



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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November 4, 2024

**TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA**

SUBJECT: *Consider a request from Liberty Hall LC, Ordovician, L.C., and Aichus LLC for a Comprehensive Plan Map amendment at properties addressed as 51, 75, 85 Waterman Drive, and West Market Street (Quarry Heights)*

Consider a request from Liberty Hall LC, Ordovician, L.C., and Aichus LLC to rezone properties addressed as 51, 75, 85 Waterman Drive, West Market Street, and Brickstone Court (Quarry Heights)

Consider a request from Liberty Hall LC, Ordovician, L.C., and Aichus LLC for a special use permit to allow multiple-family dwellings of more than 12 units per building at 51, 75, 85 Waterman Drive, and parcels on West Market Street and Brickstone Court (Quarry Heights)

Consider a request from Liberty Hall LC, Ordovician, L.C., and Aichus LLC for a special use permit to allow attached townhouses of no more than eight units at properties addressed as 51, 75, 85 Waterman Drive, and West Market Street (Quarry Heights)

Consider a request from Liberty Hall LC, Ordovician, L.C., and Aichus LLC for a special use to allow reduced side yard setbacks at properties addressed as 51, 75, 85 Waterman Drive, and West Market Street (Quarry Heights)

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING
COMMISSION MEETING HELD ON: October 9, 2024**

Ms. Dang said the applicant has submitted five applications that are associated with portions or the entirety of five parcels addressed as 51, 75, 85 Waterman Drive, West Market Street, and Brickstone Court. The applications are:

1. To amend the Comprehensive Plan's Land Use Guide map, specifically to amend +/- 154.15-acres from Low Density Mixed Residential, Commercial, and Industrial to Medium Density Mixed Residential. (Note: a +/- 7-acre portion of the Quarry Heights development located at the end of Brickstone Court is currently designated Medium Density Mixed Residential.)
2. To rezone +/- 161.4-acres of property from R-1, Single Family Residential District; R-2, Residential District; B-2, General Business District, and M-1, General Industrial District

to R-5C, High Density Residential District Conditional; R-8C, Small Lot Residential District Conditional.

3. For a special use permit (SUP) to allow multiple-family dwellings of more than 12 units per building in the R-5 district per Section 10-3-55.4 (1).
4. For a SUP to allow attached townhomes of not more than eight (8) units in the R-8 district per Section 10-3-59.4 (1).
5. For a SUP to allow reduced side yard setbacks for townhomes in the R-8 district per Section 10-3-59.4 (11). (Note: this staff report is written with the presumption that the applicant's proposed Zoning Ordinance (ZO) amendments to the R-8 zoning district to allow townhomes to have reduced side yard setbacks have been approved. The details of the ZO amendments are described in a separate staff report.)

If the requests are approved, the applicant plans to construct multifamily units, townhomes, and single-family detached dwellings. The development would contain no more than 953 dwelling units. The submitted proffers identify that there would be a maximum of 300 multifamily dwelling units and a no more than 653 dwelling units would be attached and detached dwelling units, of which no fewer than 45 shall be detached single-family dwelling units. The applicant's supporting documentation describes that the Quarry Heights development plan "includes 653 townhouse and villa style units, 264 apartment units, and 48 single family units (917 total), internal street network, clubhouses, open space, and other amenities." Other than the Quarry Flats (multifamily) section of the development that would contain rental units, all other dwellings in the other sections of the development are planned to be for sale.

If the requests are approved, at some point the developer must complete a preliminary subdivision plat, where, among other things, they must request a variance from the Subdivision Ordinance to allow lots to not have public street frontage. During the preliminary plat process, the developer could also request other variances from the Subdivision Ordinance or the Design and Construction Standards Manual (DCSM) that might be needed to build the project. Examples of other variances that might be requested include deviating from minimum public street right-of-way and street width requirements, among others. These matters should be considered when making a recommendation for this project as approving the rezoning could be perceived as also providing an endorsement for the variances that would be requested during the platting phase.

Proffers

The applicant has organized their proffer statement into six sections:

- I. R-5C District Proffers (Multifamily Section)
- II. R-8C District Proffers
- III. Transportation Proffers
- IV. Bike/Ped Proffers
- V. Resident and Public Safety Proffers
- VI. General

Please refer to the attached file titled "Application and supporting documents" which includes a document with the page heading titled "Frazier Quarry Rezoning – Rezoning Request Proffer (Conditions for this Rezoning Request)" for the full proffer statement. In summary, the proffer statement addresses matters such as: the maximum number of dwelling units allowed in each zoned

section; solar installation on club house buildings; electric vehicle charging stations; vegetative buffers and tree plantings; access and safety around the quarry lake; amenities including, but not limited to club houses, open spaces, playgrounds, shared use paths, trails, and sidewalks; the development's public and private street network; bus shelters; and other transportation facilities and improvements.

The conceptual site layout is not proffered.

In the applicant's early proposals shared with staff, they proposed only multi-family units and townhomes. Staff encouraged the applicant to consider more diversity of housing types to their proposal; such as to consider more single-family detached dwellings and duplexes. The developer has proffered to provide no fewer than 45 single family detached dwelling units (proffer II.a.), which if this is the minimum that they build and the remaining units are townhomes and multi-family units, then only 4.7-percent of the entire development would be made up of single family detached homes. Said another way, 63.7-percent would be townhomes and 31.6-percent would be multi-family units. In evaluating the R-8 section of the development, which is where the single family detached units would be provided, those unit types would constitute only 6.9-percent of the development with the remaining types (as shown on the concept plan) comprising of townhomes making up 93.1-percent of the housing options.

Further explanation of multiple proffers associated with traffic and streets is provided within the Transportation and Traffic section of this report.

Land Use

The Comprehensive Plan designates this site as General Industrial, Low Density Mixed Residential and Medium Density Mixed Residential. The Comprehensive Plan describes the designations as follows:

General Industrial

These areas are composed of land and structures used for light and general manufacturing, wholesaling, warehousing, high-technology, research and development, and related activities. They include the major existing and future employment areas of the City.

Low Density Mixed Residential

These areas have been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes may be appropriate in certain circumstances. Mixed use buildings containing residential and non-residential uses might be appropriate with residential dwelling units limited to one or two dwelling units per building. Attractive green and open spaces are important for these areas and should be incorporated. Open space development (also known as cluster development) is encouraged, which provides for grouping of residential properties on a development site to use the extra land for open space or recreation. The intent is to have innovative residential building types and allow creative

subdivision designs that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and the protection of environmental resources or sensitive areas (i.e. trees and floodplains). Residential building types such as zero lot-line development should be considered as well as other new single-family residential forms. The gross density of development in these areas should be around 7 dwelling units per acre and commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way.

Medium Density Mixed Residential

These areas have been developed or are planned for small-lot single-family detached and single-family attached (duplexes and townhomes) neighborhoods, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Mixed-use buildings containing residential and non-residential uses and multi-family dwellings could be appropriate under special circumstances. Attractive green and open spaces are important for these areas and should be incorporated. Open space development (also known as cluster development) is encouraged, which provides for grouping of residential properties on a development site to use the extra land for open space or recreation. Like the Low Density Mixed Residential designation, the intent is to have innovative residential building types and allow creative subdivision designs that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and the protection of environmental resources or sensitive areas (i.e. trees and floodplains). Residential building types such as zero lot-line development should be considered as well as other new single-family residential forms. The gross density of development in these areas could be around 20 dwelling units per acre. Commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way.

Surrounding properties in the City are designated Medium Density Mixed Residential, Neighborhood Residential, Commercial, and Mixed Use. The adjacent property to the west is located in Rockingham County and is designated in the County's Comprehensive Plan as Community Residential, which is described as areas that "encompass existing suburban neighborhoods and the future urban residential neighborhoods in Rockingham County" and are planned for a variety of housing types.

The request to amend the Comprehensive Plan's Land Use Guide map from Low Density Mixed Residential, Industrial, and Commercial to Medium Density Mixed Residential is a reasonable request as such a planned designation would likely fit well within this area and promote uses that would be more compatible with the surrounding area than the General Industrial designation—which is what the majority of the acreage is designated.

With regard to density of the total development, if the quarry lake acreage is excluded, the density is 7.5 units per acre. The R-5C-zoned portion of the property, which does not include the lake acreage, is 12.2 units per acre while the R-8C-zoned portion of the property without the lake

acreage is 4.8 units per acre. These densities are within the planned density for the proposed Medium Density Mixed Residential Land Use designation, which is anticipated to be around 20 units per acre. As would be expected, if the quarry lake acreage was included, the overall density of the entire Quarry Heights development would be less at 5.9 units per acre.

Special Use Permits

As previously noted, the applicant is requesting three SUPs – to allow multiple-family dwellings of more than 12 units per building in the R-5 district, to allow attached townhomes of not more than eight in the R-8 district, and to allow reduced side yard setbacks for townhomes in the R-8 district.

The applicant has proposed the following condition for the SUP to allow attached townhomes per ZO Section 10-3-29.4 (1):

1. The maximum attached townhome groups shall be limited to a maximum of six (6) units.

The applicant has proposed the following condition for the SUP to allow reduced side yard setbacks for townhomes per ZO Section 10-3-59.4 (11):

1. The minimum side yard setback for townhouse groups shall be no less than ten (10) feet.

Note that the requested SUP allowing for the reduction of side yard setbacks is only applicable for townhome units and does not apply to other housing types.

Transportation and Traffic

Proffers within Section III of the proffer statement and the Street Improvement Agreement with the City, provides for the necessary mitigations to address the development’s impact on the existing streets, as well as, to create a network of connected streets within the development to distribute traffic.

A traffic impact analysis (TIA) was accepted by the Department of Public Works on September 23, 2024. The TIA recommended improvements at the intersection of West Market Street (Route 33) and Brickstone Court, at the intersection of West Market Street (Route 33) and Waterman Drive, and at the intersection of West Market Street (Route 33) and North/South High Street (Route 42).

Brickstone Court at West Market Street will serve three neighborhoods (existing Westfield neighborhood, proposed Granite Farm neighborhood, and proposed Quarry Heights). While a right-turn lane from westbound West Market Street onto Brickstone Court is warranted, the TIA describes that that “these warrants are met without the presence of traffic from the Quarry Heights development and are not the result of traffic related to the Quarry Heights development.” Additionally, this area is complicated by an already approved and under construction development at the property addressed as 1250 West Market Street (TM 37-G-10). For the aforementioned reasons, City staff did not feel it was as important for the Quarry Heights applicant to take responsibility for this turn-lane improvement, compared to needed improvements at other locations.

For the West Market Street and Waterman Drive intersection, the TIA identified that the southbound left-turn lane storage needs to be extended from its current length of 100-feet with a 90-ft taper to 180 feet with a 100-foot taper and the need is fully attributable to the Quarry Heights development. In proffer III.j. the applicant has proffered to make improvements to the intersection of Waterman Drive and West Market Street as shown on the attached Development Plan. In addition to the extension of the southbound left-turn lane, the applicant also proffered to construct frontage improvements to include curb, gutter, and sidewalk, and in some locations a retaining wall or similar improvement on the west side of Waterman Drive at the intersection. While the intersection and frontage improvements are anticipated to fit within existing public right-of-way, there is a chance that some easements or public right-of-way could be needed from adjacent property owners (parcels addressed as 910 and 916 West Market Street and 44 and 46 Waterman Drive). The proffers describe that the applicant (“Developer/Owner”) shall attempt to obtain at their cost and at fair market value any necessary easement or public right-of-way. However, if the applicant is not successful in their attempts to obtain easement or public right-of-way, then the City will have an opportunity to attempt to obtain the easement or right-of-way, and if the City is not successful, then the applicant and City will work in good faith to modify that Development Plan to complete the improvements as closely to the Development Plan as possible.

The Street Improvement Agreement (attached herein) addresses the shared responsibility between the applicant and the City for certain transportation infrastructure needs that are necessitated by the development, existing conditions, and background growth in the community, including the West Market Street and North/South High Street intersection and the South High Street and Water Street intersection.

The applicant has also proffered to dedicate right-of-way or easement along Waterman Drive for future street and drainage improvements by the City (proffer III.b), to dedicate easement or right-of-way for bus shelters and to construct concrete pads for the bus shelters (proffers III.f and g), and to provide bicycle and pedestrian amenities throughout the development (various proffers within Section IV).

Proffer IV.a. requires the applicant to construct a 10-foot wide shared use path and to dedicate a 20-foot wide public shared use path easement through the site in the general location denoted in the Concept Plan to allow for a future connection with the existing Friendly City Trail. This public shared use path (referred to in the proffers as the “Public City Trail” or “PCT”) will be dedicated to the City upon completion. It should be noted that construction of a crossing at West Market Street to connect the PCT with the Friendly City Trail will not be the applicant’s responsibility. City staff is exploring funding opportunities for the future crossing and connection.

Construction of a path crossing of West Market Street and a segment of path adjacent to the track at Thomas Harrison Middle School would be required to connect the PCT to the Friendly City Trail

Proffer IV.g. requires the applicant to construct a privately owned shared use path around the balance of the quarry lake as generally shown on the Concept Plan. The shared use path would be maintained by a future homeowners association. Although these paths will be privately owned

they will generally be open to the public. Similarly, proffer IV.d. and e. together provide for public access on privately owned sidewalks throughout the development.

Proffer IV.f. requires the applicant to work with the adjoining retail center on West Market Street (tax map parcel 36-T-2, where Food Maxx is located) to construct a pedestrian connection with public access easement. However, if the adjoining property owner rejects the pedestrian connection, then the applicant will not be required to provide the connection.

As noted within the Comprehensive Plan, “to the greatest extent possible, all developments throughout the City shall include Traditional Neighborhood Design (TND) principles.” Specifically associated with transportation systems, the Comprehensive Plan identifies the following principle:

The circulation system [of a development] serves many modes of transportation and provides choices for alternative transportation routes. Streets, alleys, and pedestrian and bike paths connect to the surrounding area. Streets and alleys generally follow a grid pattern to provide these route choices and connections. Traffic calming techniques may be used to reduce vehicle speed and increase pedestrian and bicycle safety.

During review of the applications, there was significant conversation among staff and the applicant about creating connections to Hillside Avenue and College Avenue. Ideally, staff believes that vehicular, bicycle, and pedestrian connections to Hillside Avenue and College Avenue should be made. However, staff recognizes that both Hillside Avenue and College Avenue are substandard streets that are narrow and would have difficulty supporting increased vehicular traffic without improvements to those streets. In considering the alternative options to provide connectivity to the surrounding existing neighborhoods, there was recognition that the end of Hillside Avenue includes a significant grade change that would make a street connection difficult. The alternative options are described within proffers IV.b. and c. and require the applicant to construct shared use path connections between the development and the ends of Hillside Avenue and College Avenue that would allow people to travel between the two neighborhoods on foot or bike. At Hillside Avenue the proffer requires the dedication of 20-foot width of public right-of-way to encompass the shared use path. At College Avenue, however, the proffer requires the dedication of a 50-foot wide standard public street right-of-way and temporary construction/grading easements so that, should the need arise, the City could in the future construct a public street connection between Quarry Heights and College Avenue.

Public Water and Sanitary Sewer

Staff has advised the applicant that available downstream sanitary sewer capacity may be inadequate for the proposed density and must be evaluated during a Preliminary Engineering Report (PER) prior to submitting an Engineered Comprehensive Site Plans. While a PER will also need to be completed to evaluate water capacity, staff has no concerns with the requested rezoning from a water supply perspective.

Stormwater

Stormwater and drainage are of concern for many property owners, both upstream and downstream, of the site. The applicant describes in a letter (from their attorney Todd Rhea, dated

October 1, 2024) that the engineers for the project evaluated and prepared a drainage schematic, which indicates that the development of the project, as planned, will direct a much greater drainage area of surface water into the quarry and away from Waterman Drive. The drainage schematic is included with the applicant's supporting documentation. City staff has informed the applicant of concerns with this concept not complying with the City's Design & Construction Standards Manual (DCSM) and that the concept will need to be evaluated further during the engineered comprehensive site plan process. It is uncertain at this time whether the drainage patterns can be changed as proposed by the applicant.

Also, earlier this year, the Department of Public Works initiated a study of the Chicago Avenue and Waterman Drive Corridors. The study will evaluate transportation and stormwater needs along Chicago Avenue between Rockingham Drive and Mount Clinton Pike, and along Waterman Drive between West Market Street and Chicago Avenue. This study is ongoing and was initiated in response to heavy public input received during the public involvement process for the Harrisonburg-Rockingham Metropolitan Planning Organization's (HMPRO) Long-Range Transportation Plan (LRTP). More information about the HRMPO LRTP and the City's Corridor Study is available at <https://hrvampo.org/long-range-planning/> and <https://www.harrisonburgva.gov/chicago-waterman-corridors-study>.

Housing Study

The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject site within the Market Type A area as shown in the Housing Study. Among other things, this Market Type is characterized by high population growth. The study notes that Market Type A has "above median overall access to amenities such as public transit within walking distance, full-service grocery stores, and multiple parks and recreation facilities." The study also notes that "policies that are appropriate to Market type A areas include an emphasis on increasing density through zoning changes, infill development and housing rehabilitation to maintain the quality of housing."

While the proposed development is not planning to provide "affordable housing units," adding market rate housing could assist in addressing the "housing mismatch" in the City. The Housing Study, on page 6, describes that:

There is a "housing mismatch" in which thousands of households live in units that do not align with their income. In other words, many higher income households live in housing "beneath their means" while many lower income households live in units where they must pay 30-50%, or more, of their monthly income for housing costs. While there are numerous reasons why people choose to live where they live, this housing mismatch has a disproportionately greater impact on lower income households. Higher income households have greater choice in the housing market as a result of having more income available for housing. However, when higher income households reside in lower cost housing, they are effectively "squeezing out" lower income households—who, because they are lower income, have the fewest housing options.

Public Schools

Staff from Harrisonburg City Public Schools (HCPS) noted that based on their student generation calculations, the number of students expected from a development of this size and composition may vary significantly depending on the types of homes that will be built. Assuming a split of 635 townhomes, 265 apartments, and 50 single-family homes is estimated to result in 338 additional students in the Bluestone Elementary School, Thomas Harrison Middle School, and Harrisonburg High School attendance boundaries. In the adjacent Waterman Elementary School attendance boundary, which is also served by Thomas Harrison Middle School and Harrisonburg High School, the student generation is estimated to be 578 students. Based on the current understanding of the proposed pricing structure of the townhomes in this development, HCPS staff also investigated the student generation rate for the Preston Lake townhome units in Rockingham County. If that generation factor was used for the townhouse portion of the proposed Quarry Heights development, the total number of additional students would be approximately 300. HCPS staff also noted that currently four of the six elementary schools exceed effective capacity.

For total student population projections, the City of Harrisonburg and HCPS both use the University of Virginia's Weldon Cooper Center for Public Service's projections. These projections are updated annually and are available at: <https://www.coopercenter.org/virginia-school-data>.

Recommendation

Staff believes that the repurposing of the Frazier Quarry property for housing is more compatible with the surrounding area than industrial uses that are allowed in the M-1, General Industrial District (which the majority of the property is presently zoned) and which are supported by the Comprehensive Plan's Land Use Guide designation of General Industrial. The proposal also makes significant efforts to provide vehicular, bicycle, and pedestrian connections within the development and with existing neighborhoods and commercial uses. Therefore, staff recommends approval of all five requests – the Comprehensive Plan Map amendment, the rezoning, and the three SUPs with the following conditions.

For a special use permit (SUP) to allow multiple-family dwellings of more than 12 units per building in the R-5 district per Section 10-3-55.4 (1):

- Staff recommends no conditions.

For a SUP to allow attached townhomes of not more than eight (8) units in the R-8 district per Section 10-3-59.4 (1):

1. The maximum attached townhome groups shall be limited to a maximum of six (6) units.

For a SUP to allow reduced side yard setbacks for townhomes in the R-8 district per Section 10-3-59.4 (11):

1. The minimum side yard setback for townhouse groups shall be no less than ten (10) feet.

Chair Finnegan said what can be built in the M-1 district by right? Let us say this is denied by City Council.

Ms. Dang said think industrial uses; poultry facility, auto repair, warehousing, public transportation facilities, truck parking...

Chair Finnegan said so some things that we see on the north end of town.

Mr. Fletcher said north end, south end if you go down towards the landfill. You go on Pleasant Valley Road and all that area down there is zoned M-1. I pulled up the uses permitted by right; manufacturing, processing, storage, treatment facilities, that is where the poultry operations are permitted by right because they are processing, warehousing, storage, grain and feed mills, cold storage, veterinary supplies, building material, sales, storage yards, construction material sites, you can have motels and hotels in that area, training facilities, vocational school, public utilities, fuel stations, all different sorts of wireless telecommunications facilities. Casually we refer to it as loud, noisy, dusty often times where a lot of jobs are located. It is holding campus like settings for industrial operations.

Chair Finnegan said when did that quarry stop operation? I can ask the applicant.

Ms. Dang said the Friday packet included two public comments, after it was published there was a handful of other public comments received. They were either emailed to you and any ones that were received yesterday or today, you all have received a printed copy in front of you as well.

Mr. Fletcher said it [Frazier Quarry] ceased operations in 2010 and then I have notes that pumping was shut down in 2021 which I believe is referred to as the water [unintelligible.]

Commissioner Nardi said has the City considered uses outside of residential that are not industrial for this particular area? I guess what I am thinking about are public amenities in addition to housing.

Mr. Fletcher said the Land Use Guide has it designated as General Industrial for that area. The City has not been approached to purchase it for public amenities or public parks or any thing like that. If it were to be a park like setting, more or less the City has to buy it. Most of the private property owners do not turn their properties into parks. We have not, to my knowledge, had anybody come to us with other purposed uses that were outside of the Frazier family or the folks that are looking to do residential uses.

Commissioner Nardi said I was thinking in addition to parks, just learn about projects that are quarry based that have a component which is an economic development incentive that could allow for different kinds of amenities that may allow for more of the public or the community to use. Thinking about balance between 900 and something housing units coming in and what might be offered not to offset but to consider and think about.

Commissioner Baugh said Vice Mayor might be able to speak to this but I know of not all that long ago our public parks folks would say that they have got enough projects and things online that they are trying to take care of what they have. As it has come up at least recently the prospect of getting additional land in the system has not been their priority. They have really felt like they are backlogged taking care of what they have. It is certainly not in the plans but it does not mean it is a bad idea to look at it but I think there is a sense that is not something they are really looking to do right now. Even some stuff that is ahead of it in public park expansion is running into that, where do you find the funding to just even acquire the property or development properly when you

have...they are like everyone else, they have a plan and their plan is a timetable for what they are doing and from their perspective they are struggling to try and get the funding to try and keep up and stick with their plan.

Vice Mayor Dent said in general we have several huge park projects funded by ARPA [American Rescue Plan Act] and we have recently approved conceptually, the Downtown Build Our Park that is a nonprofit that wants to build a park on City property right there by City Hall adjacent to the pavilion for the Farmers Market. They wanted a much bigger part, including the parking lot, but that got enough push back from people that use that parking lot who were not ready to do that. Part of the discussion, to Richard's point, was we already have plenty of parks, we do not really necessarily need another huge park. We are kind of saturated with parks.

Commissioner Nardi said I am not sure I was exactly thinking about parks. Sort of like public/private partnership or economic development engines that bring more community members or visitors who are visiting to a destination point that has some sort of amenities. I do not know whether that would be bird watching in a quarry. There are lots of different things that while the City may not take it on, which is completely understandable, and I appreciate the background. I am thinking out loud about an enormous site relatively speaking from my perspective and community and just what might have been considered or what might be thought about in addition to housing or along side. Perhaps I am just thinking out loud in front of everyone, but I wanted to just sort of voice that there are examples of these kinds of things. This is an enormous project for our community to digest. I am just thinking about the community as a whole in addition to this project.

Vice Mayor Dent said this is lurching into discussion that we could continue later. One thing that they considered and proposed and planned is huge amounts of bike-ped infrastructure that will be publicly accessible. One thing to your point that I agree with that they could have included some space for commercial or service opportunities within the complex, like building a coffeehouse that people could go to. The response has been this development will catalyze further redevelopment in the adjacent commercial areas. It is kind of a missed opportunity for true mixed use. It is more mixed densities than mixed use with the community amenities you are talking about, is that kind of to your question?

Mr. Fletcher said that is what I was going to speak to. The R-5 section does not take away the opportunity for them to apply for special use permit to allow for nonresidential uses. The R-5 district allows for retail, convenience stores, professional offices and things like that. The acreage for the R-5 escapes me at the moment, but it does have that opportunity so anything zoned R-5 has that opportunity. If they find themselves in a situation where they want to apply for a special use permit to add some nonresidential uses, they can. I thought that is what you were alluding to was other nonresidential uses in the residential component like your corner coffee shop or deli. Those always have to be taken into consideration and be sensitive to what you are inviting in those spaces because then those uses can kind of take on how successful they are and how people want to travel down the streets. There was one thing I wanted to add to Ms. Dang's very well done presentation which was she was absolutely correct that the City does not have any capital plans currently in the mix to connect the streets to Hillside and College Avenue but our Comprehensive Plan street improvement plan map has identified that we do want those streets to be connected. In fact, if you

look at that map in Chapter 12 [of the Comprehensive Plan] it has a street connection coming off of West Market [Street] and a street connection coming off of Waterman Drive to intersect and then to intersect with those other neighborhood streets. We very much debated it and challenged ourselves with other departments about whether or not it should be a component of it but recognizing that those existing streets in the Park View neighborhood they were annexed into the City in 1983 are not built to the level of improvements that would be needed for the traffic that would be coming in through here. There is arguably debate to connect them and we might find ourselves in that situation sooner rather than not because it does create that opportunity like Ms. Dang was saying about vehicular traffic and the interconnectivity of multimodal options for people to get all throughout the City. When you look at our past, many of our neighborhoods that we think of or envision are grid pattern streets so those are things that we want to promote.

Vice Mayor Dent said to that point I was curious about reserving the future road connection down near Waterman Village sort of a block roughly from Waterman [Drive]. It does not lead to anything like a street right now but that could conceivably be a more feasible connection in the future. I do not know what it would connect to.

Mr. Fletcher said it would eventually connect over to Greystone [Street] so it is just another best practice to have break up of blocks to provide opportunities for street connectivity.

Vice Mayor Dent said depending on what you are building through may be a more reasonable and feasible connection.

Chair Finnegan said there was a number of public engagement events about this leading up to this hearing and at the request of the applicant meet and give that feedback about the mixed use but also the connectivity when you look at the Strava data there is a lot of people turning around and going back. Any other questions for staff before we invite the applicant to speak?

Vice Mayor Dent said I have what I am not sure if it is for staff or a comment, but not really for the applicant. There is one thing that bothers me a whole lot not necessarily about this application but it is the sewer capacity potentially being inadequate because as you mentioned we had the request from Granite Farms that is in the County and while the water people are not concerned about the water resources, we are close to hitting sewer capacity already. Having two enormous developments side by side one in the City and one in the County, if there is a choice I rather approve the City. We have not approved the County one yet, is that a factor?

Ms. Dang said Mr. Collins and Mr. Gray are not here and I have been communicating and I see right before this meeting Mr. Gray who is the Deputy Director of Public Utilities he messaged Mr. Snyder, the developer's engineer. Mr. Gray acknowledges that since 2018 the City has been working with an engineering firm to develop a computerized model for the sewer interceptor system. The system reaches as far as West Market Street near the intersection with Waterman Drive. In those model runs the interceptor reaching towards the quarry did not have any surcharge any pipes that were experiencing infiltration and inflow. In February of 2024 Public Utilities made estimations on the increase in water and sewer demand from the proposed quarry rezoning project. Basically, he is acknowledging that they just need to run more models with the anticipated additional load on the sewer system. He says in his experience he does not anticipate any capacity

deficiencies in either the water or sewer systems, but he still needs the Preliminary Engineering Report to be done just to prove that there is adequacy within the system.

Mr. Fletcher said I think what he is referring to is size of pipe capacity. I am not saying that you are wrong but I am hesitant to agree that we are reaching sewer capacity, what can be sent. I think it is about the magnitude of the piping of the capacity of what it could handle without having to do interceptor upgrades. All of the pipes that are leading to certain areas so you do not want to have too much going into a pipe that is undersized.

Ms. Dang said it is not a concern about the treatment of sewage HRRSA [Harrisonburg Rockingham Regional Sewer Authority] at the end, it is the pipes getting from this development through the Hillandale Park area and the golf course.

Mr. Fletcher said at some point in the future we will get to a capacity of what could be sent but I think what they are referring to is piping size.

Vice Mayor Dent said they better be considering both of those big developments at the same time.

Mr. Fletcher said they are very much aware.

Chair Finnegan said that is something that City Council has not yet approved?

Vice Mayor Dent said right.

Chair Finnegan said you may want to bring that up and table that if needed if that is something to get an answer on first. Just for folks in the room, what we are referring to is a rezoning that was approved in Rockingham County in 2006.

Ms. Dang said while Public Utilities staff is not present tonight I want to acknowledge that our Director of Public Works, Tom Hartman, is available if you have transportation related questions that he can answer.

Chair Finnegan said do we have transportation related questions?

Vice Mayor Dent said when we went to the quarry yesterday, we saw that there are powerlines along the ridge and I asked is that going to have accommodated or changed and you did not know at that point.

Ms. Dang said I still do not know. Maybe I will ask if the applicant's engineer can assist us with that question. With construction under and around the powerlines that we saw on the ridge there, what is going to happen to those or how are you all going to work around them?

Chair Finnegan asked if there were any more questions for staff. Hearing none, he opened the public hearing and invited the applicant or applicant's representative to speak to their request.

Todd Rhea, applicant's representative from Clark & Bradshaw, came forward to speak to the request. He said here with me tonight is our full development team and members of the Frazier family sitting over here to the left. We greatly appreciate after a year or 14 months of hard work to get to the point to where we can present this exciting Quarry Heights project to you. Due to the size of the project and number of separate approvals being sought tonight I would request permission from the Chair to extend the typical 10 minute time to give us 20 or 25 minutes to go through our presentation just give the complexity and number of topics that we need to cover adequately both for the commission and the public. After public comments we are all here an available to answer questions. Our presentation will consist of three presenters. After my introductory remark, David Frazier will provide the Commission with some history of the Waterman Quarry site and how his family went about selecting a development partner to repurpose the quarry. He will also discuss how the families remained engaged in the rezoning and entitlement planning over the past year and the importance to the Frazier family of the legacy of this site. He will also share his commitment to the new public trail system planned for the community. Following Mr. Frazier, David Gildea will speak as the developer's representative and relative to his experience with quarry repurposing projects. The developer's careful review and study of the City's housing needs and his broader vision for this transformative community in meeting those needs. After Mr. Gildea speaks, I will return to cover a number of technical land use, housing, and fiscal impact topics, many of which Ms. Dang touched on during her presentation, that have been considered and extensively documented in the rezoning file. Consistent with the detail contained in the staff report. Getting the Quarry Heights project to this public hearing stage has been a year long process. After initial conceptual design in the summer of 2023, we convened with City staff at a pre-application meeting last Halloween. That was followed by a number of studies including: the full Traffic Impact Analysis referenced in the staff report; the design of a large and integrated public trail system throughout the project; and an economic impact analysis, preliminary site grading and stormwater considerations, and meetings with the City School Board staff. We also engaged with a large number of community stakeholders and advocacy groups and received valuable feedback over the last 12 months. We have remained engaged with City staff throughout the last year with numerous meetings and exchanges of comments and offering the extensive voluntary proffers that were addressed in the City staff report. After our official filing in early September, we held a community [open] house at VMRC [Virginia Mennonite Retirement Community] during which time our team enjoyed lengthy conversations about the project with members of the local community and shared information relative to questions and concerns that had been raised. There are some pictures of the open house session we held at VMRC. We had display boards set up we were there for three hours and people were circulating through. Invitations were extended to City officials and we had a good turn out and got valuable feedback about the project and frankly we were able to address some concerns that people had before that meeting. There has been a lot of interest and discussions about Quarry Heights just given the size of the project and the local Harrisonburg community. Our team has been open and proactive in providing studies and data in response to those concerns and we are proud to present Quarry Heights to you this evening for consideration and recommendation. Just for orientation as to the size of this community and the unit mix look no further than Preston Lake. We are all pretty familiar with Preston Lake, the types of homes there, the density, the quality of construction and the amenities are most similar to Preston Lake, which is in Rockingham County. We want to bring that opportunity into the City with a new project. With that preface I will turn the presentation over to David Frazier to talk about his family's long term involvement in this site.

David Frazier, applicant/Frazier Quarry representative, came forward to speak to the request. He said thank you Todd and thank you staff for that very thorough report that was very impressive. I appreciate the opportunity to speak on this project. As Todd said, I am David Frazier I am a part of the fourth generation of the Frazier Quarry. We have been operating in this area for 110 years next year. The quarry in consideration of rezoning tonight is one of four of our locations and it was permitted in the mid-1940s so it has been here for quite a while. Since then it has produced billions of tons of aggregate, building stone, agricultural lime, all of this has helped shape our community. The roads we drive on, the sidewalks we walk on, foundations for churches, schools, houses, driveways, and building stone. Which I might add in a totally unbiased fashion that is the most beautiful building stone on earth. The Valley's bluestone which was mined out of this quarry for a time can be seen throughout JMU and in downtown Harrisonburg. I am very proud to be part of my family's business. I am proud of the positive impact that this particular quarry has had on the success of Harrisonburg. I am obviously from here, I live here and I hope to never have to leave here. It is in my family's best interest to see the legacy of this property continue on in a positive manner and make its next journey to its useful life. We took selection of this team behind me very seriously as a family, we did our homework. The folks at Waterman Investment have proven that changing a quarry or a mine into a successful useful post mine state. My brother Mike, who is here as well, and I visited a few of their sites and had a great time. It was genuinely a park like setting with some of the public amenities that were offered. I am really happy with the plan that we have worked so long and hard to put together. Again, thanks to City staff for working with us on all of these details. One of the things that I am most proud of and it started at the center of the entire discussion. We started with the greenway, the shared use paths, and work outward. We as a family knew that this was needed in the City. We knew it was a very crucial connection to a lot of the City's landmarks, a crucial connection for safe nonvehicular transportation throughout the City and it was a crucial missing link to other public bike-ped routes. This was where we started with the plans. Just a rough calculation on the bike paths it came to almost two miles for the public trail and that is not including the trails on the north and south end of the quarry site. To my knowledge that might be one of the largest public greenway sections to private property and I am proud to be apart of this going forward. Thank you for you all's time and consideration. David Gildea will be up next to talk a little bit about the project.

David Gildea, applicant's representative from Waterman Investments LLC, came forward to speak to the request. He said good evening this has been a long time coming we have working on this community for a couple of years now. Halloween was when we officially had the kickoff last year. I do want to acknowledge all of the hard work, the rigorous review, the challenging us at every step from staff. The staff you all have here is world class and we really enjoyed the interchange with that. We think that those interchanges made this community a much much better community. We also have done extensive stakeholder outreach which we pride ourselves on doing. We want to be collaborative this is ultimately you all's community and it is a very important piece in the City and we pride ourselves to make sure it is done right. I think a couple of the letters of recommendation in the file there is one from JMU, VMRC and some others as well. I do want to thank the Frazier family team for assisting us with that outreach. We think it is very important to have a collaborative process. David touched on it, why am I here? Why is this not some other developer? Our development team has good experience a good track record in taking old quarries and reclaiming them. When a quarry has run its useful life what do you then do with it? We were

talking to the Frazier family for what seems like about a year. I think they wanted to get comfortable with us and we wanted to get comfortable with them. We actually had them up to one of our quarries and a lot of the concepts that are proposed here are in that quarry. There is this wonderful trail that circumnavigates the quarry, this wonderful greenway. I actually live near this quarry and I walk it, people drive there to walk it. What we do not have is the bike ability. I am a biker but there is no way to bike to that. The beauty of this quarry is it is going to be wonderfully bikeable. We are going to connect all of these trails that you already have, that is the idea. When we first met with the Frazier family they made it very clear to us that the most important thing when we reclaim this quarry was their legacy. I think you heard a little bit from that from David. They wanted something that they ultimately could be very proud of. The land has been in their family for a long time, the quarry associated with their family and so we took that very seriously. I also am very much concerned about our legacy. I want a community that I can show my grandkids to. It holds up over time, it is wonderful that it is going to be an amazing amenity. That is always our high standard. The other thing we really heard from the Frazier family is they wanted to give back to the City. To some of your questions about what is that, we did not know what it was immediately it kind of came to light very quickly. This is a biking community, it is vibrant, it is amazing frankly and it became very apparent to us that how can we make this a more bike and pedestrian friendly community in itself in isolation but that quarry that I referenced before but also the link is other trails and make the whole city more bikeable and have these wonderful recreational amenities. Not only for the people who live in Quarry Heights but for the entire City. That was something that was very important to the Frazier family. We made sure that we incorporated that into the plan. One of the problems that we have tonight is that I could go on and on about this community and I know that we are a little bit time constrained so I will not do that. I just want to hit some of the high points. Whenever we look at a piece of property like this we try to come to: what does it want to be? The bikeable, hikeable, pedestrian friendly was obviously a major issue right off the bat. The other issue was to make sure it was multi-generational. We know coming in that this was a growing City and we knew coming in that there is a housing shortage. What sold us on the vision for this property was three things. Number one is the Frazier family and their commitment to legacy and to get it back. The second selling point is they took us up on that western ridge and the views from Summit Avenue are just spectacular. You can look to the west and there is basically the mountains there you can look to the east you look over the 30-acre quarry and then you are going to look into town. That was a great selling point and then I got home and I was not going to bring this but I am a little bit of a nerd and I sat down all weekend and I read the Comprehensive Plan and I read the Housing Study. I got teased endlessly by my kids but that is what I did. I actually go back and refer to it often and what it told me is that there is definitely a need. Usually, when we come into a piece of property like this we do our own marketing study. This [referring to the Housing Study], I commend you all this is an amazing study. I am sure it was expensive but this Housing Study really sold us on doing this particular community because what it spelled out to us is that there is this mismatch that everyone thinks of affordable housing as being subsidized housing but what happens a lot is when there is not housing on the other end of the barbell, there is a squeeze and the folks that maybe have the means to have the affordable housing are pushed out by the folks who do not have housing on this end of the barbell. We saw that and we will acknowledge that it is a large project and it is not something that we would go into lightly but your all's study made it very clear that there is a need and we have done subsequent market analysis as well which is verified that as well. Then we looked at the Comprehensive Plan which is to me your all's guide and it is very important. [Unintelligible] was addressed it is

basically shown as industrial right now but it also showed us that there was basically a vision for this project. I will tell you there was some conversation about what could it be, right now it is industrial. One of the quarries that we are reclaiming that I am working on currently we are doing industrial. There just is not the need for housing in that particular area, there is lots of need for industrial distributions, it is going to be a distribution facility. I have not looked into whether there is a need for industrial here. Based on our analysis there is a much higher need for housing, it is a growing City. It has been recognized that there is a housing mismatch and we are hoping that this particular community can help solve it. What does is this community actually going to look like? Valley Engineering has been a fantastic partner in this. What you are looking at here is if you look north and I will tell you this is probably one of the best land plats I have seen, they have done a fantastic job. The direction that we gave Valley Engineering is that we wanted to have lots of open space we did not want it to feel cramped we wanted it to feel like you can walk around, bike around, you can move your elbows so it is not as dense as it could be certainly and intentionally so. You can see the west ridge summit which I have made reference to it is going to be this beautiful elevation up there across the quarry's lakeside which is where the single family houses are. Waterman Village is also across to the north and then Quarry Lake East is to the right. When you are looking at this angle where the apartments are you can see the clubhouse from that corner. We did want to fully amenities it. We are going to be in competition with everything around as far as competition with Rockingham County. We wanted to make sure it was fully amenitized and create walking trails and that it was bikeable. We added things that I want which are bike stations, dog parks, tot lots, we referenced on lookouts so that if you are on West Ridge Summit there is going to be an area where there is going to be a fire pit and you can congregate there with your neighbors and they are going to be those all around the community. We very much wanted to make sure that it was fully amenitized. On the actual type of housing, what this is looking at is we are now looking south so we are down by Waterman that is that clubhouse here that will serve the community. [Referring to the image on the screen] This is going up the hill and these are the singles these are that summit right there, this is the apartments and then this is the Quarry Lake East and again you can really see that trail there which is going to be well used. This is a view looking southeast so again we are up on the summit. What you cannot see here is that is the City in the background you can see the nice elevation here. What is not drawn in here is all of these lookouts all the way here the apartments and the like. This is looking northeast and so this is where the apartments are. Again, we are up on the summit and then we are looking down that elevation there. Finally, I talked about wanting to make sure it was green and open and it is not too dense. It is a wonderful treatment that Valley [Engineering] came up with that this village green running right through Waterman Village and so we are really proud of that as well. I know I am running out of time but I wanted to hit on a couple more issues. We want to make it multigenerational. What does that mean? Somebody my age can live there, a young professional can live there, young families can live there, empty nesters, and retirees. How do you do that? You have multiple different types of housing. I know it was mentioned that there are singles [family] and there is townhouse but within the townhouses you can see that best here [referring to the screen]. Within the townhouses these are going to be big 28 foot wide 60 foot deep villas for people like me who do not like to walk up and down stairs. What they are called is age targeted so they are for people who do not want to walk up and down stairs, first floor master. There will be a second floor that is where the grandkids can come. It can also be for families too but these are the homes with the amazing views of the patios here and patios there. That is for one buyer. There is another buyer which are the apartments and then down by Waterman Village those townhouses are going to have garages that are in the

front and garages that are in the rear. There is going to be all sorts of different, what the industry calls, product which we use a variation of all sorts of different houses a potential purchaser can choose from. That is going to be targeted towards the young professionals and then move up. Then we have the single family here. There is 240 single family houses being proposed at Granite Farm. We did want to mix, thank you for the suggestion and pressing us on that. We really liked how it feeds into College [Avenue], Hillside [Avenue] and Summit [Avenue] here how there is a nice transition there we like the feel of that but we did not want to have too much singles [family]. These are frankly competing against Granite [Farm] as well as the entire County. What we are really trying to do is weave this into the fabric of you all's community. Thank you.

Mr. Rhea said Mr. Chair if you will just allow me to continue on some more technical details, I think it will shorten the question and answer later. Everyone knows every time it rains there is water down on Waterman Drive. This site, [referring to the image on the screen] if you look at the blue shading at the bottom you can see on the north rim of the quarry there is large overburden that is where they stacked the stuff they did not use. There is unusable rock out of there. That is why the area in red now drains down to Waterman [Drive]. With the removal of that berm and regrading the site, all of the blue area at the bottom would be directed into the quarry. We have already checked with the Virginia Department of Health and it will be designed that way. The area in red at the bottom is all that is left draining into Waterman [Drive] and a lot of that is being dedicated to the City in that 20 to 30 feet of extra street frontage. This is going to be a solution to the Waterman [Drive] problem, it is not going to add stormwater onto that street. We have spent a lot of money and time on the economic impact analysis and I think it is more important for City Council than the Planning Commission but we wanted to demonstrate that this project is a net fiscal contributor to the City. We have talked to the City schools, there is some debate about how many students would be generated. We know the actual numbers at Preston Lake, it is about 100 students in 600 units, similar mix here. These market class A communities generally do not generate a lot of students. The apartments generate almost none. You can look at The Reserve, you can look at Urban Exchange for example. All of our analysis, if you extrapolate Preston Lake over the number of units here, that is 150 students. We have looked at Weldon Cooper, we have looked at other jurisdictions. I think the 240 students is probably a fair, conservative estimate of how many students would be generated here. At 7,000 students a year the operational costs come out to 1.4 million dollars. At build out this property, or this project, generates 3.3 million [dollars] annually in real estate taxes alone. It is not going to be a drain on the City's finances through the school kids. The excess money between the \$3.3 and the \$1.4 million can be used for other City priorities, including capital costs should those become necessary, but that is again, a whole other discussion. I know several Commissioners asked "have you considered the impact on City schools when you come here with developments?" We have and we have provided the data and studies to back that up. An additional economic benefit is injecting new life into Waterman Drive and West Market Street. Those were underutilized, and in many instances obsolete, light industrial and commercial space. Yes, we can put some commercial in here, but this is right next door. It is connected by sidewalks. It is connected by bike trails. There is ample opportunity. There are tens of thousands of square feet of existing space there that is begging to be upgraded, coffee shops, microbreweries, what have you, that are immediately adjacent. We consider that to be integrated into this community. We have talked enough about the mismatch, but I will talk about a challenge for employers. In our stakeholder outreach the lack of market type A housing is a challenge to business, healthcare, and university communities locally. JMU's letter in the file indicates that, as

does VMRC's, the shortage results in the difficulty of recruiting and retaining skilled employees who simply cannot provide preferred housing options within the City limits. For the last 20 years those people reside in Preston Lake, Crossroad Farms, and Barrington. They live in Rockingham County because there are not existing market type A options within the City. For those of us who have been here for awhile, we think back, Reheard Acres, Harmony Heights, Bluestone Hills behind the mall; those where market type A communities and they have been built out for 20 years. Nothing has come on the heels of those communities. Quarry Heights fills that need and will be a competitive game changer for your major stakeholders in attracting employees who want to live in the City. We have talked about open space the design of the community around recreational needs. The property has been a historical industrial site with quarry operations over the past 50- or 60-years including pit blasting, dust and noise. Over many decades the Waterman site can be developed by right today into intensive industrial uses. We are confident that the benefits of transforming the site into new homes and recreational spaces outweigh the inconveniences and there will be inconveniences with a site of this during the two or three years that it takes to repurpose the site as shown in the concept plan. As in the case with any major project concerns such as the ones discussed will be raised; some by folks living next door who are in close proximity or others who generally see change as a threat rather than an opportunity. We have done our homework. We tried to anticipate these challenges and these questions. We have talked at length with staff, we have heard widely from the community and key stakeholders and worked hard to provide you all not just with promises but objective data within your rezoning file in the forms of studies that you can rely upon in making your decision. As a result of the past year of hard work we are gratified to come before you with the staff recommendation for approval. That recommendation does not come lightly with a project of this scope. Many questions and concerns have been vetted and addressed throughout the iterative staff review process. While full agreement was not reached on every point, we can state with certainty that none were ignored and a lot of good faith efforts were made to incorporate those concerns into the proffers that you have for consideration. It is time for the City to enjoy a well designed walkable bikeable and multi-generational community similar in quality and feel to Preston Lake. Thank you all again for your time and consideration in letting us make a full presentation and we ask for Planning Commission's endorsement of Quarry Heights for approval to City Council, thank you.

Chair Finnegan said normally at this time we would ask if we had questions for the applicant and I am wondering since we are almost at 9 o'clock out of respect for the folks that are here to speak, are we okay with holding questions until the end of the public hearing? Is that okay with the applicant? I think other things will come up during the public hearing. I am not saying do not ask your questions, I am saying maybe hold them to the end. Just to allow folks that are in the room the opportunity they have been waiting for. If we are okay with that then I will go ahead and read the phone number if folks would like to call about this. With this I will open the public hearing and allow anyone in the room that would like to speak either for or against or about this or if you have questions about this, concerns please just approach the dais and identify yourself and try and keep it to 3 minutes if possible.

Jay Zehr, a resident of 820 College Avenue, came forward to speak to the request. He said somebody up here mentioned that this is a large project that is hard to digest. There are a lot of people in this room that have known about this for a long time, I just found out about this at the beginning of September. Community Development would not even let me look at a map officially

before the ninth of September. I texted Mike about this that week and said is there a development happening and I was told we are still considering post quarry plans for the property. You mentioned you talked to stakeholders, no one talked to us. We live right next to it. We did not hear about this until the beginning of September. I am not saying that it should not happen, I am saying this is a lot to digest. 50, 60 units being built within 500 feet of my property I am not saying it is a bad idea, I do not know. We are hearing about this pretty late in the game. I will just say one point, if you noticed the proffer on the portion of the property boarding the properties on College Avenue that has the 20-foot buffer, we do not have a proffer on our side of the property. I was told at the meeting at VMRC that the reason there is no buffer or proffer there is because the City insisted on having the street go there that is going to connect to Granite Farm. Additionally, I was also told that the powerlines are going to have to be moved over and buried along that line too. Basically, we are going to have a new street there that is going to be the shortcut to Granite Farm on the other side there. I do not understand why that could not be further over. I do not see why it has to go right next to an existing R-2 property, but I have not had enough time to process this. I will say, you talking about this being a M-1 property the property that is adjoining Park View here is zoned R-2 as of now. That cannot be legally developed into industrial property I do not think without a rezoning. I am not saying this is not a bad idea. I am kind of feeling like if it is going to be rezoned to a higher density than what it currently is we should be a little bit more considerate to the R-2 neighborhood that is next to.

Kenneth Kettler, a resident at 242 East Water Street, came forward to speak to the request. He said first I just want to say there are number of reasons why I like this development. With respect to the need for housing, I think we need to have some perspective with that. For folks who have been here for a long time bought their property 10, 20 years ago there may not be full realization of the scale of the problem. In September of 2020, the median sales price for a home is \$235,000, that was four years ago. This year, September 2024, it was \$342,000. Nearly a 50 percent increase in median sales price of a home in four years. Part of that is there is an increase in demand and there is not nearly enough supply. We talked about housing mismatch and another way of putting that is it is quite a squeeze. There are a lot of older properties that are perfectly good properties and then they are attractive investments because there is not that many of them and they get flipped or they get bought and then they get rented out for forever. That continues to take more homeownership options off the table. Adding more units in this fashion is really helpful. With respect to the mismatch because if there is no luxury housing then everything becomes luxury housing and that is what we have often seen throughout the City. It is also in my recent, personal experience trying to buy a house, it goes on the market, put in an offer two days later, too bad, already sold the day before to an investor. Which is not fun after it happens a couple of times. In terms of keeping the prices down in new development, increasing the density to the degree that it is really helpful. We are talking about townhouses; and we are talking about some modest apartments. One thing that I do want to briefly mention as something that could be improved with this is more mixed use development. The reason this is important is the walkable bikeable aspect includes not just getting places but places where people could go to. Everything that the developers have said so far in terms of the past themselves and the modal filters onto streets on the northeast side and future connection to Friendly City Trail are all extremely helpful. Thank you very much.

Issac Whitmer, a resident on Rockingham Drive, came forward to speak to the request. He said my house overlooks this quarry and I expect once the construction starts, I will be able to see its

progress from my house. Quarry Heights includes two main things that are a benefit to the community. First, it includes missing middle housing and second it strongly improves walking and biking connectivity. We know that housing costs are a serious problem. Low market rate housing, like Bluestone [Town Center], is important for those struggling to find a place to stay but market rate housing can also help hold costs down. The walking and biking infrastructure that they put into this plan is also very impressive. It is clear that they were forward thinking and trying to find a way to give back to the community living near by. The trails are extensive, and I will personally be using them when they are constructed. I also want to highlight the modal filter on Hillside [Avenue] and College Avenue that prevents car traffic from taking shortcuts through established neighborhoods. They will protect the communities and still allow human traffic through. I hope Public Works considers this kind of project, the modal filters in other places in our City and that this particular filter is not removed and continues to block traffic through to College Avenue. Overall, this is a good project. I hope you vote for it, and I hope that the City can learn from the good aspects of it moving forward, thank you.

Kris Shank Zehr, a resident of 867 College Avenue came forward to speak to the request. They said regarding construction noise and environmental impact, I personally am distressed thinking about the massive impact of years of construction on the neighborhoods around the quarry. One, the auditory torture of months and years of daily drilling and blasting into bedrock. Please do not underestimate or dismiss the trauma, and I do not use that word lightly, of daily bedrock drilling and blasting on the close neighbors. Two, the environmental impact of acres of woodland cut down including loss of the cooling effect of trees on urban heat, loss of carbon capture, which we need now more than ever, loss of urban wildlife habitat. Three, the impact of air quality of all of the digging and tree removal, the airborne dust, mold and carbon release. Vulnerable members of the community will be impacted by those things during construction. I urge the Planning Commission to consider an environmental impact study that looks at these issues for this development and perhaps more broadly for the City of Harrisonburg. Regarding quality of life, I am already depressed with the prospect of losing the quiet neighborhood I love with its bird filled woods and streets slow enough for many walkers and runners who come through each day. The woodland would be almost entirely removed and with it, if Google Maps is accurate, one of the largest nonpark wildlife habitats remaining within City limits. The 20-foot vegetative buffer proposed along only one boundary in the concept plan will almost certainly not provide a full visual screen and absolutely not an acoustic screen between hundreds of new townhouses and a new public road and the existing College Avenue homes. This drastically changes the quality of life we currently enjoy on this part of College Avenue. To be clear, I am not opposed entirely to developing the quarry, there are many attractive aspects of this plan. I am very concerned about the enormous scale of the project and the ways it dramatically alters the environment and neighborhoods around it. I ask the Planning Commission and developers to make the woodland buffer much wider between the boundary line and existing homes on the east side of College Avenue and to retain a wide woodland buffer between the new public road and the south end of College Avenue and Hillside Avenue. Regarding public input, because this project is so huge and so impactful to so many neighborhoods in the north and west quadrants of the City, I think the Planning Commission needs to give more time for public input and comment. It was publicized according to your rules at whatever intervals you require, but that felt like very little time for those of us in the impacted neighborhoods. The developer's open house, I heard about the day beforehand and I was not able to attend because I could not fit it into my schedule. I would like more time to talk with my

neighbors and make sure people know about this. Make sure that they have opportunity to give input. There is more I can say but I will end here, thank you for your time.

Rachel Van Patter, a resident of 890 College Avenue, came forward to speak to the request. She said I object to the plan in its current bloated and unreasonable state. While this sounds like a truly lovely development with a lot of thought behind it for the proposed and currently imaginary residents the undo negative potential impact on the real and current residents I do not believe is being very much considered. Everyone spoke of all the preparation and community engagement. I, as a homeowner attached directly to this project, only got this letter in the last week or two and it in no way mentions anything about 950 units. I did not hear about any sort of community event at VMRC and I do not feel that Frazier Quarry or any of the developers or LLC's involved have acted in good faith as good faith neighbors to let us know what is going on in our own literal backyard. I only found out about the scope of the project this morning when Google randomly showed me a news story of the scope of the project. My own property and modest home backs up against the proposed highest density area where all of the apartment buildings are planned to be. This project does not match the character of the surrounding established neighborhoods with its high density. I am a little bit concerned and confused about why this evening the only ideas mentioned for this property are an insanely massive housing project, unattainable City parks, or big bad industrial businesses. We need housing in Harrisonburg, I acknowledge that and I think it is great that there are people, companies, and developers looking to meet those needs and the City is caring about that. Could a lower density project not be proposed? 200 to 300 units, something like that. Could the zoning not be changed to meet those needs? I assume it has to do with the money being made. We mentioned traffic this evening and there has been a lot of mention about how there will be impact and the response so far from what I have heard is that a few streets could be widened and a few turn lanes added. What has not been mentioned is the reality of 950 units with the American average of around 1.83 cars per household. Meaning 1,700 new cars are coming and going on less than a mile of road. Roads that my children and I walk and bike on. This is one of the best accesses to Westover Park and pool. My own children are at the cusp of independence being able to bike that by themselves. This creates a huge change in our lifestyle with that. There is a lot of road planning, but I have not heard anything about the human element of the people driving all the cars. Also, schools have been mentioned but I have not heard of any actual responses of what we are going to do to respond to more students being added. What about Parks and Recreation staffing space and programs? Did you know that it could already be hard to get your small children into parks and recreation programs if you are not signing up immediately several months ahead of time? My own children have missed out on sports opportunities because there is not space, what will adding more wonderful children who want to engage in sports do? My own hopes and dreams for a private and quiet quality of life will be forever irreparably changed. My backyard will look out on multiple densely packed apartment buildings. The years of construction noise there will not be cars, slamming doors, dogs barking, parties happening. My sweet and special street where my kids and neighbor kids play now has the potential to have an opening to a massive complex even though the City is saying they are not planning on opening College Avenue, I am hearing that it is a possibility.

John and Glenda Leonard, residents at 858 College Avenue, came forward to speak to the request.

Ms. Leonard said I just wanted to say that on our behalf I appreciate the idea of bike paths for walkers and bikers and green space. I think there needs to be more thought to how to approve and build upon that greenspace thinking about the greenspace that is disappearing to create this space. Our property backs up right against this property as well so we share that borderline. We will miss the woods drastically and what the woods brings to us in terms of peace, in terms of quiet in terms of nature in terms of pure air in terms of just living quality. As that changes, not that we will not like the change, I want to encourage this committee to consider looking for what are ways to create not just a single tree here and there, but how we can keep groups of trees. Can we keep groups of that quality of nature that helps impact quality of life for those who live in that development and also for those who are bordering it? How the nature effects the heat of the area and also thinking about with more traffic with bikes and walkers through the current areas on College [Avenue], Hillside [Avenue] and Summit [Avenue]. What other things might need to be addressed because of that extra foot and bike traffic in those areas?

Mr. Leonard said our question is about the traffic study. We talked quite a bit about what it would look like Waterman Drive out onto [Route] 33, but I do not think we talked about what Waterman [Drive] would look like on the other side emptying onto Chicago [Avenue]. That to us is already a problematic intersection and we are curious if the staff or the applicants have an idea of what that might look like.

Ms. Leonard said I work at Waterman Elementary and I have kids on my mind a lot because of my job. I like the open space they have planned there but I want to also encourage us to look for ways for all ages of students. Not just a playground but different areas of development of children and young adults and where they like to hang out and what they like to do. How to create space for that to be a healthy space so that they feel safe in their neighborhood and they do not need to fear for safety in their backyard.

Vaunda Brown, a resident at 820 College Avenue, came forward to speak to the request. She said our property borders two sides of Frazier Quarry along the main part where the road would be put and then in the back where the apartments would be put. I want to tell you that everybody here has mentioned everything that we need to know about our concerns with pollution and erosion and all of those different aspects, but I want to tell you what my neighborhood is like. We are a neighborhood, we are in red on that map [Referring to the Future Land Use Map] and you are turning us into something else, that is not right. I bought my house and I have lived there for 24 years, that should mean something in this City. I have invested in this City, I gave myself to this City. I know we need housing, but we do not need 950 units over there. It should be houses just like ours with nice big yards where kids can play in and not greenspaces somewhere here and there. Love the bike path, truly do, but I feel really ignored that my neighbor who I have watched over his property for 24 years making sure no trespassers went in never even came to us and discussed any of this, it is disheartening. The kids in our community walk down the middle of our street because we do not have sidewalks. The kids in our community run around and play in our backyards because we do not have fences. We have block parties and potlucks and marshmallow roasts and easter egg hunts. This is our community you are ruining and it is not right. Thank you.

Micah Shank Zehr, resident at 867 College Avenue, came forward to speak to the request. They said I am a lifelong resident of this neighborhood. I was born here just down the street. I now live

on this dead end on College Avenue. I am 21 and I feel like the place that I have grown up is being irrevocably changed and taken from me in a way. Like Vaunda was saying our neighborhood is filled with bird song. That is something that I wake up to every morning and that is not normal in the City. The idea of losing that is deeply distressing to me. I am also really worried about the destruction of habitat. There are the squirrels, the insects, the birds the other small creatures. Urban habitat is so important. We do not own the Earth. I do not think that it is not taking into account the effects on the wildlife and on the neighborhood just the complete lack of retention of the current woods other than a 20-foot buffer, which is so small. That is less than the width of this room. I would strongly encourage the Commission to look into ways to increase retention of woods, adding a buffer between the proposed access road there and College Avenue and Hillside [Avenue]. Giving us, as current residents, as residents who are here now something to help us retain the community that we have fostered over the years and we have loved for so many years. I am not opposed to houses being built, I think that is important, especially affordable housing. I do not claim to understand the housing market, but I think that there are ways to do that and to build more houses without so negatively impacting the current residents of the areas they are being built in. Thank you.

Nevin Lough Zehr from 24 West Wolfe Street, came forward to speak to the request. He said I grew up on 820 College Avenue. I am kind of in the middle. I like the proffers for the bike and pedestrian lanes. I like the proffers for the sheltered bus stops. I like the concept of connecting neighborhoods with walkability. I do think this development will be high traffic impact and I think that the detached single units are kind of a waste of space that could go towards greenspace. In terms of the greenspace, I think there is objectively an issue of urban treetop canopy. If something like this is going to be built I wish there was more actual government subsidized housing and not just mismatched missing middle market rate. The reality is this is market rate luxury housing. It is probably going to happen, it is the Frazier's private property, and if it does not get rezoned they are going to build industrial on it, this is better than that. I agree that it is not real mixed use and the development of the neighboring commercial is very low density. The neighboring commercial area has a lot of low-density parking and when that gets developed it is just going to be coffee shops and yoga studios. Low density, high parking as opposed to what it currently is, Latino businesses. It would be nice if there was a proffer for the West Market Street crossing if they could pay for that. I like the sidewalk, I like making West Market Street more walkable. It is just road, but it sounds like Waterman [Drive] is going to be expanded. I do not agree that there is a surplus of parks. Sounds like there is a shortage of funding for Parks and Recreation, there is shortage of funding for the school system. I agree with the developers that this probably is not going to increase the number of students. I think that is a whole separate political issue that should be discussed at a different board. It is market rate luxury housing.

Russell Rohrer, a resident of 856 College Avenue, came forward to speak to the request. He said I feel a little bit different than some of the opinions that have been presented. I think this City does have a large need for additional housing. My primary concern is the density of the proposed plan. I would like to see it be somewhat less dense. I understand there are financial considerations. The development of a property is very costly and you have to balance the cost with the economic return that comes to it. I would like to see, if possible, if the density could be reduced. It will be sad to see the woods gone. I live right next to the woods in our backyard. I understand the Frazier family's

need to develop their land if they can no longer use it for a quarry, then it has to be used for something. I would rather see it be used for residential than for industrial for certain.

Panayotis Giannakouros, a City resident, called in to speak to the request. He said please look at the coverage of Bluestone Town Center at newreadjuster.com to see where this ends up. In brief, taking out one of the biggest areas of urban forest possibly it looks from the map maybe a quarter or more of our remaining urban forest will tip the ecological balance from flocks, hawks and owls to mice and yellowjackets. What the people [unintelligible] is going to attracting I have a chance to look forward to will be thinking about Lyme disease and being stung in the face while mowing the lawn as opposed to what I look forward to when I came here which is proximity to a biodiversity hotspot on this side of the continent. That said, anything that we say today will have no impact next to the political ambitions of the Chair which will be carried out if Vice Mayor Dent is re-elected. I advise Mr. Whitmer and Mr. Keller to look at Mr. Zehr and his son to see the wages of doing the Mr. Finnegan's dirty work and consider how you might best serve your City. Thank you very much, Mr. Chair.

Ernie Didot, a resident of 845 College Avenue, called in to speak to the request. He said unfortunately we were not able to be there tonight we are on vacation. I just wanted to express just a couple of concerns, many of them have already been mentioned. Number one, I was hearing the word collaborative quite often and, at least for the neighbors along the street of College Avenue, it felt nothing of the sorts. We have lived there for over 19 years and Frazier Quarry, whenever they wanted to communicate, they would send seismologists out for blasts and this, that, and the other. They were able to get the word out to us whether it be through leaflet, pamphlet whatever. Our street is a nice community and all they would have needed to have done is put a brochure up on a telephone pole. The reason I know that is because that is what we do when we want to have a block party and with three days of advanced notice we have droves of people showing up at the end of College Avenue where the proposed right now is to do a possible temporary connection. If it is ever decided to make that a through street, you will be destroying a community. A community of walkers and children that walk in the middle of the street. A community that has block parties and easter egg hunts. That is by far the point I am most concerned about. The second thing is you have mentioned, or shown, a 20-foot tree buffer line on the College Avenue side but then when you spin it around it turns into a street which bumps right up against it. My proposal would be why can we not continue that all the way up to Summit [Avenue]? Where Summit [Avenue] at the top they have a beautiful, nice buffer zone, why can we not connect it with that? It would mean losing four or five units, I think. Thirdly, I have heard a whole lot of numbers and statistics and this, that, and the other, but I have not heard much about projected construction time and projected blasting that will be needed on a rock quarry. That would be really helpful for the residents who will be taking this on for who knows how long. It was referenced two to three years, that is hard to imagine, but that was a castaway line that was said earlier. I think we need to hear more as residents on what projected construction time on this would be and what that would look like. Thank you so much for listening.

Barbara Pyle, a resident on South Dogwood Drive, called in to speak to the request. She said I have a more general concern. Over the last several years the City has considered two large projects that have required many changes in zoning and the City, I feel, needs to consider a way to communicate to all of the citizens that are effected by that more effectively and give them a voice

and a way to impact the projects that would hopefully be beneficial to themselves and to the builders. I would ask them to down the road to figure out a way to look at ways to do that more effectively. Thank you.

Katrina Didot, a resident of 845 College Avenue, called in to speak to the request. She said I do not think I need to repeat because my neighbors have already said it. We have a fantastic neighborhood and if I am looking at the plan it does not look like you have a lot of adjoining neighborhoods to deal with. I think it would be well worth your while to spend a lot of time with us and our neighborhood and talk about ways we can make this a beautiful collaborative effort. I think both of us understand the need for more housing and we want to be part of giving vision to other great neighborhoods. Maybe pocket parks that are adjoining or that kind of thing, I think there are lots of ideas. We would invite you, we will gather the people, to spend some time with us so we can work on this together with you. Thank you.

Chair Finnegan said I do have a procedural question for Mr. Russ, can I close the public hearing now and have the applicant respond or should we keep that open?

Mr. Russ said I think either way is fine. You can close it and have the applicant respond if you would like.

Chair Finnegan asked if there was anyone in the room or on the phone wishing to speak to the request. Hearing none, he closed the public hearing and invited the applicant back up to speak.

Kris Shank Zehr, came up to ask for clarification. They asked it is my understanding that if this passes here it goes to City Council November 26 and there is time for people to submit written comments online in that space of time. It would be helpful to know how those comments might impact the process. Especially considering what you have heard from us in this public hearing if we could know how best to give feedback and what that feedback might do.

Chair Finnegan said I will just say whether it is approved or denied tonight, it still goes to City Council. The only thing that would keep it from going to City Council would be tabling. It would go to City Council on the 26th [of November]. You can email City Council members.

Vice Mayor Dent said there is also a link on the website if staff could provide that. It is harrisonburgva.gov and go to the agendas and there is a link to the form to submit comments.

Ms. Dang said harrisonburgva.gov/agendas and as Vice Mayor Dent said there is a form there that when you submit your comment in that form, it will go to our City Clerk who will then forward it on to all of the Council Members. If you have trouble finding that link and you happen to have my email, Thanh Dang from Community Development, and I can also be sure that it gets to our City Clerk to then forward to the City Council members.

Vice Chair Byrd said one other note is that you heard that City Council was not meeting their normal time for a particular reason which means normal process is about a month between the Planning Commission and City Council's meeting. This is a special case because City Council is not meeting and therefore it is a bigger buffer.

Chair Finnegan said six weeks instead of four.

Commissioner Baugh said unless it has changed, you can also reach individual Council members. There is also a spot where they have links sitting out there where you can do them individually that is set up on the City's website as well.

Chair Finnegan said we did this a bit different tonight just because I wanted to get to folks' comments in case someone had to leave, but I did want to invite the applicant back up. Normally, we would ask questions at the applicant before the public hearing but for the sake of time I wanted to allow folks to get in. If you want to come back up and to respond to some of the concerns that you heard here. I think Planning Commissioners may have some questions for you.

Mr. Rhea said I think it might be most fruitful to respond to particular questions rather than trying to hit all of the concerns that were raised both from us and from the public. I do want to speak just a little bit to density because it was a large section of the staff report. The Comprehensive Plan map amendment change to medium density mixed residential has a target of up to 20 units per acre. The R-2 or the yellow Low Density Mixed residential is seven units per acre per targeting the City's Comprehensive Plan. As stated in the staff report, outside of the apartment area, which is the R-5 area, you take that R-8 area which adjoins the neighborhoods you remove the acreage in the quarry, I believe that density is five units per acre or just under. That is under the Low Density Mixed Residential designation. We are not pushing any density limits here in terms of what the Comprehensive Plan calls for. It is almost the same exact density that you find at Preston Lake. If you drive through that you get an idea of what this density feels like. Another question we hear all the time is why do we not just build less houses and big yards and make them look like our traditional neighborhoods that we all grew up with? The fact of the matter is if we turned this into half acre lots with a large backyard and made it single family houses with 250 units, no one would afford those houses. You look at Preston Lake, you look at the estate lots that they have on the south side of Preston Lake, those are \$950,000 houses today. That is the unfortunate reality of development costs in our world. If you want a for sale single family dwelling whether it be attached or detached, the types of densities we are requesting here are essential to being able to deliver affordability. We all wish it were different, but it is not and I do not think I am exaggerating the traditional neighborhood development model placed on this site would simply be a fairly elitest community.

Commissioner Nardi said could you please tell us what the proposed price points are for them?

Mr. Rhea said we answered questions on this the price points are what you see at Preston Lake because it is similar, they are building houses there now. They are attached three story townhomes, not the fancy ones right along the lake but 80% of the townhomes in that project are in your \$300,000 to \$380,000 range. That is the majority of the price point for the product here. The apartments, of course, are class A apartments. Look at what the Reserve at Stone Port charges and look at what Urban Exchange charges, it is in that market segment. Those detached single family houses, the 45 or 50 that get fit in there, they are like the cottage style at Preston Lake those are now \$525,000, \$550,000 houses. The luxury villas up on the ridge a little larger unit you are talking close to 3,000 square feet even though they are attached, those are probably in this market going to be you \$600,000 and \$700,000 price point homes. Consistent, again, with the luxury price points that we find locally. We have an example of a directly comparable community here that is just across the City line. I think the price points you can expect are consistent with that community.

Chair Finnegan said what is the percentage of units for sale versus for rent?

Mr. Rhea said all of the units other than the apartments are for sale. The apartments, on our design, are 264 units out of 917 which would make 70% for sale.

Chair Finnegan said okay, 70% for sale. Are those are privately owned governed by an HOA of some sort?

Mr. Rhea said correct. You heard David Gildea talk about this is the type of quality construction you will see at Preston Lake, it is that level of builder that would be attracted here. Those are HOA communities that govern appearance, outdoor activities, nuisances, it will be fully professionally managed as a community. It is not a cloister community, it is not behind gates. It is welcoming in the rest of Harrisonburg via this bike and pedestrian installation.

Chair Finnegan said this is not part of this application, it is separate, but the fate of the actual quarry. If this were to get approved, that is a separately owned property?

Mr. Rhea said it will be retained by the Frazier family. Quarries, as a matter of public safety, have to be fenced off. There cannot be boating or floating. That is just a matter of state and federal laws, it will be fenced. There are plans in discussion, we do not want to get ahead of ourselves or commit anyone to anything, but there are plans in discussions of making that a water resiliency feature for the City. That quarry when full will hold about 900 million gallons of water. You can compare that to the daily and monthly rates of Harrisonburg and it is a significant reserve resource. It can be pretty efficiently tied into the City's raw water system so that water can be directed into that lake for storage and taken out of there in times of drought. Those studies are well advanced and underway but out of respect for folks and the relevant departments who have processes to go through to finalize those plans. They asked us not to make it a center point for our presentation but there are plans for it to be an environmental sustainability feature.

Vice Mayor Dent said as I understand it the two projects could happen independently as in you could be creating a water resource even if this development were not on the table at all or if it were denied. The development could happen even if the water resource does not go through. They are very much being discussed interdependently because if there is a potential for a water resource, the development has to take that into account and allow the City access.

Chair Finnegan said there is no public access? There are no people swimming in it?

Mr. Rhea said that is impossible. At the time the first residential certificate of occupancy is issued in there, it will have to be fenced and secured. That is just a matter of mine and safety regulations statewide. When you take 900 units and look at what the City's tap fees are for connection and whatever minor upgrades might be needed downstream with this and the sewer system for example. We are talking about 9 or 10 million dollars in capital investment into the City's capacity system that is funded by connection fees. Your monthly bill pays for your operations, but those connection fees are a capital source for the City to update its water and sewer systems and this would be another significant benefit to the City in that regard.

Vice Mayor Dent said I want to hear more about the timing, the phasing of the development because you are not going to build it all at once. You said two or three years, I am a little skeptical that it can happen that fast.

Mr. Rhea said we talked about this a lot at our open house, and I had it on my list, but I was trying to get through and not take too long. If this project would get entitled by City Council say in the next three months, after that you start the Preliminary Engineering Review and your full Engineered Comprehensive Site Plan Review. For a site this large, that takes about a year to complete. No physical changes to the property would likely occur prior to the beginning of 2026 given that timeline. Then there will be another year of putting in the large utility installations and connections, the mass grading, the removing of that berm, getting all of your stormwater infrastructure in place to where you are not going to see your first residences there before late 2026. Then the buildout is anticipated over roughly a four-year time frame that runs this through 2030-2031. I think that is a realistic timeframe for when this is really going to get started in terms of visual impacts and then completion of the project. I will say so much of that is dependent on economic conditions. Preston Lake was rezoned in 2006, it was supposed to be done by 2011, they are still building houses out there today, the Great Recession happened. There are those variables but if we have slow and steady decent economic outlook and conditions, six to seven years total, two to three years for the site development and planning part.

Commissioner Washington said most of who spoke today were folks from College Avenue and I know you did open houses and stuff like that, but did you just miss that street?

Mr. Rhea said we put the notice for the meeting out on the Harrisonburg Northwest Neighborhood Facebook page. That is the one place we saw that there were comments about that site. In the public we also asked EMU and VMRC to put notices out through their system because a lot of the Park View community is associated with those institutions. Most of the people who came to our open house at VMRC I think were from the Park View neighborhood. It is really difficult to get to everyone or find the most effective ways. If there was an HOA for an adjacent community it is easy to circulate information through an HOA. I apologize, it was in no intent to hide this project from anyone and we did make efforts beyond the norm in terms of community engagement, a presentation to stakeholders and leaders in the community, and we did make a good faith effort. Obviously, we came up short with the people who immediately back up to that property but we do have, assuming this moves along, a six-week period to continue to engage. We are certainly open and willing to do that. We understand, those are the people most directly affected and those are the people who come and speak at these public hearings.

Commissioner Alsindi said there was a note by the staff stating that there will be a conversation with the complex FoodMaxx to have a path over there. I would like to know how serious that might take place. I think it is a good idea to have a path which helps to add more liberties and functionality to the project.

Mr. Rhea said we are very serious. One thing we have proffered already is to extend the sidewalk from our entrance and our multiuse path all the way along the FoodMaxx side of Waterman [Drive]. There will already be a fully developed sidewalk where there is not one now so folks, especially in the apartments section of this community, can very easily get to FoodMaxx. In addition to that, we are going to talk to them about adding another connection from our public trail

on the other corner of the FoodMaxx property. It is to our benefit for our residents to have convenient access to shopping that they do not have to get into a car to get to. We are committed to that throughout this project and that is what that commitment speaks to. When you get into legally binding proffers, you get the lawyers involved and they have to be very careful with their language when we are talking about having to do something on an adjoining property that we do not have legal power to force. I would expect the FoodMaxx owner to be very enthusiastic about making it easy for customers to get to their stores. We expect that to be a fruitful conversation. But we can not put the entire project conditioned upon that agreement.

Commissioner Alsinidi said I was thinking of adding that General Industrial district dimension into that. Even develop more that complex and not just have a path or a road to it but to turn it into something that could be even more useful in terms of adding more functions to the complex rather than keeping it the same that it is right now.

Mr. Rhea said there are two outparcels along West Market Street in that center that are undeveloped that anybody can come in and put a coffee shop or something that would be an amenity for 900 new housing units just next door to take advantage of. Common sense would tell you there is going to be a revitalization of both that West Market [Street] and Waterman [Drive] corridor over the next decade assuming this project moves forward.

Chair Finnegan said I hear what you are saying about the redevelopment in place of mixed use and the comment was made earlier, and I do want to reiterate what I have said before, I do think this is missing some sort of mixed use very light residential business allowing for people to stop somewhere along the way with no additional parking. I understand you do not want to encourage more car traffic into the neighborhood, but that is one criticism I have of this plan. There is no sort of coffee shop or neighborhood anchor space.

Mr. Rhea said part of this process is getting feedback from the Commission, from stakeholders in the community, from residents, we will incorporate those ideas. There are two large community centers proffered to be built with a pool. It would be pretty easy to incorporate a coffee shop or other sort of community amenity into those areas. At this early stage of the process you cannot chase down every contingency, but smart developers take those good ideas and try to incorporate them. If this was sitting out by itself without those things along the road, I think it would be a different conversation. We do not think it is an artifice to say that there is plenty of underdeveloped stuff right next door that could serve that purpose.

Vice Mayor Dent said I have a question about the HOA, that as I understand it sometimes those can be very restrictive on the uses and appearances. For example, if someone wanted to create an in-home childcare center, I would hate to have that prohibited by the HOA or vegetable gardens in their yards. I know that we as the City do not have any control over that, but I am hesitant, or concerned, about overly restrictive covenants that keep people from doing what they need to do in their homes.

Mr. Rhea said we understand that dynamic where we are a long way away from setting up the HOA and establishing those covenants. That is not something that can be committed this early on in the process, but it is certainly a consideration. Understanding the City wants to encourage breaking down of this traditional separation of uses. All the houses here, all the shops there, and all the workplaces here that force you to drive a car to get anywhere. We want more integrated

communities. One nice thing about this too is that it is very walkable to Downtown and the North Liberty [Street] corridor. It is not too far from Waterman Drive to get to other areas. It is not core Downtown, but it is Downtown adjacent and available on a non-drivable basis.

Chair Finnegan said that is a major concern that we heard tonight. As someone that lives on the west side of town, right now we are going through the process of trying to get traffic calming placed in. I do appreciate the proffers in here about the raised crosswalks and I think that should be standard on public streets, private streets, we need to slow cars down. I do have concerns about the traffic on Waterman [Drive] up to Chicago [Avenue]. I will be attending that open house that [the Department of] Public Works is doing [on the Waterman Drive and Chicago Avenue Corridors]. It does seem like a lot of people are going to be leaving [the site] and going up Waterman [Drive] and then turning left onto Chicago [Avenue].

Mr. Rhea said to answer the question that was raised, was the Chicago [Avenue] and Waterman [Drive] intersection thoroughly analyzed and studies in the Traffic Impact Analysis [TIA]? It was, we studied every intersection up until Mount Clinton Pike and Virginia Avenue as part of that TIA. There is objective data in there. Six months worth of discussions and going back and forth with the City. The City does have its ongoing Waterman [Drive] and Chiago [Avenue] Corridor Study. There is a lot of synergies to those and a lot of right-of-way being given to the City to make those improvements. The TIA in itself did not show a warranted mitigation to that intersection.

Chair Finnegan asked if there were any questions for the applicant's representative. Hearing none, he opened the matter for discussion.

Vice Chair Byrd said more of a reminder, it was proffered a vegetative buffer?

Mr. Fletcher said certain sections. There are two sections of the development that had proffered buffering.

Chair Finnegan said one of the comments we heard tonight was why could that buffer not be pushed up against the end of College [Avenue] and Hillside [Drive].

Mr. Fletcher said the buffer is where Ms. Dang showed it first and then there is the Brickstone buffer on the southern side.

Chair Finnegan said it was brought up earlier, I think by staff, that we think of these subdivisions as being part of the City, Reheard Acres, Sunset Heights, these neighborhoods were already here when people moved here. One of the things that has shifted from when my neighborhood was built, a traditional grid neighborhood is people have a lot more cars. We heard an applicant earlier talking about a neighbor having seven cars. I just want to acknowledge that I also have concerns about the amount of car traffic that this is going to create. I would also say in the Zoning Ordinance we have off street parking minimums that we require. We have density maximums for housing for people and we have parking minimums for cars. I just want to acknowledge that the result that you get is a lot of car centric development when you do that. I do think that in this case the applicant has done a good faith effort to try and provide some other ways to try and get around. When you look at Reheard Acres, there are no sidewalks there. There are narrow streets full of cars very hostile to walking and biking so I do appreciate. When you look at the Strava data you can see a

lot of people walking and biking to the end of Chicago and Hillside less than on Summit. I think that those were to get used if this were to get built the way it is designed.

Vice Chair Byrd said because of the size of this site, we are going to see a preliminary plat? That is a public hearing as well.

Ms. Dang said you consider the request, it is not a public hearing. Traditionally, you all have opened it up to allow for public comments, but it is not required.

Vice Chair Byrd said that is when we find out where the roads actually will be.

Ms. Dang said yes and no.

Mr. Fletcher said you get more specifics about the physical location to where the street is going to be. What Ms. Dang is getting to is that it will be a similar layout.

Ms. Dang said the very first transportation proffer says that “the owner applicant shall provide a public and private street network as generally depicted on the concept plan.” Then it goes on to say that “the Department of Public Works may, in its own discretion, waive in whole or in part the completion of this proffer.” That is because this has not been designed yet, there may be some adjustments needed.

Vice Chair Byrd said but those specifics are what I am concerned about.

Mr. Fletcher said you will hear very similar proposals or presentations about the widths of the streets and where the sidewalks will be located and if they need variances to tangent points or elevations or street grades or anything like that. I am not saying they need them, I am just saying if they were because often times that is where we are talking about those where they need to deviate from any kind of design criteria.

Vice Chair Byrd said would I be able to question the vegetation there as well.

Mr. Fletcher said typically not. When you say vegetation are you talking about buffers?

Vice Chair Byrd said when I looked at the area there are a lot of topographical changes and when someone is going to reshape everything, I do not know what the future land will look like until I see a drawing and think okay this is what the land now looks like.

Mr. Fletcher said I am not quite sure I understand. Is it a question?

Vice Chair Byrd said if there are going to be grade changes to the ground that is there now, they are not building the roads on the ground they have.

Mr. Fletcher said no they will not build to the contours that are there today. They will be grading and filling and cutting and filling. Their design criteria for street grades, street widths that they have to meet. All of those things would be shown during that time. Of course you can always question about whether or not they need to cut down certain things, or maintain certain

greenspaces. Today they could go out there and cut down all of those trees. There is nothing that prevents them from doing that today.

Chair Finnegan said I think when we talk about greenspace it sometimes gets lost in the mix whether we are talking about open lawn, tree canopy cover, or vegetative buffer. I think of those as different things. I do want to acknowledge as Mr. Fletcher pointed out we frequently look at private property that has a lot of naturally growing trees. Correct me if I am wrong Mr. Frazier, I do not believe those trees were planted. They were there and some earth got moved and trees grew up around, it as trees do. I do have a question about the tree canopy.

Mr. Frazier said correct there are some that were there when the property was acquired originally. West Ridge Summit is a good example. Most of that is our berm that we are bonded to keep a certain amount of topsoil for reclamation purposes. A lot of that being fill... That was out up there when it was developed and trees have grown up naturally. When we reclaim the site, they are coming down regardless. Regardless of whether there are houses being built or not.

Chair Finnegan said the point I am trying to make here is anyone that is here that has a backyard with trees in it, there is nothing in the local ordinance or state law that currently can stop anyone that owns trees. Whether it is a quarter acre lawn or whether it is a large site like this from taking a chainsaw and cutting down all the trees. I know this because I have seen my neighbors do it, there is nothing I can do to stop that. I will say I have mentioned this before and I am going to bring it up again because I do think this is something we should revisit when we are looking at the larger Zoning Ordinance rewrite is when these sites are developed, under Virginia State law I think it is up to 20% of tree canopy cover. Legislation from the State says localities can enact ordinances that say when large sites are developed, they have to replant up to X percent [of tree cover].

Mr. Russ said you can have a design professional determine after 15 or 20 years you will have restored this tree canopy. In the alternative, you can just avoid some of the trees that equal that percentage of tree canopy. I do not recall the percentage off the top of my head.

Chair Finnegan said I am just letting folks know that often when these come through it is too late to change the ordinance. If the City wants to prioritize tree canopy cover, then we need to be writing it into the ordinance. From a developer standpoint you are saying this much of the property has to remain trees. The thing that I would give up would be the parking requirements.

Vice Mayor Dent said those are to keep in mind for the Zoning Ordinance rewrite.

Chair Finnegan said I want to acknowledge. We have heard several comments about the natural space, the habitat, the trees and I do share those concerns but I also want to say the same laws that apply to this property apply to your backyard and you can take a chainsaw and cut down all the trees if you would like, there is nothing stopping you from doing that and I would like to see those laws changed.

Mr. Fletcher said just to be clear, if you disturb certain amounts of space you do need to have an Engineered Comprehensive Site Plan for erosion and sediment control but as long as you are not tearing up those stumps you can cut down those trees but as soon as you start tearing up the stumps and disturbing the land you have to come speak with us so we can make sure you are controlling the erosion.

Commissioner Washington said as of now there is nothing.

Chair Finnegan said the City under Virginia State law sometime recent in the last few years the City can enact an ordinance that says you have to have X% of the property covered in trees.

Commissioner Nardi said I would echo that in this time before November 26 the effort to citizens of College Avenue to have a dialogue. The other thing is the buffer that we have been talking about, could that be mitigated with that group of neighbors? It is hard, I am someone who moved away for 30 years and just came back the last couple of years. It is interesting to see and I could appreciate what you are doing. It has been a challenge to see the JMU effect on the community over time and JMU is a blessing. It is just hard to see how that has transpired over the years, but it is not a bad thing. I appreciate your design and the effort with the bike connections, it is really important.

Vice Chair Byrd said to provide some focus to our discussions I am going to start doing some things.

Chair Finnegan said there are five items, five requests, and we need five motions.

Commissioner Washington said I know we had this discussion recently around the public schools and the student generation rates. We have heard a couple of different numbers, are the numbers somewhat accurate to what we are looking at?

Vice Mayor Dent said short answer is no. The longer answer is in this note that staff added that for total student population projections, we use Weldon Cooper general model. The really long answer, and the more accurate answer that we will get in a number of months, is that we have commissioned a custom study from Weldon Cooper to dive into these demographic issues of lowering birth rates, the counter acting effects of immigration and so on. The school generates their own numbers with whatever model they use that we do not even have access to that can be useful to them to figure out, in this case, if there is any redistricting that might be required between Bluestone Elementary and Waterman Elementary. That is why you get these two different numbers from Bluestone and Waterman but what the schools do with that is their own redistricting. That does not apply to the overall population projection about when and whether we need to expand the overall school capacity. Did that help?

Commissioner Washington said yes and no. It just says right here the City of Harrisonburg and HCPS both use the University of Virginia's Weldon Cooper Center for public services projections. It is just numbers are being used differently.

Vice Mayor Dent said yes, exactly.

Chair Finnegan said I do think it is worth mentioning when you look at studies that have been done, there was one that was done in Massachusetts about the impact of new housing on school enrollment. It certainly seems like when you build a lot of new housing, you are going to get a lot of new students. The studies that have been done found that there is not a large impact in the way you would think because there are already students enrolled in Harrisonburg City Public Schools who are doubled up and tripled up in housing. They are already enrolled. Also birth rates are going

down. I think the school enrollment for the entire state of Virginia is projected to drop something like 2.9% by 2028. I mean, the school enrollments are going down.

Commissioner Washington said right, but also just based on the price points of these housing units I do not think that the students that are doubled are the ones moving into these higher priced luxury homes. I do like the effect of the intergenerational housing. I was just curious about how that effected those numbers.

Chair Finnegan said these are not age restricted units.

Vice Mayor Dent said just to clarify the difference between new students as used by the schools like some number of students on this piece of property that is currently a quarry and a habitat. That does not mean that they are new to Harrisonburg necessarily. That is where the redistricting could come into play as opposed to the overall projections of capacity.

Vice Chair Byrd said just over a month ago we were looking at a property that they were trying to jerry rig the deal with this type of topographical changes and I was going this side of Waterman [Drive] needs to be developed and that would make it much easier and it would not require all of this work to make this road connection to this particular community. Lo and behold the next month we have this project on the other side of Waterman [Drive] which may affect what happens on the opposite side of that road. Therefore, I would recommend approval of the request for the Comprehensive Plan amendment.

Commissioner Alsindi seconded the motion.

Vice Chair Byrd said no one brought up any concerns about changing the area from M-1 to residential. There were concerns about density, which someone mentioned keeping it R-2, but I am seeing us mention lower density R's. When there is a lot of potential changing of the earth, I get very suspicious that it is going to need more density and therefore I tip to favor an applicant who is having some more density than what was currently suggested. That is why I will be voting in favor of changing the Comprehensive Plan.

Commissioner Baugh said I certainly feel the motion before us, whether a lot of objections, I certainly think it is fair. It is a big decision and of course it is a process of it little greases the wheels for the motions that come afterward although we can draw a line where we want to. Does it make sense to keep this as this M-1 or R-2? It does not. The trend of changing to Medium Density Mixed Residential makes sense. I am in favor of the motion.

Chair Finnegan said I did just want to acknowledge that we talked about schools. Schools did not come up as much in tonight's discussion as they may potentially come up in City Council, but I think this is something that we need to acknowledge. We need to acknowledge that schools are the 30% of the City's budget. Property taxes are 37% of the City's budget where they are coming in. I think taking this from an industrial use, as Commissioner Baugh had mentioned, M-1 did make sense when this was an active quarry. It does not make sense to keep it M-1 at this time.

Commissioner Baugh said predicting the future is really hard. You pay the best experts to review it and they are better than random chance just enough to notice. It does not mean that you do not do that. It does not mean that you do not pursue it that way because that is part of your due

diligence. I will just say looking back on the last ten to fifteen years, our track record of predicting what our population is going to be, including studies, has not been all that good and it is not because people have not been trying, stuff happens. You want to be mindful of things and I think Council is right to be doing the type of deep dive that they are. As we said, a recession hits and all of your plans go out of the window. There are all sorts of factors moving around right now. In many respects, it is unbalanced. It is a good thing that we continue to be on a short list of jurisdictions where there may actually be some population increase over the next decade just because this it is a good place to be. Let us keep that up. Whenever I hear people talking about let's look at these projections and see what they are so I can rely on those projections. Good luck to you on that, because we can go back and look at any number of intervals just over the last ten to fifteen years and say what were we thinking was going to be the next thing that was going to happen. I can think of the big spike that we were upset with that we did not predict. I can think of the big leveling out that has happened that people sort of do not think about.

Chair Finnegan said if you look at the climate projections, there are places that are predicted to be more able to support human communities than others and Rockingham County is on the maps for the in migration in the climate. To your point, those are maps based on data that is the best data that scientists have at that time and it could change.

Commissioner Baugh said if you were to graph out our projections, the longer the arch you take, the better they look. In another way, our ability to make projections ten or fifteen years out as far as where we ended up have not been off. The way we got there looks like it is the population growth equivalent of watching sausage get made. Which is, again, one of the things to understand about something like a Weldon Cooper study. You ask them to look at your long-term, they are going to look at your long-term. Our track record of ending up where we thought we were going to be has been pretty good, but, boy, there have been certainly one really big spike at a time that no one was predicting. Similarly, flat periods. Other people were saying you need to graph out these spikes.

Chair Finnegan called for a roll call vote.

Commissioner Nardi	Aye
Commissioner Baugh	Aye
Vice Chair Byrd	Aye
Vice Mayor Dent	Aye
Commissioner Alsindi	Aye
Commissioner Washington	Aye
Chair Finnegan	Aye

The motion to recommend approval of the Comprehensive Plan map amendment request passed (7-0).

Vice Chair Byrd said I will recommend approval of the rezoning of 51, 75, 85 Waterman Drive, West Market Street, and Brickstone Court from R-1, R-2, and M-1 to R-5C and R-8C including the proffers as submitted.

Vice Mayor Dent seconded the motion.

Vice Chair Byrd said I do like to always bring this up as a person who rents in the City that when I read here that there are people who are living in households beneath their means and what the percentage was for that, I did some quick math in my own head and I live beneath my means. The reason why I do that is because I have student loans that I need to pay off. I do not have a job that pays for the projected amount I was supposed to be making in my career that they gave me those loans. I actually filed my own loan documents, not my parents. When I see that I tend to be in favor of housing and my only concern is the vegetative line where Hillside [Avenue] and College Avenue butt up to. I cannot see the topographical area properly and what it would be. It makes it hard for me to want to add anything to that. That is why I was in favor of the motion with the proffers as submitted instead of suggesting any changes.

Ms. Dang said proffers are voluntary.

Vice Chair Byrd said I meant adding conditions.

Ms. Dang said no, that is only for special use permits. Consider recommending conditions to be added with special use permits.

Commissioner Baugh said one other thing I want to throw out as a historical reference, I think we have asked the right questions and we have gotten answers that are as good as we are going to get. Let me throw out something that has shown up, or had been a concern, for a handful of similar developments. We are looking at a few years here but the scenario where...because you talk about profitability and stuff... The presentation has been really good but, heck, someone could sell it and have someone else come in. Who knows who will even own this five years from now. One thing that has been a big concern for something like this would be if you develop the R-5 first and the R-5 is successful then maybe you will get a little bit of an economic downturn and people are then coming back and saying "I know we had this R-8 and R-5 and it was this great mix of diverse housing. Really what we need more is R-5." R-5 is here and successful and it is a market where demand outstrips supply and everybody is gobbling it up. I am voting for something like what we are proposing here. None of us may be around if and when this comes up. I would say that is something that is floating around in the back of my mind is I am voting for this because I do like the proposal that is here. I probably could be talked into voting against it if it was anything less.

Commissioner Washington said can you repeat the motion please.

Chair Finnegan said there was a motion to rezone from R-1, R-2, B-2 and M-1 to R-5C and R-8C.

Vice Mator Dent said I just want to second the bizarreness of the beneath their means concept. I questioned that when it first came up when we had the housing study done and the City Council conference on it. Why would anybody not want to live beneath their means? It seems financially wise. I do understand the squeezing out effect that if somebody really does want a fabulous view of the mountains and can afford the high range villa townhouses. My question was would they not want a house there instead but that would be a million and a half dollars or so and who can afford that? Getting the right target market takes a lot of calculation and prediction as if that works on the developer's part. I can understand if someone is living in a smaller house and wants a fabulous place. They move into it and someone moves into the smaller house and so on. That mismatch

means we need that top end too and to some people moving from DC that is going to be affordable for what they can get. My biggest concern that I raised before is still about the sewer capacity. We are not worried about water but that is a conversation with Mike Collins. It does not affect this development as much as what are we looking at with the Granite Farm in the County.

Chair Finnegan said I think City Council should get an answer before that is approved.

Commissioner Washington said I am not the target market for these homes. I think that housing here would be better than the alternatives that were listed before.

Commissioner Nardi said manufactured uses if it stayed M-1.

Commissioner Washington said I think we do need housing more than the M-1 uses that were listed. While I am kind of disappointed and frustrated with the lack of community engagement with the folks on the street that were directly impacted, I think that this is a creative project. I would love to see more of the people on College Avenue engaged with this project just to make it more of a collaborative effort as stated before. I think this is going to be great for the City.

Vice Chair Byrd said I heard the public's concerns about a lot of these things, however, the area abutting is already zoned R-2 if there was construction they would still have to change the land. Therefore all the concerns about any construction on sections of the quarry area would still occur with a R-2 zoning. It is just the type of residences that would be built there would be different. That is why I am still voting in favor of this. It is not because I do not take in their concerns into account, I just go those would happen if someone decided to go with the current zoning anyway.

Commissioner Baugh said more precisely, we are rezoning to something that tries to be exactly like the existing neighborhood it would just be a newer version, single family homes on small lots and that is what our R-2 is.

Chair Finnegan said with the cost of grading, the costs of those lots would be astronomical.

Vice Mayor Dent said that is exactly what is adjacent to College Avenue and Hillside [Avenue], single family-owned small lots.

Commissioner Baugh said my sense is the neighborhood would say if you are going to have to have something there why not there.

Commissioner Washington said do not get me wrong, it could be denser but it is not. When you think of how many units we talked about I think it is reasonable compared to what it could be.

Chair Finnegan called for a roll call vote.

Commissioner Nardi	Aye
Commissioner Baugh	Aye
Vice Chair Byrd	Aye

Vice Mayor Dent Aye
Commissioner Alsindi Aye
Commissioner Washington Aye
Chair Finnegan Aye

The motion to recommend approval of the rezoning request passed (7-0).

Vice Chair Byrd said I will recommend approval of the request for the special use permit of Waterman Drive, West Market Street and Brickstone Lane to allow multifamily dwellings of more than 12 units per building in R-5.

Commissioner Baugh seconded the motion.

Chair Finnegan called for a roll call vote.

Commissioner Nardi Aye
Commissioner Baugh Aye
Vice Chair Byrd Aye
Vice Mayor Dent Aye
Commissioner Alsindi Aye
Commissioner Washington Aye
Chair Finnegan Aye

The motion to recommend approval of the special use permit request passed (7-0).

Vice Chair Byrd said I recommend approval of the special use permit for Waterman Drive, West Market Street and Brickstone Lane to allow attached townhouses of no more than eight units in R-8.

Vice Mayor Dent said with the condition.

Ms. Dang said the condition is the one recommended by the applicant which is the maximum attached townhome group shall be limited to a maximum of six units.

Mr. Fletcher said to be clear, you were alluding to a condition about buffering. This could be, if you are interested, the ability to add a condition because it is associated with the townhomes and townhomes are adjacent to the area where the buffer is so that is within your authority.

Vice Mayor Dent said except the buffer would be along the single family house section, right?

Mr. Fletcher said I could be misunderstanding what I heard Vice Chair Byrd alluding to earlier, but he was talking about the 20-foot buffer. I thought you were alluding to the 20-foot buffer where the townhomes are located. If you wanted to you could attach a condition to have a wider buffer.

Vice Mayor Dent said we cannot really touch the one that is along the side where the single family houses are.

Ms. Dang said agreed but the layout is not proffered in terms of where their buildings are so I am wondering, if in the hypothetical scenario, that townhomes end up going at that location. We could write a condition that is broad enough that would be anywhere adjacent to townhome developments. There could be an “X” width buffer.

Chair Finnegan said the issue is the road is running between the single family homes and College Avenue.

Mr. Fletcher said they have already proffered a 20-foot buffer and it could be, if you wish, that if townhomes are constructed adjacent to the 20-foot buffer you could attach a condition to increase beyond what was proffered. You are already guaranteed a 20-foot buffer in that section. Item number 17 [referring to the map] is a proffered 20-foot-wide buffer. What I thought I heard earlier was Vice Chair Byrd referring to a wider buffer.

Vice Chair Byrd said what I was referring to was where that road is right there.

Mr. Fletcher said because there are no townhomes there, you could not add a condition to that section.

Chair Finnegan said the other ones, there is not road behind it. If there was a road behind it, it would be the same as that.

Mr. Fletcher said what Ms. Dang was saying is that you could add a condition that you would have a wider buffer anywhere where townhomes are adjacent to wherever you want them adjacent to.

Vice Chair Byrd said my concern is not about the buffering of the residential buildings to other residential buildings. That road would just be coming past that area and from how I saw the ground I was just going if some of that vegetation is simply not disturb when that road is made then that vegetation would be able to stay there. If in the future a connection was made then the trees that would need to be removed. But the way we were discussing this I was going “oh, okay so that is not addressed in this part”. I have just been eliminating where it can be addressed.

Chair Finnegan said that would have to be proffered, we cannot force them to proffer that.

Vice Chair Byrd said I am just seizing this as the moment to put my thought out there so that it is heard. The motion is for the special use permit with the condition.

Commissioner Baugh seconded the motion.

Chair Finnegan called for a roll call vote.

Commissioner Nardi	Aye
Commissioner Baugh	Aye
Vice Chair Byrd	Aye
Vice Mayor Dent	Aye
Commissioner Alsindi	Aye
Commissioner Washington	Aye
Chair Finnegan	Aye

The motion to recommend approval of the special use permit request passed (7-0).

Vice Chair Byrd said I motion to make a recommendation for the special use permit to allow reduced side yard setbacks for townhomes with the condition recommended by staff.

Commissioner Baugh seconded the motion.

Chair Finnegan called for a roll call vote.

Commissioner Nardi	Aye
Commissioner Baugh	Aye
Vice Chair Byrd	Aye
Vice Mayor Dent	Aye
Commissioner Alsindi	Aye
Commissioner Washington	Aye
Chair Finnegan	Aye

The motion to recommend approval of the special use permit passed (7-0).

All five recommendations will move forward to City Council on November 26, 2024.