

**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, February 14, 2017, at 5:45 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:

5:45 - 6:15 p.m. General Assembly Session Update

6:15 - 6:30 p.m. Regular Meeting Agenda Items



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
February 9, 2017

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
February 14, 2017
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – January 24, 2017, Regular and Special Meeting

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

RESIGNATION/APPOINTMENTS

- 43-17 Resolution – Resignation of Vice Chairman.
- 44-17 Resolution – Election of Chairman.
- 45-17 Resolution – Election of Vice Chairman.
- 46-17 Resolution – Appointment of Member – Board of Social Services.
- 47-17 Resolution – Appointment of Member – Capital Region Workforce Partnership Consortium of Chief Local Elected Officials.
- 48-17 Resolution – Appointment of Alternate Member – Central Virginia Waste Management Authority Board of Directors.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

- 49-17 Wilton Acquisition, LLC: Request to conditionally rezone from B-2C Business District
REZ2017- (Conditional) to RTHC Residential Townhouse District (Conditional) Parcels 773-759-
00005 7681, -9232, -8362, -8944, and part of Parcel 773-759-5623 containing 10.38 acres
Brookland located on the west line of Woodman Road approximately 240' north of its intersection
 with Hungary Road. The applicant proposes a residential townhouse development. The
 use will be controlled by zoning ordinance regulations and proffered conditions. The
 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the
 Enterprise Zone. The Planning Commission voted to recommend the Board of
 Supervisors **grant** the request.
- 50-17 Wilton Acquisition, LLC: Request for a Provisional Use Permit under Sections 24-
PUP2017- 58.2(b), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a self-service
00003 storage facility on part of Parcel 773-759-5623 located on the north line of Hungary
Brookland Road approximately 700' northwest of its intersection with Woodman Road. The
 existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan

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

51-17
REZ2017-
00001
Varina
The WVS Companies: Request to conditionally rezone from M-2 General Industrial District to UMUC Urban Mixed Use District (Conditional) Parcel 797-712-7077 containing 1.384 acres located on the west line of Old Osborne Turnpike (State Route 5) approximately 1000' south of its intersection with Orleans Street. The applicant proposes an addition to Rocketts Landing. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

52-17
PUP2017-
00001
Varina
The WVS Companies: Request for a Provisional Use Permit Under Sections 24-32.1(s), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow buildings taller than 60' on Parcel 797-712-7077 located on the west line of Old Osborne Turnpike (State Route 5) approximately 1000' south of its intersection with Orleans Street. The existing zoning is M-2 General Industrial District. The 2026 Comprehensive Plan recommends Urban Mixed-Use. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

53-17
REZ2017-
00002
Varina
Emerald Land Development: Request to rezone from B-3 Business District to R-3 One-Family Residential District Parcels 836-715-5241 and 836-715-6142 containing 1 acre located at the southwest intersection of Old Williamsburg and Clayman Roads. The applicant proposes single family residences. The use will be controlled by 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.

54-17
REZ2017-
00004
Fairfield
Peter Francisco: Request to amend proffered conditions accepted with REZ2014-00027 on Parcel 780-749-9410 located on the west line of Lakeside Avenue (State Route 161) at its intersection with Timberlake Avenue. The applicant proposes to amend proffers related to hours of operation and square footage. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

55-17
PUP2017-
00002
Three Chopt
Noodles & Company: 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 to allow outdoor dining on part of Parcel 747-760-6472 located at the northeast intersection of W. Broad Street (U.S. Route 250) and Dominion Boulevard. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Innsbrook Redevelopment Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC COMMENTS

GENERAL AGENDA

- 56-17 Introduction of Resolution - Receipt of Requests for Amendments to the FY 2016-17 Annual Fiscal Plan: February, 2017.
- 57-17 Resolution – Authorizing and Providing for the Issuance and Sale of Not to Exceed Seventy Million Dollars (\$70,000,000) Aggregate Principal Amount of County of Henrico, Virginia, General Obligation Public Improvement Refunding Bonds.
- 58-17 Resolution - Authorizing and Providing for the Issuance and Sale of Not to Exceed One Hundred Fourteen Million Six Hundred Thousand Dollars (\$114,600,000) Aggregate Principal Amount of County of Henrico, Virginia, General Obligation Public Improvement Bond.
- 59-17 Resolution – Adopting the 2017 Henrico County Emergency Operations Plan.
- 60-17 Resolution - Award of Contract - Information Technology Data Center Renovations - Brookland District.
- 61-17 Resolution - To Accept a Grant From the Office of the Attorney General’s Triad Crime Prevention for Seniors Grant Program to Purchase Flashlights and File of Life Brochures.
- 62-17 Resolution - To Accept a Grant From the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program to Purchase Explosive Ordnance Disposal Suits, Full Face Helmets, and Surveillance Equipment for the Police Division.
- 63-17 Resolution - Signatory Authority - Amendment to Contract for Engineering Design Services - Creighton Road Improvements - Fairfield and Varina Districts.
- 64-17 Resolution - Signatory Authority - Amendment to Contract for Engineering Design Services - Dabbs House Road Improvements - Varina District.
- 65-17 Resolution – Interim Appointment to Fill the Vacancy in the Office of Brookland District Supervisor.
- 66-17 Resolution – To Authorize the County Attorney to Petition the Circuit Court for a Writ of Election to Fill the Vacancy in the Office of Brookland District Supervisor.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
February 14, 2017**

RESIGNATION/APPOINTMENTS

RESOLUTION – Resignation of Vice Chairman.

This Board paper accepts the resignation of **Patricia S. O'Bannon** as Vice Chairman of the Board of Supervisors.

RESOLUTION – Election of Chairman.

This Board paper elects the Chairman of the Board of Supervisors for an unexpired term ending December 31, 2017, or thereafter, when his/her successor shall have been elected and qualified.

RESOLUTION – Election of Vice Chairman.

This Board paper elects the Vice Chairman of the Board of Supervisors for an unexpired term ending December 31, 2017, or thereafter, when his/her successor shall have been elected and qualified.

RESOLUTION – Appointment of Member – Board of Social Services.

This Board paper appoints **Frank J. Thornton**, a member of the Board of Supervisors, to the Board of Social Services for an unexpired term coincident with his term of office on the Board of Supervisors.

RESOLUTION – Appointment of Member – Capital Region Workforce Partnership Consortium of Chief Local Elected Officials.

This Board paper appoints **Patricia S. O'Bannon**, a member of the Board of Supervisors, to the Capital Region Workforce Partnership Consortium of Chief Local Elected Officials for an unexpired term ending December 31, 2017, or thereafter, when her successor shall have been appointed and qualified.

RESOLUTION – Appointment of Alternate Member – Central Virginia Waste Management Authority Board of Directors.

This Board paper appoints the following person to the Central Virginia Waste Management Authority Board of Directors as an alternate member for an unexpired term ending December 31, 2017, or thereafter, when his successor shall have been appointed and qualified:

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

REZ2017-00005
 Brookland
 Wilton Acquisition, LLC: Request to conditionally rezone from B-2C Business District (Conditional) to RTHC Residential Townhouse District (Conditional) Parcels 773-759-7681, -9232, -8362, -8944, and part of Parcel 773-759-5623 containing 10.38 acres located on the west line of Woodman Road approximately 240’ north of its intersection with Hungary Road. The applicant proposes a residential townhouse development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would not be expected to adversely affect the pattern of zoning and land use and the area and would not adversely affect the adjoining area if properly developed as proposed.

PUP2017-00003
 Brookland
 Wilton Acquisition, LLC: Request for a Provisional Use Permit under Sections 24-58.2(b), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a self-service storage facility on part of Parcel 773-759-5623 located on the north line of Hungary Road approximately 700’ northwest of its intersection with Woodman Road. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is 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 when properly developed and regulated by the recommended special conditions, it would not be detrimental to the public health, safety, welfare and values in the area.

REZ2017-00001
 Varina
 The WVS Companies: Request to conditionally rezone from M-2 General Industrial District to UMUC Urban Mixed Use District (Conditional) Parcel 797-712-7077 containing 1.384 acres located on the west line of Old Osborne Turnpike (State Route 5) approximately 1000’ south of its intersection with Orleans Street. The applicant proposes an addition to Rocketts Landing. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use. 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 request because it conforms to the Urban Mixed-Use recommendation of the Comprehensive Plan and would not adversely affect the adjoining area if properly developed as proposed.

PUP2017-00001
Varina
The WVS Companies: Request for a Provisional Use Permit Under Sections 24-32.1(s), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow buildings taller than 60' on Parcel 797-712-7077 located on the west line of Old Osborne Turnpike (State Route 5) approximately 1000' south of its intersection with Orleans Street. The existing zoning is M-2 General Industrial District. The 2026 Comprehensive Plan recommends Urban Mixed-Use. Acting on a motion by Mr. Leabough, seconded by Mrs. Marshall, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it is reasonable in light of the surrounding uses and existing zoning on the property and would not be expected to adversely affect public safety, health or general welfare.

REZ2017-00002
Varina
Emerald Land Development: Request to rezone from B-3 Business District to R-3 One-Family Residential District Parcels 836-715-5241 and 836-715-6142 containing 1 acre located at the southwest intersection of Old Williamsburg and Clayman Roads. The applicant proposes single family residences. The use will be controlled by 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 Mr. Leabough, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms to the Suburban Residential 2 recommendation of the Comprehensive Plan and would not adversely affect the adjoining area if properly developed as proposed.

REZ2017-00004
Fairfield
Peter Francisco: Request to amend proffered conditions accepted with REZ2014-00027 on Parcel 780-749-9410 located on the west line of Lakeside Avenue (State Route 161) at its intersection with Timberlake Avenue. The applicant proposes to amend proffers related to hours of operation and square footage. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. 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 the changes do not greatly reduce the original intended purpose of the proffers and they are not expected to adversely impact the surrounding land uses in the area.

PUP2017-00002
Three Chopt
Noodles & Company: 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 to allow outdoor dining on part of Parcel 747-760-6472 located at the northeast intersection of W. Broad Street (U.S. Route 250) and Dominion Boulevard. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Innsbrook Redevelopment Overlay District. Acting on a motion by

Mrs. Marshall, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it is reasonable in light of the surrounding uses and existing zoning on the property and the conditions should minimize the potential impacts on surrounding land uses.

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF RESOLUTION – Receipt of Requests for Amendments to the FY 2016-17 Annual Fiscal Plan: February, 2017.

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 February 7, 2017, provided by the County Manager to the Board of Supervisors.

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 amendment.

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 February 21, 2017, a synopsis of the proposed amendments and a public hearing to be held on February 28, 2017. A separate paper will be submitted to the Board to amend the Annual Fiscal Plan and appropriate funds for expenditure, as applicable, after the February 28, 2017, public hearing.

RESOLUTION – Authorizing and Providing for the Issuance and Sale of Not to Exceed Seventy Million Dollars (\$70,000,000) Aggregate Principal Amount of County of Henrico, Virginia, General Obligation Public Improvement Refunding Bonds.

This resolution authorizes the issuance and sale of not to exceed seventy million dollars aggregate principal amount of general obligation public improvement refunding bonds to refund in advance of their stated maturities all or any portion of the County's General Obligation Public Improvement Bonds, Series 2010A and Series 2011, and any other outstanding series of the County's General Obligation Public Improvement Bonds, the refunding of which shall be recommended by the County's Financial Advisor. The authorization extends to February 28, 2018.

RESOLUTION - Authorizing and Providing for the Issuance and Sale of Not to Exceed One Hundred Fourteen Million Six Hundred Thousand Dollars (\$114,600,000) Aggregate

Principal Amount of County of Henrico, Virginia, General Obligation Public Improvement Bonds.

This resolution authorizes the issuance and sale of not to exceed \$114,600,000 aggregate principal amount of general obligation public improvement bonds to support various Schools, Fire, and Recreation and Parks projects. Issuance of these bonds was authorized by the voters of the County in the November 8, 2016, bond referendum.

RESOLUTION – Adopting the 2017 Henrico County Emergency Operations Plan.

The purpose of this Board paper is to adopt the 2017 Henrico County Emergency Operations Plan as the basic plan for County emergency services. State law requires that the plan be reviewed every four years and revised as necessary to keep it current. State law also requires that the revised plan be formally adopted by the local governing body.

The Board last adopted revisions on January 28, 2014, when it adopted the 2014 plan.

RESOLUTION - Award of Contract - Information Technology Data Center Renovations - Brookland District.

This Board paper would award a contract for \$499,000 to Daniel & Company, Inc. for renovation of the “C-South” third floor office space in the County’s Administration Building to create a new Information Technology Data Center. The renovation area is approximately 4,500 square feet. Construction is anticipated to begin in March 2017 with occupancy by December 2017.

The County received seven bids on January 31, 2017, in response to Invitation to Bid No. 16-1283-10JK and Addenda Nos. 1 and 2 as follows:

Bidder	Bid Amount
Daniel & Company, Inc. Richmond, VA	\$499,000
Woodland Construction, Inc. Richmond, VA	\$501,600
Athens Building Corporation t/a First Class Contracting Richmond, VA	\$504,900
Noah Enterprises, Inc. Virginia Beach, VA	\$530,286
Haley Builders, Inc. Ashland, VA	\$566,000
Sussex Development Corporation Virginia Beach, VA	\$600,000
Suburban Remodeling Corporation (SRC, Inc.) Richmond, VA	\$609,916

Based upon a review of the bids, Daniel & Company, Inc. is the lowest responsive and responsible bidder.

This 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 contract amount. Funding to support the contract is available within the project budget.

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

RESOLUTION - To Accept a Grant From the Office of the Attorney General's Triad Crime Prevention for Seniors Grant Program to Purchase Flashlights and File of Life Brochures.

This Board paper accepts a grant in the amount of \$1,900 from the Office of the Attorney General's Triad Crime Prevention for Seniors Grant Program. The grant, which requires a 10% in-kind match, will be used by the Police Division to purchase flashlights and File of Life brochures.

RESOLUTION - To Accept a Grant From the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program to Purchase Explosive Ordnance Disposal Suits, Full Face Helmets, and Surveillance Equipment for the Police Division.

This Board paper accepts a grant in the amount of \$74,243 from the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program. The grant, which requires no local match, will be used by the Police Division to purchase new explosive ordnance disposal suits, full face helmets, and surveillance equipment.

RESOLUTION - Signatory Authority - Amendment to Contract for Engineering Design Services - Creighton Road Improvements - Fairfield and Varina Districts.

This Board paper would approve, and give the County Manager signatory authority to execute, a contract amendment for additional engineering services for Creighton Road improvements.

On April 25, 2006, the Board awarded a contract to Earth Tech, Inc. (now AECOM) for the lump sum fee of \$1,549,450.60 for the preparation of design and construction plans for Creighton Road improvements.

On November 9, 2011, the Board approved a contract amendment for \$174,129 for creation of a final set of plans for the portion of the project between Laburnum Avenue and Sandy Lane and for additional environmental analysis.

On April 23, 2013, the Board approved a second amendment to add \$96,326.78 for design work to adjust sanitary sewer utilities and road geometry to avoid septic drain fields impacted by a revised connection with Dabbs House Road.

On January 28, 2014, the Board approved a third amendment for \$153,388.48 for creation of plans to bid the bridge replacement and for additional environmental analysis.

Additional design services are required to complete plans for the portion of Creighton Road between Laburnum Avenue and Sandy Lane, including adjustments to the alignment of the Dabbs House Road connector, and to perform additional environmental work needed to accept state funds for construction. AECOM and the Department of Public Works have negotiated a lump sum fee of \$199,712.49 for the additional work.

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

RESOLUTION - Signatory Authority - Amendment to Contract for Engineering Design Services - Dabbs House Road Improvements - Varina District.

This Board paper would approve, and give the County Manager signatory authority to execute, a contract amendment for additional engineering services for Dabbs House Road improvements.

On June 8, 2004, the Board approved a contract with Michael Baker, Jr., Inc. for the lump sum fee of \$1,010,879.17 for the preparation of design and construction plans for improvements to Dabbs House Road from Nine Mile Road to Creighton Road.

On September 9, 2008, the Board approved a contract amendment for \$300,209.96 for additional design work for sanitary sewer extension, sewer replacement, water main extension, and additional roadway and drainage design with environmental studies.

On February 22, 2011, the Board approved a second amendment for \$178,448.72 for design services to revise erosion and sediment control plans, to complete design tasks to tie-in the Creighton Road connector, and to perform additional drainage, utility, and environmental work.

On June 26, 2012, the Board approved a third amendment for \$194,730.49 after an internal review identified cost-saving measures, including reducing the required amount of right-of-way and modifying the sidewalk and entrance design.

On May 28, 2013, the Board approved a fourth amendment for \$262,509.78 for the engineering necessary to separate the project into two phases.

Additional design work is required to make design changes related to real property acquisitions, to prepare traffic signal plans and coordination with VDOT at the intersection of Dabbs House Road and Nine Mile Road, and to provide engineering support during construction. The Department of Public Works has negotiated a contract amendment for \$99,910.39 for the additional work.

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

RESOLUTION – Interim Appointment to Fill the Vacancy in the Office of Brookland District Supervisor.

This Board paper appoints, on an interim basis, _____ to fill the vacancy in the office of Brookland District Supervisor created by the passing of Board Chairman Richard W. Glover. Pursuant to state law, the interim appointee begins service upon qualification and serves until a special election is held and the person elected has qualified.

RESOLUTION – To Authorize the County Attorney to Petition the Circuit Court for a Writ of Election to Fill the Vacancy in the Office of Brookland District Supervisor.

This Board paper authorizes the County Attorney to petition the Circuit Court on behalf of the Board of Supervisors for a writ of election to fill the vacancy in the office of Brookland District Supervisor. The petition requests that the special election be held on _____, 2017.