

**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 11, 2017, at 5:30 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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| 5:30 - 6:00 p.m. | Updates to County Code Required as a Result of 2017 General Assembly Legislation |
| 6:00 - 6:30 p.m. | GRTC Transit Development Plan |
| 6:30 - 6:45 p.m. | Regular Meeting Agenda Items |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
July 6, 2017

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
July 11, 2017
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – June 27, 2017, Regular and Special Meetings

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

RESIGNATIONS/APPOINTMENT

- 177-17 Resolution – Resignation of Member – Henrico Area Mental Health & Developmental Services Board.
- 178-17 Resolution – Appointment of Member – Henrico Area Mental Health & Developmental Services Board.
- 179-17 Resolution – Resignation of Member – Local Emergency Planning Committee.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

- 49-17
REZ2017-
00005
Brookland Wilton Acquisition, LLC: Request to conditionally rezone from B-2C Business District (Conditional) to RTHC Residential Townhouse District (Conditional) Parcels 773-759-7681, -9232, -8362, -8944, and part of Parcel 773-759-5623 containing 11.13 acres located on the west line of Woodman Road approximately 240' north of its intersection with Hungary Road. The applicant proposes a residential townhouse development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors grant the request. **(Deferred from the May 9, 2017, meeting; withdrawn by the applicant.)**
- 50-17
PUP2017-
00003
Brookland Wilton Acquisition, LLC: Request for a Provisional Use Permit under Sections 24-58.2(b), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a self-service storage facility on part of Parcel 773-759-5623 located on the north line of Hungary Road approximately 700' northwest of its intersection with Woodman Road. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors grant the request. **(Deferred from the May 9, 2017, meeting; withdrawn by the applicant.)**

180-17
PUP2017-
00014
Varina
Excel to Excellence, Inc: Request for a Provisional Use Permit under Section 24-51.1(a), 24-120, and 24-122.1 of Chapter 24 of the County Code to allow an academic and athletic club for students on part of Parcel 809-697-9643 located at the northwest intersection of Michael Robinson Way (formerly Library Road) and S. Laburnum Avenue. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Government. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

181-17
REZ2017-
00016
Fairfield
GMB Trading, LLC: Request to conditionally rezone from O-1 Office District to B-1C Business District (Conditional) Parcel 784-752-5293 containing .644 acres located at the northwest intersection of Brook Road (U.S. Route 1) and Ridge Road. The applicant proposes retail uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. The site is in the Enterprise Zone. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

182-17
PUP2017-
00012
Tuckahoe
Mika and Henna Elovaara: Request for a Provisional Use Permit under Section 24-12.1(e), 24-120, and 24-122.1 of Chapter 24 of the County Code to allow a front porch to extend no more than 8' into the front yard setback on Parcel 761-746-9054 located on the west line of Rockwood Road approximately 160' north of its intersection with Tallwood Road. The existing zoning is R-3 One-Family Residence District. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS – OTHER ITEMS

183-17
Resolution - Signatory Authority - Quitclaim of Utility Easement - Monument Square - Brookland District.

184-17
Ordinance - Vacation of Building Lot Line - Berkeley Park Subdivision - Tuckahoe District.

185-17
Resolution - Signatory Authority - Quitclaim of Drainage Easements - Lidl Grocery Store - Varina District.

PUBLIC COMMENTS

GENERAL AGENDA

186-17
Introduction of Resolution – Receipt of Requests for Amendments to the FY 2017-18 Annual Fiscal Plan: July, 2017.

187-17
Resolution - Approval of Issuance of Bonds - The Faison Center - Economic Development Authority of Henrico County, Virginia.

- 188-17 Introduction of Ordinance – To Amend and Reordain Section 10-2 Titled “Repair, removal or securing of buildings and other structures harboring illegal drug use,” Section 10-4 Titled “Repair, removal or securing of buildings and other structures harboring a bawdy place,” Section 10-102 Titled “Cleanup of premises by county; lien for unpaid charges,” and Section 10-138 Titled “Performance of work by county; collection of costs” of the Code of the County of Henrico to Conform to Changes in State Law Enacted by the 2017 General Assembly Relating to Lien Priority.
- 189-17 Resolution - Award of Contract - Architectural and Engineering Services - Human Services Building Ground Floor Renovation - Brookland District.
- 190-17 Resolution - Award of Contract - Architectural and Engineering Services - Henrico Area Mental Health & Developmental Services East Clinic - Varina District.
- 191-17 Introduction of Ordinance – To Amend and Reordain Section 5-1 Titled “Definitions” and Section 5-30 Titled “Control of dangerous or vicious dogs” of the Code of the County of Henrico to Conform the County’s Dangerous Dog Laws to Changes in State Law Enacted by the 2017 General Assembly.
- 192-17 Resolution - Award of Contract - Engineering Design and Construction Administration Services - Water Reclamation Facility Nutrient Removal Upgrades - Varina District.
- 193-17 Resolution - Signatory Authority - Lease - 7425 Ranco Road - Brookland District.
- 194-17 Resolution - Signatory Authority - Lease Amendment - Henrico Area Mental Health and Developmental Services - 8237, 8239, 8241, and 8247 Hermitage Road - Brookland District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
July 11, 2017**

RESIGNATIONS/APPOINTMENT

RESOLUTION – Resignation of Member – Henrico Area Mental Health & Developmental Services Board.

This Board paper accepts the resignation of **Terone B. Green** from the Henrico Area Mental Health & Developmental Services Board as the Three Chopt District representative.

RESOLUTION – Appointment of Member – Henrico Area Mental Health & Developmental Services Board.

This Board paper appoints the following person to the Henrico Area Mental Health & Developmental Services Board for an unexpired term ending December 31, 2018, or thereafter, when his successor shall have been appointed and qualified:

Three Chopt District Sultan Ali Lakhani

RESOLUTION – Resignation of Member – Local Emergency Planning Committee.

This Board paper accepts the resignation of **Anthony J. Gordon** from the Local Emergency Planning Committee as the Law Enforcement Representative.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

REZ2017-00005
Brookland Wilton Acquisition, LLC: Request to conditionally rezone from B-2C Business District (Conditional) to RTHC Residential Townhouse District (Conditional) Parcels 773-759-7681, -9232, -8362, -8944, and part of Parcel 773-759-5623 containing 11.13 acres located on the west line of Woodman Road approximately 240' north of its intersection with Hungary Road. The applicant proposes a residential townhouse development. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. Acting on a motion by Mr. Witte, seconded by Mr. Baka, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would not be expected to adversely affect the pattern of zoning and land use and the area and would not adversely affect the adjoining area if properly developed as proposed. **(Deferred from the May 9, 2017, meeting; withdrawn by the applicant.)**

PUP2017-00003
Brookland
Wilton Acquisition, LLC: Request for a Provisional Use Permit under Sections 24-58.2(b), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a self-service storage facility on part of Parcel 773-759-5623 located on the north line of Hungary Road approximately 700' northwest of its intersection with Woodman Road. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Concentration. The site is in the Enterprise Zone. 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 it would provide added services to the community and 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. **(Deferred from the May 9, 2017, meeting; withdrawn by the applicant.)**

PUP2017-00014
Varina
Excel to Excellence, Inc: Request for a Provisional Use Permit under Section 24-51.1(a), 24-120, and 24-122.1 of Chapter 24 of the County Code to allow an academic and athletic club for students on part of Parcel 809-697-9643 located at the northwest intersection of Michael Robinson Way (formerly Library Road) and S. Laburnum Avenue. The existing zoning is A-1 Agricultural District. The 2026 Comprehensive Plan recommends Government. Acting on a motion by Mr. Leabough seconded by Mrs. Marshall, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because it would provide added services to the community and would not be expected to adversely affect public safety, health or general welfare.

REZ2017-00016
Fairfield
GMB Trading, LLC: Request to conditionally rezone from O-1 Office District to B-1C Business District (Conditional) Parcel 784-752-5293 containing .644 acres located at the northwest intersection of Brook Road (U.S. Route 1) and Ridge Road. The applicant proposes retail uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. The site is in the Enterprise Zone. Acting on a motion by Mr. Archer seconded by Mr. Baka, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because it continues a form of zoning consistent with the area and the proffered conditions will provide appropriate quality assurances not otherwise available.

PUP2017-00012
Tuckahoe
Mika and Henna Elovaara: Request for a Provisional Use Permit under Section 24-12.1(e), 24-120, and 24-122.1 of Chapter 24 of the County Code to allow a front porch to extend no more than 8' into the front yard setback on Parcel 761-746-9054 located on the west line of Rockwood Road approximately 160' north of its intersection with Tallwood Road. The existing zoning is R-3 One-Family Residence District. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. Acting on a motion by Mr. Baka seconded by Mr. Archer, the Planning Commission voted 4-0 (one absent, one abstention) to recommend the Board of Supervisors **grant** the request because it would not be expected to adversely affect public safety, health or general welfare.

PUBLIC HEARINGS - OTHER ITEMS

RESOLUTION - Signatory Authority - Quitclaim of Utility Easement - Monument Square - Brookland District.

This Board paper authorizes the Chairman to execute a quitclaim deed releasing the County's interest in an unneeded utility easement across the Monument Square residential condominium development. The owner, Monument Square, LLC, has requested the action. There are no County facilities in the easement, and the owner has dedicated replacement easements to the County.

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

ORDINANCE - Vacation of Building Lot Line - Berkeley Park Subdivision - Tuckahoe District.

This ordinance will vacate the 35' front building lot line along the front of Lot 9, Block B, Section A of Berkeley Park subdivision. The owners, Mika T. and Henna E. Elovaara, requested the vacation because the front porch of their home encroaches the front building line by five feet.

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

RESOLUTION - Signatory Authority - Quitclaim of Drainage Easements - Lidl Grocery Store - Varina District.

This Board paper authorizes the Chairman to execute a quitclaim deed releasing the County's interest in unneeded drainage easements across the Lidl Grocery Store development on Laburnum Avenue. The owner, Lidl US Operations, LLC, has requested the action. There are no County facilities in the easements, and the owner has dedicated replacement easements to the County.

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

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF RESOLUTION – Receipt of Requests for Amendments to the FY 2017-18 Annual Fiscal Plan: July, 2017.

This Board paper introduces a resolution to amend the annual fiscal plan for fiscal year 2017-18. The requested amendments are shown in a list dated July 5, 2017, provided by the County Manager to the Board of Supervisors. As part of the proposed amendments, the list includes a project-by-project list of capital projects of the Henrico County Public Schools to be funded with meals tax revenues.

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 amendments that are the subject of this paper fall under the one percent threshold that triggers the advertised public hearing requirement; Nevertheless, this paper directs the Clerk of the Board to advertise, in the Richmond Times-Dispatch on July 18, 2017, a synopsis of the proposed amendments and a public hearing to be held on July 25, 2017. A separate paper will be submitted to the Board to amend the Annual Fiscal Plan and appropriate funds for expenditure, as applicable, after the July 25, 2017, public hearing.

RESOLUTION – Approval of Issuance of Bonds – The Faison Center – Economic Development Authority of Henrico County, Virginia.

This Board paper approves the issuance of bonds in an amount estimated not to exceed \$8,000,000 by the County’s Economic Development Authority for the benefit of The Faison Center, a not-for-profit Virginia nonstock corporation which owns and operates a school and residential facilities for students and young adults with autism at 1701 Byrd Avenue in the Brookland District. The bonds will be used to finance costs related to the construction and equipping of a three-story expansion to the existing building on the campus and to finance, if and as needed, costs related to a debt service reserve fund, costs of issuance, working capital, routine capital expenditures at the campus and other connectivity improvements and expenses in connection with the issuance of the bonds. By resolution dated June 15, 2017, the EDA recommended that the Board approve the issuance of the bonds.

INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 10-2 Titled “Repair, removal or securing of buildings and other structures harboring illegal drug use,” Section 10-4 Titled “Repair, removal or securing of buildings and other structures harboring a bawdy place,” Section 10-102 Titled “Cleanup of premises by county; lien for unpaid charges,” and Section 10-138 Titled “Performance of work by county; collection of costs” of the Code of the County of Henrico to Conform to Changes in State Law Enacted by the 2017 General Assembly Relating to Lien Priority.

This Board paper introduces for advertisement and public hearing on August 8, 2017, a proposed ordinance to amend and reordain Sections 10-2, 10-4, 10-102, and 10-138 of the Code of the County of Henrico.

The proposed ordinance would modify the County Code to specify that the County’s lien for costs incurred to abate certain nuisances is of equal dignity with liens for “unpaid local *real estate* taxes.” This ordinance change was prompted by and parallels HB 1992 and SB 920 that were passed by the General Assembly during the 2017 session.

The Building Official and Director of Community Revitalization recommend approval of this Board paper; the County Manager concurs.

RESOLUTION - Award of Contract - Architectural and Engineering Services - Human Services Building Ground Floor Renovation - Brookland District.

This Board paper would award a contract to Enteros Design, PC for architectural and engineering services to design the renovation of the ground floor of the Human Services Building. The design will begin in July 2017 and is supposed to be completed by January 2018.

On May 5, 2017, the County received 13 proposals in response to RFP No. 17-1368-4JK for architectural and engineering services to design the renovation. The selection committee (Gary Hughes, Tom Alford, Edward Bass, Timothy Booth, Richard Roberts, and Cynthia Steinhauser) interviewed four firms:

Enteros Design, PC
Moseley Architects, PC
The Harvester Inc., (d/b/a Commonwealth Architects)
RRMM Architects, PC

The committee selected Enteros Design, PC as the top-ranked firm and negotiated a fixed-price contract for \$145,549. Funding is available in the project budget.

The Board paper authorizes the County Manager, or the Purchasing Director as his designee, to execute the contract and change orders within the scope of the project budget not to exceed 15% of the original contract amount.

The Director of General Services, the Director of Social Services, the Director of Community Corrections, and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

RESOLUTION - Award of Contract - Architectural and Engineering Services - Henrico Area Mental Health & Developmental Services East Clinic - Varina District.

This Board paper would award a contract to Moseley Architects, PC for architectural and engineering services to design the Henrico Area Mental Health & Developmental Services East Clinic. The design will begin in July 2017 and is supposed to be completed by April 2018.

On April 28, 2017, the County received 11 proposals in response to RFP No. 17-1365-3JK. The selection committee (Thomas Alford, Edward Bass, Laura Totty, and Lynn Goodale) interviewed three firms:

Moseley Architects, PC
Leo A. Daly Company
Marshall Craft Associates, Inc.

The committee selected Moseley Architects, PC as the top-ranked firm and negotiated a fixed-price contract for \$678,657. Funding is available in the project budget.

The Board paper authorizes the County Manager, or the Purchasing Director as his designee, to execute the contract and change orders within the scope of the project budget not to exceed 15% of the original contract amount.

The Director of General Services, the Director of Henrico Area Mental Health & Developmental Services, and the Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

INTRODUCTION OF ORDINANCE – To Amend and Reordain Section 5-1 Titled “Definitions” and Section 5-30 Titled “Control of dangerous or vicious dogs” of the Code of the County of Henrico to Conform the County’s Dangerous Dog Laws to Changes in State Law Enacted by the 2017 General Assembly.

This Board paper introduces for advertising and a public hearing on August 8, 2017, amendments to the County’s dangerous dog laws. The changes are required by legislation enacted by the 2017 General Assembly.

The amendments allow, but no longer require, a law-enforcement officer or animal control officer to apply for a summons requiring a dog owner to appear before a general district court when the officer has reason to believe that the dog is dangerous. The amendments also specify when, based on an investigation by an officer or a determination by a court, a dog shall not be considered dangerous under the law. Finally, the amendments reduce from 45 days to 30 days the period within which an owner of a dog found to be dangerous is required to obtain a dangerous dog registration certificate.

RESOLUTION - Award of Contract - Engineering Design and Construction Administration Services - Water Reclamation Facility Nutrient Removal Upgrades - Varina District

This Board paper would award a professional engineering services contract for \$10,256,459 to Hazen and Sawyer, P.C. to provide engineering design and construction administration services for nutrient removal upgrades at the Water Reclamation Facility. These upgrades include new tertiary deep bed filters, two Enhanced Nutrient Removal (“ENR”) basins, plant-wide supplemental carbon facilities, facilities to remove ammonia, and modification to the existing ENR aeration system.

Two proposals were received in response to RFP 16-1242-8CS. After review and evaluation of the proposals, the Selection Committee interviewed the following firms:

Hazen and Sawyer, P.C.
Rummel, Klepper & Kahl, LLP

Based on the written proposals and interviews, the Selection Committee members selected Hazen and Sawyer, P.C. as the top-ranked firm and negotiated a fixed price contract.

The Board paper authorizes the County Manager, or the Purchasing Director as his designee, to execute the contract in a form approved by the County Attorney and amendments not to exceed 15% of the 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 - Signatory Authority - Lease - 7425 Ranco Road - Brookland District.

This Board paper authorizes the County Manager to execute a lease with Crenshaw-Singleton Properties, LLC, a Virginia limited liability company, for 4,380 square feet of office warehouse space in the Dumbarton Business Center at 7425 Ranco Road. The space will be used by Recreation and Parks for the storage of historic artifacts. The lease is for a 10-year term beginning August 1, 2017, and ending July 31, 2027. The monthly rent will be \$2,478.35 for the first year, will increase 2% each year during the second, third, and fourth years, and will increase by 2.5% each year in years five through 10. At the end of the term, the County may renew the lease for five years at a rental rate increasing 3% each year.

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

RESOLUTION - Signatory Authority - Lease Amendment - Henrico Area Mental Health and Developmental Services - 8237, 8239, 8241, and 8247 Hermitage Road - Brookland District.

This Board paper authorizes the County Manager to execute a lease amendment between Staples Mill Business Center, LLC and the County for the lease of 27,295 square feet of office warehouse space located at 8237, 8239, 8241, and 8247 Hermitage Road. The space is leased for the Hermitage Enterprises day support and workshop program of Henrico Area Mental Health and Developmental Services. The program serves persons with developmental disabilities.

The current lease has an annual rent of \$217,049.30, and it expires on February 28, 2018. The amendment would extend the lease for five years at an annual rent of \$221,390.28 in the first year, increasing 2% each year thereafter.

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