

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

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, August 13, 2013, at 5:30 p.m.** in the County Manager's Conference Room located on the third floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

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

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|------------------|---------------------------------------|
| 5:30 – 6:00 p.m. | Richmond International Airport Update |
| 6:00 – 6:15 p.m. | Update on Fire Station No. 3 |
| 6:15 – 6:45 p.m. | <i>Dinner</i> |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
August 8, 2013

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
August 13, 2013
7:00 p.m.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENT PRAYER

APPROVAL OF MINUTES – July 23, 2013, Regular Meeting Minutes

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATION

Proclamation – Preparedness Month – September 2013.

PUBLIC HEARINGS – REZONING CASES

160-13
REZ2013-
00010
Brookland

Impala Properties, LLC: Request to conditionally rezone from R-4 One-Family Residence District and M-1 Light Industrial District to M-1C Light Industrial District (Conditional) Parcel 774-749-7580 containing 0.773 acres located in the northwest quadrant of the intersection of Impala Drive and Impala Place. The applicant proposes an animal kennel. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Light Industry and Environmental Protection Area. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

161-13
REZ2013-
00011
Brookland

613 Brook Avenue, LLC: Request to rezone from R-4 One-Family Residence District to M-1 Light Industrial District part of Parcel 774-749-8360 containing 0.27 acres located in the southwest quadrant of the intersection of Impala Drive and Impala Place. The uses will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Light Industry and Environmental Protection Area. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

162-13
REZ2013-
00009
Brookland

Wistar Place, LLC: Request to conditionally rezone from R-3 One-Family Residence District and R-5 General Residence District to R-3C One-Family Residence District (Conditional) Parcels 769-751-7510, -7755, and -6726 containing 8.314 acres located on the south line of Wistar Road at its intersection with Birchbrook Road. The applicant

proposes a single family residential development. The R-3 district allows a minimum lot size of 11,000 square feet and a maximum gross density of 3.96 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors grant the request.

PUBLIC HEARINGS – OTHER ITEMS

- 163-13 Ordinance – To Amend and Reordain Section 2-48 Titled “Bonds,” Section 16-4 Titled “Purchasing system established,” Section 16-6 Titled “Powers and duties of director of general services,” Section 16-7 Titled “Delegation of authority by director of general services,” Section 16-8 Titled “Establishment of operational procedures,” Section 16-9 Titled “Purchases for volunteer rescue squads,” Section 16-10 Titled “Unauthorized purchases,” Section 16-11 Titled “Disposal of obsolete or unusable property,” Section 16-12 Titled “Sale of surplus property,” Section 16-43 Titled “Award of contracts generally,” Section 16-44 Titled “Receiving and processing of bids for construction,” Section 16-45 Titled “Exceptions to requirement for competitive procurement,” Section 16-47 Titled “Debarment,” and Section 16-48 Titled “Negotiation with lowest responsible bidder,” and to Repeal and Reserve Section 16-5 Titled “Appointment of director of general services,” of the Code of the County of Henrico, to Change the Bonding Requirement and Responsibility for County Procurement from the Director of General Services to the Purchasing Director.
- 164-13 Ordinance – To Amend and Reordain Section 24-3 Titled “Enumerated” and Section 24-100.1 Titled “Temporary Family Health Care Structures” of the Code of the County of Henrico to Allow Certain Married Occupants to Reside in Temporary Family Health Care Structures and to Extend the Removal Period for Such Structures.
- 165-13 Ordinance - To Amend and Reordain Section 22-254 of the Code of the County of Henrico Titled “Authority to take vehicles into custody” to Provide that the Term “Public Auction” Includes an Internet Sale by Auction.
- 166-13 Ordinance – To Amend and Reordain Sections 5-1 and 5-30 of the Code of the County of Henrico Titled Respectively “Definitions” and “Control of dangerous or vicious dogs” and to Add Section 5-31 to the Code of the County of Henrico Titled “Vicious dogs” to Parallel New Provisions of State Law Pertaining to Dangerous Dogs and Vicious Dogs.

- 167-13 Ordinance – To Amend and Reordain Sections 15-110, 15-148, and 15-149 of the Code of the County of Henrico Titled Respectively “Records of Transactions; Furnishing of Copies of Records to Police,” “Records of Transactions; Credentials of Persons Pawning Goods,” and “Daily Reports to Police; Content” to Require Precious Metals and Gems Dealers and Pawnbrokers to Retain Digital Images of the Photographic Identification Presented by Sellers and Pledgors and to Prohibit the Receipt of Items with Defaced, Altered, or Removed Serial Numbers.
- 168-13 Resolution - Signatory Authority - Deed of Conveyance - Lots 41, 42, and 43, Block 11, Lakeside Terrace - Fairfield District.
- 169-13 Resolution - Signatory Authority - Easement Agreement - Verizon Virginia, LLC - Three Chopt District.

PUBLIC COMMENTS

GENERAL AGENDA

- 170-13 Resolution - To Accept the Wireless E-911 PSAP Education Program Grant.
- 171-13 Resolution - Signatory Authority - Lease - Division of Police – Virginia Center Commons - Fairfield District.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
August 13, 2013

PRESENTATION

PROCLAMATION – Preparedness Month – September 2013.

One of the most profound duties of government is ensuring the safety and security of its citizens from emergencies and disasters of all kinds. The United States Department of Homeland Security and the Federal Emergency Management Agency are joining with organizations across the nation during the month of September 2013 to highlight the importance of individual emergency preparedness. This proclamation recognizes September 2013 as Preparedness Month and calls the observance to the attention of all Henrico citizens.

PUBLIC HEARINGS – REZONING CASES

REZ2013-00010
Brookland
Impala Properties, LLC: Request to conditionally rezone from R-4 One-Family Residence District and M-1 Light Industrial District to M-1C Light Industrial District (Conditional) Parcel 774-749-7580 containing 0.773 acres located in the northwest quadrant of the intersection of Impala Drive and Impala Place. The applicant proposes an animal kennel. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Light Industry and Environmental Protection Area. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Leabough, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the recommendations of the 2026 Comprehensive Plan, is reasonable in light of the industrial zoning in the area, and the proffered conditions will assure a level of development not otherwise possible.

REZ2013-00011
Brookland
613 Brook Avenue, LLC: Request to rezone from R-4 One-Family Residence District to M-1 Light Industrial District part of Parcel 774-749-8360 containing 0.27 acres located in the southwest quadrant of the intersection of Impala Drive and Impala Place. The uses will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Light Industry and Environmental Protection Area. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Branin, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the recommendations of the 2026 Comprehensive Plan, it would assist in achieving the appropriate development of adjoining property, and would not

be expected to adversely affect the pattern of zoning and land use in the area.

REZ2013-
00009
Brookland

Wistar Place, LLC: Request to conditionally rezone from R-3 One-Family Residence District and R-5 General Residence District to R-3C One-Family Residence District (Conditional) Parcels 769-751-7510, -7755, and -6726 containing 8.314 acres located on the south line of Wistar Road at its intersection with Birchbrook Road. The applicant proposes a single family residential development. The R-3 district allows a minimum lot size of 11,000 square feet and a maximum gross density of 3.96 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre, and Environmental Protection Area. Acting on a motion by Mr. Witte, seconded by Mr. Branin, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because it conforms with the recommendations of the 2026 Comprehensive Plan, continues a form of zoning consistent with the area and the proffered conditions provide for a higher quality of development than would otherwise be possible.

PUBLIC HEARINGS – OTHER ITEMS

ORDINANCE – To Amend and Reordain Section 2-48 Titled “Bonds,” Section 16-4 Titled “Purchasing system established,” Section 16-6 Titled “Powers and duties of director of general services,” Section 16-7 Titled “Delegation of authority by director of general services,” Section 16-8 Titled “Establishment of operational procedures,” Section 16-9 Titled “Purchases for volunteer rescue squads,” Section 16-10 Titled “Unauthorized purchases,” Section 16-11 Titled “Disposal of obsolete or unusable property,” Section 16-12 Titled “Sale of surplus property,” Section 16-43 Titled “Award of contracts generally,” Section 16-44 Titled “Receiving and processing of bids for construction,” Section 16-45 Titled “Exceptions to requirement for competitive procurement,” Section 16-47 Titled “Debarment,” and Section 16-48 Titled “Negotiation with lowest responsible bidder,” and to Repeal and Reserve Section 16-5 Titled “Appointment of director of general services,” of the Code of the County of Henrico, to Change the Bonding Requirement and Responsibility for County Procurement from the Director of General Services to the Purchasing Director.

This Board paper proposes an ordinance to amend Chapter 16 to change the bonding requirement and responsibility for County procurement from the Director of General Services to the Purchasing Director. These changes are recommended to carry out a reorganization of the Department of General Services.

The Deputy County Manager for Administration recommends approval, and the County Manager concurs.

ORDINANCE – To Amend and Reordain Section 24-3 Titled “Enumerated” and Section 24-100.1 Titled “Temporary Family Health Care Structures” of the Code of the County of Henrico to Allow Certain Married Occupants to Reside in Temporary Family Health Care Structures and to Extend the Removal Period for Such Structures.

This ordinance amendment, which is required by state legislation that took effect on July 1, 2013, makes two changes to the zoning regulations governing temporary family health care structures. First, the amendment would allow a married couple to reside in such a structure when one spouse is physically or mentally impaired and the other spouse requires assistance with one or more activities of daily living, as certified by a physician licensed in the Commonwealth of Virginia. Second, the amendment would extend the time by which such structures must be removed from 30 to 60 days from the date the structure was last occupied by a mentally or physically impaired person receiving services or in need of assistance.

Since the state legislation mandating allowance of these structures was first enacted in 2010, no such structures have been located in Henrico County.

The Board was briefed on this subject at a work session on June 25, 2013. After holding a public hearing on July 11, 2013, the Planning Commission voted unanimously to recommend approval of the ordinance amendment to the Board.

ORDINANCE - To Amend and Reordain Section 22-254 of the Code of the County of Henrico Titled “Authority to take vehicles into custody” to Provide that the Term “Public Auction” Includes an Internet Sale by Auction.

This Board paper proposes an ordinance amendment to provide that “public auctions” at which abandoned vehicles are sold by the County or its contractor shall include an Internet sale by auction. The ordinance amendment is being introduced to conform the County Code to legislation enacted by the 2013 General Assembly.

ORDINANCE – To Amend and Reordain Sections 5-1 and 5-30 of the Code of the County of Henrico Titled Respectively “Definitions” and “Control of dangerous or vicious dogs” and to Add Section 5-31 to the Code of the County of Henrico Titled “Vicious dogs” to Parallel New Provisions of State Law Pertaining to Dangerous Dogs and Vicious Dogs.

This ordinance reorganizes the County Code provisions relating to dangerous dogs and vicious dogs to parallel new provisions of state law. Previously, vicious dogs were regulated under the same Code section as dangerous dogs. This ordinance creates a new section of the County Code pertaining to vicious dogs. This ordinance is required by legislation enacted by the 2013 General Assembly.

ORDINANCE – To Amend and Reordain Sections 15-110, 15-148, and 15-149 of the Code of the County of Henrico Titled Respectively “Records of Transactions; Furnishing of Copies of Records to Police,” “Records of Transactions; Credentials of Persons Pawning Goods,” and “Daily Reports to Police; Content” to Require Precious Metals and Gems Dealers and Pawnbrokers to Retain Digital Images of the Photographic Identification

Presented by Sellers and Pledgors and to Prohibit the Receipt of Items with Defaced, Altered, or Removed Serial Numbers.

This ordinance requires precious metals and gems dealers and pawnbrokers to require photographic identification of the person pawning, pledging, or selling items. The ordinance also requires pawnbrokers or precious metals and gems dealers to retain a digital image of that photographic identification. Finally, this ordinance prohibits items from being received by pawnbrokers if the original serial number has been removed, defaced, or altered. This ordinance is required by legislation enacted by the 2013 General Assembly.

RESOLUTION – Signatory Authority – Deed of Conveyance – Lots 41, 42, and 43, Block 11, Lakeside Terrace – Fairfield District.

This resolution authorizes the Chairman to execute a deed conveying Lots 41, 42, and 43 in Block 11 of Lakeside Terrace to Ted R. Metzger, the adjoining lot owner, for \$3,800, their current assessed value. The County acquired Lots 41 and 42 in 1945 and Lot 43 in 1975, and they are surplus to the County’s needs. The County will reserve a drainage easement on Lot 41 for the existing drainage facility.

The Real Property Department has processed this request through the Departments of Planning, Public Utilities, and Public Works without objection. The Directors of Public Works and Real Property recommend approval, and the County Manager concurs.

RESOLUTION – Signatory Authority – Easement Agreement – Verizon Virginia, LLC – Three Chopt District.

This Board paper authorizes the Chairman to execute an easement agreement with Verizon Virginia, LLC for an underground telecommunications line across undeveloped County land between Bacova Drive and Interstate 64. The Real Property Department has processed this request through the Departments of Planning, Public Utilities, and Public Works without objection.

The Directors of Public Works and Real Property recommend approval, and the County Manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - To Accept the Wireless E-911 PSAP Education Program Grant.

This resolution accepts a \$2,000 grant from the Virginia E-911 Services Board to the Division of Police for attendance by Division personnel at regional emergency communications conferences during FY2014. There are no local funds involved.

The Chief of Police recommends approval of this resolution, and the County Manager concurs.

RESOLUTION – Signatory Authority – Lease – Division of Police – Virginia Center Commons – Fairfield District.

This Board paper authorizes the County Manager to execute a lease agreement, in a form approved by the County Attorney, for 2,907 sq. ft. of office space in the Virginia Center Commons shopping mall for a Division of Police central substation. The owner, North Park Associates, L.P., is willing to lease the space at an annual rental rate of \$1.00 to enhance security in the area. The lease term will be August 14, 2013 to July 31, 2015 and will automatically renew at the same rate on a month-to-month basis unless terminated by either party.

The Chief of Police and the Director of Real Property recommend approval of this Board paper; the County Manager concurs.