the planning commission

[00:29:38] voted to recommend approval. Ms. Moore. Thank you again Mr. Manager. This request is to redevelop glenwood farms an apartment community with 240 units and a 24 000 square foot retail center since it was initially constructed as post-world war ii housing in 1948 the property has changed hands several times and is in dire despair the goal of the rezoning is to review the existing development and replace it with the community with the mixture of housing options under the urban mixed-use plan development district single-family homes oh wait this district the the district

[00:30:17] requested does allow for more flexibility and higher density and housing types under a unified master plan in terms of conditions document which further govern the uses densities site building designs open space and transportation requirements including pedestrian mobility and lighting the The surrounding area is mostly developed with single-family with some multi-family to the south.

[00:30:44] There is a commercial center currently here next to Byron Street. Commercial uses are also located on Mechanicsville Turnpike about a quarter mile to the west. There are also two bus stops currently on East Laburnum between Reynolds Road and Ammons Avenue, which is close to fire station number 7.

[00:31:10] The applicant has submitted extensive proffers and a pattern book that serve as the master plan for the development. Overall, 950 dwelling units are proposed, of which up to 555, or about 58%, could be multifamily for rent, with the remaining housing types consisting of townhomes, condominiums, and duplexes.

[00:31:33] The master plan shows two phases, beginning on the northern end, and just to orient yourself, Mechanicsville Turnpike is down at the bottom or to the west. This is actually north. So in the first phase, 140 townhomes are proposed on the very northern end, as well as 250 multifamily units on the south side of East Liberton Avenue.

[00:31:58] An additional 175 multifamily units are proposed within this phase as well, but only if they are age-restricted. The commercial area currently here on Byron Street is proposed to be relocated to front East Laburnum Avenue, and Bowling Road. Hours of operation for this commercial area have been proffered to adhere to the B2 district, which means that they would operate between 6 a.m.

[00:32:24] and midnight only. The remainder of the units would be located in the second phase of the development, shown here in kind of the teal blue. The development would include housing options, again, such as condominium duplexes with multifamily. This includes a conceptual layout that shows the kind of building footprints and the layout that could be proposed. As you see here, Byron, Bowling Road, and East Laburnum Avenue would be the main or primary roads. One new public

[00:33:01] road is proposed on the northern end to connect Howard Road and Bowling Avenue. Shown in yellow is the proposed alleys to serve the townhomes and also to the southern end to serve the units there as well sidewalks are proposed along both of these streets on both sides currently on the interior public street there are no sidewalks those wouldn't be installed I think proposed on both sides there are cross-sectionals for each street type and these show the widths and the

[00:33:37] setbacks for the building sidewalk street trees on-site parking as well as travel lanes another requirement of the Umu PD district is providing open space and amenities that are integrated to provide a compact walkable neighborhood setting the amenities portion of the pattern book provide the location of the proposed pedestrian network pocket parks clubhouse and pool and you can see the legend down here the pool would be clubhouse to be located here and here the clubhouse would

[00:34:14] be at least 3,000 square feet in size and would be constructed prior to the 240th certificate of occupancy for any non-age restricted unit within phase one of course the exact locations would be determined at the time of plan of development but the network shows with the sidewalks connections to East Laburnum on both sides as well as to the adjacent neighborhood overall approximately five acres would be devoted to open space portions of the eastern and western boundary lines would have

[00:34:49] a 25 foot wide buffer supplemented with vegetation equal to a transitional buffer 35 and a six foot high community fence would be installed along the northern property line. This gives an illustration a little bit of those transitional buffers that were shown in the planting requirements.

[00:35:09] Exhibits for the townhome show two and three story options each with I'm sorry for the multifamily two and three four four story multifamily with ample windows varied exterior colors and materials here is proposed for the multi-unit building is the three-story four stories illustrative that would be for the age restricted and you can see with elevators more exhibits show the clubhouse

[00:35:43] and pool again a view from a public park or green pocket park I should say exhibits for the town Townhomes show two- and three-story options with one-car garages and various materials to articulate the units.

[00:35:59] The front building facades of all townhomes would be a minimum of 35% masonry or stone. Any duplex shown here would have 35% masonry or stone. And the condominiums aren't specifically shown, but they are proffered to have similar building materials and be consistent with those with a minimum of 25% masonry on fronts.

[00:36:24] Other notable details include a conversion chart for phase two to allow some flexibility in unit types. The proffers address hours allowed for outdoor music would be limited from 7 a.m. to 10. We

mentioned any hours of operation for the commercial uses.

[00:36:42] And then transportation improvements would include, if requested by the county, the dedication of a 12 by 16 land space for area for bus stops on both sides of East Laburnum. I'll also note tonight, under uses and the proffers, one change was made today, and that was to make the allowance for commercial uses to include convenience store and grocery stores.

[00:37:06] So that is something that was added, and that would be a permitted uses. Other uses would really just be down to the retail and services, daycare, civic uses, and restaurants, and some professional offices. The 2026 Comprehensive Plan recommends urban residential and multifamily for the majority of the site, with small areas designated for commercial concentration and suburban residential too.

[00:37:43] The Urban Mixed-Use Plan Development District, as proposed with the Greenwood Master Plan, would be consistent with these designations and would continue to be compatible with the adjacent residential neighborhoods and transportation network in the surrounding area.

[00:37:58] Also, the higher density would also provide better allocation of land for a variety of housing options and reinvestment and would provide opportunity for a unified development to enhance an age community. For these reasons, staff supports this request and the Planning Commission recommended approval at their July 11th meeting.

[00:38:18] This concludes my presentation. I'll be happy to answer any questions you may have. Thank you, Jane, for that comprehensive donation. Are there questions? Great job.

[00:38:35] anybody here to speak to this particular zoning case all right yes ma'am um those i'm sorry we do have somebody um so if you're speaking yep we will yep just speak from there let us know your name and your address i'm in a wheelchair sorry um my name is donna hoover i'm at 3706 ammons avenue i have very very grave concerns about all this development i have lived on ammons avenue for 30

[00:39:14] years. The house that I'm living in was originally built and owned by senior adult family members in 1962. At that time, Laburnum was not even cut through past Mechanics for Turnpike. They were promised when the houses were built, they were promised curving, gutters, and streetlights.

[00:39:46] You're proposing all this new development and all these fancy amenities. Nothing has been done to change or improve the neighborhood for those of us senior adults who've lived there 30-plus years.

[00:40:05] I'm concerned about traffic on Laburnum Avenue. We take our life in our hands every time we leave the house trying to get out of our neighborhood and out of Ammons Avenue. I'm concerned about crime and drugs. There are apartment buildings over behind the fire station on Bowling Avenue.

[00:40:28] We can hear gunshots almost every night of the week. I don't know whether to roll out of my bed and hit the floor or stay in my bed and risk a bullet coming through the wall. I want to know what's going to be done to change the traffic and the concerns for those of us who have crime and drugs that we have to live with every day of the week.

[00:40:53] if i can let me uh let me take a stab at that you know the uh earlier today the board of supervisors had a briefing from the police department that showed county-wide we have had a 10 plus reduction in crime in this county compared to last year and you know covid changed a lot of things a lot of reactions as far as uh police but they are using a good amount of

[00:41:31] technology have the resources that they need but when you talk when you say that nothing has been done to improve roads laburnum avenue i specifically my memory goes back not as far as yours does but you know it was a number of years ago we began working on a project called essex village you recall is now st luke's number of improvements that have been made there where we really didn't have the authority or ability but worked with an ownership group to make improvements to that

[00:42:10] community and that has continued i mean even to the point of you know the the landscaping that you see on laburnum avenue there's an intentionality that is present and i would actually welcome the opportunity to have a just a one-on-one conversation and dig into a little bit more of what you're feeling if you would allow me to do that if you would leave your your phone number where i could call you uh tomorrow maybe we could set up a time where we could have that

[00:42:44] conversation if you're amenable to it that's fine because there have been numerous people hit and killed trying to get across laburnum avenue yep there have been several houses recently on side streets between mechanics for turnpike and creighton road where cars have run into houses and hurt and kill people from accidents on Lombardham Avenue.

[00:43:13] Yes, ma'am. Our director of public works is going to get your telephone number if that's okay. And I'll call you, Mr. Cooper, if you're okay with that. Yes, sir. If we want to meet, I'll be more likely to meet as well. Okay. So, Mr. Hughes, if you would get Ms. Hoover's cell number.

[00:43:31] Okay. Yep. Thank you. Thank you. Thank you, Ms. Hoover and Mr. Hughes is right over to your left. He'll get your information. Can you pass the microphone to that nice lady standing to your left? Thank you. Good evening. Excuse me. My name is Reverend Monique Kelly, and this particular neighborhood is where many of my seniors and my young people live.

[00:43:55] And I am an associate minister at the Great Hope Baptist Church, 2101 Venable Street. In addition, I have a personal ministry called P5 Ministries, where I actually work in the street with those who are housing, clothing, food, and anything else challenged.

[00:44:11] I have a question as to our future development process. I have people who are on the street, housing, clothing, food challenged, but we keep building these very nice.

[00:44:27] I was raised in a place called Reston, R-E-S-T-O-N, Virginia. It's a very nice neighborhood, but before one single cut went into Reston, there was planning, extensive planning. I was 48 when they built the last building, and it was very detailed.

[00:44:48] The reason I live in Henrico County off of Parram Road is because it looked immensely like Reston when I drove down Parram Road coming from Baltimore. However, now we have no trees and we just let all the poor things, the birds and the squirrels die.

[00:45:07] And on the other side of town, I'm always doing funerals. The young lady who got killed on nine mile road protecting her 18 month old son has passed away. Her son is still in the hospital fighting for his life.

[00:45:29] she's never going to come back her three month her three-year-old daughter is looking for her mother and because of other financial issues the husband has decided that he's not actually going to do a funeral so now i have her immediate family really wanting him to end his you know stay here on earth

bottom line is we have all this great housing how many people with all this young adult poverty are we getting into these houses they look great they're wonderful

[00:46:04] developments but if you drive down mechanicsville how many of those those developments those three developments that were developed are actually filled how many of seniors like her don't have to risk their life because they do and i get the phone calls okay i'm just asking questions i'm not hostile just asking questions asking for us to think about what we're doing it looks good but

[00:46:36] for the people it's only the results that count thank you very much thank you any other comments All right, is there anyone on Webex? There's no one to speak to this item.

[00:46:53] All right, Cooper. Mr. Chairman, this is really a historical day, exciting day. This is a transformational development, and I'm proud of how we're trying to be intentional about making sure that there's no displacement, that we have senior housing as well as affordable.

[00:47:15] And so I look forward to this development because I've met with the residents of that community on three or four occasions and have to live in a place where you have holes in your apartment that you can see the floor or look through your roof and see the sky and you have the water from your tub coming into your sink, this is markedly improved.

[00:47:36] And so I am excited to say that I move that we follow the recommendation of the Planning Commission to approve REZ 202-4-10134 Limited Redevelopment LLC with the profits dated August 5, 2024.

[00:47:52] All right. Motion made by Reverend Cooper, second by Ms. Whitehead. All in favor say aye. Aye. Any opposed? Thank you. Before we go to the next case, I do want to recognize two of our planning commissioners, since they have been so involved in these cases, our chairman, Mr. William Mackey from Verona, and our three-child planning commissioner, Mr. Bob Shippey. Thank you guys for being here and supporting tonight.

[00:48:20] Mr. Magic. Mr. Chairman, with your indulgence and the indulgence of the Board of Supervisors, I'd like to go into the general agenda. The first item is Agenda Item 238-24. I'm going to ask Monica Smith-Callahan to come forward.

[00:48:38] And this is a resolution for signatory authority, the Community Foundation, and the establishment of Glenwood Farms Resident Support Fund. Now that you have approved the zoning case, these two items are related. Monica.

[00:48:53] Thank you, Mr. Manager, Mr. Chair, members of the board. This board paper authorizes the establishment of the Glenwood Farms Resident Support Fund as a component of fund of the Community Foundation, Inc. The fund will be administered by the foundation with recommendations for an advisory committee and spokesperson appointed by the county manager.

[00:49:16] The fund will support residents of Glenwood Farms during the redevelopment of that community from donations by other charitable and governmental entities. The deputy county manager for community affairs recommends the approval of the board paper, and the county manager concurs.

[00:49:34] Before we vote, have we established on a figure amount we're trying to achieve in this fund? Yes, we would like for it to be at least \$3 million. Ms. Chairman, I move that we accept this board paper.

This resolution. All right. Motion made by Reverend Cooper, seconded by Ms. Whitehead. All in favor, say aye.

[00:49:53] Aye. Any opposed? Motion passes. Mr. Manager. Next, Mr. Chairman, we move back into the zoning agenda. Agenda item 230-24 with Joseph B. McCutcheon with a proffer amendment request in the Fairfield District.

[00:50:09] There's been a deferral that has been put forward. Mr. Seal, the request is September the 10th? Yes, Mr. Manager, a request for a moment deferral. All right. Reverend Cooper, did you have any questions before we went to the floor? I do not, sir. All right. Is there anyone here to speak to this particular case?

[00:50:26] Anyone on WebEx? There's no one to speak to this item. All right. Reverend Cooper. Mr. Chairman, I move that REZ-2024-100950 Joseph B. McClutchin, Jr. be deferred to September 10, 2024 meeting at the request of the applicant.

[00:50:45] All right. Motion made by Reverend Cooper. Second by Mr. Rogus. All in favor, say aye. Aye. Any opposed? Thank you. Ms. Magic. Next, Mr. Chairman, moving to the Verona District, 231-24 is Hanover Road, LLC, with a conditional rezoning request from A1 Agricultural District to R2C One-Family Residence District, a parcel containing 1.66 acres located at the northwest intersection of Hanover Road and Graves Road, and the applicant is proposing a single-family subdivision.

[00:51:19] Mr. Seal. Thank you, Mr. Manager. As you noted, this is a request to rezone to allow for the subdivision of a parcel into two new single-family lots. The surrounding area is predominantly large-lot single-family residential, as shown on the map here, and designated suburban residential one on the 2026 future land use map.

[00:51:38] These are areas that should not exceed 2.4 units per acre and consist of single-family detached homes. The proposed density of approximately 1.2 units per acre would be consistent with the plan's recommendation in this case. the requested zoning r2 zoning does have some precedent in the vicinity with land zone r2 located directly across graves road this request would be similar and would also include the provision of public water and sewer which were not available until to these properties until recently proffers submitted by the applicant provide assurances that new residential lots would be accessed from graves road other proffered commitments are comparable to general comparable

[00:52:17] to and generally reflect those provided with similar requests elsewhere in the county and in addition after discussions with the planning commission during their public hearing the applicant has provided an additional proffer that would require homes to be constructed generally consistent with the elevation shown here since the proposed use and residential density are consistent with the plan's sr1 designation and the proffers provide quality assurances including example elevations that illustrate general style and scale of the new homes the proposed subdivision for allowed to allow for two residential lots should be compatible with adjacent properties for these reasons staff does support the proposed use of this location

[00:52:54] and the planning commission recommended approval of this request at their meeting on July 11th that concludes my presentation and i'd be happy to try and answer any questions you might have so rezoning permission to subdivide a lot um to two houses is that right yes mr nelson all right any questions uh this is a um public hearing is there anyone here to speak to this case anyone on webex there's no one to speak to this item all right i move that we follow the recommendations

[00:53:29] of the planning commission and approve rez 2024-100932 hanover road llc with the profits dated august 1 2024 second motion made by myself second by reverend cooper all in favor say aye aye any opposed thank you mr manager chairman uh staying within the verona district agenda item 232-24 whole street properties llc with a request for provisional use permit that would allow for a 24-hour operation of a restaurant with a drive-thru on a parcel near the intersection of

[00:54:08] South Airport Drive and East Park Port. Planning Commission voted to recommend approval here. Mr. Seal. Thank you again. This request is for a provisional use permit to allow for the 24-hour operation of a drive-thru for a fast-food restaurant on the east line of South Airport Drive. The site is zoned B2C, or excuse me, B2 Business District, and the applicant has submitted a plan of development for the proposed restaurant that is currently under review. The applicant has submitted this conceptual plan for the fast food restaurant with the drive-through. In 2023, the Board of Supervisors approved for a provisional use permit to allow for 24-hour operation of a

[00:54:47] proposed 7-Eleven that is also located on the subject parcel. With this request, staff is recommending similar conditions to regulate the use, such as a security-grade fence, limiting the entrances to South Airport Drive, and sound control for outdoor speakers. Staff is also recommending a condition that the extended hours of operation are limited to the drive-thru only based on feedback received during the community meeting. That community meeting held on June 25th was held at the Sandston Public Library. One resident did attend and the topics of discussion included the interior hours of operation on the site which at that time were for 24 hours as well.

[00:55:23] Subsequent to that the staff did recommend conditions that were limited to drive-thru only which were recommended by the Planning Commission at their meeting on July 11th where they recommended approval of this item. And that concludes my presentation. I'd be happy to try and answer any questions you might have. Colleagues, any questions?

[00:55:42] So this was the Royal Farm that was approved, and then Royal Farm pulled out. 7-Eleven is now the new convenience store that will be located there.

[00:56:00] And then this is the addition with the restaurant. And the 7-Eleven is 24 hours, and the Sheetan Wawa, which is about a half a mile up the road, maybe a mile, three-fourths of a mile, are both 24-hour.

[00:56:20] So it makes sense, right? Correct, Mr. Nelson. As shown on this zoning map, this is the outline of the plan of development that's under review or has been approved for the 7-Eleven on the rest of the parcel here. Wawa and Sheetan, as you noted, as well as another gas station, are located to the south on the other side of the interstate.

[00:56:36] Oh, yeah, there's another one down there, too. that do allow 24-hour operation. And then there are some uses along Nine Mile Road that also have 24-hour allowances in this area. And most of Nine Mile Road in that area is unconditional B3 that allows 24-hour operation by ride.

[00:56:52] Okay. So drive-through 24 hours, the rest of our encloses at midnight? They would be limited to the other hours in the B2 district. And they would have to get a pump if they wanted to do more? They would have to come back and amend this provisional use permit or request in need of this, sir. All right.

[00:57:08] Questions? Hearing none, this is a public hearing. I'm assuming you're here to speak. Anyone else here to speak, this is a public hearing. All right. Yes, ma'am. Can you tell us your name and your address, if you don't mind? My name is Sandra Christian. I live at 1513 Farley Terrace, which is behind the

Fairlong Townhouses, if anybody know anything about the Holland Springs area, which is right off of Namai Road.

[00:57:33] I was reviewing this information today, and the only really concern that I have, and I appreciate your time with me, is that the hours. Now, I do not agree with everything else is 24 hours. Only the Wawa, the Sheets, the 7-Eleven.

[00:57:50] The Hardee's that sits at the intersection of Nine Mile Road and Airport Drive closes up like 10 o'clock, 9 o'clock at night. And, of course, the CVS right across is closed. Of course, the 7-Eleven that's currently at the other corner at Nine Mile Road, that's open at 24 hours.

[00:58:07] And also the Shell Station that sits there, that's open at 24 hours. That's fine, but this is a, we're talking about a restaurant. So a restaurant, I would like for you to be able to reconsider letting the drive-thru close at 12 and maybe the inside close even at 12 or even 10 o'clock because one thing behind that is an old establishment.

[00:58:35] You have seniors, you have residential areas right behind that. You got Jennings Road, which is where Fairfair Elementary School sits. There are seniors that live in that area, and I know, I understand through the documentation that you have noise control, but you have noise control from people in vehicles, if you know what I'm saying.

[00:58:57] So my concern is really about the time. Everything else that you've written in here about the buffers and all, that's wonderful, but it's really the time. I can't see a restaurant being open until, you know, the drive-through all the way through to the next day and continuing on.

[00:59:19] I know that the football games, when they're let out for the football games, the people will come over to McDonald's and they'll get something to eat. I doubt if they get anything to eat past 12 o'clock. So my concern is in order to sort of indirectly help the police department because if they're not open, that means it's less likely for somebody to be in that area, even though the drive-thru is open 24 hours, there might be people still hanging in the pocket.

[00:59:48] So if you close it at the same time or if you want to stagger the time, that's fine. But I would not want that drive-through to be open 24 hours. That's my concern because I'm thinking about the area that we're in.

[01:00:04] It's a quiet neighborhood behind them. The school's right there, and I don't see where we, you know, if you look at it, where it's located, it's not too much there. Yes, ma'am.

[01:00:21] But that is my concern. So it's really the time. It's the time. But, you know, give them that time. Just stop it. Thank you. Thank you. All right, anyone else? What about WebEx?

[01:00:40] There's no one to speak to this item. All right, Mr. Geiger, you represent the applicant. Do you want to speak to the request for 24-hour drive-through and anything else you want to, without dragging this on too long?

[01:00:58] Just, yes. Yes, Mr. Chairman, Jeff Geiger here on behalf of the applicant. I'd just like to take a moment to explain and address the concerns that were raised. as was mentioned by staff the 7-eleven will be operating 24 hours we did hear from the community we did hear from concerns about the restaurant portion being open 24 hours that request was removed it is only the drive-through and the reason is we

have like to serve those who are traveling on the interstate provide a opportunity for folks to get a meal most importantly we

[01:01:37] have a lot of traffic going up and down the airport road to the airport. The airport operates late, past 12 o'clock, and then we have travelers who are getting there early, 4 o'clock in the morning, and then our employees who travel the road at that late at night. And so we like to have them, give them the opportunity to stop in, get a biscuit, get a coffee, get a sandwich, and patron food to address the security concerns. As you know, we have

[01:02:11] get a septed police will work with us to design parameters and cameras to ensure safe operation of the drive-through during that period of time that requests that the court approve the pub requests subject to the staff's conditions thank you sir uh seeing that there are no other persons i think one of the biggest things that we considered um was that specific thing so the

[01:02:44] The first request that came in was for not just the drive-thru to be open, but the whole, the inside to be open, too. So we did ask for the hours to be restricted to close at midnight, and hopefully that will decrease any loitering.

[01:03:02] And the biggest concern, well, not the concern, but the biggest consideration is the airport. So I know there are flights that leave out of Richmond at 5, 6, 7, you know, a person has to go to work early. And so that probably is some business, some legit business that will come through for drive-thru.

[01:03:22] So that's the reason we considered it. Any other questions or comments? If not, I move that we approve PUP-2024-101026, Hall Street Properties, LLC, with the recommended conditions listed in the staff report.

[01:03:42] Second. All right. Motion made by myself, seconded by everybody. All in favor, say aye. Aye. Any opposed? Thank you. Mr. Magic. Next, Mr. Chairman, members of the board, public hearings, other items. You have a number of items that Mr. Newby had covered in work session with the board prior.

[01:04:01] These are basically conforming to changes made in state code by the Virginia General Assembly. The first one, 233-24, is an ordinance that would comply with changes in state law regarding disconnection of water and sewer service.

[01:04:18] So, Mr. Newby, you want to speak to that? And I know Mr. Chan has spoken to this in the past, but if you will cover this, please. Yes, sir. So as you mentioned, Mr. Manager, Mr. Chair, members of the board, this ordinance is necessary to comply with changes in state law that took effect on July 1.

[01:04:37] The changes prohibit the disconnection of water and sewer service for nonpayment when the forecasted temperature is at or above 92 degrees within the 24 hours following the scheduled disconnection. also on Fridays, weekends, state holidays, or the day immediately preceding a state holiday, and finally, for 30 days after the governor declares a state of emergency in response to a communicable disease.

[01:05:03] I know Mr. Chan and the Department of Public Utilities recommend approval of this board paper and have already implemented these changes. With that, I'd be happy to answer any questions on this public hearing item. Colleagues, any questions? This is a public hearing.

[01:05:18] Is there anyone here to speak to this particular case? Yes, ma'am. Can someone help her with the microphone? Thank you. It's me again. I have a question concerning the what I'm understanding is

that Henrico County wants to go to discontinuing County services for residents who are not able to pay the bill or are behind on the bill

[01:05:56] Is that what I'm understanding? No ma'am. If you have a man, I'll attempt to answer the question and Mr. Chan can back me up. So this is actually limiting the county's ability to disconnect water and sewer service under particular circumstances. So it's not for authority to disconnect services for non-payment, but actually limiting when the county can do so. Okay. Because some of us did get behind on power bills and water bills, county utility bills, during COVID. And Henrico County has been

[01:06:32] very good about extending the county utilities to those of us who have not been able to get caught up senior adults who don't have money coming in for utility bills that continue to increase yeah so this is this um this ordinance is another safeguard for that so this is this is actually supporting what you're saying okay all right thank you all right uh public comments Anybody else in the room?

[01:07:10] Anyone on Webex? There's no one to speak to this item. All right. Motion. So moved. Motion made by Reverend Cooper, seconded by Ms. Whitehead. All in favor. Aye. Any opposed? Motion passed.

[01:07:26] Mr. Manchin. Mr. Newby, if you would cover the next two items, and I know we've got agency heads also who can provide information. That's right. Yes, sir. Mr. Chair, members of the board, the next ordinance is to comply again with changes in state law, this time regarding verification of compliance with general construction permits requirements by amending and reordaining section 10-42 titled general construction permit requirements of the code of the county of Henrico. Once again, this is a very technical change required by changes in state law. The county's ordinance needs to be amended to conform to those changes. The director of public works recommends approval of the board paper and the county manager concurs. Be happy to

[01:08:02] answer any questions. Colleagues, do we have any questions? All right. This is a public hearing. Is anyone here to speak to this item? Is there anyone on WebEx? There's no one to speak to this item. All right. Can I get a motion? Motion made by Ms. Whitehead. Second by Mr. Rogish. All in favor say aye. Aye. Any opposed? Motion passed. Mr. Manchin. Mr. Chair, if I may, the next item is to exempt from personal property taxation certain farm machinery, equipment, and implements by amending the county code. This board paper, as the title implies, would exempt from personal

[01:08:39] property tax various farmer sharing and equipments used by an indoor closed controlled environment commercial agricultural facility this is this exemption excuse me is allowed by changes in state law effective July 1 2024 county staff has been administering this exemption for many years so for it to continue the board would need to approve this ordinance the director of finance recommends approval and the county manager concurs I'd be happy to answer any questions questions hearing none um is there anyone here to speak to this ordinance or what is this

[01:09:15] ordinance or resolution it's an ordinance sir ordinance is there anyone on webex there's no one to speak to this item all right is that motion second all right motion made by Mr. Roger second by Reverend Cooper all in favor say aye aye any opposed motion passed Mr. Manager next Mr. Chairman 236-24 is the resolution for signatory authority this is an easement agreement 7015 Stoneman Road this is the Worcester farm subdivision in the Brooklyn district Mr. Anthony

[01:09:50] yes sir good evening Mr. Manager Mr. Chairman honorable members of the board uh this board paper would authorize the chairman to execute execute an easement agreement with Vepco for

underground utility line facilities across the property located at 7015 Stoneman Road a vacant lot in Worcester Farm Subdivision this would alleviate load issues and provide more reliable electrical services to county facilities and surrounding areas the real property division has processed its requests with departments of planning public utilities public works without objection the directors of real property and the public works department recommend approval of this board

[01:10:30] paper the county manager concurs I'll be happy to answer any questions thank you um colleagues questions all right uh this is a public hearing anyone here to speak to this particular resolution Anyone on Webex?

[01:10:50] I want to speak to this item. All right. Motion. The resolution. Second. Motion made by Mr. Smith. Second by Reverend Cooper. All in favor say aye. Aye. Any opposed? Motion passed. Mr. Manchin. Next, Mr. Chairman, 237-24 was discussed in work session, but this is a resolution for signatory authority, acquisition of portion of real property and lease back, Old Parham Road between West Broad Street and East Parham Road.

[01:11:17] This is in the Three Chop District. Mr. Anthony. Thank you once again, Mr. Manager, Mr. Chairman, honorable members of the board. This board paper authorizes the acquisition of 1.453 acres, strip mall along Old Parham Road, roughly situated between West Broad Street and East Parham Road.

[01:11:33] The owner, Julia F. Robbins, Family Limited Partnership, has agreed to sell the property for \$1.3 million. The board paper also authorizes a lease-back agreement so that the seller can continue to use an approximately 861-square-foot portion of the property for one year with the option to renew for an additional three years.

[01:11:56] The seller will pay \$700 a month in rent. The directors of Public Works and Real Property recommend approval of the board paper. The county manager concurs. I'll be happy to answer any questions. Thank you, sir. Questions, colleagues? Just one quick question.

[01:12:12] On this property, it actually does face Broad as well. Is that correct? In the red there, it's not including a portion of that property, right? That is correct. Okay. Any other questions? That's a public hearing.

[01:12:29] Anyone here to speak to this particular item? Anyone on WebEx? There's no one to speak to this item. All right. Colleagues, can we get a motion? All right. Motion has been passed.

[01:12:45] Moved and second. All in favor, say aye. Aye. Any opposed? Thank you. Mr. Manchin. Mr. Chairman, we move into public comments. I do not have anyone that has signed up to speak to the Board of Supervisors this evening. Is there anyone in person who wishes to do so?

[01:13:01] Is there anyone on Webex who wishes to address the Board of Supervisors? I want to speak on Webex. Okay, so moving into the general agenda. Mr. Chairman, we covered the first item earlier during the public of the zoning case conversation 239-24 is a resolution for award of contract this is Eastover Gardens Firehouse 6 in the Verona District thank you sir thank you good evening Mr. Chairman members of the board this board paper awards and I'm sorry I'm Katherine

[01:13:39] Latimer from Fire I know you guys don't see me a lot I apologize for that this board made this board paper awards a fixed price contract in the amount of 13 million 104 thousand dollars to Kenbridge Construction Company Incorporated for design and construction of Eastover Gardens Firehouse 6. The

project consists of design and construction of a new firehouse including all required site work on 4.64 acres of county owned property located at 3401 Gate Avenue. Work on the project is anticipated to begin August 2024 and be completed within 18 months. The county received

[01:14:11] three proposals on april 5th 2024 in response to rfp 23-2556-7 jok and addendum numbers 1 and 2. discussions and negotiations were entered into with the following firms david a nice players incorporated gulf seaboard general contractors incorporated and cambridge construction company incorporated the selection committee selected cambridge construction company incorporated as the top-ranked firm and negotiated a fixed price contract in the amount of 13 million one hundred four thousand dollars funding to support the contract is available within the project budget fire chief and the purchasing director

[01:14:49] recommend approval of the board paper and the county manager concurs and I'd be happy to answer any questions questions colleagues if not so move the resolution second motion made by my second by myself Reverend Cooper second in favor say aye. Aye. Any opposed? Thank you. Next Mr. Chairman, 240-24 is a resolution for signatory authority. This is for acquisition of real property 1314 Herman Street, which is in the Verona District. Thank you once again Mr. Manager, Mr. Chairman, honorable members of the board. This authorizes the county manager to execute a purchase agreement and accept the deed

[01:15:28] to acquire 31,899 square feet of 1314 Herman Street for future use as part of a new market road improvement project. The directors of public works and real property recommend approve of the board paper.

[01:15:44] The county manager concurs. I'll be happy to answer any questions. So we don't have any idea what just new market road improvement project? I mean, what does that mean? That's being planned for right now. mr hughes could probably speak more directly to you in that regard sir okay mr hughes chair members of the board so uh i don't have a map up on that one but where herman street it aligns with midview there's a dog leg it's a you know two intersections that don't necessarily align so by acquiring this

[01:16:19] parcel that'll allow a future realignment to make the intersection safer okay so there's no timeline for the improvement and it doesn't have anything to do with the um cap trail or anything like that okay all right any other questions all right so move to resolution second all right motion by myself made by myself second by reverend cooper all in favor say aye aye any opposed thank you next t41-24 is a resolution also for signatory authority also for acquisition of real property in this case 1583 new market road in the verona district mr anthony thank you once again sir uh

[01:16:56] mr chairman honorable members of the board this authorizes the acquisition of a parcel at 1583 new market road for flood and drainage remediation and prevention the owner neil barry george jr has agreed to sell the property for 32 775 directors of public works and real property recommend approval of the board paper the county manager concurs happy to answer any questions questions colleagues some more to resolution motion made by myself i'm second by miss whitehead all in favor say aye aye any opposed imagine next 242 - 24 is a resolution award of

[01:17:35] contract this is the Croydon Road area sewer extension project in the Fairfield district mr. Chan thank you mr. manager mr. chair members of the board good evening this is an award of a fixed price contract for one million six hundred three thousand nine hundred sixty one dollars and five cents to central site and utilities for the Croydon Road area sewer extension project consisting of providing

approximately 2,930 linear feet of 8-inch sanitary sewer main along Neal Street, Skelton Street, Croydon Road, Broadgate Drive, and Aldersgate Drive this

[01:18:14] is this is an ARPA American Rescue Plan Act funded project it is number 17 of 30 it will provide sanitary sewer service county sanitary sewer service to 40 properties and water service to one property work on the project is anticipated to begin in October of this year and will be completed within 300 calendar days with that I'll be happy to answer any questions that you may have questions hearing none so moved second motion made by Reverend Cooper second by

[01:18:53] mr. Smith all in favor say aye aye any opposed mr. Mange next mr. chairman 243 - 24 resolution for award of contract at Gillies Creek sewage pump station this is in the Verona district mr. Chan thank you again this is an award of a fixed contract for two million seven hundred eighty five thousand to Waco incorporated for the Gillies Creek sewage pump station upgrade project the purpose of this project is to replace variable frequency drives bar screens slide gates and associated miscellaneous work at the Gillies Creek sewage pump station

[01:19:32] this is a 1980s vintage station that serves the area it's like Creighton and Airport and Williamsburg Road it's a 90 it serves 9600 acres in in Verona and is in need of renewal work on the project is anticipated to begin in also in October of this year and be completed within 420 calendar days with that I'll be happy to answer any questions that you may have questions can you explain everything all those components do before we vote we can I have maps if you

[01:20:11] and diagrams so move the resolution motion made by myself second by mr. rogers all in favor say aye any opposed mr. manager anything else no nothing further colleagues anything else



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