

**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, January 28, 2014**, 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:

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|------------------|--------------------------------------------|
| 5:00 – 5:15 p.m. | Plan of Development for Short Pump Park |
| 5:15 – 5:45 p.m. | Springfield Road Landfill Transfer Station |
| 5:45 – 6:30 p.m. | Proposed Meals Tax Ordinance |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
January 23, 2014

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
January 28, 2014
7:00 p.m.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENT PRAYER

APPROVAL OF MINUTES – January 14, 2014, Regular Meeting; and March 18 - 21, 2013, Special Meeting

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PUBLIC HEARING – PROVISIONAL USE PERMIT

24-14 BJ's Restaurants, Inc. C/O GPD LLC: Request for a Provisional Use Permit
PUP2013 under Sections 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County
00015 Code to allow hours of operation until 1:00 a.m. for a proposed restaurant (BJ's
Three Chopt Restaurant) on Parcel 735-764-0017 located on the north line of W. Broad Street
 (U.S. Route 250) approximately 915' east of its intersection with N. Gayton Road.
 The existing zoning is B-2C Business District (Conditional). The 2026
 Comprehensive Plan recommends Commercial Arterial. The site is located in the
 West Broad Street Overlay District. The Planning Commission voted to
 recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS – OTHER ITEMS

25-14 Resolution - POD2013-00191 - Approval of a Plan of Development for Shane
 Road Recycle Center - Tuckahoe District.

26-14 Ordinance - Vacation of Portion of Alley - Highland Park Annex - Fairfield
 District.

27-14 Resolution - Signatory Authority - Quitclaim of Portion of Utility Easement -
 Deep Run III Parking Deck - Three Chopt District.

28-14 Resolution - Signatory Authority - Quitclaim of Portion of Utility Easement -
 The Laurels of University Park - Three Chopt District.

PUBLIC COMMENTS

GENERAL AGENDA

29-14 Introduction of Ordinance - To Amend and Reordain Chapter 20 of the Code of
 the County of Henrico by Adding a New Article XII Consisting of Sections 20-
 841 through 20-855 to Levy a Four Percent Meals Tax.

- 30-14 Resolution – Adopting the 2014 Henrico County Emergency Operations Plan.
- 31-14 Resolution - Award of Construction Contract - Rooftop HVAC Unit Replacements - Henrico Public Safety Building - Brookland District.
- 32-14 Resolution - Signatory Authority - Acquisition of Real Property - 1359 Columbia Road - Cumberland County.
- 33-14 Resolution - Signatory Authority - Acquisition of Real Property - Portion of Tax Parcel 6-A-3A on Columbia Road - Cumberland County.
- 34-14 Resolution - Signatory Authority - Amendment to Contract for Engineering Design Services - Creighton Road Improvements Project #00985 - Fairfield and Varina Districts.
- 35-14 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation for Congestion Mitigation and Air Quality (CMAQ) Funds - Sidewalk Construction along North Side of Ridgefield Parkway (Approximately 5,280 Feet) - Project #9999-043-799 (UPC 104880) - Tuckahoe District.
- 36-14 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation for Congestion Mitigation and Air Quality (CMAQ) Funds - Sidewalk Construction along John Rolfe Parkway (Approximately 3,690 Feet) - Project #9999-043-798 (UPC 104881) - Tuckahoe District.
- 37-14 Resolution - Acceptance of Roads – Brookland District.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
January 28, 2014

PUBLIC HEARING – PROVISIONAL USE PERMIT

PUP2013-
00015
Three Chopt

BJ's Restaurants, Inc. C/O GPD LLC: 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 hours of operation until 1:00 a.m. for a proposed restaurant (BJ's Restaurant) on Parcel 735-764-0017 located on the north line of W. Broad Street (U.S. Route 250) approximately 915' east of its intersection with N. Gayton Road. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. The site is located in the West Broad Street Overlay District. Acting on a motion by Mr. Branin, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one absent) 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 it would not be detrimental to the public health, safety, welfare and values of the area.

PUBLIC HEARINGS – OTHER ITEMS

RESOLUTION - POD2013-00191 - Approval of a Plan of Development for Shane Road Recycle Center - Tuckahoe 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 public recycling center and related site and drainage improvements. The 1.95-acre site is located at the southwest corner of the intersection of Quioccasin Road (State Route 157) and Shane Road, on parcel 749-745-3289. The property is zoned R-3, One-Family Residential District, and is located in the Tuckahoe 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 Public Utilities, the Department of Public Works, 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 January 28, 2014, and the conditions listed in the Board paper, and the County Manager concurs.

ORDINANCE - Vacation of Portion of Alley - Highland Park Annex - Fairfield District.

The owners of 810 Savannah Avenue, 812 Savannah Avenue, and 813 Walnut Avenue in the Highland Park Annex subdivision have requested vacation of a portion of an alley adjacent to their property. There are no County facilities in the portion of the alley to be vacated.

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

RESOLUTION - Signatory Authority - Quitclaim of Portion of Utility Easement - Deep Run III Parking Deck - Three Chopt District.

This resolution authorizes the Chairman to execute a quitclaim deed releasing the County's interest in an unneeded portion of a utility easement on property west of Gaskins Road at the end of Mayland Drive to the landowners, DR III, LLC.

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 - The Laurels of University Park - Three Chopt District.

This resolution authorizes the Chairman to execute a quitclaim deed releasing the County's interest in an unneeded portion of a utility easement across property east of Pemberton Road known as The Laurels of University Park to the landowner, University Park AL Investors, LLC.

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 ORDINANCE - To Amend and Reordain Chapter 20 of the Code of the County of Henrico by Adding a New Article XII Consisting of Sections 20-841 through 20-855 to Levy a Four Percent Meals Tax.

This Board paper introduces for advertisement and public hearing on February 25, 2014 an ordinance to levy a four percent food and beverage tax, commonly known as a meals tax, beginning on June 1, 2014.

On November 5, 2013, the voters of the County approved a referendum authorizing the Board of Supervisors to levy a meals tax for the purpose of funding the operational needs and capital projects of the Henrico County Public Schools.

In keeping with the purpose approved by the voters, the ordinance expressly provides that the tax is for the purpose of funding the operational needs and capital projects of the Henrico County Public Schools.

RESOLUTION – Adopting the 2014 Henrico County Emergency Operations Plan.

The purpose of this Board paper is to adopt the 2014 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 February 23, 2010 when it adopted the 2009 plan.

RESOLUTION - Award of Construction Contract - Rooftop HVAC Unit Replacements - Henrico Public Safety Building – Brookland District.

This Board paper would award a construction contract for \$431,848 to Machinery Movers & Erectors, Inc. d/b/a BRC Mechanical Services, to replace two rooftop HVAC units at the Henrico Public Safety Building. The project includes any necessary piping changes, electrical work, controls and related work. The construction is anticipated to begin in May 2014.

The County received nine bids on November 20, 2013 in response to IFB# 13-9502-10VK and Addendum No. 1 as follows:

<u>Bidder</u>	<u>Total Bid Amount</u>
Bay Side Contracting, Inc. Newport News, VA	\$ 343,000.00
Waco, Inc. Sandston, VA	\$ 416,500.00
Machinery Movers & Erectors, Inc. d/b/a BRC Mechanical Services Richmond, VA	\$ 431,848.00
Southworth Mechanical Corp. Richmond, VA	\$ 445,870.00
Brothers Mechanical Service, LLC Manassas, VA	\$ 448,637.00
Tune & Toler, Inc. Blairs, VA	\$ 458,900.00
Chamberlain Mechanical Service. Inc. Mechanicsville, VA	\$ 463,230.00
Haley Builders, Inc. Ashland, VA	\$ 496,000.00
Valley Boiler and Mechanical, Inc. Roanoke, VA	\$ 504,000.00

Bay Side Contracting, Inc. and Waco, Inc. have been determined to be non-responsive.

The Board paper would award a contract to Machinery Movers & Erectors, Inc. as the lowest responsive and responsible bidder. Funding for this project is available within the General Services 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 - Signatory Authority - Acquisition of Real Property - 1359 Columbia Road - Cumberland County.

This Board paper authorizes the County Manager to execute documents to purchase 125.165 acres with improvements at 1359 Columbia Road in Cumberland County for the Cobbs Creek Reservoir project. The purchase price is \$551,331.

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

RESOLUTION - Signatory Authority - Acquisition of Real Property - Portion of Tax Parcel 6-A-3A on Columbia Road - Cumberland County.

This Board paper authorizes the County Manager to execute documents to purchase 151.297 acres in fee simple and 34.525 acres of restrictive use easement on Columbia Road in Cumberland County for the Cobbs Creek Reservoir project. The purchase price is \$370,000.

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

RESOLUTION - Signatory Authority - Amendment to Contract for Engineering Design Services - Creighton Road Improvements Project #00985 - Fairfield and Varina Districts.

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

On November 9, 2011, the contract was amended to add \$174,129.00 for creation of a final set of plans to bid the portion of the project between Laburnum Avenue and Sandy Lane for construction and for additional environmental analysis required because of regulatory changes.

On April 23, 2013, the contract was amended to add \$96,326.78 for additional design work required to adjust sanitary sewer utilities and road geometry to avoid septic drainfields impacted by the revised connection with Dabbs House Road.

AECOM and the Department of Public Works have negotiated a fixed lump sum fee of \$153,388.48 for additional work for creation of plans to bid the bridge replacement and for additional environmental analysis required because of more regulatory changes.

This Board paper authorizes the County Manager and the Clerk to execute the amendment in a form approved by the County Attorney in the amount of \$153,388.48. Funds for this project will be provided from the Capital Projects Fund Project #00985.

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

RESOLUTION - Signatory Authority - Agreement with Virginia Department of Transportation for Congestion Mitigation and Air Quality (CMAQ) Funds - Sidewalk Construction along North Side of Ridgefield Parkway (Approximately 5,280 Feet) - Project #9999-043-799 (UPC 104880) - Tuckahoe District.

The Department of Public Works has negotiated an agreement with the Virginia Department of Transportation (VDOT) under which the County will construct approximately 5,280 feet of sidewalk within the County right-of-way along the north side of Ridgefield Parkway from Pump Road to Falconbridge Drive. The estimated cost for preliminary engineering, utility relocation, and construction is \$600,000. VDOT will reimburse 100% of the project cost from Federal Congestion Mitigation and Air Quality (CMAQ) Funds.

The Board paper authorizes the County Manager to execute the VDOT agreement in a form approved by the County Attorney.

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

RESOLUTION - Signatory Authority - Agreement with Virginia Department of Transportation for Congestion Mitigation and Air Quality (CMAQ) Funds - Sidewalk Construction along John Rolfe Parkway (Approximately 3,690 Feet) - Project #9999-043-798 (UPC 104881) - Tuckahoe District.

The Department of Public Works has negotiated an agreement with the Virginia Department of Transportation (VDOT) under which the County will construct approximately 3,690 feet of sidewalk within the County right-of-way along John Rolfe Parkway from Ridgefield Parkway to Gayton Road. The estimated cost for preliminary engineering, utility relocation, and construction is \$540,000. VDOT will reimburse 100% of the project cost from Federal Congestion Mitigation and Air Quality (CMAQ) Funds.

The Board paper authorizes the County Manager to execute the VDOT agreement in a form approved by the County Attorney.

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

RESOLUTION - Acceptance of Roads – Brookland District.

This Board paper would accept the following named and described sections of roads into the County road system for maintenance.

- 1) 0.13 miles of Maron Heights. Brookland District.
- 2) 0.06 miles of Mountain Cove. Brookland District.

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