

## Thanh Dang

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**From:** Amy Ozeki <shenvalva@yahoo.com>  
**Sent:** Friday, February 4, 2022 2:25 PM  
**To:** Thanh Dang; Deanna R. Reed; George J. Hirschmann; Christopher B. Jones; Sal T. Romero Jr; Laura A. Dent; Ande.bank@harrisonburgva.gov  
**Cc:** Helmut Kraenzle  
**Subject:** WODA Cooper/Lucy Dr. Proposal

WARNING: This email was sent from outside of your organization.

Dear City of Harrisonburg Officials and Council Members:

I am a resident of Pearl Lane in the Blue Stone Hills neighborhood, and I am strongly opposed to the proposal by WODA Cooper to rezone the lot on Lucy Drive from R-3 to R-5C. I bought my home with the knowledge and understanding that no such re-zoning would occur in our vicinity. The proposed apartment structure is not compatible with the houses in the immediate adjacent neighborhoods and would greatly negatively impact the traffic flow and quality of life for the current residents of the neighborhood.

Sincerely,

Amy Ozeki and Helmut Kraenzle  
Pearl Lane, Harrisonburg, VA

## Thanh Dang

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**From:** DEAN KISER <cln4u@comcast.net>  
**Sent:** Friday, February 4, 2022 2:44 PM  
**To:** Thanh Dang  
**Subject:** WODA Cooper/Lucy Dr. Proposal

**WARNING: This email was sent from outside of your organization.**

Mr. Dang,

I am writing today as a concerned resident of Blue Stone Hills about the WODA Cooper/Lucy Dr. Proposal. I have lived on Pearl Lane for 26 years and have witnessed much growth in the area, some pleasant and some not.

We already have added an apartment complex to that street and many townhouses on the street above it. I know there was a proposal already denied for an apartment complex on that same vacant lot. This is not an area for subsidized apartments either and these apartments would not add value to the area or our properties. It would increase traffic on a street that isn't designed for heavy flow and increased population would be a great concern for increased crime.

I am asking that you also deny this proposal and keep this zoned as commercial.

Thanks,

Robin Kiser

## Thanh Dang

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**From:** Shiun Lee <lee.shiun@gmail.com>  
**Sent:** Friday, February 4, 2022 3:26 PM  
**To:** Thanh Dang  
**Subject:** WODA Cooper/Lucy Dr. Proposal

**WARNING: This email was sent from outside of your organization.**

Hello Thanh Dang,

I am a resident of Pearl Lane in the Blue Stone Hills neighborhood, and I am strongly opposed to the proposal by WODA Cooper to rezone the lot on Lucy Drive from R-3 to R-5C. I bought my home with the knowledge and understanding that no such re-zoning would occur in our neighborhood. The proposed apartment structure would be incompatible with the current homes in the immediate vicinity. There are much better places for a R-5C zone and a development of the type they are wanting to build - there have to be existing R-5C zones out there now that can be used.

My neighbors and I are very concerned about this, and hope you see fit to not rezone the lot.

Regards,  
Shiun Lee  
2209 Pearl Ln, Harrisonburg, VA 22801



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## Thanh Dang

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**From:** Bonnie Young <bonnie.w.young@gmail.com>  
**Sent:** Friday, February 4, 2022 4:48 PM  
**To:** Thanh Dang; Deanna R. Reed; George J. Hirschmann; Christopher B. Jones; Sal T. Romero Jr; Laura A. Dent; Ande Banks  
**Subject:** WODA Cooper/Lucy Drive Proposal

**WARNING: This email was sent from outside of your organization.**

To Whom it May Concern-

My name is Bonnie Wampler Young & I own THREE properties in Townes at Bluestone - 2189 Deyerle Avenue, 2212 Lapis Lane, and 360 Blue Stone Hills Drive. My properties are located in the neighborhood directly adjacent to the proposed WODA Cooper/Lucy Drive three story, 111-unit, Section 42 subsidized apartment buildings project.

I am writing to OPPOSE this project as it is in direct conflict with the goals, objectives and strategies stated in the 2018 Harrisonburg Comprehensive Plan.

I believe The Harrisonburg Planning Commission should KEEP the R-3 zoning guidelines in place and under the zoning in which I purchased my properties.

I am NOT in favor of increased traffic, bright parking lot lights, excessive noise, parking issues, and maximum density a change from R-3 to R-5C would create.

These buildings DO NOT ensure compatibility with our adjacent neighborhoods.

Please reconsider, review, postpone until WE – the property owners – have an opportunity to “VOICE” our opinions “IN PERSON” !!

Respectfully,

Bonnie Wampler Young

## Thanh Dang

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**From:** Kelly Zuber <kzuber@cox.net>  
**Sent:** Friday, February 4, 2022 4:49 PM  
**To:** Thanh Dang  
**Subject:** WODA Cooper/Lucy Dr. proposal

WARNING: This email was sent from outside of your organization.

Dear Planning Commission members,

We just purchased a home at 197 Diamond Ct. in November and were dismayed to hear about the proposal to rezone the Lucy Dr. parcel from R-3 to R-5C to accommodate a high density housing project proposed by WODA Cooper Companies.

This project is not compatible with the R-3 neighborhood and M-1 commercial areas that surround it.

We are opposed to the development of this project and the rezoning required as it conflicts with the goals and objectives of the Harrisonburg Comprehensive Plan (2018) which recommends “new high density multi-family development for only select areas as recommended by the Land Use Guide”. The land use guide states that there will be “careful controls to ensure compatibility with adjacent land use”.

Approval of this rezoning request would not, in our opinion, be “careful” controls.

Please place us in the records as being opposed to this rezoning request near our new home and new neighborhood.

Sincerely,  
Tim and Kelly Zuber  
197 Diamond Court

Sent from my iPhone

## Thanh Dang

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**From:** John Baker <bakerjohne25@gmail.com>  
**Sent:** Friday, February 4, 2022 4:59 PM  
**To:** Thanh Dang  
**Subject:** Opposition rezoning Lucy Drive

WARNING: This email was sent from outside of your organization.

Unfortunately I forgot to send this email earlier and I am currently away from home. so I don't have the detailed information in front of me. Nonetheless, I want to express my desire to oppose the rezoning of the Lucy Drive area to accommodate high-volume Apartments. I am a registered voter and reside at 386 Blue Stone Hills Drive.

I hope this gets to you in time thank you very much.

John Baker

Sent from my iPhone

Ms. Dang,

My name is Molly McMahon, and I reside with my mother at 257 Emerald Drive. My mother, Audrey McMahon, owns the property at 257 Emerald Drive. While her home is an investment, it is not a rental property. The proposed low-income apartment rental will do nothing to improve the aesthetics of her neighborhood, and it will decrease the value of her investment. The proposal to change the zoning at 2343 Lucy Drive from R3 to R5 is inappropriate, and both my mother and I are opposed to the zoning change.

How will the change from pervious to impervious land impact Emerald Drive? Harrisonburg has a water runoff problem and has attempted to mitigate this problem by imposing stormwater utility taxes for homeowners' impervious areas giving credits for stormwater management facilities such as planting trees and shrubs. The proposed zoning change and subsequent apartment complexes will significantly increase impervious areas causing flooding to nearby homes. Has Harrisonburg City contracted an impartial engineering company to study this issue? Currently, there are 111 units planned and 1.5 parking spaces per unit; the total parking lot size for residents will soak up over 1 acre of land. According to various websites (Hunker.com and Sciencing.com), a 166 vehicle parking lot needs 300 to 350 square feet per parking stall. Three hundred square feet multiplied by 166 parking spaces is roughly 49,800 square feet. This estimate also does not include the roads needed to drive into the parking spaces, handicap spaces, landscaping, staff parking, guest parking, or the apartment complexes themselves.

It is unrealistic to think that working families will need just one or one-half parking spaces. Two-parent families with both adults working will need two vehicles. Two-parent families and single-parent families will need cars for their teenage children, who may also drive to work.

There have been no impartial studies conducted to determine the impact to Harrisonburg City Schools with the added high-density housing. No unbiased studies have assessed traffic impact while JMU is in session with in-person classes. It seems reckless to approve of high-density housing without taking the time to conduct any authentic investigations.

Harrisonburg needs homes for buyers, not more apartments. There are already numerous apartment complexes planned for Harrisonburg. A few upcoming apartments that I have learned of are:

Peach Grove apartments (460 units)

Apartments at Regal Cinemas (274 units)



Epoch (265 units)  
Two41 (142 units)  
Simms Pointe (111 units)  
Reservoir Street (100 units)  
Stoney Ridge (72 units)

There is a forewarning of what the apartment complexes will be like for tenants. Over 150 GOOGLE reviews describe what residents of Woda Cooper properties have endured. These negative comments include concerns about the lack of parking, threats of evictions, crime on the premises, overflowing trash dumpsters, and poor management. These reviews are from the residents themselves – the retired, the disabled, or the working folks that exist in the apartments Woda Cooper owns. Numerous complaints filed with the BETTER BUSINESS BUREAU tell awful experiences. If these reviews are accurate, a "Woda Cooper Property" cannot be favorable for Harrisonburg residents. A very astute planning commission member brought up a concern about the negative reviews. The response from the representative for Woda Cooper was very revealing. He chalked it up as "disgruntled tenants" instead of admitting any difficulties or that Woda Cooper had any intent to rectify the problems.

Woda Cooper's website has a page of "facts and myths" about affordable housing. They want to convince the reader that it is a myth that lowered property values impact surrounding homes. Yet none of their so-called "facts" are substantiated by any documentation. There is no way to prove or disprove the loss of property value. But in most instances, potential buyers looking for a medium-density townhome or duplex would expect to pay much less for a property next to high-density housing earmarked for individuals living below the poverty level. I know I would.

According to a recent report from WHSV, the planned apartment complex will have a playground on the premises for children. Perhaps that is the one good thing about the plan. But it is not going to be very neighborly if part of the playground includes a basketball court situated directly behind existing homes on Emerald Drive. Everyone should have the right to serenity within their homes, and basketball is not a quiet sport. There is no mention of the number of ADA-compliant bathrooms with ADA compliant showers. There is also no mention of a dog park for those with disabilities that require a therapy dog.

My mother and father bought their home on Emerald Drive over 25 years ago. They did so when they were sixty-something retirees of Fairfax County. Back then, Harrisonburg seemed like an ideal location to retire. Today, retired folks are choosing to live outside the city limits. They are avoiding the City of Harrisonburg

like a plague. The city's growing practice of changing the zoning from its original intent has caused many to rethink retirement plans. Many existing residents are leaving Harrisonburg. They go because of the hardships and negative consequences high-density housing imposes on their quality of life. The constant rezoning has created a lot of stress and anxiety throughout many subdivisions within the city. Allowing high-density three-story apartment complexes erected next to medium-density residential properties is a breach of trust. The existing homeowners of the Blue Stone Hills subdivision deserve better than bait and switch zoning.

It was a known fact that many Blue Stone Hills Subdivision residents desired to have their voices heard. Nonetheless, this proposal was positioned last on the agenda. The City of Harrisonburg declared a local state of emergency, rendering the meeting for the zoning change (January 12, 2022) virtual. After five hours of discussions about various housing projects, from 6:00 p.m. until 11:00 p.m., the City of Harrisonburg's phone system failed and tabled the issue of rezoning. Now, the same citizens that stayed up late to voice their concerns, will face with another meeting. Please put this issue first on the agenda for the upcoming meeting scheduled **on February 9, 2022.**

Finally, transparency of the land ownership is requested. According to a document found in the Rockingham County Courthouse, the land is gifted to the "Blue Ridge Community College Educational Foundation." This foundation is a non-profit, tax-exempt organization. I fail to understand how the "Blue Stone Land Company Inc and Others" can sell the land. Please seek the answer to this question. For your convenience, I have attached the document showing the "deed of gift" dated February 15, 2007.

Respectfully,

Molly McMahan

ROCKINGHAM COUNTY  
L. WAYNE HARPER  
CLERK OF COURT  
Harrisonburg, VA 22801



Instrument Number: 2007- 00005201

As

Deed of Gift

Recorded On: February 15, 2007

Parties: BLUESTONE LAND COMPANY INC

To

BLUE RIDGE COMMUNITY COLLEGE EDUCATIONAL FOUNDATION IN

Recorded By: LAYMAN & NICHOLS

Num Of Pages:

4

Comment: PARCEL HBURG

**\*\* Examined and Charged as Follows: \*\***

Deed of Gift	6.50	10 or Fewer Pages	14.50	Transfer Fee City	1.00
Recording Charge:	22.00				

**\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\***

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: ROCKINGHAM COUNTY, VA

**File Information:**

Document Number: 2007- 00005201  
Receipt Number: 43085  
Recorded Date/Time: February 15, 2007 02:25:54P  
Book-Vol/Pg: Bk-OR VI-3039 Pg-638  
Cashier / Station: A Pittman / Cash Station 3

**Record and Return To:**

LAYMAN & NICHOLS  
268 NEWMAN AVE  
HARRISONBURG VA 22801



THE STATE OF VIRGINIA }  
COUNTY OF ROCKINGHAM }

I certify that the document to which this authentication is affixed is a true copy of a record in the Rockingham County Circuit Court Clerk's Office and that I am the custodian of that record

CLERK OF COURT  
ROCKINGHAM COUNTY, VIRGINIA

**Thanh Dang**

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**From:** Joanna Mott <joannabmott@gmail.com>  
**Sent:** Sunday, February 6, 2022 10:33 AM  
**To:** brentfinnegan@gmail.com; abyrd@vt.edu; Richard Baugh; darmstrong@albany.edu; newmanruddle@gmail.com; kawhitten@comcast.net; Laura A. Dent; Thanh Dang  
**Subject:** Fwd: Letter I sent to those we've identified as key to this decision

**WARNING: This email was sent from outside of your organization.**

OPPOSITION TO THE PLANNED WODA PROJECT ON LUCY DRIVE\_\_\_\_\_

Harrisonburg Planning Committee

My wife and I are 10+ year residents of Blue Stone Hills Drive and we need to add our strong opposition to the planned project on Lucy Drive by WODA. I am copying here a note below that I know you have received from a neighbor but it summarizes our thoughts exactly. We strongly urge you to do the right thing for the Blue Stone Hills Neighbourhood.

Sincerely  
Graham N. Mott PhD, Joanna B. Mott PhD  
297 Blue Stone Hills Drive

(copied from Blue Stone Hills neighbour)

I'm writing to you in advance of the Virtual Public Hearing on Wednesday, February 9 regarding a proposal to rezone property in the City (on Lucy Drive) so as to permit a major construction project that otherwise would not be permitted on the parcel in question.

As you well know and can appreciate, the entire purpose and history of zoning has functioned in Harrisonburg - and across the country - to stimulate the creation of a city that has a variety of neighborhoods and areas, each with a particular purpose and theme so as to collectively create a carefully, thoughtfully, strategically designed place where residents can live and work that aligns with their basic aesthetic, professional, and personal sensibilities. The distinctions among residential areas, retail areas, commercial areas, industrial areas, and mixed-use areas serve an array of purposes - the chief being that **taxpaying homeowners invest in their homes - and their city - with the expectation that their investments are protected by the zone and the zoning priorities of the city.** Without an expectation that the city's elected and appointed officials will respect the zones and the zoning priorities from year to year and over time, the chaotic outcome that would result would discourage willing residents to invest their financial resources in a residential property in the city. Without taxpaying homeowners, our city - like any city - would ultimately and inevitably deteriorate in quality and interest.

So, when a developer comes along - especially one that is not a part of our community - and decides that a parcel would make for a profitable construction project, without any regard for our city, our zones, or our future - and has only one interest - its own profit - then we who are here (and who have been here for a long time) has **a reasonable expectation that our city officials will honor and respect our zones** and deny a request to rezone a property so that the developer cannot do what was never intended to be done on the particular parcel

It's really that simple.

We have a parcel that is zoned a particular way for a particular reason. The zone designation reflects an intention to limit the use of the parcel to particular purposes, at the exclusion of all others. And, the rationale for the limitations is to ensure that the area in which the parcel sits will be protected from uses that do not conform to the zone requirements established for the parcel. Everyone who invests in property in the area that is proximate to this parcel has a reasonable expectation that the city will honor and respect the limitations on the use of this parcel and not change the zone designation to allow a use that was **never intended** for the parcel.

It's not like there are not places in the city where the desired project could be accomplished without the need for rezoning. That's the value of zones - so that a developer can locate a parcel appropriate for the developer's intended use and then proceed with the desired project in a place where the intended project should be pursued.

Are there ever situations in which a rezoning decision could properly be made? Yes.

**But not this one.**

To rezone this parcel would fly in the face of all prior precedent in the city. It would change the very character of the particular parcel - and the area around it. To grant city permission to the developer to construct a three-story 111-unit Section 42 housing complex would create added traffic, increased lights, higher levels of noise, and a physical structure never intended for this area of the city - and, one that is simply not compatible with the area. Those who have invested in property in the area never would have expected that the city would permit such a use for a parcel in this area. The city has a **fiduciary duty** to its taxpaying residents **to protect them and not harm them - and the requirement to protect includes not just physical harm but also financial harm**. There must be a holistic perspective that guides the city's decision-making - that takes into consideration its fiduciary responsibility to its taxpaying residents to protect them - and this perspective seems to be missing so far.

For all these reasons, i trust - **as someone who has for decades invested substantial time, talent, and financial resources to help Harrisonburg be a great place to live and work** - that the city will act with due diligence to **deny the request for a rezoning of this parcel on Lucy Drive**.

## Thanh Dang

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**From:** Graham Mott <grahamnigel.mott@gmail.com>  
**Sent:** Sunday, February 6, 2022 12:00 PM  
**To:** brentfinnegan@gmail.com; abyrd@vt.edu; Richard Baugh; darmstrong@albany.edu; newmanruddle@gmail.com; CARL; Laura A. Dent; Thanh Dang  
**Subject:** Opposition to Lucy Drive project by WODA

**WARNING: This email was sent from outside of your organization.**

Subject: Opposition to Lucy Drive project by WODA\_

Harrisonburg Planning Committee

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So, when a developer comes along - especially one that is not a part of our community - and decides that a parcel would make for a profitable construction project, without any regard for our city, our zones, or our future - and has only one interest - its own profit - then we who are here (and who have been here for a long time) has **a reasonable expectation that our city officials will honor and respect our zones** and deny a request to rezone a property so that the developer cannot do what was never intended to be done on the particular parcel

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For all these reasons, i trust - **as someone who has for decades invested substantial time, talent, and financial resources to help Harrisonburg be a great place to live and work** - that the city will act with due diligence to **deny the request for a rezoning of this parcel on Lucy Drive.**

## Thanh Dang

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**From:** KEVIN HUMPHRIES <kevindh@comcast.net>  
**Sent:** Monday, February 7, 2022 11:46 AM  
**To:** Thanh Dang  
**Subject:** Lucy Drive Zoning Change

**WARNING: This email was sent from outside of your organization.**

Greetings,

I write to oppose the zoning change of the Lucy Drive land parcel from R-3 to R-5C on the grounds that it is not consistent with prudent development and will likely increase traffic flow, and create nuisance and safety concerns. .

The transportation infrastructure is not designed for the increase level of traffic that would result. This represent a safety hazard for commercial traffic, residents and pedestrians, both current and proposed. Bright lights and excessive noise will negatively affect the Emerald Drive and Blue Stone Hills neighborhoods and potentially decrease property values.

The intended 111 unit project is neither consistent nor compatible with the surrounding residential and commercial area. There are other locations in the City and County more suitable to higher density housing. Master plans are created with a long-term purpose; and piecemeal variances introduce significant risk to orderly and planned community improvement and development. Following an established master plan should ultimately result in higher tax revenue and greater resources for the City and its stakeholders.

The City's 2018 Comprehensive Plan calls for new high density multi-family development for only select areas as recommended by the Land Use Guide. Further, the Land Use Guide insists on careful controls to ensure compatibility with adjacent land use. The proposed development does not meet this requirement of the Comprehensive Plan.

As the owner of an entity with two residential rental properties in the adjacent area, I urge the Harrisonburg Planning Commission to keep the R-23 zoning currently in place and under which my entity invested. I am confident that with the current pace of development in the area, this land will eventually be developed under current and more appropriate guidelines in place.

Respectfully,

Kevin Humphries, Owner  
EWA, LLC  
PO Box 1791  
Harrisonburg, VA 22803  
540-478-5200



## Thanh Dang

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**From:** Espe Davis <espe.davis@gmail.com>  
**Sent:** Tuesday, February 8, 2022 11:54 AM  
**To:** Thanh Dang  
**Subject:** WODA Cooper/Lucy Dr. Proposal

**WARNING: This email was sent from outside of your organization.**

I oppose the rezoning of land to be used as a multi family-subsidized apartment buildings.  
The noise we have now coming Chestnut Ridge road is bad enough and with this rezoning it will definitely be a HUGE mistake.  
I came here for quality of life and not to have all this new building happening. Give us a break!!!