

**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 14, 2018**, at **6:00 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:

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|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6:00 - 6:20 p.m. | J. Sargeant Reynolds Community College Update |
| 6:20 - 6:35 p.m. | Closed Meeting for Consultation with the County Attorney Pertaining to Actual Litigation Styled <i>Magnolia Lorraine Purcell v. Brenda Evans</i> , Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as Amended. |
| 6:35 - 6:45 p.m. | Regular Meeting Agenda Items |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
August 9, 2018

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
August 14, 2018
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES - July 24, 2018, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATIONS

Proclamation - Preparedness Month - September 2018.

Proclamation - Recovery Month - September 2018.

APPOINTMENTS

187-18 Resolution - Appointment of Member - J. Sargeant Reynolds Community College Board.

188-18 Resolution - Appointment of Member - The Cultural Arts Center at Glen Allen Foundation Board of Directors.

PUBLIC HEARINGS – REZONING CASE AND PROVISIONAL USE PERMIT

189-18 Salvatore Cangiano: Request to conditionally rezone from R-3C One-Family
REZ2018- Residence District, R-5C General Residence District (Conditional), and B-3C
00028 Business District (Conditional) to R-5AC General Residence District
Varina (Conditional), RTHC Residential Townhouse District (Conditional) and B-2C
Business District (Conditional) Parcel 836-713-7564 containing 78.9 acres
located at the northeast intersection of E. Williamsburg Road (U.S. Route
60) and Dry Bridge Road. The applicant proposes detached dwellings with
zero lot lines, townhomes, and retail. The uses will be controlled by zoning
ordinance regulations and proffered conditions. The 2026 Comprehensive
Plan recommends Suburban Residential 2, density should not exceed 3.4
units per acre; Urban Residential with a recommended density range of 3.4
to 6.8 units per acre; Commercial Concentration; and Environmental
Protection Area. The site is in the Airport Safety Overlay District. The
Planning Commission voted to recommend the Board of Supervisors **grant**
the request.

190-18 Salvatore Cangiano: Request for a Provisional Use Permit under Sections
PUP2018- 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow
00009 24-hour operation of a proposed convenience store with fuel pumps on part of
Varina Parcel 836-713-7564. The existing zoning is B-3C Business District
(Commercial). The 2026 Comprehensive Plan recommends Commercial

Concentration. The site is in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS – OTHER ITEMS

- 191-18 Ordinance - To Amend and Reordain Article III Titled “Smoke Detectors,” Section 6-56 Titled “Required in certain buildings,” Section 6-57 Titled “Installation standards,” Section 6-58 Titled “Inspections,” and Section 6-59 Titled “Maintenance,” all of the Code of the County of Henrico, to Conform to Changes in State Law Enacted by the 2018 General Assembly Relating to Smoke Alarms.
- 192-18 Ordinance - To Amend and Reordain Section 10-2 of the Code of the County of Henrico Titled “Repair, removal or securing of buildings and other structures harboring illegal drug use” to Conform to Changes in State Law Enacted by the 2018 General Assembly Relating to Criminal Blight.
- 193-18 Ordinance - To Amend and Reordain Section 24-116 of the Code of the County of Henrico Titled “Powers” to Allow a New Circumstance for Granting a Variance.
- 194-18 Resolution - Signatory Authority - Lease of County Property - CID, Inc. 2200 N. 20th Street - Fairfield District.
- 195-18 Ordinance - Vacation of Utility Easement - Cameron at Grey Oaks Subdivision - Three Chopt District.

PUBLIC COMMENTS

GENERAL AGENDA

- 196-18 Resolution - Award of Contract - Architectural and Engineering Services for Police Evidence Storage Facility - Brookland District.
- 197-18 Resolution - To Accept a Grant from the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program to Purchase Equipment That Will Be Used to Facilitate Specialized Training, Improve Officer Safety, and Enhance the Effectiveness of Criminal Investigations.
- 198-18 Resolution - Signatory Authority - Acquisition of Real Property - 3912 Nine Mile Road - Varina District.
- 199-18 Resolution - Signatory Authority - Agreement Concerning The Cultural Arts Center at Glen Allen.
- 200-18 Resolution - Award of Contract - John Rolfe Parkway Sidewalk Improvements - Tuckahoe District.

201-18

Resolution - Settlement of *Magnolia Lorraine Purcell v. Brenda Evans.*



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
August 14, 2018**

PRESENTATIONS

PROCLAMATION - Preparedness Month - September 2018.

The Federal Emergency Management Agency within the U.S. Department of Homeland Security has sponsored National Preparedness Month each September since 2004. National Preparedness Month encourages citizens and businesses to prepare for and respond to large-scale emergencies and disasters in their communities. This proclamation recognizes September 2018 as Preparedness Month in Henrico County and calls the observance to the attention of all Henrico citizens and businesses.

PROCLAMATION - Recovery Month - September 2018.

Recovery Month, which is nationally observed each year during the month of September, offers those involved in substance abuse treatment an opportunity to educate citizens, community organizations, public officials, and civic leaders about the effectiveness of substance use treatment from both societal and financial perspectives. This proclamation recognizes September 2018 as Recovery Month in Henrico County and calls upon Henrico residents to acknowledge this year's theme, "*Join the Voices for Recovery: Invest in Health, Home, Purpose, and Community.*"

APPOINTMENTS

RESOLUTION - Appointment of Member - J. Sargeant Reynolds Community College Board.

This Board paper appoints the following person to the J. Sargeant Reynolds Community College Board for a term expiring June 30, 2022, or thereafter, when her successor shall have been appointed and qualified:

Fairfield District

Mary L. Studevart

RESOLUTION - Appointment of Member - The Cultural Arts Center at Glen Allen Foundation Board of Directors.

This Board paper appoints the following person to The Cultural Arts Center at Glen Allen Foundation Board of Directors for a term expiring June 30, 2021, or thereafter, when her successor shall have been appointed and qualified:

At-Large

JoAnn H. Perkins

PUBLIC HEARINGS – REZONING CASE AND PROVISIONAL USE PERMIT

REZ2018-00028
Varina

Salvatore Cangiano: Request to conditionally rezone from R-3C One-Family Residence District, R-5C General Residence District (Conditional), and B-3C Business District (Conditional) to R-5AC General Residence District (Conditional), RTHC Residential Townhouse District (Conditional) and B-2C Business District (Conditional) Parcel 836-713-7564 containing 78.9 acres located at the northeast intersection of E. Williamsburg Road (U.S. Route 60) and Dry Bridge Road. The applicant proposes detached dwellings with zero lot lines, townhomes, and retail. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre; Urban Residential with a recommended density range of 3.4 to 6.8 units per acre; Commercial Concentration; and Environmental Protection Area. The site is in the Airport Safety Overlay District. Acting on motion by Mr. Mackey, seconded by Mr. Baka, the Planning Commission voted 5-0 (one absent) 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 in the area and the proffered conditions will assure a level of development otherwise not possible.

PUP2018-00009
Varina

Salvatore Cangiano: Request for a Provisional Use Permit under Sections 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow 24-hour operation of a proposed convenience store with fuel pumps on part of Parcel 836-713-7564. The existing zoning is B-3C Business District (Commercial). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Airport Safety Overlay District. Acting on a motion by Mr. Mackey, seconded by Mrs. Kortula, the Planning Commission voted 5-0 (one absent) 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 health, safety, welfare and values in the area.

PUBLIC HEARINGS – OTHER ITEMS

ORDINANCE - To Amend and Reordain Article III Titled “Smoke Detectors,” Section 6-56 Titled “Required in certain buildings,” Section 6-57 Titled “Installation standards,” Section 6-58 Titled “Inspections,” and Section 6-59 Titled “Maintenance,” all of the Code of the County of Henrico, to Conform to Changes in State Law Enacted by the 2018 General Assembly Relating to Smoke Alarms.

This proposed ordinance would amend Chapter 6 to conform to changes in state law enacted by the 2018 General Assembly regarding smoke alarms. As required by the state legislation, the amendments make housekeeping changes in installation and maintenance requirements. There are no substantive changes that impact current County practices.

On July 24, 2018, the Board approved the introduction of this ordinance.

The Building Official and the Fire Chief recommend approval of this Board paper, and the County Manager concurs.

ORDINANCE - To Amend and Reordain Section 10-2 of the Code of the County of Henrico Titled “Repair, removal or securing of buildings and other structures harboring illegal drug use” to Conform to Changes in State Law Enacted by the 2018 General Assembly Relating to Criminal Blight.

This proposed ordinance would amend Section 10-2 to conform to changes in state law enacted by the 2018 General Assembly regarding criminal blight. In keeping with changes made by the 2018 legislation, the ordinance:

- (1) Adds definitions of “affidavit,” “commercial sex acts,” “controlled substance,” “corrective action,” “criminal blight,” “law-enforcement official,” and “property”;
- (2) Allows the property owner additional time to take corrective action to abate the criminal blight on his property;
- (3) Recognizes the property owner’s nonconforming rights or permits; and
- (4) Deems the property owner in compliance if the owner in good faith takes corrective action or pursues legal action against a tenant who is the cause of the criminal blight.

On July 24, 2018, the Board approved the introduction of this ordinance.

The Building Official and the Police Chief recommend approval of this Board paper, and the County Manager concurs.

ORDINANCE - To Amend and Reordain Section 24-116 of the Code of the County of Henrico Titled “Powers” to Allow a New Circumstance for Granting a Variance.

This Board paper would amend the zoning ordinance to allow the board of zoning appeals to grant a variance for a reasonable modification to a property or improvements requested by or on behalf of a person with a disability. The ordinance allows the board of zoning appeals to provide that the variance will expire when no longer needed by the person benefited by the variance. The amendments to the zoning ordinance are required by legislation enacted by the General Assembly in 2018.

After a public hearing on July 25, 2018, the Planning Commission recommended approval of the amendments. The Director of Planning recommends approval of this Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Lease of County Property - CID, Inc. - 2200 N. 20th Street - Fairfield District.

This Board paper authorizes the County Manager to execute a deed of lease to lease a parcel of County-owned property consisting of 0.358 acres, which is located at 2200 N. 20th Street, to CID, Inc. for a 10-year term. CID is a Virginia non-profit corporation based in Henrico County, which was formed to promote and provide economic, educational, and social opportunities for underprivileged residents of the City of Richmond and surrounding counties.

CID will use the property to cultivate a community garden for charitable and educational purposes in service of underprivileged residents of Henrico County and adjacent localities. Under the deed of lease, CID will pay an annual rent of \$1.00 and has an option to extend the lease for an additional 5 years.

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

ORDINANCE - Vacation of Utility Easement - Cameron at Grey Oaks Subdivision - Three Chopt District.

This ordinance will vacate a 16' utility easement located in the rear portion of Lot 20, Block B, Section 2 of Cameron at Grey Oaks subdivision. The owners, J. P. Bandy and J. C. Schwartz-Bandy, requested the vacation because they want to improve the area with landscaping and install fencing. The County has no need for the easement.

J. P. Bandy is employed by the County's Division of Police and has not participated, nor will he participate, in his official capacity in this request.

The Real Property Department has processed the requested vacation through the Departments of Planning, Public Utilities, and Public Works without objection.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Award of Contract - Architectural and Engineering Services for Police Evidence Storage Facility - Brookland District.

This Board paper would award a contract to Moseley Architects, PC for architectural and engineering services to design a new facility for the storage of evidence maintained by the Division of Police. The new facility would replace the current storage area in the Public Safety Building which is inadequate to meet the Division's needs.

The design is anticipated to begin in August 2018 and to be completed by May 2019.

On June 1, 2018, the County received seven proposals in response to RFP No. 18-1661-5JCK. The selection committee (Messrs. Thomas Alford, Edward Bass, Christopher Cantwell, Peter MacRae, Pierre Tremblay and Ms. Aimee Crady) interviewed the following firms:

Moseley Architects, PC
Enteros Design, PC
BKV Group, Inc.

The committee selected Moseley Architects, PC as the top-ranked firm and negotiated a fixed-price contract for \$509,949. Funding is available in the project budget.

The Board paper authorizes the County Manager, or the Purchasing Director as his designee, to execute the contract and change orders within the scope of the project budget not to exceed 15% of the original contract amount.

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

RESOLUTION - To Accept a Grant from the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program to Purchase Equipment That Will Be Used to Facilitate Specialized Training, Improve Officer Safety, and Enhance the Effectiveness of Criminal Investigations.

This Board paper accepts a grant in the amount of \$67,227 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 equipment that will be used to facilitate specialized training, improve officer safety, and enhance the effectiveness of criminal investigations.

RESOLUTION - Signatory Authority - Acquisition of Real Property - 3912 Nine Mile Road - Varina District.

This Board paper authorizes the County Manager to execute the purchase agreement and any other documents necessary to acquire a 0.444-acre parcel of land at 3912 Nine Mile Road for the new Mental Health East office building. The seller, John L. Minter, III, has agreed to sell it for \$132,000.

The Directors of Mental Health and Developmental Services, General Services and Real Property recommend approval of this Board paper; the County Manager concurs.

RESOLUTION - Signatory Authority - Agreement Concerning The Cultural Arts Center at Glen Allen.

In April 2015, the Board approved a Revised Master Plan of Development for the Cultural Arts Center at Glen Allen. This plan added four parcels totaling 8.45 acres to expand facilities including an amphitheater, restrooms, an artisan market area, an event field, a theater expansion, and expanded parking areas.

With the addition of these parcels, a new agreement between the Cultural Arts Center at Glen Allen Foundation and the County is needed to specify the rights and responsibilities of the County and the Foundation in operating, maintaining, managing, improving and insuring the facilities.

RESOLUTION - Award of Contract - John Rolfe Parkway Sidewalk Improvements - Tuckahoe District.

This Board paper would award a construction contract for \$247,909.30 to Central Contracting Co., Inc. for John Rolfe Parkway sidewalk improvements. The work consists of 3,588 linear feet of variable width concrete sidewalk with passing zones and a variable width utility strip along the southeast side of John Rolfe Parkway from Gayton Road to Ridgefield Parkway. The project also includes drainage, earthwork, aggregate base, concrete, pavement patching,

relocation of traffic signs, pavement markings, planting and incidental construction. The construction work is anticipated to begin on October 1, 2018, and be completed within 90 calendar days.

Four bids were received on May 9, 2018, in response to ITB No. 17-1429-6JK and Addendum No. 1. The bidders and bid amounts are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Central Contracting Co., Inc. Richmond, Virginia	\$247,909.30
Talley & Armstrong Inc. Henrico, Virginia	\$299,866.00
Howard Brothers Contractor Inc. Providence Forge, Virginia	\$403,384.50
Finley Asphalt & Sealing, Inc. Bristow, Virginia	\$497,172.62

Based upon a review of the bids, Central Contracting Co., Inc. is the lowest responsive and responsible bidder.

The final contract amount shall be determined upon completion of the project by multiplying the actual unit quantities authorized by the County for construction by the unit prices submitted in the contractor's bid. Funding to support the contract is available within the project budget.

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

RESOLUTION - Settlement of *Magnolia Lorraine Purcell v. Brenda Evans*.

The purpose of this Board paper is to authorize settlement of the personal injury case styled *Magnolia Lorraine Purcell v. Brenda Evans*. The Self-Insurance Trustees have reviewed and approved this settlement.