COUNTY OF HENRICO, VIRGINIA BOARD OF SUPERVISORS REGULAR MEETING May 14, 2019

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, May 14, 2019, at 7:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

Tyrone E. Nelson, Chairman, Varina District Thomas M. Branin, Vice Chairman, Three Chopt District Patricia S. O'Bannon, Tuckahoe District Daniel J. Schmitt, Brookland District Frank J. Thornton, Fairfield District

Other Officials Present:

John A. Vithoulkas, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Michael L. Wade, Sheriff
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Timothy A. Foster, P.E., Deputy County Manager for Community Operations
W. Brandon Hinton, Deputy County Manager for Administration
Anthony E. McDowell, Deputy County Manager for Public Safety
Randall R. Silber, Deputy County Manager for Community Development

Mr. Nelson called the meeting to order at 7:00 p.m. He led the recitation of the Pledge of Allegiance.

The Reverend Steve Boots, Chaplain for the Henrico County Police Division and Pastor of Mount Victory Baptist Church, delivered the invocation.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board approved the April 23, 2019, Regular and Special Meeting Minutes.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Schmitt, Thornton

No: None

MANAGER'S COMMENTS

Mr. Vithoulkas asked Humberto Cardounel, Police Chief, to provide an overview of the Police Division's investigation of two recent incidents of racist vandalism in Henrico that have drawn a great deal of attention and concern in the community. The incidents, which occurred on May 9 - 10 in the Regency Square/Farmington area and on May 11 - 12 at

Godwin High School, involved graphic images, hateful messages, and inappropriate symbols. The division dedicated every available resource in investigating these unrelated incidents. On May 14, the division arrested one Henrico juvenile for the Regency Square/Farmington incident and two Henrico juveniles for the Godwin incident. These individuals have been charged with a variety of offenses, and the cases will be heard in the juvenile justice system. Mrs. O'Bannon strongly condemned the actions of these juveniles. In response to a question from Mrs. O'Bannon, Chief Cardounel explained how the division will pursue restitution for the significant costs incurred by the County to remove the graffiti and investigate the incidents. He expressed pride in his staff's diligent work on these cases over Mother's Day weekend while also noting that the level of cooperation and assistance the division received from the Commonwealth's Attorney's Office and Henrico County Public Schools was integral to the investigation. Chief Cardounel responded to further questions, comments, and expressions of appreciation from members of the Board. Mr. Branin asked Chief Cardounel to state strongly to the Commonwealth's Attorney's Office that these hate crimes have rattled the community and that the Commonwealth's Attorney's Office needs to act appropriately. Mr. Schmitt remarked that the division met his constituents' expectations by demonstrating zero tolerance, clear communication, and expediency in responding to the incidents. Mr. Vithoulkas thanked Maj. Mike Palkovics, Deputy Police Chief, for the efforts undertaken by the division's Investigative Burcau. Mr. Nelson noted the County wants to continue to send the message that Henrico is the wrong community in which to exercise hate in any way.

BOARD OF SUPERVISORS' COMMENTS

Mr. Schmitt announced that approximately 500 law enforcement officers participated in a Law Enforcement United bike ride on May 10 - 11 from Hampton Roads to Washington, D.C. in remembrance of fallen officers. He witnessed the officers ride through Henrico, where the Henrico Police Division provided a motor escort. Two Henrico officers participated in the ride. Mr. Schmitt thanked Richmond Raceway for allowing the riders to make two laps around the racetrack at that facility and thanked the division for safely guiding the riders through Henrico. He also thanked the division for safely escorting bike riders from the Charlotte-Mecklenburg County, North Carolina, Police Department who rode through Henrico this past weekend. Mr. Schmitt cited this as another example of regional cooperation.

Mr. Thornton thanked members of the Board and Henrico citizens who will be impacted by the facility for attending a groundbreaking ceremony earlier in the day for the Henrico Aquatics Center. He also thanked Mr. Vithoulkas, Parks and Recreation Director Neil Luther, and their staffs for coordinating the event. Mr. Thornton cited the Aquatics Center as an example where a dream can come to fruition through hard work and tenacity.

RECOGNITION OF NEWS MEDIA

Mr. Nelson recognized Chris Suarez Rojas from the Richmond Times-Dispatch.

PRESENTATIONS

Mr. Branin presented a proclamation recognizing May 18 - 24, 2019, as Safe Boating Week. Accepting the proclamation was Brian Kemp, Commander of U.S. Coast Guard Auxiliary Flotilla 31, Division 3, 5th District, Southern Region. Joining him were David Paxton,

Government Affairs Officer for Flotilla 31; Alec Oughton, Fire Chief; and the following representatives of the Police Division: Humberto Cardounel, Chief; Capt. Don Lambert, Commanding Officer for the Special Operations Group; Lt. Shawn Sears, Animal Protection Unit Supervisor; Sgt. Michael Sommerville, Supervisor of the Metro Aviation and Marine Patrol Units; Sgt. Wayne Carrier, Patrol Operations - Central Station; and Ofc. Blake Jones, Patrol Operations - South Station.

Mr. Nelson presented a proclamation recognizing May 19 - 25, 2019, as Emergency Medical Services Week. Accepting the proclamation was John Tatum, President of the Henrico Association of Volunteer Rescue Squads and President of the Tuckahoe Rescue Squad. Joining him were Peggy Vorous, President of Henrico Volunteer Squad; Jack Vorous, a member of Henrico Volunteer Rescue Squad; Ryan Scarbrough, President of Lakeside Volunteer Rescue Squad; Chief Oughton; Chief Cardounel; Major Palkovics; and Career Communications Ofc. Trey Powers from the Police Division.

PUBLIC HEARINGS - REZONING CASES AND PROVISIONAL USE PERMITS

111-19 REZ2018-00045 Brookland Hunt Club LLC: Request to conditionally rezone from R-5 General Residence District to R-6C General Residence District (Conditional) Parcel 770-749-9008 and part of Parcel 770-750-4811 containing 19.13 acres located on the south line of Bremner Boulevard, approximately 170' east of Beth Road.

No one from the public spoke in opposition to this item.

Mr. Schmitt thanked the Planning Department staff, the applicant, and Brookland District Planning Commissioner Bob Witte for their good work on this case, which was deferred by the Planning Commission several times since December 2018. He noted the applicant's proposed use for the subject property will provide additional options for senior living in the Carriage Club and Carriage Hill neighborhoods.

On motion of Mr. Schmitt, seconded by Mr. Thornton, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

- 1. Maximum Residential Units. The number of multifamily residential dwelling units on the Property at any time shall not exceed 297. For the avoidance of doubt, the term "multifamily residential dwelling unit" shall not include any portion of a nursing home, convalescent home or home for the aged. The building for use as a home for the aged (the "Senior Building") may be comprised of independent living units, assisted living units or a mix thereof, and shall not exceed 125 units in total. No greater than 31 units in the Senior Building shall be independent living units. For the avoidance of doubt, the term "assisted living units" shall be deemed to include memory care units.
- 2. <u>Development Plan.</u> The Property shall be developed generally consistent with that certain conceptual development plan entitled

"Carriage Club, Richmond, Virginia Site Plan" dated March 27, 2019 (the "Development Plan"), (see case file). The exact locations, footprints, configurations, sizes and details of the drives, roads and other improvements shown on the Development Plan are illustrative and may be subject to change and revised and updated from time to time as required for final engineering design, compliance with governmental regulations, or as otherwise approved at the time of Plan of Development review of the Property.

- 3. <u>Construction Activity.</u> Construction activity, including operation of bulldozers and other earthmoving equipment on the property shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and 8:00 a.m. and 4:00 p.m. on Saturday, except in emergencies where unusual circumstances require those specific hours in order to complete work such as concrete pours or utility connections. No exterior construction on Sundays shall be permitted.
- 4. New Building Appearance and Exterior Material. The Senior Building shown on the Development Plan shall be substantially similar in architectural treatment (incorporating similar, but not necessarily identical design elements, style and materials) with the elevations attached hereto entitled "Front Entrance Vignette" and "Aerial Vignette" dated April 3, 2019 (see case file). Alternate materials may be allowed if requested by Owner and specifically approved by the Director upon a demonstration by Owner that such materials are of equivalent quality, function or manufacture to those specifically enumerated above.
- 5. Age Restriction. Except as otherwise prohibited by the Virginia Fair Housing Law, as it may be amended, the federal Fair Housing Law and such other applicable federal, state or local legal requirements, occupancy of the Senior Building on the Property shall be restricted to "housing for older persons" as defined in the Virginia Fair Housing Law.
- 6. Private Road Certification. Prior to issuance of first permanent certificate of occupancy for new units in the Senior Building, the owner shall provide to the Planning Department certification from a licensed engineering firm that the new private roadways within the development were constructed in accordance with the approved POD and in compliance with Henrico County road design standards and specifications, etc.
- 7. <u>Construction Traffic.</u> Prior to issuance of first permanent certificate of occupancy for new units in the Senior Building, all construction traffic shall enter and exit the Property via the intersection of Bremner Boulevard and Fernwood Street, except as may be approved by the Director of Planning upon good cause shown.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Schmitt, Thornton

No: None

112-19 REZ2019-00009 Three Chopt Mark Oley: Request to amend proffers accepted with Rezoning Case REZ2016-00025 on Parcel 755-744-0869 located at the northwest intersection of Three Chopt and Eastridge Roads.

Joe Emerson, Director of Planning, responded to a question from Mrs. O'Bannon.

No one from the public spoke in opposition to this item.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following amended proffered conditions:

- 1. Permitted Uses. The only uses first permitted in the B-3 District allowed on the property shall be a wholesale bakery, and two (2) mobile food units with hours of operation limited to 6 a.m. to 11 p.m., a Pharmaceutical Distribution Center (maximum 7,000 sq. ft.), and a two (2) story addition (maximum 4,446 sq. ft.) for office and pharmaceutical records storage (Exhibit 'A'), (see case file). The only use first permitted in the B-2 District allowed on the property shall be a pharmacy with extended hours of operation as approved with PUP (P-26-96). All other uses shall be limited to those permitted in the B-1 District.
- 2. **Signage.** All signage shall follow the requirements of B-1 zoning.
- 3. <u>Hours of Operation.</u> Except for the retail pharmacy, the hours of operation for all other uses shall follow the requirements of B-2 zoning.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Schmitt, Thornton

No: None

113-19 PUP2019-00004 Brookland Janice V. Clifton: Request for a Provisional Use Permit under Sections 24-12.1(b), 24-120 and 24-122.1 of Chapter 24 of the County Code to amend conditions related to the operation of a bed and breakfast and events on Parcels 771-767-7742 and Part of 771-767-9566 located at the northeast intersection of Old Washington Highway and Mountain Road.

No one from the public spoke in opposition to this item.

Mr. Schmitt thanked Jean Moore, Assistant Director of Planning, for her work on this case and thanked Ms. Clifton for bringing this request forward. In his motion to approve this item, Mr. Schmitt moved that condition 11(b)(i) be changed to allow amplified music Monday through Friday between 5:00 p.m. and 11:00 p.m. (The condition recommended by the Planning Commission and stated in the staff report did not allow amplified music Monday through Thursday).

On motion of Mr. Schmitt, seconded by Mr. Thornton, and by unanimous vote, the Board followed the recommendation of the Planning Commission with the change requested by Mr. Schmitt and approved this item subject to the following amended conditions:

- 1. The property shall be used only for:
 - a. a one-family dwelling of the resident manager of the business located on the premises;
 - a bed and breakfast facility (including not more than eight (8) guest rooms); and
 - c. gatherings for weddings, wedding receptions, anniversaries, birthdays, and meetings and receptions for civic groups, neighborhood groups, private individuals and groups.
 - i. For events that exceed 50 attendees, the Property shall be utilized for uses permitted in Condition #1(c) no more than 60 times per calendar year.
- 2. With the exception of meals for the owners, their guests and guests of the bed and breakfast facility, food preparation shall be limited to cooking of meals for events located on the subject property in accordance with State and Local regulations regarding food service. Off-premise distribution of food prepared on-site shall be prohibited.
- 3. The hours of event operation for the uses described in Condition #1 (c) shall be limited to 8:00 a.m. and 11:00 p.m.
- 4. The maximum number of employees for the business located on the premises shall not exceed twenty (20) employees at any one time. On-site employees shall not exceed six (6) except during events identified in Condition #1 (c).
- 5. No more than two (2) meals may be served daily to bed and breakfast guests.
- 6. Parking on the property shall be located in the areas designated for such on the Conceptual Plan marked Attachment A (see case file). The Property Owners shall take appropriate action to ensure

the appropriate care and maintenance of the parking area, and corrective action shall be taken if dirt or mud is tracked onto public roads.

- 7. Except as required by building and health codes, there shall be no substantial exterior structure changes to the building on the Property other than those identified on Conceptual Plan marked Attachment A (see case file). Those structural changes permitted shall be limited to the following:
 - a. an addition to the rear of the principal dwelling not to exceed 2,160 square feet to provide only for additional bedrooms, support and storage spaces, and a commercial kitchen, for the bed and breakfast facility;
 - a covered breezeway connecting the sunroom or Florida room to the principal dwelling which breezeway shall be at least 10 feet from eave line to eave line and made of material similar to the principal dwelling; and
 - c. an addition to "the cottage" or building at the rear of the property not to exceed 270 square feet and may include the addition of a commercial kitchen.
 - d. the exterior facade of the front of the principal building shall not be changed. Additions to the principal structure must only attach to the rear of the structure.
- 8. The total area of tents for any gathering on the property (as described in Condition #1 (c)) shall not exceed 2,400 square feet. The location of tents shall be in the rear yard as shown on the Conceptual Plan marked Attachment A (see case file).
- 9. The constructed space, tents, and food preparation service shall comply with all County and State regulations and coordinated with the appropriate County and State agencies.
- 10. There shall be no more than one (1) sign installed on the Property near Mountain Road as shown on the Conceptual Plan (see case file). The sign shall be no more than twelve (12) square feet in size and no more than seven (7) feet in height. The sign shall be lighted by ground-mounted floodlights.
- 11. The use of amplified music, speakers, or paging systems outdoors shall be in coordination with uses permitted in Condition #1 (c) and shall only be permitted in accordance with the following:
 - a. Speakers shall contain full volume controls.
 - b. Amplified music or speakers shall only be permitted:

- i. Monday through Friday between 5:00 p.m. and 11:00 p.m.
- ii. Saturday between 12:00 p.m. and 11:00 p.m.
- iii. Sunday between 12:00 p.m. and 11:00 p.m.
- c. The property owner shall limit the amplification of sound to the minimum level necessary to accommodate guests and shall minimize or prevent sound from being heard beyond the property boundaries.
 - i. Speakers shall be located a minimum of 50' from the property lines
- 12. All vehicular access to or from the subject Property shall be limited to one point of access to Mountain Road and one to Old Washington Highway.
- 13. Any serving of alcoholic beverages on the premises shall comply with all regulations of the Virginia Beverage Control Board.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Schmitt, Thornton

No: None

114-19 REZ2019-00010 Brookland Daniel Winfree: Request to conditionally rezone from B-1 Business District to B-2C Business District (Conditional) Parcel 773-747-8814 containing 1.14 acres located on the east line of Staples Mill Road (U.S. Route 33) approximately 100' south of its intersection with Penick Road.

Mr. Vithoulkas announced this item and Agenda Item No. 115-19 (PUP2019-0006) were companion cases and would be presented and heard together but would require separate votes.

No one from the public spoke in opposition to these items.

On motion of Mr. Schmitt, seconded by Mr. Thornton, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

- 1. <u>Use Restrictions.</u> The following uses shall be prohibited on the property:
 - 1. automotive filling and service stations, including towing services;
 - 2. billiard, bagatelle, video games, or bingo parlor;
 - 3. flea market or antique auctions;
 - 4. billboards;
 - 5. recycling facilities;
 - 6. restaurant with drive-through windows;
 - 7. adult business as defined by Section 24-3 of the Henrico

County Code including adult video stores;

- 8. gun shop sales or repair;
- 9. off track betting:
- 10. electronic video game rooms;
- 11. car wash (automatic or otherwise.);
- 12. funeral home mortuary and/or undertaking establishments;
- 13. establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.2 2100 et seq. and 6.1 1800 et seq. of the Code of Virginia in effect as of the date of the approvals of these proffers (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections);
- 14. establishments whose primary business is the making of motor vehicle title loans as defined and regulated by Section 6.2-2200 et seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections).
- 2. <u>Architectural Treatment.</u> Any future buildings constructed on the property shall be architecturally similar in color, style, and material with the existing building on the property as determined by the Planning Commission at the time of Plan of Development.
- 3. <u>Building Height.</u> Any future buildings constructed on the Property shall not exceed two stories or thirty-five (35) feet in height unless otherwise requested and specifically approved at the time of Plan of Development.
- 4. <u>Dumpster Enclosures.</u> Dumpster enclosures shall be screened from public view and enclosed with material similar to material of the existing building as determined by the Planning Commission at the time of Plan of Development.
- 5. <u>HVAC.</u> Heating and air conditioning equipment shall be screened from public view at ground level with materials and/or landscaping compatible with the existing building and landscaping.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Schmitt, Thornton

No: None

115-19 PUP2019-00006 Brookland Daniel Winfree: 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 to allow outdoor dining for an existing restaurant on part of Parcel 773-747-8814 located on the east line of Staples Mill Road (U.S. Route 33) approximately 100' south of its intersection with Penick Road.

No one from the public spoke in opposition of this item.

On motion of Mr. Schmitt, seconded by Mr. Branin, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following conditions:

- 1. The outdoor dining area shall not be in operation between the hours of 10:00 p.m. and 7:00 a.m.
- 2. Any outside speakers or sound system shall comply with the following standards:
 - Sound systems shall be equipped with controls permitting full volume adjustment.
 - Sound from the system shall not be audible beyond the property lines of the development.
 - Sound systems may be used only when outside dining is permitted.
- 3. The operator shall not permit food preparation in the outdoor dining area.
- 4. The outdoor dining enclosure shall be limited in height to 48".
- 5. Outdoor lighting fixtures shall complement the style of the building. Lighting fixtures shall not produce glare for motorists or pedestrians on the adjacent rights-of-way and parking areas and shall illuminate only the outdoor dining area.
- 6. Access to the outdoor dining area shall be available only through the interior of the restaurant, except during an emergency when a patio fence exit gate may be utilized.
- 7. This permit shall apply only to Terraza Restaurant and shall not apply to any other business.
- 8. Trash receptacles shall be provided and properly serviced to control litter generated by this use.
- 9. Outdoor dining furniture, fencing, and/or canopies shall be of durable material and complementary to exterior features of the building.
- 10. The outdoor dining area shall be located in the area depicted in the concept plan.
- 11. Televisions and other video display devices shall not be allowed in the outdoor dining area.

- 12. Prior to operation, the applicant shall consult with the Special Services Unit within the Division of Police to discuss crime prevention recommendations and conduct a security survey of the property and restaurant operations. The applicant shall implement mutually agreed upon security recommendations.
- 13. Prior to the construction of the outdoor dining area, the applicant shall submit an administrative site plan of the outdoor dining area and obtain approval from the Planning Department. The site plan shall show the design and layout of the outdoor dining area. Proffered conditions of rezoning case REZ2019-00010 shall apply. Such site plan shall show required and provided parking on the property.
- 14. If a fire pit or other outdoor heating element is installed at a future time, details of its design and use shall be submitted to the Director of Planning and approved by the Fire Marshal and Planning Director to ensure safety features are in place.

The vote of the Board was as follows:

Yes: Nelson, Branin, O'Bannon, Schmitt, Thornton

No: None

PUBLIC HEARING - OTHER ITEMS

Ordinance - To Amend and Reordain Section 24-110 of the Code of the County of Henrico Titled "Violations and penalties" to Set the Penalties for Violations of the Zoning Ordinance in Conformance with State Law.

Mr. Nelson noted the Board received a letter from the Richmond Association of Realtors supporting the proposed amendments.

No one from the public spoke in opposition to this item.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached ordinance.

117-19 Resolution - Signatory Authority - Conveyance of Real Estate - 4906 Caskie Street - Brookland District.

No one from the public spoke in opposition to this item.

On motion of Mr. Schmitt, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.

PUBLIC COMMENTS

Jordan Eubank, a resident of the Brookland District, questioned the County's zoning regulations pertaining to chickens and expressed interest in having chickens in his backyard. Mr. Vithoulkas pointed out the County has setback requirements for backyard chickens. He asked Mr. Emerson to provide Mr. Eubank with a more complete explanation. Mrs. O'Bannon pointed out the County received a recommendation from the State Veterinarian and Virginia Health Department several years ago that the County maintain its setback requirements because chickens are not pets and carry Salmonella and Shigella.

Dan Small, a resident of the Tuckahoe District, asked the Board to consider the following three requests: transferring revenues from the general fund to the enterprise fund in lieu of increasing water and sewer rates, reducing the meals tax rate to three percent, and indexing the real estate tax rate so that an increase in real estate assessments triggers a reduction in the rate. Mr. Nelson responded that these are intriguing ideas but pointed out the meals tax is helping the County build two new high schools.

Emily Louise Isenberg, a resident of Fairfield District and representative of Preserve Belmont, thanked Mr. Luther, Mr. Schmitt, Mr. Thornton, and Mr. Vithoulkas for organizing and attending the Belmont community input meetings. She asked that the Board consider the potential of Belmont Golf Course and the profitability it can provide to the County and submitted emails from persons residing outside of Henrico voicing opposition to the closure of Belmont.

GENERAL AGENDA

118-19	Resolution - Award of Contract - Chiller Replacement - Administration
	Building - Brookland District.

Mr. Vithoulkas responded to a question from Mr. Nelson.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

119-19 Resolution - Award of Contract - Chiller Replacement - Jail West Building - Brookland District.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

120-19 Resolution - Award of Contract - HVAC Unit Replacement - Juvenile Courts Building - Brookland District.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.

121-19 Resolution - Award of Contract - Roof Replacement Project - Firehouse #1 - Fairfield District.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

122-19 Resolution - Award of Contract - Deep Run Park Cricket Field - Three Chopt District.

Neil Luther, Director of Recreation and Parks, responded to a question from Mr. Branin.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

123-19 Resolution - Signatory Authority - Construction Change Order - Gambles Mill Sewage Pumping Station Equipment Installation - Tuckahoe District.

Chip England, Director of Public Utilities, responded to questions from Mrs. O'Bannon.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.

124-19 Resolution - Signatory Authority - Agreement with Virginia Department of Transportation - Parham Road/Hungary Road Bicycle and Pedestrian Study - Fairfield District.

On motion of Mrs. O'Bannon, seconded by Mr. Branin, and by unanimous vote, the Board approved this item – see attached resolution.

125-19 Resolution - Acceptance of Roads - Three Chopt District.

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

There being no further business, the meeting was adjourned at 8:17 p.m.

Chairman, Board of Supervisors

Henrico County, Virginia



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

SAFE BOATING WEEK

May 18 - 24, 2019

WHEREAS, many Henrico County residents choose recreational boating as a way to relax with their families and friends; and

WHEREAS, opportunities for on-the-water activities grow each year; and

WHEREAS, with this growth comes additional risk and responsibility; and

WHEREAS, over 4,600 of the approximately 227,000 boats registered in the Commonwealth of Virginia are owned by Henrico residents; and

WHEREAS, the use of kayaks and other self-propelled watercraft not required to be registered is increasing rapidly; and

WHEREAS, additional boaters from outside the County visit our waters each boating season; and

WHEREAS, it is important that both novice and experienced boaters practice safe boating habits, maintain essential safety equipment, and wear a life jacket; and

WHEREAS, the law requires that a wearable life jacket be carried for each person on board all boats; and

WHEREAS, the life jackets of today are more comfortable, attractive, and wearable than the styles of the past; and

WHEREAS, the theme for the North American Safe Boating Campaign, "Wear It!", acknowledges that many lives are saved by the use of life jackets; and

WHEREAS, boating safety education classes and complimentary vessel safety checks are readily available throughout the year from the United States Coast Guard Auxiliary.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia, hereby recognizes May 18 - 24, 2019, as Safe Boating Week and urges all Henrico boaters to take a boating safety course, wear their life jackets, have their boats checked for other safety equipment, and practice safe boating.

Tyfone Z. Nelson, Chairman Board of Supervisors

Barry R. Lawrence Clerk

May 14, 2018



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

EMERGENCY MEDICAL SERVICES WEEK

May 19 - 25, 2019

WHEREAS, the provision of emergency medical services (EMS) is vital to the public's well-being and dramatically improves the survival and recovery rates of those who experience sudden illness or injury; and

WHEREAS, members of Henrico EMS teams are ready to provide life-saving care to those in need 24 hours a day, seven days a week; and

WHEREAS, whether career or volunteer, Henrico EMS team members engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, these persons are frequently exposed to a variety of hazards and dangerous situations during the performance of their duties; and

WHEREAS, Henrico's citizens, businesses, and visitors benefit daily from the knowledge and skills of these highly trained EMS providers; and

WHEREAS, the Henrico County EMS system, consisting of the Division of Fire, Henrico Volunteer Rescue Squad, Lakeside Volunteer Rescue Squad, Tuckahoe Volunteer Rescue Squad, and the Police Division, recorded 41,688 responses for service during fiscal year 2018; and

WHEREAS, it is appropriate to acknowledge the value and accomplishments of EMS providers and to educate the public about injury prevention and how to respond to a medical emergency.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Supervisors of Henrico County, Virginia, hereby recognizes May 19 - 25, 2019, as Emergency Medical Services Week and encourages the community to observe this week with appropriate programs, ceremonies, and activities.

Tyrone E. Welson, Chairman

Board of Supervisors

Barry R. Lawrence, Clerk

May 14, 2019



Agenda Item No. 116-19
Page No. 1 of 1

Agenda Title: ORDINANCE – To Amend and Reordain Section 24-110 of the Code of the County of Henrico Titled "Violations and penalties" to Set the Penalties for Violations of the Zoning Ordinance in Conformance with State Law

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date: 5 142019 (Approved () Denied	Moved by (1) Banin Seconded by (1) Bannon (2) (2) (2) (2)	Branin, T
() Amended () Deferred to:		Schmitt, D Thornton, F

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 24-110 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-110. Violations and penalties.

Any person who violates any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$10.00 and not more than \$100.00 \$1,000.00 if the offense be not willful; or not more than \$250.00 if the offense be willful. If the violation is uncorrected at the time of conviction, the court shall order the violator to abate or remedy the violation in compliance with the zoning ordinance, within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine of not less than \$10.00 nor more than \$250.00 \$1,000.00, and; any such failure during any a succeeding 30-day 10-day period shall constitute a separate misdemeanor offense for each 30-day period punishable by a fine of not less than \$10.00 nor more than \$1,000.00 \$1,500.00; and any such failure during any succeeding 10-day period shall constitute a separate misdemeanor offense for each 10-day period punishable by a fine of not more than \$2,000.00.

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Copy to: Clerk, Board of Supervisors		7		Certified:	Clerk, Board of Supervisors	



Agenda Item No. 117-19
Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Conveyance of Real Estate — 4906 Caskie Street — Brookland District

For Clerk's Use Only: Date: 5 14 2019 (Approved () Denied () Amended () Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) Seconded by (1) Foraring (2) (2) (2) REMARKS: DDD R	Branin, T. Nelson, T. O'Bannon, P Schmitt, D. Thornton, F.		OTHER
() Amended	APPRICIO	Schmitt, D.	<u></u>	

WHEREAS, the County owns real estate known as Tax Map Parcel 774-736-3686 that is located at 4906 Caskie Street (the "Property"); and,

WHEREAS, the Property is surplus to the needs of the County; and,

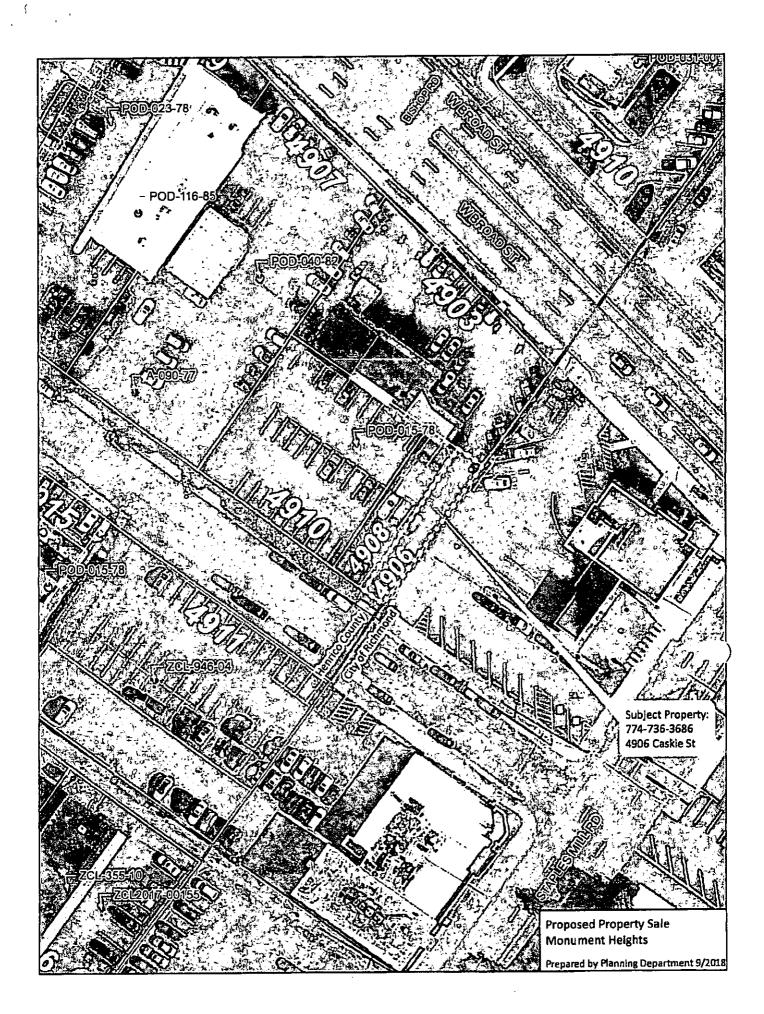
WHEREAS, the Board of Supervisors wishes to convey the Property to Fred B. Bisger, Trustee under the Trust Agreement of Fred B. Bisger U/A Dated February 6, 2006, for \$25,000; and,

WHEREAS, this resolution was advertised and a public hearing was held on May 14, 2019, pursuant to Va. Code §§ 15.2-1813 and 15.2-1800.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that: (1) the Property is declared surplus to the needs of the County; and (2) the Chairman and Clerk are authorized to execute a deed, and the County Manager is authorized to execute closing and any other documents necessary to convey the Property, all in a form approved by the County Attorney.

Comments: The Real Property Department has processed this request through the Departments of Planning, Public Utilities, and Public Works without objection; the County Manager concurs.

By Agency Head twe Secie	By County Manager Roll R. Sill
Routing: Yellow to:	Certified:
Copy to:	A Copy Teste: Clerk, Board of Supervisors
	Date:





Agenda Item No. 118-19
Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — Chiller Replacement — Administration Building — Brookland District

For Clerk's Use Only: Date: 14 2019 () Approved () Denied () Amended () Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1)Seconded by (1)Barrier (2)(2) REMARKS	YES NO OTHER Branin, T Nelson, T O'Bannon, P Schmitt, D Thornton, F

WHEREAS, the County needs to replace the chiller in the Administration Building at 4301 East Parham Road; and

WHEREAS, the County received six bids on March 27, 2019, in response to ITB No. 19-1824-2JCK with the following results:

<u>Bidder</u>	Bid Amount
Air Tech Solutions, Inc.	\$237,850
Stafford, VA	·
WACO, Inc.	\$244,950
Sandston, VA	-
Stingray Welding, LLC	\$246,400
Fort Washington, MD	
Southworth Mechanical Corporation	\$246,850
Richmond, VA	
Chamberlain Mechanical Services, Inc.	\$262,544
Mechanicsville, VA	
Warwick Plumbing & Heating, Inc. dba Warwick	\$270,718
Mechanical Group	
Norfolk, VA.	

WHEREAS, the bid by Air Tech Solutions, Inc. was determined to be non-responsive because the company submitted a noncompliant bid bond; and

WHEREAS, after review and evaluation	on of all bids, it was determined that Waco, Inc. is the lowest
responsive and responsible bidder.	~
By Agency Head	By County Manager Fall F Silb
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Copy to:	Clerk, Board of Supervisors
	Date

Agenda Item No. 18-9

Page No. 2 of 2

RESOLUTION — Award of Contract — Chiller Replacement — Administration Building — Brookland District

NOW, THERFORE, BE IT RESOLVED by the Board of Supervisors:

- 1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for the chiller replacement project is awarded to Waco, Inc., the lowest responsive and responsible bidder, in the amount of \$244,950 pursuant to ITB No. 19-1824-2JCK and the bid submitted by Waco, Inc.
- 2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
- 3. The County Manager, or the Purchasing Director as his designee, is authorized to execute all change orders within the scope of the project budget not to exceed 15 percent of the original contract amount.

Comment: Funding to support the contract is available within the project budget. The Director of General Services and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.



Agenda Item No. 119-19Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — Chiller Replacement — Jail West Building — Brookland District

	For Clerk's Use Only: Date: 5 4 2009 (YApproved () Denied () Amended () Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) Seconded by (1) O'BUMMS (2) (2) REMARKS:	YES NO OTHER Branin, T.
--	--	--	--------------------------

WHEREAS, the County needs to replace the chiller in the Jail West Building at 4301 East Parham Road; and

WHEREAS, the County received seven bids on April 4, 2019 in response to ITB No. 19-1836-3JCK with the following results:

Bidder	Bid Amount	
Veney's Heating & Air Conditioning, Inc.	\$247,410	
Kilmarnock, VA		
Air Tech Solutions, Inc.	\$258,350	
Stafford, VA		
Waco, Inc.	\$275,750	
Sandston, VA_		·
Chamberlain Mechanical Service, Inc.	\$278,538	
Mechanicsville, VA		
Old Dominion Mechanical, LLC	\$289,925	
Richmond, VA		
Southworth Mechanical Corporation	\$294,735	
Richmond, VA		
Southern Air, Inc.	\$312,636	
Lynchburg, VA		

WHEREAS, the bid by Veney's Heating & Air Conditioning, Inc. was determined to be non-responsive because the bid did not comply with the qualification requirements of the Invitation to Bid; and

By Agency Head BAR MA	By County Manager Radul Fr Silm
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Agenda Item No. 119-19

Page No. 2 of 2

RESOLUTION — Award of Contract — Chiller Replacement — Jail West Building — Brookland District

WHEREAS, the bid by Air Tech Solutions, Inc. was determined to be non-responsive because the company submitted a noncompliant bid bond; and,

WHEREAS, after review and evaluation of all bids, it was determined that Waco, Inc. is the lowest responsive and responsible bidder.

NOW, THERFORE, BE IT RESOLVED by the Board of Supervisors:

- 1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for the chiller replacement project is awarded to Waco, Inc., the lowest responsive and responsible bidder, in the amount of \$275,750 pursuant to ITB No. 19-1836-3JCK and the bid submitted by Waco, Inc.
- 2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
- 3. The County Manager, or the Purchasing Director as his designee, is authorized to execute all change orders within the scope of the project budget not to exceed 15 percent of the original contract amount.

Comment:

Funding to support the contract is available within the project budget. The Director of General Services and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.



Agenda Item No. 120-19
Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — HVAC Unit Replacement — Juvenile Courts Building — Brookland District

For Clerk's Use Only: Date: 5 14 2015 (a) Approved (b) Denied (c) Amended (c) Deferred to: BOARD OF SUPERVISORS ACTION Woved by (1) Delaway Seconded by (1) Branin, T. (2) (2) (2) (3) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4

WHEREAS, the County needs to replace an HVAC unit at the Juvenile Courts Building at 4201 East Parham Road; and,

WHEREAS, the County received six bids on April 2, 2019, in response to ITB No. 19-1825-2JCK with the following results:

Bidder	Total Bid
Old Dominion Mechanical, LLC	\$144,925
Richmond, VA	
Warwick Plumbing & Heating, Inc. d/b/a Warwick	\$153,925
Mechanical	\$133,923
Newport News, VA	
Chamberlain Mechanical Service, Inc.	\$158,340
Mechanicsville, VA	
Southworth Mechanical Corporation	\$161,104
Richmond, VA	
Waco, Inc.	\$166,650
Sandston, VA	
Moore's Electrical & Mechanical Construction, Inc.	\$198,510
Altavista, VA	

WHEREAS, the bid by Old Dominion Mechanical, LLC was determined to be non-responsive because the company submitted a noncompliant bid bond; and

By Agency Head	By County	Manager Poll R. Sall	
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Copy to:		Clerk, Board of Supervisors	
		Date:	

Agenda Item No. \20-(9)
Page No. 2 of 2

RESOLUTION — Award of Contract — HVAC Unit Replacement— Juvenile Courts Building — Brookland District

WHEREAS, after review and evaluation of all bids, it was determined that Warwick Plumbing & Heating, Inc. d/b/a Warwick Mechanical is the lowest responsive and responsible bidder.

NOW, THERFORE, BE IT RESOLVED by the Board of Supervisors:

- 1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for the HVAC unit replacement is awarded to Warwick Plumbing & Heating, Inc. d/b/a Warwick Mechanical, the lowest responsive and responsible bidder, in the amount of \$153,925 pursuant to ITB No. 19-1825-2JCK and the bid submitted by Warwick Plumbing & Heating, Inc. d/b/a Warwick Mechanical.
- 2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
- 3. The County Manager, or the Purchasing Director as his designee, is authorized to execute all change orders within the scope of the project budget not to exceed 15 percent of the original contract amount.

Comment:

Funding to support the contract is available within the project budget. The Director of General Services and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.



Agenda Item No. 121-19
Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — Roof Replacement Project — Firehouse #1 — Fairfield District

For Clerk's Use Only:	BOARD OF SUPERVISORS ACTION	YES NO OTHER
Date: 5 14 2019	**************************************	Branin, T. <u> </u>
(Approved	(2)	Nelson, T. <u> </u>
() Denied	REMARKS:	O'Bannon, P
() Amended		Schmitt, D. <u> </u>
() Deferred to:	ALLINUVELU	Thornton, F

WHEREAS, the County needs to replace the roof at Firehouse #1 at 110 E. Azalea Ave.; and,

WHEREAS, the County received two bids on April 16, 2019, in response to ITB No. 19-1842-3PEW; and,

WHEREAS, the bid amounts are as follows:

Bidder	Bid
N.W. Martin & Bros., Inc.	\$118,074
Richmond, VA	
Custom Roofing, Inc. t/a J. King DeShazo, III, Inc.	\$118,375
Ashland, VA	

WHEREAS, after review and evaluation of all bids, it was determined that N.W. Martin & Bros., Inc. is the lowest responsive and responsible bidder for the work with a bid of \$118,074.

NOW, THERFORE, BE IT RESOLVED by the Board of Supervisors:

1. A contract to furnish all labor, materials, supplies, equipment, and services necessary for the roof replacement at Firehouse #1 is awarded to N.W. Martin & Bros, Inc., the lowest responsive and responsible bidder, in the amount of \$118,074 pursuant to ITB No. 19-1842-3PEW and the bid submitted by N.W. Martin & Bros., Inc.

By Agency Head A Marie 1	By County Manager Raduk R Silk
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Copy to:	Clerk, Board of Supervisors
	Date:

Agenda Item No. 121-19
Page No. 2 of 2

RESOLUTION — Award of Contract — Roof Replacement Project — Firehouse #1 — Fairfield District

- 2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
- 3. The County Manager, or the Purchasing Director as his designee, is authorized to execute all change orders within the scope of the project budget not to exceed 15 percent of the original contract amount.

Comment:

Funding to support the contract is available within the project budget. The Director of General Services, the Fire Chief, and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.



Agenda Item No. 12279 Page No. 1 of 2

Agenda Title: RESOLUTION — Award of Contract — Deep Run Park Cricket Field — Three Chopt

District	<u> </u>		
For Clerk's Use Only: Date: 5 14 209 (*) Approved (*) Denied (*) Amended (*) Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) Seconded by (1) (2) (2) REMARKS: D D D R		YES NO OTHER Branin, T.
WHEREAS, the County wishes to renovate the existing three multi-purpose fields at Deep Run Park; and, WHEREAS, the County received two bids on April 24, 2019 in response to ITB No. 19-1844-3JCK and Addendum No. 1 with the following results:			
	Bidder	Total Bid	
•	Enviroscape, Inc. Sandstone VA	\$648,900	
	Shield Contracting, LLC Mechanicsville, VA	\$730,612	
WHEREAS, a	fter review and evaluation of all bids, it was	determined that Enviro	oscape, Inc. is the lowest

responsive and responsible bidder for the Base Bid (Lump Sum) Amount of \$648,900.

NOW, THERFORE, BE IT RESOLVED by the Board of Supervisors:

1. A contract to furnish all labor, materials, supplies, equipment, and services necessary to renovate the existing three multi-purpose fields is awarded to Enviroscape, Inc. the lowest responsive and responsible bidder, in the amount of \$648,900 pursuant to ITB No. 19-1844-3JCK, Addendum No. 1 and the bid submitted by Enviroscape, Inc.

By Agency Head	By County Manag	ger Ro	ell R Silver
Routing: Yellow to:		Certified: A Copy Teste: _	
Copy to:			Clerk, Board of Supervisors
		Date:	

Agenda Item No. 122-19
Page No. 2 of 2

RESOLUTION — Award of Contract — Deep Run Park Cricket Field — Three Chopt District

- 2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
- 3. The County Manager, or the Purchasing Director as his designee, is authorized to execute all change orders within the scope of the project budget not to exceed 15 percent of the original contract amount.

Comment:

Funding to support the contract is available within the project budget. The Director of Recreation and Parks and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.



Agenda Item No. 123-19

Page No. 1 of 1

Agenda Title: RESOLUTION — Signatory Authority — Construction Change Order — Gambles Mill

Sewage Pumping Station Equipment Installation — Tuckahoe District			
Por Clerk's Use Only: Date: S 14 2016 Approved () Denied () Amended () Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) D Bannan Seconded by (1) Bannan (2) REMARKS (2) (2) (2)	YES NO OTHER Branin, T Nelson, T O'Bannon, P Schmitt, D Thornton, F	
WHEREAS, on July 24, 2018, the Board of Supervisors approved a construction contract with Waco, Inc. for \$935,000 to replace deteriorated pumps, flow meters, and valves at the Gambles Mill Sewage Pump Station; and,			

WHEREAS, on December 5, 2018, valve failures in deteriorated equipment installed over 30 years ago caused extensive flooding that damaged equipment, electrical wiring, and controls in the equipment room; and

WHEREAS, the Department of Public Utilities has negotiated a change order in the amount of \$1,254,390.90 for repair of the damage.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute a change order with Waco, Inc. in the amount of \$1,254,390.90, in a form approved by the County Attorney.

Comment: 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.

By Agency Head <u>CSBLQ</u>	
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Copy to:	A Copy Teste: Clerk, Board of Supervisors
	Date:



Agenda Item No. 124-19
Page No. 1 of 1

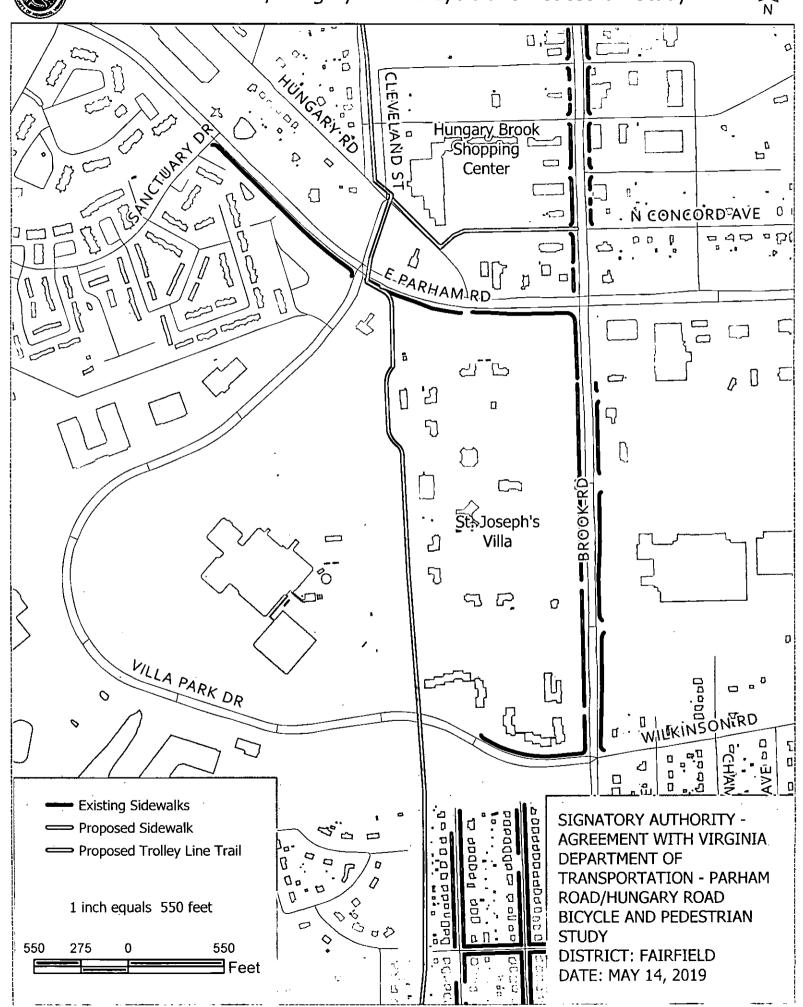
Agenda Title: RESOLUTION — Signatory Authority — Agreement with Virginia Department of Transportation — Parham Road/Hungary Road Bicycle and Pedestrian Study — Fairfield District

For Clerk's Use Only: Date: 5 1424 () Approved () Denied () Amended () Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) Obanna Seconded by (1) Source (2) (2) REMARKS: DPRODUCTION	YES NO OTHER Branin, T Nelson, T O'Bannon, P Schmitt, D Thornton, F
Department of T	e Department of Public Works has negotiated a project administration ransportation (VDOT) under which the County will prepare a preliminary engineements on Parham and Hungary Roads in the vicinity of Cleveland Street and	gineering study for bicycle and
WHEREAS, the Trolley Line Tra	improvements could include sidewalks, crosswalks, and paved trails that cil; and,	could connect to the Proposed
WHEREAS, the	estimated cost of the study is \$250,000; and,	
WHEREAS, VE Program; and,	OOT will reimburse the County 100% of eligible project costs from the Re	gional Surface Transportation
WHEREAS, bec	ause of VDOT charges, the estimated payment to the County is \$243,750.	
	FORE, BE IT RESOLVED by the Board of Supervisors that the County A administration agreement with VDOT in a form approved by the County A	_
	The Director of Public Works recommends approval of this Board paper, ar concurs.	nd the County Manager
By Agency Head	Hyper Handre (Fall R S)	
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Parham Road/Hungary Road Bicycle and Pedestrian Study







Agenda Item No. 125-19

Page No. 1 of 1

Clerk, Board of Supervisors

Agenda Title: RESOLUTION — Acceptance of Roads — Three Chopt District

pproved	BOARD OF SUPERVISORS ACTION Moved by (1)	YES NO OTHER Branin, T Nelson, T
enied mended eferred to:	REMARKS PROPERTY OF THE PROPER	O'Bannon, P
	VED by the Board of Supervisors of the County of Henrico that the follows of roads are accepted into the County road system for maintenance.	_
Estates at G	rey Oaks South Section 1 and a Resubdivision of Estates at Grey Reserved for Future Development – Three Chopt Distri	
Grey Oaks Est E. of Grey Oak	ates Run from 0.02 Mi E. of Grey Oaks Park Lane to 0.10 Mi. s Park Lane.	0.08 Mi.
Grey Oaks Par S. of Grey Oak	k Lane from 0.47 Mi. S. of Grey Oaks Park Drive to 0.57 Mi. s Park Drive.	0.10 Mi
Estates Anders Park Lane.	on Way from Grey Oaks Park Lane to 0.09 Mi. E. of Grey Oaks	<u>0.09 Mi</u>
Total Miles		0.27 Mi.
Comment: The concurs.	Director of Public Works recommends approval of this Board pape	r, and the County Manager
By Agency Head	Hy County Manager Sall	R311-
Routing: Yellow to:	Certified:	

Date:



ESTATES AT GREY OAKS SOUTH SECTION 1 AND A RESUBDIVISION OF ESTATES AT GREY OAKS SECTIONS 3 AND 4 RESERVED FOR FUTURE DEVELOPEMENT



