

**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, July 23, 2019, at 6:00 p.m.** in the County Manager's Conference Room 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:

6:00 - 6:30 p.m.	Belmont Golf Course Update
6:30 - 6:45 p.m.	Regular Meeting Agenda Items

A handwritten signature in black ink, reading "Barry R. Lawrence". The signature is written in a cursive, flowing style.

Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
July 18, 2019

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
July 23, 2019
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES - July 9, 2019, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PUBLIC HEARING ITEMS

- 165-19 Ordinance - To Amend and Reordain Section 24-36.1 of the Code of the County of Henrico Titled "Provisional uses permitted" to Allow Master-Planned Communities With Mixed Uses and Higher Residential Densities in the R-6 General Residence District by Provisional Use Permit. **(Deferred from July 9, 2019, meeting.)**
- 171-19 Ordinance - Vacation of Building Line - Westham Subdivision - Tuckahoe District.
- 172-19 Resolution - Abandonment of Portion of E. Beal Street Between S. Oak Avenue and S. Airport Drive - Varina District.
- 173-19 Resolution - Signatory Authority - Conveyance of Abandoned Portion of E. Beal Street - Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

- 174-19 Introduction of Ordinance - To Amend and Reordain Section 20-78 Titled "Elderly or permanently and totally disabled persons" of the Code of the County of Henrico to Define "Dwelling" to Include Outbuildings for Purposes of the Real Estate Advantage Program and to Exclude Disability Income of Permanently and Totally Disabled Relatives Living in the Dwelling in Conformance With Changes to the State Code.
- 175-19 Introduction of Ordinance - To Amend and Reordain Section 20-114 Titled "Exemption for agricultural animals and products" of the Code of the County of Henrico to Expand the Personal Property Tax Exemption for Farm Equipment in Conformance with Changes to the State Code.
- 176-19 Introduction of Ordinance - To Amend and Reordain Section 5-29 Titled "Unlawful acts; animals running at large" of the Code of the County of Henrico

to Impose a Civil Penalty for Dogs Running At Large in Packs in Conformance with Changes to the State Code.

- 177-19 Introduction of Ordinance - To Amend and Reordain Section 15-144 Titled “Definitions,” Section 15-146 Titled “License,” and Section 15-151 Titled “Bond required; private action on bond” of the Code of the County of Henrico to Change the Definition of Pawnbroker to Include Only Natural Persons in Conformance with Changes to the State Code.
- 178-19 Introduction of Ordinance - To Amend and Reordain Section 21-104 Titled “Application,” Section 21-106 Titled “Grounds for denial,” and Section 21-107 Titled “Grounds for revocation” of the Code of the County of Henrico to Prohibit Certain Sex Offenders from Obtaining or Possessing a Permit to Operate a Taxicab in Conformance with Changes to the State Code.
- 179-19 Resolution - Award of Contract - Air Handler Units Replacement - Henrico Jail East.
- 180-19 Resolution - Signatory Authority - Acquisition of Real Estate and Easements - Woodman Road Extension Project - Brookland and Fairfield Districts.
- 181-19 Resolution - Signatory Authority - Acquisition of Real Estate and Easements - Tract No. 1, LLC - Three Chopt Road Improvements Project - Three Chopt District.
- 182-19 Resolution - Signatory Authority - Acquisition of Real Estate and Easements - Church Run Homeowners Association - Three Chopt Road Improvements Project - Three Chopt District.
- 183-19 Resolution - Award of Construction Contract - Grit Pump Replacements and NRCY Flow Meter Installations - Varina District.
- 184-19 Resolution - Receipt of Letter of Necessity and Setting of Public Hearing - Sadler Road Improvements - Three Chopt District.
- 185-19 Resolution - To Permit Additional Fine of \$200 for Speeding on Woodrow Terrace between Hilliard Road and Dumbarton Road - Brookland District.
- 186-19 Resolution - Acceptance of Roads - Fairfield and Three Chopt Districts.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
July 23, 2019**

PUBLIC HEARING ITEMS

ORDINANCE - To Amend and Reordain Section 24-36.1 of the Code of the County of Henrico Titled "Provisional uses permitted" to Allow Master-Planned Communities With Mixed Uses and Higher Residential Densities in the R-6 General Residence District by Provisional Use Permit.

This Board paper amends the zoning ordinance to allow master-planned communities in the R-6 General Residence District. The amendments would allow B-2 District uses, set minimum and maximum floor area occupancy requirements and signage allowances for commercial uses, and allow for the approval of higher multifamily residential densities, reduced setbacks, and reduced parking requirements, all in accordance with an approved master plan as part of a provisional use permit.

The Board of Supervisors initiated consideration of the proposed zoning ordinance amendments at its meeting on April 9, 2019. The Planning Commission reviewed the ordinance in a public hearing on June 13, 2019, and recommended adoption.

This Board paper was deferred from the July 9, 2019, meeting to allow staff to prepare a substitute paper. The substitute differs from the original paper in two ways. First, it allows B-2 uses in standalone buildings without residential uses, on the condition that the total square footage of such uses across all standalone buildings not exceed 35 percent of the commercial square footage of the entire project. Second, it allows an attached sign for a permitted commercial use, regardless of whether the commercial use has exterior access.

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

ORDINANCE - Vacation of Building Line - Westham Subdivision - Tuckahoe District.

This ordinance will vacate the 50' building line along the front of Lot 24, Block EE of Westham subdivision. The owners, John M. Jenks and Abigail S. Phillips, requested the vacation in order to build a covered front porch.

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

RESOLUTION - Abandonment of Portion of E. Beal Street Between S. Oak Avenue and S. Airport Drive - Varina District.

This Board paper would abandon the portion of E. Beal Street between S. Oak Avenue and S. Airport Drive. The School Board, which owns the adjacent properties, has requested the abandonment.

State law allows the Board of Supervisors to abandon the section of road if it is satisfied that there is no public necessity for its continuance as a public road or if the welfare of the public will be served best by abandoning it as a public road.

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

RESOLUTION - Signatory Authority - Conveyance of Abandoned Portion of E. Beal Street - Varina District.

This Board Paper authorizes the Chairman and Clerk to execute a deed conveying the abandoned portion of E. Beal Street between S. Oak Avenue and S. Airport Drive, subject to the reservation of a utility easement over, under, through, and across the entire area to be conveyed, to the School Board. The Board of Supervisors abandoned this portion of E. Beal Street at its July 23, 2019, meeting.

The Real Property Department has processed this request through the Departments of Planning, Public Works and Public Utilities without objection. The Directors of Public Works and Real Property recommend approval.

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 20-78 Titled “Elderly or permanently and totally disabled persons” of the Code of the County of Henrico to Define “Dwelling” to Include Outbuildings for Purposes of the Real Estate Advantage Program and to Exclude Disability Income of Permanently and Totally Disabled Relatives Living in the Dwelling in Conformance With Changes to the State Code.

This Board paper introduces for advertising and a public hearing on August 13, 2019, amendments to the County’s Real Estate Advantage Program (“REAP”). The amendments (1) clarify that outbuildings, such as sheds and garages, are included in the exemption under the Program and (2) any disability income of permanently and totally disabled relatives living with a REAP participant are not included in calculating the participant’s income.

The changes conform to legislation enacted by the 2019 General Assembly.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 20-114 Titled “Exemption for agricultural animals and products” of the Code of the County of Henrico to Expand the Personal Property Tax Exemption for Farm Equipment in Conformance with Changes to the State Code.

This Board paper introduces for advertising and a public hearing on August 13, 2019, amendments to the County’s personal property tax exemption for farm equipment. The amendments exempt (1) equipment and machinery used by a nursery for production of horticultural products and (2) any farm tractor, regardless of whether the tractor is used exclusively for agricultural purposes.

The changes are required by legislation enacted by the 2019 General Assembly.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 5-29 Titled “Unlawful acts; animals running at large” of the Code of the County of Henrico to Impose a Civil Penalty for Dogs Running At Large in Packs in Conformance with Changes to the State Code.

This Board paper introduces for advertising and a public hearing on August 13, 2019, amendments to the County’s ordinance prohibiting dogs running at large to (1) impose a civil penalty of \$100 on each dog running at large in a pack and (2) exempt dogs used in hunting.

The changes are required by legislation enacted by the 2019 General Assembly.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 15-144 Titled “Definitions,” Section 15-146 Titled “License,” and Section 15-151 Titled “Bond required; private action on bond” of the Code of the County of Henrico to Change the Definition of Pawnbroker to Include Only Natural Persons in Conformance with Changes to the State Code.

This Board paper introduces for advertising and a public hearing on August 13, 2019, amendments to the County’s pawnbroker ordinance to change the definition of “pawnbroker” to include only natural persons and not corporations.

The changes are required by legislation enacted by the 2019 General Assembly.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 21-104 Titled “Application,” Section 21-106 Titled “Grounds for denial,” and Section 21-107 Titled “Grounds for revocation” of the Code of the County of Henrico to Prohibit Certain Sex Offenders from Obtaining or Possessing a Permit to Operate a Taxicab in Conformance with Changes to the State Code.

This Board paper introduces for advertising and a public hearing on August 13, 2019, amendments to the County’s taxicab ordinance to prohibit certain sex offenders from obtaining or possessing a permit to operate a taxicab.

The changes are in conformance with legislation enacted by the 2019 General Assembly making it a crime for certain sex offenders to operate taxicabs.

RESOLUTION - Award of Contract - Air Handler Units Replacement - Henrico Jail East.

This Board paper would award a contract for \$219,450 to Comfort Systems of Virginia, Inc. to replace two air handling units at Jail East Building No. 5. Construction is anticipated to begin in October 2019 and be complete in March 2020.

Three bids were received on June 11, 2019, in response to ITB# 19-1865-5JCK. The bidders and bid amounts are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Comfort Systems of Virginia, Inc. Chesapeake, VA	\$219,450
JRC Mechanical, LLC Chesterfield, VA	\$239,490
WACO, Inc. Sandston, VA	\$272,900

Based upon a review of the bids, Comfort Systems of Virginia, 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 and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Acquisition of Real Estate and Easements - Woodman Road Extension Project - Brookland and Fairfield Districts.

This Board paper authorizes the acquisition of 41,037 total square feet of fee simple right-of-way, 3,800 total square feet of permanent drainage easement and 4,128 total square feet of temporary construction easement across two parcels of land at 10859 Greenwood Road and 10830 Old Greenwood Road for the Woodman Road Extension Project in the Brookland and Fairfield Districts. Jeffrey C. Johnson and Karlyn E. Gambke-Johnson own the property and have agreed to sell the necessary real estate, site improvements and easements for \$190,000.

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

RESOLUTION - Signatory Authority - Acquisition of Real Estate and Easements - Tract No. 1, LLC - Three Chopt Road Improvements Project - Three Chopt District.

This Board paper authorizes the acquisition of 2,827 square feet of fee simple right-of-way, 433 square feet of permanent drainage easement, 545 square feet of temporary construction easement, 4,919 square feet of permanent utility easement to relocate Verizon facilities, and 1,964 square feet of permanent utility easement to relocate Dominion Energy Virginia facilities across the property at 11001-11005 Three Chopt Road for the Three Chopt Road Improvements Project in the Three Chopt District. Tract No. 1, LLC, owns the property

and has agreed to accept \$62,250 for the necessary real estate, including site improvements, and easements.

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

RESOLUTION - Signatory Authority - Acquisition of Real Estate and Easements - Church Run Homeowners Association - Three Chopt Road Improvements Project - Three Chopt District.

This Board paper authorizes the acquisition of 5,714 total square feet of fee simple right-of-way, 10,182 total square feet of permanent drainage easement, 8,044 total square feet of temporary construction easement, 9,645 square feet of permanent utility easement, and 5,078 square feet of temporary utility easement across three parcels of land at 11301 Three Chopt Road and 3834 and 3835 Church Run Parkway for the Three Chopt Road Improvements Project in the Three Chopt District. Church Run Homeowners Association owns the property and has agreed to accept \$54,976 for the necessary real estate, including site improvements, and easements. The County needs to acquire the utility easements for the purpose of relocating Dominion Energy Virginia utility lines.

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

RESOLUTION - Award of Construction Contract - Grit Pump Replacements and NRCY Flow Meter Installations - Varina District.

This Board paper would award a contract for \$740,000 to MEB General Contractors, Inc. to remove and replace six grit pumps, valves, and controls and to install four NRCY flow meters at the Water Reclamation Facility.

The work will begin in August 2019 and is expected to be completed by June 2020.

The County received five bids on June 19, 2019, in response to ITB #19-1872-5PEW and Addendum No. 1. The bidders and bid amounts are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
MEB General Contractors, Inc. Chesapeake, VA	\$740,000
Waco, Inc. Sandston, VA	\$779,259
Southwood Building Systems, Inc. Ashland, VA	\$869,000
English Construction Company, Inc. Lynchburg, VA	\$1,030,000

Anderson Construction, Inc.
Lynchburg, VA

\$1,165,000

Based upon a review of the bids, MEB General Contractors, Inc. is the lowest responsive and responsible bidder.

The Board paper awards the contract to MEB General Contractors, Inc. and grants signatory authority to the County Manager to execute the 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 original contract amount.

Funding will be provided by the Water and Sewer Revenue Fund. The Director of Public Utilities and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - Receipt of Letter of Necessity and Setting of Public Hearing - Sadler Road Improvements - Three Chopt District.

On June 25, 2019, the Board of Supervisors approved a resolution directing the County Engineer to prepare a report concerning the need for construction of improvements on Sadler Road from Dominion Boulevard to 150 feet east of Cedar Branch Court.

On July 16, 2019, the County Engineer filed the report with the Clerk of the Board. The proposed improvements include realignment of Sadler Road between Ireland Lane and Sadler Grove Road, construction of a new intersection and roundabouts at two existing intersections, increases in lane widths, construction of a center left turn lane, installation of curb and gutter, and addition of a shared use path for pedestrians and bicyclists.

In accordance with state law, the Board must hold a public hearing concerning the expediency of constructing the improvements, and notice of the hearing must be given by the Clerk of the Board.

This Board paper receives the report and sets the public hearing for August 13, 2019. It further directs the Clerk of the Board to give timely, written notice of the date, time, and place of the hearing to the persons required by statute to receive notice.

Funding for the proposed improvements will come from the Capital Project Fund.

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

RESOLUTION - To Permit Additional Fine of \$200 for Speeding on Woodrow Terrace between Hilliard Road and Dumbarton Road - Brookland District.

Section 46.2-878.2 of the Code of Virginia provides for the imposition of a \$200 fine for speeding, in addition to other penalties provided by law, when a locality has established a maximum speed limit for a highway in a residential district and the speed limit is indicated by appropriately placed signs. The law requires the Board of Supervisors to develop

criteria for the overall applicability for the installation of the signs and to specify application of the law to particular streets before the additional fine may be imposed.

On February 10, 2004, the Board approved criteria for the County's Traffic Calming Program.

The County's Traffic Engineer has collected traffic data and has determined that Woodrow Terrace between Hilliard Road and Dumbarton Road is experiencing speeding problems and meets the criteria for traffic calming measures set forth in the Traffic Calming Program.

The citizens in the area of this road requesting the increased fine have collected signatures from 80.6% of the residents.

This Board paper authorizes the County Manager to place appropriate signs on Woodrow Terrace between Hilliard Road and Dumbarton Road warning of an additional fine of \$200 for speeding.

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

RESOLUTION - Acceptance of Roads - Fairfield and Three Chopt Districts.

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

0.21 miles of Dillyn Place, Section 2 — Fairfield District

0.06 miles of Leake's Mill at Bacova, Section 2 — Three Chopt District

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