

**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, May 14, 2019, at 5:45 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:

5:45 - 6:15 p.m.	Virginia Commonwealth University Update
6:15 - 6:30 p.m.	Lewis Ginter Botanical Garden Update
6:30 - 6:45 p.m.	Regular Meeting Agenda Items



Barry R. Lawrence, CMC  
Clerk, Henrico County Board of Supervisors  
May 9, 2019

**COUNTY OF HENRICO, VIRGINIA**  
**Henrico County Board Room**  
**Board of Supervisors' Agenda**  
**May 14, 2019**  
**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**APPROVAL OF MINUTES** - April 23, 2019, Regular and Special Meeting

**MANAGER'S COMMENTS**

**BOARD OF SUPERVISORS' COMMENTS**

**RECOGNITION OF NEWS MEDIA**

**PRESENTATIONS**

Proclamation - Safe Boating Week - May 18 - 24, 2019.

Proclamation - Emergency Medical Services Week - May 19 - 25, 2019.

**PUBLIC HEARINGS - REZONING CASES AND PROVISIONAL USE PERMITS**

111-19                   Hunt Club LLC: Request to conditionally rezone from R-5 General Residence  
REZ2018-               District to R-6C General Residence District (Conditional) Parcel 770-749-9008  
00045                   and part of Parcel 770-750-4811 containing 19.13 acres located on the south  
Brookland              line of Bremner Boulevard, approximately 170' east of Beth Road. The  
                              applicant proposes a continuing care retirement community. The R-6 District  
                              allows a max density of 19.8 units per acre. The use will be controlled by zoning  
                              ordinance regulations and proffered conditions. The 2026 Comprehensive Plan  
                              recommends Multifamily Residential. The Planning Commission voted to  
                              recommend the Board of Supervisors **grant** the request.

112-19                   Mark Oley: Request to amend proffers accepted with Rezoning case REZ2016-  
REZ2019-               00025 on Parcel 755-744-0869 located at the northwest intersection of Three  
00009                   Chopt and Eastridge Roads. The applicant proposes to amend proffers to  
Three Chopt            allow wholesale pharmaceutical distribution with warehouse and office. The  
                              existing zoning is B-3C Business District (Conditional). The 2026  
                              Comprehensive Plan recommends Commercial Arterial. The site is in the  
                              Enterprise Zone. The Planning Commission voted to recommend the Board of  
                              Supervisors **grant** the request.

113-19                   Janice V. Clifton: Request for a Provisional Use Permit under Sections 24-  
PUP2019-               12.1(b), 24-120 and 24-122.1 of Chapter 24 of the County Code to amend  
00004                   conditions related to the operation of a bed and breakfast and events on  
Brookland              Parcels 771-767-7742 and Part of 771-767-9566 located at the northeast  
                              intersection of Old Washington Highway and Mountain Road. The existing  
                              zoning is R-2A One Family Residential District. The 2026 Comprehensive  
                              Plan recommends Suburban Residential 2, where density should not exceed  
                              3.4 units per acre and Environmental Protection Area. The Planning  
                              Commission voted to recommend the Board of Supervisors **grant** the request.

114-19 Daniel Winfree: Request to conditionally rezone from B-1 Business District to REZ2019- B-2C Business District (Conditional) Parcel 773-747-8814 containing 1.14 00010 acres located on the east line of Staples Mill Road (U.S. Route 33) Brookland approximately 100' south of its intersection with Penick Road. The applicant proposes outdoor dining for an existing restaurant. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration and Light Industry. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

115-19 Daniel Winfree: Request for a Provisional Use Permit under Sections 24- PUP2019- 58.2(d), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow 00006 outdoor dining for an existing restaurant on part of Parcel 773-747-8814 Brookland located on the east line of Staples Mill Road (U.S. Route 33) approximately 100' south of its intersection with Penick Road. The existing zoning is B-1 Business District. The 2026 Comprehensive Plan recommends Commercial Concentration and Light Industry. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

#### **PUBLIC HEARINGS - OTHER ITEMS**

116-19 Ordinance - To Amend and Reordain Section 24-110 of the Code of the County of Henrico Titled "Violations and penalties" to Set the Penalties for Violations of the Zoning Ordinance in Conformance with State Law.

117-19 Resolution - Signatory Authority - Conveyance of Real Estate - 4906 Caskie Street - Brookland District.

#### **PUBLIC COMMENTS**

#### **GENERAL AGENDA**

118-19 Resolution - Award of Contract - Chiller Replacement - Administration Building - Brookland District.

119-19 Resolution - Award of Contract - Chiller Replacement - Jail West Building - Brookland District.

120-19 Resolution - Award of Contract - HVAC Unit Replacement - Juvenile Courts Building - Brookland District.

121-19 Resolution - Award of Contract - Roof Replacement Project - Firehouse #1 - Fairfield District

122-19 Resolution - Award of Contract - Deep Run Park Cricket Field - Three Chopt District.

123-19 Resolution - Signatory Authority - Construction Change Order - Gambles Mill Sewage Pumping Station Equipment Installation - Tuckahoe District.

124-19 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation - Parham Road/Hungary Road Bicycle and Pedestrian Study - Fairfield District.

125-19 Resolution - Acceptance of Roads - Three Chopt District.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS' RESUME  
May 14, 2019**

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**PRESENTATIONS**

**PROCLAMATION - Safe Boating Week - May 18 - 24, 2019.**

Many Henrico residents choose recreational boating as a way to relax with their families and friends as opportunities for on-the-water activities grow each year. Over 4,600 of the approximately 227,000 boats registered in the Commonwealth of Virginia are owned by Henrico residents. Flotilla 31 of the United States Coast Guard Auxiliary's Fifth District Southern Region supports local emergency service providers on the waterways and promotes safe boating practices, including the wearing of life jackets. This proclamation recognizes May 18 - 24, 2019, as Safe Boating Week and urges all Henrico boaters to take a boating safety course, wear their life jackets, have their boats checked for other safety equipment, and practice safe boating.

**PROCLAMATION - Emergency Medical Services Week - May 19 - 25, 2019.**

The provision of emergency medical services (EMS) is vital to the public's well-being and dramatically improves the survival and recovery rates of persons who experience sudden illness or injury. The Henrico County EMS system, consisting of the Division of Fire, Henrico Volunteer Rescue Squad, Lakeside Volunteer Rescue Squad, Tuckahoe Volunteer Rescue Squad, and the Police Division, recorded 41,688 responses for services during fiscal year 2018. This proclamation recognizes May 19 - 25, 2019, as Emergency Medical Services Week and encourages the community to observe this week with appropriate programs, ceremonies, and activities.

**PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS**

REZ2018-00045 Brookland	Hunt Club LLC: Request to conditionally rezone from R-5 General Residence District to R-6C General Residence District (Conditional) Parcel 770-749-9008 and part of Parcel 770-750-4811 containing 19.13 acres located on the south line of Bremner Boulevard, approximately 170' east of Beth Road. The applicant proposes a continuing care retirement community. The R-6 District allows a max density of 19.8 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Multifamily Residential. Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors <b>grant</b> the request because it conforms to the recommendations of the Comprehensive Plan and is not anticipated to have a precedent setting effect on the zoning in the area.
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REZ2019-00009  
Three Chopt  
Mark Oley: Request to amend proffers accepted with Rezoning case REZ2016-00025 on Parcel 755-744-0869 located at the northwest intersection of Three Chopt and Eastridge Roads. The applicant proposes to amend proffers to allow wholesale pharmaceutical distribution with warehouse and office. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. The site is in the Enterprise Zone. 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 the changes do not greatly reduce the original intended purpose of the proffers.

PUP2019-00004  
Brookland  
Janice V. Clifton: Request for a Provisional Use Permit under Sections 24-12.1(b), 24-120 and 24-122.1 of Chapter 24 of the County Code to amend conditions related to the operation of a bed and breakfast and events on Parcels 771-767-7742 and Part of 771-767-9566 located at the northeast intersection of Old Washington Highway and Mountain Road. The existing zoning is R-2A One Family Residential District. The 2026 Comprehensive Plan recommends Suburban Residential 2, where density should not exceed 3.4 units per acre and Environmental Protection Area. Acting on a motion by Mr. Witte, seconded by Mr. Archer, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the conditions should minimize the potential impacts on surrounding land uses and it would not be expected to adversely affect public safety, health or general welfare.

REZ2019-00010  
Brookland  
Daniel Winfree: Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcel 773-747-8814 containing 1.14 acres located on the east line of Staples Mill Road (U.S. Route 33) approximately 100' south of its intersection with Penick Road. The applicant proposes outdoor dining for an existing restaurant. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration and Light Industry. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the proffered conditions would provide for a higher quality of development than would otherwise be possible and it would not adversely affect the adjoining area if properly developed as proposed.

PUP2019-00006  
Brookland  
Daniel Winfree: 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 to allow outdoor dining for an existing restaurant on part of Parcel 773-747-8814 located on the east line of Staples Mill Road (U.S. Route 33) approximately 100' south of its intersection with Penick Road. The existing zoning is B-1 Business District. The 2026 Comprehensive Plan recommends Commercial Concentration and Light Industry. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mrs. Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because the conditions should minimize the

potential impacts on surrounding land uses and it is reasonable in light of the surrounding uses and existing zoning on the property.

**PUBLIC HEARINGS - OTHER ITEMS**

**ORDINANCE - To Amend and Reordain Section 24-110 of the Code of the County of Henrico Titled “Violations and penalties” to Set the Penalties for Violations of the Zoning Ordinance in Conformance with State Law.**

This ordinance would eliminate the minimum penalty for violations of the zoning ordinance and set the maximum penalty at \$1,000. If the violation is uncorrected at the time of conviction, this ordinance would set the maximum penalty for failing to abate or remove the violation within a time period established by the court at \$1,000. This ordinance would set the maximum penalty for failing to abate or remove the violation within a succeeding 10-day period at \$1,500 and any subsequent 10-day period at \$2,000.

After a public hearing on March 14, 2019, the Planning Commission recommended approval of the amendments. The Director of Planning also recommends approval of this Board paper, and the County Manager concurs.

**RESOLUTION - Signatory Authority - Conveyance of Real Estate - 4906 Caskie Street - Brookland District.**

This Board paper authorizes the Chairman and the County Manager to execute the documents necessary to convey County-owned real estate known as Tax Map Parcel 774-736-3686 that is located at 4906 Caskie Street to Fred B. Bisger, Trustee under the Trust Agreement of Fred B. Bisger U/A Dated February 6, 2006, for \$25,000. The County does not need the property for any public purpose.

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

**PUBLIC COMMENTS**

**GENERAL AGENDA**

**RESOLUTION - Award of Contract - Chiller Replacement - Administration Building - Brookland District.**

This Board paper would award a construction contract for \$244,950 to Waco, Inc. for replacement of the chiller in the Administration Building at 4301 East Parham Road. Construction is anticipated to begin in September 2019 and be completed by December 2019.

The County received six bids on March 27, 2019 in response to ITB No. 19-1824-2JCK with the following results:

<b><u>Bidder</u></b>	<b><u>Bid Amount</u></b>
Air Tech Solutions, Inc. Stafford, VA	\$237,850

WACO, Inc. Sandston, VA	\$244,950
Stingray Welding, LLC Fort Washington, MD	\$246,400
Southworth Mechanical Corporation Richmond, VA	\$246,850
Chamberlain Mechanical Services, Inc. Mechanicsville, VA	\$262,544
Warwick Plumbing & Heating, Inc. dba Warwick Mechanical Group Norfolk, VA.	\$270,718

The bid by Air Tech Solutions, Inc. was determined to be non-responsive because the company submitted a noncompliant bid bond.

Based upon a review of the bids, Waco, 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 percent 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 the Board paper, and the County Manager concurs.

**RESOLUTION - Award of Contract - Chiller Replacement - Jail West Building - Brookland District.**

This Board paper would award a construction contract for \$275,750 to Waco, Inc. for replacement of the chiller at the Jail West Building at 4301 East Parham Road. Construction is anticipated to begin in September 2019 and be completed by December 2019.

The County received six bids on March 27, 2019, in response to ITB No. 19-1836-3JCK with the following results:

<b><u>Bidder</u></b>	<b><u>Bid Amount</u></b>
Veney's Heating & Air Conditioning, Inc. Kilmarnock, VA	\$247,410
Air Tech Solutions, Inc. Stafford, VA	\$258,350
Waco, Inc. Sandston, VA	\$275,750
Chamberlain Mechanical Service, Inc. Mechanicsville, VA	\$278,538
Old Dominion Mechanical, LLC Richmond, VA	\$289,925
Southworth Mechanical Corporation Richmond, VA	\$294,735
Southern Air, Inc. Lynchburg, VA	\$312,636



The bid by Veney’s Heating & Air Conditioning, Inc. was determined to be non-responsive because the bid did not comply with the qualification requirements of the Invitation to Bid. The bid by Air Tech Solutions, Inc. was determined to be non-responsive because the company submitted a noncompliant bid bond.

Based upon a review of the bids Waco, 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 percent 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 the Board paper, and the County Manager concurs.

**RESOLUTION - Award of Contract - HVAC Unit Replacement - Juvenile Courts Building - Brookland District.**

This Board paper would award a construction contract for \$153,925 to Warwick Plumbing & Heating, Inc. d/b/a Warwick Mechanical for replacement of a rooftop HVAC unit at the Juvenile Courts Building at 4201 East Parham Road. Construction is anticipated to begin in September 2019 and be completed by December 2019.

The County received six bids on April 2, 2019, in response to ITB No. 19-1825-2JCK with the following results:

<b>Bidder</b>	<b>Total Bid</b>
Old Dominion Mechanical, LLC Richmond, VA	\$144,925
Warwick Plumbing & Heating, Inc. d/b/a Warwick Mechanical Newport News, VA	\$153,925
Chamberlain Mechanical Service, Inc. Mechanicsville, VA	\$158,340
Southworth Mechanical Corporation Richmond, VA	\$161,104
Waco, Inc. Sandston, VA	\$166,650
Moore’s Electrical & Mechanical Construction, Inc. Altavista, VA	\$198,510

The bid by Old Dominion Mechanical, LLC was determined to be non-responsive because the company submitted a noncompliant bid bond.

Based upon a review of the bids, Warwick Plumbing & Heating, Inc. d/b/a Warwick Mechanical is the lowest responsive and responsible bidder.

The Board paper authorizes the County Manager, or the Purchasing Director as his designee, to execute change orders not to exceed 15 percent 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 the Board paper, and the County Manager concurs.

**RESOLUTION - Award of Contract - Roof Replacement Project - Firehouse #1 - Fairfield District.**

This Board paper would award a construction contract for \$118,074 to N.W. Martin & Bros., Inc. for replacement of the roof of Firehouse #1 at 110 E. Azalea Ave. Construction is anticipated to begin in June 2019 and be completed by September 2019.

The County received two bids on April 16, 2019, in response to ITB No. 19-1842-3PEW with the following results:

<b>Bidder</b>	<b>Bid</b>
N.W. Martin & Bros., Inc. Richmond, VA	\$118,074
Custom Roofing, Inc. t/a J. King DeShazo, III, Inc. Ashland, VA	\$118,375

Based upon a review of the bids, N.W. Martin & Bros., Inc. is the lowest responsive and responsible bidder for the work.

The Board paper authorizes the County Manager, or the Purchasing Director as his designee, to execute change orders not to exceed 15 percent of the original contract amount. Funding to support the contract is available within the project budget.

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

**RESOLUTION - Award of Contract - Deep Run Park Cricket Field - Three Chopt District.**

This Board paper would award a construction contract for \$648,900 to Enviroscape, Inc. for the renovation of the existing three multi-purpose fields at Deep Run Park. The project consists of renovating the existing three multi-purpose fields to accommodate both cricket play and multi-purpose activities. The existing three multi-purpose fields are each 180 feet x 330 feet and currently terraced. The field renovation project will regrade the entire project areas, laser grade sports play areas, install new natural grass surfacing, and provide a new irrigation system. The scale of this project includes approximately 7.45 acres of land disturbance. Supporting work such as concrete storm water drainage improvements, minor clearing and demolition, access trail construction and erosion and sediment control measures are also included as part of this project.

Construction is anticipated to begin in June 2019 and be completed by September 2019.

The County received two bids on April 24, 2019, in response to ITB No. 19-1844-3JCK and Addendum No. 1 with the following results for the Base Bid (Lump Sum) Amount.

<b>Bidder</b>	<b>Total Bid</b>
Enviroscape, Inc. Sandstone VA	\$648,900
Shield Contracting, LLC Mechanicsville, VA	\$730,612

Based upon a review of the bids Enviroscape, Inc. is the lowest responsive and responsible bidder for the Base Bid (Lump Sum) Amount.

The Board paper authorizes the County Manager, or the Purchasing Director as his designee, to execute change orders not to exceed 15 percent of the original contract amount. Funding to support the contract is available within the project budget.

The Director of Recreation and Parks and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

**RESOLUTION - Signatory Authority - Construction Change Order Gambles Mill Sewage Pumping Station Equipment Installation - Tuckahoe District.**

On July 24, 2018, the Board of Supervisors approved a construction contract with Waco, Inc. for \$935,000 to replace deteriorated pumps, flow meters, and valves at the Gambles Mill Sewage Pumping Station.

On December 5, 2018, valve failures in deteriorated equipment installed over 30 years ago resulted in extensive flooding which damaged equipment, electrical wiring, and controls in the equipment room. The Department of Public Utilities has negotiated a change order in the amount of \$1,254,390.90 for repair of the damage. The Board paper authorizes the County Manager to execute a change order for this negotiated amount to make the necessary repairs.

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 - Signatory Authority - Agreement with Virginia Department of Transportation - Parham Road/Hungary Road Bicycle and Pedestrian Study - Fairfield District.**

This Board paper would authorize the County Manager to execute a project administration agreement with the Virginia Department of Transportation (VDOT) under which the County will prepare a preliminary engineering study for bicycle and pedestrian improvements on Parham and Hungary Roads in the vicinity of Cleveland Street and Villa Park Drive. The improvements could include sidewalks, crosswalks, and paved trails that could connect to the Proposed Trolley Line Trail.

The estimated cost for the study is \$250,000. VDOT will reimburse the County 100% of the eligible project cost from the Regional Surface Transportation Program. Because of VDOT charges, the estimated payment to the County is \$243,750.

The Director of Public Works recommends approval of this Board paper, 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.

0.27 miles of Estates at Grey Oaks South Section 1 and a Resubdivision of Estates at Grey Oaks Sections 3 and 4 Reserved for Future Development - Three Chopt District

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