

BOARD OF SUPERVISORS

MINUTES

May 26, 2022

Supervisors in Attendance:

Mr. Christopher M. Winslow, Chair
Ms. Leslie A. T. Haley, Vice Chair
Mr. James A. Ingle, Jr.
Mr. James M. Holland
Mr. Kevin P. Carroll

Dr. Joseph P. Casey
County Administrator

Mr. Winslow called the meeting to order at 2:00 p.m.

1. APPROVAL OF MINUTES

On motion of Mr. Ingle, seconded by Mr. Holland, the Board of Supervisors approved the minutes of March 23, 2022, and April 6, 2022, as submitted.

Ayes: Winslow, Ingle, Holland and Carroll.
Nays: None.

**2. REQUESTS TO POSTPONE AGENDA ITEMS AND ADDITIONS,
DELETIONS OR CHANGES IN THE ORDER OF PRESENTATION**

There were no requests to postpone agenda items, additions, deletions or changes in the order of presentation at this time.

Ms. Haley joined the meeting.

3. WORK SESSIONS

3.A. EVERYDAY EXCELLENCE – DEPARTMENT OF TRANSPORTATION

Mr. Jesse Smith, Deputy County Administrator, recognized Mr. Nate Mathis, Senior Engineer, who was integral to completing the North Courthouse Road Connector Trail. The trail was among 13 winners announced in March by Governor Glenn Youngkin as a 2022 Governor's Environmental Excellence Award winner, which recognizes the significant contributions of environmental and conservation leaders in four categories: sustainability, environmental project, greening of government and implementation of the Virginia Outdoors Plan. The North Courthouse Library Connector Trail was funded and constructed by Chesterfield County's Transportation Department, in collaboration with three other county departments, and was the first project delivered using the county's community connectivity sidewalk fund.

3.B. CITIZEN INFORMATION AND RESOURCES UPDATE

Ms. Emily Ashley, Director of Citizen Information and Resources (CIR), joined by Ms. Alexa van Aartrijk, Manager of Aging and Disability Services, Ms. Tracey Clock, Mobility Manager, Ms. Kim Conley, Assistant Director of CIR, Ms. Dalila Medrano, Multi-cultural Engagement Coordinator, and Norman Johnson, Community Partnership Coordinator, provided an update to the Board regarding the Workforce Development Working Group's initial efforts, goals and objectives, as well as other initiatives to include mobility and youth services. The Citizen Information and Resources Department connects people to services and opportunities to engage with their community. This is done through connection, education, and service. The mission of Aging and Disability Services is dedicated to providing information, resources, programs and engagement opportunities to residents age 50+, or those living with a disability, family members and caregivers who want to remain active, independent and vital contributors to their community. The Community Engagement, Volunteerism and Diversity and Inclusion area fosters relationship building. The division enables departments and employees to connect with their community through engagement, volunteerism, collaboration, and partnerships. It also provides opportunities for residents and visitors to engage with leadership, in county programs, services and inclusive opportunities. Regarding workforce development, the Financial Independence Impact Team (FIIT) was developed as an output of the Committee on the Future (COTF) report. FIIT reviewed the needs identified in the winter of 2020 and formed the Workforce Development Committee (WDC). The mission of the WDC is to solution opportunities identified in the COTF report to further develop the four strategic areas of focus to address the recommendations within the report.

Discussion ensued relative to the importance of workforce development and financial independence for county citizens.

3.C. FINANCE UPDATE

Mr. Matt Harris, Deputy County Administrator, joined by Donna Arrington, Accounting Director, provided an update on finance topics including a preview of the ARPA amendment public hearing; an update on personal property billings; a discussion of the Riverside Regional Jail consent item; a primer on GASB 87; and an update on the 2022 referendum schedule. Regarding the American Rescue Plan Act, Mr. Harris stated the philosophical framework remains unchanged, and the plan largely consists of one-time expenditures; recurring expenditures that are included were already in the pipeline. Regarding the Riverside Regional Jail Authority (RRJA), he stated the Authority is projecting a minor budget deficit for FY2022. To correct the slight budget deficit, he stated the RRJA has authorized a \$500,000 reserve rebate to member localities. He further stated the \$500.000 rebate will be returned to RRJA to cover any potential gaps ion FY2022. Based on revised per diem, deficits are not expected to be an upgoing concern. Regarding personal property tax relief, the maximum value of vehicles exempt from personal property tax increased from \$1,000 to \$1,500; increased exemption on first \$20,000 in value to 55 percent for all vehicles which resulted in a \$23 million increase in tax relief for citizens. The Board of Supervisors continues to pursue other avenues to relief for

taxpayers and will be revisited in June. Regarding referendum projects, he stated a single, combined referendum question will be pursued, with no meals tax question envisioned. School and general government projects were discussed. In closing, details of the Powhite Parkway extension project were provided. Phase I of the project includes extending Powhite Parkway from its current location to Woolridge Road; critical to establishing connectivity through the Upper Magnolia Green site; project work is already underway; and the submitted application this week is planned to leverage \$58 million deferral INFRA grant funding, the final piece of funding needed for Phase I. Phase II of the project includes extending the Powhite Parkway from Woolridge Road to Route 360/Hull Street; requesting to appropriate \$8 million from Powhite reserves; funding made available from VDOT reimbursement reserve; and allows the county to begin design and engineering work; positions the county to begin construction as soon as additional funding becomes available through local, regional, state or federal sources.

3.D. LEGISLATIVE LIAISON UPDATE

Ms. Natalie Spillman, Intergovernmental Relations Administrator, provided the Board with a brief update relative to legislative matters.

3.E. CONSENT AGENDA HIGHLIGHTS

Mr. Jesse Smith updated the Board on various consent agenda highlights being proposed this evening which include the Midlothian Library award of construction contract; award of contract for campus administrative space renovation; set public hearing item relative to blighted property declarations; zoning case 21SN0673 relative to Meadowville Tech Parkway; and a public hearing regarding FY23-FY28 Secondary Road Six-Year Plan and FY23 Secondary Road Improvement Budget.

4. REPORTS

4.A. DISTRICT IMPROVEMENT FUNDS (DIF) MONTHLY REPORT

The Board accepted the Monthly Report on District Improvement Funds.

5. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

There were no requests to address the Board at this time.

6. CLOSED SESSION

6.A. CLOSED SESSION PURSUANT TO § 2.2-3711(A)(3), CODE OF VIRGINIA, 1950, AS AMENDED, TO DISCUSS THE ACQUISITION BY THE COUNTY OF REAL ESTATE FOR A PUBLIC PURPOSE WHERE DISCUSSION IN AN OPEN MEETING WOULD ADVERSELY AFFECT THE BARGAINING POSITION AND NEGOTIATING STRATEGY OF THE PUBLIC BODY, AND 2) PURSUANT TO § 2.2-3711(A)(5), CODE OF VIRGINIA, 1950, AS AMENDED, TO DISCUSS OR CONSIDER PROSPECTIVE BUSINESSES OR INDUSTRIES OF THE EXPANSION OF EXISTING BUSINESSES OR INDUSTRIES WHERE NO PREVIOUS ANNOUNCEMENT HAS BEEN MADE OF THE BUSINESSES' OR INDUSTRIES' INTEREST IN LOCATING OR EXPANDING THEIR FACILITIES IN THE COMMUNITY

On motion of Ms. Haley, seconded by Mr. Winslow, the Board went into closed session pursuant to § 2.2-3711(A)(3), Code of Virginia, 1950, as Amended, to Discuss the Acquisition by the County of Real Estate for a Public Purpose Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position and Negotiating Strategy of the Public Body, and 2) Pursuant to § 2.2-3711(A)(5), Code of Virginia, 1950, as Amended, to Discuss or Consider Prospective Businesses or Industries of the Expansion of Existing Businesses or Industries Where no Previous Announcement Has Been Made of the Businesses' or Industries' Interest in Locating or Expanding Their Facilities in the Community.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

Reconvening:

On motion of Ms. Haley, seconded by Mr. Holland, the Board adopted the following resolution:

WHEREAS, the Board of Supervisors has this day adjourned into Closed Session in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act effective July 1, 1989 provides for certification that such Closed Session was conducted in conformity with law.

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors does hereby certify that to the best of each member's knowledge, i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in Closed Session to which this certification applies, and ii) only such business matters were identified in the motion by which the Closed Session was convened were heard, discussed or considered by the Board. No member dissents from this certification.

Mr. Ingle: Aye.

Mr. Holland: Aye.

Mr. Carroll: Aye.

Ms. Haley: Aye.

Mr. Winslow: Aye.

7. DINNER

On motion of Ms. Haley, seconded by Mr. Winslow, the Board recessed for dinner.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

Reconvening:

Mr. Winslow stated he verified that all Board members have received copies of citizen comments posted to the online portal. (It is noted citizen comments received through the online portal are attached as Attachment A.)

8. INVOCATION

The Honorable Jim Holland, Dale District Supervisor, gave the invocation.

9. PLEDGE OF ALLEGIANCE

Deputy County Administrator Jesse Smith led the Pledge of Allegiance to the Flag of the United States of America.

10. COUNTY ADMINISTRATION UPDATE

10.A. YOUTH CITIZENS BOARD

Ms. Emily Ashley, Director of the Citizen Information and Resources Department, provided a brief update to the Board on Youth Citizen Board activities. She stated the Youth Citizens Board engaged in a park cleanup and art project celebrating the diversity of youth and community. She further stated the art project resulted in multiple paintings that depicted diversity and unity.

10.B. POLICE MEMORIAL WEEK

Dr. Casey announced the Police Department and Sheriff's Office co-hosted a law enforcement memorial ceremony on May 10 as part of National Police Week, and to honor officers and deputies who have died in the line of duty. He stated the public ceremony that is held annually to lay wreaths at the Police and Sheriff's memorials was very moving and served to remind us of the risk taken and sacrifices made by some in service to their community.

10.C. MEMORIAL DAY EVENTS

Dr. Casey announced the Chesterfield Historical Society of Virginia will hold its annual Memorial Day Ceremony on Monday at 2:00 p.m. in front of the Historic 1917 Courthouse. He noted Mr. Winslow will be the keynote speaker and volunteers will file through the courthouse green carrying banners showcasing the names and portraits of more than 70 Virginia service members who have died in the line of duty in modern times.

10.E. OTHER COUNTY ADMINISTRATION UPDATES

Dr. Casey announced former Utilities Assistant Director, Mr. Scott Morris, was recently appointed by the governor as Chief Deputy for the Virginia Department of Environmental Quality. He stated Mr. Morris' recent appointment can be attributed to the outstanding work he has done for Chesterfield over the past 10 years.

Sheriff Karl Leonard, Deputy Lauren Seals, and Deputy Andrew Haga unveiled a poster showcasing the release of Jailhouse Redemption, a documentary series tracing efforts to introduce and maintain a drug rehabilitation program among Chesterfield County inmates fighting addiction. Sheriff Leonard announced the series premiered on Discovery+ on May 12th.

11. BOARD MEMBER REPORTS

Mr. Carroll expressed his heartfelt condolences for the recent loss of former Sheriff Dennis Proffitt. He announced he attended Echoes of Joy event at Ettrick Park on May 21st which was aimed at connecting the public with resources in an informal and fun environment. He also attended college commencements at Virginia State University on May 14th and Richard Bland College on May 19th, as well as high school graduations at Cosby High School, Manchester High School and Matoaca High School. In closing, he announced Congressman A. Donald McEachin traveled May 3rd to the county to present a \$1,000,000 check to support infrastructure upgrades and the revitalization of Ettrick Train Station.

Mr. Holland announced he attended the Stratton Park Connector Trail ribbon cutting on May 3rd. He stated the multi-use connector trail was developed with funding from the Commonwealth Transportation Board and the Richmond Regional Transportation Planning Organization. He also attended the SwimRVA Splash Bash celebrating SwimRVA's 10th anniversary, as well as the Mayfaire Festival on May 21st, the VaCo Regions 2-3 meeting on May 23rd, and My Chesterfield Academy on May 24th. In closing, he announced he attended high school graduations at L.C. Bird High School and Meadowbrook High School.

Mr. Ingle announced he attended the Falling Creek Ironworks 400th anniversary celebration on April 30th, which marked the conclusion of the 400th anniversary celebration which was highlighted by an unveiling of a new interpretive sign commemorating the 400th anniversary of the 1622 uprising by the Powhatan nation. He also attended the Route 1 Corridor Businesses May 21st community meeting. In closing, he announced he attended high school graduations at Thomas Dale High School and Carver College and Career Academy.

Ms. Haley announced she attended an intercity visit to Columbus, Ohio with Mr. Winslow and Dr. Casey last week. She stated since 2010, the Columbus region has led the Midwest in job, population and GDP growth. She further stated they have one of the highest concentrations of college students in the nation, and one of the highest populations of millennials. Regarding economic development, she stated in January 2022, Intel announced plans to add Ohio as its newest manufacturing site in Licking County, Ohio, generating 3,000 new jobs and partnership possibilities.

Mr. Winslow announced he attended the First Baptist Church Midlothian historical marker dedication, a meeting regarding various Parks and Recreation projects, the Learning and Performance Center graduation on May 12th, and the Woodlake Community pool renewal groundbreaking on May 20th. He also announced he attended high school graduations for Clover Hill and Monacan High Schools.

12. RESOLUTIONS AND SPECIAL RECOGNITIONS

12.A. RECOGNITION OF 2022 OLDER AMERICANS MONTH STUDENT ESSAY CONTEST WINNERS

Ms. van Aartrijk stated Older Americans Month is observed in Chesterfield County, the Commonwealth of Virginia and in the nation in May to show appreciation for the older adults in the community. She stated the Older Americans Month theme for this year - Age My Way is an opportunity for all of us to explore the many ways older adults can remain in and be involved with their communities.

The following students from local elementary schools who are the winners of the Older Americans Month Student Essay Contest were recognized:

Mr. Benjamin Warriner, Woolridge Elementary School
Miss Lexi Hintos, Winterpock Elementary School
Miss Toryn Marribel, Winterpock Elementary School

All Board members congratulated the school contest winners and stressed the importance of recognizing older adults and the loved one who inspired their essays.

12.B. RECOGNIZING THE 2022 SENIOR VOLUNTEER HALL OF FAME INDUCTEES

Ms. Ashley introduced Ms. Sarah Gregory, Mr. David Peat and Ms. Mary Katterfield, who were present to receive the resolution.

On motion of Ms. Haley, seconded by Mr. Holland, the Board adopted the following resolution:

WHEREAS, volunteering is a powerful force for the solution of human problems, and the creative use of human resources is essential to a healthy, productive and humane society; and

WHEREAS, our nation's heritage is based on citizen involvement and citizen participation, and volunteerism is of enormous benefit in building a better community and a better sense of one's own wellbeing; and

WHEREAS, the active involvement of citizens is needed today more than ever to combat growing human and social problems, to renew our belief that these problems can be solved and to strengthen our sense of community; and

WHEREAS, volunteering offers all, young and old, the opportunity to participate in the life of their community and to link their talents and resources to address some of the major issues facing our counties, such as education, hunger, the needs of youths, and the needs of our elderly; and

WHEREAS, agencies that benefit from volunteers should show their appreciation and recognition to the many volunteers who possess numerous skills and talents, which they generously and enthusiastically apply to a variety of community tasks, and encourage others to participate in programs as volunteers; and

WHEREAS, seventeen adults in Chesterfield County, aged 60- plus, have donated 89,173 hours of volunteer service since they have attained the age of 60 and were nominated for the Chesterfield Senior Volunteer Hall of Fame.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 26th day of May 2022, publicly recognizes Sarah Gregory, David Peat and Mary Katterfield, who were selected among the seventeen and were inducted into the Chesterfield Senior Volunteer Hall of Fame on May 26th, 2022, and expresses appreciation to these dedicated volunteers who contribute immeasurably to various programs throughout the area to strengthen our county and build bridges to the future.

AND, BE IT FURTHER RESOLVED that a copy of this resolution be presented to Sarah Gregory, David Peat and Mary Katterfield, and this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

Ms. Sarah Gregory, Mr. David Peat and Ms. Mary Katterfield were presented with the executed resolutions.

Mr. Winslow congratulated Ms. Gregory, Mr. Peat and Ms. Katterfield on their outstanding achievements and wished them well in future endeavors.

13. NEW BUSINESS

13.A. APPOINTMENTS

13.A.1. COUNTY SUPPLEMENTAL RETIREMENT PLAN

On motion of Ms. Haley, seconded by Mr. Holland, the Board nominated and appointed Ms. Lindsey Thornton as Trustee of the County Supplemental Retirement Plan, effective July 1, 2022, and will serve at the pleasure of the Board.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

13.A.2. SAFE, INC. BOARD OF DIRECTORS

On motion of Mr. Ingle, seconded by Ms. Haley, the Board nominated and appointed Dr. Kenneth Deng Qui and Dr. M. Imad Damaj, both of the Clover Hill District, to serve as at-large representatives on the SAFE Board of Directors for a term effective May 27, 2022 through September 30, 2023.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

13.B. CONSENT ITEMS

13.B.1. ADOPTION OF RESOLUTIONS

13.B.1.a. RESOLUTION RECOGNIZING MR. ROBERT G. DAUGHERTY, MENTAL HEALTH SUPPORT SERVICES, UPON HIS RETIREMENT

On motion of Mr. Holland, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, Mr. Robert Daugherty was hired by Chesterfield County Mental Health Support Services as a Mental Health Case Manager on February 1, 1994, and will be retiring effective June 1, 2022; and

WHEREAS, Mr. Daugherty in addition to serving in the role of Case Manager also held positions of Residential Counselor, Supported Living Counselor and Crisis Stabilization Counselor; and

WHEREAS, Mr. Daugherty assisted in the design of the Crisis Stabilization Program including the grant writing process related to its funding; and

WHEREAS, Mr. Daugherty served on multiple committees throughout his career including Access Redesign, Peer Review, Integrative Care, the PRS Improvement Process Action Team, the Trauma Informed Care Network Committee, Legal Committee, Trauma Informed Leadership Team and served as focus group facilitator; and

WHEREAS, Mr. Daugherty planted and maintained a community garden with Supported Living individuals from 1997 - 2004; and

WHEREAS, Mr. Daugherty completed intakes for the PRS Case Management Program from 2006 - 2015; and

WHEREAS, Mr. Daugherty was designated as a Super User during the implementation of the agency Electronic Health Record in 2009; and

WHEREAS, Mr. Daugherty assisted individuals with education and employment services, budget assistance/credit counseling, securing clothing, financial assistance senior and military/veteran services legal and medical services and housing subsidy programs and resources; and

WHEREAS, Mr. Daugherty worked to assist residents in the MHSS group homes during the onset of the COVID-19 pandemic; and

WHEREAS, Mr. Daugherty, who worked tirelessly and compassionately to assist individuals diagnosed with serious mental illness and substance use disorders, and dedicated himself to meeting their needs and improving their lives, will be greatly missed by individuals, staff, and community partners alike; and

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 26th day of May 2022, publicly recognizes the outstanding contributions of Mr. Robert Daugherty and extends appreciation, on behalf of its members

and the citizens of Chesterfield County, for 28 years of service, congratulations upon his retirement, and best wishes for a long, happy, and healthy retirement.

AND, BE IT FURTHER RESOLVED that a copy of this Resolution be permanently recorded among the papers of the Board of Supervisors of Chesterfield County, Virginia.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.1.b. RESOLUTION RECOGNIZING FIREFIGHTER JEFF B. LOGAN, FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT, UPON HIS RETIREMENT

On motion of Mr. Holland, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, Firefighter Jeff B. Logan will retire from the Fire and EMS Department, Chesterfield County, on May 1, 2022, and has faithfully served the County of Chesterfield and its citizens for twenty-one years in various assignments; and

WHEREAS, Firefighter Logan joined the Manchester Volunteer Rescue Squad prior to his career with Chesterfield Fire and EMS beginning in 1993 and was the Chief of Operations from 1997 until 2001; and

WHEREAS, Firefighter Logan graduated from Volunteer Recruit School #7 in 1998 and joined the Midlothian Volunteer Fire Department in 1999; and

WHEREAS, Firefighter Logan attended Career Recruit School #30 in 2001, and served as a firefighter at the Swift Creek, Wagstaff, Midlothian, Bensley, and Ettrick Fire and EMS stations; and

WHEREAS, Firefighter Logan served as a member of the Peer Support Team beginning in 2008; and

WHEREAS, Firefighter Logan was awarded a Unit Citation for his involvement in the rescue of a victim after falling from a tree on October 5, 1994; and

WHEREAS, Firefighter Logan was awarded an EMS Unit Citation for his involvement in the successful rescue of two trapped victims from a motor vehicle accident on January 1, 2004; and

WHEREAS, Firefighter Logan was awarded an EMS Lifesave Award for his involvement in the successful resuscitation of a citizen who suffered a cardiac arrest on February 27, 2006; and

WHEREAS, Firefighter Logan was awarded an EMS Unit Citation for his involvement in the successful outcome of a citizen who went unconscious after choking on May 31, 2006; and

WHEREAS, Firefighter Logan was awarded an EMS Unit Citation for his involvement in the successful outcome of a citizen who suffered a cardiac arrest on January 10, 2008; and

WHEREAS, Firefighter Logan was awarded a Chief's Award as a result of his actions that demonstrated his commitment to the

safety and well-being of the community serving as the department's MDA Coordinator on October 11, 2011; and

WHEREAS, Firefighter Jeff Logan was awarded a Unit Citation for his involvement in the skilled actions and teamwork displayed involving a citizen who was trapped after a motor vehicle accident on June 23, 2015; and

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes the contributions of Firefighter Jeff B. Logan, expresses the appreciation of all residents for his service to the county, and extends their appreciation for his dedicated service and their congratulations upon his retirement.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.1.c. RESOLUTION RECOGNIZING MRS. REBECCA A. ADAMS, POLICE DEPARTMENT, UPON HER RETIREMENT

On motion of Mr. Holland, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, Rebecca A. "Becky" Adams will retire from the Chesterfield County Police Department on June 1, 2022, after providing over 16 years of outstanding quality service to the residents of Chesterfield County; and

WHEREAS, Mrs. Adams has faithfully served the county as a Secretary, Administrative Secretary, Administrative Assistant and Administrative Assistant II; and

WHEREAS, Mrs. Adams has been an integral part of the Crime Solvers Program and for many years has been the key coordinator for the annual Crime Solvers Golf Tournament in concert with the Crime Solvers Board, working directly with sponsors for the fundraiser, handling notifications and flyers and collecting and accounting for all registration fees. Her efforts greatly contributed to the success of the tournaments; and

WHEREAS, Mrs. Adams has provided excellent administrative support for the Police Chaplains, keeping them aware of day-to-day needs, managing schedules, and assisting with the Metro area Chaplains Conference; and

WHEREAS, Mrs. Adams, and her co-workers were presented with a Unit Citation for their tireless efforts in conducting a search for and successfully implementing a new crime tip text messaging and web-based tip system which made Chesterfield County one of two agencies in Virginia and only a very few in the United States to have this capability in operation; and

WHEREAS, Mrs. Adams was the recipient of a Life Saving Award for her extraordinary actions when she received a phone call on the Crime Solvers line from an individual who refused to give his name but told her that he had every intention of committing suicide. Being the sole individual in the office, Mrs. Adams was able to keep the caller on the phone for over thirty minutes while she worked diligently to ascertain his name and address. As another employee passed by the office, Mrs. Adams was able to capture their attention and alert them to the urgent nature of the call so that police units could be dispatched to the caller's location in time and transport him to a nearby medical facility; and

WHEREAS, Mrs. Adams had the distinct honor of being selected as the Chesterfield County Police Department Civilian Employee of the Year for 2014; and

WHEREAS, Mrs. Adams utilized her keen observation and retention skills in several instances where she observed the photo of a suspect and related that photo back to similar crimes that had been committed which led to arrests and solving multiple criminal cases; and

WHEREAS, Mrs. Adams was recognized by her supervisors for being one of the hardest working and most dedicated employees with whom they have had the opportunity to serve; and

WHEREAS, Mrs. Adams is recognized for her strong work ethic, her teamwork, and excellent communications and human relations skills, all of which she has utilized within the Police Department during her career; and

WHEREAS, Mrs. Adams has provided the Chesterfield County Police Department with many years of loyal and dedicated service; and

WHEREAS, Chesterfield County and the Board of Supervisors will miss Mrs. Adams' diligent service.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors publicly recognizes Rebecca A. "Becky" Adams and extends on behalf of its members and the residents of Chesterfield County, appreciation for her service to the county, congratulations upon her retirement, and best wishes for a long and happy retirement.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.1.d. RESOLUTION RECOGNIZING THE LIFE AND LEGACY OF POCAHONTAS

On motion of Mr. Holland, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, Pocahontas was the child of Wahunsenacawh, commonly known as Powhatan, Chief of the Powhatan Confederacy of more than 30 Tribes of Native Americans, and was named Matoaka upon her birth in the 1590's, with Pocahontas being her tribal nickname; and

WHEREAS, Pocahontas was taken to Sir Thomas Dale at Henricus, the site of the second permanent English settlement in Virginia, by Captain Samuel Argall in 1613, and

WHEREAS, while living at Henricus, Pocahontas learned the English language, studied Christianity under the Reverend Alexander Whitaker and upon being baptized took the Christian name Rebecca; and

WHEREAS, Pocahontas helped the English settlers at Jamestown in many ways throughout her lifetime, including feeding them during the "Starving Time" and possibly saving the life of Captain John Smith; and,

WHEREAS, in 1614, Pocahontas married John Rolfe, and following their marriage, Powhatan agreed to an alliance that brought peace between the Native Americans and English settlers that lasted until March 22, 1622; and

WHEREAS, in 1616, Sir Thomas Dale, on behalf of the Virginia Company, brought Pocahontas, her husband and infant son, Thomas to England, where she was presented to London society as a Native American princess, and during the nine months she was in England, she changed the course of world history through her diplomatic actions; and

WHEREAS, in 1617, the Rolfes set sail for Virginia, but Pocahontas became ill and was taken off the ship at Gravesend, where she died at the young age of 22 and was buried at St. George's Church in Gravesham on March 21, 1617; and

WHEREAS, to acknowledge the historical connection centered around the life and legacy of Pocahontas, and to promote international friendship and understanding through education, tourism and economic development, a twinning relationship was established between the Borough of Gravesham, England and Chesterfield County in July 2005; and

WHEREAS, Gravesham Borough and Chesterfield County have continued this relationship through numerous visits since establishing the connection; and WHEREAS, the Chesterfield County Board of Supervisors affirmed the importance of Pocahontas and the Gravesham Borough twinning relationship via a recognition resolution on March 15, 2017; and

WHEREAS, Pocahontas' life and legacy has continued to inspire and captivate the imaginations of citizens for centuries,

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 26th day of May 2022, publicly acknowledges the many contributions of Pocahontas and endorses efforts to pursue a Presidential Proclamation setting each March 21st as a national Day of Honor recognizing her legacy as an example of peace, goodwill and cross-cultural understanding.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

13.B.1.e. RESOLUTION SUPPORTING CONSTRUCTION OF THE TWIN RIVERS APARTMENTS USING PROCEEDS FROM TAX-EXEMPT BONDS BY THE VIRGINIA HOUSING MIXED-INCOME PROGRAM

On motion of Mr. Holland, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, the Board of Supervisors of the County of Chesterfield, Virginia, desires to make the determination required by Section 36-55.30:2.B of the Code of Virginia of 1950, as amended, in order for Virginia Housing to finance the economically mixed project (the "Project") described on Exhibit A attached hereto:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CHESTERFIELD, VIRGINIA THAT:

1. the ability to provide residential housing and supporting facilities that serve persons or families of lower or moderate income will be enhanced if a portion of the units in the Project are occupied or held available for occupancy by persons and families who are not of low and moderate income; and

2. private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the surrounding area of the Project and this Project will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

Adopted by the Board of Supervisors of the County of Chesterfield, Virginia, on the 26th day of May, 2022.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.2. REAL PROPERTY REQUESTS

13.B.2.a. ACCEPTANCE OF PARCELS OF LAND

13.B.2.a.1. ACCEPTANCE OF PARCEL OF LAND ADJACENT TO NORTH OTTERDALE ROAD FROM VIRGINIA ELECTRIC AND POWER COMPANY

On motion of Mr. Holland, seconded by Ms. Haley, the Board accepted the conveyance of a parcel of land containing 0.226 acres adjacent to North Otterdale Road from Virginia Electric and Power Company and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.2.a.2. ACCEPTANCE OF PARCELS OF LAND ADJACENT TO HULL STREET ROAD AND BRIDGEWOOD ROAD FROM MP CHESTERFIELD LLC

On motion of Mr. Holland, seconded by Ms. Haley, the Board accepted the conveyance of parcels of land containing a total of 0.127 acres adjacent to Hull Street Road and Bridgewood Road from MP Chesterfield LLC and authorized the County Administrator to execute the deed. (It is noted a copy of the plats are filed with the papers of this Board.)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.2.a.3. ACCEPTANCE OF A PARCEL OF LAND SOUTH AND WEST OF REAMS ROAD FROM 244 MONATH ROAD, LLC

On motion of Mr. Holland, seconded by Ms. Haley, the Board accepted the conveyance of a parcel of land containing 1.098 acres south and west of Reams Road from 244 Monath Road, LLC and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.2.a.4. ACCEPTANCE OF PARCELS OF LAND ADJACENT TO HULL STREET ROAD AND COSBY ROAD FROM COSBY VILLAGE LLC

On motion of Mr. Holland, seconded by Ms. Haley, the Board accepted the conveyance of six parcels of land containing a total of 2.873 acres adjacent to Hull Street Road and Cosby Road from Cosby Village LLC and authorized the County Administrator to execute the deed. (It is noted a copy of the plats are filed with the papers of this Board.)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.2.a.5. ACCEPTANCE OF PARCELS OF LAND AT THE TERMINUS OF EVERGREEN EAST PARKWAY FROM CP4 DEVELOPMENT LLC

On motion of Mr. Holland, seconded by Ms. Haley, the Board accepted the conveyance of two parcels of land containing a total of 2.709 acres at the terminus of Evergreen East Parkway from CP4 Development LLC and authorized the County Administrator to execute the deed. (It is noted a copy of the plats are filed with the papers of this Board.)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.2.a.6. ACCEPTANCE OF PARCELS OF LAND ADJACENT TO GENITO ROAD, OLD HUNDRED ROAD AND EAST BOUNDARY ROAD FROM KALCO, INC

On motion of Mr. Holland, seconded by Ms. Haley, the Board accepted the conveyance of five parcels of land containing a total of 0.018 acres adjacent to Genito Road, Old Hundred Road and East Boundary Road from Kalco, Inc and authorized the County Administrator to execute the deed. (It is noted a copy of the plats are filed with the papers of this Board.)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.2.a.7. ACCEPTANCE OF PARCELS OF LAND SOUTHWEST OF SPRING RUN ROAD FROM COLLINGTON EAST, LLC

On motion of Mr. Holland, seconded by Ms. Haley, the Board accepted the conveyance of two parcels of land containing a total of 1.876 acres southwest of Spring Run Road from Collington East, LLC and authorized the County Administrator to execute the deed. (It is noted a copy of the plats are filed with the papers of this Board.)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.2.b. CONVEYANCE OF EASEMENTS

**13.B.2.b.1. CONVEYANCE OF AN EASEMENT TO VIRGINIA ELECTRIC
AND POWER COMPANY FOR A VARIABLE WIDTH
UNDERGROUND EASEMENT ACROSS TURNER ROAD
WASTEWATER PUMP STATION**

On motion of Mr. Holland, seconded by Ms. Haley the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute an agreement with Virginia Electric and Power Company for a variable width underground easement across Turner Road Wasterwater Pump Station. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.2.c. REQUESTS TO QUITCLAIM

**13.B.2.c.1. REQUEST TO QUITCLAIM A PORTION OF SWM/BMP
EASEMENT AND A PORTION OF A WATER EASEMENT
ACROSS THE PROPERTY OWNED BY WINTERFIELD
CROSSING LAND LLC**

On motion of Mr. Holland, seconded by Ms. Haley, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate a portion of a SWM/BMP easement and a portion of a water easement across the property owned by Winterfield Crossing Land LLC. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

**13.B.2.c.2. REQUEST TO QUITCLAIM A PORTION OF A SWM/BMP
EASEMENT ACROSS THE PROPERTY OWNED BY WC TIER 5
LLC**

On motion of Mr. Holland, seconded by Ms. Haley, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate a portion of a SWM/BMP easement across the property owned by WC Tier 5 LLC. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

**13.B.2.c.3. REQUEST TO QUITCLAIM A PORTION OF A WATER
EASEMENT ACROSS THE PROPERTY OWNED BY PR II/RP
STONEHENGE VILLAGE LAND LLC**

On motion of Mr. Holland, seconded by Ms. Haley, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate a portion of a water easement across the property owned by PR II/RP Stonehenge Village Land LLC. (It is noted a copy of the plat is filed with the paper of this Board.)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.2.d. REQUESTS FOR PERMISSION

**13.B.2.d.1. CHANGES IN THE SECONDARY SYSTEM OF STATE
HIGHWAYS, COALBORO ROAD, STATE ROUTE 664
CHESTERFIELD COUNTY, VIRGINIA**

On motion of Mr. Holland, seconded by Ms. Haley, the Board adopted the following resolution for state road acceptance and abandonment of segments of Coalboro Road, State Route 664:

WHEREAS, portions of Route 664 have been realigned and new segments constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation has inspected this street and found it to be acceptable for maintenance; and

NOW, THEREFORE, BE IT RESOLVED by the Chesterfield County Board of Supervisors, this 26th day of May, 2022, that the old segments of Route 664, identified on the attached Form AM 4.3, are no longer needed as part of the Secondary System of State Highways as the new road serves the same citizens as the old road and is hereby requested to be abandoned by the Virginia Department of Transportation pursuant to §33.2-912, *Code of Virginia*, 1950 amended.

BE IT FURTHER RESOLVED, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the new segments identified on the attached Form AM 4.3 as part of the Secondary System of State Highways, pursuant to §33.2-705, *Code of Virginia*, 1950 amended, and the regulatory requirements of VDOT.

BE IT FURTHER RESOLVED, a copy of this resolution be forwarded to the Virginia Department of Transportation.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.3. RIVERSIDE REGIONAL JAIL SUPPLEMENTAL APPROPRIATION

On motion of Mr. Holland, seconded by Ms. Haley, the Board appropriated \$228,128 of per diem jail reserves and transferred the funds to Riverside Regional Jail Authority.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

**13.B.4. APPROPRIATE \$8 MILLION FOR POWHITE PARKWAY
EXTENSION PROJECT PHASE II**

On motion of Mr. Holland, seconded by Ms. Haley, the Board appropriated \$8 million for the Powhite Parkway Extension Project Phase II.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

**13.B.5. AWARD OF CONSTRUCTION CONTRACT FOR PROCTORS CREEK
WASTEWATER TREATMENT PLANT DIGESTER #2 COATING
REMOVAL AND CONCRETE REPAIR**

On motion of Mr. Holland, seconded by Ms. Haley, the Board authorized the Director of Procurement to award the construction contract to Town Hall Painting Corporation in the amount of \$228,000 and executed all necessary change orders up to the full amount budgeted for the Proctors Creek Wastewater Treatment Plant digester #2 coating removal and concrete repair.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

**13.B.6. AWARD A CONSTRUCTION CONTRACT AND POTENTIAL CHANGE
ORDERS FOR THE CAMPUS ADMINISTRATIVE SPACE
RENOVATION PROJECT**

On motion of Mr. Holland, seconded by Ms. Haley, the Board authorized the Director of Procurement to award a construction contract in the amount of \$1,962,180 to SRC, Inc., the lowest, responsive and responsible bidder; and approved all necessary change orders, up to the amount budgeted for the project.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

**13.B.7. AWARD A CONSTRUCTION CONTRACT AND POTENTIAL CHANGE
ORDERS FOR THE MIDLOTHIAN LIBRARY REPLACEMENT**

On motion of Mr. Holland, seconded by Ms. Haley, the Board authorized the Director of Procurement to award a construction contract in the amount of \$13,762,000 to Loughridge Construction, the lowest responsive and responsible bidder; and approved all necessary change orders for the Midlothian Library replacement, up to the amount budgeted for the project.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

13.B.8. AWARD A CONTRACT TO THE CORPORATION FOR SUPPORTIVE HOUSING FOR \$105,512 TO DEVELOP THE COUNTY'S HOME-ARP ALLOCATION PLAN

On motion of Mr. Holland, seconded by Ms. Haley, the Board approved the award of contract to the Corporation of Supportive Housing for \$105,512 in HOME-ARP administration and planning funds to develop a HOME-ARP allocation plan for the county.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.9. ENDORSEMENT OF CANDIDATE SMART SCALE PROJECTS

On motion of Mr. Holland, seconded by Ms. Haley, the Board adopted the following resolution endorsing candidate Smart Scale projects and authorized staff to submit the specified projects for Smart Scale funding:

WHEREAS, it is necessary that the local governing body endorse Smart Scale candidate projects.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Chesterfield County requests the Commonwealth Transportation Board provide funding for the following Smart Scale candidate projects submitted in 2022:

I-95/Route 10 Interchange Improvement, Phase II

Route 360 (Woodlake Village Parkway - Otterdale Road) Widening

288/360: Route 360 at Brad McNeer Parkway Continuous Green-T Intersection
Busy Street Extension

288/360: Route 360/Harbour Pointe Parkway-Mockingbird Lane R-Cut

288/360: Route 360/Deer Run Drive R-Cut

Belmont Road/Cogbill Road Roundabout

288/360: Route 360/Duckridge Boulevard R-Cut

288/360: Route 360/Spring Run Road R-Cut

288/360: Route 360/Winterpock Road R-Cut

I-95/Willis Road Interchange Improvement

Route 1 (General Boulevard - Wonderview Drive) Transit Accessibility Improvement

Route 1 (Osborne Road - Moore's Lake Drive) Transit Accessibility Improvement

Route 1 (Route 10 - Brightpoint Community College) Transit Accessibility Improvement

Route 60 (Ruthers Road - Providence Road) Sidewalk

Route 360 at Turner Road Pedestrian Improvement

Route 150/Route 60 Interchange Improvement

Huguenot Road (Cranbeck Road - Robious Road) Congestion and Safety Improvement

Center Pointe Parkway/Brandermill Parkway Roundabout

Powwhite Parkway Extended, Phase I

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

13.B.10. ACCEPTANCE OF STATE ROADS

On motion of Mr. Holland, seconded by Ms. Haley, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on a plat recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Sections 33.2-705 and 33.2-334, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Project/Subdivision: The Townes at Notting Place Section 2
Type Change to the Secondary System miles of State Highways:
Addition

Reason for Change: New Subdivision Street

Pursuant to Code of Virginia Statute: §33.2-705, 33.2-334

Street Name and/or Route Number

- **Pocoshock Forest Drive, State Route Number 8125**
From: 0.02 miles northeast of Westhall Gardens Drive, (Route 8126)
To: Avondale Woods Drive, (Route 8355), a distance of 0.03 miles
Recordation Reference: Plat Book 266, Page 59
Right of Way width (feet) = 47
- **Pocoshock Forest Drive, State Route Number 8125**
From: Avondale Woods Drive, (Route 8355)
To: The end-of-maintenance, a distance of 0.02 miles
Recordation Reference: Plat Book 266, Page 59
Right of Way width (feet) = 47

- **Amber Branch Drive, State Route Number 8127**
From: 0.02 miles northeast of Westhall Gardens Drive, (Route 8126)
To: Avondale Woods Drive, (Route 8355), a distance of 0.04 miles
Recordation Reference: Plat Book 266, Page 59
Right of Way width (feet) = 47
- **Amber Branch Drive, State Route Number 8127**
From: Avondale Woods Drive, (Route 8355)
To: The end-of-maintenance, a distance of 0.01 miles
Recordation Reference: Plat Book 266, Page 59
Right of Way width (feet) = 47
- **Avondale Woods Drive, State Route Number 8355**
From: Pocoshock Forest Drive, (Route 8125)
To: Amber Branch Drive, (Route 8127), a distance of 0.13 miles
Recordation Reference: Plat Book 266, Page 59
Right of Way width (feet) = 47

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

**13.B.11. SET PUBLIC HEARING TO CONSIDER CODE AMENDMENT
RELATIVE TO LIMITED DURATION SIGNS**

On motion of Mr. Holland, seconded by Ms. Haley, the Board set the date of June 29, 2022, for a public hearing to consider code amendment relative to limited durations signs.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

**13.B.12. SET PUBLIC HEARING TO CONSIDER CODE AMENDMENT
RELATIVE TO CONDITIONAL USE PLANNED DEVELOPMENTS
AND COMMON AREA**

On motion of Mr. Holland, seconded by Ms. Haley, the Board set the date of June 29, 2022, for a public hearing to consider code amendment relative to conditional use planned developments and common area.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

**13.B.13. SET PUBLIC HEARING TO CONSIDER AMENDING COUNTY CODE
§ 5-12 BLIGHTED PROPERTY DECLARATIONS**

On motion of Mr. Holland, seconded by Ms. Haley, the Board set the date of June 29, 2022, for a public hearing to consider amending and reenacting Chapter 5 of the County Code to amend Section 5-12 Blighted Property Declarations to include two additional blighted properties.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

13.B.14. APPROVAL OF A RESOLUTION TO EXTEND PENALTY AND INTEREST DEADLINES ON PERSONAL PROPERTY BILLINGS

On motion of Mr. Holland, seconded by Ms. Haley, the Board adopted the following ordinance to extend penalty and interest deadlines on personal property billings:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING AND RE-ENACTING SECTION 9-51 RELATING TO THE IMPOSITION OF PENALTIES AND INTEREST FOR THE LATE PAYMENT OF PERSONAL PROPERTY TAX

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

- (1) That Section 9-51 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:

Sec. 9-51. - Payment.

- (a) The tangible personal property tax levied on personal property, including mobile homes, and the machinery and tool tax levied on machinery and tools is due and payable on June 5 of each calendar year; however, any prorated tax levied on motor vehicles shall be due and payable in accordance with sections 9-52 et seq. Any person failing to pay such taxes on or before the due date shall incur a penalty of ten percent which shall be added to the amount of taxes owed from such taxpayer. The treasurer shall account for the penalty collected in his settlement.
- (b) All returns of tangible personal property subject to taxation, including mobile homes, machinery and tools, shall be filed by every person liable for the tax with the office of the commissioner of the revenue on forms furnished by it, on or before March 1 of each calendar year; however, every person liable for any prorated tax shall file a return in accordance with section 9-53. Any person failing to file such return on or before the due date shall incur a penalty of ten percent which shall be added to the amount of taxes or levies due from such taxpayer. The treasurer shall account for the penalty collected in his settlement. There shall be no penalty for any person liable for a prorated tax who fails to file a return or when the property subject to taxation is a motor vehicle or a mobile home if the billing date is January 1, 2017 or later.
- (c) In addition to the penalties provided herein, any such taxes remaining unpaid on the first day of the month next following the month in which such taxes become due, shall be delinquent and shall accrue interest at ten percent per annum.
- (d) Upon a written request, the commissioner of the revenue may extend the time for filing tangible personal property returns. The taxpayer must submit a request for an extension of time on or before March 1, including the reason for the extension request. Upon receipt of such request, the commissioner of the revenue may grant or refuse the request, and shall notify the taxpayer of his decision. Any extension of the filing date shall be for a fixed number of days, but not more than 60 days.

- (e) Motor vehicle, boat or trailer owners are required to file a new personal property tax return on or before March 1 of any tax year for which there is (i) a change in the name or address of the person or persons owning the vehicle; (ii) a change in the situs of the vehicle; or (iii) any other change affecting the assessment of the personal property tax on the vehicle for which a tax return was previously filed. Unless and until such a new personal property tax return is filed, the most recent tax return filed prior to January 1, 1996 or any return filed thereafter shall be the basis for the assessment of a motor vehicle boat or trailer. Motor vehicle, boat or trailer owners are required to file a return as stated in sections 9-51(b) and 9-53 when acquiring one or more vehicles for which no personal property tax return has been filed with the county.
- (f) Notwithstanding the provisions provided above to the contrary, no payment due on June 5, 2020 2022 shall, if delinquent, accrue interest or a penalty until after August 31, 2020 July 31, 2022.
- (2) That this ordinance shall become effective immediately upon adoption

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

13.B.15. AUTHORIZATION TO AMEND THE COUNTY'S FISCAL SERVICES AGREEMENT WITH THE GREATER RICHMOND CONVENTION CENTER AUTHORITY

On motion of Mr. Holland, seconded by Ms. Haley, the Board authorized the County Administrator to amend the fiscal services agreement with the Greater Richmond Convention Center Authority..

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

14. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

Ms. Kim Chau addressed the Board relative to a proclamation request for World Falun Dafa Day.

Mr. Tom Watson addressed the Board relative to future plans for trash disposal in the county with the closing of Shoosmith Landfill reported to happen in 2024.

Ms. Melissa Siddiqi expressed concerns relative to VA Codes that she believes must be upheld.

Mr. Frank Erdt expressed concerns relative to dogs being allowed to roam freely in R. Garland Dodd Park at Point of Rocks without a leash.

15. DEFERRED ITEMS FROM PREVIOUS MEETINGS

There were no Deferred Items at this time.

**16. REQUESTS FOR MANUFACTURED HOME PERMITS AND REZONING
PLACED ON THE CONSENT AGENDA TO BE HEARD IN THE
FOLLOWING ORDER: - WITHDRAWALS/DEFERRALS - CASES
WHERE THE APPLICANT ACCEPTS THE RECOMMENDATION AND
THERE IS NO OPPOSITION - CASES WHERE THE APPLICANT DOES
NOT ACCEPT THE RECOMMENDATION AND/OR THERE IS PUBLIC
OPPOSITION WILL BE HEARD AT SECTION 18**

Ms. Sara Hall stated for each case on the consent agenda, staff has received written confirmation from the applicants that they agree with the conditions being imposed and all proffers are offered in compliance with state law.

21SN0665

In Dale Magisterial District, Mi Lee, Si Lee, and P.G & M.C., LLC (project commonly known as Rockwood Square) request rezoning from Agricultural (A), Community Business (C-3) and General Business (C-5) to Community Business (C-3) with a conditional use to permit multifamily dwellings, townhouse dwellings, and commercial-outdoor recreational establishment uses plus conditional use planned development to permit exceptions to development standards and amendment of zoning district map on 24.78 acres known as 10161 Hull Street Road. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Community Mixed Use. Tax IDs 748-684-6098; 748-685-2348, 8749, 9811; 749-685-1546, 3628, and 3858.

Ms. Hall introduced Case 21SN0665. She stated staff received no comments on the case, and the Planning Commission and staff recommended approval subject to the conditions in the staff report.

Mr. Winslow called for public comment.

There being no one to speak to the issue, the public hearing was closed.

On motion of Mr. Holland, seconded by Mr. Ingle, the Board approved Case 21SN0665 subject to the following proffered conditions:

The property owners and applicant in this rezoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County (the "Zoning Ordinance"), for themselves and their successors or assigns, proffer that the property under consideration (the "Property") will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the owners and applicant. In the event this request is denied or approved with conditions not agreed to by the owners and applicant, the proffer shall immediately be null and void and of no further force or effect.

These Proffered Conditions include three (3) Exhibits attached hereto:

Exhibit A: "Rockwood Square Conceptual Plan", prepared by Koontz Bryant Johnson Williams dated March 25, 2022 ("Conceptual Plan").

Exhibit B: Townhome Elevations dated March 25, 2022.

Exhibit C: Condominium Elevations dated March 25, 2022.

Terminology for Proffered Conditions:

The roads and alleys shown on the Conceptual Plan are designated, and labeled on the Conceptual Plan, as listed below. These road and alley designations are used in these proffered conditions and in the accompanying Textual Statement. All road types listed below will be private, unless the developer elects to provide the Primary East-West Road as a public road (i.e., state maintained) at time of plans review.

"Primary East-West Road": the private road that extends from Courthouse Road to the western property line. At time of plans review, the developer may elect to design and construct this road as a two lane facility to VDOT Urban Local Road standards (25 mph), with modifications approved by the Transportation Department, and dedicate to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the road to be accepted into the VDOT/state system.

"Secondary East-West Road": the internal private road segments having a general east to west alignment.

"Primary North-South Road": the private road segment extending in a north to south alignment from Hull Street Road to the central community park and the internal private road segment extending in a north to south alignment from the central community park to the southern portion of the property.

"Secondary North-South Road": the internal private road segments having a general north to south alignment.

"Perimeter Roads": the internal private road segments generally located on the perimeter of the project.

"Alleys": private pavement providing access to rear loaded buildings.

"Private Roads": the private roads in the project, but not alleys. This will include the Primary East-West Road if it is not accepted into the state system by VDOT. Each segment of a private road in the project is referred to as a "Private Road."

APPLICABLE TO ALL

1. Master Plan. The Textual Statement dated April 8, 2022, shall be considered the Master Plan. (P)
2. Conceptual Plan.
 - a. The Property shall be developed in general conformance with the Conceptual Plan. The Conceptual Plan is conceptual in nature and may vary based on the final site plan depending on the final soil studies, RPA lines, road and alley design, lot locations, lot line locations, amenity locations,

building footprints, BMP design and location, and other design or engineering reasons. Any substantive changes that do not relate to the prior sentence shall be approved by the Planning Commission at the time of plans review.

- b. Multiple-family dwelling (for rent) use is only permitted in Area B (as defined in the accompanying Textual Statement). If Area B is used for multiple-family dwelling (for-rent) use, then (i) the multiple-family dwelling buildings shall be arranged within the blocks created by the Primary East-West Road and the Private Roads (but not the Alleys) shown on the Conceptual Plan; and (ii) in conjunction with plans review, an updated Conceptual Plan with four-sided building elevations, in conformance with this paragraph and the proffers applicable to the multiple-family dwelling use herein, shall be submitted to the Planning Commission for approval. The architectural style shown on the submitted four-sided building elevations shall be the same as the architectural style shown on Exhibit C. (P)

3. Density.

- a. If the Property is developed for townhome dwelling uses and the multiple-family dwelling (condominium) uses only, the aggregate density shall be limited to a maximum of three hundred and twenty two (322) dwelling units. There shall be a minimum of 75 townhome dwelling units. There shall be a minimum of 200 multiple-family dwelling (condominium) units.
- b. If Area B is developed for the multiple-family dwelling (for-rent) uses and Area A is developed for townhome dwelling uses and/or the multiple-family dwelling (condominium) uses, the aggregate density shall be limited to a maximum of five hundred and ninety (590) dwelling units. There shall be a minimum of 40 townhome dwelling units. There shall be a minimum of 300 multiple-family dwelling (for-rent) units in Area B only. There shall be a minimum of 72 multiple-family dwelling (condominium) units. (P)

4. High Visibility Side Elevations. The Conceptual Plan identifies certain townhome and condominium building side elevations that are required to have a high visibility side elevation. A high visibility side elevation shall employ design features to embellish the side facade. The design features employed shall include: (i) masonry, brick or stone on a minimum of fifty percent (50%) of the exterior portion of the side elevation building wall surface, excluding windows, doors, breezeways, gables and other architectural design features, and (ii) at least one of the following design elements: gables, dormers, shutters, other architectural features or the use of enhanced landscaping to reinforce the streetscape and minimize the view of the side of the units with shade trees, fences, garden walls, hedges, shrubs, or other acceptable landscape feature to help define the side yard and street edge. (P)

5. Utilities. Public water and wastewater shall be used.
(U)
6. Sidewalks. No sidewalks shall be required for any Private Road segment located between off-site outparcels fronting on Hull Street Road. Sidewalks shall be provided as indicated in subparagraphs a. and b. below. Sidewalks will be maintained by the homeowners' or condominium association, as applicable, when located outside public rights-of-way.
- a. On both sides of the following road types or road segments: Primary East-West Road, Secondary East-West Road, Primary North-South Road, Secondary North-South Road, segments of the Perimeter Road with dwelling units on both sides of the Perimeter Road.
- b. On one side of the following road types or road segments: Segment of the Perimeter Road with dwelling units only on one side of the Perimeter Road. (P)
7. Street Lighting. No street lights shall be required for any Private Road segment located between off-site outparcels fronting on Hull Street Road. Street lights shall be provided at a minimum as indicated in subparagraphs a. and b. below. The location of the street lights shall be established by a lighting plan to be submitted and approved at the time of plans review. The street light locations may be adjusted in the event of conflict with street trees, utilities, sightlines, and driveway areas. Street light poles shall not exceed twenty (20) feet in height.
- a. On both sides of the following road types or road segments: Primary East-West Road, Secondary East-West Road, Primary North-South Road, Secondary North-South Road, segments of the Perimeter road with dwelling units on both sides of the Perimeter Road.
- b. On one side of the following road types or road segments: Segments of the Perimeter Road with dwelling units on one side of the Perimeter Road. (P)
8. Street Trees. No street trees will be required for any Private Road segment located between off-site outparcels fronting on Hull Street Road. Street trees shall be provided at a minimum as indicated in subparagraphs a. and b. below, unless otherwise approved at the time of plans review. These street trees shall be small deciduous trees. In the event of conflicts with utilities, easements, sightlines, entrances and other conflicts, the required spacing shall be increased. Street trees may be located between the Primary East-West Road or a Private Road and the sidewalk or in a yard. Street trees will be maintained by the homeowners' or condominium association, as applicable, when located outside public rights-of-way.
- a. With a maximum average spacing of forty (40) feet on center on both sides of the Primary East-West Road and all Private Roads, except as noted in b. below.

- b. With a maximum average spacing of forty (40) feet on one side of the following road types: any Perimeter Road segment adjacent to off-site outparcels fronting on Hull Street Road and any Perimeter Road segment with perpendicular parking.
- c. The landscaping shown on the north side of the Perimeter Road adjacent to the outparcels fronting on Hull Street Road is illustrative only. At the time of plans review, the applicant will evaluate whether small deciduous trees and/or a row of evergreen bushes, as shown on the Conceptual Plan, may be planted between the north side of the Perimeter Road and the property line shared with the outparcels fronting on Hull Street Road. If the applicant determines this is possible, the applicant will identify the type of plantings and locations on the applicant's landscape plan. (P)

9. Amenities.

- a. A recreational neighborhood facility accessory to residential uses may be located on the Property. The amenities may include initially the following recreational amenities: a clubhouse with a minimum of 2,000 gsf of air conditioned space and a minimum of 3,000 gsf of outdoor hardscaped space providing grilling stations and gathering areas (the "Clubhouse"); a tot lot; a multipurpose, hard surface court approximately the size of two tennis courts ("Multipurpose Court"); a central community park; a gathering area; sitting area; and a shared use trail and other pedestrian connections as generally shown on the Conceptual Plan. Alternative amenities may be submitted at the time of plans review for review and approval by the Planning Director. The architectural style of the Clubhouse's building shall compliment the architectural style of the condominium buildings and the townhome buildings with rear-loaded garages.
- b. One seating or gathering area shall be provided prior to the first certificate of occupancy. The central community park and the Clubhouse, with tot lot and Multipurpose Court, shall be provided prior to the issuance of the 100th certificate of occupancy and the remaining common area amenities illustrated on the Conceptual Plan shall be provided prior to the 300th certificate of occupancy. (P)

10. Pedestrian Paths in Common Area. In all Common Areas, pedestrian paths may be natural or hard surface or a combination. In Resource Protection Areas, pedestrian paths may be located in a meandering manner through the Resource Protection Areas in accordance with the Department of Environmental Quality's Riparian Buffers Modification and Mitigation Guidance Manual, with the final location, design and material to be approved by the Director of Environmental Engineering at the time of plans review and approval. A shared use path may be located within sewer easements located in resource protection areas. The exact location, width, design and material(s) to be used for this path shall be shown on the site plan or subdivision plat submitted and is subject to review

and approval by the Directors of Environmental Engineering and Utilities, or their designee. Prior to construction of the shared use path, the owner shall enter into all applicable agreements necessary to allow the encroachments within any areas of interest to, or regulatory authority of, Chesterfield County. Within sixty (60) days after receipt of written request from the Chesterfield County Parks and Recreation Department, the owner of the Property shall grant a public access easement over the shared use path in the resources protection area for maintenance of the shared use path by Chesterfield County. (EE & P&R)

11. Stormwater. The maximum post-development discharge rate for the 100-year storm shall be based on the maximum capacity of the existing facilities downstream, and shall not increase the recorded and /or established 100-year backwater and /or floodplain. On-Site detention of the post-development 100-year discharge rate to below the pre-development 100-year discharge rate may be provided to satisfy this requirement. (EE)
12. Utilities. The owner of the Property shall perform a hydraulic analysis of the County's adjacent wastewater system to verify adequate capacity exists prior to site plan approval. Any capacity related improvements required to support the demands of this project shall be reflected on the site plan and will be the responsibility of the owner of the Property. (U)
13. Access. Direct vehicular access to/from Courthouse Road shall be limited to the one (1) existing entrance/exit. If the developer elects not to provide the Primary East-West Road as a public road (i.e., state maintained within dedicated right-of-way), an access easement, acceptable to the Transportation Department, shall be recorded from the Courthouse Road/Primary East-West Road intersection to the western Property line to ensure shared use of the access and road. (T)
14. Construction Easements. In the event that the adjacent properties to the west and north (each an "Adjacent Perimeter Road Property") redevelop, the owner of the Property shall permit each owner of an Adjacent Perimeter Road Property to construct a 5' wide sidewalk, street lighting and replant or plant street trees along the portion of the Perimeter Road that is adjacent to the applicable Adjacent Perimeter Road Property. Prior to the construction of these improvements, the owner of the Property and the applicable owner of the Adjacent Perimeter Road Property shall enter into a mutually agreeable easement and maintenance agreement for these improvements. (P)
15. Road Improvements. Prior to issuance of any certificate of occupancy, the following road improvements shall be completed by the owner of the Property or by others. Any modification to the alignment, provision, design and length shown on the Conceptual Layout and/or specified below shall be approved by the Chesterfield County Transportation Department. If any of the road improvements identified below are provided by others, as

determined by the Transportation Department, then the specific road improvement shall no longer be required.

- a. Construction of a VDOT standard 5' wide sidewalk along the west side of Courthouse Road for the entire Property frontage, as generally shown on the Conceptual Layout.
- b. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvement identified above. Only if these improvements require "off-site" right of way and in the event the Developer is unable to acquire an "off-site" right-of-way or easement that is necessary for the improvements described above, the Developer may request, in writing, that the County acquire such right-of-way as a public road improvement. All costs associated with the acquisition of the right-of-way shall be borne by the Developer. In the event the County chooses not to assist the Developer in acquisition of one or more "off-site" right-of-way or easement, the Developer shall be relieved of the obligation to acquire the "off-site" right-of-way or easement and shall provide the road improvement within available right-of-way as determined by the Transportation Department. (T)

APPLICABLE TO TOWNHOMES

16. Architecture. Development of townhome dwellings shall be in general conformance with the elevations in Exhibit B or another architectural appearance approved by the Planning Commission at the time of plans review. Subsequent to plans approval, the owner may also request approval of another architectural appearance by the Planning Commission. Buildings with the same elevation sequence and orientation shall not be located adjacent to or directly across from each other on the same Private Road. This requirement does not apply to dwellings on different Private Roads backing up to each other. Notwithstanding what is shown on the elevation for the front-loaded townhomes, the color palette used for buildings containing front loaded garages shall be the same color palette used for buildings containing rear loaded garages. (P)
17. Exterior Facades and Roofs.
 - a. Roof materials shall be 30 year (minimum) architectural/dimensional asphalt composition shingle or standing seam metal. Material used on flat roofs shall have a minimum 30 year warranty.
 - b. The front façade of a building facing the Primary East-West Road and the front façade of a building facing a Private Road shall have a minimum of thirty five (35) percent brick or stone masonry, in the aggregate. The height of the brick and stone shall be permitted to vary to allow for a mixture of design features. Measurement of the requirement for masonry façade treatment shall be exclusive of windows, gable

vents, dormers, doors, front door alcoves, trim, soffit, fascia, balconies and porches.

- c. Acceptable siding materials include brick, stone, masonry, fiber cement siding (such as HardiPlank, HardieShingle, and HardieTrim), engineered wood siding (such as LP SmartSide), or high-grade vinyl (a minimum of .044" nominal thickness as evidenced by manufacturer's printed literature). Dutch lap, plywood, and metal siding are not permitted. Other materials may be used for parapets, cornices, surrounds, trim, architectural decorations, and design elements.
 - d. A minimum of two (2) facing materials shall be used on any façade of all buildings. (P)
18. Driveways and Front Walks. All private driveways and front walks shall be "hardscaped" (brushed concrete, stamped concrete, asphalt or pavers). Front walks shall be a minimum of 3 feet in width. (P)
19. Foundation Treatment. All exposed portions of the foundation, with the exception of the rear elevation on a rear loaded unit, shall be faced with brick, brick veneer, stone, stone veneer or cast stone measured to a minimum of twelve (12") inches above grade. Any exposed piers supporting front porches shall be wrapped with brick, brick veneer, stone, stone veneer or cast stone. (P)
20. Foundation Plantings. Foundation planting beds shall be required along the entire façade of buildings which face the Primary East-West Road and Private Roads, excluding stoops, walkways, and garages, and shall contain a minimum of fifty (50) percent evergreen material and have one shrub per four linear feet of building frontage within a minimum planting bed depth of four feet (4'), unless modified at the time of plans review. (P)
21. Heating, Ventilation and Air Conditioning (HVAC) Units and Generators. HVAC units and generators installed as fixtures shall be screened initially from view of Private Roads by landscaping or low maintenance material, as approved by the Planning Department. If an HVAC unit and/or generator is located between two driveways, the HVAC unit and/or generator need only be screened on the side that faces the Alley or Private Road that provide access to the driveways. (P)
22. Direct Vent Fireplace. Direct vent gas fireplace boxes, which protrude beyond the exterior face of the unit, are not permitted on front façades. All the exterior materials and finishes used to enclose the fireplace box must match the adjacent façade. (P)
23. Garage Door. Any front-loaded garage door shall use an upgraded garage door. An upgraded garage door is any door with a minimum of two (2) enhanced features. Enhanced features shall include windows, raised panels, decorative panels, arches, hinge straps or other architectural features on the exterior that enhance the entry (i.e. decorative lintels, shed roof overhangs arches, columns,

keystones, eyebrows, etc.) Flat panel garage doors shall be prohibited. (P)

24. Western Property Line. The area between the western property line and an immediately adjacent side yard shall be planted with the plant types and plant spacing required for perimeter landscape A, unless a different landscaping is specifically requested and approved at the time of plans review. The area between the western property line and an immediately adjacent side yard shall be a minimum of 5' in width, unless a narrower width is approved at the time of plans review. (P)

APPLICABLE TO CONDOMINIUM HOMES

25. Architecture. Development of condominium dwellings shall be in general conformance with the elevations in Exhibit C or another architectural appearance approved by the Planning Commission at the time of plans review. Subsequent to plans approval, the owner may also request approval of another architectural appearance by the Planning Commission. Buildings with the same elevation sequence and orientation shall not be located adjacent to or directly across from each other on the same Private Road. This requirement does not apply to dwellings on different Private Roads backing up to each other. (P)

26. Exterior Facades.

- a. Roof materials shall be 30 year (minimum) architectural/dimensional asphalt composition shingle or standing seam metal. Material used on flat roofs shall have a minimum 30 year warranty.
- b. The front facade of a building facing the Primary East-West Road and the front face of a building facing a Private Road shall have a minimum of twenty five (25) percent brick or stone masonry, in the aggregate, but in no event shall a non-Private Road facing façade have less than ten (10) percent brick or stone masonry. The height of the brick and stone shall be permitted to vary to allow for a mixture of design features. Measurement of the requirement for masonry façade treatment shall be exclusive of windows, gable vents, dormers, doors, front door alcoves, trim, soffit, fascia, balconies and porches.
- c. Acceptable siding materials include brick, stone, masonry, fiber cement siding (such as HardiPlank, HardieShingle, and HardieTrim), engineered wood siding (such as LP SmartSide), or high-grade vinyl (a minimum of .044" nominal thickness as evidenced by manufacturer's printed literature). Dutch lap, plywood, and metal siding are not permitted. Other materials may be used for parapets, cornices, surrounds, trim, architectural decorations, and design elements.
- d. A minimum of two (2) facing materials shall be used on any façade of all buildings. (P)

27. Driveways and Front Walks. All private driveways and front walks shall be "hardscaped" (brushed concrete, stamped concrete, asphalt or pavers). Front walks shall be a minimum of 3 feet in width. (P)
28. Foundation Treatment. All exposed portions of the foundation, with the exception of the rear elevation on a rear loaded unit, shall be faced with brick, brick veneer, stone, stone veneer or cast stone measured to a minimum of twelve (12") inches above grade. Any exposed piers supporting front porches shall be wrapped with brick, brick veneer, stone, stone veneer or cast stone. (P)
29. Foundation Plantings. Foundation planting beds shall be required along the entire façade of buildings which face the Primary East-West Road and Private Roads, excluding stoops, walkways, and garages, and shall contain a minimum of fifty (50) percent evergreen material and have one shrub per three linear feet of foundation planting bed within a minimum planting bed depth of four feet (4'), unless modified at the time of plans review. (P)
30. Heating, Ventilation and Air Conditioning (HVAC) Units and Generators. HVAC units and generators installed as fixtures shall be screened initially from view of Private Roads by landscaping or low maintenance material, as approved by the Planning Department. If an HVAC unit and/or generator is located between two driveways, the HVAC unit and/or generator need only be screened on the side that faces the Alley or Private Road that provide access to the driveways. (P)
31. Direct Vent Fireplace. Direct vent gas fireplace boxes, which protrude beyond the exterior face of the unit, are not permitted on front façades. All the exterior materials and finishes used to enclose the fireplace box must match the adjacent façade. (P)

APPLICABLE TO MULTI-FAMILY (FOR-RENT)

32. Exterior Facades.
- a. Roof materials for pitched roofs shall be 30 year (minimum) architectural/dimensional asphalt composition shingle or standing seam metal. Material used on flat roofs shall have a minimum 30 year warranty.
 - b. The facade of the building shall have a minimum of fifty (50) percent brick or stone masonry in the aggregate. The height of the brick and stone shall be permitted to vary to allow for a mixture of design features. Measurement of the requirement for masonry façade treatment shall be exclusive of windows, gable vents, dormers, doors, trim, soffit, fascia, balconies and porches.
 - c. Acceptable siding materials include brick, stone, masonry, fiber cement siding (such as HardiPlank, HardieShingle, and HardieTrim) and engineered wood siding (such as LP SmartSide). Plywood, vinyl and metal siding are not permitted. Other materials may be used for parapets, cornices, surrounds, trim, architectural decorations, and design elements.

- d. A minimum of two (2) facing materials shall be used on any façade of all buildings. (P)
33. Supplemental Landscaping. Supplemental landscaping shall be provided around the perimeter of all buildings, between buildings and the Primary East-West Road or Private Roads, as applicable, within medians, and within common areas not occupied by recreational facilities or other structures. Such landscaping shall be designed to: minimize the predominance of building mass and paved areas; define private spaces; and enhance the residential character of the development. The Planning Department, at the time of site plan review, shall approve the landscaping plan with respect to the exact numbers, spacing, arrangement and species of plantings. (P)
34. Heating, Ventilation and Air Conditioning (HVAC) Units and Generators. HVAC Units and generators installed as fixtures shall initially be screened by landscaping or low maintenance material chosen by the applicant, as approved by the Planning Department. (P)
35. Bedrooms. There shall be no multiple-family dwelling (for rent) units with three or more bedrooms in the unit. (BI & P)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

21SN0673

In Bermuda Magisterial District, Chesterfield County Department of Utilities requests conditional use planned development to permit an exception to development standards and conditional use to permit a communications tower facility in a Heavy Industrial (I-3) District and amendment of zoning district map on 2.01 acres fronting approximately 300 feet along the north line of Bermuda Hundred Road, approximately 1,200 feet east of Meadowville Tech Parkway. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Industrial use. Tax ID 826-651-2419.

Ms. Hall introduced Case 21SN0673. She stated staff received no comments on the case, and the Planning Commission and staff recommended approval subject to the conditions in the staff report.

Mr. Winslow called for public comment.

There being no one to speak to the issue, the public hearing was closed.

On motion of Mr. Ingle, seconded by Mr. Carroll, the Board approved Case 21SN0673 subject to the following conditions:

1. Conceptual Plan. The site shall be developed in conformance with the conceptual site plan, titled "Preliminary Site Plan and Stake Out," and attached hereto as Exhibit A. (P)

2. Conceptual Elevations. The proposed water tank shall be developed in conformance with the conceptual elevations, titled "Tank Elevation," and attached hereto as Exhibit B. (P)
3. Screening. The eight (8) foot fence and vehicle barrier gate along the front of the site, and noted on Exhibit A, shall be opaque where not screened with existing landscaping and is visible from Bermuda Hundred Road. (P)
4. Drainage. For any portions of the property that will drain to the Johnson Creek Watershed, the post development 2, 10, and 100-year peak discharge rates shall not exceed the pre-development 2, 10, and 100-year peak discharge rates, respectively. (EE)
5. Communication Tower & Equipment. The communications tower use shall only be permitted if it is incorporated into the structure of the water storage tank. Equipment and cables shall be mounted so as to minimize their visual impact, and antennas shall be mounted on the top of the tank. (P)
6. Water Tank Design & Height. The water storage tank shall be white, grey, or other neutral color, acceptable to the Planning Department. The communications equipment (antennas, mounting hardware, cables, etc.) mounted on the outside of the water tank structure shall be the same or similar color as the tank. Except for security lighting over the access doors at the base of the tank, the tank and communications equipment shall not be lighted. The water tank and associated structures (including communication tower and equipment) shall not exceed 180 feet. (P)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

21SN0684

In Matoaca Magisterial District, Brock McAllister requests rezoning from Residential (R-7) and Residential (R-9) to Agricultural (A) plus conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map on 81.32 acres fronting in two (2) places at the termini of Hickory Branch Drive and Oldtown Creek Drive. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2 to 4 dwellings per acre). Tax IDs 790-616-4582, 9556 and 790-618-9437.

Ms. Hall introduced Case 21SN0684. She stated staff received no comments on the case, and the Planning Commission and staff recommended approval subject to the conditions in the staff report.

Mr. Winslow called for public comment.

There being no one to speak to the issue, the public hearing was closed.

On motion of Mr. Carroll, seconded by Mr. Holland, the Board approved Case 21SN0684 subject to the following conditions:

1. Dwellings & Minimum Road Frontage Requirements. A maximum of one (1) dwelling may be located on the Property. Road frontage and access to the Property shall be achieved from the terminus of Hickory Branch Drive. (P)
2. License Agreement. Prior to the approval of a building permit, the property owner shall provide a copy of the approved license agreement with the County to use the dedicated and unimproved County right-of-way from Point A to Point B, as shown on Exhibit A attached to the staff report. The license agreement shall include a condition that shall require the landowner of the subject property to be responsible for maintenance of the access in accordance with Condition 3 of the Staff Report. (P)
3. Access Improvements. A fifteen (15) foot wide roadway shall be constructed and maintained to all weather standards from Point A to Point B, extended to the proposed house once the location has been determined, in accordance with the following standards:
 - a. This roadway shall consist of not less than the following: compacted soil sub-base with six (6) inches of compacted 21-B crushed stone or equivalent approved by Planning and Fire Departments, if an asphalt based surface is to be applied, it shall be designed and constructed to Chesterfield County subdivision street requirements or an equivalent design approved by the Subdivision Team, capable of supporting the projected 75,000 pound vehicle weight and shall be maintained to this standard. The roadway shall not be approved if it is rutted or potholed.
 - b. There shall be an additional three (3) foot clear area beyond the edge of the roadway.
 - c. There shall be a minimum vertical clearance of fourteen (14) feet of area above the roadway.
 - d. The roadway shall have a maximum grade of ten (10) percent with an appropriate transition at the street connection.
 - e. The minimum inside turning radius for any curve shall be twenty-seven (27) feet.
 - f. Any cross drains shall be designed per County standards and approved by the Department of Environmental Engineering. (P)
4. Roadway Inspection. Prior to issuing a Certificate of Occupancy, the Planning Department shall inspect this roadway to determine compliance as set forth above. (P)
5. House Numbers. The house number shall be installed on the mailbox or a pole and located at the driveway entrance of the State maintained road as well as at the driveway entrance to the property. The house numbers shall be displayed in at least four (4) inch high numbers. (P)
6. Future Subdivisions. The Property shall not be further subdivided, including any family subdivisions, unless public road frontage is provided. (P)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

21SN0702

In Matoaca Magisterial District, Joy and Timothy Alexander request conditional use to permit a business (tourist home) incidental to a dwelling and amendment of zoning district map in an Agricultural (A) District on 2.49 acres known as 12608 Beach Road. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Residential Agricultural use. Tax ID 738-652-1836.

Ms. Hall introduced Case 21SN0702. She stated staff received no comments on the case, and the Planning Commission and staff recommended approval subject to the conditions in the staff report.

Mr. Winslow called for public comment.

There being no one to speak to the issue, the public hearing was closed.

On motion of Mr. Carroll, seconded by Mr. Ingle, the Board approved Case 21SN0702 subject to the following conditions:

1. Non-Transferable Ownership. This conditional use shall be granted to Joy and/or Timothy Alexander, exclusively, and shall not be transferable nor run with the land. (P)
2. Use. This conditional use shall be limited to the operation of a business (tourist home) within the primary residence of the operators, Joy and Timothy Alexander. The operators shall be on-site during times when the dwelling is occupied by lodgers to supervise guests and manage operations. (P)
3. Time Limitation. The conditional use shall be granted for a period of two (2) years from the date of approval. (P)
4. Compliance with Laws. The tourist home business shall be operated in compliance with all applicable federal, state and local laws. (P)
5. Operation & Occupancy. The operation of use and occupancy shall be as follows:
 - a. Safety Requirements: A working smoke detector shall be provided and maintained in each bedroom. A fire extinguisher shall be present and be accessible at all times.
 - b. Occupancy: Occupancy shall be limited to a maximum of four (4) lodgers at any one (1) time.
 - c. Double Booking. The operators shall not agree to more than one booking transaction during the same period or any portion thereof that results in reservation for two or more separately-booked tourist home renters present at the property at the same time.
 - d. Advertising. The zoning case number (21SN0702) shall be posted on all advertisements for the tourist home.
 - e. Sleeping Quarters. Sleeping quarters for the use shall be limited to a single bedroom, as shown on Exhibit A.
 - f. Special Events. This business shall not permit operation of a special events business for lodgers or others. (P)

6. Expansion of Use. There shall be no exterior additions or alterations to the existing dwelling to accommodate this use. (P)
7. Signage. There shall be no signs permitted to identify the tourist home business. (P)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

22SN0002

In Dale Magisterial District, Main Street Homes (Gates Bluff West) requests amendment of zoning approval (Case 07SN0298) relative to road cash proffers and transportation improvements and amendment of zoning district map in the Residential (R-15) District on 50.34 acres fronting approximately 475 feet along the north line of Beach Road, approximately 220 feet west of Kimlynn Trail. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Residential Agricultural use. Tax IDs 764-662-Part of 3891 and 764-662-7481.

Ms. Hall introduced Case 22SN0002. She stated staff received no comments on the case, and the Planning Commission and staff recommended approval subject to the conditions in the staff report.

Mr. Winslow called for public comment.

There being no one to speak to the issue, the public hearing was closed.

On motion of Mr. Holland, seconded by Ms. Haley, the Board approved Case 22SN0002 subject to the following proffered conditions:

With the approval of this request, Proffered Condition 1 of Case 07SN0298 shall be deleted, and Proffered Condition 6 of Case 07SN0298 shall be amended as outlined below. All other conditions of Case 07SN0298 shall remain in force and effect.

1. Transportation.
 - a. Prior to any site plan approval, in conjunction with recordation of the initial subdivision plat, or within sixty (60) days from a written request by the Transportation Department, whichever occurs first, forty-five (45) feet of right-of-way along the northern side of Beach Road, measured from the centerline of that part of Beach Road immediately adjacent to the Property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County.
 - b. The developer shall provide the following road improvements with initial development of the Property:

- i. Construction of additional pavement along Beach Road at the approved public road intersection to provide a right turn lane;
 - ii. Widening/improving the north side of Beach Road to a twelve (12) foot wide travel lane, measured from the centerline of the road, with an additional four (4) foot wide paved shoulder plus a four (4) foot wide unpaved shoulder and overlaying the full width of the road with one and one half (1.5) inches of compacted bituminous asphalt concrete, with modifications approved by the Transportation Department, for the entire Property frontage; and
 - iii. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified above. In the event the developer is unable to acquire the "off-site" right-of-way that is necessary for the road improvements described in this Proffered Condition, the developer may request, in writing, that the County acquire such right-of-way as a public road improvement. All costs associated with the acquisition of the right-of-way shall be borne by the developer. In the event the County chooses not to assist the developer in acquisition of the off-site right-of-way, the developer shall be relieved of the obligation to acquire the off-site right-of-way and shall provide the road improvements within available right-of-way as determined by the Transportation Department.
- c. Direct vehicular access from the Property to Beach Road shall be limited to one (1) public road located at the western property line. (T)

The applicant hereby offers the following proffered conditions:

- 2. Utilities. Public water systems shall be used. (U)
- 3. Conceptual Plan. The site shall be developed in general conformance with the "Conceptual Plan", last revised January 5, 2022. Development of the Property shall generally conform to the Conceptual Plan, with respect to the general layout of roads, lots, and open space. The layout on the Conceptual Plan is conceptual in nature and may vary based on final soil studies, RPA lines, lot and road design, building footprints and other engineering reasons. If adjustments are deemed to be significant, the Conceptual Plan shall be presented to the Planning Commission for final approval. (P)
- 4. Subdivision Design Elements:
 - a. **Driveways:** All portions of driveways and parking areas shall be brushed concrete, stamped concrete, exposed aggregate concrete, asphalt or decorative pavers.

- b. **Front Walks:** A minimum of a 3-foot-wide concrete front walk shall be provided to the front entrance of each dwelling unit, to connect to drives, sidewalks or street.
- c. **Front Foundation Planting Beds:** Foundation planting is required along the entire front façade of all units and shall extend along all sides facing a street. Foundation Planting Beds shall be a minimum of four (4) feet wide from the unit foundation. Planting beds shall include medium shrubs, spaced a maximum of four (4) feet apart. The plant materials used should visually soften the unit corners and complement the architecture of the home at their mature sizes. Planting bed deviations may be approved by the Planning Department at time of plans review due to unique design circumstances. (P)

5. Residential Architecture and Materials:

- a. **Style and Form.** Unless significant deviations are approved by the Planning Commission during subdivision plan review, the architectural treatment of the single-family dwellings shall be generally compatible and consistent in quality with the single-family dwellings shown in Exhibit B.
- b. **Materials.** Acceptable siding materials include brick, stone, masonry, fiber cement siding (such as HardiPlank, HardieShingle, and HardieTrim), or engineered wood siding (such as LP SmartSide), premium quality vinyl siding with a minimum thickness of .044 inches or other comparable material as approved by the Planning Director at time of plans review. Dutch lap and plywood siding are not permitted. Other materials may be used for trim, architectural decorations, or design elements provided they blend with the architecture of the dwelling. Where a dwelling borders more than one street, all street-facing facades shall be finished in the same materials.
- c. **Foundation Treatment.** All exposed portions of the foundation, except for exposed piers supporting front porches, shall be faced with brick or stone veneer a minimum of eighteen inches (18") above grade.
- d. **Repetition.** Single family detached dwelling units with the same elevations, not including the same style (Craftsman, Farmhouse, etc.), and color palette may not be adjacent to each other on the same street.
- e. **Step-down Siding.** For dwelling units stepping the siding down below the first floor shall be permitted on the side and rear elevations that do not front on a street, with a maximum of two (2) steps permitted on any elevation. A minimum of 24 inches of exposed brick or stone shall be required, unless a lesser amount is approved by the Planning Department at time of plans review due to unique design circumstances.

- f. **Roof Materials.** Roofing materials shall be standing seam metal or dimensional architectural shingles or better with a minimum 30-year warranty.
- g. **Porches and Stoops.**
 - i. **Front Porches:** Where elevated more than sixteen (16) inches, front entry stoops and front porches shall be constructed with continuous masonry foundation wall or on 12"x12" masonry piers. Extended front porches shall be a minimum of five (5) feet deep. Space between piers under porches shall be enclosed with framed lattice panels. Where provided or required by code on elevated porches, handrails and railings shall be finished painted wood, vinyl or metal railing with vertical pickets or sawn balusters. Pickets shall be supported on top and bottom rails that span between columns.
 - ii. **Front Porch Flooring:** Porch flooring may be concrete, exposed aggregate concrete, or a finished paving material such as stone, tile or brick, finished (stained or painted) wood, or properly trimmed composite decking boards. All front steps shall be masonry to match the foundation.
- h. **Garages.** Front loaded garages shall use an upgraded garage door. An upgraded garage door is any door with a minimum of three (3) enhanced features. Enhanced features shall include windows, raised panels, decorative panels, arches, hinge straps or other architectural features on the exterior that enhance the entry (i.e., decorative lintels, shed roof overhangs, arches, columns, keystones, eyebrows, etc.). Flat panel garage doors are prohibited.
- i. **Heating, Ventilation and Air Conditioning (HVAC) Units and House Generators.** Units adjacent to public right of way shall be screened from view by landscaping or low maintenance material, as approved by the Planning Department. (P)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

22SN0016

In Clover Hill Magisterial District, Peggy Westcott requests conditional use to permit a two-family dwelling and amendment of zoning district map in a Residential (R-12) District on 0.6 acre known as 10331 Sandy Ridge Drive. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2 to 4 dwellings per acre). Tax ID 744-676-0047.

Ms. Hall introduced Case 22SN0016. She stated staff received no comments on the case, and the Planning Commission and staff recommended approval subject to the conditions in the staff report.

Mr. Winslow called for public comment.

There being no one to speak to the issue, the public hearing was closed.

On motion of Mr. Winslow, seconded by Ms. Haley, the Board approved Case 22SN0016 subject to the following conditions:

1. Occupancy Limitations: Occupancy of the second dwelling unit shall be limited to: the occupants of the principal dwelling unit, individuals related to them by blood, marriage, adoption or guardianship, foster children, guests, and any domestic servants. (P)
2. Deed Restriction: For the purpose of providing record notice, within thirty (30) days of approval of this request, a deed restriction shall be recorded setting forth the limitation in Condition 1. The deed book and page number of such restriction and a copy of the restriction as recorded shall be submitted to the Planning Department. (P)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

22SN0028

In Matoaca Magisterial District, Clover Hill Assembly of God requests amendment of zoning approval (Case 21SN0619) relative to development standards for a modular classroom and amendment of zoning district map in an Agricultural (A) District on 12.96 acres known as 12310 Bailey Bridge Road. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2 to 4 dwellings per acre). Tax ID 738-674-1979.

Ms. Hall introduced Case 22SN0028. She stated staff received no comments on the case, and the Planning Commission and staff recommended approval subject to the conditions in the staff report.

Mr. Winslow called for public comment.

There being no one to speak to the issue, the public hearing was closed.

On motion of Mr. Carroll, seconded by Ms. Haley, the Board approved Case @ subject to the following proffered conditions:

1. The Textual Statement, dated March 1, 2022, shall be considered the Master Plan. (P)

(Staff Note: All other conditions of case 06SN0209 and 21SN0619 shall remain in effect with approval of this case.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

20SN0510

Mr. Ryan Ramsey introduced Case 20SN0510. He stated a single-family subdivision containing a maximum of three dwelling units is proposed. He noted total residential density for the project would yield a maximum of 1.14 dwelling units per acre. He stated the proposed single-family development is consistent with the Comprehensive Plan's Land Use Plan Designation for Suburban Residential II uses. He stated while the proposed density falls below the Plan's recommended minimum density, the property contains environmental features and an existing utility easement that precludes additional density. He noted staff received two letters in opposition of the proposal.

Mr. Michael Harris, the applicant, accepted the proffered conditions.

Mr. Winslow called for public comment.

Ms. Renee Eldred voiced her support of the proposed rezoning.

There being no one else to speak to the issue, the public hearing was closed.

On motion of Mr. Ingle, seconded by Mr. Carroll, the Board approved Case @ subject to the following proffered conditions:

1. Density. The number of dwelling units shall not exceed three (3). (P)
2. Dedication. In conjunction with recordation of the initial subdivision plat or within sixty (60) days from a written request by the Transportation Department, whichever occurs first, sixty (60) feet of right-of-way along the west side of Harrowgate Rd, measured from the centerline of Harrowgate Road immediately adjacent to the property, shall be recorded, free and unrestricted, to and for the benefit of Chesterfield County. (T)
3. Access. There shall be no direct vehicular access to/from the Property to Harrowgate Road (T)
4. Connection to County Water & Wastewater. County water and wastewater shall be used for this development. (U)
5. Architectural Design Standards. The Property shall be developed in accordance with the following Architectural/Design Elements, which are considered minimum standards.

A. Style and Form:

1. Architectural Styles. The Architectural styles shall use forms and elements compatible with those in the conceptual elevations, shown in Exhibit A.
2. Variation in Front Elevations. The following restrictions are designed to maximize architectural variety of the houses.

- a. Buildings with the same front elevation may not be located adjacent to each other on the same street.
 - b. Variation in the front elevation to address the paragraph above may not be achieved by simply mirroring the façade but may be accomplished by providing at least two (2) of the following architectural changes:
 - i. providing different materials and/or siding types on at least 50% of the elevation
 - ii. providing a different roof type/roof line
 - iii. alternating the color themes with respect to siding, doors, and trim.
- B. Exterior Facades. Acceptable siding materials shall include: brick, stone, stucco, synthetic stucco (E.I.F.S.), or horizontal lap siding. Horizontal lap siding may be manufactured from natural wood or cement fiber board or may be premium quality vinyl siding with a minimum wall thickness of .044 inches. Synthetic Stucco (E.I.F.S.) siding shall be finished in a smooth, sand or level texture, no rough textures are permitted. Dutch lap vinyl is prohibited.
- C. Foundations. All exposed foundations shall be constructed of brick, stone, or a combination thereof.
- D. Roof Materials. Roofing material shall be dimensional architectural shingles or standing-seam metal with a minimum 30-year warranty. All flashing shall be copper or pre-finished aluminum (bronze or black).
- E. Porches and Stoops.
- 1. Front porches. All front entry stoops and front porches shall be covered and constructed with either a continuous foundation wall or by masonry piers and lattice screening. If a continuous foundation wall is used to support a front entry stoop or front porch, the foundation wall shall be constructed of the same foundation material as is used on the remainder of the house (e.g., brick, stone, a combination of brick and stone, stucco, or synthetic stucco (E.I.F.S.)). Front porches shall be a minimum of five (5)' deep. Handrails and railings shall be finished wood or metal railing with vertical pickets, stainless steel cables, swan balusters, or better. Pickets shall be supported on top and bottom rails that span between columns. There shall be no unpainted vertical surfaces on decks,

porches and stoops on the front or sides of the house.

F. Fireplaces, Chimneys and Flues.

1. Chimneys. Sided chimneys are permitted on roof planes or facades and must have masonry foundations. Cantilevered chimneys are not permitted. The width and depth of chimneys shall be appropriately sized in proportion to the size and height of the dwelling unit. For gas fireplaces, metal flues may be used on the roof.
2. Direct Vent Fireplaces. Direct vent gas fireplace boxes that protrude beyond the exterior plane of the dwelling unit are not permitted on front facades. All the exterior materials and finishes used to enclose the fireplace box must match the adjacent facade. (P)

6. Driveways/Front Walks.

- A. Private Driveways. All private driveways serving residential uses shall be hardscaped. Hardscaping shall be constructed of either asphalt, brushed concrete, stamped concrete, exposed aggregate concrete, or decorative pavers. Private driveways shall not require curb and gutter.
- B. Front Walks. Front walks shall be provided to the front entrance of each dwelling unit. Front walks shall be hardscaped. Hardscaping shall be constructed of either brushed concrete, stamped concrete, exposed aggregate concrete, or decorative pavers. Front walks shall be a minimum of three (3) feet wide. (P)

7. Garages.

- A. All units shall have, at a minimum, an attached two-car garage.
- B. Both front-loaded and corner side-loaded garages shall use an upgraded garage door. An upgraded garage door is any door with a minimum of two (2) enhanced features. Enhanced features shall include windows, raised panels, decorative panels, arches, hinge straps or other architectural features on the exterior that enhance the entry (i.e. decorative lintels, shed roof overhangs, arches, columns, keystones, eyebrows, etc.). Flat panel garage doors are prohibited.
- C. Front-loaded and corner side-loaded garages shall not extend past the front line of the main dwelling. (P)

8. Landscaping and Yards.

- A. Front Foundation Planting Bed. Foundation planting is required along the entire front façade of all

units, and shall extend along all sides facing a street. Foundation planting beds shall be a minimum of four (4) feet wide from the dwelling unit foundation. Planting beds shall be defined with a trenched edge or suitable landscape edging material. Planting beds shall include medium shrubs, spaced a maximum of four feet apart, and planting beds may include spreading groundcovers. Unit corners shall be visually softened with vertical accent shrubs (4-5 feet in height) or small evergreen trees (6-8 feet in height) at the time of planting.

- B. Front Yard Tree. One (1) tree per lot shall be planted or retained. A tree shall be planted or retained on both street frontages on corner lots. The front yard tree shall be a large deciduous tree and have a minimum caliper of two and one-half (2.5) inches. Native trees shall be permitted to have a minimum caliper of two (2) inches. (P)

9. Heating, Ventilation and Air Conditioning (HVAC) Units and House Generators. Units shall initially be screened from view of public roads by landscaping or low maintenance material, as approved by the Planning Department. (P)

10. Minimum Dwelling Unit Size. The minimum gross floor area for one-story dwelling units shall be 1,800 square feet and dwelling units with more than one story shall have a minimum gross floor area of 2,000 square feet. (BI & P)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

21SN0676

Mr. Stephen Donohoe introduced Case 21SN0676. He stated the rezoning request from Residential (R-9) and Agricultural (A) to General Industrial (I-2) with conditional use planned development to permit Chesterfield County public facilities (school site and fire station) and to permit exceptions to development standards for approximately 1,728 acres. He further stated the property is proposed to be rezoned for the purpose of establishing a technology village consisting of employment generating uses such as advanced manufacturing, research and development, and office uses. He noted approval of the rezoning by the Board of Supervisors shall except the public facilities from the requirement of a substantial accord determination. He stated the purchase of land is a long-term investment for the land use planning of this important area of the county. He noted the property includes a large section of the right of way needed for the extension of the Powhite Parkway to Hull Street and several important intersections. He stated this is a key parcel in determining how this area of Chesterfield will look in 10 to 20 years. He further stated the purchase allows the county control so it can manage growth and development of the property in ways that are an improvement over the current permissible zoning; allow for public dialog on the most appropriate uses; focus development on the opportunity to create jobs and commercial investment closer to where people live and not just residential homes; allows for

more effective and efficient planning and development of roads, utilities, and public facilities, including multiple school sites; allows for more effective environmental stewardship of the Swift Creek watershed; and control the routing of the Powhite extension.

In response to Mr. Carroll's question regarding wetland delineations, Mr. Scott Smedley stated wetlands and/or streams shall not be impacted without prior approval from the U.S. Army Corps of Engineers and/or the Virginia Department of Environmental Quality.

Mr. Andy Condlin, representing the applicant and property owners, stated the proposed rezoning allows for the development of a technology village in the Western 360 area of the county. He further stated the proffers limit the use of the site to seven primary uses that consist of advanced manufacturing uses, research and development, and office uses. He stated the project is intended to develop as a single campus having shared design elements provided throughout the technology park consisting of one or multiple users. He noted citizen concerns have been addressed in relation to the establishment of enhanced buffer areas required between existing residential properties and potential development of the site. He stated while the site consists of a mix of land use designations including Suburban Residential I, Phased Suburban Residential, Rural Residential/Agricultural, and Corporate Office R&D/Light Industrial, the Comprehensive Plan policies support proposals that foster job growth and create opportunities for economic investment in the county.

Mr. Winslow called for public comment.

The Board recessed for three minutes.

Ms. Gracica Goode spoke in opposition of the request. She expressed concerns relative to the wetlands, traffic impacts and funds for needed infrastructure.

Mr. Rob White spoke in support of the request. He stressed the importance of advanced manufacturing sites becoming strategic investments that drive innovation, technology, and economic development for the region. He stated the request has the potential to be a transformational project that will attract significant capital investment, high quality jobs, and a diverse tax base.

Ms. Nour El-Sayed spoke in opposition of the request. She expressed concerns relative to the sites location on two watersheds that provide 75 percent of the county's drinking water and the permitted industrial uses involve the use of hazardous chemicals that could be harmful to human health.

Mr. Albert J. Mayer spoke in support of the request. He stated the county and state needs more economic development sites and desperately needs the Powhite Parkway extension and all the other infrastructure that would accompany the project.

Mr. Robert Palmer spoke in opposition of the request. He expressed concerns relative to the location of the site being close to residential and school sites, lack of any traffic analysis, and zero funding for the Powhite Parkway extension.

Mr. Jim Quist spoke in opposition of the request. He urged the Board to create restrictive covenants and fully explore and expose the cost of "site ready", he also encouraged the Board to remand the request back to the Planning Commission.

Ms. Frances Crutchfield-Broaddus spoke in opposition of the request. She expressed concerns relative to affected wetlands, traffic impacts, and funds for needed infrastructure.

Mr. Thao Carroll spoke in opposition of the request. She stated the permitted industrial uses involve the use of hazardous chemicals that are harmful to human health.

Mr. Chris Gullickson spoke in support of the request. He stated the proposed rezoning would lead to significant economic development attraction for the county, region, and Commonwealth.

Ms. Amy DuFour, Chair of the Chesterfield Chamber Board of Directors, spoke in support of the request. She stated the technology village will bring high-quality jobs, tax revenue, and allow residents to work closer to home. She stressed the importance that western Chesterfield needs the Powhite extension and other infrastructure.

Ms. Rachel Yost spoke in support of the request. She stated the rezoning will allow the county and region to become a competitive site for future growth and development and provide the needed jobs and tax revenue to support that growth.

Mr. Mark Bowen, Chair Elect of the Chesterfield Chamber Board of Directors, spoke in support of the request. He stressed the importance of attracting, large already-zoned, business-ready property for key economic development projects. He stated adding more schools is a growing necessity as more residential development continues to thrive in the area.

Mr. Andy Porch spoke in support of the request. He stated the proposed rezoning would lead to significant economic development attraction for the county, region, and Commonwealth.

Ms. Brenda Stewart spoke in opposition of the request. She expressed concerns relative to the uncontrolled and irresponsible growth in the western part of the county, as well as serious traffic, environmental, and financial conflicts of interest with the plan.

Mr. Ken Busony spoke in opposition of the request. He expressed concerns relative to the construction of the Powhite Parkway extension and the proximity to his neighborhood.

Mr. Mike Uzel spoke in opposition of the request. He stated the case is an irresponsible proposal due to the costs of proffers, cost of site development, size of useable acreage, the threat to the water supply, and traffic impacts.

Ms. Colleen Fererra spoke in opposition of the request. She expressed concerns relative to dangerous overcrowding situations in area schools, overdevelopment of residential housing, and the potential for compromised drinking water because of permitted industrial uses.

Mr. Tom Watson spoke in opposition of the request. He expressed concerns relative to the wetlands, traffic impacts and lack of funds for needed infrastructure.

Ms. Annette Sherman spoke in opposition of the request. She expressed concerns relative to wetland impacts which could compromise water quality.

Mr. Greg DeFrancesco spoke in opposition of the request. He expressed concerns relative to a lack of any traffic impact analysis and lack of funding for the Powhite Parkway extension. He further stated without a plan to build the extension, potential traffic would overwhelm residential roads.

Ms. April Zhou spoke in opposition of the request. She expressed concerns relative to the sites location on two watersheds that provide 75 percent of the county's drinking water and the permitted industrial uses involve the use of hazardous chemicals that could be harmful to human health.

Ms. Jessica Anderson spoke in opposition of the request. She stated the case is an irresponsible proposal due to the costs of proffers, cost of site development, size of useable acreage, the threat to the water supply, and traffic impacts.

Ms. Victoria Sagstetter spoke in opposition of the request. She expressed concerns relative to the lack of a traffic impact analysis, size of usable acreage, cost of site development, and the threat to the water supply. She stated the proposal is inconsistent with the county's Comprehensive Plan and cited community opposition among some of the highest property values in the county.

Ms. Kathleen Wilson spoke in opposition of the request. She expressed concerns relative to the sites location on two watersheds that provide 75 percent of the county's drinking water and the permitted industrial uses involve the use of hazardous chemicals that could be harmful to human health.

Mr. Dan Wolf, representing the Westerleigh Homeowners Association, spoke in opposition of the request. He noted concerns relative to environmental impacts, the cost of developing infrastructure, potential traffic impacts, and noise. He urged the Board to remand the request back to the Planning Commission.

Mr. Glen Besa spoke in opposition of the request on behalf of the Sierra Club. He expressed concerns relative to environmental impacts and the cost of developing infrastructure. He stated there are other areas of the county in need of re-development.

Mr. Murti Khan spoke in opposition of the request. He expressed concerns relative to the wetlands, traffic impacts and lack of funds for needed infrastructure. He urged the Board to defer the case.

Ms. Carol Cornwell spoke in opposition of the request. She stated the case is an irresponsible proposal due to the costs of proffers, cost of site development, size of useable acreage, and the threat to the water supply, and traffic impacts.

Mr. Terry Poole spoke in opposition of the request. He expressed concerns relative to the permitted industrial uses and the potential use of hazardous chemicals that are harmful to human health.

Mr. Greg Sagstetter spoke in opposition of the request. He stated the proposal is inconsistent with the county's Comprehensive Plan and incompatible with the character of that specific part of the county. He expressed concerns relative to serious traffic, environmental, and financial conflicts of interest with the plan.

Ms. Nancy Kaywood spoke in opposition of the request. She urged the Board to defer the case to become more informed of the potential negative impacts the proposal would create.

Ms. Kasey Terrill spoke in opposition of the request. She stated the case is an irresponsible proposal due to the costs of proffers, cost of site development, size of useable acreage, the threat to the water supply, and traffic impacts.

Mr. John Easter, Senior Vice President of ChamberRVA, spoke in support of the request. He stated the economic development potential of the site is critical for the county's future job opportunities and tax base. He further stated the rezoning has been carefully tailored to provide clean technologies, and the site is well separated from area neighborhoods by the future Powhite Parkway right of ways and buffers.

Ms. Kati Hornung spoke in opposition of the request. She expressed concerns relative to environmental concerns and the lack of infrastructure to support the rapid development that is already occurring in that area of the county.

Ms. Meg Camden spoke in opposition of the request. She expressed concerns relative to a viable use for the proposed use and urged the Board remand the case back to the Planning Commission in order to find other sites to develop that would be more suitable and cost effective.

Ms. Ashley Aylett spoke in opposition of the request. She stated the case is an irresponsible proposal due to the costs of proffers, cost of site development, size of useable acreage, the threat to the water supply and traffic impacts.

Mr. Phil Lohr spoke in opposition of the request. He stated the case is an irresponsible proposal due to the costs of proffers, cost of site development, and size of useable acreage.

Mr. Ken Medearis spoke in opposition of the request. He expressed concerns relative to the uncontrolled and irresponsible growth in the western part of the county, as well as serious traffic, environmental, and financial conflicts of interest with the plan.

There being no one else to speak to the issue, the public hearing was closed.

Mr. Andy Condlin provided a summary covering the history of community outreach and feedback provided from the public relative to the rezoning. He stated only very specific uses and reducing impacts makes this an appropriate use. He noted wetlands would not be impacted without prior approval from the U.S. Army Corps of Engineers.

In response to Mr. Holland's questions, Mr. Condlin reiterated wetlands and/or streams shall not be impacted without prior approval from the U.S. Army Corps of Engineers and/or the Virginia Department of Environmental Quality. He noted the development will be subject to the Virginia Stormwater Management Program Regulations for water quality and water quantity. He noted the number of homes that were contemplated for the combined cases was 1,400, which has now been reduced significantly. He stated the case provides an opportunity for a new high school and fire station site to be established in the Western 360 area of the county.

In response to Ms. Haley's question relative to the end-user of the property, Mr. Condlin stated the conceptual plan is conceptual in nature and may vary based on the final site plan depending on the final soil studies, grading, RPA lines, building footprints, other engineering reasons or as otherwise approved at the time of plan review. He further stated prior to the submission of a site plan for any portion of the property, a master design plan would be submitted to the Planning Department. He stated the plan would be prepared with sufficient detail to ensure the design compatibility of future improvements, avoid design conflicts, and verify general compliance with applicable county code requirements.

In response to Mr. Winslow's questions, Mr. Condlin stated the Board of Supervisors can decide who the end-user is will be and what finances will be brought to the table with regard to the Powhite Parkway extension and other zoning parameters. He then reiterated the general specifications for the submittal of a site plan.

Discussion ensued regarding any future site plan parameters comprising specific traffic and environmental concerns that would have to be approved by the sitting Board of Supervisors before an end-user could move forward with development, as well as discussion relative to funding for the Powhite Parkway extension and other road improvements.

In response to Mr. Holland's question regarding the option of deferral, Mr. Condlin stated until the site plan process has been finalized, a deferral of the proposal would not accomplish anything further.

Discussion ensued relative to funding for the build-out of the Powhite Parkway extension and other major road improvements in the western area of the county, and stipulations relative to the approval of future site plan details.

In response to Mr. Winslow's question, Mr. Smedley stated he believes from the standpoint of where the case is compared to the previous zoning case, the 400 approximate acres of buffer that are going to be preserved forest areas are going to be a benefit compared to what the current zoning is now. He noted that with the land being zoned for residential use, compared to commercial or industrial development, there are concerns about fertilizer, herbicide and pesticide usage causing more nitrogen and phosphorus runoff.

Mr. Carroll made a motion, seconded by Mr. Ingle, for the Board to defer Case 21SN0676 for 30 days until the July 27, 2022, regularly scheduled meeting. Mr. Carroll and Mr. Ingle cited their concerns over the lack of more stipulations in order to hold future Board of Supervisors accountable to the concerns of the community and future development standards for a project that may take decades to come to fruition. Public participation and feedback relative to the case was also noted.

Mr. Winslow called for a vote on the motion made by Mr. Carroll, and seconded by Mr. Ingle, for the Board to defer Case 21SN0676 to the July 27, 2022, regularly scheduled meeting.

Ayes: Carroll and Ingle.

Nays: Holland, Haley and Winslow.

Ms. Haley made a motion, seconded by Mr. Holland for the Board to approve Case 21SN0676, subject to the proffered conditions.

Discussion ensued among the Board members relative to the case, specifically noting economic development, capital investment, infrastructure improvements, and significant tax revenues generated that can be reinvested into county services including investment supporting schools. Public participation and feedback relative to the case was also noted.

Mr. Winslow called for a vote on Ms. Haley's motion, seconded by Mr. Holland, for the Board to approve Case 21SN0676 subject to the following proffered conditions:

Upper Magnolia Green - West - 21SN0676

The Owner-Applicant in this rezoning Case 21SN0676, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, Virginia, for itself and its successor or assigns, proffers that the development of the approximately 1,728 acres with Chesterfield County Tax Identification Numbers 6956715448 (portion), 6946757241 (portion), 6976802507 (portion), 6936762390, 6936765151, 6936768646, 6916786257, 6986838741, 7006815125, 7016842865, 7036854335 (portion), and 7036848129 (portion) (collectively, the "Property") under consideration will be developed, as applicable, as set forth below; however, in the event the request is denied, these proffers shall be immediately null and void and of no further force or effect.

The applicant hereby offers the following proffered conditions:

1. **Conceptual Plan.** Development of the Property shall generally conform to the Conceptual Plan dated February 8, 2022, and attached hereto as Exhibit A ("Conceptual Plan"), with respect to the general layout and location of roads, buffers, and trails. The Conceptual Plan is conceptual in nature and may vary based on the final site plan depending on the final soil studies, grading, RPA lines, building footprints, other engineering reasons or as otherwise approved at the time of plan review. (P)
2. **Uses.** The uses permitted on the Property shall be as set forth below:
 - a. **Principal Uses:**
 - i. Computer equipment manufacturing

- ii. Data Center
- iii. Electronic component and accessories manufacturing
- iv. Laboratory
- v. Office
- vi. Pharmaceutical products manufacturing
- vii. Research and development facility

b. Accessory Uses:

- i. Contractor's office, shop and storage yard
- ii. Machine shop
- iii. Plastic products manufacturing
- iv. Warehouse (P)

3. **Development and Performance Standards.**

- a. Building Height. The maximum building height shall be limited to a height of one hundred fifty (150) feet. This maximum height shall apply to all accessory elements such as, but not limited to, HVAC equipment, heat transfer units, antennas, tanks, architectural and functional elements of building construction. Water tanks and telecommunications towers or facilities shall not be subject to this limitation.
- b. Noise. No use on the Property shall generate noise that exceeds a day-night average sound level ("DNL") of 65 decibels as measured on the Decibel A Scale ("dBA") between the hours of 6 am and 8 pm, or DNL of 55 dBA between the hours of 8 pm and 6 am, each as measured at any boundary line of the Property adjoining a residentially zoned or residentially developed property (an "Adjoining Residential Property"), adjusting for ambient or background noise levels. This condition shall not apply to noise generated by emergency generators, back-up power equipment, alarms or beepers required by law, ordinances, rules or regulations.
- c. Lighting. All lighting is intended to be attractive and functional and sited to provide efficient illumination. A hierarchy of fixture types, depending upon their intended use, different sizes or types of fixtures shall be employed for streetlights, parking area lights, service and loading areas, building illumination and trail lights. Additionally, the following shall apply:
 - i. All lighting shall be shielded and downward facing;
 - ii. All direct and reflected illumination of exterior lights shall not exceed 0.5 footcandle above background, measured at a boundary line of the Property shared with an Adjoining Residential Property;
 - iii. Freestanding lighting shall not exceed a height of thirty (30) feet;
 - iv. Freestanding pedestrian and walkway lighting shall have a maximum height of twelve (12) feet; and
 - v. A Photometric Plan shall be submitted for each site at the time of plan review.

- d. Odor. An owner or developer applying for an "Active Air Permit" as issued by the Virginia Department of Environmental Quality ("VDEQ") shall be required to follow VDEQ requirements for an odor control management plan. Public and private infrastructure facility sites are exempt from this requirement.
 - e. Shop or Storage Yard. Any shop or storage yard on the Property shall be set back at least five hundred (500) feet from a boundary line of the Property shared with an Adjoining Residential Property. Any such storage yard shall be screened from public view by a building, fence, wall, supplemental landscaping, existing vegetation, or as otherwise approved at the time of plan review. All vehicles and/or equipment that are visible from an Adjoining Residential Property shall be stored with all parts lowered to their minimum height (bucket trucks, fork lifts, buckets, etc.) to reduce visibility.
 - f. Safe Conduct of Operations. All uses shall be conducted so as not to cause any material adverse impact on the Property or an Adjoining Residential Property by creating any excessive vibration, smoke, dust, or heat that would be considered a nuisance beyond the boundaries of the portion of the Property on which the use is located. No hazardous waste nor any substance or material of any kind shall be discharged into any public storm sewer serving the Property.
 - g. Citizen Liaison. The County Economic Development Authority shall appoint a representative that will become a point of contact for the project. The contact information for such representative shall be provided to the contact of the surrounding home owners' associations.
 - h. Restrictive Covenants. Prior to or concurrent with the final approval of the initial site plan for the Property, a document setting forth restrictions and covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Chesterfield County, Virginia, setting forth controls on the Property and establishing an owners' association. The Covenants shall provide for high standards of uniform maintenance of individual sites, common areas, open space, landscaping and private streets, in accordance with industry standards for similar developments in the greater Chesterfield County area. (P)
4. **Buffers**. Existing forested vegetation located within the areas shown as buffers in the Conceptual Plan shall be preserved and incorporated in a Master Design Plan. The buffer areas without forested vegetation shall be planted and maintained in accordance with Zoning Ordinance requirements for 1.5 times Perimeter Landscaping C, including, the ability to use berms a minimum of three feet in height. All plantings shall be indigenous and drought resistant. Any dead or diseased vegetation, noxious plants, or invasive species may be removed from

such buffer. Roads, sidewalks, utility easements (including drainage and stormwater facilities), or fencing or walls adjacent to any roads or drives shall be permitted within any such buffer; provided, any such road or utility easements within the Perimeter Buffer shall be extended generally perpendicular through such buffer unless otherwise approved at the time of plan review.

- a. Powhite Parkway. A buffer with a minimum width of two hundred (200) feet shall be provided along the east side of the Property boundary along the ultimate right-of-way for the Future Powhite Parkway, as generally shown on the Conceptual Plan, subject to the provisions of this proffered condition.
- b. Perimeter Buffer. A variable width buffer with a minimum width of two hundred (200) feet shall be provided along any boundary line of the Property shared with an Adjoining Residential Property, as generally shown on the Conceptual Plan. The buffer shown on the Conceptual Plan represents a minimum distance of 750 feet from the nearest primary residential dwelling units existing at the time of approval of this Case 21SN0676. The portion of the measured 750 feet that falls within the subject project shall become buffer area, subject to the provisions of this proffered condition. (P)

5. **Screening**.

- a. Loading bays. All loading and service areas shall be oriented on the Property such that loading areas are not visible from a public road (not including Powhite Parkway) or an Adjoining Residential Property, and shall be screened from public view by a building, fence, wall, supplemental landscaping, berms, existing vegetation, or as otherwise approved at the time of plan review.
- b. Exterior Rooftop Equipment. All exterior rooftop mechanical equipment which is visible from a public road (not including Powhite Parkway) or an Adjoining Residential Property, shall to the extent possible be screened from public view, generally by the incorporation into the roof form through the use of materials similar to those employed in the construction of the principal structure. (P)

6. **Pedestrian Connections; Trails**. Pedestrian connections shall be incorporated into a Master Design Plan of the development in order to facilitate pedestrian movement within the various areas of the Property, as proposed by an owner or developer. A trail connection shall be constructed northward from the Westerleigh Parkway right-of-way to Horner Park. All final trail alignments shall be incorporated into a Master Design Plan and reviewed and approved by the Planning Department at the time of plan review. (CDOT, P, P&R)

7. **Master Design Plan**. Prior to the submission of a site plan for any portion of the Property, a master design plan (a "Master Design Plan") shall be submitted to the Planning Department. A Master Design Plan shall not be used to

satisfy site plan requirements. A Master Design Plan shall be prepared with sufficient detail to ensure the design compatibility of future improvements, avoid design conflicts, and verify general compliance with applicable Chesterfield County, Virginia ("County") Code requirements, including, at a minimum, a comprehensive and coordinated design plan for signage, landscaping, lighting, screening, pedestrian connections and trails, and an architecture program that promotes quality building development and common design elements throughout the Property. Phasing information shall not be binding or unalterable. A Master Design Plan shall not vest rights to develop future phases until those phases have been included in an approved site plan. (P)

8. **Dedication.** The following rights-of-way, as described below and generally shown on the Road Network Plan (**Exhibit B**), immediately adjacent to the Property, shall be dedicated, free and unrestricted, to and for the benefit of the County:

<u>Road</u>	<u>Dedication (feet)</u>	<u>From/To</u>
a. <u>Powhite Parkway (Pkw)</u>	<u>200</u>	<u>north to south Property lines</u>
b. <u>Powhite Pkw/Magnolia Green Pkw Interchange</u>	<u>Variable</u>	<u>determined by Transportation Department</u>
c. <u>Magnolia Green Pkw</u>	<u>90</u>	<u>Westerleigh Pkw to Powhite Pkw</u>
d. <u>Westerleigh Pkw</u>	<u>90</u>	<u>east to west Property lines</u>
e. <u>Duval Road</u>	<u>90</u>	<u>Powhite Pky to south Property line</u>
f. <u>Duval Road (existing road)</u>	<u>45</u>	<u>along east side of existing road from centerline</u>
g. <u>Moseley Road</u>	<u>45</u>	<u>along east side of existing road from centerline</u>
h. <u>Stub Roads</u>	<u>Variable</u>	<u>determined by Transportation Department</u>

In the event that adequate transportation improvements can be provided, as determined by the Transportation Department, to accommodate full development of the Property without necessitating the aforementioned dedications, the Transportation Department may waive the requirement for those dedications deemed unnecessary.

Prior to any site plan approval, a phasing plan for these dedications shall be submitted to and approved by the Transportation Department. The dedications listed in this proffered condition shall be made in accordance with the approved phasing plan or within sixty (60) days from a written request by the County, whichever occurs first. (T)

9. **Access.**
- a. Prior to any plan approval, an access plan for roads to be dedicated to the County pursuant to proffered condition 8, shall be submitted to and approved by the Transportation Department. An access plan shall be provided to the corresponding road referenced in such plan at such time vehicular access is proposed

from/to the Property. Vehicular access from the Property to these roads shall conform to the approved access plan for the road.

- b. There shall be no direct vehicular access from the Property to Moseley Road for the permitted uses as set forth in proffered condition 2.
- c. No road connection from the proposed ring road to Moseley Road shall be completed until the proposed new Fire Station is constructed and operational. (T)

10. **Road Improvements**. The following traffic study(ies), road improvements, and phasing shall be completed, as determined by the Transportation Department. The exact design and length of road improvements shall be approved by the Transportation Department.

a. In conjunction with initial development, the owner/developer shall submit, for approval by the Transportation Department, a traffic impact analysis ("traffic study") and plan for the overall development showing road improvements necessitated by the proposed uses and density. At each phase of development, a traffic study for those portions of the road improvements necessitated by that phase of development shall be submitted to and approved by the Transportation Department and such road improvements shall be completed as determined by the Transportation Department.

b. Adequate improvements, to include but not limited to additional travel lanes, turn lanes, interchange improvements, intersection improvements, intersection control, and bicycle/pedestrian accommodations for the following roads shall be addressed by the traffic study and the appropriate phase of development:

- i. Powhite Pkwy from Hull Street Road (Route 360) to its existing terminus to the north (4 lane divided)
- ii. Route 360 and Skinquarter Road (Rd) intersection
- iii. Route 360 from Beaver Bridge Rd to Cosby Rd (6-lane divided)
- iv. Westerleigh Pkwy from North-South Collector Rd to the westernmost Property line (4-lane)
- v. North-South Collector Rd from Westerleigh Pkwy to Duval Rd (4-lane)
- vi. Magnolia Green Pkwy from Woolridge Rd to Westerleigh Pkwy (4-lane)
- vii. Duval Rd from Otterdale Rd to southernmost Property line (4-lane)
- viii. Duval Rd (existing) from southernmost Property line to Skinquarter Rd (improved 2-lane)
- ix. Skinquarter Rd from Duval Rd to Route 360 (improved 2-lane)
- x. Mt. Hermon Rd from Westerleigh Pkwy to Genito Rd (4-lane)
- xi. Genito Rd from Mt. Hermon Rd to Otterdale Rd (improved 2-lane)
- xii. Otterdale Road from Duval Road to Woolridge Road (4-lane)
- xiii. Dedication to Chesterfield County, free and unrestricted, any additional right-of-way (or

easements) required to accommodate road improvements for the road improvements identified above.

In the event that adequate road improvements can be provided, as determined by the Transportation Department, to accommodate full development of the Property without necessitating the aforementioned road improvements and supported by the traffic study, the Transportation Department may waive the requirement for those road improvements deemed unnecessary.

Prior to each site plan approval, a phasing plan, or an update of such plan, for these road improvements shall be submitted to and approved by the Transportation Department (the "Phasing Plan"). The road improvements listed in this proffered condition shall be made in accordance with the approved Phasing Plan as may be amended and approved by the Transportation Department. As part of the Phasing Plan, in conjunction with construction of any school facility on the School Site, construction of two (2) lanes of Mt. Hermon Road and/or Westerleigh Parkway, to include intersection improvements and pedestrian accommodations, shall be completed, as determined by the Transportation Department (Note: Access for the School Site will determine specific road improvements.). (T)

11. **Powhite Parkway - Phasing Plan.**

- a. Prior to any plan approval on the Property for any use permitted in proffered condition 2, a plan for the construction of Powhite Pky from Hull Street Rd (Route 360) to its existing terminus to the north (4-lane divided), to include a timeline and financing plan, shall be submitted to and approved by the Board of Supervisors.
- b. Prior to issuance of any certificate of occupancy on the Property for any use permitted in proffered condition 2, construction of two (2) lanes of Powhite Parkway from Route 360 to Magnolia Green Parkway (approximately 2.2 miles), including all interchange/intersection improvements at Route 360 and Magnolia Green Parkway shall be completed, as determined by the Transportation Department. (T)

12. **Utilities.**

- a. Water and Wastewater. Any new structure on the Property requiring water and wastewater service shall use the County water and wastewater systems; provided, however, that any existing structure located on the Property and using private systems as of the effective date of the rezoning shall be allowed to continue using the private systems provided that these private systems are maintained consistent with all regulatory requirements. County water and wastewater easements and service connections shall be provided to properties containing private water and wastewater systems at time of plans review for existing structures.

- b. Overall Water and Wastewater System Plan. Prior to any plan approval, an Overall Water and Wastewater System Plan for the Property shall be submitted to and approved by the Utilities Department (the "Overall Plan"). The Overall Plan for the Property shall be coordinated with the required Overall Water and Wastewater System Plan of the Upper Magnolia Green East development (Case 21SN0675). The Overall Plan shall include, but not be limited to the following:
- i. A minimum of two (2) adequately sized connections to the Physic Hill Pressure Zone for redundancy, looped through the Property.
 - ii. A minimum of one (1) adequately sized interconnection between the Physic Hill Pressure Zone and Clover Hill Pressure Zone, at a location acceptable to the Utilities Department, with any infrastructure necessary for the operation of the interconnections.
 - iii. A minimum of one (1) two-million-gallon elevated water tank ("Water Tank") to be constructed at a location with an elevation acceptable to the Utilities Department. Construction phasing of the Water Tank will be as required by detailed engineering analysis specific to the demands generated by the development as approved by the Utilities Department.
 - iv. A wastewater pump station ("Pump Station") to be constructed, at a location acceptable to the Utilities Department, if needed by the development, to allow for wastewater service to the portion of the Property naturally draining towards the Appomattox River.
 - v. Detailed engineering analysis of the impact the proposed Property development will have on the existing water and wastewater systems to determine proposed water and wastewater infrastructure sizing, locations of facilities, points of connection/interconnection for the water system and hydraulic analysis of the existing water and wastewater systems.
 - vi. Any off-site water and wastewater improvements needed to provide the volume of water delivery and wastewater conveyance required for the development of the Property. This shall include new water and wastewater lines and their associated appurtenances, as well as upgrades to existing water and wastewater lines and facilities.
 - vii. The improvements proffered herein, excluding the Water Tank and Pump Station, are the minimum improvements needed to support the Property with a water and/or wastewater demand approximately equivalent to the demands of Upper Magnolia Green allowed by Case 89SN0343.

Should the Property require a greater water and/or wastewater demand, the developer shall participate in its pro-rata share of all the costs necessary to improve the County's water and/or wastewater systems to supply the water and/or wastewater needs of the anticipated development of the Property, as required by the Utilities Department.

- c. Phasing. Phased construction of the Overall Plan improvements shall be allowed to meet the phased demands of the Property provided they will meet the demands and needed fire flow of the proposed phased development of the Property.
- d. Dedications. Following the approval of the Overall Plan, upon request of the County, access to the Property and dedication of land for the Water Tank and, if needed, the Pump Station shall be provided to the County, at no cost to the County, as shown on the approved Overall Plan. Dedications of land shall be provided as described below:
 - i. The land dedication for the Water Tank shall be a minimum of two (2) acres up to a maximum of five (5) acres, at a grade elevation of at least three hundred ten (310) feet, or as otherwise approved by the Utilities Department, together with the appropriate access to a public road.
 - ii. The land dedication for the Pump Station, if needed, shall be a minimum of three (3) acres up to a maximum of seven (7) acres, together with the appropriate access to a public road.
- e. Easements. Following the approval of the Overall Plan, and upon request of the County, access to the Property and easements shall be provided, at no cost on standard County documents, in the location of the improvements shown on the approved Overall Plan, for the construction of public waterlines and wastewater lines independent of the timing of this development.
- f. Any user discharging non-domestic wastewater to the public wastewater system shall be required to comply with the Industrial Wastewater Discharge Permitting requirements of the Utilities Department. (U)

13. **Environmental Engineering.**

- a. Super Silt Fence, or an alternative as approved by the Department of Environmental Engineering, shall be provided as a perimeter control in locations where standard silt fence would have been required.
- b. Sediment traps and basins sized at least 25% larger than the minimum Virginia Erosion and Sediment Control Handbook's standard shall be provided, unless otherwise approved by the Department of Environmental Engineering at the time of plan review.
- c. Anionic PAM, Flexible Growth Medium and/or a County-approved equivalent shall be applied to denuded areas

during construction and at final stabilization in the locations shown on plans approved by the Department of Environmental Engineering at the time of plan review.

- d. The maximum post-development discharge rate for the 100-year storm shall be based on the maximum capacity of the existing facilities downstream, and shall not increase the recorded and /or established 100-year backwater and /or floodplain. On-Site detention of the post-development 100-year discharge rate to below the pre-development 100-year discharge rate may be provided to satisfy this requirement.
- e. Steep slopes equal to or greater than 20 percent shall remain in their natural, undisturbed state to the maximum extent practicable, unless otherwise approved by the Department of Environmental Engineering at the time of plan review. In locations where the disturbance of slopes greater than 20 percent is unavoidable, additional enhanced erosion and sediment control measures shall be provided as directed by the Department of Environmental Engineering at the time of plan review. The Department of Environmental Engineering shall approve the exact design and implementation of these standards. (EE)

14. **Associated Infrastructure and Uses.** The following infrastructure and associated uses shall be permitted on the Property as set forth below:

- a. **Utility Uses.** Utility uses requiring a structure (which does not include water and wastewater lines and appurtenances, service lines to consumers, and below or above ground cables, wires or pipes) shall be subject to the following:
 - i. Two (2) elevated Water Tanks and tank mounted communications equipment up to a maximum height of one hundred and ninety-nine (199) feet, shall be permitted provided:
 - 1. All mechanical equipment located on or associated with any building or structure for the Water Tanks shall be screened from any Adjoining Residential Property and public roads, except for Powhite Parkway, in accordance with the Emerging Growth District standards. This condition shall not require screening for the Water Tank structure or communication equipment.
 - 2. The Water Tanks shall be a new composite style elevated water storage tank meeting the Utilities Department requirements.
 - 3. The Water Tanks shall be secured by a minimum eight (8) foot high fence designed to preclude trespassing.
 - 4. There shall be no signs or logos permitted on the Water Tanks or communications equipment.
 - 5. The Water Tanks shall be white, grey, or another neutral color, acceptable to the Utilities Department. The communication equipment (antennas, mounting hardware, cables, etc.)

- mounted on the outside of the Water Tanks shall be the same or similar color as the Water Tanks.
6. Except for security lighting over the access doors at the base of the Water Tanks the Water Tanks and communications equipment shall not be permanently lighted unless required by the Federal Aviation Administration or the Federal Communications Commission.
- ii. Wastewater Pumping Station together with the various structures and appurtenances shall be secured by a minimum eight (8) foot high fence designed to preclude trespassing. All mechanical equipment located on or associated with any building or structure for the Wastewater Pumping Station shall be screened from any Adjoining Residential Property and public roads, except for Powhite Parkway, in accordance with the Emerging Growth District standards.
- b. Electric Power Transforming Substation. Electric power transforming substations shall be permitted on the Property. If necessary, a substation shall be constructed to serve only the users on the Property or shall be established as an accessory to a single user. If substations are necessary for a single user, it shall be constructed internal to the individual user's site and efforts to screen the facility shall be in approved during site plan review. A minimum fifteen (15) foot landscape area shall be provided along the perimeter of any substation established on the Property.
- c. School Site. Approximately eighty (80) acres shall be reserved for the purpose of the construction of a future public high school, as generally shown on the Conceptual Plan (the "School Site") unless another location is obtained for a public high school. In accordance with Section 7.6 of the Charter of the County of Chesterfield, Virginia, upon approval of this rezoning Case 21SN0676 by the County Board of Supervisors, the public high school is excepted from the requirement of a substantial accord determination.
- d. Fire Station. A minimum of five (5) acres shall be reserved for the purpose of the construction of a future fire station. The fire station site may also be utilized for a Water Tank to be collocated on the site. A site with both uses shall be a minimum of seven (7) acres. (P, F, and U)

Ayes: Winslow, Haley and Holland.

Nays: Carroll and Ingle.

On motion of Ms. Haley, seconded by Mr. Holland, the Board suspended its rules to consider items after 11:00 p.m.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

21SN0675

In Matoaca Magisterial District, Chesterfield County Board of Supervisors (project commonly known as Upper Magnolia Green East) requests rezoning from Residential (R-9) and Agricultural (A) to Residential (R-15) and amendment of zoning district map on approximately 700.00 acres fronting in three (3) places for approximately 3,900 feet on the north line of Duval Road, approximately 3,300 feet west of Otterdale Road and approximately 600 feet on the south line of Duval Road, approximately 9,800 feet west of Otterdale Road. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Suburban Residential I (Maximum of 2 dwellings per acre) and Regional Mixed Uses. Tax IDs 694-675-Part of 7241; 695-671-Part of 5448; 697-680-Part of 2507; 703-684-Part of 8129; 703-685-Part of 4335.

Mr. Donohoe introduced Case 21SN0675. He stated the applicant is proposing to rezone +/-700 acres from Residential (R-9) and Agricultural (A) to Residential (R-15) to allow the development of public facilities and single family detached residential development not to exceed 600 lots. He further stated approximately 150 acres of the property will be reserved for the development of public facilities, inclusive of a middle school, potential elementary school, and library. He stated the remaining 550 acres may be developed in accordance with the R-15 development standards and as generally provided for in the Conceptual Plan. He noted approval of the rezoning by the Board of Supervisors shall except the public facilities from the requirement of a substantial accord determination.

Discussion ensued relative to telecommunication facilities on school sites.

Mr. Andy Condlin, representing the applicant, stated Mr. Donohoe summarized the case accurately and urged the Board to approve the request.

Mr. Winslow called for public comment.

Mr. Dan Wolf, representing the Westerleigh Homeowners Association, expressed concerns relative to the lack of direct citizen involvement, an inadequate transportation phasing plan, timing of pedestrian connections, and other traffic concerns.

Mr. Phil Lohr expressed concerns relative to the development of the 600 residential lots in conjunction to the construction of the proposed elementary school.

Ms. Kasey Terrill expressed concerns relative to the overall process, timing of completion of North/South connection road, the general condition of existing Otterdale Road, traffic concerns, and school capacity.

Mr. Ken Medearis expressed concerns relative to the traffic impact analysis and requested that an additional proffered condition be added to expand Duval Road on any portion of county owned land to have minimal effects on the residents.

Mr. Condlin noted the additional acreage mentioned was not included in the calculation and are subject to their own utility and transportation proffers.

There being no one else to speak to the issue, the public hearing was closed.

In response to Mr. Winslow's question regarding construction access, Mr. Jesse Smith stated access is anticipated to come from Westerleigh Parkway.

Discussion ensued relative to dedication of right-of-way from the existing Duval Road to west property line.

Mr. Carroll made a motion, seconded by Mr. Ingle, for the Board to approve Case 21SN0675 subject to the following conditions and imposed Condition 1:

Condition 1: All Road Cash Proffers shall remain in the traffic shed to be used for improvements to Duval and Otterdale Roads, and/or other roads included within this case. (B&M T)

And, further, the Board accepted the following proffered conditions:

Upper Magnolia Green - East - 21SN0675

The Owner-Applicant in this rezoning Case 21SN0675, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, Virginia ("County"), for itself and its successor or assigns, proffers that the development of the approximately 700 acres with County Tax Identification Numbers 6956715448 (portion), 6946757241 (portion), 6976802507 (portion), 7036854335 (portion), and 7036848129 (portion) (collectively, the "Property") under consideration will be developed, as applicable, as set forth below; however, in the event the request is denied, these proffers shall be immediately null and void and of no further force or effect.

The applicant hereby offers the following proffered conditions:

1. **Conceptual Plan.** A potential development scheme of the Property, dated February 8, 2022, is attached hereto as Exhibit A (Conceptual Plan), with respect to the general layout and location of roads, buffers, and trails. The Conceptual Plan is conceptual in nature and may vary based on the final site plan depending on the final soil studies, grading, RPA lines, building footprints, other engineering reasons or as otherwise approved at the time of plan review. (P)
2. **Public Uses (Schools and Library).** Approximately one hundred fifty (150) acres shall be reserved for the purpose of developing multiple public uses ("Public Use Area"), to include construction of a public middle school, a public elementary school and a public library (the "Public Uses"), as generally shown on the Conceptual Plan. In accordance with Section 7.6 of the Charter of the County of Chesterfield, Virginia, upon approval of this rezoning Case 21SN0675 by the County Board of Supervisors, the Public Uses are excepted from the requirement of a substantial accord determination. (P)

3. **Residential Lot Size and Density.** All residential lots on the Property shall have a minimum lot area size of 15,000 square feet and the residential density shall not exceed 600 single family detached dwelling units. (P)
4. **Transportation Density.** The maximum density of this development shall be a 1,800-student public middle school, a 1,000-student public elementary school, a public library, and 600 single family detached dwelling units, or equivalent density as approved by the Transportation Department. (T)
5. **Telecommunications Facilities Height.** Telecommunications towers or facilities on the Property shall be limited to a height of one hundred ninety-nine (199) feet. (P)
6. **Buffers.** Existing forested vegetation located within the areas shown as buffers in the Conceptual Plan shall be preserved and incorporated in a Master Design Plan. The buffer areas without forested vegetation shall be planted at a rate of one (1) large maturing deciduous or evergreen tree for each two hundred (200) square feet of unforested buffer. All plantings shall be indigenous and drought resistant. Any dead or diseased vegetation, noxious plants, or invasive species may be removed from such buffer.
 - a. **Powhite Parkway.** A buffer with a minimum width of two hundred (200) feet shall be provided along the right-of-way for the Future Powhite Parkway, as generally shown on the Conceptual Plan. (P)
7. **Pedestrian Connectivity and Trails.** A network of trails, all as generally shown on the Conceptual Plan, shall be constructed to provide pedestrian connections amongst the residential development areas. Trails shall also be provided from Duval Road northward to the Public Use Area, and continuing northward throughout the Property to Horner Park. All final trail alignments shall be incorporated in a Master Design Plan and reviewed and approved by the Department of Environmental Engineering and Planning Department at the time of plan review. (CDOT, P, P&R)
8. **Common Area and Amenities.** Any development on the Property to include residential dwelling units (a "Residential Development") shall include at least 10% "Common Areas" including land developed or maintained for the use and enjoyment of all residents of the Residential Development and/or the public and shall include any of the following: natural vegetation or hardscaped areas, trails, passive parks, and active amenities including but not limited to pools, clubhouses, playgrounds, and athletic courts. (P)
9. **Site and Architectural Design.**
 - a. **Sidewalks.** Unless otherwise approved by the Planning Department, sidewalks shall be provided on both sides of all streets.
 - b. **Driveways.** All portions of driveways and parking areas shall be brushed concrete, stamped concrete,

exposed aggregate concrete, or asphalt. Gravel driveways shall not be permitted.

- c. Front Walks. A minimum of a three (3) foot wide concrete walk shall be provided to the front entrance of each dwelling unit to connect to driveways, sidewalks, or streets.
- d. Entrance Feature. A monument sign and landscaping to include plants, sod, and irrigation shall be provided at each primary vehicular access entrance to the Property. All irrigation systems shall include water conserving components and features such as, but not limited to, soil moisture and rain sensors and micro and drip type systems. All plants located in irrigated beds shall include native species and/or drought-resistant plants when in order to minimize the need for irrigation.
- e. Exterior Materials.
 - i. Only the following exterior materials shall be permitted:
 - 1. brick,
 - 2. stone or masonry,
 - 3. fiber cement siding (such as HardiePlank, HardieShingle, and HardieTrim),
 - 4. engineered wood siding (such as LP SmartSide), and
 - 5. premium-grade vinyl (a minimum of .046" nominal thickness as evidenced by manufacturer's printed literature).
 - ii. The following exterior materials are not permitted:
 - 1. Dutch lap vinyl siding,
 - 2. plywood, and
 - 3. metal siding.
 - iii. Additional exterior materials shall be permitted only for parapets, cornices, surrounds, trim, architectural decorations, and design elements.
 - iv. For single family detached dwelling units with more than 50% vinyl on the front façade of the dwelling unit, three (3) or more of the following features are also required:
 - 1. A front porch for at least 25% of the width of the front façade,
 - 2. Variation in siding patterns,
 - 3. A change in siding colors,
 - 4. A 'foundation' material above the twelve (12) inch minimum,
 - 5. A change or an architectural offset of at least eighteen (18) inches in the façade elevation,
 - 6. Shutters,
 - 7. A projecting architectural element such as an accent roof or pergola above garage doors,
 - 8. When roofs face the street, at least one dormer,

9. When roofs face the side yard, a trim band on the front elevation to separate the attic from the living space, and
 10. When roofs face the side yard, a decorative attic vent on the front elevation.
- v. The same or very similar elevations or color schemes may not be located adjacent to or directly across from each other on the same street.
 - vi. Stepping the siding down below the first floor shall only be permitted in circumstances of unique topographical conditions. Step downs shall be permitted on the side and rear elevations that do not front on a street, with a maximum of two (2) steps permitted on any elevation, and with a minimum separation of eight (8) feet. A minimum of eighteen (18) inches of exposed brick or stone shall be required on the sides of the dwelling unit, unless a lesser amount is approved by the Planning Department at time of plan review due to unique design circumstances.
- f. Garages. Front loaded garage doors shall have a minimum of two (2) architectural features. Architectural features shall include raised panels, windows, hinge straps, door handles, decorative panels or arches used to enhance the appearance of the door.
 - g. Porches and Stoops. At least 50% of the single family detached dwelling units shall incorporate a front porch or covered stoop. Front stoops and porches shall be constructed with continuous foundation walls or with masonry piers to match the foundation of the dwelling unit.
 - h. Roof Material. Roofing material shall be a material consisting of, but not limited to, architectural dimensional shingles, metal, or rubber membrane, and having a minimum 30-year warranty.
 - i. Heating Ventilation and Air Conditioning (HVAC) Units and House Generators. Units shall initially be screened from view of public roads by landscaping or low maintenance material, as approved by the Planning Department at the time of plan review.
 - j. Fences. Chain link fences shall be prohibited, except a vinyl coated chain link fence may be used for a dog park, if one is provided.
 - k. Covenants. Prior to or concurrent with the recordation of the first certificate of occupancy for a residential unit in a Residential Development on the Property, a document setting forth covenants (the "Covenants") shall be recorded in the County's Circuit Court Clerk's Office setting forth controls on the development and maintenance of such Residential Development on the Property, including but not limited to maintenance of common areas,

active recreational amenities, monument signs, sidewalks, outdoor pavilions, driveways, street trees, lot landscaping, fencing, lighting, and dwelling unit exteriors (excluding windows and doors). Any such Covenants may establish one or more homeowners' associations (an "Association"). Different Covenants may be provided for various Residential Developments on the Property provided an Association shall be responsible for the development and maintenance of each Residential Development, as set forth in the Covenants. Covenants shall be subject to review and approval by the Director of Planning and the County Attorney. (P)

10. **Master Design Plan.** Prior to the submission of a site or subdivision plan for any residential portion of the Property, a master design plan (a "Master Design Plan") shall be submitted to the Planning Department. A Master Design Plan shall not be used to satisfy site plan requirements. A Master Design Plan shall be prepared with sufficient detail to ensure the design compatibility of future improvements, avoid design conflicts, and verify general compliance with applicable County Code requirements. Phasing information shall not be binding or unalterable. A Master Design Plan shall not vest rights to develop future phases until those phases have been included in an approved site plan. Concurrent with submission to the Planning Department, a copy of a Master Design Plan shall be provided to the homeowners' associations for the Westerleigh and Summer Lake communities, and these homeowners' associations shall have fifteen (15) business days to review and provide comments, if any, to the Planning Department. (P)
11. **Dedication.** The following rights-of-way, as described below and as generally shown on the Road Network Plan (Exhibit B), immediately adjacent to the Property, shall be dedicated, free and unrestricted, to and for the benefit of the County:

<u>Road</u>	<u>Dedication (feet)</u>	<u>From/To</u>
a. <u>Powhite Pkwy</u>	<u>200</u>	<u>north to south Property lines</u>
b. <u>Powhite Pkwy/Magnolia Green Pkwy Interchange</u>	<u>Variable</u>	<u>determined by Transportation Department</u>
c. <u>Magnolia Green Pkwy</u>	<u>90</u>	<u>south Property line to Powhite Pky</u>
d. <u>Westerleigh Pkwy</u>	<u>90</u>	<u>east to west Property lines</u>
e. <u>North-South Collector Road</u>	<u>90</u>	<u>Westerleigh Pky to Duval Rd</u>
f. <u>Duval Road</u>	<u>90</u>	<u>existing Duval Rd to west Property line</u>
g. <u>Duval Road (existing road)</u>	<u>45</u>	<u>along north side of existing road from centerline</u>
h. <u>Stub Roads</u>	<u>Variable</u>	<u>determined by Transportation Department</u>

In the event that adequate transportation improvements can be provided, as determined by the Transportation Department, to accommodate full development of the Property without necessitating the aforementioned

dedications, the Transportation Department may waive the requirement for those dedications deemed unnecessary.

Prior to any subdivision or site plan approval, a phasing plan for these dedications shall be submitted to and approved by the Transportation Department. The dedications listed in this proffered condition shall be made in accordance with the approved phasing plan or within sixty (60) days from a written request by the County, whichever occurs first. (T)

12. **Access.**

- a. Prior to any plan approval that proposes vehicular access to Westerleigh Parkway, the North-South Collector, Duval Road, or Magnolia Green Parkway, an access plan for the corresponding road shall be submitted to and approved by the Transportation Department. Vehicular access from the Property to those roads shall conform to the approved access plan.
- b. No residential lot/unit shall have a direct vehicular access to Westerleigh Parkway, the North-South Collector Road, Duval Road, or Magnolia Green Parkway. (T)

13. **Road Improvements.** The following road improvements shall be completed, as determined by the Transportation Department, with the exact length and design approved by the Transportation Department:

- a. Off-Site: Reconstruction of the Otterdale Road and Duval Road intersection, to include realignment, construction of turn lanes, and intersection control (traffic signal or other innovative intersection control, such as Continuous Green-T).
- b. Off-Site: Improvements to the Otterdale Road and Westerleigh Parkway intersection, to include additional pavement (eastbound Westerleigh Parkway channelized right turn lane to southbound Otterdale Road free-flow acceleration lane for free flow right turn movements) and intersection control (traffic signal or other innovative intersection control).
- c. Off-Site (partial): Construction of a two (2) lane facility for Westerleigh Parkway, including pedestrian accommodations and crosswalk improvements, to VDOT Urban Minor Arterial standards (50 mph), with modifications approved by the Transportation Department, from the existing terminus to the North-South Collector Road. Unless otherwise approved by the Transportation Department, left and right turn lanes shall be provided at each approved access.
- d. Construction of a four (4) lane facility for Westerleigh Parkway, including pedestrian accommodations and crosswalk improvements, to VDOT Urban Minor Arterial standards (50 mph), with modifications approved by the Transportation Department, from the North-South Collector Road to

the western Property line. Unless otherwise approved by the Transportation Department, left and right turn lanes shall be provided at each approved access.

- e. Construction of additional pavement at the Westerleigh Parkway/North-South Collector Road intersection to provide left and right turn lanes, including intersection control, if warranted. Intersection control may include construction of a roundabout, traffic signal, or other innovative intersection improvements as approved by the Transportation Department.
- f. Construction of a four (4) lane facility for the North-South Collector Road, including pedestrian accommodations and crosswalk improvements, to VDOT Urban Collector standards (40 mph), with modifications approved by the Transportation Department, from Westerleigh Parkway to Duval Road intersections. Unless otherwise approved by the Transportation Department, left and right turn lanes shall be provided at each approved access.
- g. Off-Site: Construction of a four (4) lane facility for Duval Road to VDOT Urban Minor Arterial standards (50 mph), with modifications approved by the Transportation Department, from the Otterdale Road to the North-South Collector Road intersections. Unless otherwise approved by the Transportation Department, left and right turn lanes shall be provided at each approved access.
- h. Off-Site: Construction of a four (4) lane facility for Otterdale Road to VDOT Urban Minor Arterial standards (50 mph), with modifications approved by the Transportation Department, from the Duval Road to Woolridge Road intersections. Improvement shall include additional pavement along the southbound lanes at the Woolridge Road intersection to provide for dual left turn lanes and traffic signal modifications.
- i. Construction of additional pavement at the North-South Collector Road/Duval Road intersection to provide left and right turn lanes, including intersection control, if warranted. Intersection control may include construction of a roundabout, traffic signal, or other innovative intersection (Continuous Green-T) improvements as approved by the Transportation Department.
- j. Off-Site: Widening/improving the north side of Duval Road to a twelve (12) foot wide travel lane, measured from the centerline of the existing pavement, with an additional four (4) foot wide paved shoulder plus a four (4) foot wide unpaved shoulder and overlaying the full width of the road with one and a half (1.5) inch of compacted bituminous asphalt concrete, with any modifications approved by the Transportation Department, for the property frontage not improved as part of proffered condition 13.g.

- k. Construction of two (2) lanes of Magnolia Green Parkway, including pedestrian accommodations and crosswalk improvements, to VDOT Urban Minor Arterial standards (50 mph), with modifications approved by the Transportation Department, from the existing terminus of Magnolia Green Parkway to the centerline of the Powhite Parkway right-of-way. Unless otherwise approved by the Transportation Department, left and right turn lanes shall be provided at each approved access. (Note: Magnolia Green Parkway is a planned four (4) lane facility.)
- l. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified above.
- m. Prior to any subdivision or site plan approval, a phasing plan for these road improvements shall be submitted to and approved by the Transportation Department. The road improvements listed in this proffered condition shall be made in accordance with the approved phasing plan. (T)

14. **Transportation Phasing Plan.**

- a. Prior to the issuance of a certificate of occupancy for the public middle school, the following road improvements shall be completed as determined by the Transportation Department:
 - i. Proffered condition 13.a. [Reconstruction of the Otterdale Road and Duval Road intersection, to include realignment, construction of turn lanes, and intersection control (traffic signal or other innovative intersection control, such as Continuous Green-T)].
 - ii. Proffered condition 13.b. [Improvements to the Otterdale Road and Westerleigh Parkway intersection, to include additional pavement (eastbound Westerleigh Parkway channelized right turn lane to southbound Otterdale Road free-flow acceleration lane for free flow right turn movements) and intersection control (traffic signal or other innovative intersection control)].
 - iii. Proffered condition 13.c. [Construction of two (2) lanes of Westerleigh Parkway and associated improvements from existing terminus to the public middle school westernmost access to Westerleigh Parkway.]
- b. Prior to the issuance of a certificate of occupancy for the residential units or remaining county owned public use buildings, the following road improvements shall be completed as determined by the Transportation Department:

- i. Proffered Condition 13.f [Construction of a four (4) lane facility for the North-South Collector Road, including pedestrian accommodations and crosswalk improvements, to VDOT Urban Collector standards (40 mph), with modifications approved by the Transportation Department, from Westerleigh Parkway to Duval Road intersections. Unless otherwise approved by the Transportation Department, left and right turn lanes shall be provided at each approved access.]
- ii. Proffered condition 13.g. [Construction of a four (4) lane facility for Duval Road to VDOT Urban Minor Arterial standards (50 mph), with modifications approved by the Transportation Department, from the Otterdale Road to the North-South Collector Road intersections. Unless otherwise approved by the Transportation Department, left and right turn lanes shall be provided at each approved access.]
- iii. Proffered condition 13.i. [Construction of additional pavement at the North-South Collector Road/Duval Road intersection to provide left and right turn lanes, including intersection control, if warranted. Intersection control may include construction of a roundabout, traffic signal, or other innovative intersection (Continuous Green- T) improvements as approved by the Transportation Department.
- iv. Proffered condition 13.j. [Widening/improving the north side of Duval Road to a twelve (12) foot wide travel lane, measured from the centerline of the existing pavement, with an additional four (4) foot wide paved shoulder plus a four (4) foot wide unpaved shoulder and overlaying the full width of the road with one and a half (1.5) inch of compacted bituminous asphalt concrete, with any modifications approved by the Transportation Department, for the property frontage not improved as part of proffered condition 13.g] (T)

15. **Road Cash Proffers.**

- a. The applicant, sub-divider, or assignee(s) shall pay \$9,400 for each dwelling unit to Chesterfield County ("County") for road improvements within the service district for the Property. Each payment shall be made prior to the issuance of a certificate of occupancy for a dwelling unit unless state law modifies the timing of the payment. Should the County impose impact fees at any time during the life of the development that are applicable to the Property, the amount paid in road cash proffers shall be in lieu of or credited toward, but not be in addition to, any impact fees, in a manner determined by the County.

- b. In the event, the applicant, sub-divider, or assignee(s) provide road improvements labeled as "Off-Site" in proffered condition 13, the road cash proffer payments shall be reduced for the cost of such road improvements. The design, timing, and value of the Off-Site Road Improvements shall be approved by the Transportation Department. (B&M and T)

16. **Utilities.**

- a. Water and Wastewater. Any new structure on the Property requiring water and wastewater service shall use the County water and wastewater systems; provided, however, that any existing structure located on the Property and using private systems as of the effective date of the rezoning shall be allowed to continue using the private systems provided that these private systems are maintained consistent with all regulatory requirements. County water and wastewater easements and service connections shall be provided to properties containing private water and wastewater systems at time of plan review for existing structures.
- b. Overall Water and Wastewater System Plan. Prior to any plan approval, an Overall Water and Wastewater System Plan for the Property shall be submitted to and approved by the Utilities Department (the "Overall Plan"). The Overall Plan for the Property shall be coordinated with the required Overall Water and Wastewater System Plan of the Upper Magnolia Green West development (Case 21SN0676). The Overall Plan shall include, but not be limited to the following:
 - i. A minimum of two (2) adequately sized connections to the Physic Hill Pressure Zone for redundancy, looped through the Property.
 - ii. A minimum of one (1) adequately sized interconnection between the Physic Hill Pressure Zone and Clover Hill Pressure Zone, at a location acceptable to the Utilities Department, with the infrastructure necessary for the proper operation of the interconnections.
 - iii. Any off-site water and wastewater improvements needed to provide the volume of water delivery and wastewater conveyance required for the development of the Property. This shall include new water and wastewater lines and their associated appurtenances, as well as upgrades to existing water and wastewater lines and facilities.
- c. Easements. Following the approval of an Overall Plan, and upon request of the County, access to the Property and easements shall be provided, at no cost on standard County documents, in the location of the improvements shown on the approved Overall Plan, for

the construction of public waterlines and wastewater lines independent of the timing of any development on the Property. (U)

17. **Environmental Engineering.**

- a. Super Silt Fence, or an alternative as approved by the Department of Environmental Engineering, shall be provided as a perimeter control in locations where standard silt fence would have been required.
- b. Sediment traps and basins sized at least 25% larger than the minimum Virginia Erosion and Sediment Control Handbook's standard shall be provided, unless otherwise approved by the Department of Environmental Engineering at the time of plan review.
- c. Anionic PAM, Flexible Growth Medium and/or a County-approved equivalent shall be applied to denuded areas during construction and at final stabilization in the locations shown on plans approved by the Department of Environmental Engineering at the time of plan review.
- d. The maximum post-development discharge rate for the 100-year storm shall be based on the maximum capacity of the existing facilities downstream, and shall not increase the recorded and /or established 100-year backwater and /or floodplain. On-Site detention of the post-development 100-year discharge rate to below the pre-development 100-year discharge rate may be provided to satisfy this requirement.
- e. Steep slopes equal to or greater than 20 percent shall remain in their natural, undisturbed state to the maximum extent practicable, unless otherwise approved by the Department of Environmental Engineering at the time of plan review. In locations where the disturbance of slopes greater than 20 percent is unavoidable, additional enhanced erosion and sediment control measures shall be provided as directed by the Department of Environmental Engineering at the time of plan review. The Department of Environmental Engineering shall approve the exact design and implementation of these standards. (EE)

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

17. **PUBLIC HEARINGS**

17.A. **TO ADOPT AN ORDINANCE TO VACATE A PORTION OF EAST BOUNDARY TERRACE AND LOTS 1, 2 AND 3 WITHIN BRANDERMILL TRADE CENTER**

Mr. Dean Sasek stated this date and time has been advertised for a public hearing for the Board to adopt an ordinance to vacate a portion of East Boundary Terrace and lots 1,2, and 3 within Brandermill Trade Center.

Mr. Winslow called for public comment.

There being no one to speak to the issue, the public hearing was closed.

On motion of Ms. Haley, seconded by Mr. Ingle, the Board adopted the following ordinance:

AN ORDINANCE whereby the COUNTY OF CHESTERFIELD, VIRGINIA, ("GRANTOR") vacates to BRANDERMILL COMMUNITY ASSOCIATION INCORPORATED, a Virginia corporation, ("GRANTEE"), a portion of East Boundary Terrace adjacent to Lot 4, within Brandermill Trade Center, and vacates to KALCO, INC., a Virginia corporation, ("GRANTEE"), portions of East Boundary Terrace adjacent to Lots 1, 2, and 3, within Brandermill Trade Center, and Lots 1, 2 and 3, within Brandermill Trade Center, CLOVER HILL Magisterial District, Chesterfield County, Virginia, as shown on a plat thereof duly recorded in the Clerk's Office, Circuit Court, Chesterfield County, Virginia in Plat Book 32, at Pages 22 and 23.

WHEREAS, Sheetz, Inc., petitioned the Board of Supervisors of Chesterfield County, Virginia to vacate a portion of East Boundary Terrace and Lots 1, 2, and 3, within Brandermill Trade Center, CLOVER HILL Magisterial District, Chesterfield County, Virginia more particularly shown on a plat of record in the Clerk's Office of the Circuit Court of said County in Plat Book 32, Pages 22 and 23, by J.K. TIMMONS & ASSOCIATES, INC., dated JULY 24, 1978.

The portion of right of way and lots petitioned to be vacated are more fully described as follow: Portions of East Boundary Terrace and Lots 1, 2, and 3, within Brandermill Trade Center, the location of which is more fully shown on a plat by MIDATLANTIC SURVEYING AND LAND DESIGN, dated April 13, 2022, a copy of which is attached hereto and made a part of this Ordinance.

WHEREAS, notice has been given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, by advertising; and,

WHEREAS, no public necessity exists for the continuance of the portions of right of way and lots sought to be vacated.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

That pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, the aforesaid portions of the right of way and Lots 1, 2, and 3 be and are hereby vacated.

This Ordinance shall be in full force and effect in accordance with Section 15.2-2272 of the Code of Virginia, 1950, as amended, and a certified copy of this Ordinance, together with the plat attached hereto shall be recorded no sooner than thirty days hereafter in the Clerk's Office,

Circuit Court, Chesterfield County, Virginia pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended.

The effect of this Ordinance pursuant to Section 15.2-2274 is to destroy the force and effect of the recording of the portions of the plat vacated. This Ordinance shall vest fee simple title of the portions of right of way hereby vacated in the adjoining lot owners and the lots hereby vacated to the underlying landowner within Brandermill Trade Center, free and clear of any rights of public use.

GRANTOR hereby reserves a 20' water easement also shown on the attached plat.

Accordingly, this Ordinance shall be indexed in the names of the GRANTOR and GRANTEES, or their successors in title.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

17.B. TO CONSIDER AMENDMENT OF LEASE AT CLOVER HILL WATER TANK

Mr. Sasek stated this date and time has been advertised for a public hearing for the Board to consider amendment of lease at Clover Hill Water Tank.

Mr. Winslow called for public comment.

There being no one to speak to the issue, the public hearing was closed.

On motion of Ms. Haley, seconded by Mr. Ingle, the Board approved a lease amendment with New Cingular Wireless PCS, LLC, a/k/a AT&T Mobility Corporation at Clover Hill Water Tank.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

17.C. TO CONSIDER APPROPRIATION OF UP TO \$130.8 MILLION IN VIRGINIA PUBLIC SCHOOL AUTHORITY (VPSA) BONDS FOR MIDDLE SCHOOL PROJECTS

Mr. Matt Harris stated this date and time has been advertised for a public hearing for the Board to consider appropriation of up to \$130.8 million in Virginia Public School Authority (VPSA) bonds for middle school projects.

Mr. Winslow called for public comment.

There being no one to speak to the issue, the public hearing was closed.

On motion of Ms. Haley, seconded by Mr. Carroll, the Board accepted and appropriate \$130.8M in Virginia Public School Authority (VPSA) bond proceeds.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

17.D. TO CONSIDER REVISED AMERICAN RESCUE PLAN ACT (ARPA) RECOVERY PLAN

Mr. Harris stated this date and time has been advertised for a public hearing for the Board to consider the revised American Rescue Plan Act (ARPA) Recovery Plan.

Mr. Winslow called for public comment.

There being no one to speak to the issue, the public hearing was closed.

On motion of Ms. Haley, seconded by Mr. Holland, the Board adopted the revised American Rescue Plan Act (ARPA) Recovery Plan.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

17.E. FY23-FY28 SECONDARY ROAD SIX-YEAR PLAN AND FY23 SECONDARY ROAD IMPROVEMENT BUDGET; APPROPRIATION OF FUNDS AND AUTHORIZATION TO PROCEED

Mr. Epps stated this date and time has been advertised for a public hearing for the Board to consider the FY23-FY28 Secondary Road Six-Year Plan and FY23 Secondary Road Improvement Budget and adopt resolutions approving the FY23-FY28 Secondary Six-Year Plan, the FY23 Secondary Road Improvement Budget, and Rural Addition project, and appropriate \$50,000 from the General Road Improvement account for the Miller Road Rural Addition project and authorize staff to proceed.

Mr. Winslow called for public comment.

Ms. Renee Eldred expressed her appreciation to staff for their efforts to enhance Route 1.

There being no one else to speak to the issue, the public hearing was closed.

On motion of Mr. Carroll, seconded by Ms. Haley, the Board adopted the following resolution approving the FY23-FY28 Secondary Road Six-Year Plan:

WHEREAS, the Chesterfield County Board of Supervisors and the Virginia Department of Transportation (VDOT) have conducted a public hearing on the FY2023 through FY2028 Secondary Road Six-Year Plan; and

WHEREAS, the Board concurs with the proposed projects identified in the Plan.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors approves the FY2023 through FY2028 Secondary Road Six-Year Plan as presented by VDOT.

And, further, the Board adopted the following resolution approving the FY23 Secondary Road Improvement Budget:

WHEREAS, the Virginia Department of Transportation (VDOT) has submitted its proposed FY2023 Secondary Road Improvement Budget to the county; and

WHEREAS, the Budget represents the implementation of the first year of the FY2023 through FY2028 Secondary Road Six-Year Plan adopted by the Board.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors approves the FY2023 Secondary Road Improvement Budget as presented by VDOT.

And, further, the Board adopted the following resolution approving the Rural Addition Project:

WHEREAS, Miller Road described below was established prior to July 1, 1992, has provided continuous public service since its establishment, and is now deemed to provide sufficient public service to warrant its addition as part of the secondary system of state highways,

NOW, THEREFORE, BE IT RESOLVED, this Board requests Miller Road be added to the secondary system of state highways, pursuant to §33.2-335, Code of Virginia and the Rural Addition Policy of the Virginia Department of Transportation:

Name of Street: Miller Road
From: Baldwin Road (Route 786)
To: 0.17 mile north of Baldwin Road (Route 786)
Length: 0.17 mile
Guaranteed Minimum Right-of-Way Width: 40 feet

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to improve the street to prescribed minimum standards, pursuant to the rural addition policy of the Commonwealth Transportation Board.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.
Nays: None.

18. REMAINING MANUFACTURED HOME PERMITS AND ZONING REQUESTS

There were no remaining manufactured home permits and zoning requests.

19. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

There were no requests to address the Board at this time.

20. ADJOURNMENT

On motion of Ms. Haley, seconded by Mr. Ingle, the Board adjourned at 11:42 p.m. until June 29, 2022, at 2:00 p.m. for a work session to be held in the Public Meeting Room.

Ayes: Winslow, Haley, Ingle, Holland and Carroll.

Nays: None.

Joseph P. Casey
County Administrator

Christopher M. Winslow
Chairman

