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Henrico County Board of Supervisors Regular Meeting, Tuesday, August 12, 2025

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- Official agenda (Henrico County): <https://henrico.gov/pdfs/manager/meetings2025/081225ag.pdf>
- Official minutes (Henrico County, regular meeting): <https://henrico.gov/pdfs/manager/meetings2025/081225regmins.PDF>
- Minutes, Aug 26, 2025 (record the Board's approval of these minutes): <https://henrico.gov/pdfs/manager/meetings2025/082625regmins.PDF>

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[00:08:56] Good evening, everybody. Welcome to the August 12th meeting of the Board of Supervisors. We are thrilled to see you all here. Large, large crowded room today. It's great to see you all, and we hope to celebrate and recognize each of you here pretty soon. Before we begin, we'll begin, as we always do, with the Pledge of Allegiance, followed by our invocation brought to us tonight by Ms. Jeanetta Lee, chaplain for the Henrico County Police Division.

[00:09:21] So please, if you're able, stand for the pledge and remain standing for the invocation. let us pray gracious father in times like these we thank you for the hope we have in you as an

[00:09:57] anchor for our souls as this meeting is called to order we thank you for the anchor our leaders our organization and each other has in you the or the anchor is in peace peace that not only surpasses all understanding, but transcends all situations, all issues, and time. The anchor is in knowledge, knowledge of, and an increase in knowledge of not just current events, but past

[00:10:35] and a plan for the future. Anchor in wisdom, a wisdom not only to know the difference, but to be the difference. And an anchor in legacy, in legacy building, preparing Henrico, preparing our organization, our community for the days, the weeks, and the years ahead. We ask a special blessing over our leaders as they take time away from their homes and their individual priorities to provide

[00:11:09] the anchor and leadership we need here. Be with them, guide them, and direct them. And for us all as a community let us embrace the differences let us embrace the diversity the equity and especially let us be inclusive of all voices as we move forward together it is in the holy name

[00:11:33] of your son jesus we pray amen so much miss lee again folks as we begin want to welcome you here

[00:12:18] to the august 12th meeting to the board of supervisors please note that public comments for tonight for those in the room will be given from the lectern in the rear for everyone who is watching on live stream tonight tonight's meeting is again being live streamed on the county website you can participate remotely in the public comment portion of the meeting please go to board of supervisors webpage at henrico.gov backslash supervisors click on guidance for the board of supervisors meeting scroll down and click on webex event and a moderator will let you know when it is your turn to speak again thank you for those who are joining us colleagues i'll I accept a motion to approve the regular and special minutes from June 30th.

[00:12:57] So moved. Second. There's been a motion to approve the regular July 22 and special meetings of June 30th. Is there a second? Mr. Cooper, I'm sorry. Motion by Mr. Nelson, second by Mr. Cooper. Those in favor say aye. Aye. Any opposed? All right, motion carries. Mr. Manager.

[00:13:12] Mr. Chair, members of the board, and those of you in attendance, I'm going to ask our director of finance, Ms. Sheila Miner, to come forward. So last week, Ms. Minor and a group of agency heads and deputy county managers presented information to bond rating agencies.

[00:13:33] These are folks that review our creditworthiness and review that of other local governments and states, in fact, the nation. Ms. Minor actually had the pleasure of presenting to a new fourth bond rating agency.

[00:13:48] Right now, your county's rating, bond rating, our credit worthiness is at the highest level obtainable, if you will, in the United States. And our credit worthiness is actually greater than that, than the United States of America, if you can actually believe that.

[00:14:08] Ms. Minor has gone through quite an exercise, and I wanted her to be able to share some of that with the board, but also with those in attendance and those watching because this is no small feat it is not um it doesn't come about by accident it comes about by years of preparation so without further ado miss minor thank you mr manager and good evening mr chairman members of the board over two days in the last two weeks eight county agencies helped host the visits from four different bond rating agencies bond rating agencies are independent organization

[00:14:46] who analyzed as the manager said the county's credit worthiness essentially they assign us a credit score just as individuals would have a credit score the rating agencies perform extensive reviews of the county's financial performance our economic stability our fiscal management and our financial transparency for many years henrico has earned a standing rating of triple a from the three most

prominent rating agencies triple a as the manager indicated is the highest possible rating an organization can receive and reflects that financial

[00:15:20] excellence only 55 local governments across the country have a triple triple a utilities departments are also separately rated because they issue their own bonds and our utilities department also holds a triple triple a and is one of only 15 utilities public utilities across the nation to have that distinction with these upcoming bond issuances two resolutions are on your agenda tonight and the utilities resolution will be forthcoming in September we hope to not only maintain that triple AAA standing but increase it

[00:15:56] to a fourth AAA with the hosting of a relatively new rating agency this would potentially make us only the third in the nation to achieve such an honor this level of financial excellence the team effort requires integrity and transparency with your indulgence I'd like to highlight for the public what anyone can find the information about the county's financial management our current spending our financial plans and our economic outlook our public data page which you see here is provides links to copies of our budget a monthly

[00:16:32] economic analysis our annual comprehensive financial reports and payment information that shows every disbursement from the county and is updated on a quarterly basis our annual comprehensive financial report is commonly referred to as our audit you see it on the screen it prevents financial information that is audited by our county external auditors external auditors extensively review the county's financial records and control procedures before issuing an opinion which you see on the screen on our financial reports verifying that they contain no material errors and therefore

[00:17:09] accurately reflect the financial status of the county. Our county also has an internal audit function that conducts audits of county agencies. The internal audit department provides objective analyses, recommendations, and advice for agencies and programs that they review. Their findings are reported to the county's audit committee, which a few of you are members of. Their Their reports have been used internally for years to strengthen our financial controls and processes.

[00:17:42] In the interest of full transparency, we have recently made these reports available to the public as well, and you see them on the screen. While I could highlight a number of other webpages and initiatives that the county undertakes to maintain transparency and disclose our fiscal management initiatives, I appreciate your time in giving me these few minutes to share the highlights.

[00:18:05] team works very hard to ensure and maintain our excellent financial track record and I'm proud to recognize their accomplishments. I'd be happy to answer any questions you may have. Thank you ma'am. Any questions from Ms. Moore? Thank you. Thank you. A long-serving employee who we lost in the division of police. So Rick Valentine served our county in our division. He was hired on October

[00:18:44] the 1st 1965 and for those that are attending for the first time we do celebrate service. He served for 46 years and nine months. He retired on July 2nd, 2012, and he was promoted several times while within the division. He passed and he is survived by his wife, Angela Valentine, three sons, Michael, who works for our division, Nicholas and Matthew, sister Mary Catherine, Murray, brother James Stewart Whitaker, three granddaughters, Libby, Avery, and Annie,

[00:19:25] devoted niece susan gentry wood and many other nieces and nephews rick was a united states air force veteran and as i noted he served nearly 47 years with the division of police many of us knew him

throughout the years he loved the beach his family and being a grandfather commanders football nationals baseball and his dogs present and past so we've done this only very rarely in the history of the county we had an employee who served for 73 years and upon his passing we lowered the flags

[00:20:02] in tribute to him so in tribute to rick valentine the third the county flags will be lowered from sun up to sundown this friday august the 15th rick's service will be the following monday Thank you, Mr. Chair.

[00:20:22] Any comments from my colleagues? Mr. Chair, I have one comment. Sir. You know, often we get emails every week, and the emails we get can be positive or negative or asking us to do something.

[00:20:40] But I do want to read two emails that I got on Friday this week. Dear Henrico County officials, on behalf of the Homeowners Association, we extend our sincere appreciation to the Henrico County Department of Public Works, the Planning Commission, and the Board of Supervisors for their collaboration in addressing the growing cut-through traffic problem.

[00:21:01] And that's just one email. I'm going to read one other one, and if you'll let me. Dear Supervisor Rogish, it talks about, it says, Kudos to the whole board for the seriously best-run county in the country. I can read it again. Kudos to the whole board for the seriously the best-run county in the country.

[00:21:24] Every employee so professional and always pleasant. And I think it's a real testament coming off Ms. Miner's 55, only 55 localities with a triple A bond rating, 15 localities for public utilities. There are some 2,800 localities out there, so a very few select group.

[00:21:44] But we live in a great county, and I just want to recognize the fact that folks do write in sometimes, not just with complaints or suggestions, but thank you. So to the board, to the staff, thank you. Thank you, sir. Any other comments from my colleagues? I'd like to take a moment tonight to remember the life and service of a long-time Verano resident, a respected business owner, a civic leader, and a true community servant, Mr. John M. Steele.

[00:22:18] Mr. Steele passed away last week, surrounded by his family. He was 80. Mr. Steele was born and raised in Kentucky and graduated from Denison University in Ohio, where he began his working life with Standard Oil Company.

[00:22:34] He would go on to build a long and successful career in the gasoline business, moving to Enrico County in 1978 and becoming president of East Coast Oil Company. In 1996, he purchased the quote-unquote Little Sioux chain of service stations and convenience stores in Virginia.

[00:22:55] Mr. Steele was well-respected amongst his industry for his business acumen and leadership skills, serving on the board of directors for the Society of Independent Gasoline Marketers of America. but he was especially admired for his integrity and for the care he demonstrated for his employees.

[00:23:14] He brought those traits as well as a genuine, friendly nature and a generous sense of humor to his service on Henrico's Economic Development Authority Board of Directors. He represented Verano on our EDA for 26 years, holding the positions of treasurer, vice chair, and chair during his long tenure.

[00:23:38] In 2020, at the end of his time with the EDA, this Board of Supervisors honored Mr. Steele for his dedicated public service to the county and his residents. We remember and honor him again today. Enrico County is a better community for his contributions and for the time that he shared with us.

[00:23:59] Our thoughts and prayers are with his family and his many friends at this time. I will just add that I met John Steele in November of 2011. It was shortly after the election that preceded my first term of serving on the Board of Supervisors.

[00:24:23] Mr. Steele was the EDA rep for our district. He was a friend and a staunch supporter of Mr. Jim Donati, who held the seat before me. We met at Pearly's. We had a really good conversation, and ultimately what I realized is that John Steele just wanted to serve, and he wanted to serve the residents of Varana.

[00:24:49] And so he served for 26 years on the EDA, pretty much splitting the time, half with Mr. Donati and half with me. More important than EDA service was the relationship that I was able to build with him and his wife, Elizabeth, his daughter, Savannah.

[00:25:11] I performed the wedding for his daughter Savannah and her husband at the time and just built a genuine relationship. We lost a giant in the Verona community, and I just wanted to take a moment to recognize John Steele and his service not to just Henrico but to the Commonwealth and him being a friend of Henrico County.

[00:25:34] I sadly have a similar update for the county. It is certainly with great sadness that we heard of the passing of our good friend and colleague John Hodges. John Hodges was recently the vice mayor of the town of Ashland. He also was a charter member of the Central Virginia Transportation Authority, and he helped that organization not only in its infancy, but was active in its ongoing work.

[00:25:58] I certainly had the opportunity to officially send the condolences of this board and this county via letter to Ashland and his family, but I wanted to make mention of it here tonight. John had many notable achievements during his 45 years of public service. He was many things.

[00:26:13] he's planning director deputy county administrator town council member vice mayor and a community volunteer certainly just a few of the hats that john wore those who worked and served with john will always remember him for his warm spirit his thoughtful conversation and most all the smile that he always had on when he greeted his colleagues and his friend john was a kind soul and we'll miss him and as he represented our region well in all that he did please join us as we keep john and his family in our thoughts and prayers and this board in this county offers our deepest condolences to his family that's a chair yes sir i think i have another comment

[00:26:46] it's a board comment so i guess i need to do it now yes sir okay i'm happy to recognize last week was national farmers market week now in its 26th year this annual celebration highlights the vital role farmers markets play in our nation's food system with fun events programs contests activities and more. The week helps to boost market attendance and visibility as well as showcase the value markets bring to their communities. I want to give a huge thanks to all the farmers, all the growers,

[00:27:23] all the bakers, and artisans who bring their best to the Dory Park Farmers Market each week. Your work feeds both our bodies and our communities. I would like to recognize Mr. john montgomery from dory park from the dory park farmers market who will share i want to say it's the best market in the commonwealth but i won't say that i'll just say it's an incredible market who will share a brief video and comments regarding the farmers market week celebration

[00:27:55] this saturday august the 16th at dory park mr montgomery and my notes just say john i see cappy going with you so um clearly we know that cappy runs the farmers market and john is a spokesperson so but we uh but we turn it over to you john thank you thank you so much thank you so

much for having us i'm going to be extraordinarily brief because you do have a long meeting tonight so as uh reverend nelson said i'm john montgomery and this is kathy my wife who is most importantly in addition to me and my wife is also the farmer's market manager the pro the it was her brain child

[00:28:34] and her energy that brought it to life and keeps it going as was shared last week was national Farmers Market Week. We have three great farmers markets in Henrico. The West End, which is out at Discovery Methodist Church, and of course Lakeside on Lakeside Avenue and Lakeside. And then the newest of the bunch is Dory Park Farmers Market, and we're in our eighth season now. I do want to recognize and thank our great partnership with Henrico Recreation and Parks, Henrico Police Department, Henrico Fire Department. There's nothing that we ask that can't be supported in

[00:29:09] one way or another. We at Dory Park is an all-volunteer organization. We have the Pop Club Power of Produce for Children. We have the Two-Bite Club Program for Children, and we have celebrations throughout the season. We, of course, opening with the Brina Day. We had Conservation Day, and upcoming we will celebrate. This Saturday we'll give away, provide over a thousand dollars of supplies to children going back to school. Following Saturday is Teacher Appreciation Day.

[00:29:40] We'll have Henrico Heroes first responders after that. We have a children's entrepreneur market that will happen in the field next to us. We'll join with Keep Henrico Beautiful and the Heart group from Henrico and host the Native Plant Celebration or Plant Native Celebration.

[00:29:57] And then finally, we finish it up with hay rides and all at the Fall Fest. So all of this is done at the direction of the lady standing here with me who does it strictly on a volunteer basis. The hours are immeasurable, and your support makes it all possible.

[00:30:12] So we wanted to take just a minute, and thank you for that. And we're going to leave you with just a very brief video.

[00:30:52] Some Saturday, we have the SNAP program. We have little SNAPs. We have SNAP matching for families that we can support. And we love our community, and we'd love to have you come out and visit with us.

[00:31:09] Thank you. Thank you, sir. Any other comments from my colleagues? All right, seeing none, I do want to recognize Leanna Hardy with the Henrico Citizens here tonight.

[00:31:28] Thank you for the coverage, and for those of you dialed in online, thank you for the coverage of tonight's meeting. Mr. Manager. Mr. Chair, members of the board, you'd move into presentations. The first item, Agenda Item 193-25, is a resolution that would commend the Deep Run High Girls Soccer Team for winning the Class 6 Virginia State Championship, if I could get my words out.

[00:31:59] And presenting this is Misty Roundtree, our three-chop district supervisor. And Stephen Chapman is the head coach. Coach, if you would come forward. I know it might be a little tight, but you ladies want to come up and surround your coach here.

[00:32:17] We've had some great successes in the county with our high school athletic teams. And deep run high school girls soccer is right up there with it. So glad that so many of you guys could come and interrupt your summer break to be here. mr rauntree this is a resolution to commend them so i will certainly accept a motion on your behalf if you'd like just move to accept judge i'm sorry other other hat uh mr chair move to accept the

[00:32:55] resolution of the board of supervisors commending the deep run girls soccer team second motion made by miss rauntree seconded by mr roguish those in favor say aye aye aye congratulations miss rauntree all right this is resolution of the board of supervisors of henrico county virginia commending the deep-run high school girls soccer team whereas on saturday june 14 2025 the deep-run high school girls soccer team won the class 6 virginia state championship with a 1-0 victory against south county high school and whereas monique mackenheimer scored

[00:33:33] the only goal of the day, and whereas, we can applaud that. Whereas Monique McEnheimer, Terry Gauche, and Mackenzie Vonneggs were named to the 2025 All-Metro girls soccer team, and whereas Mackenzie Vonneggs contributed five goals and 13 assists on the way to the Class 6 Virginia State Championship, And whereas, Tori Ghosh scored six goals and added an assist during the team's playoff and has committed to play Division I soccer at Middle Tennessee State in 2026.

[00:34:13] And whereas, Audrey Simpkins and Bella Villasana were named second team All-Metro and Carly Ross was selected as an honorable mention. And whereas, the championship win capped a 16-game winning streak and a 21-to-1 season during which the Wildcats scored 100 goals and remarkably surrendered just three en route to a number three national ranking by maxpreps.com.

[00:34:42] And whereas the 3CHOP district and the entire Henrico community are tremendously proud of the team and applaud the team's members for building positive relationships with the other teams. Now, therefore, be it resolved that the Board of Supervisors of Henrico County Virginia, hereby congratulates and commends team members Malini Dutta, Olivia Gates, Sophia Callisto, Leah Percy, Anna Habib, Bella Villasana, Charlotte Lowry, Abby Columbell,

[00:35:14] Kylie Simpkins, Devin Pierce, Greer Brantley, Caroline Lowry, Mackenzie Vonigs, Emmy Armour, Lila Gibalato, Olivia Columbell, Hannah Thornton, Liv Zabota, Carly Ross, Audrey Simpkins, Lucy Swab, Monique Meckenheimer, Brooklyn Rover, and Terry Gauche, as well as Stephen Chapman, head coach, and Brian Wharton, first assistant coach. Be it further resolved that the Board of Supervisors of Henrico County, Virginia, hereby extends its heartfelt congratulations to the Deep Run

[00:35:51] high school girls soccer team on winning the class six virginia state championship and commends the team for exhibiting superior sportsmanship during a successful season signed daniel j schmidt chair board of supervisors attested tanya and bracket clerk august 12 2025. please say a few words coach and then we're going to we've got a picture to present to you all as well wonderful and before

[00:36:25] you leave oops well i'll put this back here we've all signed a game ball wonderful that we hope finds its way to the uh to deeper in high school awards case it certainly will thank you it's our picture pause sure and each of you are going to get a little mini resolution with your names on it so that you can do with it what you will before you go but please coach chapman thank you so much we really appreciate the recognition and it goes without saying it's very difficult to win a state

[00:37:03] championship regardless of what sport it might be but this team was exceptional not only in the commonwealth of virginia but across the united states of america again 100 goals scored but only three given up and so it's wonderful that we have the opportunity to score the goals but it It takes all 11 players to prevent the goals, from our goalkeeper, Carly Ross, and Mullaney, to all of the defenders.

[00:37:38] So it was really just an exceptional team. I do want to add one additional thing, however. Winning and losing is just part of athletics. But what many people don't know, this team, our program, has

been recognized nationally by United soccer coaches as one of the top high school programs in the country.

[00:38:00] And what stands out about the program, but in particular this group, not only are they state champions, but they've earned two awards thus far from the United Soccer Coaches, the Team High School Academic Award.

[00:38:16] The team grade point average for the entire team is a 4.14 GPA. I thought 4.0 was the level, but apparently we're above that level.

[00:38:32] And then more importantly though is sportsmanship on and off the field. On the field this program has not received a red card which is an ejection from the game in more than six years but this past season we only received three yellow cards in 22 games which was also recognized by the USC for the team Merit of Excellence Award.

[00:39:00] And if all goes well, we will receive a really special award from that group as well, the Team Pinnacle Award, which means you have a high winning percentage, you have no red cards, and you have a high team GPA.

[00:39:18] So I'll know that in October. Thank you so much for your recognition. Thank you. Can you which one grab a resolution? Okay. Yes, please.

[00:39:35] Yes, if somebody's missing, please somebody grab one for them. Can you grab the other box on the ball? Congratulations.

[00:39:51] Thank you so much. Who gets the ball? There you go. Is that everybody? Can we get one more group photo? Sure. We need one more group. With all of the stuff. Okay. You're good.

[00:40:08] All right. Hold your stuff up, whoever has it. Yeah. Thank you.

[00:40:28] Thank you very much. Great job. And because we never get tired of recognizing the accomplishments of our young people in this county, I have the pleasure of another one, and I'm going to ask Mr. Rogish to come down as well,

[00:41:07] because this is recognizing robotics teams from three schools one of which is Deep Run in the Three Chop District two of which are Tuckahoe Districts Godwin and Freeman High School Freeman High Schools and I have to say until getting elected I had never been to a robotics competition and I was invited to attend one after I first got elected and I had never seen such a I've never seen the excitement of a robotics competition which was like a pep rally times a thousand and I loved

[00:41:42] Everything about it, but I will tell you and I say this all the time when I talk to people about the robotics teams One thing that I love about these teams is that they are so inclusive and they have something for everybody Any student that wants to participate and as compared to sports teams where in order to make a sports team you got to be a good soccer player you got to be a good football player to be on a robotics team you may be good at science you may not you may be good at advocacy you may good at p be good at pr you may be somebody who can contribute to the team in another way and so the robotics teams at these schools really exemplify that there is a place for anybody that wants to participate

[00:42:22] and they are just phenomenally successful so our robotics teams have a special place in my heart and i'm so proud and pleased to be able to honor them today i'm actually going to ask mr roguish to read the resolution since i just read the deep okay but before we do that we have something really cool

because this is how henrico county is um where is mr brandon so um terrell hughes our director of public works wanted to get in on the action and built a robot

[00:42:57] and so we have mr hinton here is uh driving our very own henrico created robot um respect no respect disrespect to mr hughes this pales in comparison to the robots that i have seen built by our high schoolers but it's it's pretty close this is amazing it's actually working good job miss mr hughes could not be here today but if so i would embarrass him and ask him to come down and take the credit for it but i know he had a lot of fun making it what are we doing

[00:43:32] with this miss clerk we are gifting this robot yes so you can you can play with our henrico county robot yeah yeah we bring it back next year like three times bigger and doing a lot more things okay all right can we get our and now we know these teams are much larger and a lot of kids are out of town but please come up and join us while the uh while the teams are joining us up front Mr. Rogish, Ms. Roundtree, I'll accept a motion for the resolution.

[00:44:08] So moved. A motion made by Mr. Cooper, seconded by Mr. Nelson. Those in favor say aye. Aye. Any opposed. Motion carries. Mr. Rogish. Thank you, Mr. Chair, and thank you to the team. I was actually very impressed going over to Regency Mall, to your space, earlier this year to see the robotics in action.

[00:44:30] And I just, I can't say, Ms. Roundtree, you said it all, but just extremely impressed by the level of all three of the schools. So thank you. This is a resolution by the Board of Supervisors of Henrico County, Virginia, commending the public school robotics teams.

[00:44:47] Whereas Henrico County Public Schools has a strong robotics program, including the Blue Cheese Robotics Team, 1086, from Deep Run High School, the Mav Mavericks, Mav Mechanics, 10224, from Douglas S. Freeman High School, and team talon 540 from mills e godwin high school and whereas blue cheese robotics has increased the presence of robotics program in schools through the expansion of their stem c competition team grant program sb246 administered by the virginia department of education granting 1.7 million to

[00:45:24] create and sustain stem competition teams and whereas blue cheese robotics competed at the first chesapeake district championship earning the prestigious prestigious district champion impact award for their advocacy and community outreach efforts and whereas blue cheese robotics had a decorated pre-district championship season earning the captaincy and impact award at the glen allen district event as well as the captain captaincy and quality award at the portsmouth event and

[00:45:59] And whereas Blue Cheese Robotics earned an invitation to the first world championship in Houston, Texas, and earned the Milstein Division Judges Award for Outstanding Advocacy and Community Outreach Initiatives. And whereas the MAV Mechanics 10-224 earned the Rookie All-Star Award and served as Alliance 6th Captain at the Glen Allen District event, marking an impressive debut as one of eight teams and the only rookie team to qualify as an alliance captain.

[00:46:30] And whereas they qualified for and competed at the first Chesapeake District Championship, earning the Rookie All-Star Award and qualified for the first World Championship. And whereas the Mav Mechanics received the Hopper Division Rookie All-Star Award, becoming the first rookie team in history from the Chesapeake District to earn the title at the international level.

[00:46:54] And whereas Team Talent 540 earned the Alliance 7 Captaincy at the Glen Allen Competition, also winning the District Engineering Inspiration Award. And whereas Team Talent 540 earned the

Gracious Professionalism Award at the Blacksburg Competition, the Engineering Inspiration Award, and the Woody Flowers Finalist Award at the first Chesapeake District Championship.

[00:47:20] And whereas Team Talon 540 competed at the first World Championship in Houston, Texas, in the Hopper Division. Now therefore, be it resolved that the Board of Supervisors of Henrico County, Virginia, hereby congratulates and commends Blue Cheese Robotics Team 1086, MAV Mechanics 10224, and Team Talon 540 on all their accomplishments in the community and for building positive relationships with other teams.

[00:47:49] Be it further resolved that the Board of Supervisors directs the copies of this resolution be prepared and publicly presented to the team members in honor of their exceptional performance. Signed by our Chair, Mr. Dan Schmidt, Board of Supervisors, and attested by Tanya Brackett, our Clerk, August 12, 2025.

[00:48:09] Congratulations. you all will also each receive a mini resolution but we have a couple of other things as well each each school will also receive a signed photograph and this I believe was taken at worlds was it was taken at world so all of the board members have signed that and then this is really cool and thank you so much to

[00:48:45] our clerk who designed these amazing trophies. They're adorable. So you each will get one of these as well that we hope you will prominently display in your respective schools. So who would like to speak? Hello, everyone. First of all, I would like to thank the Board of Supervisors for this amazing recognition. And as a token of our appreciation, we would like to give you this plaque to thank you for increasing and developing all the STEM programs in Henrico County this past year.

[00:49:16] I know all the teams here can tell you so much about how great of a help it's been to be able to give all these students so much opportunities. And we hope to be able to do it for so many students in the future with your help. So these three teams here competed with 600 of the top FIRST Robotics teams in the world.

[00:49:42] That sounds crazy at first. And all of us here were able to receive an award commending our outreach and our performance on the field and off the field. to increase the programs and develop our outreach for all the community and the entirety of Henrico County.

[00:49:58] So it's been a great help with all of the Henrico County Board of Supervisors and our other county leadership. So thank you, everyone. From either of the other two schools? Like Sujay said, this is like 600 teams at Worlds.

[00:50:19] At Houston, Texas, I think it's just crazy when you think about it because Math Mechanics, the number is 10-2-2-4. 10-2-2-4 there's almost over 10,000 teams in this program already it's around within like their starting point in 1989 I believe but it's still very crazy enough and everyone here is just super passionate about the teams and their own teams and their robotics in general it's something that's so great about this program you can take a nobody and make them into somebody within just their four years three years or two years of their team it's happened before I've seen

[00:50:58] happen. I just want to thank all of you for all of your support. All of us are here because we're passionate about something, whether it be STEM or advocacy or business. There's something for everyone in robotics, and your support has really made it possible for all of us to take it beyond just in our schools and in our district but all the way across the globe to Houston which is still

[00:51:35] in the state but teams from all across everywhere so it was it means a lot thank you so much make sure you get your photo let's see yes let us know how you want Yeah, we're going to get you.

[00:51:54] I need to grab that. I'm sorry. This guy's going to hold the robot back down, too. And with the cheese heads. Oh, my. Okay, hold on. Oh, my. Cheese heads. Oh, my God. Who gets that?

[00:52:10] Thank you. You're not going to get in it. You've got to get in it. I've got to take pictures. What are you going to do? Come on, go, go, go, go, go. I'll go on the side. I'll go on the side. We'll get it back, we'll get it back.

[00:52:29] Outstanding. Thank you. Thank you. Congratulations. Take one of these. Thanks. I know Tyler has a...

[00:52:48] I will. He's like, well, I'll watch it. We'll grab all of them now.

[00:53:03] Thank you all, and congratulations again to each of you.

[00:53:44] As we move into public hearings, Mr. Manager. Mr. Chair, members of the board, we move into public hearing, rezoning cases and provisional use permit. The first case out of 3CHOP 115-22, Markel Eagle, Advisors LLC, with a conditional rezoning request in which the applicant is proposing a single-family residential development.

[00:54:05] Mr. Emerson, this case, there's a deferral that's been requested to September the 9th? Yes, sir. That is correct. Thank you, sir. This is a public hearing. Any questions for Mr. Emerson on the deferral request? Does anyone in the audience wish to speak to this deferral request? Anyone on WebEx? No, sir. Thank you, Karen. Seeing nobody to speak to the case and deferral request on the docket. Ms. Raucher.

[00:54:38] I will just note here, I know there may be some folks that are interested in the follow-up. I did receive a lot of correspondence on this particular case. Once folks realized it was on the docket and had some legitimate questions. This is a case that has been pending for three years.

[00:54:56] And the developer advises that they are very close to the finish line of what they needed to have happen in order to be prepared to bring it before the board. That being the case, I did express to the applicant that I was concerned that given that community meetings had been three years ago, staff reports had been three years ago that it needed to be updated.

[00:55:21] We needed to have at least one more community meeting and the staff update -- staff report needed to be updated. So my understanding is that the applicant -- who I believe is here -- oh, there we go -- is going to work on getting a meeting set as soon as possible, and I certainly will intend to be there.

[00:55:41] listening or watching these after the fact, or wondering what is happening with that, please be on the lookout if you are in this area for a community meeting that will be had in the very near future. I did want to clarify, are we due -- are you -- as far as the timeline of the deferral?

[00:55:58] MR. Thank you very much, Mr. Chairman of the Board, for patience in this process. Based on our conversation, we are very happy to -- willing to accept a three-month deferral our plan of attack is to host an updated community meeting right after labor day we want to make sure that we get enough notice time out and get past the labor day weekend holiday so that would be in about a month and then give us time to update uh members of the board and staff based on the

[00:56:34] outcomes of that time so i'm targeting thank you for that and we're just doing november 11th would be that meeting so based upon that mr chair i move that rez 2022-00002 markel eagle advisors llc be deferred to the november 11 2025 meeting at the request of the applicant second but a motion made by mr roundtree seconded by mr roger those in favor say aye aye any opposed motion carries

[00:57:07] next mr chair members of board 195-25 before you is harsh thacker direct dorado capital llc with a conditional rezoning request from a1 agricultural district and c1 conservation district to r5 ac general residents district the property is located on the north line of north airport drive near its intersection with north washington street here the applicant is proposing a single family subdivision i did not note this case is out of arena the planning commission voted to

[00:57:42] recommend that the board of supervisors grant this request mr emerson thank you mr manager mr chair members of the board before you this evening is a request to conditionally rezone 36.118 acres from a1 agricultural district and c1 conservation district to r5ac general residence district and c1c conservation district the site has limited usable road frontage along north airport drive because of its proximity to I-295. The surrounding properties are all zoned A1 or C1 and include residential

[00:58:21] uses to the west and south. The proposed R5AC portion is located central to the site and would contain residential lots in common areas containing amenities and BMPs. The portion of the property currently zoned C1 was not originally delineated based on wetland, floodplain, or environmental features. The proposed C1C portion of this request will be defined by engineered site plans, will surround the residential area to the west, north, and east, and protect all existing environmental features and separate the development from the existing subdivision.

[00:59:00] And there in front of you, you see the conceptual plan. The applicant proposes to develop the site for up to 49 detached homes, an equivalent density of 1.36 units to the acre. The proffered concept That plan shows how the site would be designed, including a single access point on North Airport Drive.

[00:59:24] The requested residential zoning district allows smaller lots, and their placement central to the site would allow more open space to the north, east, and west adjacent to the Silver Springs Farm subdivision. As you can see, all the area denoted in green would be rezoned C1C, along with any other environmental features that were discovered during more detailed engineering.

[00:59:51] The applicant has provided elevations of the homes that would be constructed.

[01:00:09] All homes would be consistent with those submitted architectural elevations and be constructed of brick, stone, vinyl, or cementitious siding. Other proffers provided address sidewalks on both sides of internal streets, requirements for the proposed park and trail system that would occur in the common area, and provide specifics for items such as foundations, garages, driveways, chimneys, cantilever features, protective covenants, street trees, lampposts, and hours of construction. Again, any property found to be in

[01:00:45] the floodplain outside of the current applied for C1 areas during the subdivision process would be included for C1 designation prior to the final subdivision approval. The applicant held community meetings on October 28, 2024, and May 13, 2025. The community raised concerns regarding traffic, access to adjoining subdivisions, impact on wells, loss of farmland and animal habitat, and a general inconsistency with the existing communities. A petition from adjacent

[01:01:21] residents was also provided recently noting their continued concern, and today we also received a petition of support and a letter of support from others in the community so the community does have varying different opinions on this development proposed development introduces a different home choices and lot sizes creating a clustering which is a desired way to provide open space within a community while bringing the homes closer together they would be clustered

[01:01:58] in a manner that would be largely separate from the established rule development adjacent to it. Additionally, the request is remove the applicant's original plan to connect to second point of access through the adjoining subdivision on Beckley Road. Instead, the plan clusters the proposed lots further away from the existing adjacent subdivision homes. The submitted proffers also provide a number of quality commitments consistent with similar developments in the county. The comprehensive plan recommends suburban residential one with a recommended maximum density of 2.4 units to the acre

[01:02:34] and environmental protection area uses for this site. With detached homes and an overall density of 1.35 units to the acre, the proposed development would be generally consistent with the SR1 designation. For these reasons, staff supports this request. The Planning Commission recommended approval of this case at their meeting on July 10th. If you have any questions, I'll be happy to try to answer them. Thank you, sir. Any questions for Mr. Emerson? Yeah, I do. Thank you, Mr. Chair, Mr. Emerson. Maybe some questions, comments. Mr. Chair, if you don't mind, can we, because I know

[01:03:13] we have opposition here to speak, can we hear after our questions, can we hear from the applicant and then the public, and then that way the applicant can come back and respond to whatever questions sir um mr emerson just to make sure i'm understanding the current request is for 49 up to 49 single-family homes on 36.11 acre of land yes sir that's correct this did begin life as you will

[01:03:49] recall with 103 units then the applicant based on community input reduced it to 81 and then upon the upon the request of the adjacent community not to connect to them they brought it down to 49 in order to qualify under the county's regulations for a single point of access so currently the proposal you're considering is for no more than 49. all right i'll come back to the um single point of access in a minute but uh so started at 103 now down to 49 um was it 20 and the existing

[01:04:28] is 20 acres of a1 and like 15 of c1 i think it's uh roughly yes sir i believe it's it that's in general it's we don't have exact numbers i'm showing about uh 17 and 18 but that's those are general numbers c1 is increasing so the proposed is uh roughly 18 17 18 of r5 correct And the C1 goes up to about 18 or 19?

[01:05:00] About 19, 18.9, and I think it may actually go up more than that. It's increasing about three acres from what we currently show on our land use maps. And those are general. Okay, thank you. Comp plan recommends SR1, which is up to 2.4 acres, and the environmental protection area.

[01:05:29] Talk about that, if you don't mind. A comp plan recommendation that carries an EPA tag means what? It means that the property potentially contains sensitive environmental features that need to be addressed during the development process if a development is proposed.

[01:05:48] In this case, the applicant has proactively taken that on and proffered that any of the Environmental features that exist on the property will be reasoned Conservation C1 and they're making it conditional which restricts it even more. All right, so that means that so at what point do they What is this is this studies what at what point during the process does the the environmental?

[01:06:22] Studies happen or environmental work. Does that happen before the first home is built? How does that work? Yes, sir everything will be as it goes through the construction plan process all of the environmental features will be defined closer and I do think they may grow a little bit currently we've got engineering that that has been done that's probably fairly accurate this applicants done quite a bit of work already in delineating these areas and identifying the buildable area on the property but as they get into more of the fine detail start doing more of the

[01:07:00] stormwater calculations and identifying the wetlands specifically on site they will they may increase in size so you at that point if they do under their under their proffers they would return back to us and rezone those additional

[01:07:19] area is C1C. Which would reduce the size of the R5A if approved. Yes, sir. So, A1 by right is one house per acre, right? Correct. And the proposed rezoning with the cluster, I'm sorry, I got a

[01:07:56] little tickled if I keep coughing, I'm sorry. Proposed A1 gives you one acre by right with the clustering of this property the um the acre the the per acre amount is now like 1.36 or something yes sir okay um and sr1 calls for up to 2.4 so it falls into that particular area one of the concerns that i had was the environmental protection area piece which which you've um

[01:08:32] um which you've already um spoken to can you make mention of some of the adjustments i think staff report says that the applicant has submitted proffers that address can you speak to some of the proffers absolutely well the proffers i think of of major interest uh when the the project exceeded 49 lots it did have an emergency uh access or at one point a permitted access on to blackley or

[01:09:06] Beckley Road up to Bevestone and out through this neighborhood in addition to an access point onto airport in order to satisfy the two points of access. The applicant did reduce the number of lots and of course eliminated this potential access by going to 49.

[01:09:27] They did do extra engineering work, delineated the flood plan, and of course, as you know, under our environmental rules and regulations, we do not allow construction within a floodplain. So none of these homes would occur within a floodplain. But the applicant took the extra steps to actually go in and do some fairly significant delineation early in the process before they would realize any entitlements.

[01:09:55] So they've already been expending money. So how do we know whether or not somebody's building in a floodplain? Well, we'll look at each building. And if somebody does, the punishment is what?

[01:10:12] Well, we won't issue the building permit. They would have to go in and construct without a building permit. And, of course, at that point, we would tell them to take it down once discovered. And this is normal activity for any development that is potentially near floodplain or wetland?

[01:10:34] Absolutely, yes, sir. Some of the other features quickly are buffering an additional area along the existing one-acre neighborhood, giving additional distance from them. That's another added benefit from clustering the lots.

[01:10:50] It allows better use of the open space. There's amenities and trail system for this neighborhood included within the common space area. You do see common area also within, not only in the environmental areas, but also within the development itself, you see the common areas that exist.

[01:11:10] All right, I'll ask the applicant about the amenities and trails and all of that. Let's go back to the one entry. So the one-way entry is off of airport drive. Correct.

[01:11:25] All right, so Beckley connects to the other community. Yes, sir. So initially, if I can understand, if I recollect, there was two entry points into the community. Yes, sir. And that the applicant removed the entry point. Why?

[01:11:47] Because the neighborhood requested that it be removed. So the adjoining neighborhood did not want the second entrance or entryway to come through their particular neighborhood.

[01:12:03] That is correct. It's always been envisioned because the right-of-way exists for this property to develop. You can see it. What's the rule with one entry point? And mind you, and once I think about it, I actually have owned two homes in one entry point communities.

[01:12:28] And I guess I never thought of it. Like, what's the rule? You know, what's the rule on one entry point into a neighborhood? Well, it depends on the different types of units, but with a single family, anything exceeding 49 requires two entries.

[01:12:47] So that's 49 and above, essentially 50. 50 units and above requires two entrances. So are one entry units, one entry developments, are they common in Henrico?

[01:13:07] Right. Well, there are several out there. You know, you and I spoke about this yesterday. and I wasn't able to do a complete query on GIS today to get a significant number. But I can tell you I don't necessarily want to call out the developments per se, but there's one in Tuckahoe off of River that has 92 homes off a single entry that does have a boulevard entrance, which we'll accept or did at that time, but it's still a one entry.

[01:13:40] There's another one in Tuckahoe that's off of Gaskins that has 80 homes off a single entry. There's one in Fairfield that has 135 homes. It does have a boulevard entrance, which gives you two distinct entrances with a median, but it still is truthfully a single entry.

[01:14:05] There's one in three chopped off of Pouncey Track Road that has 67 homes off a single entrance. That is a one-acre lot development by Wright, but it is off Pouncey Track. There's one off Osborne in Verina that has 64 homes and has a boulevard entrance, but it still is a single entry.

[01:14:30] So, yes, they're throughout the county. They're not as common as you may think, but they definitely are out there in large numbers. Many of these developments have an emergency ingress and egress where you'll have a situation similar to this neighborhood, yet there will be an access developed and gated with porous pavers or something acceptable to fire DPW that can be maintained and opened up in the event there is an emergency.

[01:15:04] Okay. All right. Thank you. Under the, and we'll come back to that, under the, on page 400, drainage, I do see, it appears there may be an SPA stream and or RPA stream on the property based on GIS orders of the U.S. and or hydraulic soils are present.

[01:15:28] Corps of Engineers and DEQP permits may be required so again whatever land is identified if approved that land would have to be rezoned to conservation yes sir those areas are currently included in their C1 area if you look at the plat and follow the the hand there is your your potential stream and here's your your floodplain depending upon the delineation which

[01:16:03] one that you may choose to follow. You've got a red line and a blue line both delineating potential locations of the floodplain. So there's another potential stream right here. So all that information will come as the more detailed engineering occurs. Developers normally don't invest that level of money

until they have their first level of entitlement, which is the rezoning. Then after that comes the construction plans and the plans of development construction plans and subdivision

[01:16:37] and that's where all the finer detailed engineering occurs these these features are defined better and identified and then the level of permitting that's necessary is determined which sometimes can mean going to the corps of engineers for a jurisdictional permit which is an extensive process okay is there anybody here from schools so I had a capacity question I do see and it's really about

[01:17:14] Highland Springs so because I know the school well and its fluctuations up and down with capacity I do know a couple years ago it was almost at capacity it has decreased over the last two years and the student yield is eight and a half so that's nine kids nine ten kids um you know staff report i don't i mean this is a um the staff report is talking about redistricting

[01:17:50] which the school systems is uh i just really wanted somebody from school to talk about redistricting because i think they're actually talking about that right now so um i don't think this particular case would impact it but as we continue to look at stuff over the next couple years it may um what do you think about the student yield well the comments from schools indicate for the high school you'd have about eight and a half high school students. They do note that it has fluctuated between 90 and 100 percent

[01:18:24] functional capacity in recent history currently at 90.7 percent. It indicates that that they could they could absorb the eight and a half but with continued approvals in Varina and Fairfield they do notice as you mentioned capacity relief measures redistricting will need to be considered for this school in the interim trailers additional instructional space so forth and so on could be could be a consideration at the high school level but I don't I agree with you I don't think the eight and a half would would get you to

[01:19:04] that level based on the capacity number I see in front of me from schools impact impact on wells, I think, was a concern that some of the citizens had. Is that a question for the applicant, or can you speak to that? That would be more of a question for the applicant.

[01:19:26] This development will require water and sewer. In my realm of experience, developments such as this normally don't interfere with wells. Of course, you've got different types of wells. You've We've got dug wells, drilled wells, things of that nature.

[01:19:45] So wells can be impacted. I don't believe this development would impact wells. The health department normally can speak to that a little more specifically than I can. But the applicant may be able to address it. All right.

[01:20:00] And then staff report speaks to inconsistency with existing surroundings. So I guess when you look at, I'm assuming that particular statement is about lot size?

[01:20:17] Correct. The prevailing development pattern in this area is one-acre lots. But when you take into consideration the density allowances and then the open space that is being provided and, of course, place that into the calculation, you're coming in well within density limits.

[01:20:37] And clustering is very much, as you'll recall with our Route 5 studies, that's a very desired feature in order to maintain that more open feel of an area. So smaller lots, clustering, leaving larger areas undeveloped is much more environmentally friendly and helps from an aesthetic and feel of an area by keeping that open space available.

[01:21:02] Okay, I'll stop there with questions for you other than you mentioned, I know I received some, a couple dozen signatures in opposition, and then there's something that came in yesterday I got, maybe you got them today.

[01:21:21] There was a petition that came in yesterday, but there also was, and those were folks concerned with the development. Then today we received a petition with, I believe, roughly 40 signatures in support of the development.

[01:21:38] And then there was an individual letter supporting it saying that it would increase diversity in the area and new housing was needed and of an assistance, as I recall the wording in it. All right, so we have, and I have petitions in support and opposition.

[01:21:57] Okay. All right, that's all I have, Mr. Chair. Thank you, sir. Is the applicant present? It looked like Mr. Rogus might have had some questions. Oh, I'm sorry. I apologize. Mr. Rogus, go right ahead. That's okay. Just a quick follow-up. They will be on public water and public sewage?

[01:22:14] Yes, yes. And again, what that does is brings public water and sewer closer to the one-acre lots in the event that they do have septic system failures or some concern in the future, it's septic systems fail over time.

[01:22:31] Sometimes you don't have an alternative place to go with it. So a sewer line being available is extremely important. Thank you. So, and I'm hearing a lot of changes that the project has gone through since its original iteration, fairly significant it sounds like in some regards.

[01:22:52] Is it a case -- and I say this to you because you've presumably read all of the comments. Is it a case where the folks opposed -- is it an all or nothing?

[01:23:08] In other words, sometimes you have cases where folks want tweaks and they're doable and maybe the applicant is willing to do it or maybe not, and you have some cases where it's either for development or folks in opposition that just don't want anything built there at all. So I guess what I'm trying to understand is with all of the modifications that the applicant has made, is it at a point where there aren't any more positive changes that can be made other than not having anything built there at all, if that makes sense?

[01:23:37] I think where you are is you have to have, and the applicant can speak to this better than I can, but you have to have a certain critical mass to a development in order to be able to afford to bring water, sewer, build roads to service a community. So I think you're probably at that point with this development, but again, they can speak to that.

[01:24:00] Some of the neighbors would definitely prefer one-acre lots. My understanding is you can get about 17 one-acre lots out of this. If you did it that way, they would be on well and septic, and you would not have all this open space reserved.

[01:24:17] You would have some configuration of larger lots and shared property lines, and probably many of the environmental features might go into those lots. So it wouldn't give you a consolidated neighborhood with a critical mass of dwellings that could support the expansion of public utilities, which is important.

[01:24:40] You would be going into an environmentally sensitive area with septic systems and things, which I wouldn't think would be desirable from that aspect. And just for, you know, I guess in layman's

terms regarding the floodplain, can you describe a little bit as far as what, it's not just industry standard, but environmental standards.

[01:25:05] Like when somebody hears, oh, there's a floodplain on the property, I think without having additional knowledge, there may not be the context for it. Can you provide some context about areas that have floodplains on the parcel?

[01:25:20] does that mean well anywhere near a stream normally we'll have a floodplain and it varies in size it depends on topography you've got a what they call a cut bank side of a stream and then a floodplain side of a stream so the expanse of the floodplain measured will vary and in this case we do have the the floodplain delineated to a certain extent at this point we do not allow any construction within the hundred year floodplain and and we do that purposefully because we don't

[01:25:56] want our structures and people endangered and what is a hundred year floodplain uh well it's it's a storm that supposedly occurs once every hundred years but the calculation is a little different from that so so one of the things that i've been hearing um not a lot but i i have heard it um is that this this um this particular um proposal is being compared to like a like a community that was impacted by the flooding in texas you know um i don't think we i don't think

[01:26:36] that we would even approve communities that would be subject to um you know so we're talking about the um chickahominy flood plain we're not talking about the chickahominy river being like right on the back door. Right, the Chickalmany floodplain and it's some of its tributaries certainly are located here. Again, we don't allow construction in a floodplain. I think much of what you see when you see this devastation on the news is historical development that occurred maybe even before building code

[01:27:15] regulations were in place. These structures were there. Sometimes they're allowed to go back under regulations in certain states and certain codes. And some states don't have zoning codes. Texas would be one of them. In some areas, they don't have zoning. So I can't really opine other than to tell you my understanding is the structures that washed away in Texas were built in a floodplain. And of course, there wasn't an early enough warning for the categorical storm that they had, and unfortunately they suffered the consequences.

[01:27:53] If you look back in history, the Mississippi River has been re-engineered by the Corps of Engineers over the history of the United States so much because development was allowed in the floodplain, and then it was decided, hey, it's a great idea, let's go in there and let's build these large troughs and drains so people can still stay in the floodplain.

[01:28:16] And I think all that's proven false over time, and you don't see people doing that any longer. Now it's you don't build in the floodplain, and you don't build on the beachfront, but so close. Otherwise, you know, when the storm comes through and takes you out, we're not going to let you go back in.

[01:28:32] You see the pictures of the houses in the Outer Banks falling into the ocean. They don't get to build those back. They were there before regulation was in place. So in this case, our regulations are in place. We wouldn't allow any structures to be built in the floodplain, so we hopefully would never have that problem.

[01:28:53] I know you mentioned mitigation strategy for enrollment or overcapacity for schools. I just want to be the director of saying I am not in support of any development that when we develop the school, we're going in there with the idea of trailers, or we call them learning cottages.

[01:29:08] I do know that the school is trying to figure out the best path forward with the attendant as far as enrollment in our schools. And so as we consider this, I just want to make sure there's that alignment that I know that you all do with planning from the school side to talk about the yields. But I just don't even want us to go into anything that we're saying that's an option.

[01:29:28] Because, you know, disproportionately in the East End, especially Fairfield District, we have more trailers than any other district over the course of time, which is a disparity in and of itself. So I just want to be on record of saying that. So we have to figure out the best path forward as far as the county side, school side. And when we talk about any of this development, how does it impact our schools?

[01:29:45] Because let's be clear, we have some schools that are over capacity, i.e. Mr. Smith's, Glenn Allen, which we know. And we have schools like my Henrico that's under capacity. And we know that those conversations spur a lot of different emotions. We have to make the decisions that are best prudent for a great path forward so we can equalize our enrollments to ensure that every student in Henrico County gets the same quality education.

[01:30:08] So I just want to say that on the record. Absolutely, Reverend Cooper. And that's what we work to do, working together with schools. the language that i that i read that's the school standard language but these are eight and a half students and right now uh highland springs high school appears to have have capacity for the eight and a half it's that cumulative building number that you've got to watch out for and i don't want to elongate the conversation but when you approve many developments we have to track those those lots because while the school might have capacity today, you might already have, as Ms. Roundtree

[01:30:47] and I have talked about, you might already have 700 or 1,000 units approved within that area, which if you've got a school that's over capacity or near over capacity, those units come online. If there hasn't been, if that cohort of students hasn't passed through that was calculated previously, you could be in a redistricting situation.

[01:31:09] So we do have to monitor those very closely. I agree with you. And we do try to do that. Is there any other questions for Mr. Emerson? All right. Is the applicant here? Thank you, sir. Good evening.

[01:31:33] My name is Harsh Thacker, and I'm with the development firm Dorado Capital. My team has been working on this development since late 2023. And as was mentioned, we've gone through several iterations. We've tried to deliver something that we feel meets some of the concerns that were addressed.

[01:31:54] but obviously I understand that any development comes with opportunities and challenges. Some of those challenges might involve adjusting to new neighbors or new traffic patterns, but some of those opportunities include allowing young families to settle here, allowing people to move closer to aging parents, and allowing for the community to grow and to get all the public services and amenities it needs to continue to serve its city.

[01:32:19] So with that being said, I'd like to take any questions that are there and thank the Lord. thank you sir questions for the applicant um what uh what are the amenities that um we we heard mention of it but specifically so specifically there's going to be a community area a park space the the specifics of the structures in that have not been decided there'll probably be some benches some gazebos and interlocking with the trail system that'll go through the all of the open

[01:32:51] spaces all right and what what's the environmental work that you've done so far so so far we have had All the wetlands delineations completed and done by a certified wetlands engineer. We've done

several rounds of concept plan engineering that have included information from GIS as well as provided by other subconsultants.

[01:33:13] We have had a letter produced by a hydrogeologist to support the less impact of this particular type of subdivision on wells versus a bi-right A1 subdivision. And we've also just done a numerous amount of research and studying on the floodplain and trying to stay out of it because, obviously, a homeowner is not going to be able to insure it if it's built in the floodplain, and we're not going to be able to sell it.

[01:33:38] So regardless of the regulation, that's not something that we would ever do. The second entrance, well, you know what, I'll come back. Joe, I'll ask you this question.

[01:33:55] I think we talked about it briefly, about the potential of doing something so that it is an exit, but that it doesn't have to be a full road. But we talk about what you've seen happen in some other neighborhoods where because if there is the push for a second exit, even though technically there are many one entrance, exit communities in Henrico, this will be not the first one, and it also sounds like they are in every district.

[01:34:35] Yes, sir, they are. What are some of the, in case we voted, what would be some of the mechanisms to kind of mitigate that? Well, if you wanted to create a second entrance, the primary opportunity here would be to go through the adjacent neighborhood.

[01:34:54] What you could do would be to develop what I call a porous paver, the crisscross pavers I think you've seen. We've got them in some of our county parks, and they work very nicely. They don't create a great amount of impermeable area, so environmentally they're sound.

[01:35:12] They allow grass to grow up through them, and they support the weight of a car or a fire truck or whatever you might have to get in and out. You could gate it and then just have that there where it would be able to be opened at the time if there ever occurred an emergency.

[01:35:32] And it would stay in a natural state for the most part. You do have to keep them clear, obviously, from large trees and things like that. You don't want the fire department, if something happens, to go up in the gate and then have to cut down a couple of trees while they're at it to get people in and out or get in and out.

[01:35:49] So there's a certain level of maintenance, but you do have that option. That would be the option here, I think. All right. Builder, if this was approved, who's the builder?

[01:36:06] So right now it's either going to be Richmond American or Eastwood, And all of the concept renderings that you saw were from one of those two builders. And as of now, a Richmond American likely vote. Okay. That's all I have for questions right now.

[01:36:24] I'm sure I have more once I hear from the community. Oh, did you bring – you guys had petitions. Yes. I know you sent them. Do you have physical copies with you? Unfortunately, I do not. Okay.

[01:36:40] But you do have it officially, Joe. You have the official list of four. And how many signatures did you have? As of this morning, we had 50, so last night we had about 44, and I sent in six additional this morning. Yes, sir. Any other questions for the applicant?

[01:36:58] All right, thank you, sir. Seeing no more questions at this point, so the petition, your petitioners come from where? All from the eastern end of Henrico and all in Varina, as per their self-reported answers.

[01:37:22] Thank you, sir. At this point in time, we'll open up this case to public comment. Those that are here in the room will be offered the opportunity to go first. Again, all comments will be given from the left turn in the rear. Is there anyone in the room that wishes to speak to this case?

[01:37:39] And if you do, if you would please head to the back. And one by one, if you would please state your name and your address for the record.

[01:38:01] Ricky Witt, 700 Neverstone Road. Stone's throw from this development. I'll try and make this brief. I was typing the whole time trying to write something so I didn't forget it.

[01:38:19] I've spent many days thinking about my communities and several proposals to rezone. on both sides of my property were brought forth. I've attended every community meeting and every planning commission meeting to include the many deferrals over the past year, just to be heard and passed to our elected representatives a message.

[01:38:36] That message is very simple. Do not allow the urban development invasion of our community. Help us preserve our rural homes. We have presented hundreds of petition signatures for the two developments on both sides of my home and placed directly in the heart of our community.

[01:38:54] Those signatures should be on file. As a member of the North American Drive Civic Association, I can assure you the entirety of my community stands united in opposition of the recent rezoning efforts proposed by these developers. We are all asking for the support of our elected officials. We are asking for our voices to be heard. We are asking for one acre per home.

[01:39:14] To be brief, we have safety concerns of placing a neighborhood entrance so close to the 295 off-ramp and merging lane. We already have traffic congestion and safety concerns on both sides of North Airport Drive in this immediate area. A traffic light has been requested on multiple occasions, and the request has fallen upon deaf ears.

[01:39:32] Instead, here we are pushing the agenda. No resolution has been presented, and our safety concerns have been ignored. The same can be said about other concerns of runoff into the state scenic Chickahominy River, overcrowding of our schools, light pollution that will affect the wildlife and many domesticated farm animals that our community keeps, wetlands, protected and endangered species that occupy the immediate area such as the Atlantic Sturgeon, Swamp Pink Flower, an American Bald Eagle, and more.

[01:40:00] We have concerns of the effects of our wells and septic tanks being affected due to construction activities. I can go on and on with our worries and concerns. Again, here we are pushing the agenda. We did not attend all of those community meetings to assist the developers in suggestions on what would be acceptable.

[01:40:17] We came with the message each and every time that rezoning was not wanted. Rezoning is not acceptable, and that we would prove this, be true, and that we are one voice. The petition signatures are approved. We ask the board to hear our voice and do what is right.

[01:40:35] We ask that you look at the comprehensive plan and code of Virginia and take note that these developments are not compatible with our community and as required by the county. This incompatibility was admitted and voiced out loud from the developers themselves at the last Planning Commission meeting.

[01:40:55] What was also stated after great arguments from various members of my community by the Planning Commission, and I quote, The houses have to go somewhere. This is unacceptable behavior and not the leadership we expect of our communities. That being said, I can appreciate the questions the board is asking tonight.

[01:41:14] We are willing to meet halfway, keep it one acre per home, and join our community, not take away from it. Words mean something when they are spoken, and so are promises. The promise I thought I was buying was the promise of a rural life with open spaces, the void of invading HOAs and years of destruction from construction.

[01:41:34] Please help us keep our communities a home. Thank you. And a few comments from the conversations earlier. You already asked the petition signatures we're coming from. They're not from my community, I guarantee you.

[01:41:50] Don't know why that would even matter, them bringing petition signatures forward. They don't belong with us. And as far as the school density, please consider you're just looking at one development.

[01:42:05] There's multiple developments being requested, and they are all going to have an effect on our school system. That's it. Thank you. I have a question for you, Mr. Witt, right? Yes, sir. The light, where is, the community asks for a light where?

[01:42:24] Oh, a traffic light. No, I know that, but like where? If you look at the map right here at the north, I'm going to call it the northwestern side of that map, you can't really see it right there, but that's the entrance to our community. And there's two lanes on both sides of the road on North Washington Street, North Airport Drive, And it's a four-way intersection with no way to really get out of it easily.

[01:42:49] Sometimes we have to sit there three or six minutes to get into traffic. That's just one car at a time. Being so close to the airport, it has a bit of a concern there for all of us when we have to cross the road. Adding another element to that would just further compound the situation.

[01:43:07] Being so close off of 295, being so close to the entrance of our community where we're already having problems, and we're adding more congestion on top of that. So, Washington is on the map, the dotted, where, so I see Airport Drive is the main thoroughfare coming out of the neighborhood.

[01:43:28] You are, you're looking at Washington and Airport Drive as the intersection. That's correct, sir. And there's no, we have no light at Washington. There's no light, sir, and they're not going to put one there because it's so close to the interstate. All right, I see. Which is why we're having a hard time fathoming why we would want to put a community right there so close to the interstate offering.

[01:43:46] Okay, all right, I see it. Thank you, sir. Thank you. Joe, just leave that up for one second. I am Shelly Parmley-Lawrence. I live at 605 Sharon Road. I have also been with all these people since day one against this.

[01:44:06] Earlier, the comments that the gentleman made that septic fail, yeah, they do. But my daughter-in-law lives in a farmhouse next to Huntington Station that's 115 years old and has still got the original septic. They also last. And, yes, they're going to put sewer and water down those roads.

[01:44:24] I have, I live, we all have wells around us, and my water is pristine, where I have people coming from Glen Allen, Short Pump, everybody, to get water from us, because it tastes, I mean, it's brain fed, come on now. I don't want to boil my water.

[01:44:42] I don't want city water. I don't want sewer. I don't want any of that. Y'all have, most of Henrico County had to boil the water for a while. I don't want that. I would like it. And when all this started with the first development, the baker went off of Washington, there was a lady here who said um that caswell donahoe elementary was already upset i mean over school it was to capacity and then some that they were squeezing kids in anywhere and this was two years ago and you want to talk all the all we've heard mentioned right now is henrico high school well

[01:45:19] what about the elementary school and what about the middle school these housing they're just this one alone at 32 homes two to three kids come on they got to go somewhere and the development that this is in front of us this development is in front of us the one that's coming behind us with 130 homes where are those kids going to go um you talked about that this development probably will not mess up a well i mean the septic or anything else it will mess up our wells it absolutely will because wilton built tuckahoe on a swamp my father-in-law owned a great part of tuckahoe

[01:45:54] and before he sold bits and pieces his well went bad his brother's well went bad and his sister's well went bad. All because they started putting in Waterdale and everything else. So yes, this will impact our wells. It will impact our drinking water, and I don't want to boil my water. And once again, about the 40 petitions, I don't know who these petitions came from, but I can tell you, we have went door to door, door to door, and we've gotten well over 100 signatures, and not one person in the surrounding area that this development will impact has said yes. So I'm kind of interested to

[01:46:34] see where those signatures would be coming from. Varina is the vast area, but Varina is not around our area. We will continue by whatever means it takes. We will talk about, you redid this.

[01:46:50] You don't redo it for us. You redid it because of the regulations. Part of this land is on the other side of 295 that you can't even use. But you're including that in the acreage. That is not accurate. Just say that you did it for us, but that's not. You want to do one acre for a house?

[01:47:05] We'll welcome a new community. then it won't impact our wealth and everything else our schools we live here y'all just do this on paper getting off on 295 at five o'clock in the evening good luck going to work in the morning good luck it is not happening and you need more people you add a right in a right out neighborhood one way whatever you want to call it that's just a fatality will happen and then maybe maybe but until then thank you uh come on sir mr emerson are we looking at the right map here is there

[01:47:43] there's land for this piece on the other side of 295 if not just the first time i'm hearing that no sir the only land contained in this case is within the the yellow outline there's there's no property included that so none across airport or 295 no sir we sure about it absolutely there's there's the plat if you want to take a look at that that's the survey plat of the property

[01:48:10] none of it crosses any of the roads. Sorry, Mr. Chair. I'm sorry. I have to interject here. I believe the confusion is the property was purchased. There is more property that's not being shown here. I believe what you're seeing is just the request for rezoning right now.

[01:48:35] There is, I believe, two more plots across the road on the same plat, if I'm not mistaken. I could be speaking out of turn here, but this is not the entirety of the property. There's more to it, and there'll probably be more rezoning requests. Thank you, sir.

[01:48:51] Next speaker. Okay, my name's Elmer Hutchins. I'm at 813 Beverly Stone Road. I'll keep it short because they've already said most everything I have to say.

[01:49:09] Silver Spring Farms is a subdivision including Sharon and Beverly Stone Road, and there's approximately 35 acres to that subdivision. There are 23 homes, all of which are on one acre or more.

[01:49:26] The North Washington Street area and the opposite side of Airport Drive is pretty much all the same. Everything is one acre or more. We purchased our home in the area for this reason. We wanted a quiet, spread-out rural atmosphere.

[01:49:45] We don't wish to see crowded communities built in our neighborhood. If they do build, do it responsibly, conform with what's already in the area. The vast majority of the residents wish their opinion on our petition, and they should not be ignored.

[01:50:05] You seem to have some concerns about floodplains and what have you. Well, Beverly Stone Road is actually higher than that property. And during one of the storms that I remember, this guy Stone, I walked up my street with water almost halfway up to my knees.

[01:50:29] So there's definitely flooding goes on around there. That property and the other property that's being developed or wanting to be developed by Gem Capital, which is on the opposite side of Beverly Stone Road, is they're both of them built.

[01:50:46] I mean, both of them are basically a drainage ditch. So water runs through those properties. Now, how high, I can't say at all times. And any of the drainage coming off that, either one of those properties goes directly into the Chickahominy River.

[01:51:05] And you're talking about sewage lines being available and all. That's why Beckley Road, off of Beverly Stone, built, because that's where the sewer lines come to. So the sewer lines are probably only about 400 or 500 feet from that posed property, posed building.

[01:51:33] That's not that far away. They also have water lines just on the other side of Airport Drive, because all those properties over there have county water. Now, the Planning Commission, you know, recommended to grant this change, and that was before we were able to put our petition in.

[01:52:14] So many trailers at the time because of the road capacity, And as far as I know, they haven't moved the trailers yet, so what they consider capacity with who the trailers are not.

[01:52:36] But talking about another 144 homes, I believe, if both of the properties are a lot more than just this one.

[01:52:53] Thank you. Hi, my name is Jennifer Lieberman. I live at 85 Penn Spalding Drive. I live in Jody Rogest's district. Quick question for you. You said you're a large Legarda capital. Sorry, I misunderstood you.

[01:53:10] How many people are employed in Henrico Virgin? Hey, ma'am, you can address your questions to the board, not directly to the other end of it. Then can you answer that? I didn't. How many people are employed by this developer that live in Henrico, Virginia?

[01:53:30] I would not be aware. Is it a local area? I would not be aware. Local company? Okay, so I'll get my speech. Yeah, please make your comments. So when we look at land development, we in Henrico have

seen astronomical growth over the past 30 years, getting rid of almost all the trees and plants for single-family homes, single-level businesses, or asphalt.

[01:53:54] Like I said last time, the 1950s era of housing makes some sense, whether it be that you aren't directly connected to your neighbors or where you aren't near a bunch of traffic. It made sense. You had a place to have some flowers, have all the non-native grass that you could want, And most importantly, a place for your children to grow up and have an area to hang out with other kids.

[01:54:20] Fast forward 70 years, we are no longer in a war-torn economy. Housing is vastly unaffordable for the average person in Henrico. Children are no longer physically connected to one another due to screens. And we've mostly run out of room to put new housing.

[01:54:38] Instead of coming up with new ideas, we have developers come in and suggest that they can build affordable housing with the idea that this is somehow helping housing. We have so much unused land in Henrico. A lot of it is covered by asphalt. Whether due to mandatory parking minimums or that have long since been unused or because plans that have never come to fruition, it has become a beckoning of waste.

[01:55:15] Enrico has the opportunity to work with Virginia's Housing and Urban Development to come up with new ideas about how to tackle the housing crisis if they wanted to. But instead, Enrico listens to developers and says, yes, we need to destroy more of the environment to build single-family housing that will not do anything but cause more harm in the long run.

[01:55:39] Whether it be through overcrowding existing schools that don't have enough staff or through getting rid of the green space that protects the area when various weather systems come through. This is a terrible area for housing development. There are a few options that Henrico could choose to try and solve the housing issue in the area.

[01:55:59] Let's say working with a Henrico developer to build a five-plus-story building that has two or three building condos in it or purchasing unused office buildings and working with a developer to turn them into condos.

[01:56:16] Or maybe even adapting the approval for granny flats into a more simple and streamlined process, just as an option for people that want to turn their unused backyard into a small house for a person that doesn't need a lot of space. But Henrico seems less interested in caring about the world our grandkids will live in, more interested in ecological destruction that will come from all of this useless single-family home nonsense.

[01:56:45] You seem to misunderstand what people actually need and what zoning form really could be if you all had a spine and thawed out of the bus. Now let's look at the ecological impact of building more houses where there's already a bunch of green space. Having space that has a vibrant amount of plants help reduce runoff when it rains a lot.

[01:57:06] Having a bunch of trees helps reduce the power of the wind. What happens when you eliminate green space? run off or kill animals, and push them further away from humanity, and you get rid of a lot of plants that help our ecological system.

[01:57:24] You separate us from what we are, but you also cause animals to eventually come back and cause issues to what used to be their home. Look, I give this speech as a person, not as a person trying to

cause chaos, but as a person who actually cares about Henrico.

[01:57:41] I've lived here pretty much my entire life. I want Henrico to be the best. It can be for all people, but it seems that the people on the board today that are no better than the people who occupied it during the last term. I voted for Jody as I vote, generally speaking, for the left-leaning party.

[01:58:01] But from what I've seen, you were as feckless as Al Gore was when he succumbed to the Supreme Court decision that gave George W. Bush the illegal win, or as meek as Nancy Pelosi when she tore up Trump's State of the Union speech in 2020.

[01:58:19] You are basing your decisions from the non-answers that the developers come up with to quell the public concern. Whether it be with weak housing promises or the benefits of a data center, it seems that you are unconcerned about the environmental impact of what comes with the power of your vote.

[01:58:40] You are acting as if you were putting on a puppet show to amuse the public while the federal government pushes for a state of austerity instead of pushing for things that people actually need during this difficult time. You push for shit.

[01:59:00] You all support spending more money on unnecessary things while you are facing the iceberg of totalitarianism. As a person who has only ever voted for Democrats, there is a reason why so many people, including myself, You can't stand Democrats.

[01:59:17] You are all as weak and powerless as if you can't do anything transformative with the power that you hold. If you could stick to the points of the case, we would appreciate it. And there's others lined up behind you to speak to the case itself.

[01:59:32] That would be wonderful. Thank you. Yes, ma'am. Good afternoon. Noelle Smith, address 6412, Oakland Chase Place. I've heard from the members of the community, and I've been a resident of Henrico County for 30 years, living in the Oakland Chase subdivision, and I recall when I moved to Oakland Chase, it was lots of trees, lots of trees in our area, and we bought our homes not knowing that there was going to be apartments built in our backyard.

[02:00:07] We have to have affordable housing. We need affordable housing somewhere. If it's not here, it's going to be somewhere. We need affordable housing in Henrico County. I heard the discussion about having an acre. If it's an acre, it's not going to be affordable. I think if the applicant and developers can come back and make sure that we have, there's no flood zone, it is an issue.

[02:00:35] It can be an issue, but if they can ensure that this is not going to be a problem for those individuals that are purchasing in that community if this goes forward and ensuring that they are protected. In addition, we really do need affordable housing, and I'm here, and I'm for it, and that's it. Thank you.

[02:00:56] Thank you, ma'am. Good evening, Mr. Chair, members of the supervisors. My name is Joe Galbach. I am a resident of the Fairfield District, and I'm speaking tonight on behalf of an organization named RVA YIMBY.

[02:01:14] YIMBY stands for Yes in My Backyard. And we represent over 1,500 residents in the region, including here in Henrico. And I'm speaking in support of the rezoning at 700 North Airport Drive. These are smart, well-designed homes that should be approved. Not only has the applicant responded to

neighborhood concerns by reducing the number of homes, but the proposal actually puts 18 acres into a conservation district, further protecting green space and natural habitat.

[02:01:38] I would ask that the board vote to approve these homes. On a larger scale, I'd also like to point out exactly how needed these and many more homes are. The median sales price in Henrico in July was \$425,000. The list-to-sales price ratio, meaning the overbidding, was at 101%.

[02:01:54] And homes are spending less than three weeks on the market. Anecdotally, I bought my home in 2015. I cannot afford to buy my own house today because prices have escalated so drastically. I wish I could say it's because I put an addition on the home or even maybe added a second bathroom, but that is not the case.

[02:02:14] Our home prices are rising because people want to live in Henrico. That's a great problem. The inverse of that problem, some of our neighbors to the southwest are experiencing that, and it's not great. But we simply have not built enough homes to keep up with the demand. As a result, prices have increased 52% in the last five years.

[02:02:33] I have not gotten a 52% raise in the last five years, and I bet many folks who are listening to this haven't either. Working folks cannot afford to buy a home in this county anymore. A single parent cannot afford to buy a home in this county anymore. A teacher at Henrico Public Schools cannot afford to buy a home in this county anymore.

[02:02:51] Not only is the home ownership a core piece of the American dream, but it is the gateway to the middle class. It's how we build a future for our families in this country. And today, the American dream in Henrico is turning into a gated community that only a certain lucky few can afford. I know the board of the county leadership takes housing seriously.

[02:03:07] This board created a \$60 million housing trust fund, which, as you all know, is the equivalent of the entire Virginia housing trust fund. Henrico is leading the way when it comes to creating permanently affordable homes and supporting their employees through the Employee Home Purchase Assistance Program. And to complement these efforts, I urge Henrico to lead the way in ending our housing shortage, end the bidding wars, end the rent hikes, and the displacement by approving new homes across Henrico, including the homes at 700 North Airport Drive.

[02:03:33] Thank you. Thank you, sir. Good evening. I'm Julius Edwards. I reside at 7279 Shreff Road.

[02:03:51] And, I mean, I'm here to speak. I was one of the guys that did do the petition for Harsh. First of all, I want to speak that he has been doing things in the community that people don't know about, that I know about. And we're trying to partner to get things like programs for kids in the schools and camps and everything.

[02:04:11] So we've been talking about those types of things on top of that. The low poverty community, all I see in the area we live is apartment complexes, apartment complexes. And if you're living in where I live at, we're in a lot of land, but we have flooding every day.

[02:04:26] Every day at our house when it rains, it's always flooding. So as far as the flooding, I'm pretty sure that he knows what he's doing. He's getting the professionals to come out to look at whatever he needs to do to rezone it. Also, I just want to see the community on this side of the eastern Henrico build up.

[02:04:49] I want to see it grow. I've been out here 20-something years, since 2000, and I haven't seen it grow. I've seen White Oak out there, but everything in White Oak was going, going away. The population is still growing, but we don't have anything out there to support what we have going on.

[02:05:05] We don't have anything entertainment-wise. We don't have anything. We don't have street lights. Speaking to you, Mr. Nelson, when he said he wanted the light, I think that we need to have lights all the way up and down to the Burnham. I'm always seeing people walking, but I'm always ready to hit people. And I think that the East and Henrico Areas don't have a lot of things that we do need.

[02:05:26] So I think this can be the beginning of something over there, Besides what you all are already doing on Wilson Road, which can affect me over there. But I wouldn't complain about that. I just think that we need the population up so we can have the revenue to be able to do other things coming in the community. So that's my part I want to speak on.

[02:05:44] Thank you, sir. Thank you. Good evening, Board of Supervisors and County Manager. My name is Robert Gary. I live at 1720 North Washington Street on a 35-acre farm.

[02:06:06] I raise goats. I used to hunt the property that they're speaking of, and it's a creek that runs through it. And it's also, I'm a member of the Chickahuman Watershed Alliance and Vice President of North Airport Drive Civic Association.

[02:06:27] My farm is located one-fourth miles of this proposed denty development. North Washington Street is only a mile long. North Airport to East Washington Street. I have 135 signatures on this dense development, ranging from traffic to proposed dense development, not fitting in with A1, one hearse per acre.

[02:06:55] One of my concerns is the elevation from North Washington Street. The elevation, no BMP can contain this much water.

[02:07:12] Todd Benson, a Hennecker County attorney and myself, spent many days at the Capitol petitioning the General Assembly to pass a bill to declare this river a state-designated river. The property is on both sides of 295, but they're not going to develop on the riverside, but that creek runs directly into the Chickahoma River.

[02:07:40] And that's the biggest concern of mine, is the pollution and the traffic. Because North Washington Street is only one mile long, and the traffic would be terrible.

[02:08:07] Thank you for listening. Thank you, sir. Hello, my name is Barbara Jefferson. I'm actually speaking for the development because we actually do need more housing in the East End of Henrico.

[02:08:32] Mr. Jones and I have talked quite a bit, and I am aware of all the different subdivisions that are coming. I live at 151 Miles Lane, which is off of Meadow Road.

[02:08:54] Mr. Jones is building a subdivision on Meadow Road. I'm not quite sure how many housing houses are supposed to be in there, but we actually do have a housing shortage, and there need to be more affordable housing.

[02:09:14] If you live in Henrico County and you have a job working for the state or the federal government, you can't afford a \$500,000 home.

[02:09:31] You just can't afford it. No one can. You actually have to settle between \$3,000 and I'd say \$450,000 for a house. I built my house, my husband and I built our house back in 1989.

[02:09:48] My house at that time cost us \$73,000. And again, it's off of Meadow Road. We bought property from the family and built our house. You can't do that now.

[02:10:04] If you don't have relatives that own land, you can't buy land. It's too expensive. An acre now costs you about \$40,000.

[02:10:14] One acre. That's crazy. Who can afford that? I know I can. And I actually have a good job. I work for the Mondelez. I work at Nabisco. So I make roughly \$90,000 to \$100,000 a year. But still, you can't afford to pay that kind of mortgage. So I'm all for the development on North Airport Drive. People got to have somewhere to live that's reasonable.

[02:10:50] I mean, they're putting in condos at Drybridge and Williamsburg Road now. Those places are going for roughly \$350,000. Three bedrooms, small kitchen, small dining room, a little backyard.

[02:11:14] It's ridiculous. Who can afford that? I can't. I don't know many people that can. I mean, you've got to be making at least \$90,000 to \$100,000 to afford something like that. You have to be.

[02:11:30] Plus two incomes. So that's all I have to say. Thank you, ma'am. Folks, is there anybody else in the audience before we go to WebEx that wishes to make public comments? I'd like to speak to you again. Yeah, just, sir, it's warm.

[02:11:46] The house next to me is 10 acres. It's a two-story house sold for \$180,000. All right, thank you, guys. Thank you all. Is there anyone on WebEx that we are aware wishes to speak? Hold on for one second.

[02:12:02] Sir, did you just say, you said a two-story house on 10 acres sold for \$180,000 recently? Wow. Okay. That's amazing. Okay, well, he did.

[02:12:19] I agree. I agree with him. Can I ask just one question? Yeah, again, sir, be brief. We can't go over multiple rounds through this, yes. Now, why are people that don't even live in our area coming around here saying that we need more housing?

[02:12:39] Yeah, this is a public comment period, sir. Everyone's entitled to speak. Yeah, I understand that, but I hope you understand, too, that they don't live here. They don't have nothing to say, as far as I'm concerned. Yes, sir. What I've found out, too, there's... Hey, folks, thank you all very much.

[02:12:54] You've had your opportunity to public comment. Is there anyone on WebEx that wishes to speak on this case? Yes, sir. I have it. Gray Montrose. Go ahead, Mr. Gray. Montrose.

[02:13:10] Thank you so much. My name is Gray Montrose. I live at 4300 Eanes Lane. I'm a Varina resident. Members of the Board of Supervisors, the community has made its position clear on this project. The same community asked the Planning Commission to deny this project.

[02:13:26] Not a single community member spoke in favor of this project at the last planning commission meeting. It is very confusing that our Varana planning commissioner would say, in preparation to cast a vote in favor of the project, quote, there's going to be development even in places we don't want it.

[02:13:46] If he didn't want it, he shouldn't have cast a vote to approve it. That is confusing from someone who quite literally has the power to say no. As the Board of Supervisors, you are charged with protecting

the health, safety, and welfare of the community. No court of law would ever question a denial for health, safety, and welfare reasons.

[02:14:07] These exact reasons have been cited as reasons you should deny this project. The community has described numerous reasons their welfare would be affected if this project were to be built. They've described loss of important quality of life benefits, important reasons they've moved to this community, The negative impacts of this development to the bulldozing, the grading, the traffic, and the crowding of too many houses into too small a space.

[02:14:30] We've also talked about the welfare impacts to future residents who may stand to lose the largest and most important investment of their lives if these houses become part of the floodplain. The cost of flood insurance can be prohibitive and the damages incalculable.

[02:14:46] We've talked about safety, how it would be unsafe to build such a tight-packed development with dozens, if not more than 100 cars, practically on top of the current floodplain, mere feet from the Chickahominy River, with one way in and one way out. At least two of these lots are drawn about 20 feet from the currently marked floodplain.

[02:15:06] 20 feet. You'd walk further than 20 feet to leave the room. The distinction that they're not building in the floodplain is specious because it's a matter of 20 feet. And didn't we just see those floodplains revised, affecting thousands of Henrico homes? The water levels are not going down, they're going up.

[02:15:25] What happens if a tree comes down and blocks the entrance and floodwaters rise? That was an episode of the Magic School Bus 30 years ago. Even elementary schools knew, 30 years ago, this kind of design was dangerous. We've heard our Verona supervisor say, well, the neighbors didn't want two exits.

[02:15:41] That's fair. So if you can't build what the neighbors say is good for their welfare and safety, and you can't build it to be safe for future residents, maybe you just shouldn't build it. We did see what happened in Texas only a month ago. 119 people dead, a one-year-old swept away in floodwaters, little girls who trusted adults to keep them safe, but those adults let them down when they built homes and campsites where they knew, they knew floodwaters were likely to reach, but they took the chance anyway.

[02:16:11] For what? What profit, what boost in tax revenues was worth those young lives? We saw in Asheville last year how neighborhoods the county swore were safe disappeared under mudslides and floodwaters choked with debris. Those dead have never been found, many of them. The French Broad River took and will not give them back.

[02:16:29] And who will the Chickahominy claim? A hurricane could hit this area as early as next week. We could see serious flooding as early as next week. The last time the Chickahominy flooded was February of this year. A historic crest happened in 2018, and the highest flooding on record was only 20 years ago in 2004.

[02:16:49] You can call the storms an act of God, but this vote tonight is an act of man. You are making the choice to gamble the lives and livelihoods of your neighbors, and for what? For a D.C. developer that wants to make a few quick bucks and go back to D.C. to count them. It's not worth it.

[02:17:05] We respectfully ask that you deny this project because this is not the kind of irresponsible development we want to encourage. in marico county thank you thank you anyone else on webex no sir

that was the only one all right thank you all no further comments from the public um webex in the room uh any other comments or questions by my colleagues yes sir mr chair um mr emerson just a couple questions for you

[02:17:42] i mean these staff reports we've been doing them for a long time a lot of information in the reports have been questioned tonight school capacity numbers come from where they come from the schools okay and so the schools these are numbers that the schools stand by as a release of their capacity number yes so based upon what i see donahoe is at 81 which is 107 students under elco is at 64

[02:18:14] which is 65 and Highland Springs is a little under 200 so yes that's correct okay so my comments are are these this is definitely every single case and in the Verona district that comes forward for rezoning and is residential we we end up here there is a nail it wasn't always like this but it has been over the

[02:18:51] last year to last to two or three years there is a there are persons in in in this particular case there is a community that is against this development for a multitude of reasons but primarily it will cluster development which will add a lot more homes in a clustered area than we see in the community in general.

[02:19:28] Also, this community, particularly the homes that are in between, there is potential development on both sides of the home. So I understand, and let me say, what's the word?

[02:19:50] I empathize with your position, particularly when it's something that you are used to. On the other hand, this case is not just about your community alone, though.

[02:20:07] And I know for those who live in the community, you don't want to hear that per se, but it really is about that corridor, and it's about, you know, I hear the Verona District, and I've heard somebody try to redefine what Verona is.

[02:20:28] The Varina district, based upon what the local government has ascribed, is Highland Springs, Sandstin, and then rural, urban, suburban Varina.

[02:20:46] It's, according to who you talk to, 52 to 54 percent of Henrico County is identified as the Varina district. My family is from what we call Varina, as my family calls Varina.

[02:21:03] They were slaves on land, and so my blood goes back in Varina probably 300 years or 250 to 70 years. So I didn't just move here 10 years ago or 15 years ago.

[02:21:22] And so I understand being wed to that particular part of Varina. But when we think about Varina and the county, we also think about Allen Springs because it is a part of the district. We think about Sandston. We think about Elko. As the Board of Supervisors member, I have to look at these cases not just neighborhood by neighborhood, but I have to look at it from a total scope.

[02:21:52] And there is a need for housing. There is a need for affordable housing. That's the reason that we are even considering this. here's the struggle there is a lot um to think through there are things that need to be verified um you know there are things that need to be considered and the emotion of the first of all i want to say to those of you i really appreciate those of you who can come argue your case and do

[02:22:31] it without um being disrespectful and you know like when when when somebody says we don't have a spine we weak we're powerless like most human beings that type of stuff does not motivate you to do what somebody wants you to do so for those of you who live in the community you're arguing your

point about why you think there's rezoning shouldn't happen i respect that and i hear you all right for those who have come who live in verona in particular some in that particular

[02:23:08] corridor i respect your arguments as well i'm going to do something that i generally have not done, but I have done it one other time this year. I've talked to our county attorney. I want to defer the case, but I want to defer it to the next meeting to give me less than 30 days to think, but not for, this is for decision only. So Mr. Newby, I want to make sure that I'm saying this

[02:23:47] right i want to defer it to the september 9th meeting for decision only meaning no other public hearing don't even really need to i don't even need to hear the case again i just there are things that i want to verify that have been said today um is it not possible to do a stop a traffic light there is this really 20 feet from the floodplain and there are things that have been said that i

[02:24:21] want to verify. And so is it possible to still take public comment through September the 9th, meaning people can still email, they can call, they can share their thoughts. But when we come back on September the 9th, to be fair to my colleagues, not to have to re-hear this case again, but to just come for a decision. Mr. Chair, members of the board, Mr. Nelson, yes, all of that is accurate. If you defer for decision only, what that means is the public hearing is closed this evening and when you come back on September 9th there's not another

[02:24:59] opportunity for public hearing but as you as you noted any citizen or any resident can always communicate with the board on any matter coming before the board by email phone letter or otherwise in the meantime yes sir all that's correct all right so I colleagues I'm not sure you know but there is another case that is coming before the planning commission on the other side of this development and so petitions were turned in hundreds were turned in but hundreds a lot of

[02:25:32] those petitions were for the Jim Capital case and not for Dorado doesn't mean that they don't that the same people are not in opposition I would like to talk more to the community as it relates to that I do want to make sure that you know and this is this is a fact two things are factual That we do have housing need issues in Henrico County, single family home ownership is something that we, our board, said that we were focusing on and that we wanted to make housing more affordable.

[02:26:12] That's something that we committed to. We also have committed to conservation and preservation, and we have the county alone has thousands of acres of land conserved and preserved in Varina alone.

[02:26:30] That, too, is a fact. And so most of Varina is not paved over. Most of it is still pretty green. And so I just want those of you who are here tonight speaking in this case that I am not sure which way I'm going to vote.

[02:26:51] And so I'm not going to vote tonight. I'm going to defer this and give me 30 days. And on September 9th, after making sure that I can fact check some of the stuff that's been said tonight, then I will feel a lot better about my decision.

[02:27:13] So, Mr. Chair, I move to RZ 2024-101760 be deferred to September 9th, 2025, meeting at the request of the board for decision only. A motion made by Mr. Nelson, seconded by Mr. Roundtree.

[02:27:29] Those in favor say aye. Any motion carries. Mr. Manager, before we move on, I believe we have an item that we'd like to address. We do. Mr. Chair, members of the board, it's been brought to my

attention when Ms. Roundtree asked for the date on agenda item 115-22, I gave her the first Tuesday in November, which is actually November the 11th, which is actually a holiday.

[02:27:56] That is actually a meeting that we will have on November the 12th, according to the board's calendar. So, Ms. Roundtree. Mr. Chair, I move we reconsider item 115-22-REZ-2022-00002.

[02:28:14] Mr. Whitty. Sorry. There has been a motion to reconsider item 115-22-REZ-2022-00002. There's been a motion made by Ms. Rountree.

[02:28:30] Is there a second by Mr. Rogish? Did I hear that correctly? Yes. Those in favor say aye. Aye. Any opposed? All right. The motion has passed to reconsider the item. Then, therefore, Mr. Chair, I move we defer REZ 2022-00002 to the November 12, 2025 Board of Supervisors meeting at the request of the applicant.

[02:28:52] Second. But a motion made by Ms. Roundtree, seconded by Mr. Cooper. Those in favor, say aye. Aye. Any opposed? Motion carries. Mr. Manager. Thank you, Mr. Chair, members of the board. I apologize for that. So we move on to 138-25 out of Brooklyn, Bijou Matamana with a conditional rezoning request from r21 family residence district to r2ac family residence district a parcel containing nearly 1.4 acres located at the southeast intersection of staples mill road and courtney road the applicant is proposing single family residences mr emerson thank you mr manager mr

[02:29:29] chair members of the board this is a request to conditionally rezone a 1.4 acre parcel from r21 Family Residence District to R2AC One Family Residence District. The R2AC request is a change from the previous R3C request considered by the Planning Commission. Property is undeveloped and located at the southeast intersection of Staples Mill Road and Courtney Road. Property is bordered on the east by single-family homes and to the south by a family daycare home. To the west across Staples Mill Road is a multifamily development. The carriage homes at

[02:30:09] Cross Ridge and across from across Courtney Road to the north is Glen Allen Public Library. Profer concept plan that you see in front of you now shows three lots oriented towards Staples Mill Road. Access to the subdivision will be from Courtney Road and is aligned with the entrance to the Glen Allen Public Library and that runs along the rear of the lots. A private road along the rear of the property with individual driveways and a modified hammerhead at southern end, will serve all three lots. A five-foot wide sidewalk will also be

[02:30:48] provided along the property's front edge on Courtney Road. So it'll be right along that edge. The applicant has provided quality assurances through submitted proffers, addressing setbacks, buffers, landscaping, driveway and roofing materials, elevations, square footage, hours of construction and many other items consistent with similar rezoning requests and existing construction in the area the 2026 comprehensive plan designates the subject property for suburban

[02:31:22] residential one with recommended maximum density of 2.4 units per acre the proposed density of 2.16 units per acre is consistent with this designation the applicant held a community meeting on april 1st with approximately 15 people in attendance topics discussed included traffic along staples Mill Road and Courtney Road, the proposed layout and access to the subdivision buffers and neighborhood character.

[02:31:48] The applicant has revised the request to R2AC to address concerns raised by neighbors in the Planning Commission and also address staff concerns through quality proffers. Therefore, staff supports

this request. The Planning Commission, of course, did recommend denial of this case.

[02:32:07] However, in the interim, the applicant, as I have noted, has addressed commission concerns. If you have any questions, I'll be happy to try and answer them. Thank you, sir. Any questions for Mr. Emerson? I see none. This is a public hearing. Is there anyone in the room who wishes to speak for or against this case?

[02:32:25] Anyone on WebEx for or against this case? No, sir. No one to speak on this case. All right. Thank you, and thank you, Joe, for the presentation. I just want to clear up a few things because this is a unique one, I would say, with the Planning Commission recommending denial and then the zoning request changes.

[02:32:41] So I also want to be clear on a few things for the record. I also want to note the applicant is here with counsel. I'll call on you if I have any questions at this time. I also want to recognize there were some residents in the room here this evening that were not unable to make this time frame, and I want to recognize the fact they were there.

[02:32:57] I've had ongoing conversations with them. They had some concerns initially along. They attended the community meeting. I've been in conversation with them regularly, and at this point with the proffered conditions the way the case is now, I spoke with them both this evening, and they're both okay with the adjustments.

[02:33:14] Mr. Emerson, I just want to be clear on a few things, again, for the record and for those that are tuned in. This case was recommended for denial by the Planning Commission as a request to move the zoning from R2 to R3C, is that correct? That is correct, yes, sir.

[02:33:29] And the proffers, I believe, if I remember reading the staff report at that point in time, the proffers were remarkably unclear about what some of the direction of the build would be. Yes, sir, that is correct. Since that time, the applicant has agreed to change the zoning request from R2-C to R2-A-C, which enables them to do the three-home build on these lots?

[02:33:53] Correct. All right. Also, to be clear, can you talk about the proffered elevations? The two-story dwellings are permitted with brick, brick veneer, is that correct? That is correct, yes, sir. All dwellings will have a minimum finished floor area square footage of 2,000 or more.

[02:34:08] That is correct, yes, sir. Alright, now by making this change from R3 request to an R2AC request, can you tell me about the fact of the lot widths? The lot widths that would be awarded here if this case were to pass would still exceed those that would normally be required in R2A?

[02:34:29] Yes, sir. Yes, sir, they can. The applicant, in order to get this lot configuration and avoid a curb cut on Staples Mill Road, has enough area to do a typical R2 development. However, in order to line them up correctly, each lot really only has enough area to get approximately 97 feet in width versus the required 100 feet.

[02:34:54] Going to R2A, which allows a lesser lot width, you could go down to 80 feet, which the applicant will go larger than that, of course, because the area is there, it ameliorates that issue. Otherwise, the lots will be essentially the same areas as the R2 lots in the vicinity and all other characteristics.

[02:35:18] So this just allows them to develop a configuration that honestly is much safer for the community. Can you talk about its similarity to the three parcels behind it on your map that you had a few

slides ago? Sure. And ironically, those five residents that are adjoining parcels were not in opposition to this case.

[02:35:38] I have not heard in opposition from those residents. But there's another slide that I think it's further back. Let's see, maybe this one will show it better. There we go. Yeah, that one. So it would be similar in layout. Yes, sir. It's going to essentially match up with those lot lines. If you look at their concept plan, well, here you can see the lots as well.

[02:35:57] Here are the proposed lots. Here are the existing lots. not include access off of staples mill road that is correct yes sir you're getting a a healthy setback of i believe 80 feet plus a transitional buffer and nice landscaping along staples mill road so it'll present itself very nicely to staples mill road the lots will front in that direction and uh and again we avoid the traffic safety conflicts of having a curb cut on staples mill so those adjustments allowed for lots facing forward on staples mill with rear entry private road rear entry access. Yes, sir. Finally, Mr. Emerson, can you talk about the setbacks that

[02:36:34] were proffered from Staples Mill, the distance, I believe, is it 80 feet? It is 80 feet, yes, sir. It's shown on the plan. You can't hardly make it out, but it's right there. 45 in the rear, including the 22-foot road. That is correct, yes, sir. So this is about as consistent with R2 other than the three-foot difference between possibly 97 feet versus 100. Correct. And staying with R2A and the proffered conditions, making it R2AC, it enables the applicant to build the three homes greater than the 85 foot width minimum R2A but the three foot less than necessary for R2 correct and it keeps the consistency with the neighborhood on one of your slides early on

[02:37:13] you can see R2 scattered throughout the area correct yes sir you can well let's get the right one here's your R2 R6 right it's it's predominantly an R2 area also well Mr. Emerson any other questions for my colleagues? Mr. Emerson, I want to thank you and your staff for some creative work on this and working with the applicant. To the applicant, I want to say thank you for your creative work on this and to the residents that I'm sure are tuned in after they left here. I want to say thank you for reaching out. I think I'll echo Mr. Nelson's comments about being able to

[02:37:46] discuss the case with civility and not any disparaging remarks. And I had that for the last few weeks as we worked through this case. So, thank you, sir. Thank you, Mr. Emerson and the planning staff for your for your work on this colleagues I'll make a motion that we move I'll move that we move rez 2025 10032 vg automata to be approved with the proffers that are dated July 25th 2025 a second by mr roguish those in favor say aye any opposed thank you mr manager chair

[02:38:22] members of the board you move on to 196-25 in the Fairfield district 101 laburnum LLC with a Request for provisional use permit under chapter 24 of the county code They would allow gasoline sales at a parcel located at the southwest intersection of West Laburnum Avenue and Alma Avenue In this case the Planning Commission voted to recommend to the Board of Supervisors that it deny the request miss Moore Thank You mr. Manager members of the board as mentioned the applicant is planning to renovate an existing

[02:38:57] Existing building to open a convenience store and add fuel pumps and fuel sales a Convenience store is permitted by right in the B-1 district, but the sale of fuels requires the approval of a Provisional use permit and that is what is in front of you tonight The property is designated commercial arterial in the 2026 comprehensive plan. So the property was rezoned B-1 in 1968 and has been used for small auto repairs since that time. Also at that time, a use permit was granted to allow

[02:39:33] some fuel pumps that were removed at least 25 years ago on the site. This request would include four pumps housed under a 50 by 40 canopy at the center of the site. There are four existing entrances that have been there a while on Laburnum, Alma, and Plymouth, which are shown to remain.

[02:39:55] There would also be 12 parking spaces along the southern property line and the canopy and the pumps would be located Approximately 100 feet or less from the single-family uses to the south. Let me go back up to The zoning and you can see here. This is all single-family of the Chatham neighborhood This is zone B1, but it's actually used as a single-family home Although the convenience store would be consistent with the comprehensive plan recommendation for commercial uses

[02:40:32] staff believes that the addition of fuel pumps is too intense for the site, especially given the proximity of residential uses to the south within the Chatham neighborhood. And as noted, that other one is also residents. In addition, there are several site design issues, such as adequate spacing for through lanes and meeting access management standards as noted by the Department of Public Works in the staff report.

[02:41:01] Meeting those may also impact the ultimate design and site and how it can be mitigated or not mitigated close to the residential districts. Sidewalk would also be required along Laburnum Avenue to tie into the sidewalks and bus shelter on the adjacent commercial 7-eleven site and other sites issued not addressed are landscaping and areas and buffers along the southern property line here.

[02:41:30] To put the canopy in, essentially they would have to put a 35 transitional buffer in and the site is too tight as shown here. For these reasons, staff does not support this request. This request was recommended for denial at the Planning Commission hearing after July 10th public hearing.

[02:41:50] This concludes my presentation. I'd be happy to answer any questions you may have. Thank you, Ms. President. I just want to say thank you, Ms. Moore. My planning commissioner and my EDA appointees are aligned with me in my desire to intentionally have efforts to make sure the businesses in the Fairfield District reflect and support the desires of the community.

[02:42:16] I want to say first and foremost that the environmental impact and the criminal impact that this use would bring to our district is not in alignment with how we want Fairfield to grow. We are conscious of the environmental injustice that happens to any community when there is proliferation of businesses that negatively impact the environment, especially in what's considered lower-income communities.

[02:42:43] Gasoline sales pose disproportionate risk due to aging infrastructure, higher rates of leaking underground tanks, and closer proximity to homes, schools, and drinking water sources. As you mentioned, literally on the back of the property, there is a home directly behind it.

[02:43:02] These neighborhoods often face great exposure to harmful pollutants like benzene, suffer from decreased property values, and have fewer resources for cleanup and relocation, making environmental and health impacts more severe and persistent. This community does not want nor need any more gas stations, convenience stores, tobacco, and vape shops.

[02:43:21] So all that being said, thank you, sir. Any other comments or questions for Ms. Moore? It's a public hearing, so if there's anyone in the room that wishes to speak to this case, please head to the back. Anyone on WebEx?

[02:43:40] No, sir. No one to speak on this case. Thank you, sir. Mr. Cooper. Mr. Chan, I move that PUP-2024-102211-101 Labrannum LLC be denied because of the proximity of existing homes and limited air to supply a suitable buffer. Second. Motion made by Mr. Cooper, seconded by Mr. Nelson.

[02:43:57] Those in favor say aye. Aye. Any opposed? Motion carries. Thank you, sir. Mr. Manager. Next, Mr. Chair, 197-25 in the Tuckahoe District, SCC, LLC, in which case the applicant proposes a drive-thru restaurant. In this case, the Planning Commission voted to recommend that the Board of Supervisors grant this request.

[02:44:19] Ms. Moore. Thank you again. This request is a conditional to rezone 0.67 acres from B1 to B2C to allow a drive-thru restaurant. The property was developed as a bank with three drive-through lanes in the late 1970s.

[02:44:36] The applicant proposes renovating the building for a drive-through restaurant which is first allowed in the B2 District. No major changes are proposed for the exterior of the building, but because restaurants require a higher ratio of parking, only half or 1,200 square feet of the building's floor area would be used for the restaurant, and the remaining 1,254 square feet would remain vacant at this time. There would be no indoor seating or service. 16 spaces would

[02:45:11] be required and shown to be provided. This would also accommodate parking for a proposed outdoor patio area and a walk-through window at the rear of the building. The patio area proposed to be 288 square feet. The applicant has submitted revised proffers which you receive tonight. The revisions include new proffers 11, 12, and 14 addressing signage to prohibit left turns on East Ridge

[02:45:45] Road. Proffer 12 would limit hours of operation from 6 a.m. to 11 p.m. and proffer 14 provides that street widening at the intersection of East Ridge roads and Jesse Senior Drive would be done to improve maneuver and turn radius at that intersection. I'll also note that the sale of alcohol conducted through a drive-through would be not permitted. It's not allowed now in Virginia but should that law change in the future this would continue to prohibit it for

[02:46:21] this use. The land use plan recommends commercial arterial for the subject site. The proposed zoning is consistent with this designation and the commercial and office uses that do surround the property. For these reasons, staff supports this request and the Planning Commission recommended approval after July 10th meeting. This concludes my presentation. I'll be happy to answer the questions you may have. Thank you, ma'am. Any questions for Ms. Moore? I have a couple questions, as anybody else does, but the queue length, 250 feet. There's enough room, my

[02:46:58] understanding is that is all on their property yes sir so the queuing would take place here at the existing drive-through window and they would they count is all the way through the queuing where they enter here which exceeds the 250 feet that's required and it and it does double up on the north side there and it also then it would allow for somebody to exit the line if they decided against ordering at that point right my understanding so this would be stripe my understanding it also have someone manning the parking area similar to Chick-fil-a and under the canopy right now there's three lanes

[02:47:34] that exit this actually helps the circulation by queuing them merging them and then reducing it to two and and the proffer at the end it says proposed do not enter stop sign but there would be no right turn I'm sorry no left turn at that location when they exit onto Eastridge correct and that was a response to

the adjacent offices down the road they just felt like that would help their impacts on their office building on the it's somewhat unique because it is a restaurant

[02:48:08] but doesn't have indoor seating so we're requiring 16 spaces is that is that correct but it's only for half the building correct that is correct if the other half of the building were to open for another business they would have to come back for additional parking or they wouldn't have to come back to us they would have to provide more parking they would have to provide more parking and demonstrate and they would go through a site plan review so they could not open or get a CEO unless they had adequate parking as required by our zoning code so if they wanted to do a restaurant at the other end they would require 27 total spaces and they're showing five could be shown here it's

[02:48:47] potentially they could come in and development the parking here or they can get into a parking agreement with the adjacent businesses just to be clear the proffer does say if they did open a restaurant on the other side it would still not be able to be indoor seating over there building would have to be one or the other there would not be a drive-through so it's potentially they could have seating but they can't have both they can't have both correct I have

[02:49:21] a couple questions for the applicant we'll get to those in one second the private drive Jesse senior drive and I'm not sure I guess on the county side do we maintain that even though it's a private drive do we pave that is that in our I'm going to defer that to public works if anyone here my understanding is we do not it's maintained through an agreement I think with the adjacent property owners question question for the applicant answer your question

[02:49:57] about the private drive Mr. Yob is shaking his head no we do not maintain that road okay it's not in our inventory we do not pave that road someone else paves that road let the record reflect he is shaking his head no thank you and it is a private drive and it is maintained by not just the adjacent but also some other properties that are have the right

[02:50:33] to access this including Mexican restaurant next door in the storage but not the Henrico County okay thank you do you have questions for mr. Collins the You have spoken to the restaurant, to the North El Cap, and on the parking, because currently I do believe people utilize this particular lot for parking to go to the restaurant.

[02:51:01] Is there going to be an agreement between the two? Yes, sir. We've had discussions, and for those that aren't familiar, the Mexican restaurant, which I never remember the name of, as you said, El Cap, is just on the top of the property page above there. They have actually excess parking in behind their property, and they also have the right to use this access road and do use it and to contribute towards it.

[02:51:21] Since they have excess parking, we've worked out an agreement with them. We just have to document it to have additional parking, particularly for our employees to be able to park there to make sure that we have enough parking on site. We're not anticipating the need for a lot of parking, but I know that's a concern of some of the businesses in the area, particularly the offices, that we have enough parking.

[02:51:39] So we've worked out an arrangement to have that extra parking with that Mexican restaurant. So the last two questions that I have, the flow, I was over there today. You come down East Ridge. You travel east on Jesse Senior. You're going to enter the parking lot.

[02:51:54] You have the choice of either staying in the drive-thru lane or parking and getting out to walk up the walkway to order. And there's a little spot there, 288 square feet, 9, 10 seats or something like that. That is correct. And when you exit, not from necessarily this property, But there is a significant self-storage in the back.

[02:52:18] And my concern is, truthfully, the traffic coming out of Jesse Senior Drive on to East Ridge. East Ridge is extremely, it's a unique road because it's a one-way street, kind of collides with a two-way street, and then two-way at a T.

[02:52:40] And I'm not aware of anywhere else in the county. Maybe there are other places we do that. But it's a very unique entry point. And so... I do appreciate the additional proffer, and just to make sure everyone's on the same page on the drive improvements, the intersection of Jesse Senior Drive and East Ridge will be widened to improve the turning movements in and out of Jesse Drive at the time of POD because getting cars out of Jesse Senior Drive onto East Ridge is a major concern.

[02:53:10] That's my major concern about this. And we did talk and looked at it from our engineers in the county and believe that all that necessary improvements are in the public right-of-way but we also have that corner that's the sidewalk is in the public right-of-way and guys said we got that proper as well that will maintain that it's a very nice sidewalk in front of ours but that'll leave we'll also have some room to be able to make that maneuver so the right turn movement will allow for a left turn movement right out allows for a better movement i don't have any questions thank you sir any other questions for either the applicant or planning staff all right this is a public hearing is there

[02:53:50] anyone in the room that wishes to speak to this case anyone on webex no sir no one to speak to in this case. Thank you, sir. Mr. Rogich. Mr. Chairman, I move that we recommend approval of REZ 2025-10-1195-SCC-LLC with the proffers dated August 12th. Just to confirm on that, I have a new proffer. The date still says August 5th. August 12th. Okay. August 12th, 2025. Second.

[02:54:26] Thank you, sir. It's been a motion made by Mr. Rogich, seconded by Mr. Cooper. Those in favor say aye. Aye. Any opposed? Motion carries Mr. Mayor. Mr. Chair and members of the board you move into public hearing other items you have nine items for your consideration this evening the first two 198-25 and 199-25 come about because of recent changes to the code of Virginia 198-25 would conform our subdivision review procedures to those changes in 199-25 would conform our plan of development and site plan review procedures with recent changes to the code of virginia mr

[02:55:06] emerson if you would just speak to both yes mr chair if you're okay with two separate votes on those items yes sir mr manager mr chair members of the board mr manager essentially covered it these items are to address recent changes to the code of virginia which have already taken effect as of july 1 so effectively we're already under that mandate or that rule this will update the county subdivision ordinance to incorporate changes again the amendment shortened time frames applicable to the review of subdivision plats and add a procedure

[02:55:43] for administrative approval for a third or subsequent resubmissions and the second board paper does the similar action with the zoning ordinance to incorporate changes in state law again that took effect on july 1. the amendment shortened time frames applicable to review of plans of development site plans and remove the role of the planning commission and review of such plans as you as you're aware when we updated our zoning code we took all the plan of development site plan review administrative we

retained the ability for the director to refer plans of development and plats and things of that nature to the Commission in the

[02:56:22] event it was necessary along with shortening the time frame of which we have to review the state took that that ability away from planning commissions as well so that's the general actions you won't see many many differences from us. The current state allowance for review period is 60 days. Henrico County was already accomplishing that in 47 days. And with the changes from the state code, we will have to trim another seven days from our processes. But it's accomplishable and we'll get

[02:57:00] it done. Thank you, sir. Any questions for Mr. Emerson on either of the ordinances, 198 or 199? All right, seeing none, this is a public hearing on those two ordinances for 198-199. I'm being advised we can combine those as a public hearing.

[02:57:17] Anyone in the room wish to speak to either of these two ordinances? Anyone on WebEx? No, sir. No one to speak on these items. All right. Is there a motion on 198-25? Second. Is there a motion made by Ms. Roundtree, seconded by Mr. Rogish, to approve ordinance item number 198-25?

[02:57:37] Those in favor say aye. Aye. Any opposed? Motion carries. Is there a motion for 199-25? So moved. Second. Motion by Ms. Roundtree, seconded by Mr. Rogish, 199-25. Those in favor say aye. Aye. Keep up. Motion carries, Mr. Mayor.

[02:57:53] Next, Mr. Chair, is an ordinance that would comply with changes in state law regarding the transient occupancy tax. Matt? Thank you, Mr. Mayor. And this is agenda item 200-25. Yes, sir. Thank you, Mr. Manager. Good evening, Mr. Chair, members of the board.

[02:58:10] This board paper would update the county code to incorporate changes in state law that took effect July 1, 2025. The new law allows for filing of transient occupancy tax returns solely by an accommodations intermediary on behalf of a property owner. Property owners will confirm with the county that all retail occupancy sales occur through their designated intermediary.

[02:58:32] We anticipate this change will help property owners who rent their property through companies like Airbnb, VRBO, and others to comply with the transient occupancy tax filing a remittance. The director of finance recommends approval of the board paper. The county manager concurs. Thank you, sir. Any questions for Matt?

[02:58:52] Seeing none, this is a public hearing. Anyone in the audience wish to speak to this ordinance? Anyone on WebEx wish to speak to this ordinance? No, sir. Is there a motion? So moved. Second. Motion made by Mr. Cooper, seconded by Mr. Nelson. Those in favor say aye. Aye. Any opposed? Motion carries.

[02:59:12] Next again, Mr. Chair, members of the board, we continue to comply the county code with changes made in state law, in this case with the Commercial Property Assessed Clean Energy or CPACE financing program. Thank you, sir. This new state law update clarifies the list of eligible properties and property owners for the Commercial Property Assessed Clean Energy program.

[02:59:38] It extends the time that loan applicants can be submitted, loan applications rather, can be submitted for reimbursement. The director of finance recommends approval of the board paper and the county management occurs. Thank you, sir. Any questions on this item from that? Seeing none, this is a public hearing.

[02:59:55] Anyone in the room wish to speak to this ordinance? Anyone on WebEx? No, sir. Don't want to speak to this item. All right, sir. So moved. Second. Motion made by Mr. Rogish, seconded by Mr. Nelson. Those in favor say aye. Aye. Any opposed. Motion carries.

[03:00:10] What's the matter? Next, Mr. Chair, 202-25 is an ordinance that would amend and reordain sections that involve the Henrico investment program areas, changes to the code of the county to establish new Henrico investment program areas, expand the assist, the program areas, and add vaping shops to the enumerated non-qualifying uses and expand eligibility for the program.

[03:00:37] Mr. Lee Vogt. Thank you, Mr. Manager, Mr. Chair, members of the board. This board paper, as the manager indicated, will establish four new areas along Laburnum, Lakeside, Namar Road, and Brook Road, as well as expand the existing areas along Mechanicsville, Turnpike, Patterson Avenue, Staples Mill, West Broad, and Williamsburg Road.

[03:00:54] As the manager also indicated, it would not allow vape stores to be eligible to receive benefits under the program, as well as allow individuals or organizations that lease property to apply to the program. The Director of Community Revite recommends approval, and the Executive Director of the EDA recommends approval of the board paper, and the county manager concurs.

[03:01:13] with that. I'm happy to answer any questions you all may have. Thank you, sir. Any other questions? Mr. Cooper. Thank you, Mr. Lebo. A couple of questions. When Ms. Ebony Atkins spoke at my town hall, she shared a very high level overview of this. I know the program started in 2022, correct? Do we have a number of just how many businesses have been impacted by this? 27 grants have been awarded.

[03:01:38] 19 businesses have benefited. What economic economic or community revitalization outcomes have been observed existing hip zone such as just vacancies increase property values and new business openings yeah a number of vacancies so we had a coffee shop that was a place that a coffee shop moved into that was vacant that benefited from the program a hotel along broad street near the public safety building has benefited from some of the grants made available through the program it's similar to our enterprise zone program as you know where it provides parking lot paving assistance it provides sign assistance

[03:02:15] um off-site improvement assistance things of that nature sir last question how we measure success such as number of properties improved amount of private investment leveraged in reduction in vacancy rates or other metrics we track all of that sir we track the amount of improvements or investment made in properties so we not only track the grants that we provide but but also the amount of money that's invested in these particular properties.

[03:02:43] And I have a stat here if you want to hear it. I think it's about 20, let me not provide you the wrong information. I think it was about 20 million, hold on, give me a, no, I'm sorry. Give me one second. 28 million was the projected value of the construction with the projects that have been awarded today.

[03:03:05] Given our success previously, right, and it's expanding now, have we identified and are we able to mitigate any potential barriers that others have faced in accessing and utilizing the grants? Actually, that's what we're proposing to change, is to increase the benefits that are available to allow more businesses to take advantage of the program.

[03:03:24] So one example of that would be allowing people to demolish a building or businesses to demolish a building and not have to immediately replace it, which was one of the requirements of the

program previously, in certain circumstances, of course. Thank you so much. You're welcome. Yes, sir.

[03:03:41] I have a quick question. Can you remind me of the definition of a vape shop, please? So it's a store that sells e-cigarettes. Do you remember the, is it 15%? So the display area is 15%. The only reason I say that is it's, you know, it's come up a few times.

[03:03:56] We're seeing places called smoke shops or dope shops or vape shops. You know, it seems like they're all. But the threshold of the display area is 15%.

[03:04:12] 15% of the display area, not sales, but of the display area. Yes. So if you walk in and the shelving, anything in the case, anything that they put a product on to sell it is considered part of the display area. Can I say something about that real quick, Mr. Rogus?

[03:04:28] You may, yes. Thank you. Mr. Chair, can I just say something? Absolutely. So, Joe, can you step up to the podium real quick? Yes. Because I have a question about that, too. So I want to thank Mr. Emerson, his staff, and people from Mr. Lebo's staff. In my community, there's been a proliferation of these shops.

[03:04:45] Within a two-block radius, there's almost four that have opened, whereas the line of delineation for Fairfield and Richmond is Chamberlain Avenue and Azalea. There's one across the street, two more across the street, one around the corner. And what Joe's data shared with me shows the way they're getting around it, They're more now called tobacco stores, not vape shop, because of the percentage of space they're using for vape products.

[03:05:10] So we've got to figure that out. Eric, do you want to speak to that? Yeah, go ahead. Well, Miguel's group went out. Yeah, so we've worked with Joe's team in planning and police to do a survey of all the vape stores around the county.

[03:05:27] And we identified those stores that were in existence before the ordinance was passed. And anything that's popping up new or that's opening after that date, we're on top of doing those inspections to make sure that they're not exceeding that 15% threshold. We actually went into a store just this week, and they were still actually putting up shelving.

[03:05:47] But at that point, they were exceeding that 15% limit. So that's something. It's almost like the title loan wave. This is a new thing, but we're on top of it, and we're working with our partners in planning and police, too. So, what's the distance ratio that we agreed upon?

[03:06:06] Didn't we vote on something? 1,000 feet from, but I thought it was also a certain amount of, from another store as well, though, right? So, it was 1,000 feet. Okay, go ahead.

[03:06:22] So, is the restriction, so the restriction is based upon us. We can set whatever restrictions we want to set. Or is this state-led as it relates to the max for restrictions? There was some state language that made us step back.

[03:06:42] We had some greater distances, but the state came in and defined the distance from a school, I believe, Mr. Attorney. Isn't that correct? Was it from a school that they gave us the distance? And then from there, we built our code. That's correct, Mr. Chair, members of the board.

[03:06:59] We've taken all the authority that's been given to us by the state, and within the bounds of reasons that zoning laws require, have placed limits on how close vaping stores can be to other vaping stores, schools, religious institutions, et cetera. But I should remind the board that regardless of those

distance requirements, any new vape shop would have to come to the board for a provisional use permit as well.

[03:07:18] Any new vape, but now it seems like we need to add in tobacco. Well, let me – Can we? Because I want to say to Reverend Nelson's point, it seems to me, I didn't measure it, but they're popping up less than 1,000 feet from each other. Let us, because I think if a company is coming in and is applying for a business license under and saying, I'm a tobacco shop, and then they end up selling bait products, we've been down this road before.

[03:07:48] Yes, sir. We go in and take a look at those shops, and my staff goes out. The recent example that Reverend Cooper brought to my attention, I sent my staff out, and then Mr. Lebo also sent his staff out so we could make sure that we had the area covered.

[03:08:04] But they were staying within that 15%. It could be a convenience store. If they're exceeding that 15% and they're new, we're going to say, well, you're a vape shop and you're exceeding the allowed percentage. So what they call themselves isn't necessarily playing into the enforcement of that code.

[03:08:25] But, Mr. Newby, can you reiterate what you said about the provisional use permit? That's correct. Any new business that's operating as a vape store, that's defined, which could include a smoke shop, tobacco shop, et cetera, would have to apply for a provisional use permit from this board of supervisors, which would require a public hearing and a staff review.

[03:08:43] We've seen a couple examples of that this evening. And that's if they can get over the threshold, you have to be a certain distance from other businesses. And to put a bow on all this, what I'm hearing from Mr. Emerson and Mr. Lebo is If there are businesses that are showing up too close together and they're calling themselves smoke shops, staff's going to investigate.

[03:08:59] If they're in violation of the zoning ordinance, we'll take appropriate action. So I did measure that, you know, the distance from them as far as the data. Yes, sir. We took a look at everything. Yeah. So can we look at that as well? Yes, sir. Well, we did when we went out, but we'll take another look. Thank you. So we can say confidently that any vape or tobacco, or is it just a vape shop that comes up, has to go through a pump?

[03:09:24] if it exceeds the 15 percent so if i ran past and see a new one regardless of where it is and we haven't had any pub cases yet right i remember if you see if you see a new and give us a call we'll send staff out so we shouldn't be seeing any new ones so the and the one i sent you joe the business license is actually a convenience store and they're sub leasing it to someone else right that's crazy am i am i understanding it correctly that somebody i'm sorry this is going down a rabbit hole my understanding correctly that a shop could call

[03:10:00] themselves bob's vape shop for purposes of getting people to come in and as long as they're under 15 percent that's still okay that's that they're not in violation that would get them around the code yes ma'am we got loophole the 15 is really the the threshold or the ruling criteria well But if you're a percent, you're technically by code of vape store.

[03:10:30] We might not catch it initially on the business application because of what you called your establishment. But to Mr. Nelson's point, one could pop up that he said, I didn't approve that. And if they're carrying 12.5% display shelving, they don't need his product.

[03:10:46] But in this case, they are the licenses, convenience store, but they're subletting it to a vape shop. that's the loophole we need to look at how does that how does that work it should be the same unless they exceed the 15 percent all right so we gotta check on down so but if if any of you see these pop up in your district let us know we'll research them and and take appropriate action if they're violating county code thank you and i um let me do this actually in two weeks we'll come back to you in work session with some of these answers because i i want to make sure that we

[03:11:23] have clarity and that i see sheila miss minor i know she's uh she's taking some notes and we've gone through this before over the years and it was um it was the first time that gaming or games became uh available in convenience stores you recall and there were applicants that were that were flat out not being truthful on the applications so it may be that we just need to to screen a bigger variety of applications, but we'll come back to you in work session.

[03:11:59] Can you also just see how far we can kind of push this? I mean, I think, and when I say push it, meaning tighten the restrictions even more. I think most of us up here, if not all of us, feel strongly about we don't want these proliferating the districts, and they seem to be getting around, you know.

[03:12:22] Mr. Newby, is the 15% legislatively the permissive number? It is. Sir, it's a permissive number. I believe the discussion is where we can discuss this more at a work session. Once you start getting lower than that number, you're going to catch your wah-wahs and you're going to catch your sheets and everything.

[03:12:39] Any other questions on the definition amendment for the HIP program, item number 20225 for Mr. Lebo? All right, this is a public hearing. Anyone in the room wish to speak to this case? Anyone on WebEx?

[03:12:55] No, sir. No one to speak to this item. All right, thank you, sir. So moved. motion made by mr rogui seconded by mr roundtree those in favor say aye any motion carries next mr chair members of the board 203-25 is an ordinance that would amend and reordain certain sections of the code to clarify the housing types and affordable housing development qualifying for fee waivers and provide standards for development under the community land trust model mr leva thank you again mr manager mr chair members of the board this board paper would clarify that all for sale housing developments

[03:13:30] meeting the criteria of affordable housing development, may qualify for fee waivers and also provide standards, as the manager indicated, for developments that are operating under the land trust model to qualify for fee waivers. The Director of Community Revitalization recommends approval of the board paper.

[03:13:47] The county manager concurs. I'm happy to answer any questions you all may have. Thank you, sir. Any questions for Mr. Lebo? This is a public hearing. Anyone in the room wish to speak to this item? Anyone on WebEx? No, sir. No one to speak to this item.

[03:14:02] Thank you, sir. Is there a motion? So moved. Motion made by Mr. Nelson, seconded by Mr. Roundtree. Those in favor of that? Aye. Any motion carries, Mr. Mayor. Next, Mr. Chair, 204-25 is a resolution for signatory authority.

[03:14:21] This is for a quick claim of temporary construction easement, 1802 Carneal Street, which is in Fairfield. Mr. Anthony. Thank you, Mr. Manager, Mr. Chair, honorable members of the board. This board paper would authorize the chair to execute a quick claim deed releasing any interest the county may have

the temporary construction easement dated october 25th 2024 at 1802 corneal street the real property division has processed this request through the department of public works without objection director real property recommends approval of the board paper county manager concur so i'll be happy to answer any questions thank you sir any questions for curtis i see

[03:14:58] none this is a public hearing item anyone in the room who should speak to this resolution anyone on webex no sir thank you sir mr cooper second for the motion made by mr cooper seconded by mr nelson those in favor say aye aye any opposed motion carries next mr chair members of the board 205-25 is an ordinate ordinance this is for vacation of building line rivermont subdivision which is in the tuckahoe district mr anthony thank you once again sir mr chair honorable members of the board this would vacate a 35-foot building line on the property located at 8504 rivermont drive

[03:15:38] the owners have requested this action to make improvements to their front porch the real property division processes requests of vacation through the departments of planning public workers and public utilities without objection director of real property recommends approval of the board paper county manager concurs i'll be happy to address any questions thank you sir any questions seeing none this is a public hearing anyone in the room will speak to this ordinance anyone on webex no sir no one to speak to this thank you sir mr roach second motion made by mr roger seconded by mr nelson those in favor say aye any pose motion carries next mr chair members

[03:16:16] of board 206-25 is a resolution for signatory authority quick claim of a utility easement on ivy avenue in the verona district mr anthony thank you once again sir this would authorize the chair to execute a quick claim deed releasing any interest the county may have in a utility easement dated january 27 2025 at 620 north ivy avenue the real property division this process This is a request of the Department of Public Works without objection.

[03:16:41] The Director of Rural Property will approve of the board paper. County Manager concurs. I'll be happy to answer any questions. Thank you, sir. Any questions, colleagues? This is a public hearing. Anyone in the room who wants to speak to this item? Anyone on WebEx? No, sir. No one to speak to this item.

[03:16:57] Thank you, sir. Mr. Nelson. So moved. Second. Motion made by Mr. Nelson. Seconded by Mr. Cooper. Those in favor, say aye. Any vote. Motion carries. Mr. Manager. Next, Mr. Chair, members of the board, you move into public comments. We do have one individual that has signed up to speak, and that is Tara McEachin.

[03:17:13] Ms. McEachin, if you would come forward to that podium right to your left. And, yes, ma'am, thank you for being so patient. I'm the president of Heranko for years, but I've been at home for 20 years to talk about my neighbor.

[03:17:51] She left me around. Basically, she is a civil violator of ours to stuff in here. He and several other neighbors have been calling the Department of Administration or as far back as month after month, each of the year, we have reported on this unsightful site of her.

[03:18:22] It continues to be a repeat of the vendor with things such as refrigerators, stoves, washing machines, dryers, furniture, shopping carts, inoperable riding lawns, push lawns, and that's just to name a few.

[03:18:43] and all of them had S, as well as tall, tall grass, probably seen nine of them. I provided in my packages that dates back to probably 2016, they stand across several.

[03:19:02] I strongly believe that Ms. Brown does not take the county seriously. She has been able to get away with the issue. I also strongly believe the county will stop allowing Ms. Brown to do a contract in the yard and pass the calls to her.

[03:19:26] This may resolve the issue. However, in all the years she's never been penalized and she knows how to do just enough cleanup that the county will leave her alone until the neighbors start calling in.

[03:19:46] The last call with the county to complain about this issue was January of this year. I'm going to come to discuss what I'm discussing now. However, I was asked by the Director of Community Revalorization to give him a chance to resolve this issue.

[03:20:07] All of that was the first time I spoke to him in this boat. I had initially spoken to him about this same issue. I attended the meeting, but I withdrew from comment. I was told by him that a contractor would be hired to clean.

[03:20:25] However, later, I found out that the decision was made to give Mr. Brown a chance to stand up real. And she only made slight improvements.

[03:20:48] Also, at that time, I was told during that fire, a stock person, that the pictures that they had taken, they had lost the pictures. But I had just called three days to find out the status. Again, over the years, and if I've stayed in my package that you won't have, I've named several people, but I've talked.

[03:21:10] I would also like to explain, out of hearing, Brown, Brown, frustrating to hear County defend the handling of Brown.

[03:21:25] I've been going through this for 17 years, and she, traditionally, Ms. Brown, is very involved out there supervising and or driving the van and truck that brings this stuff to her.

[03:21:51] This has also become a financial stress for many of us in the neighborhood. A bunch of things, bugs, coming into our houses, a road into this issue, seriously.

[03:22:37] Thank you. Thank you, ma'am. If I may, colleagues and Mr. Manager, Mr. Lebo, and ma'am, thank you again for your patience today. I know Mr. Lebo is here.

[03:22:53] We received your email from today, so we have the documentation. You know, I'll add that we've seen this. I'm sorry, but, you know, I wish this did not occur. I think we all have heard it from our residents. I today have two emails in my folder right now with this same issue, and the storyline remains the same.

[03:23:14] Mr. Lebo, I'll talk about it tonight. Storyline remains the same. They do just enough to come into compliance. County is a public governance organization, and we're bound to allow time to cure and to comply. And then when they do, the case is closed, and then guess what? It reappears, and the complaint is reopened.

[03:23:36] It's a matter of my personal opinion, it chases our staff around in circles, right? And I think the word that, I'm sorry, Ms. McClatchen, is that, McKeach, I'm sorry, ma'am. She used the word habitual violator, and it just struck a chord with me.

[03:23:53] And I believe that we're doing what we can with regard to yards that are out of compliance. We go in, we cite them, we take pictures. Staff is fantastic. And then they schedule, they go back, and if the person complies, the case is closed, And we move on until the next complaint, and I believe that that complaint's coming.

[03:24:14] I've seen it. And I don't know what my colleagues have, but I've seen it. I wonder, Mr. Newby, if we could ask the council, is there a next step? Is there a habitual violator clause that we could add? Because I do believe that's a very interesting term that you brought up.

[03:24:33] And we are, I think, staff time is being burned because they're out there trying to do it, trying to do it, and they feel for you. the briefing we got today includes the words we appreciate the concerns however we have to close the case when the owner meets compliance you know and and ma'am this particular lane i don't know if this came from you or if this came from staff but case created november 24 issued notice of violation november 24 reissued notice of violation january 25 items removed january 17 progress made

[03:25:08] case now in compliance january 21 received another complaint june 3rd follow-up inspection conducted re-inspection scheduled on complaints like july 25th our staff are spinning wheels they're running in the hamster in the hamster wheel and i just wonder if there's the next thing we could do because i feel for the resident i certainly understand that i i'm dealing with two cases right now where the individual cannot do it they can't meet the requirement and contractors are being discussed and all those things and then there's then there's resources and costs involved but still we owe the i in my opinion we owe the burden to the other residents to seek if there's

[03:25:45] another thing we can do and if there's a legal recourse where someone has been a three two time three time five five time habitual offender that mr lebo's department has another action that's taken and quite frankly right now if they issue the violation and they don't they don't cure they can take them to court and they get cited and then guess what happens when they get cited there they don't they don't care you know they pay a fee or they get fined and they may never pay it but the the mattresses are still in the yard and i just wonder like if there's anything else possible mr manager so if there is a legal recourse for habitual offender category in this

[03:26:24] i believe that our staff would be benefited by not chasing our tail six times in the same addresses and i only say this because just today again i have two and i have one i'm dealing with with him last week I have three and I just don't know what else to offer you know you were doing as a county you actually have given Mr. Lebo the ability to do things that other localities would not and that is he's using private contractors to solve some of these issues and the reason that we took that approach is because it is at the end of the day effective however Mr. Newby over the

[03:27:02] years, I mean, there have been, it really is a court where there's clarity because, you know, you can, I don't know of any statute that allows you to go in and say they cleaned their yard, now it's dirty again, or that you can go back and somehow treat that person differently.

[03:27:24] Can we expedite the court hearing, things like those things? If they reach a two, three, four time, can we immediately trigger the court action without the opportunity to cure? If the answer The answer is no, it's no, but -- Not to my -- Mr. Newby, not to my knowledge is -- Mr. Chair, Mr. Manager, members of the board, we have fairly robust tools that we do deploy in these situations.

[03:27:45] Sometimes we -- many times we find ourselves in these frustration situations of going back and back again. There are limited tools for repeat violators. They do involve the courts, as the manager pointed out, and so the courts are our partner in those respects. So we have the contractor tool in limited cases and the court tool in many cases.

[03:28:03] Every once in a while for a repeat, repeat offender, We can go for a civil injunction. Sometimes that glove fits. Sometimes contempt proceedings is the right way to go. Sometimes a straight criminal proceeding is the right way to go. We have a number of different tools, but if the person is not motivated to clean up their yard, they're not.

[03:28:20] And I don't want to speak out of turn, but when you, you know, taking that step, the step, Mr. Newby, where you have gone in and sought a civil injunction, I appreciate the pictures, but in those civil injunctions, these are not the pictures that we have taken.

[03:28:40] I mean, we have had some extreme cases. And I don't mean to belittle the pictures that we see, but this doesn't tell me from your experience or what you have seen in the past with some of the cases that we've had.

[03:28:58] No, civil injunctions are usually reserved for the, what I call the worst of the worst. You're talking about major blighted communities on a large scale. Well, I just want to make sure, ma'am, you're heard. And our staff is running and sprinting and running, unfortunately, in circles sometimes. I would just only offer remain communicative with the staff and let them do the work.

[03:29:20] Unfortunately, they are bound by the code of what allows them to enforce. So, Mr. Chair, I'm sorry. So, question, just for clarity. So, what are we asking? Are we asking to push the envelope?

[03:29:38] Is that what you're hearing, Mr. Manager? Or are you saying right now this is what we can do? I think, you know, in this case we continue to work the case, but we have given Mr. Lebo, you've done something I don't think any other locality in the state has done.

[03:29:56] You've given him the flexibility to go in and with county tax dollars clean private property that is blighted. So at this point, without asking Mr. Lebo to come up, it does sound like, I guess, can we do the Steve Yaw thing?

[03:30:14] Can you just shake your head or not? Mr. Lebo have we have we have you cited this property? You have cited this property several times already. Okay, so it sounds like it might be time for the next level. So okay. All right. Thank you. Mr. Chair Thank you, Mr. Marger. Thank you, Mr. Lebo, ma'am. Thank you again for your time Yeah, is anyone else in the room that wish to speak for public comment? Is there anyone on WebEx? No, sir No one for public comment. Thank you all We move into the general agenda.

[03:30:50] Mr. Newby, 207-25 is a resolution for approval of proposed settlements of opioid-related claims with a number of other entities that you wish to add. Mr. Manager, did we go over these already?

[03:31:08] Did we go over them in work session? Mr. Chair, members of the board, I sent the board a letter detailing these settlements. They total approximately \$2 million. These are nationwide, common worldwide settlements that have been recommended by our outside opioid council. The funds would all be used to address the damage caused by the opioid epidemic.

[03:31:25] This is totally in line with previous settlements that you've approved. Allow Mr. Feineman and everyone else's good efforts in this area to continue. So moved. Yeah, there's been a motion made by Mr.

Nelson and seconded by Mr. Cooper to accept these proposed settlements.

[03:31:43] All in favor say aye. Aye. Any opposed? Motion carried. Thanks, Mr. Chair. 208-25 is a resolution that Mr. Yav has been working on diligently for quite a while. This is a memorandum of agreement with Henrikopoulos Soil and Water Conservation District.

[03:31:59] Steve? Yes, sir. Thank you, Mr. Manager. Good evening, Mr. Chairman, members of the board. This board paper authorized the county manager to execute a memorandum of agreement with the Henrikopoulos Soil and Water Conservation District. In accordance with this agreement, the county provides funding to Henrikopoulos.

[03:32:17] Maricopolis further then provides educational opportunities, outreach programs, and works with our agricultural sector on their efforts to control pollution. With that, I'm happy to answer any questions that you may have.

[03:32:32] Thank you, sir. Any questions for Mr. Yob on this one? So moved. Motion made by Mr. Nelson, seconded by Mr. Cooper. All those in favor say aye. Aye. Any opposed? Resolution passes. Thanks, Mr. Chair. 209-25 is a resolution for signatory authority.

[03:32:49] This is Lease of County Property, 3978 New Market Road, which is in the Marana District. Thank you again, sir. Ladies and gentlemen, this is a board paper authorizing the county manager to execute a lease in a form approved by the county attorney with the Henrikopoulos Soil and Water Conservation District for a house we own at 3978 New Market Road.

[03:33:12] That house has been owned by the county for some years. It has sat vacant for a long time, and it was recently rehabilitated. by the school district, the advanced career education folks, and it is ready to move in, or shortly will be.

[03:33:29] So, Mr. Yob, the reason that Henrikopoulos is looking for a new home is what? I'm going to move the motion, but just for the sake of persons, they are in the current human service building, and they need a... Which is bursting at the seams.

[03:33:44] Yes, sir. And we are building a new building for social services. Right. And this provides an excellent opportunity for Henrikopoulos to be with their core constituency, the farmers and the agricultural commodities producers. They've done a great job.

[03:33:59] It's a rancher. Turned it into some rooms, turned it into office space. I toured it. I think I like it. So if somebody has opposition, I say so move. Motion made by Mr. Nelson. Second. Second by Mr. Rogish.

[03:34:15] Does the paper say aye? Aye. Any vote? Motion carried, Mr. Miner. Next two papers, Ms. Miner has, we touched on at the opening of the meeting, 210-25 is a resolution that would authorize \$90 million in GO bonds, and 211-25 is \$50 million in revenue bonds that would be issued through the EDA.

[03:34:38] Ms. Miner? Thank you, Mr. Manager. Good evening. this would author this would authorize the issuance of 90 million dollars in general obligation bonds as the manager said for education public safety public works and recreation projects be happy to answer any questions this is the second tranche of the bond referendum from 2022.

[03:34:57] thank you ma'am is there any questions on item 210 with regard to the geobonds so moved the motion by mr cooper second second by mr nelson those in favor say aye any post this item would authorize the issuance of economic development authority bonds in the amount not to exceed 50 million

dollars for the construction of a social services building the erp thank you motion made to move the eda bond resolution seconded by mr cooper motion made by mr nelson

[03:35:32] thanks mr chair members of board is a resolution for award of solar solar power purchase agreement services thank you mr manager good evening members of the board mr chair this board paper awards a contract to de solutions solar development llc or de solutions for solar power purchase agreement services staff interviewed four companies pursuant to rfp 25-2798-1jec

[03:36:06] selected de solutions as the top-ranked firm and negotiated a rate schedule to supply electric power generated by solar panels at sites throughout the county including hermitage high school jackson davis elementary school rc longan elementary school virginia randolph academy and future sites to be determined the director of general services the purchasing director and the hcps director of facilities recommend approval of this board paper and the

[03:36:38] county manager concurs I'm happy to take any questions so moved mr. Cooper second second by mr. rogish those favors a depose motion carries thanks for hanging out with us for four hours mr. chair 213 - 25 is a resolution this is an award of contract for the Fairfield area library this the the roof, right, Jamie? Yes, sir. In the Fairfield District.

[03:37:12] Massey? Yes, sir. Thank you, Mr. Manager, Mr. Chairman, members of the board. This board paper awards a fixed price contract of \$494,816 to ML Bell Construction LLC for the Fairfield Library Renovation Project. The county received three bids on July 3rd, 2025 in response to ITB 25-2840-5JL. Based upon review of the bids, air tech solution was deemed non-responsive.

[03:37:49] Accordingly, ML Bell Construction LLC is the lowest responsive and responsible bidder. The directors of general services and purchasing recommend approval of the board paper, and the county manager concurs. I'd be happy to answer any questions you may have.

[03:38:05] Thank you, sir. Any questions for Jamie? Real quick, Mr. Massey, so we know the Fairfair Library is relatively new. What's the issue with the roof? This is a roof improvement system. The library is six years old, and we're new to this department.

[03:38:24] We've come in and done some evaluations. We've worked with libraries over some of the challenges that they're facing with these new facilities, and this particular facility had issues with roof leaks, and i'm not sure if it had to do with the type of weather we had but the rain screening and some other features were allowing water to come in where it was not expected and we need a roofing system that is watertight the system that we're putting in will do that and then we need to make the appropriate corrections to the damage that was suffered as a result of those shortfalls so So there's not a warranty thing?

[03:39:05] We've pursued that. We've spoken with the county attorney's office on what we can and can't do in terms of time periods, and it's outside of that period of time, unfortunately. So we've exhausted everything that we can do, we believe, legally.

[03:39:21] Is solar on Fairfield Libraries? So it's not impacting that at all? Well, it's not going to. I don't think this, what's going on here is not related to that, So it's not going to impact it. Okay. Before you make a motion, can I have one follow-up question on that?

[03:39:41] Sure. The company that was deemed not responsive, is that the company we use? I mean, it's like half the price. I just was curious. Well, what it was, so there was actually a contractual, some language in the contract that they didn't have. But actually, more than that, it was something that they actually missed on the bid.

[03:39:59] So they confirmed that, that they missed it. so it was probably more of a blessing for them than anything else. Fair enough. Thank you. There were two items. Yes, sir. It's in Fairfield, so I wouldn't make that motion. So moved.

[03:40:15] Motion made by Mr. Cooper. Second. Seconded by Mr. Nelson. Those in favor say aye. Aye. Opposed. Mr. Manager. Next, Mr. Chair, 214-25 is a resolution. This is approval of the FY26-27 Community Service Board Performance Contract.

[03:40:32] Ms. Toddy. Thank you, Mr. Manager, members of the board. This resolution would approve the fiscal year's 2026-2027 performance contract between the Virginia Department of Behavioral Health and Developmental Services and Henrico Area Mental Health and Developmental Services Board.

[03:40:50] The contract serves as the primary accountability and funding mechanism between the State Department and our agency. The performance contract was made available for public review for 30 days. No public comments were received. Community Services Board approved the contract on July 24th, 2025, and recommends approval.

[03:41:10] The Executive Director and the County Manager concur. I'm happy to answer any questions. Thank you, ma'am. Any questions for Laura? Is there not a dollar amount associated with this? It is. It is based on the budget that you approved in April.

[03:41:29] Oh, okay. So this is just a technical thing. Yes, sir. Okay. All right. So moved. Motion made by Mr. Nelson. Second. Second. by Mr. Rogus. Those in favor, say hi.

[03:41:44] Aye. Any opposed? Motion carries, Mr. Manager. Mr. Chair, members of the board, no other business this evening. Any closing comments about my colleagues? Can we just pause for 24 minutes and just say we had a meeting until 10 o'clock? Yes. All right. I make a motion that we just sit here and wait until 10 o'clock before we...

[03:42:01] Better not be a second on that. Any other comments? All right. Y'all have a wonderful evening. Be safe.



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