

**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, November 12, 2019, at 5:00 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:

5:00 - 5:30 p.m.	Indoor Sports and Convocation Center Update
5:30 - 6:00 p.m.	Closed Meeting for Consultation with Legal Counsel Pertaining to Actual Litigation Styled <i>In Re: National Prescription Opiate Litigation</i> , Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as Amended.
6:00 - 6:15 p.m.	Next Generation Radio System Update
6:15 - 6:30 p.m.	Regular Meeting Agenda Items



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
November 7, 2019

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
November 12, 2019
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – October 22, 2019, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

RESIGNATION/APPOINTMENTS

- 268-19 Resolution - Resignation of Member - Board of Real Estate Review and Equalization.
- 269-19 Resolution - Appointment of Members to the Board of Directors - Economic Development Authority.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

- 270-19 Wells Fargo Bank, N.A.: Request to conditionally rezone from O-3C Office
REZ2019- District (Conditional) to UMUC Urban Mixed-Use District (Conditional) part
00018 of Parcels 746-762-8251 and 747-763-3334 containing 13.292 acres located on
Three Chopt the east line of Sadler Road, approximately 550' south of Thorncroft Drive.
The applicant proposes an urban mixed-use development. The uses will be
controlled by zoning ordinance regulations and proffered conditions. 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.
- 271-19 Wells Fargo Bank, N.A.: Request for a Provisional Use Permit under Sections
PUP2019- 24-32.1(a, d, i, k, n, p, s, t, v, w, z and aa), 24-120 and 24-122.1 of Chapter 24
00008 of the County Code to allow for outdoor vending; carwash; single offices,
Three Chopt clinics and labs for medical, dental and optical uses greater than 30,000
square feet of floor area; drive-through service window; parking garage with
no associated ground floor retail uses; commercial outdoor recreation facilities
including skating rinks, swimming pools or other standard facilities of this
type of development; buildings exceeding 60' in height; density of residential
development exceeding 30 dwelling units per acre; open space within a
development of less than 20 percent; commercial or office square footage of
less than 25 percent of the total building square footage of the UMUC district;
number of for-lease multifamily dwelling units to exceed 30 percent of the
total units of the UMUC district; and a parking plan on part of Parcels 746-762-
8251 and 747-763-3334 located on the east line of Sadler Road, approximately
550' south of Thorncroft Drive. The existing zoning is O-3C Office District
(Conditional). The UMUC zoning district is requested with REZ2019-00018.
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.

272-19
REZ2019-
00030
Three Chopt
Bacova, LLC: Request to conditionally rezone from A-1 Agricultural District and R-3C One-Family Residence District (Conditional) to R-5AC General Residence District (Conditional) Parcels 737-766-9299, 737-767-9448, and 738-766-1287 containing 12.201 acres located on the north line of Liesfeld Farm Drive at its intersection with Mason Glen Drive. The applicant proposes a zero-lot line detached development. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum gross density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Mixed-Use, density should not exceed 4 units per acre. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

246-19
REZ2019-
00029
Fairfield
Staples Mill Investments, LLC: Request to rezone from O-2C Office District (Conditional) to R-5AC General Residence District (Conditional) part of Parcel 793-760-5253 containing 11.074 acres located on the north line of E. Parham Road at its intersection with Ashbury Hills Drive. The applicant proposes a zero-lot line detached development. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum gross density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request. **(Deferred from the October 8, 2019, meeting.)**

PUBLIC HEARINGS - OTHER ITEMS

273-19 Resolution - Approval of Issuance of Bonds by the Harrisonburg Redevelopment and Housing Authority for the Newbridge Village Apartments - Varina District.

274-19 Resolution - Signatory Authority - Easement Agreement - Virginia Electric and Power Company - Fairfield District.

275-19 Resolution - Signatory Authority - Lease of Premises in Mental Health East Center - 3908 Nine Mile Road - Varina District.

276-19 Resolution - Authorization to Proceed to Negotiations - Indoor Sports and Convocation Center.

PUBLIC COMMENTS

GENERAL AGENDA

277-19 Introduction of Resolution - Receipt of Request for Amendment to the FY 2019-20 Annual Fiscal Plan: November 2019.

- 278-19 Resolution - Receipt of Audited Annual Financial Report for Fiscal Year Ended June 30, 2019, and Acknowledgement of Discharge of Duties and Responsibilities by Audit Committee.
- 279-19 Introduction of Ordinance - To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled "Precincts and polling places" by Changing the Polling Place of the Fairfield Precinct to the New Fairfield Library in the Fairfield District.
- 280-19 Resolution - Signatory Authority - Acquisition of Real Property - 2913 and 2915 Parham Road - Three Chopt District.
- 281-19 Resolution - Signatory Authority - Acquisition of Real Property - 640 North Airport Drive - Varina District.
- 282-19 Resolution - Award of Contract - Bretton Woods Stream Restoration - Brookland District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
November 12, 2019**

RESIGNATION/APPOINTMENTS

RESOLUTION - Resignation of Member - Board of Real Estate Review and Equalization.

This Board paper accepts the resignation of **Herbert L. Dunford, Jr.**, from the Board of Real Estate Review and Equalization as the Brookland District representative.

RESOLUTION - Appointment of Members to the Board of Directors - Economic Development Authority.

This Board paper appoints the following persons to the Board of Directors of the Economic Development Authority for four-year terms expiring November 13, 2023, or thereafter, when their successors shall have been appointed and qualified:

Three Chopt District
Varina District

Travis J. Pearson
John M. Steele

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

REZ2019-00018
Three Chopt
Wells Fargo Bank, N.A.: Request to conditionally rezone from O-3C Office District (Conditional) to UMUC Urban Mixed-Use District (Conditional) part of Parcels 746-762-8251 and 747-763-3334 containing 13.292 acres located on the east line of Sadler Road, approximately 550' south of Thorncroft Drive. The applicant proposes an urban mixed-use development. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Innsbrook Redevelopment Overlay District. Acting on a motion by Mrs. Thornton, 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 UMU recommendation of the 2026 Comprehensive Plan and the proffered conditions will provide appropriate quality assurances not otherwise available.

PUP2019-00008
Three Chopt
Wells Fargo Bank, N.A.: Request for a Provisional Use Permit under Sections 24-32.1(a, d, i, k, n, p, s, t, v, w, z and aa), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow for outdoor vending; carwash; single offices, clinics and labs for medical, dental and optical uses greater than 30,000 square feet of floor area; drive-through service window; parking garage with no associated ground floor retail uses; commercial outdoor recreation facilities including skating rinks, swimming pools or other standard facilities of this type of development; buildings exceeding 60' in height; density of residential development exceeding 30 dwelling

units per acre; open space within a development of less than 20 percent; commercial or office square footage of less than 25 percent of the total building square footage of the UMU district; number of for-lease multifamily dwelling units to exceed 30 percent of the total units of the UMU district; and a parking plan on part of Parcels 746-762-8251 and 747-763-3334 located on the east line of Sadler Road, approximately 550' south of Thorncroft Drive. The existing zoning is O-3C Office District (Conditional). The UMUC zoning district is requested with REZ2019-00018. The 2026 Comprehensive Plan recommends Urban Mixed-Use. The site is in the Innsbrook Redevelopment Overlay District. Acting on a motion by Mrs. Thornton, seconded by Mr. Mackey, 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.

REZ2019-
00030
Three Chopt

Bacova, LLC: Request to conditionally rezone from A-1 Agricultural District and R-3C One-Family Residence District (Conditional) to R-5AC General Residence District (Conditional) Parcels 737-766-9299, 737-767-9448, and 738-766-1287 containing 12.201 acres located on the north line of Liesfeld Farm Drive at its intersection with Mason Glen Drive. The applicant proposes a zero-lot line detached development. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum gross density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Mixed-Use, density should not exceed 4 units per acre. Acting on a motion by Mrs. Thornton, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it reflects the 2026 Comprehensive Plan and future use and zoning of the area, and reflects the type of residential growth in the area.

REZ2019-
00029
Fairfield

Staples Mill Investments, LLC: Request to rezone from O-2C Office District (Conditional) to R-5AC General Residence District (Conditional) part of Parcel 793-760-5253 containing 11.074 acres located on the north line of E. Parham Road at its intersection with Ashbury Hills Drive. The applicant proposes a zero-lot line detached development. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum gross density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office and Environmental Protection Area. 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 proffered conditions will assure a level of development otherwise not possible and it would not adversely affect the adjoining area if properly developed as proposed. **(Deferred from the October 8, 2019, meeting.)**

PUBLIC HEARINGS – OTHER ITEMS

RESOLUTION - Approval of Issuance of Bonds by the Harrisonburg Redevelopment and Housing Authority for the Newbridge Village Apartments - Varina District.

Newbridge Village Associates, L.P., is the contract purchaser of Newbridge Village Apartments, a 152-unit, multi-family residential rental housing development in the Varina District. The contract purchaser plans to spend approximately \$23,500 per unit to improve the safety and living conditions at the Apartments.

Because the County does not have a redevelopment and housing authority, the Harrisonburg Redevelopment and Housing Authority (the "Authority"), at the contract purchaser's request, has agreed to issue bonds in the maximum amount of \$15,000,000 to finance the purchase and rehabilitation of the Apartments. Before this financing plan can be implemented, the Henrico County Board of Supervisors must hold concurrent public hearings on the exercise by the Authority of its powers in Henrico County, make certain findings required by the Virginia housing authority law, and approve the issuance of bonds by the Authority for the benefit of the Apartments. The Board's approval remains in effect for one year and does not create a debt or pledge of the County's full faith and credit.

The Authority adopted a resolution agreeing to issue the bonds on September 18, 2019. The Harrisonburg City Council adopted a resolution approving the issuance of the bonds on October 22, 2019.

This resolution has been requested by Newbridge Village Associates, L.P., the contract purchaser of Newbridge Village Apartments.

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 underground electric facilities across County property at the Eastern Henrico Recreation Center to provide electric service to the Henrico Aquatics Center.

The Real Property Department has processed this request through the Division of Recreation and Parks and the Departments of Planning, Public Utilities, and Public Works without objection; the County Manager concurs.

RESOLUTION - Signatory Authority - Lease of Premises in Mental Health East Center - 3908 Nine Mile Road - Varina District.

This Board paper would authorize the County Manager to execute a lease for 432 square feet in the Henrico Area Mental Health and Developmental Services East Center to MAO Pharmacy, dba Westwood Pharmacy ("Westwood"). Westwood will deliver pharmacy services in accordance with a contract between Westwood and the Henrico Area Mental Health and Developmental Services Board ("HAMHDS").

The initial term of the lease is one year beginning on January 1, 2020. The lease will automatically renew for up to four additional one-year terms unless the contract between

HAMHDS and Westwood is not renewed or is otherwise terminated. Westwood will pay rent of \$500.00 per month.

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

RESOLUTION - Authorization to Proceed to Negotiations - Indoor Sports and Convocation Center.

This Board paper would authorize negotiations with The Rebkee Company for design, construction, and operation of a proposed indoor sports and convocation center.

On July 30, 2018, the County requested proposals under The Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) for design, construction, and operation of an indoor sports and convocation center. The County received six conceptual proposals and subsequently received two detailed proposals. However, neither detailed proposer had a property interest to construct and operate the proposed center at the County's initially-preferred location.

On August 14, 2019, the Board directed the County Manager to request new detailed proposals that proposed to locate the proposed center on property in which the proposer has a property interest from the six entities which submitted conceptual proposals in response to the July 30, 2018 Request for Proposals. The County received, and the Working Group has reviewed, detailed proposals from The Rebkee Company, Eastern Sports Management, LLC, and MEB General Contractors, Inc.

Pursuant to the County's PPEA Guidelines, the Board of Supervisors is to hold a public hearing on the three detailed proposals.

The Working Group has recommended to the County Manager that the County proceed to negotiations with The Rebkee Company, and the County Manager concurs with the recommendation.

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF RESOLUTION - Receipt of Request for Amendment to the FY 2019-20 Annual Fiscal Plan: November 2019.

This Board paper introduces a resolution to amend the annual fiscal plan for fiscal year 2019-20. The requested amendment is shown in a list dated November 5, 2019, 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 of Supervisors to amend the budget and includes a brief synopsis of the proposed budget amendment.

The budget amendment that is the subject of this paper is greater than one percent of the total expenditures shown in the currently adopted budget. Therefore, to comply with the notice requirement, this paper directs the Clerk of the Board to advertise, in the Richmond Times-Dispatch on November 19, 2019, a synopsis of the proposed amendment and a public hearing to be held on November 26, 2019. A separate paper will be submitted to the Board to amend the Annual Fiscal Plan and appropriate funds for expenditure, as applicable, after the November 26, 2019, public hearing.

The Director of Finance recommends approval of this Board paper and the County Manager concurs.

RESOLUTION - Receipt of Audited Annual Financial Report for Fiscal Year Ended June 30, 2019, and Acknowledgement of Discharge of Duties and Responsibilities by Audit Committee.

This Board paper receives the Annual Financial Report of the County for the fiscal year ended June 30, 2019, as audited by KPMG LLP, Certified Public Accountants. Representatives of the firm will be present and available for comment regarding this report. In addition, this Board paper acknowledges the discharge of duties and responsibilities by the Audit Committee.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 9-2 of the Code of the County of Henrico Titled “Precincts and polling places” by Changing the Polling Place of the Fairfield Precinct to the New Fairfield Library in the Fairfield District.

This Board paper introduces for advertisement and public hearing on December 10, 2019, an ordinance to change the polling place of the Fairfield Precinct to the new Fairfield Library in the Fairfield District. The current location is the old Fairfield Library.

The Electoral Board recommended the change at its meeting on October 5, 2019.

The Registrar recommends approval of this Board paper; the County Manager concurs.

RESOLUTION - Signatory Authority - Acquisition of Real Property - 2913 and 2915 Parham Road - Three Chopt District.

This Board paper would authorize the County Manager to execute the purchase agreement and accept the deed necessary to acquire two parcels of land containing 1.051 acres at 2913 and 2915 Parham Road for the Tuckahoe Park Stream Restoration and Sewer Replacement project and for a future traffic signal. The Board paper also authorizes the County Manager, or his designee, to execute all other documents necessary to complete the County’s due diligence and to close the transaction. The owner, Nishant H. Patel, has agreed to sell the property for \$105,000.

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

RESOLUTION - Signatory Authority - Acquisition of Real Property - 640 North Airport Drive - Varina District.

This Board paper would authorize the County Manager to execute a purchase agreement and accept the deed necessary to acquire an 11.2-acre parcel at 640 North Airport Drive for the relocation of the Police Division's South Station. The Board paper also authorizes the County Manager, or his designee, to execute all other documents necessary to complete the County's due diligence and to close the transaction. The owner, T & J Development, LLC, has agreed to sell the property for \$220,000.

The Directors of Real Property and General Services and the Chief of Police recommend approval of the Board paper; the County Manager concurs.

RESOLUTION - Award of Contract - Bretton Woods Stream Restoration - Brookland District.

This Board paper would award a contract to Environmental Quality Resources in the amount of \$509,647.20 for the Bretton Woods Stream Restoration project. The project will improve the water quality of the stream and satisfy a portion of the County's MS4 Permit requirements.

The project will include installation of in-stream structures, floodplain bench grading, seeding, and planting along 1,050 linear feet of an unnamed tributary of North Run. The construction is anticipated to begin in February 2020 and to be completed in August 2020.

The County received three bids on October 2, 2019, in response to ITB No. 19-1909-8EAR and Addendum No. 1 as follows:

Bidder	Total Bid
Environmental Quality Resources	\$509,647.20
Docks of the Bay	\$594,999.30
HGS	\$728,269.00

For selection and evaluation purposes, the lowest responsive and responsible bid was determined by multiplying the unit price times the unit quantities specified in the bid documents. Based upon a review of the bids, Environmental Quality Resources was determined to be the lowest responsive and responsible bidder.

The Board paper authorizes the County Manager to execute the contract in a form approved by the County Attorney. It also authorizes the County Manager, or the Purchasing Director as his designee, to execute all change orders within the scope of the budget, not to exceed 15% of the original contract amount.

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