

**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, March 13, 2018**, at **5:45 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:

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| 5:45 - 6:00 p.m. | Community Smoke Alarm Initiative |
| 6:00 - 6:15 p.m. | Update on Mental Health Same Day Access |
| 6:15 - 6:30 p.m. | 2018 General Assembly Session Update |
| 6:30 - 6:45 p.m. | Regular Meeting Agenda Items |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
March 8, 2018

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
March 13, 2018
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES - February 27, 2018, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

APPOINTMENT

63-18 Resolution - Appointment of Member - Board of Real Estate Review and Equalization.

PUBLIC HEARINGS – REZONING CASES

64-18 Staples Mill Investment, LLC: Request to conditionally rezone from A-1
REZ2017- Agricultural District to R-5AC General Residence District (Conditional)
00028 Parcels 763-767-9947, 764-767-0232, and 764-767-0509 containing 6.81 acres
Brookland located on the east line of Staples Mill Road (U.S. Route 33) approximately
100' south of its intersection with Meadow Pond Lane. The applicant proposes
no more than 17 age-restricted, detached, single family residences. The R-5A
District allows a minimum lot area of 5,625 square feet and a maximum
overall density of 6 units per acre. The use will be controlled by zoning
ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
recommends Suburban Residential 1, density should not exceed 2.4 units per
acre. The Planning Commission voted to recommend the Board of Supervisors
grant the request.

65-18 Staples Mill Investment, LLC: Request to conditionally rezone from A-1
REZ2017- Agricultural District to R-5AC General Residence District (Conditional)
00029 Parcels 763-767-6290, 763-768-2735, and 763-768-3605 containing 12.38 acres
Brookland located on the east line of Staples Mill Road (U.S. Route 33) approximately
280' north of its intersection with Meadow Pond Lane. The applicant proposes
no more than 29 age-restricted, detached, single family residences. The R-5A
District allows a minimum lot area of 5,625 square feet and a maximum
overall density of 6 units per acre. The use will be controlled by zoning
ordinance regulations and proffered conditions. The 2026 Comprehensive Plan
recommends Suburban Residential 1, density should not exceed 2.4 units per
acre. The Planning Commission voted to recommend the Board of Supervisors
grant the request.

- 66-18 REZ2018-00008 Three Chopt Amir Abbas Khalafalla and Magdi Abbas Khalafalla: Request to rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional) Parcel 748-772-6526 containing 1.98 acres located on the south line of Opaca Lane approximately 1,025' east of its intersection with Nuckols Road. The applicant proposes single-family residences. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Rural Residential, density should be at least 1 unit per acre. The Planning Commission voted to recommend the Board of Supervisors **deny** the request.
- 28-18 REZ2017-00027 Fairfield Scott Boze: Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional) Parcel 812-724-3676 containing .981 acres located on the north line of Nine Mile Road (State Route 33) approximately 300' east of its intersection with Cedar Fork Road. The applicant proposes commercial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone and the Airport Overlay Safety District. The Planning Commission voted to recommend the Board of Supervisors **deny** the request. **(Deferred from the January 23, 2018, meeting.)**
- 67-18 REZ2018-00011 Fairfield 7-Eleven, Inc.: Request to amend proffers accepted with Rezoning case C-129C-88 on Parcel 809-730-0626 located at the northeast intersection of N. Laburnum Avenue and Creighton Road. The applicant proposes to amend proffers to allow for 24-hour operation of a convenience store with fuel pumps. The existing zoning is B-3C Business District (Conditional) and O-2C Office District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration and Office. The site is in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS – OTHER ITEMS

- 68-18 Resolution - Authorizing and Providing for the Issuance and Sale of Not to Exceed One Hundred Ten Million Dollars (\$110,000,000) Aggregate Principal Amount of Water and Sewer System Revenue Bonds, of the County of Henrico, Virginia, for the Purpose of Financing the Costs of Acquisition, Construction, Reconstruction, Improvement, Extension and Enlargement of the County's Water and Sewer System.
- 69-18 Resolution - Signatory Authority - Lease of County Property - 9170 Willis Church Road - Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

- 70-18 Resolution - Receipt of Operating and Capital Budget Estimates for Fiscal Year 2018-19 and Notice of Public Hearings on the Budget and Proposed Tax Rates.

71-18

Resolution - Acceptance of Roads - Varina District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
March 13, 2018**

APPOINTMENT

RESOLUTION – Appointment of Member – Board of Real Estate Review and Equalization.

This Board paper appoints the following person to the Board of Real Estate Review and Equalization for a term expiring December 31, 2018, or thereafter, when his successor shall have been appointed and qualified:

Brookland District Herbert L. Dunford, Jr.

PUBLIC HEARINGS – REZONING CASES

REZ2017-00028
Brookland

Staples Mill Investment, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 763-767-9947, 764-767-0232, and 764-767-0509 containing 6.81 acres located on the east line of Staples Mill Road (U.S. Route 33) approximately 100' south of its intersection with Meadow Pond Lane. The applicant proposes no more than 17 age-restricted, detached, single family residences. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum overall density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre. Acting on a motion by Mrs. Kotula, seconded by Mr. Leabough, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would permit development of the land for residential use in an appropriate manner and conforms with the objectives and intent of the County's Comprehensive Plan.

REZ2017-00029
Brookland

Staples Mill Investment, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) Parcels 763-767-6290, 763-768-2735, and 763-768-3605 containing 12.38 acres located on the east line of Staples Mill Road (U.S. Route 33) approximately 280' north of its intersection with Meadow Pond Lane. The applicant proposes no more than 29 age-restricted, detached, single family residences. The R-5A District allows a minimum lot area of 5,625 square feet and a maximum overall density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre. Acting on a motion by Mrs. Kotula, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would

permit development of the land for residential use in an appropriate manner and conforms with the objectives and intent of the County's Comprehensive Plan.

REZ2018-
00008
Three Chopt

Amir Abbas Khalafalla and Magdi Abbas Khalafalla: Request to rezone from A-1 Agricultural District to R-3C One-Family Residence District (Conditional) Parcel 748-772-6526 containing 1.98 acres located on the south line of Opaca Lane approximately 1,025' east of its intersection with Nuckols Road. The applicant proposes single-family residences. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Rural Residential, density should be at least 1 unit per acre. Acting on a motion by Mrs. Marshall, seconded by Mrs. Kotula, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **deny** the request because it does not conform to the recommendation of the 2026 Comprehensive Plan nor the Plan's goals and objectives.

REZ2017-
00027
Fairfield

Scott Boze: Request to conditionally rezone from B-2 Business District to B-3C Business District (Conditional) Parcel 812-724-3676 containing .981 acres located on the north line of Nine Mile Road (State Route 33) approximately 300' east of its intersection with Cedar Fork Road. The applicant proposes commercial uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone and the Airport Overlay Safety District. 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 **deny** the request because it failed to include the proffered conditions deemed necessary to lessen the impact of B-3 Business District zoning on the area and it represents an increase in intensity which could influence future zoning and development of adjacent properties. **(Deferred from the January 23, 2018, meeting.)**

REZ2018-
00011
Fairfield

7-Eleven, Inc.: Request to amend proffers accepted with Rezoning case C-129C-88 on Parcel 809-730-0626 located at the northeast intersection of N. Laburnum Avenue and Creighton Road. The applicant proposes to amend proffers to allow for 24-hour operation of a convenience store with fuel pumps. The existing zoning is B-3C Business District (Conditional) and O-2C Office District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration and Office. The site is in the Airport Safety Overlay District. Acting on a motion by Mr. Archer, seconded by Mr. Leabough, 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 and it is not expected to adversely impact surrounding land uses in the area.

PUBLIC HEARINGS – OTHER ITEMS

RESOLUTION - Authorizing and Providing for the Issuance and Sale of Not to Exceed One Hundred Ten Million Dollars (\$110,000,000) Aggregate Principal Amount of Water and Sewer System Revenue Bonds, of the County of Henrico, Virginia, for the Purpose of Financing the Costs of Acquisition, Construction, Reconstruction, Improvement, Extension and Enlargement of the County's Water and Sewer System.

This resolution authorizes and provides for the issuance by the County of water and sewer system revenue bonds in a principal amount not to exceed \$110 million to finance various water and sewer system capital improvement projects of the Department of Public Utilities.

On February 13, 2018, the Board approved the advertisement and scheduling of the public hearing that will immediately precede action on this paper. The Virginia Public Finance Act requires a public hearing before final authorization of the bonds.

RESOLUTION - Signatory Authority - Lease of County Property - 9170 Willis Church Road - Varina District.

This Board paper authorizes the County Manager to execute an amendment to the existing lease with Clyde and Sandi Cristman for the single-family dwelling on approximately one acre of land located at 9170 Willis Church Road known as the Crewe House. The two-year lease began on August 1, 2016, and ends on July 31, 2018, and provides for a monthly rent of \$850.00. The amendment would cause the lease to expire on April 30, 2018, to accommodate the Cristmans' request to vacate the property before July 31, 2018.

In addition, this Board paper authorizes the County Manager to execute a new lease agreement with Lesley Canter for the property. The lease would be for a term beginning on June 22, 2018, and ending June 30, 2019. Ms. Canter will pay monthly rent of \$850.00 and perform routine maintenance at the property. The parties may renew and extend the lease agreement. Ms. Canter is an employee of the County School Board of the County of Henrico, Virginia, and has not participated in the negotiation of this lease in her official capacity.

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

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION - Receipt of Operating and Capital Budget Estimates for Fiscal Year 2018-19 and Notice of Public Hearings on the Budget and Proposed Tax Rates.

This Board paper receives the County Manager's proposed Operating Annual Fiscal Plan (operating budget) and Capital Annual Fiscal Plan (capital budget) for fiscal year 2018-19. The Plans include all contemplated expenditures and estimated resources necessary to meet those requirements, including the estimate of funds deemed by the School Board to be needed for educational purposes. This paper directs the Clerk to advertise a synopsis of the

budget and also to advertise a public hearing thereon to be held at 6:00 p.m., on Tuesday, April 10, 2018, in the Board Room at the Government Center, Hungary Spring and East Parham Roads, County of Henrico, Virginia. The advertisement is to appear on or before Sunday, March 25, 2018, in at least one newspaper of general circulation and will be posted in a prominent public location at which notices are regularly posted at both the Eastern and Western Government Centers.

This paper further directs the Clerk to advertise the proposed tax rates and levies for calendar year 2018, and for a public hearing thereon to be held at 7:00 p.m., on Tuesday, April 24, 2018, in the Board Room at the Government Center, Hungary Spring and East Parham Roads, County of Henrico, Virginia. The advertisement is to appear on or before Sunday, March 25, 2018, in at least one newspaper of general circulation and will be posted in a prominent public location at which notices are regularly posted at both the Eastern and Western Government Centers.

The Board is reminded that legal constraints require such advertising but in no way preclude continued work sessions and deliberations to review and consider changes to the budget or tax rates as the Board may deem appropriate. Currently, the Board is scheduled to review the budget in meetings during the week of March 19, 2018.

RESOLUTION - Acceptance of Roads -Varina District.

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

- 1) 0.54 mile of Eagles Nest, Section D — Varina District.

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