

**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, September 13, 2016, at 5:00 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:

- | | |
|------------------|---|
| 5:00 - 5:15 p.m. | All Henrico Reads 2017 |
| 5:15 - 5:30 p.m. | Hours of Operation in the B-1 Business District |
| 5:30 - 5:45 p.m. | The Shops at White Oak Village Community Development Authority Update |
| 5:45 - 6:00 p.m. | Regular Meeting Agenda Items |
| 6:15 - 6:55 p.m. | NACo/VACo Achievement Award Recognitions (<i>Board Room</i>) |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
September 8, 2016

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
September 13, 2016
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – August 9, 2016, Regular and Special Meetings; and April 29, 2016, Special Meeting

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATION

Proclamation – Active Aging Week – September 25 - October 1, 2016.

RESIGNATION

193-16 Resolution – Resignation of Member – Library Advisory Board.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

194-16 Eagle Construction of VA, LLC: Request to conditionally rezone from A-1
REZ2016- Agricultural District and R-5AC General Residence District (Conditional) to R-
00027 5AC General Residence District (Conditional) Parcels 743-755-6947, -7544, -
Three Chopt 7943, -7959, -8021, -8027, -8266, -8441, -8571, -8860, -8877, -8912, -9039, -
9357, -9579, -9715, -9856, -9921, -9967, 744-755-0172, -0227, -0386 -0433,
-0739, -1145, -1350, and -1654 containing 7.46 acres located on the east line
of Crown Grant Road at its intersection with Cedar Hill Court. The applicant
proposes single-family detached homes on zero lot lines. The R-5A District
allows a maximum density of six (6) 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. The Planning Commission voted to recommend the
Board of Supervisors **grant** the request.

195-16 Joe Oley: Request to conditionally rezone from B-1 Business District, B-2C
REZ2016- Business District (Conditional), and O-2 Office District to B-3C Business
00025 District (Conditional) Parcel 755-744-0869 containing 4.27 acres located at the
Three Chopt northwest intersection of Three Chopt and Eastridge Roads. The applicant
proposes a farmers' market. The use will be controlled by proffered conditions
and zoning ordinance regulations. The 2026 Comprehensive Plan recommends

Commercial Arterial. The site is located in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

196-16 Joe Oley: Request for a Provisional Use Permit under Sections 24-62.2(g), 24-
PUP2016- 120 and 24-122.1 of Chapter 24 of the County Code in order to operate a
00006 farmers' market on part of Parcel 755-744-0869 located at the northwest
Three Chopt intersection of Three Chopt and Eastridge Roads. The existing zoning is B-1
Business District, B-2C Business District (Conditional), and O-2 Office
District. The 2026 Comprehensive Plan recommends Commercial Arterial.
The site is located in the Enterprise Zone. The Planning Commission voted to
recommend the Board of Supervisors **grant** the request.

197-16 Wayne Phaup: Request for a Provisional Use Permit under Sections 24-64(h),
PUP2016- 24-62.2(i), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to
00001 allow four pool tables with extended hours of operation until 2 a.m. in a
Varina proposed restaurant on part of Parcel 824-716-7935 located along the north line
of W. Williamsburg Road (U.S. Route 60) between Early and Jackson
Avenues. The existing zoning is B-3 Business District. The 2026
Comprehensive Plan recommends Commercial Concentration. The site is
located in the Enterprise Zone and the Airport Safety Overlay District. The
Planning Commission voted to recommend the Board of Supervisors **grant**
the request.

198-16 Joshua Thornhill: Request to amend proffered conditions accepted with
REZ2016- rezoning case C-7C-81 on part of Parcel 752-756-4991 located at the southeast
00029 intersection of Mayland Court and Independence Park Drive. The applicant
Three Chopt proposes to amend Proffer 3 related to prohibited uses. The existing zoning is
M-1C Light Industrial District (Conditional). The 2026 Comprehensive Plan
recommends Office/Service. The Planning Commission voted to recommend
the Board of Supervisors **grant** the request.

199-16 Earl Templeton: Request to conditionally rezone from R-4 One-Family
REZ2016- Residence District and B-1 Business District to B-2C Business District
00028 (Conditional) Parcels 784-754-6140, 6324, 6505, 7628, 8004, and 8014
Fairfield containing 2.910 acres located at the northeast intersection of Brook (U.S.
Route 1) and Wilkinson Roads. The applicant proposes retail sales. The uses
will be controlled by proffered conditions and zoning ordinance regulations.
The 2026 Comprehensive Plan recommends Commercial Concentration and
Suburban Residential 2, density should not exceed 3.4 units per acre. Part of
the site is located in the Enterprise Zone. The Planning Commission voted to
recommend the Board of Supervisors **grant** the request.

200-16 REZ2016-00024 Fairfield Wilton Acquisition, LLC: Request to conditionally rezone from R-3 One-Family Residence District, A-1 Agricultural District, and B-2 Business District to RTHC Residential Townhouse District (Conditional) Parcels 785-757-8737, 9998, 5477, 5749, and 6118 containing 16.412 acres located at the northwest corner of E. Parham Road (State Route 73) and Interstate 95. The RTH District allows a maximum gross density of nine (9) units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Urban Residential, density should range between 3.4 and 6.8 units per acre. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS – OTHER ITEMS

- 201-16 Resolution - Signatory Authority - Quitclaim of Portion of Utility Easement - Hampton Inn & Suites Richmond/Glenside - Brookland District.
- 202-16 Resolution - Signatory Authority - Quitclaim of Portion of Utility Easement - Airport Distribution Center - Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

- 203-16 Introduction of Resolution – Receipt of Requests for Amendments to the FY 2016-17 Annual Fiscal Plan to (1) Reappropriate Funds for Continuing Programs, and (2) Appropriate Funds for Certain New Programs.
- 204-16 Resolution - To Initiate Consideration of Amendment to 2026 Major Thoroughfare Plan - Dominion Club Drive North of Old Wyndham Drive - Three Chopt District.
- 205-16 Resolution – To Accept a Traffic Safety Grant From the Department of Motor Vehicles for Speed Control Enforcement.
- 206-16 Resolution – To Accept a Traffic Safety Grant From the Department of Motor Vehicles for Alcohol-Impaired Driving Enforcement.
- 207-16 Resolution – To Accept a Traffic Safety Grant From the Department of Motor Vehicles for Occupant Protection Enforcement.
- 208-16 Resolution - Award of Contract - Rocky Branch Sewer Rehabilitation at CSX Crossing - Brookland District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
September 13, 2016**

PRESENTATION

PROCLAMATION – Active Aging Week – September 25 - October 1, 2016.

Active Aging Week was started in 2003 by the International Council on Active Aging as an international event celebrating aging and active living by engaging older adults in wellness activities in a safe, friendly, and fun atmosphere. The observance is held every year during the last week of September. This year's theme is "Explore the Possibilities." The County of Henrico encourages all of its citizens, including those age 50 and older, to remain actively engaged. This proclamation recognizes the week of September 25 -October 1, 2016, as Active Aging Week in Henrico County and calls this observance to the attention of all Henrico citizens.

RESIGNATION

RESOLUTION – Resignation of Member – Library Advisory Board.

This Board paper accepts the resignation of Ormonde D. Wilkinson from the Library Advisory Board as the Tuckahoe District representative.

PUBLIC HEARINGS – REZONING CAES AND PROVISIONAL USE PERMITS

REZ2016-00027 Three Chopt	Eagle Construction of VA, LLC: Request to conditionally rezone from A-1 Agricultural District and R-5AC General Residence District (Conditional) to R-5AC General Residence District (Conditional) Parcels 743-755-6947, -7544, -7943, -7959, -8021, -8027, -8266, -8441, -8571, -8860, -8877, -8912, -9039, -9357, -9579, -9715, -9856, -9921, -9967, 744-755-0172, -0227, -0386 -0433, -0739, -1145, -1350, and -1654 containing 7.46 acres located on the east line of Crown Grant Road at its intersection with Cedar Hill Court. The applicant proposes single-family detached homes on zero lot lines. The R-5A District allows a maximum density of six (6) 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. Acting on a motion by Mrs. Marshall, seconded by Ms. Jones, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because it would permit development of
------------------------------	---

the land for residential use in an appropriate manner and the proffered conditions would provide appropriate quality assurances not otherwise available.

REZ2016-00025
Three Chopt

Joe Oley: Request to conditionally rezone from B-1 Business District, B-2C Business District (Conditional), and O-2 Office District to B-3C Business District (Conditional) Parcel 755-744-0869 containing 4.27 acres located at the northwest intersection of Three Chopt and Eastridge Roads. The applicant proposes a farmers' market. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Arterial. The site is located in the Enterprise Zone. Acting on a motion by Mrs. Marshall, seconded by Mr. Leabough, the Planning Commission voted 4-1-1 (one abstention) to recommend the Board of Supervisors **grant** the request because of the assurances provided and because this request is consistent with the goals of the 2026 Comprehensive Plan and Enterprise Zone.

PUP2016-00006
Three Chopt

Joe Oley: Request for a Provisional Use Permit under Sections 24-62.2(g), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to operate a farmers' market on part of Parcel 755-744-0869 located at the northwest intersection of Three Chopt and Eastridge Roads. The existing zoning is B-1 Business District, B-2C Business District (Conditional), and O-2 Office District. The 2026 Comprehensive Plan recommends Commercial Arterial. The site is located in the Enterprise Zone. Acting on a motion by Mrs. Marshall, seconded by Mr. Witte, the Planning Commission voted 4-1-1 (one abstention) to recommend the Board of Supervisors **grant** the request because of the assurances provided with the companion rezoning case (REZ2016-00025) and because this request is consistent with the goals of the 2026 Comprehensive Plan.

PUP2016-00001
Varina

Wayne Phaup: Request for a Provisional Use Permit under Sections 24-64(h), 24-62.2(i), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow four pool tables with extended hours of operation until 2 a.m. in a proposed restaurant on part of Parcel 824-716-7935 located along the north line of W. Williamsburg Road (U.S. Route 60) between Early and Jackson Avenues. The existing zoning is B-3 Business District. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is located in the Enterprise Zone and the Airport Safety Overlay District. Acting on a motion by Mr. Leabough, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the requested Provisional Use Permit with a maximum of two pool tables because the proposed conditions could reduce the impact of the restaurant on the surrounding community.

REZ2016-00029
Three Chopt

Joshua Thornhill: Request to amend proffered conditions accepted with rezoning case C-7C-81 on part of Parcel 752-756-4991 located at the southeast intersection of Mayland Court and Independence Park Drive. The applicant proposes to amend Proffer 3 related to prohibited uses. The existing zoning is M-1C Light Industrial District (Conditional). The 2026 Comprehensive Plan recommends Office/Service. Acting on a motion by Mrs. Marshall, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it was determined to be reasonable, and it is not expected to adversely impact surrounding land uses in the area.

REZ2016-00028
Fairfield

Earl Templeton: Request to conditionally rezone from R-4 One-Family Residence District and B-1 Business District to B-2C Business District (Conditional) Parcels 784-754-6140, 6324, 6505, 7628, 8004, and 8014 containing 2.910 acres located at the northeast intersection of Brook (U.S. Route 1) and Wilkinson Roads. The applicant proposes retail sales. The uses will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Commercial Concentration and Suburban Residential 2, density should not exceed 3.4 units per acre. Part of the site is located in the Enterprise Zone. Acting on a motion by Mr. Archer, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would not adversely affect the adjoining area if properly developed as proposed and the proffered conditions will provide appropriate quality assurances not otherwise available.

REZ2016-00024
Fairfield

Wilton Acquisition, LLC: Request to conditionally rezone from R-3 One-Family Residence District, A-1 Agricultural District, and B-2 Business District to RTHC Residential Townhouse District (Conditional) Parcels 785-757-8737, 9998, 5477, 5749, and 6118 containing 16.412 acres located at the northwest corner of E. Parham Road (State Route 73) and Interstate 95. The RTH District allows a maximum gross density of nine (9) units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Urban Residential, density should range between 3.4 and 6.8 units per acre. Acting on a motion by Mr. Archer, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the Urban Residential recommendation of the Comprehensive Plan and would not adversely affect the adjoining area if properly developed as proposed.

PUBLIC HEARING – OTHER ITEMS

RESOLUTION - Signatory Authority - Quitclaim of Portion of Utility Easement - Hampton Inn & Suites Richmond/Glenside - Brookland District.

This Board paper authorizes the Chairman to execute a quitclaim deed releasing the County's interest in an unneeded portion of a utility easement across the land at the Hampton Inn & Suites Richmond/Glenside. The owner, Nobility Investments LLC, has requested the action. There are no County facilities in the easement, and a replacement easement has been dedicated.

The Directors of Public Utilities, Planning, and Real Property recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Quitclaim of Portion of Utility Easement - Airport Distribution Center - Varina District.

This Board paper authorizes the Chairman to execute a quitclaim deed releasing the County's interest in an unneeded portion of a utility easement at the Airport Distribution Center. The owner, Virginia Becknell Investors LLC, has requested the action because the unneeded easement was for utility service to a now abandoned facility, and the owner has dedicated a new easement to the County.

The Directors of Public Utilities, Planning, and Real Property recommend approval of this Board paper, and the County Manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF RESOLUTION – Receipt of Requests for Amendments to the FY 2016-17 Annual Fiscal Plan to (1) Reappropriate Funds for Continuing Programs, and (2) Appropriate Funds for Certain New Programs.

This Board paper introduces a resolution to amend the annual fiscal plan for fiscal year 2016-17. The requested amendments are shown in a list dated September 6, 2016, provided by the County Manager to the Board.

Pursuant to Virginia Code Section 15.2-2507, the County may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year. However, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing notice of a meeting and public hearing once in a newspaper having general circulation in the County at least seven days prior to the meeting date. The notice states the intent of the Board to amend the budget and includes a brief synopsis of the proposed budget amendments.

The budget amendments that are the subject of this paper fall under the one percent threshold that triggers the advertised public hearing requirement; Nevertheless, this paper directs the Clerk of the Board to advertise, in the Richmond Times-Dispatch on September 20, 2016, a synopsis of the proposed amendments and a public hearing to be held on September 27, 2016. A separate paper will be submitted to the Board to amend the annual fiscal plan and appropriate funds for expenditure, as applicable, after the September 27, 2016, public hearing.

RESOLUTION - To Initiate Consideration of Amendment to 2026 Major Thoroughfare Plan - Dominion Club Drive North of Old Wyndham Drive - Three Chopt District.

This Board paper directs County staff to prepare an amendment to remove Dominion Club Drive between Old Wyndham Drive and the Hanover County line from the 2026 Major Thoroughfare Plan. The amendment is to be presented to the Planning Commission in a public hearing for its review and recommendations.

The extension of Dominion Club Drive would provide a direct north-south connection between Old Wyndham Drive and anticipated future development in Hanover County. The road is adjacent to two single-family subdivisions, Manor Park at Wyndham and Wexford at Wyndham, that are part of a larger residential development of varying types and densities. The 2026 Land Use Plan recommends the area adjacent to the road for Suburban Mixed-Use and Environmental Protection Area.

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

RESOLUTION - To Accept a Traffic Safety Grant From the Department of Motor Vehicles for Speed Control Enforcement.

This Board paper accepts a grant in the amount of \$42,000 from the Virginia Department of Motor Vehicles Highway Safety Office. The Police Division will use this grant, which requires an in-kind local match of fuel, vehicle maintenance costs, and FICA costs, to pay for approximately 1,000 overtime hours in speed control enforcement.

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

RESOLUTION - To Accept a Traffic Safety Grant From the Department of Motor Vehicles for Alcohol-Impaired Driving Enforcement.

This Board paper accepts a grant in the amount of \$195,535 from the Virginia Department of Motor Vehicles Highway Safety Office. The Police Division will use this grant, which requires an in-kind local match of fuel, vehicle maintenance costs, and FICA costs, to pay for approximately 4,600 overtime hours in alcohol-impaired driving enforcement, attendance at Virginia Highway Safety Office approved training, and purchases of dry gas cylinders and a regulator.

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

RESOLUTION - To Accept a Traffic Safety Grant From the Department of Motor Vehicles for Occupant Protection Enforcement.

This Board paper accepts a grant in the amount of \$16,800 from the Virginia Department of Motor Vehicles Highway Safety Office. The Police Division will use this grant, which requires an in-kind local match of fuel, vehicle maintenance costs, and FICA costs, to pay for approximately 400 overtime hours in occupant protection enforcement to support the Click It or Ticket program.

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

RESOLUTION - Award of Contract - Rocky Branch Sewer Rehabilitation at CSX Crossing - Brookland District.

This Board paper awards a construction contract to Lyttle Utilities, Inc. for \$707,700 for the Rocky Branch Trunk Sewer-CSX Crossing project. The project will replace approximately 1,250 linear feet of sewer piping which crosses under the CSX railroad southeast of the intersection of Staples Mill and Hermitage Roads.

This project will replace deteriorated sewer piping installed in the late 1960s. The work will begin in October 2016 and will be completed by June 2017. Funding will be provided by the Water and Sewer Revenue Fund.

Six bids were received on August 9, 2016, in response to Invitation to Bid No. 16-1214-7CE and Addendum No. 1:

<u>Bidders</u>	<u>Bid Amounts</u>
Lyttle Utilities, Inc. Richmond, VA	\$ 707,700
G. L. Howard, Inc. Rockville, VA	\$ 781,950
Piedmont Construction Co., Inc. Oilville, VA	\$ 900,000
Walter C. Via Enterprises, Inc. Mattaponi, VA	\$ 976,290
Kelvic Construction Company, Inc. Locust Grove, VA	\$1,216,456

Tidewater Utility Construction, \$1,771,000
Inc.
Suffolk, VA

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

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

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