

**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 9, 2014, at 5:30 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:

- | | |
|------------------|------------------------------|
| 5:30 - 5:45 p.m. | Update on Future Bond Issues |
| 5:45 - 6:00 p.m. | Regular Meeting Agenda Items |
| 6:00 - 6:45 p.m. | Holiday Dinner (Café 1611) |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
December 4, 2014

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
December 9, 2014
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – November 25, 2014, Regular and Special Meetings; and
November 5, 2014, Special Meeting

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

APPOINTMENTS

314-14 Resolution – Appointment of Members – Board of The Shops at White
Oak Village Community Development Authority.

PUBLIC HEARING – REZONING CASES AND PROVISIONAL USE PERMITS

315-14 Cugini, LLC: Request for a Provisional Use Permit under Sections 24-
PUP2014- 58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code in order
00019 to allow a 24-hour fitness facility on part of Parcel 771-752-0193 located
Brookland on the west line of Staples Mills Road (U.S. Route 33) at its intersection
with Hermitage Road. The existing zoning is B-2C Business District
(Conditional). The 2026 Comprehensive Plan recommends Office and
Environmental Protection Area. The Planning Commission voted to
recommend the Board of Supervisors **deny** the request.

316-14 Nobility Investments, LLC: Request to amend proffered conditions
REZ2014- accepted with Rezoning Cases C-46C-83, C-11C-07 and C-23C-09 on
00042 parts of Parcels 768-747-0824 and 767-747-9248 located on the north
Brookland line of Glenside Drive approximately 315' west of its intersection with
Bethlehem Road. The applicant proposes to replace all proffers accepted
with C-46C-83 and amend proffers accepted with C-11C-07 and C-23C-
09 related to sidewalks, conceptual plan, landscaping, buffers, and
shared access and parking to allow reconfiguration of the property. The
existing zoning is B-2C Business District (Conditional). The 2026
Comprehensive Plan recommends Commercial Arterial and Office. The
Planning Commission voted to recommend the Board of Supervisors
grant the request.

317-14 Nobility Investments, LLC: Request to amend proffered conditions
REZ2014- accepted with Rezoning Cases C-46C-83, C-11C-07 and C-23C-09 on
00005 parts of Parcels 768-747-0824 and 767-747-9248 located on the north
Brookland line of Glenside Drive approximately 420' west of its intersection with

Bethlehem Road. The applicant proposes to replace all proffers accepted with C-46C-83, C-11C-07 and C-23C-09 to allow a new hotel. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

318-14
PUP2014-
00017
Tuckahoe

Sportspage West Inc.: 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 an existing restaurant (Sportspage West) on part of Parcel 737-751-0067 located approximately 580' west of the west line of John Rolfe Parkway at its intersection with Ridgefield Green Drive. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

319-14
REZ2014-
00047
Three Chopt

HHHunt Holloway, LLC: Request to conditionally rezone from R-3C One-Family Residence District (Conditional) to C-1C Conservation District (Conditional) part of Parcel 751-773-2046 containing 3.9 acres located along the Chickahominy River approximately 150' north of the terminus of Westward Terrace. The applicant proposes a conservation district. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Environmental Protection Area and Suburban Residential 2. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

320-14
REZ2014-
00048
Tuckahoe

Bickford Senior Living: Request to conditionally rezone from R-0C One-Family Residence District (Conditional) to R-6C General Residence District (Conditional) Parcel 737-750-7485 containing 7.58 acres located on the southwest line of Ridgefield Green Drive between John Rolfe and Ridgefield Parkways. The applicant proposes an assisted living facility. 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.

321-14
REZ2014-
00046
Three Chopt

Don Smith: Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional) Parcel 754-757-4951 and part of Parcel 754-757-5501 containing 3.03 acres located on the east line of Pemberton Road (State Route 157) approximately 660' south of its intersection with W. Broad Street (U.S. Route 250). The applicant proposes a self-service storage facility. The use 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 HEARING – OTHER ITEMS

- 322-14 Resolution – Amendments to the FY 2014-15 Annual Fiscal Plan: December, 2014.
- 323-14 Ordinance - Vacation of Portion of Right-of-Way - Compton Road - Nineakers Subdivision - Brookland District.
- 324-14 Resolution - Signatory Authority - Easement Agreement - Virginia Electric and Power Company - Fairfield District.
- 325-14 Resolution - Signatory Authority - Quitclaim of Utility Easement - Estates at Horsepen - Tuckahoe District.
- 326-14 Ordinance - Vacation of Portion of Planting Strip Easement - Section 1 of Kings Landing Subdivision - Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

- 327-14 Resolution - Requesting the Economic Development Authority of Henrico County to Authorize the Issuance of Not to Exceed Thirty-Nine Million One Hundred Thousand Dollars (\$39,100,000) Principal Amount of Lease Revenue Bonds for the Purpose of Financing the Costs of the Acquisition and Installation of a Radio Communications System Replacement for the County.
- 328-14 Resolution – Authorizing and Providing for the Issuance, Sale and Delivery of Not to Exceed Seventy-Five Million Dollars (\$75,000,000) Principal Amount of County of Henrico, Virginia, General Obligation Public Improvement Refunding Bonds.
- 329-14 Resolution - Authorization to Accept on Behalf of the Division of Fire a \$13,000 Grant from the Virginia Department of Emergency Management.
- 330-14 Resolution – Award of Construction Contract - Natural Gas Pipeline at Jail East.
- 331-14 Introduction of Ordinance – To Amend and Reordain Section 18-8 of the Code of the County of Henrico Titled “Hauling houses, oversize loads or heavy loads” to Ease the Permitting Process for Haulers.

332-14

Resolution - Acceptance of Roads – Three Chopt District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
December 9, 2014**

APPOINTMENTS

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

This Board paper appoints **Lawrence J. Campbell** and **Christine E. Hardin** to the Board of The Shops at White Oak Village Community Development Authority for four-year terms expiring December 12, 2018, or thereafter, when their successors shall have been appointed and qualified.

PUBLIC HEARING – REZONING CASES AND PROVISIONAL USE PERMITS

PUP2014-00019
Brookland

Cugini, 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 in order to allow a 24-hour fitness facility on part of Parcel 771-752-0193 located on the west line of Staples Mills Road (U.S. Route 33) at its intersection with Hermitage Road. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Office and Environmental Protection Area. Acting on a motion by Mr. Witte, seconded by Mr. Branin, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **deny** the request because the extension of hours could impact health, safety and welfare of residents in the area and could have a precedent setting impact on existing land uses in the area.

REZ2014-00042
Brookland

Nobility Investments, LLC: Request to amend proffered conditions accepted with Rezoning Cases C-46C-83, C-11C-07 and C-23C-09 on parts of Parcels 768-747-0824 and 767-747-9248 located on the north line of Glenside Drive approximately 315' west of its intersection with Bethlehem Road. The applicant proposes to replace all proffers accepted with C-46C-83 and amend proffers accepted with C-11C-07 and C-23C-09 related to sidewalks, conceptual plan, landscaping, buffers, and shared access and parking to allow reconfiguration of the property. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial and Office. Acting on a motion by Mr. Leabough, seconded by Mr. Archer, the Planning Commission voted 3-2 (one abstention) to recommend the Board of Supervisors **grant** the request because it is not expected to adversely impact surrounding land uses in the area and would allow infill development.

REZ2014-00005
Brookland
Nobility Investments, LLC: Request to amend proffered conditions accepted with Rezoning Cases C-46C-83, C-11C-07 and C-23C-09 on parts of Parcels 768-747-0824 and 767-747-9248 located on the north line of Glenside Drive approximately 420' west of its intersection with Bethlehem Road. The applicant proposes to replace all proffers accepted with C-46C-83, C-11C-07 and C-23C-09 to allow a new hotel. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. Acting on a motion by Mr. Archer, seconded by Mr. Leabough, the Planning Commission voted 3-2 (one abstention) to recommend the Board of Supervisors **grant** the request because the change in business use is consistent with the Land Use Plan recommendations.

PUP2014-00017
Tuckahoe
Sportspage West Inc.: 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 an existing restaurant (Sportspage West) on part of Parcel 737-751-0067 located approximately 580' west of the west line of John Rolfe Parkway at its intersection with Ridgefield Green Drive. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration and Environmental Protection Area. Acting on a motion by Mrs. Jones, seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because is reasonable in light of the surrounding uses and existing zoning on the property.

REZ2014-00047
Three Chopt
HHHunt Holloway, LLC: Request to conditionally rezone from R-3C One-Family Residence District (Conditional) to C-1C Conservation District (Conditional) part of Parcel 751-773-2046 containing 3.9 acres located along the Chickahominy River approximately 150' north of the terminus of Westward Terrace. The applicant proposes a conservation district. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Environmental Protection Area and Suburban Residential 2. Acting on a motion by Mr. Branin, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it conforms with the objectives and intent of the County's Comprehensive Plan.

REZ2014-00048
Tuckahoe
Bickford Senior Living: Request to conditionally rezone from R-0C One-Family Residence District (Conditional) to R-6C General Residence District (Conditional) Parcel 737-750-7485 containing 7.58 acres located on the southwest line of Ridgefield Green Drive between John Rolfe and Ridgefield Parkways. The applicant proposes an assisted living facility. The use will be controlled by proffered

conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Semi-Public. Acting on a motion by Mrs. Jones, 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 assure a level of development not otherwise possible.

REZ2014-
00046
Three Chopt

Don Smith: Request to conditionally rezone from A-1 Agricultural District to M-1C Light Industrial District (Conditional) Parcel 754-757-4951 and part of Parcel 754-757-5501 containing 3.03 acres located on the east line of Pemberton Road (State Route 157) approximately 660' south of its intersection with W. Broad Street (U.S. Route 250). The applicant proposes a self-service storage facility. The use 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. Witte, 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 commercial and industrial zoning in the area and the proffered conditions will provide appropriate quality assurances not otherwise available.

PUBLIC HEARING - OTHER ITEMS

RESOLUTION – Amendments to the FY 2014-15 Annual Fiscal Plan: December, 2014.

A Board paper was presented on November 25, 2014, which (a) received requests for amendments to the Annual Fiscal Plan and a proposed project-by-project list of capital projects of the Henrico County Public Schools funded with meals tax revenues, (b) directed the advertisement of same, and (c) set the date for a public hearing. The Board may now receive this paper, which, if approved, amends the Annual Fiscal Plan and appropriates funds for expenditure, as applicable, on December 9, 2014. After the public hearing, at that same meeting, this paper may be approved.

ORDINANCE - Vacation of Portion of Right-of-Way - Compton Road - Nineakers Subdivision - Brookland District.

This ordinance will vacate a portion of right-of-way for Compton Road in the Nineakers subdivision, subject to the reservation of a utility easement. The Virginia Department of Transportation, which owns the adjacent property on both sides of the right-of-way to be vacated, has requested the vacation as part of its plan to expand parking for the Amtrak station on Staples Mill Road.

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

RESOLUTION - Signatory Authority - Easement Agreement - Virginia Electric and Power Company - Fairfield District.

This Board paper authorizes the Chairman to execute an easement agreement with Virginia Electric and Power Company for an underground electric line across the County's North Park Library property at 8508 Franconia Road to enhance service to the library and the surrounding properties. The Real Property Department has processed this request through the Departments of Public Library, Planning, Public Utilities, and Public Works without objection.

The Directors of Public Library and Real Property recommend approval, and the County Manager concurs.

RESOLUTION - Signatory Authority - Quitclaim of Utility Easement - Estates at Horsepen - Tuckahoe District.

This resolution authorizes the Chairman to execute a quitclaim deed releasing the County's interest in an unneeded utility easement across property on Horsepen Road to the landowner, Estates, LLC.

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

ORDINANCE - Vacation of Portion of Planting Strip Easement - Section 1 of Kings Landing Subdivision - Varina District.

The Virginia Department of Transportation plans to construct a portion of the Virginia Capital Trail across lots in the Kings Landing subdivision. The owners of Lot 1 and Lot 10 in Section 1 of the subdivision have requested the vacation of a portion of the 35' wide planting strip easement crossing their property for the project. There are no County facilities located in this easement.

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.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Requesting the Economic Development Authority of Henrico County to Authorize the Issuance of Not to Exceed Thirty-Nine Million One Hundred Thousand Dollars (\$39,100,000) Principal Amount of Lease Revenue Bonds for the

Purpose of Financing the Costs of the Acquisition and Installation of a Radio Communications System Replacement for the County.

This Board paper requests the EDA to authorize the issuance of up to thirty-nine million one hundred thousand dollars (\$39,100,000) principal amount of lease revenue bonds to finance the acquisition and installation of a replacement 800 MHz public safety radio system. The bonds would mature in no more than 10 years and would be sold at a true interest cost not to exceed 4%. The authorization for this bond issue would expire on December 31, 2015. It is anticipated that the EDA will consider this request at its January 15, 2015, meeting.

RESOLUTION – Authorizing and Providing for the Issuance, Sale and Delivery of Not to Exceed Seventy-Five Million Dollars (\$75,000,000) Principal Amount of County of Henrico, Virginia, General Obligation Public Improvement Refunding Bonds.

This resolution would authorize the County to issue not to exceed seventy-five million dollars (\$75,000,000) principal amount of the County’s General Obligation Public Improvement Refunding Bonds for the purpose of refunding in advance of their stated maturities all or any portion of the County’s General Obligation Public Improvement Bonds, Series 2008, 2008A, 2010A, 2011, General Obligation School Bond Series 2008 issued to the Virginia Public School Authority (VPSA), 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 will extend to June 30, 2015.

RESOLUTION - Authorization to Accept on Behalf of the Division of Fire a \$13,000 Grant from the Virginia Department of Emergency Management.

This \$13,000 grant will cover the cost of purchasing two portable shelter equipment kits to be used in emergency shelters, along with a trailer that will be used to transport the kits. Each kit will provide for the sheltering needs of up to 25 individuals, and contain sleeping cots, inflatable mattresses, first aid kits, personal hygiene kits, lanterns, batteries, and other supplies. These kits are intended to supplement equipment provided by the Red Cross during an emergency or disaster.

This grant requires no local match.

RESOLUTION - Award of Construction Contract - Natural Gas Pipeline at Jail East.

This Board paper would award a contract to Waco, Inc. for \$168,110 to construct a natural gas pipeline at Jail East from the gas mainline to a distribution manifold at the Jail’s loading docks.

The County received two bids on October 14, 2014, in response to IFB No. 14-9650-9VK as follows:

<u>Bidder</u>	<u>Bid Amount</u>
West End Machine & Welding, Inc. Richmond, VA	\$157,795
Waco, Inc. Sandston, VA	\$168,110

The apparent low bidder, West End Machine & Welding, Inc., was declared non-responsive because it is not licensed in the manner specified in the invitation for bids.

The Board paper awards the contract to Waco, Inc., the lowest responsible and responsive bidder. It 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 this contract is available within the General Services project budget. The Director of General Services recommends approval of this Board paper, and the County Manager concurs.

INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 18-8 of the Code of the County of Henrico Titled “Hauling houses, oversize loads or heavy loads” to Ease the Permitting Process for Haulers.

This Board paper would introduce for advertisement and a public hearing on January 27, 2015, a proposed ordinance related to oversize hauling permits.

Section 18-8 of the Henrico County Code requires haulers of houses and oversized or overweight loads to obtain a permit to use County roads from the Director of Public Works. The amended ordinance would allow haulers to obtain a permit from either the Director of Public Works or the Virginia Department of Motor Vehicles (DMV). The requirements for a permit will remain the same, but the ability to obtain a single permit from DMV will make it easier for haulers carrying a load through multiple localities. Without the option to obtain a permit from DMV, the hauler has to obtain a permit from every locality through which the load is transported.

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

RESOLUTION - Acceptance of Roads – Three Chopt District.

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

- 1) 0.39 miles of Ellington Woods at Wyndham - Three Chopt District.

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