

**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, June 12, 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. | Proposed Zoning Ordinance Amendment to Allow More Noncommercial Signage Without a Sign Permit  |
| 5:00 – 5:30 p.m. | Comcast Cable Television Franchise Renewal   |
| 5:30 – 6:15 p.m. | Closed Meeting for Discussion and Consideration of the Acquisition of Real Property and Consultation with the County Attorney Regarding Specific Legal Matters Requiring the Provision of Legal Advice, Both Related to a Potential Library in the Brookland District, Pursuant to Section 2.2-3711(A)(3) and (7) of the Code of Virginia, 1950, as Amended. |
| 6:15 – 6:45 p.m. | Dinner   |



Barry R. Lawrence, CMC  
Clerk, Henrico County Board of Supervisors  
June 7, 2012

**COUNTY OF HENRICO, VIRGINIA**  
**Henrico County Board Room**  
**Board of Supervisors' Agenda**  
**June 12, 2012**  
**7:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Rev. Tommy Knighten, Associate Pastor for Children and Ministries, Staples Mill Baptist Church

**APPROVAL OF MINUTES** – May 22, 2012 Regular and Special Meetings

**MANAGER'S COMMENTS**

**BOARD OF SUPERVISORS' COMMENTS**

**RECOGNITION OF NEWS MEDIA**

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

- 123-12            Nelwood, LC: Request to conditionally rezone from B-2C Business District  
C-9C-12        (Conditional) to B-3C Business District (Conditional) Parcel 814-716-9454  
Varina           containing 1.747 acres located along the southwest line of S. Laburnum Avenue  
                     approximately 500 feet north of its intersection with Audubon Drive. The  
                     applicant proposes office uses and a reception hall. The uses will be controlled by  
                     zoning ordinance regulations and proffered conditions. The 2026 Comprehensive  
                     Plan recommends Office. The site is in the Airport Safety Overlay District. The  
                     Planning Commission voted to recommend the Board of Supervisors **grant** the  
                     request.
- 124-12            Nelwood, LC: Request for a Provisional Use Permit under Sections 24-62.2(b),  
P-9-12        24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow  
Varina           auditorium and assembly hall uses for a proposed reception hall in an existing  
                     building on part of Parcel 814-716-9454, located along the southwest line of S.  
                     Laburnum Avenue approximately 500 feet north of its intersection with Audubon  
                     Drive. The existing zoning is B-2C Business District (Conditional). The 2026  
                     Comprehensive Plan recommends Office. The site is in the Airport Safety  
                     Overlay District. The Planning Commission voted to recommend the Board of  
                     Supervisors **grant** the request.
- 125-12            Meadow Glen of West End, LP: Request to amend proffered conditions accepted  
C-12C-12       with Rezoning Cases C-62C-03 and C-10C-99 on Parcel 749-754-2538 located  
Tuckahoe       on the west line of Gaskins Road approximately 765 feet south of its intersection  
                     with Three Chopt Road. The applicant proposes to amend proffers related to  
                     architectural elevations, exterior materials, density, buffers, a reserve area, and a  
                     conservation area. The existing zoning is R-6C General Residence District  
                     (Conditional). The 2026 Comprehensive Plan recommends Urban Residential,  
                     density should range from 3.4 to 6.8 units per acre, and Environmental  
                     Protection Area. The Planning Commission voted to recommend the Board of  
                     Supervisors **grant** the request.

## **PUBLIC HEARINGS – OTHER ITEMS**

- 126-12 Resolution – Amendments to the FY 2011-12 Annual Fiscal Plan: June, 2012.
- 127-12 Resolution - Appeal - POD2012-00189 - Islamic Center of Richmond - Hungary Road - Brookland District.

## **PUBLIC COMMENTS**

### **GENERAL AGENDA**

- 128-12 Resolution – Ratification and Confirmation of Signature – Governor’s Opportunity Fund Performance Agreement – General Electric Company.
- 129-12 Resolution – Irrevocable Election Not to Participate in Line of Duty Act Fund.
- 130-12 Resolution - Concurrence with School Division Electing to Pay the VRS Board-Certified Rate.
- 131-12 Resolution - Employer Contribution Rate for Henrico County.
- 132-12 Resolution - Member Contributions by Salary Reduction for Henrico County.
- 133-12 Resolution - Pay Increase for Eligible Employees.
- 134-12 Resolution – Richmond Metropolitan Response Systems Gap Analysis.
- 135-12 Resolution – To Initiate a Zoning Ordinance Amendment to Allow More Noncommercial Signage Without a Sign Permit.
- 136-12 Resolution - Acquisition of Portion of Richmond Strikers Soccer Club, Inc. Property - North Gayton Road Project - Three Chopt District.
- 137-12 Resolution – Acceptance of Gift from Women’s Committee of Virginia Farm Bureau.
- 138-12 Resolution – To Permit Additional Fine of \$200 for Speeding on Brookside Boulevard from Brook Road to Griffin Avenue – Fairfield District.



**COUNTY OF HENRICO, VIRGINIA  
BOARD OF SUPERVISORS' RESUME**

**June 12, 2012**

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**INVOCATION** – Rev. Tommy Knighten, Associate Pastor for Children and Ministries,  
Staples Mill Baptist Church

**PUBLIC HEARINGS – REZONING CASE AND PROVISIONAL USE PERMIT**

- C-9C-12  
Varina  
Nelwood, LC: Request to conditionally rezone from B-2C Business District (Conditional) to B-3C Business District (Conditional) Parcel 814-716-9454 containing 1.747 acres located along the southwest line of S. Laburnum Avenue approximately 500 feet north of its intersection with Audubon Drive. The applicant proposes office uses and a reception hall. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office. The site is in the Airport Safety Overlay District. Acting on a motion by Mr. Leabough, seconded by Mr. Archer, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because the proffered conditions should minimize the potential impacts on surrounding land uses and provide appropriate quality assurances not otherwise available.
- P-9-12  
Varina  
Nelwood, LC: Request for a Provisional Use Permit under Sections 24-62.2(b), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to allow auditorium and assembly hall uses for a proposed reception hall in an existing building on part of Parcel 814-716-9454, located along the southwest line of S. Laburnum Avenue approximately 500 feet north of its intersection with Audubon Drive. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Office. The site is in the Airport Safety Overlay District. Acting on a motion by Mr. Leabough, seconded by Mrs. Jones, the Planning Commission voted 5-0 (one absent) to recommend the Board of Supervisors **grant** the request because the conditions should minimize the potential impacts on surrounding land uses and would not be expected to adversely affect public safety, health or general welfare.
- C-12C-12  
Tuckahoe  
Meadow Glen of West End, LP: Request to amend proffered conditions accepted with Rezoning Cases C-62C-03 and C-10C-99 on Parcel 749-754-2538 located on the west line of Gaskins Road approximately 765 feet south of its intersection with Three Chopt Road. The applicant proposes to amend proffers related to architectural elevations, exterior materials, density, buffers, a reserve area, and a conservation area. The existing zoning is R-6C General Residence District (Conditional). The 2026 Comprehensive Plan recommends Urban Residential, density should range from 3.4 to 6.8 units per acre, and Environmental Protection Area. Acting on a motion by Mrs.

Jones, seconded by Mr. Witte, 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 proffers continue to assure a quality form of development with maximum protection afforded the adjacent properties.

## **PUBLIC HEARINGS – OTHER ITEMS**

### **RESOLUTION – Amendments to the FY 2011-12 Annual Fiscal Plan: June, 2012.**

A Board paper was presented on May 22, 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 June 12, 2012. After the public hearing, at that same meeting, this paper may be approved.

### **RESOLUTION - Appeal - POD2012-00189 - Islamic Center of Richmond - Hungary Road - Brookland District.**

This is an appeal of a Plan of Development (POD) approval granted by the Planning Commission on April 25, 2012. The appeal is permitted by Section 24-106(p) of the Henrico County Code.

Sylvia Wright filed the appeal on May 9, 2012. The Board of Supervisors must decide the appeal by June 23, 2012 unless the property owner agrees to additional time.

The Board may make its decision based on the record and new evidence that may be introduced at the public hearing. The property owner and adjacent property owners have been notified of the hearing.

Ms. Wright based the appeal on three points:

1. The parking is insufficient for the use and additional parking should be provided or uses limited.
2. Parking for the place of worship during construction needs to be addressed or the activities limited.
3. Sufficient amenities, such as fencing and/or landscaping, are not being provided for light and noise.

The POD is for construction of a two-story, 30,277 square foot place of worship with a daycare and a school. The site consists of two parcels totaling 5.235 acres, zoned A-1, and located on the south line of Hungary Road, opposite its intersection with Wilshire Drive.

The Planning Commission approved the POD by a 5-0 vote (Mr. Thornton abstained) with annotations on the plan, standard conditions for development of this type, and additional conditions #29 through #36.

With respect to appeal point #1 above, the POD exceeds the minimum requirements for parking for places of worship. The POD provides for 128 parking spaces, while a minimum of 93 spaces are required.

With respect to appeal point #2 above, the POD, as submitted, does not address this issue. However, the applicant is aware that phasing of construction and parking must be addressed when construction plans are submitted.

With respect to appeal point #3 above, landscaping and lighting were not part of the approval by the Planning Commission. POD Conditions #9 and #11 require staff approval of plans for both landscaping and lighting prior to issuance of a certificate of occupancy for the new facility in accordance with standard procedures.

The entire case file and draft Planning Commission minutes have been transmitted to the County Manager for the Board's review. Because of the volume of this material, individual copies for each Supervisor were not printed, but the complete file is available for inspection in the County Manager's office. An individual copy of the record will be made for each Supervisor desiring one.

The Director of Planning and County Attorney recommend denial of this appeal, and therefore, approval of this Board paper, and the County Manager concurs.

## **PUBLIC COMMENTS**

## **GENERAL AGENDA**

### **RESOLUTION – Ratification and Confirmation of Signature – Governor's Opportunity Fund Performance Agreement – General Electric Company.**

This Board paper ratifies and confirms the County Manager's execution of a Performance Agreement among the County, the County's Economic Development Authority (the "EDA"), and General Electric Company. Pursuant to the agreement, the County has agreed to appropriate \$700,000 to the EDA; the County will receive half of this amount as a grant from the Governor's Opportunity Fund. The EDA will then make a grant to General Electric Company for \$700,000. In return, General Electric Company has agreed to make a capital investment of at least \$5,886,660 at its Innsbrook Office Park facility in Henrico County and will create and maintain at least 200 new jobs at the facility by June 1, 2015.

**RESOLUTION – Irrevocable Election Not to Participate in Line of Duty Act Fund.**

This Resolution makes an irrevocable election to opt out of the Line of Duty Act Fund and acknowledges the County’s responsibility for self-funding its Line of Duty Act benefits.

Beginning July 1, 2010, the General Assembly shifted responsibility for the payment of all Line of Duty Act benefits onto localities. The General Assembly established a Line of Duty Act Fund, with VRS as the investment manager, to pay for those benefits. All localities were enrolled in the Fund; however, each locality, by resolution in a form prescribed by VRS, may make an irrevocable election not to participate in the Fund. The deadline for adopting an opt-out resolution is July 1, 2012.

As discussed with the Board during a work session on May 22, 2012, the Director of Finance, with the concurrence of the County Manager, recommends that the County opt out of the Fund.

**RESOLUTION - Concurrence with School Division Electing to Pay the VRS Board-Certified Rate.**

This Board paper would certify to the Virginia Retirement System (“VRS”) the Board’s concurrence with the School Board’s election of the Certified Rate for its employer contribution rate as required by Item 468(H) of the 2012 Appropriation Act. The School Board made this election at its May 24, 2012 meeting. The Board paper is in the format prescribed by VRS.

This action was discussed in the Board’s May 22, 2012 work session.

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

**RESOLUTION - Employer Contribution Rate for Henrico County.**

This Board paper would certify to the Virginia Retirement System (“VRS”) the Board’s election to pay the Certified Rate of 14.98% as its employer contribution rate effective July 1, 2012. This action is required by the General Assembly as part of changes to VRS retirement plans. The Board paper is in the format prescribed by VRS.

This action was discussed in the Board’s May 22, 2012 work session.

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

**RESOLUTION - Member Contributions by Salary Reduction for Henrico County.**

This Board paper would certify to the Virginia Retirement System (“VRS”) the Board’s election to require a 5% member contribution by salary reduction beginning in the fiscal year

starting July 1, 2012. This action is required by Chapter 822 of the 2012 Acts of Assembly (Senate Bill 497) as part of changes to VRS retirement plans. The Board paper is in the format prescribed by VRS.

This action was discussed in the Board's May 22, 2012 work session.

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

**RESOLUTION - Pay Increase for Eligible Employees.**

This Board paper would grant a 5% increase in compensation to eligible employees effective June 16, 2012. This increase is mandated by the second enactment clause of Chapter 822 of the 2012 Acts of Assembly (Senate Bill 497) in conjunction the Board's election of a 5% member contribution by employee salary reduction effective July 1, 2012.

This action was discussed in the Board's May 22, 2012 work session.

The Directors of Human Resources and Finance recommend approval of this Board paper, and the County Manager concurs.

**RESOLUTION - Award of Contract - Richmond Metropolitan Response System Gap Analysis.**

This resolution awards a contract to **CNA Corporation** to provide a Richmond Metropolitan response system gap analysis. The analysis includes a review of medical assets and resources addressing the pre-hospital and public health response to a large-scale emergency; identifying existing gaps to adequately prepare for, respond to, and recover from such emergencies; and identifying projects to assist in closing such identified gaps. This analysis will evaluate these resources for the Counties of Chesterfield, Goochland, Hanover, Henrico, and New Kent; the City of Richmond; the associated Virginia Department of Health districts for these localities; and appropriate partner agencies, such as the Richmond Ambulance Authority.

CNA Corporation will help develop a standardized investment justification template. Additionally, CNA will prepare and implement a process for pursuing regional grant opportunities to help close the identified gaps.

Funding for this project is provided through the City of Richmond to Henrico County as a sub-grantee through the Richmond Metropolitan Medical Response System grant program, as awarded through the Virginia Department of Health and overseen by the Virginia Department of Emergency Management. The Henrico County Board of Supervisors accepted initial funding of \$72,000 for this project on March 13, 2012, and accepted additional funding in the amount of \$15,000 on May 22, 2012 for a total project allocation of \$87,000, which requires no local match.



The County received four proposals in response to RFP #12-9198-2CS. Following review and evaluation of the proposals, the Selection Committee interviewed the following firms:

**CNA Corporation**  
Old Dominion University Research Foundation  
ICF Resources, LLC

Based on the written proposals and interviews with all three firms, the Committee determined that **CNA Corporation** made the best proposal, and negotiated a contract in the amount of \$86,058.33.

Funding to support this contract is available within the project budget. The Director of General Services and the Fire Chief recommend that the contract be awarded to CNA Corporation, and the County Manager concurs.

**RESOLUTION - To Initiate a Zoning Ordinance Amendment to Allow More Noncommercial Signage Without a Sign Permit.**

This Board paper initiates the legal process to amend the zoning ordinance to allow more noncommercial signage without a sign permit. The zoning ordinance currently allows noncommercial messages in lieu of commercial messages on any allowed sign. However, in residential zoning districts, a sign permit is required for any sign larger than three square feet in area. The proposed amendment would allow up to 32 square feet of noncommercial signage without a sign permit.

**RESOLUTION - Acquisition of Portion of Richmond Strikers Soccer Club, Inc. Property - North Gayton Road Project - Three Chopt District.**

This Board paper authorizes settlement of the condemnation suit styled *Board of Supervisors of Henrico County, Virginia v. Richmond Strikers Soccer Club, Inc.* pending in the Henrico County Circuit Court.

The case involves the taking of 5,124 square feet of fee simple right-of-way, 2,245 square feet of permanent slope and drainage easement, 760 square feet of temporary construction easement, and 2,187.96 square feet of permanent easement for Verizon Virginia Inc., all for the North Gayton Road Project. The area taken is located on Shady Grove Road in the Three Chopt District. The owner has agreed to accept the County's \$18,624.00 appraised value as just compensation for the property taken by the County.

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

**RESOLUTION – Acceptance of Gift from Women’s Committee of Virginia Farm Bureau.**

The Sandston branch of the Women’s Committee of Virginia Farm Bureau has made a gift of \$50.00 to support the dog park at Dorey Park. The funds will be used to provide maintenance supplies.

The Director of Recreation and Parks recommends approval of this Board paper; the County Manager concurs.

**RESOLUTION - To Permit Additional Fine of \$200 for Speeding on Brookside Boulevard from Brook Road to Griffin Avenue - Fairfield District.**

Code of Virginia § 46.2-878.2 provides for the imposition of a \$200 fine for speeding, in addition to other penalties provided by law, when a locality has established a maximum speed limit for a highway in a residential district and the speed limit is indicated by appropriately placed signs. The law requires the Board of Supervisors to develop criteria for the overall applicability for the installation of the signs and to specify application of the law to particular streets before the additional fine may be imposed.

On February 10, 2004, the Board approved criteria for the County’s Traffic Calming Program.

The County’s Traffic Engineer has collected traffic data and has determined that Brookside Boulevard from Brook Road to Griffin Avenue is experiencing speeding problems and meets the criteria for traffic calming measures set forth in the Traffic Calming Program.

The citizens in the area of this road requesting the increased fine have collected signatures from 81.7% of the residents.

The Board paper authorizes the County Manager to place appropriate signs on Brookside Boulevard from Brook Road to Griffin Avenue warning of an additional fine of \$200 for speeding.

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