

**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 10, 2019, at 5:30 p.m.** at Belmont Recreation Center, 1600 Hilliard Road, Henrico, Virginia 23228.

The matters to be reviewed by the Board at this time are:

5:30 - 5:45 p.m.	ChamberRVA Update
5:45 - 6:15 p.m.	Belmont Golf Course Update
6:15 - 6:30 p.m.	Regular Meeting Agenda Items



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
December 5, 2019

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
December 10, 2019
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – November 26, 2019, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATION

298-19 Resolution - Expressing Appreciation to Michael L. Wade.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

299-19 Stanley Martin Companies, LLC: Request to conditionally rezone from A-1
REZ2019- Agricultural District and B-3 Business District to R-6C General Residence
00025 District (Conditional) Parcels 784-759-7593, 784-760-9147, 784-760-9470, 785-
Fairfield 759-0085, 785-759-8052, 785-760-0184, 785-760-2106, 785-760-2751, 785-760-
6689, 785-760-8637, 785-761-1615 and part of Parcel 784-760-1564 containing
64.79 acres located on the west line of Telegraph Road, approximately 150'
south of Georgia Avenue and the east line of Telegraph Road at its intersection
with Georgia Avenue. The applicant proposes a condominium and townhouse
development. The use will be controlled by zoning ordinance regulations and
proffered conditions. The 2026 Comprehensive Plan recommends Office/Service,
Government, and Planned Industry. Part of the site is in the Enterprise Zone.
The Planning Commission voted to recommend the Board of Supervisors
grant the request.

300-19 B. Hunt Gunter: Request for a Provisional Use Permit under Sections 24-
PUP2019- 58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow an
00014 extended hour of operation of a fitness facility on part of Parcel 762-753-9614
Tuckahoe located on the southwest line of W. Broad Street (U.S. Route 250)
approximately 540' east of its intersection with Old Parham Road. The existing
zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan
recommends Commercial Arterial. The Planning Commission voted to
recommend the Board of Supervisors **grant** the request.

301-19 Stanley Shield Partnership, LLC: Request to conditionally rezone from O-3
REZ2019- Office District to B-2C Business District (Conditional) Parcel 768-743-5186
00033 containing 1.662 acres located at the northeast intersection of W. Broad Street
Brookland (U.S. Route 250) and Dickens Road. The applicant proposes restaurant, retail,
and office uses. The uses will be controlled by zoning ordinance regulations and
proffered conditions. The 2026 Comprehensive Plan recommends Office. The
Planning Commission voted to recommend the Board of Supervisors **grant**
the request.

302-19 Nachman Family, LLC: Request to amend proffers accepted with Rezoning
REZ2019- case C-68C-84 on part of Parcel 757-757-5325 located on the north line of W.
00035 Broad Street (U.S. Route 250) approximately 500' west of its intersection with
Brookland Tuckernuck Drive. The applicant proposes to amend proffers to allow dog
boarding with daycare, grooming, and retail. The existing zoning is B-3C
Business District (Conditional). The 2026 Comprehensive Plan recommends
Commercial Arterial. The Planning Commission voted to recommend the
Board of Supervisors **grant** the request.

PUBLIC HEARINGS - OTHER ITEMS

- 303-19 Resolution - Amendments to the FY 2019-20 Annual Fiscal Plan: December
2019.
- 304-19 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.
- 305-19 Ordinance - Vacation of Portion of Right-of-Way - Highland Park Annex
Subdivision - Fairfield District.
- 306-19 Ordinance - Vacation of Building Line - Westham Subdivision - Tuckahoe
District.
- 307-19 Resolution - Signatory Authority - Deed of Lease and Operation and
Maintenance Agreement - Belmont Golf Course - Fairfield District.

PUBLIC COMMENTS

GENERAL AGENDA

- 308-19 Resolution - Signatory Authority - Commonwealth's Development Opportunity
Fund Performance Agreement - PPD Development, L.P. - Brookland District.
- 309-19 Resolution - Award of Solar Power Purchase Agreement - Sun Tribe Solar LLC -
Brookland, Three Chopt, and Varina Districts.
- 310-19 Resolution - Award of Contract - Whispering Pines and Commerce Acres Area
Sewer Rehabilitation - Tuckahoe District.
- 311-19 Resolution - Award of Contract - Woodman Road Roundabout - Brookland and
Fairfield Districts.
- 312-19 Resolution - Amendment of Construction Contract - John Rolfe Parkway
Sidewalk Improvements - Tuckahoe District.
- 313-19 Resolution - Declaring Additional Holiday for County Employees - December
23, 2019.

314-19

Resolution - Acceptance of Roads - Three Chopt District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
December 10, 2019**

PRESENTATION

RESOLUTION - Expressing Appreciation to Michael L. Wade.

Michael L. Wade, who has held the office of Sheriff in Henrico County since January 1, 2000, and previously worked for the Police Division for 22 years, will retire on December 31, 2019. This resolution expresses the Board's heartfelt appreciation to Sheriff Wade for his dedicated service and far-reaching public safety contributions and for operating modern and safe jail facilities for the past two decades.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMIT

REZ2019-00025
Fairfield

Stanley Martin Companies, LLC: Request to conditionally rezone from A-1 Agricultural District and B-3 Business District to R-6C General Residence District (Conditional) Parcels 784-759-7593, 784-760-9147, 784-760-9470, 785-759-0085, 785-759-8052, 785-760-0184, 785-760-2106, 785-760-2751, 785-760-6689, 785-760-8637, 785-761-1615 and part of Parcel 784-760-1564 containing 64.79 acres located on the west line of Telegraph Road, approximately 150' south of Georgia Avenue and the east line of Telegraph Road at its intersection with Georgia Avenue. The applicant proposes a condominium and townhouse development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office/Service, Government, and Planned Industry. Part of the site is in the Enterprise Zone. Acting on a motion by Mr. Archer, seconded by Mr. Witte, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because the proffers will assure a level of development otherwise not possible and it would not adversely affect the adjoining area if properly developed as proposed.

PUP2019-00014
Tuckahoe

B. Hunt Gunter: 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 an extended hour of operation of a fitness facility on part of Parcel 762-753-9614 located on the southwest line of W. Broad Street (U.S. Route 250) approximately 540' east of its intersection with Old Parham Road. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. Acting on a motion by Mr. Baka, seconded by Mrs. Thornton, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because when properly developed and regulated by the recommended special conditions, it would not be detrimental to the public health, safety, welfare and values in the area.

REZ2019-00033
Brookland Stanley Shield Partnership, LLC: Request to conditionally rezone from O-3 Office District to B-2C Business District (Conditional) Parcel 768-743-5186 containing 1.662 acres located at the northeast intersection of W. Broad Street (U.S. Route 250) and Dickens Road. The applicant proposes restaurant, retail, and office uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because it would not adversely affect the adjoining area if properly developed as proposed, and the business use is compatible with surrounding development.

REZ2019-00035
Brookland Nachman Family, LLC: Request to amend proffers accepted with Rezoning case C-68C-84 on part of Parcel 757-757-5325 located on the north line of W. Broad Street (U.S. Route 250) approximately 500' west of its intersection with Tuckernuck Drive. The applicant proposes to amend proffers to allow dog boarding with daycare, grooming, and retail. The existing zoning is B-3C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. Acting on a motion by Mr. Witte, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because the changes do not greatly reduce the original intended purpose of the proffers and the change in use is compatible with the surrounding development.

PUBLIC HEARINGS – OTHER ITEMS

RESOLUTION - Amendments to the FY 2019-20 Annual Fiscal Plan: December 2019.

A Board paper was presented on November 26, 2019, that received requests for amendments to the Annual Fiscal Plan, directed their advertisement, and set the date for a public hearing. This paper, if approved after the public hearing, amends the Annual Fiscal Plan and appropriates funds for expenditure for the purposes indicated.

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

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 changes 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.

ORDINANCE - Vacation of Portion of Right-of-Way - Highland Park Annex Subdivision - Fairfield District.

This ordinance will vacate the portion of the right-of-way for Jackson Avenue from Florida Avenue to Walnut Avenue. James T. Williams, Jr., the owner of Lots 1-15 in Block 8 and Lots 32-35 in Block 5 of Highland Park Annex subdivision; Susan C. Nicholson (a/k/a Susan D. Williams), the owner of Lots 1, 2, and 36 in Block 5 of Highland Park Annex subdivision; and Rocks and Roads, LLC, a Virginia limited liability company, the owner of Lots 30-31 in Block 5 of Highland Park Annex subdivision, have requested the vacation.

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

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

This ordinance will vacate the 50' building line across the front of Lot 6, Block EE of Westham subdivision. The property owners, Christopher T. Noack and Kelly J. Noack, requested the vacation in order to construct a front porch.

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

RESOLUTION - Signatory Authority - Deed of Lease and Operation and Maintenance Agreement - Belmont Golf Course - Fairfield District.

This Board paper would authorize the County Manager to execute a lease and operation and maintenance agreement for the Belmont Golf Course and adjacent property at 7202 Brook Road. The initial term of the agreement is 20 years beginning on January 1, 2020. The parties may renew the agreement for additional five-year periods upon the approval of the Board of Supervisors.

Under the terms of the agreement, the County will contribute \$750,000 to an escrow account for its share of the cost of renovating Belmont Golf Course after the lessee has contributed at least \$3,250,000 to the escrow account for its share of the cost of renovations. The lessee will otherwise be solely responsible for developing, operating, and maintaining Belmont Golf Course on a not-for-profit basis.

The lessee will partner with Henrico County Public Schools and the Henrico County Police Athletic League to provide, at no charge, facilities, supplies, and instructional support for a youth golf program designed to introduce and develop the game of golf for Henrico County youth. The County will not collect any lease payment or percentage of revenue from the lessee during the duration of the agreement.

The Directors of Recreation and Parks, Purchasing, and Real Property recommend approval of the Board paper; the County Manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Signatory Authority - Commonwealth's Development Opportunity Fund Performance Agreement - PPD Development, L.P. - Brookland District.

This Board paper authorizes the County Manager to execute a performance agreement among the County, the County's Economic Development Authority (the "EDA"), the Virginia Economic Development Partnership Authority ("VEDP"), and PPD Development, L.P. ("PPD"). Pursuant to the agreement, VEDP will pay a \$675,000 grant from the Commonwealth's Development Opportunity Fund to the County. The County will appropriate this amount to the EDA, which will then pay the grant to PPD. In addition, the agreement also requires the County to pay matching grants of \$675,000 that the EDA will pay once PPD has fully performed. In return, PPD has agreed to make a capital investment of at least \$63,700,000 to its facility in the Dabney-Westwood area of the County, create at least 200 new jobs in the County, and maintain its existing 876 jobs in the County.

The Executive Director of the EDA and the EDA recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - Award of Solar Power Purchase Agreement - Sun Tribe Solar LLC - Brookland, Three Chopt, and Varina Districts.

This Board paper would award a solar power purchase agreement for Sun Tribe Solar LLC to provide electric power generated by solar panels it will install at the Public Safety Building, new Tucker High School, new Highland Springs High School, and new addition to Holladay Elementary School.

On October 22, 2019, three proposals were received in response to RFP# 19-1919-9JOK. Based upon review and evaluation of the proposals, the Selection Committee interviewed the following firms:

Sigora Solar, LLC
Sun Tribe Solar LLC

Based on the written proposals and interviews, the Selection Committee members selected Sun Tribe Solar as the top-ranked firm and negotiated an annual rate schedule for the purchase of generated electric power. The contract to purchase the generated power will be for a 25-year term. Compensation for services shall be based on the production of the solar systems and the annual rate schedule.

The Director of General Services, the Director of Construction and Maintenance for Henrico County Public Schools, and the Purchasing Director, recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - Award of Contract - Whispering Pines and Commerce Acres Area Sewer Rehabilitation - Tuckahoe District.

This Board paper would award a construction contract to Enviroscope, Inc. for the Whispering Pines and Commerce Acres Area (SH-15, Part 2, Phase 2) Sewer Rehabilitation project. This project will rehabilitate approximately 10,275 linear feet of 8-inch diameter sanitary sewer pipe and replace approximately 1,900 linear feet of 8-inch diameter sanitary

sewer pipe for \$3,056,100. The project is in the Whispering Pines and Commerce Acres subdivisions, in the area approximately bounded by Sunnybrook Road (north), West Broad Street (east), Capehart Road (south), and Capehart Road/Biscayne Road (west).

The work is expected to begin in February 2020 and to be completed by June 2021. Funding will be provided by the Water and Sewer Revenue Fund.

Four bids were received on October 29, 2019, in response to Invitation to Bid No. 19-1912-8JOK and Addendum No. 1:

<u>Bidders</u>	<u>Bid Amount</u>
C.T. Purcell Excavating, Inc. Montpelier, VA	\$ 2,114,827
Enviroscape, Inc. Sandston, VA	\$ 3,056,100
G.L. Howard, Inc. Rockville, VA	\$ 3,310,050
Tidewater Utility Construction, Inc. Suffolk, VA	\$ 4,750,000

C.T. Purcell Excavating, Inc. withdrew its bid in compliance with the bid withdrawal procedures in the Invitation to Bid. Enviroscape, Inc. has been determined to be the lowest responsive and responsible bidder.

The Board paper awards the contract to Enviroscape, 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.

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

RESOLUTION - Award of Contract - Woodman Road Roundabout - Brookland and Fairfield Districts.

This Board paper would award a construction contract for \$3,561,238.25 to Abernathy Construction Corporation for construction of a Woodman Road roundabout. The work consists of installing a roundabout intersection configuration at the “T” intersection of Woodman Road and Greenwood Road, with a stub on the north leg of the intersection for connection to the Woodman Road Extension project that is being constructed by another party. The roundabout project also includes 0.3 miles of improvements to Greenwood Road along with the realignment of Winfrey Road to connect with existing Old Greenwood Road.

The construction work is anticipated to begin on March 1, 2020 and is scheduled to be completed within 510 calendar days.

The County received 10 bids on November 14, 2019, in response to ITB No. 19-1907-8JOK and Addendum Nos. 1 and 2. The bidders and bid amounts are as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Abernathy Construction Corporation Glen Allen, VA	\$3,561,238.25
Shoosmith Construction, Inc. Chester, VA	\$3,584,887.80
Allen Myers VA, Inc. Glen Allen, VA	\$3,717,682.30
Branch Civil, Inc. Roanoke, VA	\$3,793,333.00
Curtis Contracting, Inc. West Point, VA	\$3,838,950.57
George Nice & Sons, Inc. Toano, VA	\$3,854,659.60
Blakemore Construction Corporation Rockville, VA	\$4,047,937.91
J.R. Caskie, Inc. Oilville, VA	\$4,096,744.99
Central Contracting Co., Inc. Richmond, VA	\$4,119,083.05
Branscome, Inc. Richmond, VA	\$4,142,870.44

Based upon a review of the bids, Abernathy Construction Corporation is the lowest responsive and responsible bidder.

The final contract amount shall be determined upon completion of the project by multiplying the actual unit quantities authorized by the County for construction by the unit prices submitted in the contractor's bid. Funding to support the contract is available within the project budget.

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

RESOLUTION - Amendment of Construction Contract - John Rolfe Parkway Sidewalk Improvements - Tuckahoe District.

On August 14, 2018, the Board of Supervisors approved a contract with Central Contracting Company, Inc. for a total fixed lump sum fee of \$247,909.30 for John Rolfe Parkway sidewalk improvements from Gayton Road to Ridgefield Parkway.

Central Contracting Company, Inc. and the Department of Public Works negotiated Change Order No. 1 for additional topsoil for \$10,340 and Change Order No. 2 for relocation of underground stormwater detention facilities for \$23,731.28. Additional work is necessary for the maintenance of traffic during the relocation of the underground stormwater detention facilities, and the Department of Public Works has negotiated Change Order No. 3 for the additional work for \$14,762.00. Because the cost of the three change orders exceed 15% of the original contract amount, Board approval is required.

Funding to support the contract amendment is available within the project budget. The Director of Public Works recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - Declaring Additional Holiday for County Employees - December 23, 2019.

The County of Henrico values its outstanding employees and appreciates their tremendous accomplishments throughout the year. Therefore, the County encourages a healthy work/life balance for all employees. In addition, the Board of Supervisors seeks opportunities to recognize and reward their commitment to excellence in public service and work performance that exemplifies the “Henrico Way.”

For these reasons, the Board paper would authorize December 23, 2019, as a holiday for County employees because December 23, 2019, falls on a Monday and December 24 and December 25, 2019, are already County holidays.

The County Manager recommends approval of this resolution.

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.

0.15 mile of Estates at Grey Oaks South Section 2 and a Resubdivision of Estates
at Grey Oaks Sections 3 & 5, & Estates at Grey Oaks South Section 1
Reserved for Future Development - Three Chopt District

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