

**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 11, 2012, at 4:30 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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| 4:30 – 5:00 p.m. | Private Dog Parks |
| 5:00 – 5:30 p.m. | Rockett's Landing Mixed Use Project – VHDA Bond Financing |
| 5:30 – 6:00 p.m. | Closed Meeting for Discussion and Consideration of the Acquisition of Real Property in the Tuckahoe District for Public Purposes Relating to a Recycling Facility, Pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as Amended. |
| 6:00 – 6:45 p.m. | <i>Dinner in Café 1611</i> |



Barry R. Lawrence, CMC
Clerk, Henrico County Board of Supervisors
December 6, 2012

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
December 11, 2012
7:00 p.m.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENT PRAYER

APPROVAL OF MINUTES – November 27, 2012, Regular and Special Meetings; and March 19 - 22, 2012, Special Meeting

MANAGER' S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

APPOINTMENT/RESIGNATION

286-12 Resolution - Resignation of Member – Parks and Recreation Advisory Commission.

287-12 Resolution - Appointment of Member - Board of The Shops at White Oak Village Community Development Authority.

PUBLIC HEARING - REZONING CASES AND PROVISIONAL USE PERMITS

288-12 Highwoods Properties: Request to conditionally rezone from UMUC Urban
C-13C-11 Mixed Use District (Conditional), O-2C Office District (Conditional), and A-1
Three Chopt Agricultural District to UMUC Urban Mixed Use District (Conditional) Parcels
749-765-7952, 750-765-0494, 750-765-4697, 750-766-3162, and 750-767-3526
containing 39.46 acres located at the southwest intersection of Cox Road and
Sadler Place and the northeast intersection of Sadler Place and Sadler Road. The
applicant proposes an urban mixed use development with up to 2,324,000 square
feet of commercial, office, and residential uses. The uses will be controlled by
zoning ordinance regulations and proffered conditions. The 2026
Comprehensive Plan recommends Urban Mixed-Use and Environmental
Protection Area and the site is located in the Innsbrook Study Area. The
Planning Commission voted to recommend the Board of Supervisors **grant** the
request.

289-12 Highwoods Properties: Request for Provisional Use Permits under Sections 24-
P-10-11 32.1(a), 24-32.1(e), 24-32.1(f), 24-32.1(g), 24-32.1(i), 24-32.1(j), 24-32.1(k),
Three Chopt 24-32.1(l), 24-32.1(n), 24-32.1(o) 24-32.1(q), 24-32.1(s), 24-32.1(t), 24-
32.1(z), 24-32.1(aa), and 24-34.1(bb) of Chapter 24 of the County Code, to
permit certain uses and exceptions to density, height, setbacks and square
footages of uses within the proposed Urban Mixed Use Development on Parcels
749-765-7952, 750-765-0494, 750-765-4697, 750-766-3162, and 750-767-3526
containing 39.46 acres located at the southwest intersection of Cox Road and
Sadler Place and the northeast intersection of Sadler Place and Sadler Road. The

existing zoning is UMUC Urban Mixed Use District (Conditional), O-2C Office District (Conditional), and A-1 Agricultural District. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area and the site is located in the Innsbrook Study Area. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

290-12
C-26C-12
Varina
Capital Region Airport Commission: Request to conditionally rezone from A-1 Agricultural District to M-2C General Industrial District (Conditional) part of Parcel 824-712-5473 containing approximately 134.02 acres located at the southern terminus of Raines Avenue and on the west line of Wilson Way at the western terminus of Hunstman Road approximately 1,200 feet south of Williamsburg Road (U.S. Route 60). The applicant proposes a continuation of airport related uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Government. The site is in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

291-12
P-17-12
Three Chopt
Genghis Grill: 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 in order to allow outside dining for an existing restaurant on part of Parcel 736-762-7338 located on the south line of W. Broad Street (U.S. Route 250) approximately 640' west of its intersection with Lauderdale Drive. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. The site is located in the West Broad Street Overlay District. The Planning Commission voted to recommend the Board of Supervisors **grant** the request.

PUBLIC HEARINGS - OTHER ITEM

292-12 Resolution – Amendments to the FY 2012-13 Annual Fiscal Plan: December, 2012.

PUBLIC COMMENTS

GENERAL AGENDA

293-12 Resolution – Payment of County Retirement Benefits.

294-12 Resolution - Authorizing and Providing for the Issuance and Sale of Not to Exceed Seventy-Five Million Dollars (\$75,000,000) Aggregate Principal Amount of Water and Sewer System Refunding Revenue Bonds, of the County of Henrico, Virginia, for the Purpose of Refunding All of One or More Outstanding Series of Water and Sewer System Revenue Bonds of the County; Approving the Form of Such Bonds; Authorizing the County Manager or Any Deputy County Manager and the Director of Finance to Fix the Maturities, Interest Rates and Other Details of Such Bonds, to Select the Underwriters of Such Bonds, and to Negotiate the Sale of Such Bonds to Such Underwriters; Authorizing the Execution and Delivery to Such Underwriters of a Bond

Purchase Agreement for Such Sale; Authorizing the Preparation, Delivery and Distribution of a Preliminary Official Statement Relating to Such Bonds; Authorizing the Preparation and Distribution of a Final Official Statement and Continuing Disclosure Certificate Relating to Such Bonds; Authorizing the Appointment of an Escrow Agent and the Execution and Delivery of an Escrow Deposit Agreement By and Between the County and Such Escrow Agent; Designating and Giving Irrevocable Instructions for the Redemption of the County's Water and Sewer System Revenue Bonds Being Refunded; and Ratifying Certain Acts and Proceedings.

- 295-12 Resolution – Authorization to Apply for and Accept an Allocation of Funding from the United States Department of Transportation Hazardous Materials Emergency Preparedness Grant Program Administered by the Virginia Department of Emergency Management.
- 296-12 Resolution - Donation of Surplus Equipment – Charles City County, Virginia.
- 297-12 Resolution - Signatory Authority - Acquisition of Real Property - 11145 Greenwood Road - Brookland District.
- 298-12 Resolution - Signatory Authority - Acquisition of Real Property - Part of Lots 1-4 and Lots 5-8, Block A, Sunset Park Subdivision - Recycling Facility - Omiyah Investment Corporation - Tuckahoe District.
- 299-12 Resolution – Award of Contract for Architectural and Engineering Services – Short Pump Park.
- 300-12 Resolution – Award of Contract – Sanitary Sewer Odor and Corrosion Control.
- 301-12 Resolution - Award of Construction Contract - Beverly Hills Phase II Water System Improvements - Tuckahoe District.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
December 11, 2012**

APPOINTMENT/RESIGNATION

RESOLUTION - Resignation of Member – Parks and Recreation Advisory Commission.

This Board paper accepts the resignation of Charles E. Sowers from the Parks and Recreation Advisory Commission as a representative of the Three Chopt District, effective January 1, 2013.

RESOLUTION - Appointment of Member - Board of The Shops at White Oak Village Community Development Authority.

This Board paper appoints **Randall G. Welch** to the Board of The Shops at White Oak Village Community Development Authority for a four-year term expiring December 12, 2016, or thereafter, when his successor shall have been appointed and qualified.

PUBLIC HEARING - REZONING CASES AND PROVISIONAL USE PERMITS

C-13C-11
Three Chopt

Highwoods Properties: Request to conditionally rezone from UMUC Urban Mixed Use District (Conditional), O-2C Office District (Conditional), and A-1 Agricultural District to UMUC Urban Mixed Use District (Conditional) Parcels 749-765-7952, 750-765-0494, 750-765-4697, 750-766-3162, and 750-767-3526 containing 39.46 acres located at the southwest intersection of Cox Road and Sadler Place and the northeast intersection of Sadler Place and Sadler Road. The applicant proposes an urban mixed use development with up to 2,324,000 square feet of commercial, office, and residential uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area and the site is located in the Innsbrook Study Area. Acting on a motion by Mr. Branin, seconded by Mrs. Jones, 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, the employment uses support the County's economic development policies, and it conforms with the objectives and intent of the County's Comprehensive Plan.

P-10-11
Three Chopt

Highwoods Properties: Request for Provisional Use Permits under Sections 24-32.1(a), 24-32.1(e), 24-32.1(f), 24-32.1(g), 24-32.1(i), 24-32.1(j), 24-32.1(k), 24-32.1(l), 24-32.1(n), 24-32.1(o) 24-32.1(q), 24-32.1(s), 24-

32.1(t), 24-32.1(z), 24-32.1(aa), and 24-34.1(bb) of Chapter 24 of the County Code, to permit certain uses and exceptions to density, height, setbacks and square footages of uses within the proposed Urban Mixed Use Development on Parcels 749-765-7952, 750-765-0494, 750-765-4697, 750-766-3162, and 750-767-3526 containing 39.46 acres located at the southwest intersection of Cox Road and Sadler Place and the northeast intersection of Sadler Place and Sadler Road. The existing zoning is UMUC Urban Mixed Use District (Conditional), O-2C Office District (Conditional), and A-1 Agricultural District. The 2026 Comprehensive Plan recommends Urban Mixed-Use and Environmental Protection Area and the site is located in the Innsbrook Study Area. Acting on a motion by Mr. Branin, seconded by Mr. Leabough, 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.

C-26C12
Varina

Capital Region Airport Commission: Request to conditionally rezone from A-1 Agricultural District to M-2C General Industrial District (Conditional) part of Parcel 824-712-5473 containing approximately 134.02 acres located at the southern terminus of Raines Avenue and on the west line of Wilson Way at the western terminus of Huntsman Road approximately 1,200 feet south of Williamsburg Road (U.S. Route 60). The applicant proposes a continuation of airport related uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Government. The site is in the Airport Safety Overlay District. Acting on a motion by Mr. Leabough, seconded by Mr. Witte, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would provide for appropriate development and conforms with the objectives and intent of the County's Comprehensive Plan.

P-17-12
Three Chopt

Genghis Grill: 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 in order to allow outside dining for an existing restaurant on part of Parcel 736-762-7338 located on the south line of W. Broad Street (U.S. Route 250) approximately 640' west of its intersection with Lauderdale Drive. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Commercial Arterial. The site is located in the West Broad Street Overlay District. Acting on a motion by Mr. Branin, seconded by Mrs. Jones, 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 and it would not be detrimental to the public health, safety, welfare and values of the area.

PUBLIC HEARINGS - OTHER ITEM

RESOLUTION – Amendments to the FY 2012-13 Annual Fiscal Plan: December, 2012.

A Board paper was presented on November 27, 2012, which (a) received requests for amendments to the Annual Fiscal Plan, (b) directed the advertisement of same, and (c) set the date for a public hearing. The Board may now receive this paper, which, if approved, amends the Annual Fiscal Plan and appropriates funds for expenditure, as applicable, on December 11, 2012. After the public hearing, at that same meeting, this paper may be approved.

PUBLIC COMMENTS

GENERAL AGENDA

RESOLUTION – Payment of County Retirement Benefits.

This resolution authorizes payment of County retirement benefits to the outgoing County Manager upon his retirement at the end of the day, January 16, 2013.

RESOLUTION - Authorizing and Providing for the Issuance and Sale of Not to Exceed Seventy-Five Million Dollars (\$75,000,000) Aggregate Principal Amount of Water and Sewer System Refunding Revenue Bonds, of the County of Henrico, Virginia, for the Purpose of Refunding All of One or More Outstanding Series of Water and Sewer System Revenue Bonds of the County; Approving the Form of Such Bonds; Authorizing the County Manager or Any Deputy County Manager and the Director of Finance to Fix the Maturities, Interest Rates and Other Details of Such Bonds, to Select the Underwriters of Such Bonds, and to Negotiate the Sale of Such Bonds to Such Underwriters; Authorizing the Execution and Delivery to Such Underwriters of a Bond Purchase Agreement for Such Sale; Authorizing the Preparation, Delivery and Distribution of a Preliminary Official Statement Relating to Such Bonds; Authorizing the Preparation and Distribution of a Final Official Statement and Continuing Disclosure Certificate Relating to Such Bonds; Authorizing the Appointment of an Escrow Agent and the Execution and Delivery of an Escrow Deposit Agreement By and Between the County and Such Escrow Agent; Designating and Giving Irrevocable Instructions for the Redemption of the County’s Water and Sewer System Revenue Bonds Being Refunded; and Ratifying Certain Acts and Proceedings.

The purpose of this Board paper is to allow the County to take advantage of an opportunity to save interest costs on certain outstanding water and sewer system revenue bonds. The bonds will be sold at the optimal time to maximize savings depending on market conditions. This authorization will expire on June 30, 2013.

RESOLUTION – Authorization to Apply for and Accept an Allocation of Funding from the United States Department of Transportation Hazardous Materials Emergency Preparedness Grant Program Administered by the Virginia Department of Emergency Management.

This Board paper authorizes the County Manager to apply for and accept an allocation of funding totaling \$3,000.00 from the United States Department of Transportation Hazardous Material Emergency Preparedness Grant Program administered by the Virginia Department of Emergency Management. The grant, which requires a 25% local match (\$750.00), will be used by the Division of Fire for publishing educational materials and notifications to the public of meetings on the proper disposal and reporting of hazardous materials.

RESOLUTION - Donation of Surplus Equipment – Charles City County, Virginia.

This resolution would authorize the donation of a 1998 Pierce Quantum fire truck to Charles City County. Declared surplus to the County’s needs, this vehicle has recorded 14,680 engine hours of operation, which equates to an estimated 500,000 miles. The vehicle has an estimated value of no more than \$20,000.

Charles City County is served by a nonprofit, volunteer fire department that has provided fire and emergency medical services to the residents of the county since 1974. This volunteer organization lost one of its fire trucks as a result of an accident on May 20, 2012.

Henrico County and Charles City County share a common border and are parties to a fire mutual aid agreement.

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

RESOLUTION - Signatory Authority - Acquisition of Real Property - 11145 Greenwood Road - Brookland District.

The Board Paper authorizes the County Manager to execute documents to purchase 2.56 acres with improvements at 11145 Greenwood Road for \$155,000, the amount of an independent appraisal. The property adjoins the County’s Greenwood Road Park property in the Brookland District and can be used for recreational purposes. The seller is the Estate of Walter William Neagle, Sr., deceased.

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

RESOLUTION - Signatory Authority - Acquisition of Real Property - Part of Lots 1-4 and Lots 5-8, Block A, Sunset Park Subdivision — Recycling Facility - Omiyah Investment Corporation - Tuckahoe District.

This Board Paper authorizes the County Manager to execute documents to purchase for \$300,000 Lots 1-8 in Block A of the Sunset Park Subdivision, less acreage previously acquired by the Commonwealth for the widening of Quioccasin Road. The property is located at the southwest corner of Shane and Quioccasin Roads in Tuckahoe District and shall be used as a recycling facility. The seller is Omiyah Investment Corporation.

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

RESOLUTION – Award of Contract for Architectural and Engineering Services – Short Pump Park.

This resolution awards a professional services contract to **Vanasse Hangen Brustlin, Inc.** for architectural and engineering services to design the expansion of park facilities at Short Pump Park on the existing 45-acre site located adjacent to Short Pump Elementary School. The expanded park will include a park access road, parking, utilities, site infrastructure, football/soccer field, picnic open play areas, playground, restroom, shelter, walking trails, and supporting features in accordance with an updated master plan to be completed with this design work. Professional services shall include master planning, design, construction contract administration, site civil engineering, wetland delineation and permitting, and other plan of development requirements. The park project was approved in the 2005 bond referendum. It is anticipated that the design work will begin in December 2012 and be completed in June 2013.

On September 7, 2012, the County received nine proposals in response to RFP #12-9300-7JK. Following review and evaluation of the proposals, the selection committee interviewed the following firms:

Vanasse Hangen Brustlin, Inc.
Timmons Group
Draper Aden Associates

The selection committee subsequently negotiated a contract with **Vanasse Hangen Brustlin, Inc.**, the first ranked offeror, in the amount of **\$256,400.00**.

Funding to support the contract is available within the project budget.

The Directors of Recreation and Parks and General Services recommend that the contract be awarded to **Vanasse Hangen Brustlin, Inc.**, and the County Manager concurs.

RESOLUTION – Award of Contract – Sanitary Sewer Odor and Corrosion Control.

This resolution awards a nonprofessional services contract for sanitary sewer odor and corrosion control. The general scope of work is to provide a complete turnkey odor and corrosion control system, including equipment, chemicals, testing, operation, and maintenance. The specifications require the vendor to reduce hydrogen sulfide levels in wastewater by injecting chemicals into the flow at various sewer pump stations. The specifications also provide maximum hydrogen sulfide levels for contract compliance.

On October 26, 2012, the County received one proposal in response to RFP #12-9316-8KS, from Siemens Industry, Inc.

Based upon evaluation of the proposal, the selection committee negotiated a contract with **Siemens Industry, Inc.** at the unit prices set forth in **Siemens Industry, Inc.’s** Proposal dated October 24, 2012 and best and final offer dated November 26, 2012. The estimated annual contract amount is \$1,433,960.90.

The Directors of Public Utilities and General Services recommend approval of this Board paper awarding the contract to **Siemens Industry, Inc.**; the County Manager concurs.

RESOLUTION - Award of Construction Contract - Beverly Hills Phase II Water System Improvements - Tuckahoe District.

This resolution awards a contract to Southern Construction Utilities, Inc. to provide approximately 7,640 linear feet of 4-inch and 6-inch diameter water main piping and 163 water service lines located in the streets of Beverly Hills subdivision to replace existing 1 1/2-inch and 6-inch diameter water piping located in rear yard easements and the streets.

The purpose of the project is to improve the reliability of the water system in the area by replacing deteriorated water piping installed in the 1950’s. The work is anticipated to begin in January 2013 and to be completed by March 2014. Funding to support the contract is available within the Water and Sewer Enterprise Fund.

Seven bids were received on November 7, 2012 in response to IFB #12-9325-9CE and Addendum No. 1:

<u>Bidders</u>	<u>Bid Amounts</u>
Southern Construction Utilities, Inc. Petersburg, Va	\$1,190,828.00
Piedmont Construction Co. Inc. Oilville, Va	\$1,333,298.72
Howard Brothers Contractor, Inc. Providence Forge, Va	\$1,440,550.00
Walter C. Via Enterprises, Inc. West Point, Va	\$1,551,712.00

Godsey & Son, Inc. Richmond, Va	\$1,711,000.00
Perkinson Construction, LLC Prince George, Va	\$1,782,343.00
Possie B. Chenault, Inc. Bumpass, Va	\$2,417,000.00

Southern Construction Utilities, Inc. is the lowest responsive and responsible bidder.

The County Manager, or the Director of General Services 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 Directors of Public Utilities and General Services recommend approval of this Board paper, and the County Manager concurs.