

**BOARD OF SUPERVISORS**

**MINUTES**

**November 15, 2023**

**Supervisors in Attendance:**

Mr. Kevin P. Carroll, Chair  
Mr. James A. Ingle, Jr., Vice Chair  
Mr. Christopher M. Winslow  
Mr. James M. Holland  
Dr. Mark S. Miller

Dr. Joseph P. Casey  
County Administrator

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

**1. APPROVAL OF MINUTES**

On motion of Mr. Winslow, seconded by Mr. Holland, the Board approved the minutes of October 25, 2023, as submitted.

Ayes: Carroll, Ingle, Winslow, Holland and Miller.  
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 and additions, deletions or changes in the order of presentation.

**3. WORK SESSIONS**

**3.A. EVERYDAY EXCELLENCE**

Dr. Casey recognized Ms. Sharon Brown and Mr. Doug Hawthorne from Parks and Recreation as the recipients of the Everyday Excellence Award for tireless efforts to provide high-quality fields and facilities. Parks and Recreation Director Neil Luther made it clear that without team members like them the county simply could not offer the types of services and experiences it does.

Board members commended both Ms. Brown and Mr. Hathorne for their tremendous efforts and commitment to the citizens of Chesterfield County.

**3.B. EXTERNAL AUDIT REPORT**

Mr. Rob Churchman, Engagement Partner with Cherry Baekart, LLP, presented the county's FY2023 Comprehensive Annual Financial Report (CAFR) to the Board, as required by the Code of Virginia.

(Note: The presentation can be found at the following link:  
<https://chesterfieldcova.portal.civicclerk.com/event/970/media>)

### **3.C. HUMAN RESOURCES ANNUAL UPDATE**

Ms. Mary Martin Selby, Human Resources Director, joined by Ms. Kristi Brittle, assistant director, and Ms. Elizabeth Marker, Chief of Administrative Services, provided presented the department's fiscal year 2023 annual report to the Board, which includes the county's priority to promote a culture of work/life balance; competitive pay and benefits; cultivate own talent pool with succession planning; innovative recruitment strategies that appeal to high-caliber applicants; recruitment and talent acquisition; internal hires statistics; career development plans; compensation highlights; county government and schools joint pay study timeline; health and dental benefit statistics; and 2024 healthcare rates.

(Note: The presentation can be found at the following link:  
<https://chesterfieldcova.portal.civicclerk.com/event/970/media>)

### **3.D. SPORTS, VISITATION, AND ENTERTAINMENT UPDATE**

Mr. J.C. Poma, executive director of the county's Sports, Visitation, and Entertainment Department, joined by Mr. Chris Smith, partner with The Collective Best, and Mr. Jon Luggbill, Executive Director of Sports Backers provided an update to the Board regarding tourism data, current and future venue development projects in conjunction with Parks and Recreation, and the county path forward in increasing quality of life and diversifying the economy and tax base through visitor spending.

Board members thanked the presenters for the valuable information relative to tourism.

(Note: The presentation can be found at the following link:  
<https://chesterfieldcova.portal.civicclerk.com/event/970/media>)

### **3.E. CONSENT AGENDA HIGHLIGHTS**

Deputy County Administrators Matt Harris and Jesse Smith updated the board on various consent agenda highlights being proposed this evening which include items, 12.A.2. Courthouse Road Extension to Salem Church Road; 12.A.6. Approval of Amendment and Extension of the Route 1 Incentive Policy to December 31, 2025; Item 12.A.7.c. To Consider Golf Cart and Utility Vehicle Designation; 12.A.7.f. To Consider the Exercise of Eminent Domain for the Acquisition of an Easement for the Otterdale Road Water Line Interconnection and PRV Project; 12.A.7.b. To Consider Enacting Section 9-63.1 of the County Code Relating to an Exemption from Personal Property Tax for a Vehicle Owned by a Disabled Veteran; 12.A.7.d. To Consider Amending Sections 9-24 and 9-25 of the County Code to

Adjust the County Tax Relief and Net Worth Thresholds; and 12.A.7.e. To Consider Proposed FY2024 Budget Amendments.

**4. REPORTS**

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

The Board approved the Monthly Report on District Improvement Funds.

**5. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS**

Mr. Norman Johnson addressed the Board relative to his newly formed non-profit organization Hopkins Association of Chesterfield.

**6. RECESS FOR DINNER**

On motion of Mr. Holland, seconded by Mr. Winslow, the Board recessed for dinner at the Central Library.

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

Reconvening:

**7. INVOCATION**

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

**8. PLEDGE OF ALLEGIANCE**

Deputy County Administrator Matt Harris led the Pledge of Allegiance.

**9. COUNTY ADMINISTRATION UPDATE**

**9.A. CCHASM THANKSGIVING**

Dr. Casey stated the CCHASM Thanksgiving Program prepares meal bags for over 12,000 residents from Chesterfield, Colonial Heights, Dinwiddie, Hopewell, and Prince George. He further stated due to the overwhelming response this year, the 2023 meal registration began October 1<sup>st</sup> and ended October 16, after all slots were filled. He noted volunteers are currently assembling meals in preparation for the Saturday, November 18<sup>th</sup> distribution at the fairgrounds.

#### **9.B. VETERAN SERVICES UPDATE**

General Sean Tyler from Defense Logistics Academy and Ms. Emily Ashley, director of Community Engagement and Resources, provided an update to the Board relative to veteran services within the county.

#### **9.C. RECOGNITION OF RECENT AWARDS AND EMPLOYEE ACHIEVEMENTS**

- Dr. Casey congratulated Ms. Marlie Creasey-Smith, assistant director of Parks and Recreation, and Ms. Emily Ashley who graduated from the Virginia Women's Municipal Leadership Institute. He stated the women participated in eight monthly gatherings, alternating between virtual and in-person sessions around the state.
- Dr. Casey also congratulated the Parks and Recreation Department on their Commission for Accreditation of Park and Recreation Agencies (CAPRA) Reaccreditation. He stated CAPRA delivers quality assurance and improvement to accredited park and recreation departments throughout the country by helping them build a comprehensive management system of operational best practices.

#### **9.D. OTHER COUNTY ADMINISTRATION UPDATES**

- Dr. Casey expressed his condolences to the family and friends of former District Chief Ed Myers following a long illness. He stated Chief Myers joined the department in May of 1987 and spent many years serving the people of Chesterfield as district chief of the Bon Air Volunteer Fire Department.

#### **10. BOARD MEMBER REPORTS**

Mr. Winslow announced he attended several events which included the Chesterfield Historical Society of Virginia unveiling of the "Cornelius Mimms-A Trailblazer" exhibit on October 28<sup>th</sup> and the VACo breakout session on November 13<sup>th</sup>.

Mr. Holland announced he attended several events which included the VACo banquet on November 12<sup>th</sup>, a VACo meeting on November 13<sup>th</sup>, the first annual Chesterfield Freedom Festival on October 28<sup>th</sup> and the Meadowbrook Estates Civic Association Veterans Day ceremony on November 8<sup>th</sup>.

Dr. Miller announced he attended several events which included the Provincetown Sidewalk Project meeting on November 1<sup>st</sup>, the Honey Baked Ham Company ribbon cutting event on November 11<sup>th</sup> and the Kiddie Academy ribbon cutting event on November 9<sup>th</sup>.

Mr. Ingle announced he attended several events which included the Martha Mason Hill golf tournament on October 22<sup>nd</sup>, Recover Hope Gala on October 28<sup>th</sup>, Hops in the Park on November 4<sup>th</sup> and Community Conversations on November 9<sup>th</sup> and 14<sup>th</sup>. He also provided details relative to the Woods Edge Road safety improvement project.

Mr. Carroll announced he attended several events which included a CVTA meeting on October 27<sup>th</sup>, Town and Gown meeting on October 31<sup>st</sup> and the Veterans Day ceremony on November 11<sup>th</sup>. He also provided details relative to the Moseley Elementary connector bridge and trail.

**11. RESOLUTIONS AND SPECIAL RECOGNITIONS**

**11.A. RECOGNITION OF 2023 FALL GOVERNMENT CITIZENS ACADEMY GRADUATES**

Ms. Kelly Booth, Volunteer Community Engagement Coordinator, stated the Government Citizens Academy offers Chesterfield residents the opportunity to learn about their local government through interactive sessions. She further stated during a nine-week program, participants receive a comprehensive look at programs, and learn directly from the department leaders and members of the Board of Supervisors about local government operations. She then introduced 19 graduates from each of the 5 magisterial districts, who were presented certificates, and Dr. Shandra Cain provided a short testimony about her class experience.

**12. NEW BUSINESS**

**12.A. CONSENT ITEMS**

**12.A.1. REAL PROPERTY REQUESTS**

**12.A.1.a. ACCEPTANCE OF PARCELS OF LAND**

**12.A.1.a.1. ACCEPTANCE OF A PARCEL OF LAND ADJACENT TO TURNER ROAD FROM THE VOICE OF CHRIST INTERNATIONAL CHURCH**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board accepted the conveyance of a parcel of land containing 0.121 acres adjacent to Turner Road from The Voice of Christ International Church and authorized the County Administrator to execute the deed.

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

Nays: None.

**12.A.1.a.2. ACCEPTANCE OF PARCELS OF LAND ADJACENT TO OMO ROAD FROM LUIS MANUEL HERNANDEZ**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board accepted the conveyance of two parcels of land containing a total of 0.025 acres adjacent to Omo Road from Luis Manuel Hernandez and authorized the County Administrator to execute the deed.

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

Nays: None.

**12.A.1.a.3. ACCEPTANCE OF A PARCEL OF LAND ADJACENT TO ROUTE 1 FROM CHESTER LAND ASSOCIATES, LLC**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board accepted the conveyance of a parcel of land containing 0.3516 acres adjacent to Route 1 from Chester Land Associates, LLC and authorized the County Administrator to execute the deed.

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

Nays: None.

**12.A.1.b. REQUESTS FOR PERMISSION**

**12.A.1.b.1. REQUEST PERMISSION TO ALLOW A PROPOSED PRIVATE WATER SERVICE WITHIN A PROPOSED PRIVATE WATER EASEMENT TO SERVE THE PROPERTY AT 3826 OLD GUN ROAD WEST**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board granted permission to allow a proposed private water service within a proposed private water easement to serve property at 3826 Old Gun Road West and authorized the County Administrator to execute the water connection agreement.

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

Nays: None.

**12.A.1.b.2. TO CONSIDER CONVEYANCE OF AN EASEMENT TO VERIZON VIRGINIA LLC AT CHESTERFIELD AIRPORT**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute an agreement with Verizon Virginia LLC, for an underground easement.

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

Nays: None.

**12.A.1.b.3. TO CONSIDER CONVEYANCE OF AN EASEMENT TO VIRGINIA ELECTRIC AND POWER COMPANY AT CHESTERFIELD AIRPORT**

On motion of Mr. Winslow, seconded by Mr. Ingle, 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 an underground easement.

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

Nays: None.

**12.A.2. COURTHOUSE ROAD EXTENSION TO SALEM CHURCH ROAD**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board authorized the County Administrator to proceed with the design of the Courthouse Road Extension to Salem Church Road.

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

**12.A.3. ACCEPTANCE OF STATE ROADS**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board adopted the following resolution:

WHEREAS, the street described below is 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 street meets 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 street 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: Clover Hill Industrial Park Phase II**  
**Type Change to the Secondary System of State Highways:**  
**Additions**  
**Reason for Change: New Subdivision Streets**  
**Pursuant to Code of Virginia Statute: §33.2-705, 33.2-334**

**Street Name and/or Route Number**

- **Deerhill Road, State Route Number 7332**  
From: 0.22 miles northeast of Deerleaf Way, (Route 7334)  
To: Deerhill Court, (Route 8448), a distance of 0.01 miles  
Recordation Reference: Plat Book 279, Page 22  
Right of Way width (feet) = 60
- **Deerhill Road, State Route Number 7332**  
From: Deerhill Court, (Route 8448)  
To: The cul-de-sac, a distance of 0.40 miles  
Recordation Reference: Plat Book 279, Page 22  
Right of Way width (feet) = 60
- **Deerhill Court, State Route Number 8448**

From: Deerhill Road, (Route 7332)  
To: The cul-de-sac, a distance of 0.07 miles  
Recordation Reference: Plat Book 279, Page 22  
Right of Way width (feet) = 60

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

**12.A.4. AUTHORIZE USE OF DISTRICT ENHANCEMENT CAPITAL IMPROVEMENT FUNDS (DECIF)**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board authorized the use of District Enhancement Capital Improvement funds as outlined in the Summary of Information section, including authorization to advertise and award construction contracts and change orders, up to the full amount budgeted for each project, and execution of any agreements necessary to complete the projects.

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

**12.A.5. AWARD OF CONSTRUCTION CONTRACT FOR BEULAH NEIGHBORHOOD PARK**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board Authorize the Director of Procurement to award a construction contract in the amount of \$2,396,150.60 to Dickerson Construction LLC, the lowest responsive and responsible bidder, and approve all necessary change orders, up to the amount budgeted for the construction of Beulah Neighborhood Park.

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

**12.A.6. APPROVAL OF AMENDMENT AND EXTENSION OF THE ROUTE 1 INCENTIVE POLICY TO DECEMBER 31, 2025**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board approved the amendment and extension of the Route 1 Incentive Policy to December 31, 2025.

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

**12.A.7. SET PUBLIC HEARING**

**12.A.7.a. TO CONSIDER THE VACATION OF PORTIONS OF A 10' ALLEY AND A 15' ALLEY IN MAP OF A PART OF THE VILLAGE OF BENSLEY**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board set a public hearing date of December 13, 2023, to consider the

vacation of portions of a 10' alley and a 15' alley in map of a Part of the Village of Bensley.

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

Nays: None.

**12.A.7.b. TO CONSIDER ENACTING SECTION 9-63.1 OF THE COUNTY CODE RELATING TO AN EXEMPTION FROM PERSONAL PROPERTY TAX FOR A VEHICLE OWNED BY A DISABLED VETERAN**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board set a public hearing date of December 13, 2023, to consider enacting Section 9-63.1 of the County Code relating to an exemption from personal property tax for a vehicle owned by a disabled veteran.

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

Nays: None.

**12.A.7.c. TO CONSIDER GOLF CART AND UTILITY VEHICLE DESIGNATION**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board set a public hearing date of December 13, 2023, to consider golf cart and utility vehicle designation.

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

Nays: None.

**12.A.7.d. TO CONSIDER AMENDING SECTIONS 9-24 AND 9-25 OF THE COUNTY CODE TO ADJUST THE COUNTY TAX RELIEF AND NET WORTH THRESHOLDS**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board set a public hearing date of December 13, 2023, to consider amending Sections 9-24 and 9-25 of the County Code to adjust the county tax relief and net worth thresholds.

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

Nays: None.

**12.A.7.e. TO CONSIDER PROPOSED FY2024 BUDGET AMENDMENTS**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board set a public hearing date of December 13, 2023, to consider proposed FY2024 budget amendments.

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

Nays: None.

**12.A.7.f. TO CONSIDER EXERCISE OF EMINENT DOMAIN FOR THE ACQUISITION OF AN EASEMENT FOR THE OTTERDALE ROAD WATER LINE INTERCONNECTION AND PRV PROJECT**

On motion of Mr. Winslow, seconded by Mr. Ingle, the Board set a public hearing date of December 13, 2023, to consider exercise of eminent domain for the acquisition of an easement for the Otterdale Road Water Line Interconnection and PRV Project.

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

**13. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS**

Ms. Evie Florek addressed the Board relative to the need of public transit within the county.

Mr. Murti Khan addressed the Board relative to financial transparency measures.

Mr. Glen Besa expressed concerns relative to climate change, air pollution and Dominion Energy's proposal for a gas plant.

**14. DEFERRED ITEMS FROM PREVIOUS MEETINGS**

There were no deferred items from previous meetings.

**15. REQUESTS FOR MANUFACTURED HOME PERMITS AND REZONING PLACED ON THE CONSENT AGENDA**

Ms. 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.

**23MH0006**

In Matoaca Magisterial District, VSU Athletic Booster Club Manufactured Home Permit Renewal is a request for renewal of manufactured home permit (Case 16SN0140) to permit a temporary manufactured home and amendment of zoning district map in a Residential (R-7) District on 0.9 acre known as 20911 Third Avenue. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Institutional use. Tax ID 796-612-8206.

Ms. Hall introduced Case 23MH0006. She stated staff received no comments on the case, staff recommended approval subject to the conditions in the staff report.

Mr. Carroll 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 23MH0006, subject to the following conditions:

1. The manufactured home shall be owned by the applicant and the permit shall be granted to and for Virginia State University Athletic Booster Club exclusively. (P)
2. This Manufactured Home Permit shall be granted for a period of three (3) years from the date of approval. (P)
3. No permanent type living space may be added to the manufactured home. (P)
4. This manufactured home shall be used as a non-profit civic, social, and fraternal club and lodge only. (P)

(Note: The Zoning Ordinance limits the maximum period of time for which a manufactured home permit may be granted to seven (7) years. Should the Board wish to approve this request, this approval would be for seven (7) years unless conditioned for less time and then subject to renewal.)

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

Nays: None.

### **22SN0138**

In Bermuda Magisterial District, TownePlace Suites Chester is a request for conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map in Community Business (C-3) District on 3.73 acres fronting approximately 1,000 feet on the west side of Interstate 95, 1,800 feet northeast of the West Hundred Road and Redwater Creek Road intersection. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Corporate Office/Research & Development/Light Industrial use. Tax ID 801-656-2576.

Ms. Hall introduced Case 22SN0138. She stated staff received no comments on the case, the Planning Commission and staff recommended approval subject to the conditions in the staff report.

Mr. Carroll called for public comment.

Ms. Renae Eldred expressed concerns relative to the possibility of increased traffic in the area of the development.

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

Discussion ensued relative to the cross-access easement for future secondary access.

On motion of Mr. Ingle, seconded by Mr. Carroll, the Board approved Case 22SN0138, subject to the following proffered conditions:

The Owner-Applicant in this rezoning Case 22SN0138 pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, Virginia, (the "County") for itself and its successor or assigns, proffers that the development of the approximately 3.73 acres with County Tax Identification Number 801656257600000 (the "Property") will be developed as set forth below; however, in the event the request is denied or approved with conditions not agreed to by the Owner-Applicant, these proffers shall be immediately null and void and of no further force or effect. The following proffered conditions are provided for the Property:

1. Master Plan. The Master Plan for the Property shall consist of the following:
  - a. The Textual Statement last revised on August 23, 2023.
  - b. Development of the Property shall generally conform to the Conceptual Plan (Exhibit A1), titled "TOWNEPLACE SUITES @ REDWATER CREEK ROAD CHESTERFIELD COUNTY, VA SCHEMATIC LAYOUT", prepared by The Site Design Company last revised August 22, 2023, (the "Conceptual Plan") with respect to the general layout of buildings, drives, and parking areas. The layout on the Conceptual Plan is conceptual in nature and may vary based on the final site plan depending on final engineering and environmental studies, or as otherwise approved by the Planning Commission at the time of plans review. (P)
2. Perimeter Landscaping Adjacent to Limited Access Road (Interstate 95). Enhanced landscaping shall be provided within the reduced building and parking setback areas in general conformance with the Conceptual Plan. The fifteen-foot (15') parking setback shall be planted with a mix of evergreen trees planted at a rate of one (1) tree per twenty feet (20'). The remainder of the twenty-five foot (25') building setback shall meet the Perimeter Landscaping B, Option 2 planting density without the berm option. Evergreen trees within the fifteen-foot (15') setback shall have a typical mature height of thirty feet (30') or greater. (P)
3. Landscaped Setback Adjacent to Moore's Lake. A ten foot (10') landscaped setback shall be provided along the western boundary of the Property adjacent to GPIN 800-656-5290. Prior to site plan approval, one (1) of the following setback treatments shall be selected and shown on the plan to address transition along the western property boundary:
  - a. If the adjoining property is zoned to permit single-family detached dwelling use, the setback shall contain a six foot (6') tall composite privacy fence to provide screening of the Property to future

residential development to the west, and shall be planted to meet the requirements of Perimeter Landscape C.

- b. If the adjoining property is 1) zoned to permit townhouse dwelling use, multifamily dwelling use or any nonresidential use, and 2) has a road or access drive along the shared property boundary to provide means for a second access for the Property, the setback shall instead contain a two (2) to three (3) foot tall landscaped berm to provide screening of the Property to future development to the west, and shall be planted to meet the requirements of Perimeter Landscape C. Evergreen trees within this setback shall have a typical mature height of thirty feet (30') or greater. (P)
4. Utilities. The public water and wastewater systems shall be used. The owner of the Property shall submit a hydraulic analysis of the downstream public wastewater system to verify that adequate capacity exists in conjunction with the first site plan submission. Any capacity related improvements required to support the demands of the development shall be reflected on the site plan and will be the responsibility of the owner of the Property. (U)
5. Building Size. No buildings on the Property shall exceed 124,000 square feet of gross floor area. (P)
6. Architecture. Permitted materials for building exteriors shall be limited to a combination of brick, stone or cultured stone, architectural masonry, cementitious siding, or other materials comparable in quality as approved by the Planning Department at the time of site plan review. Architectural treatments, such as windows, doors, accent bands, trim, etc. may be constructed of metal, fiberglass, EIFS, stucco, or other materials comparable in quality as approved by the Planning Department at the time of site plan review. No vinyl siding shall be permitted. (P)
7. Cross-Access Easement for Future Secondary Access. The right of pedestrian and vehicular access over and across the Property at one (1) of the potential second access point locations shown on Conceptual Plan shall be granted to the adjoining property as shown on the Conceptual Plan, subject to an agreement with such adjoining property to permit access over and across such adjoining property for the benefit of the Property, and maintenance of all such access ways. If an agreement is obtained, the selected cross-access easement location for the future secondary access point shall be determined and subsequently shown on the approved site plan. (P)

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

Nays: None.

**23SN0069**

In Bermuda Magisterial District, Scott Family Day Care Home is a request for conditional use to permit a family day care home and amendment of zoning district map in a Residential (R-12) District on 1.33 acres known as 3518 Midhurst Drive. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Residential use (1.5 dwellings per acre or less). Tax ID 790-664-2634.

Ms. Hall introduced Case 23SN0069. She stated staff received no comments on the case, the Planning Commission and staff recommended approval subject to the conditions in the staff report.

Mr. Carroll 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. Holland, the Board approved Case 23SN0069, subject to the following conditions:

1. Non-Transferable Ownership. This conditional use approval shall be granted to and for Natasha Scott, exclusively, and shall not be transferable nor run with the land. (P)
2. Expansion of Use. There shall be no exterior additions or alterations to the existing structure to accommodate this use. (P)
3. Signage. There shall be no signs permitted to identify this use. (P)
4. Number of Children. This conditional use approval shall be limited to providing care, protection, and guidance to a maximum of twelve (12) children, other than the applicant's own children, at any one time. (P)
5. Days and Hours of Operation. Hours and days of operation shall be limited to Monday through Friday from 7 a.m. to 6 p.m. There shall be no Saturday or Sunday operation of this use. (P)
6. Pick-up and Drop-off. Pick-up and drop-off shall be between the hours of 7 a.m. to 6 p.m. (P)
7. Time Limitation. This conditional use approval shall be granted for a period not to exceed five (5) years from the date of approval. (P)
8. Outdoor Play Areas. Any outdoor play area and/or recreational equipment utilized by the family day-care home shall be located in the side or rear yard of the property. Outdoor play and/or recreational equipment areas shall have perimeter fencing of at least four (4) feet in height, installed around the equipment or play area. Equipment for outdoor play areas shall be located

no closer than ten (10) feet to the side or rear property lines. (P)

9. Employees. No more than one (1) employee shall be permitted to work on the premises, other than family member employees that live on the premises. No overnight care shall be provided by employees. (P)

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

Nays: None.

#### **23SN0074**

In Dale Magisterial District, Moss Tattoo Shop Amendment is a request for an amendment of conditional use (Case 14SN0518) relative to operational rights of a tattoo parlor and amendment of zoning district map in General Business (C-5) District on 13.41 acres known as 10601 Hull Street Road. Density will be controlled by zoning conditions or ordinance standards. The Comprehensive Plan suggests the property is appropriate for Community Business and General Business use. Tax ID 746-684-6733.

Ms. Hall introduced Case 23SN0074. She stated staff received no comments on the case, the Planning Commission and staff recommended approval subject to the conditions in the staff report.

Mr. Carroll 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. Winslow, the Board approved Case 23SN0074.

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

Nays: None.

#### **16. PUBLIC HEARINGS**

##### **16.A. TO DECLARE COUNTY PROPERTY AT 12140 HARROWGATE ROAD SURPLUS AND FOR CONVEYANCE**

Mr. Clay Bowles stated this date and time has been advertised for the Board to declare county property at 12140 Harrowgate Road surplus and for conveyance. The Grand Lodge of Independent Order of Odd-Fellows of the State of Virginia has offered to purchase the property, which formerly housed the Chester Library, for \$321,200.00, which is the property's current assessed value. The property is not needed for any present or future use by the county but a right of first refusal has been negotiated into the purchase contract giving the County the ability to repurchase the property in the future should the buyer decide to sell. The Odd-Fellows are a non-profit organization rooted in charitable and community-focused service, to include service projects, community events and

charitable fundraising that benefits the less fortunate, youth, elderly, environment and overall betterment of the community. They have committed to make the property available at nominal cost to other community groups/non-profits with a similar mission for community meetings and events and will make the premises available for the Chester Christmas tree lighting event annually.

Mr. Carroll called for public comment.

The following individuals spoke in favor of the proposal:

- Mr. Scott Dulaney, president of the trustee's board of the Independent Order of the Odd Fellows Grand Lodge of Virginia, joined by Mr. Roger West and Mr. Nick Curry
- Ms. Renae Eldred

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

On motion of Mr. Ingle, seconded by Mr. Holland, the Board declared 12140 Harrowgate Road surplus and approve the conveyance of the property to the Trustees of the Grand Lodge of Independent Order of Odd-Fellows of the State of Virginia, and authorized the Chairman of the Board and the County Administrator to execute the contract and deed.

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

Nays: None.

**17. REMAINING MANUFACTURED HOME PERMITS AND ZONING REQUESTS**

There were no remaining manufactured home permits and zoning requests.

**18. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS**

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

**29. ADJOURNMENT**

On motion of Mr. Winslow, seconded by Dr. Miller, the Board adjourned at 7:25 p.m. until December 6, 2023, at 9:00 a.m. for a joint legislative reception to be held at Beulah Recreation Center.

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

Nays: None.

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Joseph P. Casey  
County Administrator

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Kevin P. Carroll  
Chairman