

**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, December 10, 2013**, at **4:15 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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| 4:15 – 5:00 p.m. | Proposed Plan of Development for Shane and Quioccasin Recycling Facility |
| 5:00 – 5:30 p.m. | Stormwater Management Update |
| 5:30 – 6:00 p.m. | County Space Needs and Best Plaza Update |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
December 5, 2013

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
December 10, 2013
7:00 p.m.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENT PRAYER

APPROVAL OF MINUTES – November 26, 2013, Regular and Special Meeting Minutes

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

APPOINTMENTS

227-13 Resolution – Appointment of Members – Board of The Shops at White Oak Village Community Development Authority.

PUBLIC HEARINGS - REZONING CASES AND PROVISIONAL USE PERMITS

228-13 Virginia Home for Boys & Girls: Request to conditionally rezone from R-6C General Residence District (Conditional) to B-3C Business District (Conditional) Parcel 759-757-9050 containing 5.338 acres located on the north and south lines of Homeview Drive approximately 975' north of its intersection with W. Broad Street (U.S. Route 250). The applicant proposes a vehicle storage lot. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Semi-Public. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

229-13 Zoës Kitchen: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow outdoor dining for a proposed restaurant (Zoës Kitchen) on part of Parcel 773-736-2198 located approximately 1,020' south of the intersection of W. Broad Street (U.S. Route 250) and Willow Lawn Drive. The existing zoning is B-2 Business District. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

230-13 Travinia Italian Kitchen: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow outdoor dining for a proposed restaurant (Travinia Italian Kitchen) on part of Parcel 773-736-2198 located approximately 1050' south of the

intersection of W. Broad Street (U.S. Route 250) and Willow Lawn Drive. The existing zoning is B-2 Business District. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

231-13
REZ2013-
00019
Fairfield
Womack Properties III, LLC: Request to amend proffered conditions accepted with Rezoning Case C-23C-98 on Parcel 784-766-3463 located on the north line of Francis Road approximately 320' east of Brook Road (U.S. Route 1). The applicant proposes to amend proffers related to prohibited uses, buffers, building setbacks, building height, total square footage of buildings, vehicular drive restrictions, access roads, adjacent property access, exterior materials, covenants, rooftop screening, parking lot lighting, underground utilities, security alarms, detached signage, dumpsters, parking lot cleaning, plan of development, Old Francis Road dedication, and severance. The existing zoning is O-2C Office District (Conditional). The 2026 Comprehensive Plan recommends Office. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

232-13
REZ2013-
00020
Fairfield
Cedar Grove 5, LLC: Request to conditionally rezone from A-1 Agricultural District and R-3C One-Family Residence District (Conditional) to R-3C One-Family Residence District (Conditional) Parcels 778-760-0791 and 778-760-5566 containing 15.84 acres located on the east line of Cedar Grove Way at its intersection with Old Hungary Road. The applicant proposes a single-family residential development not to exceed 34 units. 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.

233-13
REZ2013-
00017
Three Chopt
James Roe, Jr.: Request to conditionally rezone from O-1 Office District to B-1C Business District (Conditional) Parcel 760-754-8754 containing .749 acres located on the west line of Skipwith Road approximately 540' south of its intersection with W. Broad Street (U.S. Route 250). The applicant proposes a beauty salon and office uses. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Office. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS - OTHER ITEMS

234-13
Resolution – Amendments to the FY 2013-14 Annual Fiscal Plan to Reappropriate Unencumbered Funds for Continuing Grant Programs from FY 2012-13.

- 235-13 Resolution – Amendments to the FY 2013-14 Annual Fiscal Plan: December, 2013.
- 236-13 Resolution - POD2013-00288 - Approval of a Plan of Development for Varina Area Library - Varina District.
- 237-13 Resolution – Signatory Authority – Deed of Conveyance – County Property Adjacent to Lot 6, Block G, Section D, Robinwood Subdivision – Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

- 238-13 Resolution - Award of Construction Contract - Replacement of Cooling Tower at Henrico Regional Jail East - Barhamsville, VA.
- 239-13 Resolution – Amendment and Restatement of the County of Henrico Flexible Benefits Plan.
- 240-13 Resolution – Award of Contract – Consulting Services – Radio Communications System.
- 241-13 Resolution – Changing the Name of the Historic Preservation Advisory Committee and the Terms of Office of its Voting Members.
- 242-13 Resolution - Signatory Authority - Award of Stream Mitigation Purchase Contracts - Cobbs Creek Reservoir Project.
- 243-13 Resolution - Signatory Authority - Stream Mitigation Purchase and Sale Agreement - Virginia Department of Forestry - Cobbs Creek Reservoir Project.
- 244-13 Resolution - Opposition to Amendment of Central Virginia Waste Management Plan for Landfill Expansion by The East End Landfill, LLC.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
December 10, 2013**

APPOINTMENTS

RESOLUTION – Appointment of Members – Board of The Shops at White Oak Village Community Development Authority.

This Board paper appoints **Reese W. Haller** and **Reginald W. “Bill” Nelson** to the Board of The Shops at White Oak Village Community Development Authority for four-year terms expiring December 12, 2017, or thereafter, when their successors shall have been appointed and qualified.

PUBLIC HEARINGS - REZONING CASES AND PROVISIONAL USE PERMITS

- | | |
|----------------------------|--|
| REZ2013-00018
Brookland | Virginia Home for Boys & Girls: Request to conditionally rezone from R-6C General Residence District (Conditional) to B-3C Business District (Conditional) Parcel 759-757-9050 containing 5.338 acres located on the north and south lines of Homeview Drive approximately 975’ north of its intersection with W. Broad Street (U.S. Route 250). The applicant proposes a vehicle storage lot. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Semi-Public. Acting on a motion by Mr. Witte, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because it would be in keeping with the existing use and business zoning in the area and the proffered conditions should minimize the potential impacts on surrounding land uses. |
| PUP2013-00013
Brookland | Zoës Kitchen: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow outdoor dining for a restaurant (Zoës Kitchen) on part of Parcel 773-736-2198 located approximately 1,020’ south of the intersection of W. Broad Street (U.S. Route 250) and Willow Lawn Drive. The existing zoning is B-2 Business District. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because it would provide added services to the community, and properly regulated, is compatible with the surrounding uses and existing zoning on the property. |

PUP2013-00014
Brookland

Travinia Italian Kitchen: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow outdoor dining for a restaurant (Travinia Italian Kitchen) on part of Parcel 773-736-2198 located approximately 1050' south of the intersection of W. Broad Street (U.S. Route 250) and Willow Lawn Drive. The existing zoning is B-2 Business District. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would provide added services to the community, and properly regulated, is compatible with the surrounding uses and existing zoning on the property.

REZ2013-00019
Fairfield

Womack Properties III, LLC: Request to amend proffered conditions accepted with Rezoning Case C-23C-98 on Parcel 784-766-3463 located on the north line of Francis Road approximately 320' east of Brook Road (U.S. Route 1). The applicant proposes to amend proffers related to prohibited uses, buffers, building setbacks, building height, total square footage of buildings, vehicular drive restrictions, access roads, adjacent property access, exterior materials, covenants, rooftop screening, parking lot lighting, underground utilities, security alarms, detached signage, dumpsters, parking lot cleaning, plan of development, Old Francis Road dedication, and severance. The existing zoning is O-2C Office District (Conditional). The 2026 Comprehensive Plan recommends Office. Acting on a motion by Mr. Archer, seconded by Mr. Branin, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the changes do not greatly reduce the original intended purpose of the proffers and the proffers continue to assure a qualified form of development.

REZ2013-00020
Fairfield

Cedar Grove 5, LLC: Request to conditionally rezone from A-1 Agricultural District and R-3C One-Family Residence District (Conditional) to R-3C One-Family Residence District (Conditional) Parcels 778-760-0791 and 778-760-5566 containing 15.84 acres located on the east line of Cedar Grove Way at its intersection with Old Hungary Road. The applicant proposes a single-family residential development not to exceed 34 units. 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. Archer, seconded by Mr. Branin, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the recommendations of the Comprehensive Plan and the proffered conditions will provide appropriate quality assurances not otherwise available.

REZ2013-
00017
Three Chopt

James Roe, Jr.: Request to conditionally rezone from O-1 Office District to B-1C Business District (Conditional) Parcel 760-754-8754 containing .749 acres located on the west line of Skipwith Road approximately 540' south of its intersection with W. Broad Street (U.S. Route 250). The applicant proposes a beauty salon and office uses. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Office. Acting on a motion by Mr. Branin, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the proffered conditions will assure a level of development otherwise not possible and it is reasonable in light of the business zoning in the area.

PUBLIC HEARINGS - OTHER ITEMS

RESOLUTION –Amendments to the FY 2013-14 Annual Fiscal Plan to Reappropriate Unencumbered Funds for Continuing Grant Programs and Trust Obligations from FY 2012-13.

On November 26, 2013, the Board approved introduction of a paper which (a) received requests for amendments to the Annual Fiscal Plan, (b) directed the advertisement of same, and (c) set the date for a public hearing. The Board may now approve this paper, after a public hearing, to amend the Annual Fiscal Plan and reappropriate funds for expenditure, as applicable.

These funds will be used for the same purposes as budgeted for in fiscal year 2012-13. The reappropriation will provide funds for the completion of grant programs and trust obligations.

RESOLUTION – Amendments to the FY 2013-14 Annual Fiscal Plan: December, 2013.

On November 26, 2013, the Board approved introduction of a paper which (a) received requests for amendments to the Annual Fiscal Plan, (b) directed the advertisement of same, and (c) set the date for a public hearing. The Board may now approve this paper, after a public hearing, to amend the Annual Fiscal Plan and appropriate funds for expenditure, as applicable.

RESOLUTION - POD2013-00288 - Approval of a Plan of Development for Varina Area Library - Varina District.

This Board paper is for Board of Supervisors' approval of a plan of development, as required by Sections 24-11(b) and 24-106 of the Henrico County Code, to construct a two-story, 42,333 square foot public library with parking and related site improvements. The plan also includes a future 16,000 square foot building addition with additional parking. The 21.9-acre site is located at the southwest corner of the intersection of New Market Road (State Route 5) and Pocahontas Parkway (State Route 895) on parcel 807-692-8758. The property is zoned A-1, Agricultural District, and is located in the Varina District.

The Department of Planning has coordinated the review of the plan of development with all County departments and has held a meeting with the project engineer and appropriate representatives from the Department of General Services, the Department of Public Works, the Department of Public Utilities, the Division of Fire, the Division of Police, the Office of Building Construction and Inspections, and the Virginia Department of Transportation. All design issues raised during the review of the project have been resolved.

The Director of Planning recommends approval of the plan of development, subject to the staff recommendations, the staff plan dated December 10, 2013, and the conditions listed in the Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Deed of Conveyance - County Property Adjacent to Lot 6, Block G, Section D, Robinwood Subdivision – Varina District.

This resolution authorizes the Chairman to execute a deed conveying a 0.05-acre parcel of County land adjacent to Robinwood subdivision to Mark and Susan Chandler, the adjoining owners, for a purchase price of \$1,000. This parcel is part of the property acquired in 1968 and is no longer needed by the County. 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 - Award of Construction Contract - Replacement of Cooling Tower at Henrico Regional Jail East - Barhamsville, VA.

This Board paper would award a construction contract for \$265,000.00 to Bay Side Contracting, Inc. to replace the cooling tower at Henrico Regional Jail East. The project includes the addition of two variable frequency drives in the main mechanical room, local controls on the tower, and any necessary piping changes and additional work. The construction is anticipated to begin in March 2014.

The County received eight bids on November 12, 2013 in response to IFB# 13-9484-10JK and Addendum No. 1 as follows:

<u>Bidder</u>	<u>Total Bid Amount</u>
Bay Side Contracting, Inc. Newport News, VA	\$ 265,000.00
Chamberlain Mechanical Service. Inc. Mechanicsville, VA	\$ 300,450.00
Valley Boiler & Mechanical, Inc. Roanoke, VA	\$ 304,800.00
R. S. Harritan & Company, Inc. Richmond, VA	\$ 311,640.00
Waco, Inc. Sandston, VA	\$ 315,761.00
Warwick Plumbing & Heating Corp. Richmond, VA	\$ 318,000.00
Southern Air, Inc. Lynchburg, VA	\$ 330,875.00
Tate Engineering Systems, Inc. Richmond, VA	\$ 366,000.00

The Board paper would award a contract to Bay Side Contracting, Inc. as the lowest responsive and responsible bidder. Funding for this project is available within the budget. The Board paper also authorizes the County Manager, or the Purchasing Director as his designee, to execute change orders, not to exceed 15% of the original amount of the contract.

The Director of General Services and Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

RESOLUTION – Amendment and Restatement of the County of Henrico Flexible Benefits Plan.

This Board paper would amend and restate The County of Henrico Flexible Benefits Plan which was last amended as of January 1, 2011.

The amendment would allow up to \$500 of unused amounts remaining at the end of a plan year in an employee’s health flexible spending account to be paid or reimbursed to plan participants for qualified medical expenses incurred during the following plan year. This change, which is allowed under a recent notice issued by the Internal Revenue Service, would provide greater flexibility for employees using flexible spending accounts.

The Director of Human Resources recommends approval of this Board paper, and the County Manager concurs.

RESOLUTION – Award of Contract – Consulting Services – Radio Communications System.

This Board paper awards a contract for consulting services for replacement of the County’s Public Safety Radio Communications System to Altairis Technology Partners, LLC (Altairis).

The solicitation was issued on behalf of the counties of Henrico, Chesterfield and Hanover and the City of Richmond (the Participating Jurisdictions). The Participating Jurisdictions are cooperating to ensure interoperability of public safety communications among the jurisdictions.

With the exception of Hanover, which replaced its system within the past two years, the Participating Jurisdictions will be replacing their public safety radio systems. The Participating Jurisdictions' use of the same consultant will help coordinate system replacements and facilitate interoperability. Hanover's consulting services contract will focus on guaranteeing interoperability of its existing system with the new systems of the other localities.

The consultant will provide the following services:

- development of system performance specifications
- preparation of the RFP for acquisition and implementation of the system
- solicitation, evaluation, and award of vendor contracts
- oversight of system design and implementation
- system testing and acceptance
- post-implementation services during warranty period

On July 3, 2013, five proposals were received in response to RFP #12-9297-7CS. Based upon evaluation of the written proposals, the Selection Committee (consisting of Chief D. A. Middleton - Henrico County, Richard Troshak - Chesterfield County, Thomas Nolan - City of Richmond, Curtis J. Shaffer - Hanover County, and Cecelia Stowe - Henrico County) interviewed the following firms:

Altairis Technology Partners, LLC
RCC Consultants, Inc.
AECOM Technical Solutions, Inc.

The Selection Committee entered into negotiations with Altairis and RCC Consultants, Inc. and subsequently selected Altairis as the successful offeror. Each of the Participating Jurisdictions will award a separate contract to Altairis.

Compensation will be based on fixed hourly rates with an agreed-upon maximum not to exceed \$1,742,339.

The Board paper authorizes the County Manager to sign the contract in a form approved by the County Attorney. The Chief of Police and Purchasing Director recommend that the contract be awarded to Altairis, and the County Manager concurs.

RESOLUTION – Changing the Name of the Historic Preservation Advisory Committee and the Terms of Office of its Voting Members.

The purpose of this paper is to change the name of the Historic Preservation Advisory Committee and the terms of office of its 10 voting members. The new name would be the Historic Preservation Advisory Commission. The terms of office of the voting members would be increased from one to two years.

At is October 8, 2013, meeting, the Committee unanimously voted to request these two changes and the Chairman of the Committee submitted a letter dated October 21, 2013, to the County Manager requesting the changes. Because the name of the Committee and the terms of office were fixed by previous action of the Board, this paper is necessary in order to make the requested changes.

RESOLUTION - Signatory Authority - Award of Stream Mitigation Purchase Contracts - Cobbs Creek Reservoir Project.

This Resolution awards two contracts to TCP II Lone Oak, LLC, one contract to White Oak Landing, LLC, and one contract to Innisfree Stream Mitigation Bank, LLC for the purchase of stream mitigation credits required for the Cobbs Creek Regional Water Supply Reservoir.

The County invited qualified stream mitigation bank owners to submit bids for the purchase of up to 15,783 stream mitigation credits. These credits are required by the Virginia Department of Environmental Quality and the Army Corps of Engineers to compensate for the loss of streams in the 1100 acre Cobbs Creek reservoir. For selection and evaluation purposes, the lowest responsive bids were determined by multiplying the lowest unit price per credit times the quantity of credits offered by each bidder until 15,783 credits were obtained. The total cost to purchase 15, 783 stream credits in these four contracts is \$4,389,485. Funding is available for this purchase in the Water and Sewer Enterprise Fund CIP Project #06125.

Ten bids were received and opened on May 16, 2013 in response to IFB #13-9402-4CE and Addendum No. 1.

Bidders	Bid Amount per Credit	Credits Offered	Credits Needed	Total Purchase Amount
TCP II Lone Oak, LLC	\$249.00	3,000	3,000	\$747,000.00
TCP II Lone Oak, LLC	\$279.00	7,000	7,000	\$1,953,000.00
White Oak Landing, LLC	\$284.00	1,500	1,500	\$426,000.00
Innisfree Stream Mitigation Bank, LLC	\$295.00	15,423	4,283	\$1,263,485.00
TCP II Lone Oak, LLC	\$299.00	4,000	0	0
James River Mitigation, LLC	\$314.00	500	0	0
TCP II Lone Oak, LLC	\$324.00	6,241	0	0
Byrd Creek, LLC	\$354.00	1,600	0	0
Ragland Farm Mitigation Bank, LLC	\$375.00	2,179	0	0
Wetland Resource Management, LLC	\$450.00	2,169	0	0

TCPII Lone Oak, LLC; TCP II Lone Oak, LLC; White Oak Landing, LLC; and Innisfree Stream Mitigation Bank, LLC were the lowest responsive and responsible bidders.

The Directors of Public Utilities and Purchasing recommend approval of this Resolution, and the County Manager concurs.

RESOLUTION – Signatory Authority - Stream Mitigation Purchase and Sale Agreement – Virginia Department of Forestry - Cobbs Creek Reservoir Project.

This Resolution authorizes the County Manger to execute a Stream Mitigation Purchase and Sale Agreement with the Virginia Department of Forestry (VDof) to purchase 60,736 stream mitigation credits created in the Cumberland State Forest. These credits are required by the Virginia Department of Environmental Quality and the Army Corps of Engineers to compensate for the loss of streams in the 1100 acre Cobbs Creek reservoir.

The Agreement is to create stream credits by preserving in perpetuity approximately 1,394 acres of forested buffer along approximately 58 miles of streams located in the Cumberland State Forest for a cost of \$9,839,232. Funding is available for this purchase in the Water and Sewer Enterprise Fund CIP Project #06125.

The Directors of Public Utilities and Purchasing recommend approval of the resolution, and the County Manager concurs.

RESOLUTION - Opposition to Amendment of Central Virginia Waste Management Plan for Landfill Expansion by The East End Landfill, LLC.

This Board paper expresses the opposition of the Henrico County Board of Supervisors to amendment of the Central Virginia Waste Management Plan to recognize or allow expansion of landfill operations by The East End Landfill, LLC at 1820 Darbytown Road in Henrico County. It also requests the Board of Directors of the Central Virginia Waste Management Authority and the Richmond Regional and Crater Planning District Commissions to reject the amendment in recognition of Henrico County’s significant interest in operation of the landfill facility and the Board’s opposition to the amendment.