

**HENRICO COUNTY  
NOTICE OF SPECIAL MEETING  
BOARD OF SUPERVISORS**

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, November 9, 2021, at 5:30 p.m.** in the County Manager's Conference Room on the Third Floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

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

- |                  |                                 |
|------------------|---------------------------------|
| 5:30 - 5:45 p.m. | Update on Speed Limit Changes   |
| 5:45 - 6:15 p.m. | 2022 Bond Referendum Discussion |
| 6:15 - 6:30 p.m. | Leaf Collection Update          |
| 6:30 - 6:45 p.m. | Regular Meeting Agenda Items    |

*Tanya N. Brackett*

Tanya N. Brackett, CMC  
Clerk, Henrico County Board of Supervisors  
November 4, 2021

**COUNTY OF HENRICO, VIRGINIA**  
**Henrico County Board Room**  
**Board of Supervisors' Agenda**  
**November 9, 2021**  
**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**APPROVAL OF MINUTES** – October 26, 2021, Regular and Special Minutes

**MANAGER'S COMMENTS**

**BOARD OF SUPERVISORS' COMMENTS**

**RECOGNITION OF NEWS MEDIA**

**PRESENTATION**

Proclamation - Veterans and Military Families Appreciation Month - November 2021.

**APPOINTMENT**

353-21 Resolution - Appointment of Member to Board of Directors - Economic Development Authority.

**PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS**

354-21 Lingerfelt Office Properties, LLC: Request to conditionally rezone from O-3C  
REZ2021- Office District (Conditional) and M-1C Light Industrial District (Conditional) to  
00028 UMUC Urban Mixed-Use District (Conditional) Parcels 752-767-4970 and 752-  
Three Chopt 768-2795 containing 12.217 acres located on the east line of Cox Road at its  
intersection with North Park Drive and the west line of Cox Road  
approximately 990' north of its intersection with North Park Drive. The  
applicant proposes an urban mixed-use development. The uses will be  
controlled by zoning ordinance regulations and proffered conditions. The 2026  
Comprehensive Plan recommends Urban Mixed-Use and Environmental  
Protection Area. The site is in the Innsbrook Redevelopment Overlay District.  
The Planning Commission voted to recommend the Board of Supervisors  
**grant** the request.

355-21 Lingerfelt Office Properties, LLC: Request for a Provisional Use Permit under  
PUP2021- Sections 24-32.1 (n, s, t, v, w, z, aa), 24-120 and 24-122.1 of Chapter 24 of the  
00011 County Code to allow the following: a parking garage with no associated ground  
Three Chopt floor retail or useable floor space for residential or nonresidential uses along a  
façade facing street; building and structures exceeding 60' in height; residential  
density exceeding 30 units per acre; open space of less than 20 percent;  
commercial or office square footage of less than 25 percent of the total building  
square footage of the UMU district; number of for-lease multifamily dwelling  
units exceeding 30 percent of the total units of the UMU district; and a parking  
plan on Parcels 752-767-4970 and 752-768-2795 located on the east line of Cox  
Road at its intersection with North Park Drive and the west line of Cox Road  
approximately 990' north of its intersection with North Park Drive. The  
existing zoning is O-3C Office District (Conditional) and M-1C Light Industrial

District (Conditional). UMUC zoning is proposed with REZ2021-00028. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the Innsbrook Redevelopment Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

356-21  
REZ2021-  
00029  
Three Chopt  
Lingerfelt Office Properties, LLC: Request to conditionally rezone from O-3C Office District (Conditional) and B-2C Business District (Conditional) to UMUC Urban Mixed Use District (Conditional) Parcels 748-761-5174, 749-761-0971, and 750-765-5718 containing 16.486 acres located at the southwest and southeast intersection of Cox Road and Innslake Drive and on the west line of Cox Road at its intersection with Village Run Drive. The applicant proposes an urban mixed-use development. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the Innsbrook Redevelopment Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

357-21  
PUP2021-  
00012  
Three Chopt  
Lingerfelt Office Properties, LLC: Request for a Provisional Use Permit under Sections 24-32.1 (n, s, t, v, w, z, aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow the following: a parking garage with no associated ground floor retail or useable floor space for residential or nonresidential uses along a façade facing street; buildings and structures exceeding 60' in height; residential density exceeding 30 units per acre; open space of less than 20 percent; commercial or office square footage of less than 25 percent of the total building square footage of the UMU district; number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district; and a parking plan on Parcels 748-761-5174, 749-761-0971, and 750-765-5718 located at the southwest and southeast intersection of Cox Road and Innslake Drive and on the west line of Cox Road at its intersection with Village Run Drive. The existing zoning is O-3C Office District (Conditional) and B-2C Business District (Conditional). UMUC zoning is proposed with REZ2021-00029. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the Innsbrook Redevelopment Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

279-21  
REZ2021-  
00037  
Three Chopt  
Ram Misra: Request to amend proffers accepted with C-8C-01 on Parcel 737-754-6589 located on Brandyview Lane approximately 265' west from its intersection with Clary Preston Drive. The applicant proposes to amend Proffer #9 regarding the rear yard setback and landscape buffer. The existing zoning is R-3C One-Family Residence District (Conditional). The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. The Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **deny** the request. **(Deferred from the September 14, 2021, meeting.)**

358-21  
REZ2021-  
00049  
Varina  
Better Housing Coalition: Request to conditionally rezone from M-1C Light Industrial District (Conditional) to R-5C General Residence District (Conditional) Parcel 807-723-6293 containing 10.328 acres located approximately 300' southeast of the intersection of Dabbs House Road and

Shillingford Drive. The applicant proposes a multifamily development and townhouses for sale. The R-5 District allows a minimum lot area of 5,625 square feet and a maximum gross density of 12 units per acre for townhouses and 14.5 units per acre for multifamily. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office/Service, Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. The site is located in the Enterprise Zone and a portion of the site is located in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

359-21 Alvin S. Mistr, Jr.: Request to amend proffers accepted with C-17C-05 and C-  
REZ2021- 81C-05 on Parcels 806-702-5656, -6251, -6735, and -8243 located at the  
00047 northwest intersection of Midview Road and Lindsey Gabriel Drive. The  
Varina applicant proposes to delete Proffer #21 regarding Midview Road  
improvements. The existing zoning is R-2AC One-Family Residence District  
(Conditional). The 2026 Comprehensive Plan recommends Suburban  
Residential 2, density should not exceed 3.4 units per acre. The Planning  
Commission voted to recommend the Board of Supervisors **grant** the request.

360-21 Dragon Spike LLC: Request to conditionally rezone from M-1C Light  
REZ2021- Industrial District (Conditional) and M-1 Light Industrial District to M-2C  
00051 General Industrial District (Conditional) part of Parcel 777-742-5090  
Brookland containing 21.206 acres located at the northwest intersection of Byrdhill Road  
and Burley Avenue. The applicant proposes metal fabrication. The use will be  
controlled by zoning ordinance regulations and proffered conditions. The 2026  
Comprehensive Plan recommends Light Industry. The site is in the  
Enterprise Zone. The Planning Commission voted to recommend the Board of  
Supervisors **grant** the request.

361-21 6531 Broad LLC: Request to conditionally rezone from R-6 General Residence  
REZ2021- District, B-2 Business District, and B-3 Business District to R-6C General  
00013 Residence District (Conditional) Parcel 767-743-7902 containing 6.67 acres  
Tuckahoe located between the west line of W. Broad Street (U.S. Route 250) and the east  
line of Betty Lane. The applicant proposes residential apartments and  
commercial uses. The R-6 District allows a maximum gross density of 19.8  
units per acre. The uses will be controlled by zoning ordinance regulations and  
proffered conditions. The 2026 Comprehensive Plan recommends Commercial  
Arterial. The site is in the Enterprise Zone. The Planning Commission voted  
to recommend the Board of Supervisors **grant** the request.

362-21 6531 Broad LLC: Request for a Provisional Use Permit under Sections 24-36.1  
PUP2021- (b), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a master  
00004 planned community on Parcel 767-743-7902 located between the west line of W.  
Tuckahoe Broad Street (U.S. Route 250) and the east line of Betty Lane. The existing  
zoning is R-6 General Residence District, B-2 Business District, and B-3  
Business District. the R-6 District is proposed with REZ2021-00013. The 2026  
Comprehensive Plan recommends Commercial Arterial. The site is in the  
Enterprise Zone. The Planning Commission voted to recommend the Board of  
Supervisors **grant** the request

## **PUBLIC HEARINGS - OTHER ITEMS**

- 363-21 Ordinance - To Amend and Reordain Section 20-81 Titled “Partial exemption for rehabilitated, renovated or replacement commercial and industrial structures” of the Code of the County of Henrico to Expand the Tax Exemption Program.
- 364-21 Ordinance - To Add Article IX Titled “Henrico Investment Program” to Chapter 6 of the Code of the County of Henrico to Provide Development and Redevelopment Incentives in Designated Areas of the County.
- 365-21 Resolution - Condemnation - Rights-of-Way and Easements - Sadler Road Improvements Project - 4200 Sadler Road - Three Chopt District.
- 366-21 Resolution - Condemnation - Right-of-Way and Easements - Sadler Road Improvements Project - CarMax Auto Superstores, Inc. - Three Chopt District.
- 367-21 Resolution - Condemnation - Right-of-Way and Easements - Sadler Road Improvements Project - 4240 Dominion Boulevard - Three Chopt District.
- 368-21 Resolution - Condemnation - Right-of-Way and Easements - Sadler Road Improvements Project - 4728 Sadler Road - Three Chopt District.
- 369-21 Resolution - Condemnation - Right-of-Way and Easements - Sadler Road Improvements Project - 4328 Sadler Road - Three Chopt District.
- 370-21 Resolution - Condemnation - Right-of-Way and Easements - Sadler Road Improvements Project - 11044 West Broad Street - Three Chopt District.
- 371-21 Resolution - Condemnation - Improvements, Rights-of-Way, and Easements - Sadler Road Improvements Project - Sadler Green Owners Association, Inc. - Three Chopt District.
- 372-21 Resolution - Condemnation - Easement - Sadler Road Improvements Project - 4701 Sadler Green Place - Three Chopt District.
- 373-21 Resolution - Condemnation - Rights-of-Way and Easements - Sadler Road Improvements Project - 4340 Innslake Drive - Three Chopt District.
- 374-21 Resolution – Signatory Authority – Quitclaim of Portion of Drainage and Utility Easement – 5441 South Laburnum Avenue – Varina District.

## **PUBLIC COMMENTS**

## **GENERAL AGENDA**

- 375-21 Introduction of Ordinance – To Amend and Reordain Section 9-1 Titled “Magisterial districts” of the Code of the County of Henrico to Reapportion Population Among the County’s Election Districts to Comply with State and Federal Law.

- 376-21 Introduction of Ordinance – To Amend and Reordain Section 9-2 Titled “Precincts and polling places” of the Code of the County of Henrico to Make Changes Necessitated by Reapportionment of the County’s Election Districts.
- 377-21 Resolution – SIA2021-00003 – Glover Park Expansion Phase III Site – Substantially in Accord with 2026 Comprehensive Plan – Brookland District.
- 378-21 Resolution – Receipt of Audited Annual Financial Report for Fiscal Year Ended June 30, 2021, and Acknowledgement of Discharge of Duties and Responsibilities by Audit Committee.
- 379-21 Resolution – Signatory Authority – Memorandum of Understanding – Maggie Walker Community Land Trust – Varina District.
- 380-21 Resolution – Award of Contract – Meadow Farm – Historic Kitchen Outbuilding – Brookland District.
- 381-21 Resolution - Signatory Authority - Acquisition of Rights-of-Way and Easements - Ruxton Services, Inc. - Three Chopt Road Improvements Project - Three Chopt District.
- 382-21 Resolution – Award of Contract – Oakview Pressure Reducing Valve Project – Brookland District.
- 383-21 Resolution – Award of Contract – Maintenance and Construction Services for Filter Basin #4 – Water Reclamation Facility – Varina District.
- 384-21 Resolution - Award of Contract - Nutrient Removal Upgrade, Phase 1 - Water Reclamation Facility - Varina District.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS' RESUME  
November 9, 2021**

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**PRESENTATION**

**PROCLAMATION - Veterans and Military Families Appreciation Month – November 2021.**

This proclamation recognizes November 2021, as Veterans and Military Families Appreciation Month and encourages Henrico residents to honor military veterans in our community.

**APPOINTMENT**

**RESOLUTION - Appointment of Member to Board of Directors - Economic Development Authority.**

This Board paper reappoints the following person to the Board of Directors of the Economic Development Authority for a term ending November 13, 2025, or thereafter when his successor shall have been appointed and qualified:

Tuckahoe District    Edward S. Whitlock, III

**PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS**

- |                              |  |
|------------------------------|--|
| REZ2021-00028<br>Three Chopt | Lingerfelt Office Properties, LLC: Request to conditionally rezone from O-3C Office District (Conditional) and M-1C Light Industrial District (Conditional) to UMUC Urban Mixed-Use District (Conditional) Parcels 752-767-4970 and 752-768-2795 containing 12.217 acres located on the east line of Cox Road at its intersection with North Park Drive and the west line of Cox Road approximately 990' north of its intersection with North Park Drive. The applicant proposes an urban mixed-use development. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the Innsbrook Redevelopment Overlay District. Acting on a motion by Mrs. Thornton, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors <b>grant</b> the request because it conforms to the Urban Mixed Use recommendation of the Land Use Plan. |
| PUP2021-00011<br>Three Chopt | Lingerfelt Office Properties, LLC: Request for a Provisional Use Permit under Sections 24-32.1 (n, s, t, v, w, z, aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow the following: a parking garage with no associated ground floor retail or useable floor space for residential or nonresidential uses along a façade facing street; building and structures  |

exceeding 60' in height; residential density exceeding 30 units per acre; open space of less than 20 percent; commercial or office square footage of less than 25 percent of the total building square footage of the UMU district; number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district; and a parking plan on Parcels 752-767-4970 and 752-768-2795 located on the east line of Cox Road at its intersection with North Park Drive and the west line of Cox Road approximately 990' north of its intersection with North Park Drive. The existing zoning is O-3C Office District (Conditional) and M-1C Light Industrial District (Conditional). UMUC zoning is proposed with REZ2021-00028. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the Innsbrook Redevelopment Overlay District. Acting on a motion by Mrs. Thornton, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would not be expected to adversely affect public safety, health or general welfare.

REZ2021-00029  
Three Chopt  
Lingerfelt Office Properties, LLC: Request to conditionally rezone from O-3C Office District (Conditional) and B-2C Business District (Conditional) to UMUC Urban Mixed Use District (Conditional) Parcels 748-761-5174, 749-761-0971, and 750-765-5718 containing 16.486 acres located at the southwest and southeast intersection of Cox Road and Innslake Drive and on the west line of Cox Road at its intersection with Village Run Drive. The applicant proposes an urban mixed-use development. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the Innsbrook Redevelopment Overlay District. Acting on a motion by Mrs. Thornton, seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the Urban Mixed Use recommendation of the Land Use Plan.

PUP2021-00012  
Three Chopt  
Lingerfelt Office Properties, LLC: Request for a Provisional Use Permit under Sections 24-32.1 (n, s, t, v, w, z, aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow the following: a parking garage with no associated ground floor retail or useable floor space for residential or nonresidential uses along a façade facing street; buildings and structures exceeding 60' in height; residential density exceeding 30 units per acre; open space of less than 20 percent; commercial or office square footage of less than 25 percent of the total building square footage of the UMU district; number of for-lease multifamily dwelling units exceeding 30 percent of the total units of the UMU district; and a parking plan on Parcels 748-761-5174, 749-761-0971, and 750-765-5718 located at the southwest and southeast intersection of Cox Road and Innslake Drive and on the west line of Cox Road at its intersection with Village Run Drive. The existing zoning is O-3C Office District (Conditional) and B-2C Business District (Conditional). UMUC zoning is proposed with REZ2021-00029.

The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area. The site is in the Innsbrook Redevelopment Overlay District. Acting on a motion by Mrs. Thornton, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would not be expected to adversely affect public safety, health or general welfare.

REZ2021-00037  
Three Chopt  
Ram Misra: Request to amend proffers accepted with C-8C-01 on Parcel 737-754-6589 located on Brandyview Lane approximately 265' west from its intersection with Clary Preston Drive. The applicant proposes to amend Proffer #9 regarding the rear yard setback and landscape buffer. The existing zoning is R-3C One-Family Residence District (Conditional). The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. Acting on a motion by Mrs. Thornton, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **deny** the request because it does not meet the original intent of the proffers and would likely set an adverse precedent for the area. **(Deferred from the September 14, 2021, meeting.)**

REZ2021-00049  
Varina  
Better Housing Coalition: Request to conditionally rezone from M-1C Light Industrial District (Conditional) to R-5C General Residence District (Conditional) Parcel 807-723-6293 containing 10.328 acres located approximately 300' southeast of the intersection of Dabbs House Road and Shillingford Drive. The applicant proposes a multifamily development and townhouses for sale. The R-5 District allows a minimum lot area of 5,625 square feet and a maximum gross density of 12 units per acre for townhouses and 14.5 units per acre for multifamily. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office/Service, Suburban Residential 2, density should not exceed 3.4 units per acre and Environmental Protection Area. The site is located in the Enterprise Zone and a portion of the site is located in the Airport Safety Overlay District. Acting on a motion by Mr. Mackey, seconded by Mrs. Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would not adversely affect the adjoining area if properly developed as proposed and the proffered conditions will provide appropriate quality assurances not otherwise available.

REZ2021-00047  
Varina  
Alvin S. Mistr, Jr.: Request to amend proffers accepted with C-17C-05 and C-81C-05 on Parcels 806-702-5656, -6251, -6735, and -8243 located at the northwest intersection of Midview Road and Lindsey Gabriel Drive. The applicant proposes to delete Proffer #21 regarding Midview Road improvements. The existing zoning is R-2AC One-Family Residence District (Conditional). The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the Planning

Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it was determined to be reasonable and it is not expected to adversely impact surrounding land uses in the area.

REZ2021-00051  
Brookland  
Dragon Spike LLC: Request to conditionally rezone from M-1C Light Industrial District (Conditional) and M-1 Light Industrial District to M-2C General Industrial District (Conditional) part of Parcel 777-742-5090 containing 21.206 acres located at the northwest intersection of Byrdhill Road and Burley Avenue. The applicant proposes metal fabrication. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Light Industry. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the employment uses support the County's economic development policies and the proffered conditions should minimize the potential impacts on surrounding land uses.

REZ2021-00013  
Tuckahoe  
6531 Broad LLC: Request to conditionally rezone from R-6 General Residence District, B-2 Business District, and B-3 Business District to R-6C General Residence District (Conditional) Parcel 767-743-7902 containing 6.67 acres located between the west line of W. Broad Street (U.S. Route 250) and the east line of Betty Lane. The applicant proposes residential apartments and commercial uses. The R-6 District allows a maximum gross density of 19.8 units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Arterial. The site is in the Enterprise Zone. Acting on a motion by Mr. Baka, seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would permit infill redevelopment with the proper connection for roads and other public facilities and the proffered conditions will provide appropriate quality assurances not otherwise available.

PUP2021-00004  
Tuckahoe  
6531 Broad LLC: Request for a Provisional Use Permit under Sections 24-36.1 (b), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a master planned community on Parcel 767-743-7902 located between the west line of W. Broad Street (U.S. Route 250) and the east line of Betty Lane. The existing zoning is R-6 General Residence District, B-2 Business District, and B-3 Business District. the R-6 District is proposed with REZ2021-00013. The 2026 Comprehensive Plan recommends Commercial Arterial. The site is in the Enterprise Zone. Acting on a motion by Mr. Baka, seconded by Mrs. Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would provide added services to the community and would not be expected to adversely affect public safety, health or general welfare.

## **PUBLIC HEARINGS - OTHER ITEMS**

### **ORDINANCE - To Amend and Reordain Section 20-81 Titled “Partial exemption for rehabilitated, renovated or replacement commercial and industrial structures” of the Code of the County of Henrico to Expand the Tax Exemption Program.**

This Board paper would expand the tax exemption program for older commercial and industrial structures. Staff discussed the expansion with the Board at its work session on July 27, 2021.

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

### **ORDINANCE - To Add Article IX Titled “Henrico Investment Program” to Chapter 6 of the Code of the County of Henrico to Provide Development and Redevelopment Incentives in Designated Areas of the County.**

This Board paper would create the Henrico Investment Program. The new Program would provide development and redevelopment incentives in designated areas of the County. The incentives and qualifications for the Program are modeled on the incentives in the County’s Enterprise Zones and brings their benefits to new areas of the County.

The details of the new Program were discussed with the Board during its work session on July 27, 2021.

The Director of Community Revitalization and the Executive Director of the Economic Development Authority recommend approval of the Board paper, and the County Manager concurs.

### **RESOLUTION - Condemnation - Rights-of-Way and Easements - Sadler Road Improvements Project - 4200 Sadler Road - Three Chopt District.**

This Board paper authorizes condemnation proceedings for property that is needed for construction of the Sadler Road Improvements Project.

The County needs to acquire rights-of-way containing 23,674.69 square feet; a permanent drainage easement containing 4,744.12 square feet; and temporary construction easements containing 840.98 square feet across the property located at 4200 Sadler Road, identified as Tax Map Parcel 745-761-9079, and owned by Kathleen M. Bowles. Based on an independent appraisal, the County made an offer of \$334,134 for the required property interests. The offer was not accepted.

This Board paper authorizes the County Attorney to institute and conduct condemnation proceedings in accordance with the Code of Virginia. This Board paper further authorizes and directs the County Manager to continue to seek a voluntary acquisition of the rights-of-way and easements, to take all steps necessary to acquire the rights-of-way and easements, and to enter on and take possession of the required rights-of-way and easements in accordance with the Code of Virginia.

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

**RESOLUTION - Condemnation - Right-of-Way and Easements - Sadler Road Improvements Project - CarMax Auto Superstores, Inc. - Three Chopt District.**

This Board paper authorizes condemnation proceedings for property that is needed for the construction of the Sadler Road Improvements Project.

The County needs to acquire right-of-way containing 2,048.12 square feet; a permanent drainage easement containing 2,020.65 square feet; a permanent joint use utility easement for Verizon Virginia, LLC, Comcast of Virginia, Inc., and Virginia Electric and Power Company, a Virginia public service corporation doing business as Dominion Energy Virginia, containing 6,706.24 square feet; and a temporary construction easement containing 7,612.81 square feet across the property located at 4160 Sadler Road and 11090 West Broad Street, identified as Tax Map Parcels 746-761-1351 and 745-761-7339, respectively, and owned by CarMax Auto Superstores, Inc. Based on an independent appraisal, the County made an offer of \$143,843 for the required property interests. The parties cannot reach an agreement on the acquisition of the Right-of-Way and Easements.

This Board paper authorizes the County Attorney to institute and conduct condemnation proceedings in accordance with the Code of Virginia. This Board paper further authorizes and directs the County Manager to continue to seek a voluntary acquisition of the right-of-way and easements, to take all steps necessary to acquire the right-of-way and easements, and to enter on and take possession of the required right-of-way and easements in accordance with the Code of Virginia.

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

**RESOLUTION - Condemnation - Right-of-Way and Easements - Sadler Road Improvements Project - 4240 Dominion Boulevard - Three Chopt District.**

This Board paper authorizes condemnation proceedings for property that is needed for the construction of the Sadler Road Improvements Project.

The County needs to acquire 2,893.88 square feet of land in fee simple; a permanent utility easement for Dominion Energy Virginia containing 5,566.53 square feet; and a temporary construction easement containing 6,372.64 square feet (the "Right-of-Way and Easements"), across the property located at 4240 Dominion Boulevard identified as Tax Map Parcel 747-761-2490, and owned by FPLC Richmond Sub, LLC. Based on an independent appraisal, the County made an offer of \$114,004 for the required property interests. The parties have agreed on compensation but have been unable to complete the acquisition.

This Board paper authorizes the County Attorney to institute and conduct condemnation proceedings in accordance with the Code of Virginia. This Board paper further authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Right-of-Way and Easements, to take all steps necessary to acquire the Right-of-Way and

Easements, and to enter on and take possession of the required Right-of-Way and Easements in accordance with the Code of Virginia.

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

**RESOLUTION - Condemnation - Right-of-Way and Easements - Sadler Road Improvements Project - 4728 Sadler Road - Three Chopt District.**

This Board paper authorizes condemnation proceedings for property owned by Junius L. Gray and Celestine Gray that is needed for the construction of the Sadler Road Improvements Project.

The County needs to acquire right-of-way containing 11,634.22 square feet; a permanent drainage easement containing 4,569.27 square feet; a permanent joint use utility easement for Virginia Electric and Power Company, a Virginia public service corporation doing business as Dominion Energy Virginia, Verizon, Virginia, LLC, and Comcast of Virginia, Inc. containing 1,158.02 square feet; and a temporary construction easement containing 5,703.54 square feet across the property located at 4728 Sadler Road, identified as Tax Map Parcel 747-767-5326, and owned by Junius L. Gray and Celestine Gray. Based on an independent appraisal, the County made an offer of \$66,717 for the required property interests. The offer was not accepted.

This Board paper authorizes the County Attorney to institute and conduct condemnation proceedings in accordance with the Code of Virginia. This Board paper further authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Right-of-Way and Easements, to take all steps necessary to acquire the Right-of-Way and Easements, and to enter on and take possession of the required Right-of-Way and Easements in accordance with the Code of Virginia.

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

**RESOLUTION - Condemnation - Right-of-Way and Easements - Sadler Road Improvements Project - 4328 Sadler Road - Three Chopt District.**

This Board paper authorizes condemnation proceedings for property needed for the construction of the Sadler Road Improvements Project.

The County needs to acquire right-of-way containing 38,659.10 square feet, of which 7,358.65 square feet is a prescriptive right-of-way; a permanent drainage easement containing 1,761.93 square feet; a permanent utility easement for Verizon Virginia, LLC containing 3,223.44 square feet; and a temporary construction easement containing 7,070.78 square feet (the "Right-of-Way and Easements") across the property located at 4328 Sadler Road, identified as Tax Map Parcel 746-763-4213, and owned by Raymond C. Haithcock. Based on an independent appraisal, the County made an offer of \$140,638 for the required property interests. The offer was not accepted.

This Board paper authorizes the County Attorney to institute and conduct condemnation proceedings in accordance with the Code of Virginia. This Board paper further authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Right-of-Way and Easements, to take all steps necessary to acquire the Right-of-Way and Easements, and to enter on and take possession of the required Right-of-Way and Easements in accordance with the Code of Virginia.

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

**RESOLUTION - Condemnation - Right-of-Way and Easements - Sadler Road Improvements Project - 11044 West Broad Street - Three Chopt District.**

This Board paper authorizes condemnation proceedings for property needed for construction of the Sadler Road Improvements Project.

The County needs to acquire right-of-way containing 1,782.88 square feet; permanent drainage easements containing 2,043.70 square feet; a permanent joint use utility easement containing 11,877.79 square feet; a permanent utility easement for Henrico County containing 2,998.01 square feet; and temporary construction easements containing 8,606.01 square feet (the "Right-of-Way and Easements") across the property located at 11044 West Broad Street, identified as Tax Map Parcel 746-761-5525, and owned by the Morrell Family, LLC. Based on an independent appraisal, the County made an offer of \$198,975 for the required property interests, and the parties have reached agreement about compensation but have not yet completed the acquisition.

This Board paper authorizes the County Attorney to institute and conduct condemnation proceedings in accordance with the Code of Virginia. This Board paper further authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Right-of-Way and Easements, to take all steps necessary to acquire the Right-of-Way and Easements, and to enter on and take possession of the required Right-of-Way and Easements in accordance with the Code of Virginia.

**RESOLUTION - Condemnation - Improvements, Rights-of-Way and Easements - Sadler Road Improvements Project - Sadler Green Owners Association, Inc. - Three Chopt District.**

This Board paper authorizes condemnation proceedings for property owned by The Sadler Green Owners Association, Inc. that is needed for the construction of the Sadler Road Improvements Project.

The County needs to acquire rights-of-way containing 11,956.23 square feet; a permanent drainage easement containing 1,670.58 square feet; a permanent joint use utility easement for Verizon Virginia, LLC and Comcast of Virginia, Inc. containing 832.44 square feet; a permanent utility easement for Virginia Electric and Power Company containing 832.44 square feet; temporary construction easements containing 3,987.80 square feet; and brick pillars, a sign, and ground lights, all owned by The Sadler Green Owners Association, Inc. Based on an independent appraisal, the County made an offer of \$112,154 for the required property. The offer was not accepted.

This Board paper authorizes the County Attorney to institute and conduct condemnation proceedings in accordance with the Code of Virginia. This Board paper further authorizes and directs the County Manager to continue to seek a voluntary acquisition of the improvements, rights-of-way, and easements, to take all steps necessary to acquire the improvements, rights-of-way, and easements, and to enter on and take possession of the required improvements, rights-of-way and easements in accordance with the Code of Virginia.

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

**RESOLUTION - Condemnation - Easement - Sadler Road Improvements Project - 4701 Sadler Green Place - Three Chopt District.**

This Board paper authorizes condemnation proceedings for property that is needed for construction of the Sadler Road Improvements Project.

The County needs to acquire a temporary construction easement containing 2,461.89 square feet (the "Easement") across the property located at 4701 Sadler Green Place, identified as Tax Map Parcel 747-766-4944, and owned by Harcharnjit Singh and Gurpreet Kaur. Based on an independent appraisal, the County made an offer of \$15,597 for the required property interests. The offer was not accepted.

This Board paper authorizes the County Attorney to institute and conduct condemnation proceedings in accordance with the Code of Virginia. This Board paper further authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Easement, to take all steps necessary to acquire the Easement, and to enter on and take possession of the required Easement in accordance with the Code.

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

**RESOLUTION - Condemnation - Rights-of-Way and Easements - Sadler Road Improvements Project - 4340 Innslake Drive - Three Chopt District.**

This Board paper authorizes condemnation proceedings for property that is needed for the construction of the Sadler Road Improvements Project.

The County needs to acquire rights-of-way containing 56,043.73 square feet; permanent drainage easements containing 1,624.55 square feet; a permanent joint use utility easement containing 31,727.50 square feet, a permanent Dominion Virginia Energy easement containing 24,388.70 square feet; a permanent Henrico County utility easement containing 1,516.30 square feet; and a temporary construction easement containing 48,841.08 square feet (the "Rights-of-Way and Easements") across the property located at 4340 Innslake Drive, identified as Tax Map Parcel 746-762-8251, and owned by Wells Fargo Bank, National Association. Based on an independent appraisal, the County made an offer of \$1,063,043 for the required property interests. The offer was not accepted.

This Board paper authorizes the County Attorney to institute and conduct condemnation proceedings in accordance with the Code of Virginia. This Board paper further authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Rights-of-Way and Easements, to take all steps necessary to acquire the Rights-of-Way and Easements, and to enter on and take possession of the required Rights-of-Way and Easements in accordance with the Code.

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

**RESOLUTION - Signatory Authority - Quitclaim of Portion of Drainage and Utility Easement - 5441 South Laburnum Avenue - Varina District.**

This Board paper authorizes the Chairman to execute a quitclaim deed releasing the County's interest in an unneeded portion of a drainage and utility easement across the property at 5441 South Laburnum Avenue. The owner, Redco Properties, LLC, has requested this action. There are no County facilities in the easement area, the County does not need the portion to be quitclaimed, and replacement easements have been dedicated to the County.

The Real Property Department has processed the quitclaim through the Departments of Planning, Public Works, and Public Utilities without objection. The Deputy County Manager for Community Operations recommends approval of the Board paper; the County Manager concurs.

**PUBLIC COMMENTS**

**GENERAL AGENDA**

**INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 9-1 Titled "Magisterial districts" of the Code of the County of Henrico to Reapportion Population Among the County's Election Districts to Comply with State and Federal Law.**

This Board paper introduces for advertisement and public hearings on November 30 and December 14, 2021, an ordinance to reapportion population among the County's election districts. The County last reapportioned its election districts in 2011. Reapportionment is legally required every 10 years.

The Director of Planning and County Attorney recommend approval of the Board paper, and the County Manager concurs.

**INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 9-2 Titled "Precincts and polling places" of the Code of the County of Henrico to Make Changes Necessitated by Reapportionment of the County's Election Districts.**

This Board paper introduces for advertisement and public hearings on November 30 and December 14, 2021, an ordinance to make changes to the County's precincts and polling

places. The Board paper would fix several precincts split by the proposed 2021 reapportionment plan by placing each of those precincts wholly within a single County election district, as required by state law.

The Director of Planning, General Registrar, and County Attorney recommend approval of the Board paper, and the County Manager concurs.

**RESOLUTION - SIA2021-00003 - Glover Park Expansion Phase III Site - Substantially in Accord with 2026 Comprehensive Plan - Brookland District.**

At the request of the Division of Recreation and Parks, the Department of Planning conducted a study to determine whether the proposed expansion of Glover Park is substantially in accord with the County's 2026 Comprehensive Plan (the "Plan"). The site consists of one parcel approximately 6.459 acres in size at the terminus of Bent Pine Road.

The Planning staff's report concluded that the proposed use for the site would not conflict with, or be a significant departure from, the Goals, Objectives, and Policies of the Plan and would support the intent of the Plan that identifies the need for public services and facilities to provide additional recreational opportunities for residents. Staff also determined the proposed improvements would be a logical expansion of the park and its services and can be designed to be compatible with the land uses in the surrounding area.

At its meeting on October 14, 2021, the Planning Commission approved the resolution finding the proposed Glover Park Expansion Phase III site substantially in accord with the Plan.

Further details regarding the proposed site are contained in the staff report prepared for the Planning Commission.

The Director of Planning concurs with the finding of the Planning Commission that the proposed Glover Park Expansion Phase III site is substantially in accord with the Plan and recommends adoption of the Board Paper, and the County Manager concurs.

**RESOLUTION - Receipt of Audited Annual Financial Report for Fiscal Year Ended June 30, 2021, and Acknowledgement of Discharge of Duties and Responsibilities by Audit Committee.**

This Board paper receives the Annual Financial Report of the County for the fiscal year ended June 30, 2021, as audited by Cherry Bekaert LLP, Certified Public Accountants. Representatives of the firm will be present and available for comment regarding this report. In addition, this Board paper acknowledges the discharge of duties and responsibilities by the Audit Committee.

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

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

This Board paper authorizes the County Manager to execute a memorandum of understanding with the Maggie Walker Community Land Trust regarding its proposal to acquire and develop property at 1214 New Market Road and 6517 McLean Street into a subdivision of 21 single-family homes, of which 12 will be affordable under the community land trust model. Under that model, the homes will be available to qualified purchasers earning no more than 115% of the area median income for the Richmond metropolitan area.

A separate Board paper will appropriate \$800,000 to the Trust pursuant to Section 15.2-953 of the Code of Virginia to support the proposal. The Trust will solicit at least \$350,000 in matching donations for the grant.

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

**RESOLUTION - Award of Contract - Meadow Farm - Historic Kitchen Outbuilding - Brookland District.**

This Board paper would award a construction contract for \$259,985 to Brooks & Co. General Contractors, Inc. for the construction of a replica historic kitchen outbuilding at Meadow Farm. The building will be a 725-square foot wood framed structure with functional fireplace and bake oven.

Work on the construction project is anticipated to begin in November 2021 and to be completed within 120 calendar days.

The County received two bids on September 8, 2021, in response to Invitation to Bid No. 21-2204-8JOK and Addendum No. 1. The bids were as follows:

<b>Bidders</b>	<b>Bid Amounts</b>
Brooks & Co. General Contractors, Inc. Richmond, VA	\$292,700
Daniel & Company, Inc. Richmond, VA	\$337,000

Based upon a review of the bids, Brooks & Co. General Contractors, Inc. is the lowest responsive and responsible bidder. However, the lowest responsive bid exceeded available funding. As permitted by the Virginia Public Procurement Act, the County and Brooks & Co. General Contractors, Inc. negotiated a reduced scope of work and agreed on a contract amount of \$259,985.

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

**RESOLUTION - Signatory Authority - Acquisition of Rights-of-Way and Easements - Ruxton Services, Inc. - Three Chopt Road Improvements Project - Three Chopt District.**

This Board paper authorizes the acquisition of 2,126 total square feet of fee simple rights-of-way, 230 square feet of permanent utility easement for Dominion Energy Virginia facilities, 5,489 total square feet of permanent utility easements for Verizon Virginia, LLC, and 3,480 total square feet of temporary construction easements across three parcels of land near Joppa Drive, Bellona Court, and Dulaney Court for the Three Chopt Road Improvements project. Ruxton Services, Inc. owns the property and has agreed to accept \$131,415 for the necessary rights-of-way, including site improvements, and easements.

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

**RESOLUTION - Award of Contract - Oakview Pressure Reducing Valve Project - Brookland District.**

This Board paper awards a fixed price contract for \$263,900 to Walter C. Via Enterprises, Inc., for the Oakview Pressure Reducing Valve project. The project will install a new pressure reducing valve facility and associated piping in the Laurel area to service the 17,000 customers in the Greater Hermitage Zone.

Work on the project is anticipated to begin November 2021 and be completed within 270 calendar days.

The County received two bids on September 30, 2021, in response to ITB 21-2207-8EAR and Addendum No. 1. The bids were as follows.

<u>Bidders</u>	<u>Bid Amounts</u>
Walter C. Via Enterprises, Inc. West Point, VA	\$263,900
Howard Brothers Contractor, Inc. Providence Forge, VA	\$439,523

Based upon a review of the bids, Walter C. Via Enterprises, Inc. is the lowest responsive and responsible bidder.

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

**RESOLUTION - Award of Contract - Maintenance and Construction Services for Filter Basin #4 - Water Reclamation Facility - Varina District.**

This Board paper awards a contract to EMH Environmental, Inc. for \$419,775 to repair Filter Basin #4 at the Water Reclamation Facility.

The filter basin removes particulate matter from sewer water prior to disinfection, dichlorination, and discharge into the James River. The filters have been in service since 1997 and need remedial repair. The work will begin in January 2022 and will be completed by May 2022. Funding will be provided from the Water and Sewer Revenue Fund.

Four bids were received on October 13, 2021, in response to ITB #21-2213-8EAR. The bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
EMH Environmental, Inc. Glenwood, MD	\$419,775
Arrowhead Environmental, Inc. Windsor, VA	\$439,350
WGK Construction, LLC Chantilly, VA	\$465,000
Clark Construction Group, Inc. Bethesda, MD	\$672,735

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

The Board paper awards the contract to EMH Environmental, Inc. and grants signatory authority to the County Manager to execute the contract in a form approved by the County Attorney. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

The Director of Public Utilities and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

**RESOLUTION - Award of Contract - Nutrient Removal Upgrade, Phase 1 - Water Reclamation Facility - Varina District.**

This Board paper awards a contract for \$73,231,000 to Adams Robinson Enterprises, Inc. for Phase 1 of the Nutrient Removal Upgrade project at the Water Reclamation Facility. The project will replace existing effluent filters and construct a supplemental carbon facility.

Work on the project is anticipated to begin January 2022 and will be completed by July 2026.

The County received four bids on September 14, 2021, in response to ITB 21-2189-6JOK and Addenda No. 1 through 5. The bids were as follows.

<u>Bidders</u>	<u>Bid Amounts</u>
Adams Robinson Enterprises, Inc. Dayton, OH	\$73,231,000
Clark Construction Group, LLC	\$92,830,000
Crowder Construction Company	\$103,793,588
Keiwit Infrastructure South Co.	\$117,364,000

Based upon a review of the bids, Adams Robinson Enterprises, Inc. is the lowest responsive and responsible bidder.

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