

City of Richmond

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Meeting Minutes Planning Commission

Monday, February 23, 2015

1:30 PM

5th Floor Conference Room

This meeting was originally scheduled for February 17, 2015 and was postponed due to inclement weather.

Call To Order

Mr. Poole called the meeting to order at 1:30p.m.

Roll Call

Present 7 - Mr. Rodney Poole

Mr. Melvin Law

Mr. David Johannas

Ms. Jane Ferrara

Mr. Jeffrey Sadler

Mr. Doug Cole

Ms. Ellen Robertson

Absent 2 - Ms. Amy Howard

Ms. Lynn McAteer

Chair's Comments

Mr. Poole welcomed everyone who was present.

Approval of Minutes

ID 2015-009 February 2, 2015 Meeting Minutes

<u>Attachments:</u> Draft February 2, 2015 Meeting Minutes

A motion was made by Mr. Law, seconded by Mr. Johannas, that the minutes from the February 2, 2015 meeting be approved as amended. The motion carried by a unanimous vote.

by a unanimous vote

Aye: 6 - Mr. Poole, Mr. Law, Mr. Johannas, Ms. Ferrara, Mr. Sadler and Mr. Cole

Excused: 1 - Ms. Robertson

Director's Report

Ms. Markham informed the Commission about an upcoming public meeting on Thursday, February 26, 2015 from 5:00p.m. to 7:00p.m. at Binford Middle School. Ms. Markham stated that the proposal for updating the zoning along West Main and West Cary Streets between Meadow and Harrison Streets would be discussed at the meeting.

- Council Action Update

There was no Council Action Update.

Consideration of Continuances and Deletions from Agenda

1. ORD. 2015-020 To amend Ord. No. 2013-75-57, adopted April 22, 2013, which amended Ord. No. 2011-20-32, which authorized the property known as 310 North 33rd Street for the purpose of the conversion of the existing building to a multifamily dwelling with up to 50 units, and additionally authorized principal commercial uses permitted on corner lots in the R-63 Multifamily Urban Residential District on the property, to authorize outdoor dining, upon certain terms and conditions.

Attachments: ORD. 2015-020

A motion was made by Mr. Johannas, seconded by Mr. Law, that this Ordinanc be recommended for a continuance to the Planning Commission's April 6, 2015 meeting. The motion carried by a unanimous vote.

Aye: 7 - Mr. Poole, Mr. Law, Mr. Johannas, Ms. Ferrara, Mr. Sadler, Mr. Cole and Ms. Robertson

2. PCR 2015-001 Resolution of intent to amend sections 114-692.4 and 114.1030.1 of the City Code, to permit small scale telecommunication facilities on alternative support structures throughout the City and exempt them from the requirement to obtain a Plan of Development (POD).

Attachments: PCR 2015-001

A motion was made by Mr. Johannas, seconded by Mr. Law, that this Planning Commission Resolution be continued to the Planning Commission's March 2, 2015 meeting. The motion carried by a unanimous vote.

Aye: 7 - Mr. Poole, Mr. Law, Mr. Johannas, Ms. Ferrara, Mr. Sadler, Mr. Cole and Ms. Robertson

Consent Agenda

A motion was made by Mr. Law, seconded by Ms. Robertson, to approve the Consent Agenda. The motion carried by a unanimous vote.

3. ORD. 2015-015 To conditionally rezone the property known as 2102 East Main Street from the M-1 Light Industrial District to the B-5C Central Business District (Conditional), upon certain proffered conditions.

Attachments: Staff Report

ORD. 2015-015 Location Map

Application & Applicant's Report

Proffer and Parking Lease

Neighborhood Support Letter

This Ordinance was recommended for approval on the Consent Agenda.

4. ORD. 2015-017

To authorize the special use of the properties known as 1617 Grove Avenue and 120 North Lombardy Street for the purpose of a multifamily dwelling and parking area, upon certain terms and conditions, and to repeal Ord. No. 94-239-223, adopted Oct. 24, 1994.

Attachments: Staff Report

ORD. 2015-017 Location Map

<u>Plats</u>

Letter of No Objection

This Ordinance was recommended for approval on the Consent Agenda.

5. ORD. 2015-018

To authorize the special use of the properties known as 1621 Grove Avenue and 1617 Rear Grove Avenue for the purpose of a multifamily dwelling and parking area, upon certain terms and conditions, and to repeal Ord. No. 94-239-223, adopted Oct. 24, 1994.

Attachments: Staff Report

ORD. 2015-018 Location Map

Plats

Letter of No Objection

This Ordinance was recommended for approval on the Consent Agenda.

6. ORD. 2015-019 To authorize the special use of the property known as 26 North Morris Street for the purpose of authorizing a restaurant with outdoor dining, upon certain terms and conditions.

Attachments: Staff Report

ORD. 2015-019

Plans Survey

Application & Applicant's Report

This Ordinance was recommended for approval on the Consent Agenda.

7. ORD. 2015-021

To authorize the special use of the property known as 3500 Kensington Avenue for the purpose of multifamily dwellings containing a total of no more than fifty (50) dwelling units, upon certain terms and conditions, and to repeal Ordinance No. 86-32-38, adopted February 24, 1986, and Ordinance No. 91-361-331, adopted November 25, 1991, and

Ordinance No. 92-41-47, adopted March 9, 1992.

Attachments: Staff Report

ORD. 2015-021 Location Map Survey

Plans

Application & Applicant's Report

Letters of Support and No Opposition

This Ordinance was recommended for approval on the Consent Agenda.

8. ORD. To authorize the special use of the property known as 3729 East Broad 2015-022 Rock Road for the purpose of authorizing motor fuel sales, upon certain

terms and conditions.

Attachments: Staff Report

ORD. 2015-022 Location Map

Plans

Application & Applicant's Report

This Ordinance was recommended for approval on the Consent Agenda.

9. UDC No. Final Location, Character and Extent Review of a salt dome to be

constructed at 500 Forest Lawn Drive

2015-04

2015-002

Attachments: UDC Report to CPC

Staff Report to UDC

Location Map

Application & Plans

This Location, Character and Extent Item was approved on the Consent Agenda.

10. PCR Final Community Unit Plan approval for a grocery store at 7319 Forest

Hill Avenue and 7339 Forest Hill Avenue, within Parcel A of the

Chippenham Forest Square Community Unit Plan.

Attachments: Staff Report

PCR 2015-002
Location Map
Plans & Plat
Application

This City Planning Commission Resolution was approved on the Consent

Agenda.

11. Subd. No. Reynolds South Plant Preliminary Plat at 411 Bainbridge Street (5 lots)

2015-002

Attachments: Staff Report

Location Map
Tentative Plat
Application

This Tentative Subdivision was approved on the Consent Agenda.

12. Subd. No. 1 2015-003

Kensington Preliminary Plat at 2601 Kensington Avenue (9 lots)

Attachments: Staff Report

Location Map

Plat

Application.pdf

This Tentative Subdivision was approved on the Consent Agenda.

13. Subd. No. Preliminary approval of a subdivision of Map Section D of the Northern

2015-004 Portion of the Stony Point Community Unit Plan, at 9010 Stony Point

Parkway and 9030 Stony Point Parkway (3 lots).

Attachments: Staff Report

Application Form
Preliminary Plat
Location Map

This Tentative Subdivision was approved on the Consent Agenda.

Regular Agenda

14. ORD. 2015-016 To amend Ord. No. 89-356-90-14, adopted Jan. 8, 1990, which authorized the special use of the property known as 1125 West Clay Street for the purposes of converting the existing building into 47

single-room occupancy units plus a resident manager's unit, to permit an

additional 33 dwelling units, upon certain terms and conditions.

Attachments: Staff Report

ORD. 2015-016

Plans

Application & Applicant's Report

New Clay House Management Plan

Opposition Letter
Support Letter

SAH Urban Planning report 2-17-15.docx

Mr. Willy Thompson presented the item as outlined in the staff report.

Rev. Kathy Talley, representing the applicant Virginia Supportive Housing requested the Commission to approve the proposal and she spoke to track record of their facility over the past 25 years. Mr. Andy Scudder presented the proposed design for the facility.

Mr. Poole opened the public hearing.

The following indivisuals spoke in favor of the proposal:

Nicholas Smith spoke in support of the item. No cost to City, will save City money. Expansion of existing facility will not negatively affect property values.

Preston Llyod spoke in favor as Chair of the VA Supportive Housing site development committee. He stated that it will meet the City's Master Plan recommendations for increasing affordable housing and reducing homelessness.

Kimberly Lammi, representing Homeward, advocated for approval of the special use permit amendment request.

Jason Snook, Carver resident, spoke in favor of the proposal.

Marianne Pitts, with Councilman Samuels' Office, stated that Councilman Samuels is in support of the proposal.

Charleen Baylor, President of CACIL, stated that a majority of the neighborhood association is supportive of the proposed expansion to the New Clay House.

Helen Hardiman, with HOME, spoke in support of the proposal and stated that a denial may violate the Federal Fair Housing Act.

Jill Fox, spoke in favor of the proposal and efforts to reduce chronic homelessness with by providing housing first.

Morgan Barker, Carver resident since August 2014, spoke in favor of the proposal stating that she feels safe in the neighborhood.

The following individuals spoke in opposition to the proposal:

Sam Forest, 409 Hancock Street, spoke in opposition stating that the expansion will be detrimental to the City.

David Kohler, property owner in Carver, spoke in opposition stating that density of units is the issue and the concentration of units within Carver. Questioned the CACIL vote stating that it is not reflective of the all the property owners in Carver.

Herman Massenberg Jr., 1400 West Clay Street resident, stated that homelessness is a regional issue, but only the City offers any services for the homeless. He stated that he is opposed to the expansion of the existing facility. He also questioned CACIL's motivations.

Douglas Duke, owner of 1100 and 1104 West Clay Street, informed the Commission that he is opposed to the expansion because of safety concerns.

Benjamin Home spoke on behalf of his wife and her family as property owners in Carver, spoke in opposition to the concentration of homeless services within Carver.

Brenda Swarter, Mayor of Gilmer Street, spoke in opposition based on safety concerns and drug and alcohol abuse.

Allen Griffin Jr., lived in Carver for 10 years, spoke in opposition due to crime associated with the homeless.

Hugh Edmunds, property owner in Carver, stated that Virginia Supportive Housing is a good operator, but the expansion to 80 units is too dense.

Susan Hauss, real estate agent working in Carver with Masters in Urban Planning, spoke against the proposal due to crime and safety concerns. She stated that the scale of the proposal is too great.

Cindy Anderson, stated that two others in opposition and left a message, stated that due process has not been followed. She stated that the proposal does not meet the Carver Area Master Plan, which recommends only single-family. She stated that Barbara Abernathy has a conflict of interest.

Mr. Poole closed the public hearing.

Mr. Johannas stated that he will be abstaining on this item.

Ms. Robertson questioned how many housing units Virginia Supportive Housing operates.

Rev. Talley stated 160 in the City; 60 on Hull Street Road; 8 units on National Street; 8 units on Jefferson Davis Highway; 12 on Blakemore; 2 units on Cary Street; 8 units on 3rd Avenue; 8 units on Chamberlayne Avenue; 4 units in Barton Heights.

Mr. Cole asked how they define success for their residents.

Rev. Talley sated that success is when the individual stays housed for at least a year after leaving the program.

Mr. Cole asked how many units need additional resident staff.

Rev. Talley stated that 80 units is the sweat spot for one resident staff.

Mr. Sadler asked what is done with problematic residents.

Rev. Talley stated that if the complaint is about a lease violation they could be evicted. The punishment would fit the nature of the complaint.

Mr. Sadler asked if noise would constitute a lease violation.

Rev. Talley stated no, they should call the police.

Mr. Sadler asked about de-concentrating poverty.

Rev. Tally stated that at 80 units would only be 5% of the Carver population

Ms. Ferrara asked about the length of stay and the services offered.

Rev. Talley stated the average length of stay is 4.5 years and listed several of the service offered for the residents.

Ms. Robertson acknowledged the concern raised by the community and asked Virginia Supportive Housing to distribute their housing services throughout the City.

Mr. Law offers respect for both points of view and stated that he will be supportive of the

motion to recommend approval.

A motion was made by Mr. Cole, seconded by Ms. Ferrara, that this Ordinance be recommended for approval to the City Council. The motion carried by the following vote:

Aye: 6 - Mr. Poole, Mr. Law, Ms. Ferrara, Mr. Sadler, Mr. Cole and Ms. Robertson

Abstain: 1 - Mr. Johannas

15. ORD. 2015-034

To direct the sale of surplus real estate located at 3101 Wharf Street to the Economic Development Authority of the City of Richmond for nominal consideration, upon certain terms and conditions.

Attachments: Staff Report

ORD. 2015-034 Location Map

Plat

Mr. Lee Downey presented the item as outlined in the staff report.

Mr. Sadler asked if the deal falls through will the property be returned to the City.

Mr. Downey stated that it is not explicit, but the EDA had agreed to a reverter clause.

Mr. Sadler asked about the recapture if the company is underperforming.

Mr. Downey stated that there are clawbacks if the company does not meet the numbers presented.

Mr. Sadler asked if the EDA will transfer the property to Stone.

Mr. Downey stated that the EDA will only transfer at the end of 25 years.

Mr. Johannas asked how many square feet is the building and what the value is.

Ms. Ferrara and Mr. Downey stated that the building is 30,000 square feet and is appraised at \$1 million and the construction cost would be \$8 million that would be financed by the EDA and paid back by Stone.

Mr. Johannas asked what the space would be for.

Craig Spitz, CFO for Stone, stated that there would be space for restaurant on top floor with event space on the ground floor. He continued that there is a commitment to honor the Greater Fulton community in the space on the first floor. He stated that there will be an acre of outdoor event/restaurant space.

Mr. Cole asked what is being transferred and is parking going with it.

Mr. Downey stated that there will be ample parking for the whole development and the street underneath the building would be closed.

Mr. Cole asked if there is any oversight over the design.

Ms. Markham stated not necessarily.

Mr. Spitz spoke about Stone Brewery's Liberty Station development in San Diego and the success they have had.

Mr. Sadler asked if all the payments will go to pay for the improvements or will the lease include anything additional.

Mr. Downey stated that the lease will only pay back the cost incurred to the EDA.

Mr. Sadler asked what the total City incentive for the project is.

Mr. Downey stated there are \$2.23 million in grants with City providing land for the restaurant and \$23 million financing by City that will be repaid + interest.

Mr. Sadler asked if any of these incentives were offered to local businesses.

Mr. Downey stated that the grants are all done on a project by project basis. The financing programs have been used by several restaurants in the City.

Mr. Poole opened the public hearing. There was no public comment. Mr. Poole closed the public hearing.

Mr. Johannas stated he is supportive for a variety of reasons. The first is that the commercial use is appropriate and residential would be underutilization of property. The second is that the site is accessible by four modes of transportation. The third is that the area needs revitalization.

Mr. Sadler stated that he is opposed because the local breweries have not been given the same incentives and the number of jobs created is not commensurate with the incentives being offered. He also stated that the provision of incentives for this business will hurt local restaurants.

Ms. Robertson stated the increase in the tax base is worth it and the loans will all be paid back. She stated that she visited the facility in San Diego and she is convinced that it will be good for the City based on the investment.

A motion was made by Mr. Law, seconded by Ms. Robertson, that this Ordinance be recommended for approval to the City Council. The motion carried by the following vote:

Aye: 6 - Mr. Poole, Mr. Law, Mr. Johannas, Ms. Ferrara, Mr. Cole and Ms. Robertson

No: 1 - Mr. Sadler

16. UDC No. 2015-01

Final Location, Character and Extent Review of traffic calming improvements to Floyd Avenue, from N. Thompson Street to N. Laurel Street

Attachments: Revised UDC Report for 2-17-15 CPC meeting

Revised Plans for 2-17-15 CPC meeting

Staff Report to UDC

Location Map

Application & Plans

Letters of Support

Letters of Opposition

Fan District Association Survey - ALL Responses

Fan District Association Survey - Floyd Address Validated

Responses

Tom Flynn and Andy Boenau presented the response to the Planning Commission's comments from January 20, 2015.

Mr. Sadler asked about accessibility and the orientation of the ramps at the intersections.

Mr. Boenau stated that it is being looked at on a case by case basis.

Mr. Sadler asked to include the extent of damage in the crashes in the review in a year.

Mr. Boenau agreed.

Mr. Sadler stated that the Ped X-ing and School X-ing signs should be included throughout the corridor.

Mr. Boenau stated there is not the need to add pavement markings throughout the corridor.

Mr. Sadler that pedestrians should have priority. The removal of the stop signs at the intersection will make it worse for pedestrians. The signalized intersections with pedestrian initiated signals give priority to pedestrians.

Mr. Johannas agreed with Mr. Sadler.

Mr. Poole wanted to know when it would come back to Planning Commission and if 15 months was adequate time.

Mr. Flynn agreed to 15 months and stated that they had a meeting with Floyd Avenue residents. He presented two alternate designs for the intersections of Strawberry, Rowland, Plum and Harvie; alternate #1 included raised crosswalks at those intersections and alternate #2 included leaving those intersections as they are.

Mr. Poole stated the second alternate, which leaves those intersections out of the plan, is the best alternative at this point.

Mr. Cole asked if there would be any additional money if intersections were eliminated to put them in after a year.

Mr. Flynn stated that there would be money to install them later.

Mr. Poole opened the public hearing.

The following indivduals spoke to the proposal:

Nicholas Smith spoke in favor.

Jon Ludgbill, Sportsbackers and resident of Fan and Board member of Richmond 2015, spoke in favor of the proposal.

Parker Agelasto, 5th District Council Representative, spoke in favor of the alternate #1 proposal.

Matthew Stanley, representing the FDA, spoke to the survey results that showed 70% of the Fan was supportive, but only 30% of the Floyd Avenue residents were supportive. He spoke in support of alternate #1.

Tom Innes, property owner on Floyd Avenue and on Main Street, spoke in favor of the compromise alternate #1.

Marianne Pitts, Councilman Samuels Office, stated that Councilman Samuels is in favor of alternate #1.

Anne Innes, spoke in favor of alternate #1 and/or alternate #2.

Jim Tanner, 1604 Floyd Avenue, spoke in favor and asked that the baseline data for the review be set now.

Merrill Cann, Floyd Avenue resident, spoke in favor of the plan and appreciated the compromise.

Carol Pearsall, Floyd Avenue resident, spoke in favor of alternate #2. She stated that she is concerned about the removal of the 4-way stop signs.

Eleanor Pew, Fan resident, spoke in opposition to the traffic circles and spoke in favor of the 4-way stop signs. She stated she is concerned about speeding.

Dan Marks, 100 block of North Rowland Street resident, spoke in opposition to traffic circles and stated they want the 4-way stops to stay. He supported alternate #2.

Matt Krane, Richmond Cycling Corps, spoke in favor of the proposal and stated that the 4-way stop signs are detrimental to cyclists.

Kenneth Stuart, resident of Floyd Avenue, stated that a majority of the Floyd Avenue residents are opposed to traffic circles and are supportive of 4-way stop signs. He urged the Commission to listen to the Floyd Avenue residents. He stated that he could support alternate #2 and urged the Commission.

Jerry Teachy, 2323 Floyd Avenue, stated that he is concerned about the safety of the bicyclists. He stated that Floyd Avenue needs better street lighting.

Mr. Poole closed the public hearing.

Mr. Cole stated the plan is too watered down and he is not supportive.

Mr. Earl Dyer, Deputy Fire Marshall, stated that the Fire Department opposes the 3-inch raised crosswalk.

Mr. Law stated that he would only support the 1-inch raised crosswalks.

Mr. Sadler moved to approve this Location, Character and Extent item as amended by the ten recommendations of the Planning Commission at their

January 20, 2015 meeting and as amended by alternate #1 presented by the applicant, which replaced traffic circles and 4-way stop signs with 3-inch raised crosswalks and 2-way stop signs on the side streets at the intersections of Strawberry, Rowland, Plum and Harvie Streets, and subject to the following conditions:

- (1) All crosswalks be ladder style.
- (2) At least 6 additional Ped X-ings street markings each way be included throughout the corridor with staff approval of placement and type.
- (3) Some type of additional signage reminding vehicles to yield to pedestrians be installed at Belmont, Morris and Auburn intersections.
- (4) Traffic signals at Harrison and Floyd and Lombardy and Floyd be reprogrammed to give pedestrians priority.

Mr. Johannas seconded the motion.

Mr. Law clarified that the motion included the raised crosswalks that the Fire Department opposed. Mr. Poole clarified that the motion included the applicant's presented response to the ten items that were recommended at the January 20, 2015 Commission meeting and a review by the Commission within 15 months of the completion of construction. The motion carried by the following vote:

Aye: 4 - Mr. Poole, Mr. Johannas, Ms. Ferrara and Mr. Sadler

No: 2 - Mr. Law and Mr. Cole

17. UDC No. Conceptual Location, Character and Extent Review of renovations to2015-03 Kanawha Plaza, 701 E. Canal Street

Attachments: UDC Report to CPC

Staff Report to UDC

Location Map

Application & Plans

A motion was made by Mr. Law, seconded by Mr. Sadler, that this Location, Character and Extent Item be approved with the following conditions recommended by the Urban Design Committee:

- (1) That the applicant considers ways to provide year-round interest in the fountain design, regardless of whether or not the water is running.
- (2) That the design in the area around the fountain ties into the landscape plans for Gateway Plaza and recognizes the intended connection to the river.
- (3) That the splash pad ties into the fountain design.
- (4) That a focal point is provided at the terminus of S. 8th Street.
- (5) That the design of the Plaza looks at different scales of gathering spaces for user groups.
- (6) That there is a general reduction of hardscape in the overall plans.
- (7) That the proposed synthetic turf is replaced with real grass.
- (8) That the final plans include representative renderings of key areas of the park.
- (9) That the final plans include a tree survey for the park and the adjacent street trees indicating tree species, caliper size, health and whether or not it is to be removed.
- (10) That the final plans include a grading plan.
- (11) That the applicant endeavors to retain as many existing healthy trees as

- possible, or phase the replacement of trees over multiple years.
- (12) That the final plans include a landscape plan and schedule to include plant species, location, quantity, and size at the time of installation.
- (13) That the final plans include the planting of street trees on all park frontages where appropriate.
- (14) That the applicant considers alternate locations for the splash pad that are more interior to the site.
- (15) That prior to final consideration the applicant works with the Department of Public Works to ensure that every pedestrian crossing to the park contains a pedestrian countdown signal, preferably with an audio component, and ladder-style crosswalks.
- (16) That prior to final consideration, the applicant works with the Department of Public Works to explore the opportunity of creating a curbed pedestrian refuge at S. 7th and Canal Streets as has been created at the corner of S. 9th and E. Canal Street, and to incorporate such a feature into the overall plans for the site if it is deemed a possibility.
- (17) That the parking needs that are currently shown internal to the site be met along S. 7th Street.
- (18) That pedestrian access along S. 7th Street be provided regardless of the City of Richmond Planning Commission Action Summary February 23, 2015 resolution of the parking.
- (19) That prior to final consideration, the applicant works with the Department of Public Works to explore the opportunity of creating curb extensions at the adjacent street intersections that lead into the park.
- (20) That the applicant confirms with the Department of Public Works that there is sufficient right-of-way for a designated and separate food truck lane.
- (21) That the final plans include all of the proposed Public Works projects in the right-of-way that will be done in conjunction with the project.
- (22) That the final plans include details on the proposed lighting, including but not limited to pole and fixture model(s), height, finish, light source and light color temperature.
- (23) That the proposed lighting fixtures have a maximum color temperature of 3000k.
- (24) That the lighting fixtures be full cut-off.
- (25) That the final plans include a photometric diagram.
- (26) That the final plans include a signage package.
- (27) That the final plans include details on the proposed stage canopies, including but not limited to structural components, materials, dimensions and finishes.
- (30) That the final plans include details on all proposed site amenities, including but not limited to: handrails, fences, moveable furniture, benches, trash cans, bike racks, exercise stations and water fountains.
- (31) That the applicant considers locating a bike rack near the park entrance point at the terminus of S. 8th Street.
- (32) That the incorporation of public art includes involving the Public Art Commission and other appropriate stakeholders in regards to sculpture in the park or treatment of the blank walls over the expressway.
- (33) That the service road shown in plans presented at the Urban Design Committee meeting on 2/5/2015 be integrated to not be so noticeably different than the design of the Plaza around it.
- (34) That any Phase 2 improvements are submitted to the UDC for separate review at such time in the future as plans are more defined.

The motion carried by the following vote:

Aye: 7 - Mr. Poole, Mr. Law, Mr. Johannas, Ms. Ferrara, Mr. Sadler, Mr. Cole and Ms. Robertson

Upcoming Items

There was no discussion of Upcoming Items.

Adjournment

Mr. Poole adjourned the meeting at 4:07p.m.

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