



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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July 6, 2021

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

SUBJECT: Consider a request from Harman Realty Inc. and Stone Spring Holdings LLC for a special use permit to allow multi-family dwellings of more than 12 units per building at 650 and 680 Stone Spring Road

**EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION
MEETING HELD ON: June 9, 2021**

Chair Finnegan read the request and asked staff to review.

Ms. Banks said that the Comprehensive Plan designates this site as 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.

The following land uses are located on and adjacent to the property:

Site: Vacant land, zoned R-5C

North: Townhomes and apartments, zoned R-3

East: Vacant land and detached single-family dwelling, zoned R-5C

South: Apartments and vacant land, zoned R-5C

West: Across Interstate 81, Industrial uses, zoned M-1; and a City park, zoned R-1

The applicant is requesting a special use permit (SUP) per Section 10-3-55.4(1) of the Zoning Ordinance to allow more than 12 dwelling units per building within the R-5, High Density Residential District. The subject property consists of portions of two separate parcels. The property owner and developer intend to subdivide these two parcels and eventually create a +/-17.05-acre parcel to be located at the end of Leland Circle. The applicant has provided a proposed site plan showing an apartment complex consisting of 265 dwelling units. If the SUP is approved, at least three of the apartment buildings will contain more than 12-dwelling units.

This site is a portion of a larger +/-72.6-acre area that was rezoned in February 2008 from R-3, Multiple Dwelling Residential District to R-5C, High Density Residential District Conditional. Specific proffers with the rezoning included a public street that would loop through the property and for it to be completed when 60 percent of total site development occurred. The proffers also included for the public street (now known as Leland Circle) to align with Ramblewood Road. Other proffers included green space, a bike/multi-use path, and limiting the total number of residential units to 1,054. The applicant also agreed to dedicate the necessary right-of-way and easements for the Erickson Avenue/Stone Spring Road improvement project.

Currently, "The Overlook," a 180-unit apartment complex situated on +/-14.4-acres of the original tract, is the only other development located on the R-5C site. In November 2008, The Overlook received favorable recommendations from staff and Planning Commission, and unanimous City Council approval to Section 10-3-55.4(1) in order to construct buildings with more than 12-dwelling units per building. However, The Overlook ultimately decided against that design for their development and instead has 15-buildings with 12-dwelling units in each. The SUP for that site has since expired.

The requested SUP does not change the allowed uses or proffered density for the area. Staff believes that the SUP requested is consistent with good zoning practice and will have no more adverse effect on the health, safety, or comfort of persons living and working in the area and will be no more injurious, economically, or otherwise, to property or improvements in the surrounding area. Staff recommends approval of the SUP.

Chair Finnegan asked if there were any questions for staff.

Chair Finnegan asked Commissioner Baugh if he was on the Planning Commission in 2008, and if so asked if he would add any context to the original SUP for The Overlook.

Commissioner Baugh said that he was on the Planning Commission at that time. To be precise, it is not that The Overlook was approved in 2008. It was the SUP.

Ms. Banks said that is correct. The SUP for The Overlook to construct buildings with more than 12 dwelling units was approved in November 2008. The entire 72-acre parcel was rezoned in

February 2008 from R-3 Medium Density Residential to R-5 High Density Residential Conditional.

Commissioner Baugh said that his recollection was that it was not unanimous. The SUP at the end of the year was, but the original rezoning was not. I am pretty sure I was one of the people who voted against it. One of the things that was discussed that may have been one of the critical issues that allowed the majority to vote for the density being capped at the old R-3 level. The issue was that this came up not too long after the R-3 change. While I still did not support it, I could understand the R-5 Conditional wanting to keep pace with what they had had in the R-3. They were trying to argue that it was neutral, but they wanted increased density. This is one of those parcels that was part of that transition. It was an undeveloped R-3 tract and the owner was concerned about the R-3 change. The R-5 Conditional was an attempt to preserve that without having to develop it right then, which would have been the other option. When it came up later for the SUP, it was about adding flexibility to the rezoning that had already been approved. We all voted for that. That is the way that I remember it.

Chair Finnegan asked when did the Stone Spring-Erickson connector road open?

Commissioner Baugh said that was later, within a few years. When that first was done, that was a project that was in line for a number of years. The entire Erickson Avenue extension, like so many things, was subject to available funding. It was the recession era relief that got us the funding to do much of that. It went from a project that sat, to getting largely done in the 2009 forward era.

Chair Finnegan said that he was trying to contextualize when the density was increasing on that road, in that area.

Commissioner Baugh said that down the road there are some single-family dwellings up the side of the hill. Those were developed on the old road. A lot of the stuff in there was developed before the road was improved.

Mr. Fletcher said that based on the City's website for the project history, it appears that Phase 2, which is the section we are talking about, was constructed between July 2010 and November 2012.

Commissioner Whitten asked if the City schools had any comment about this development.

Ms. Banks said that the City schools had no comment. They received the same information and provided no comment.

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.

Seth Roderick, Monteverde Engineering and Design Studio, spoke on behalf of the applicant. The developer of this project is Valeo Development LLC. We have a couple of representatives on the line with us tonight. The applicant as shown on the application is Harman Realty, Inc., the landowner. Valeo is the contract purchaser. The Harman's are not seeking to develop the property.

They are seeking to sell the property. Valeo is seeking to develop. This is part of their due diligence process.

Staff did a great job explaining the project. This SUP is not to create or allow any of the uses presented or proposed. Those uses are already zoned by-right. What we are seeking to do is to allow for more than 12 units in a single building. We have three buildings that are designated for more than twelve units. Valeo has worked through a very successful model, recently, for Clemson University. This is seeking to build off of that model. What they have been successful with is to have and maintain a good portion of the property as open space. As you saw in the schematic presented earlier, we do have large central lawn that is a key feature for this development and will be a big benefit for the residents. In order to do that, we have to group. It is dependent on massing more than 12 units in a single building. The more units that go into a single building, the more of that space can be left open. It is important to note that the cap on that total property is 1,054 units. When that was rezoned and land was dedicated for Stone Spring Road, they maintained the density that was on that parcel. That cap of 1,054, minus the further action of City Council, is not going to change. With a SUP application such as this, it allows for those units to be massed into single buildings and therefore preserve some of that finite mass of land area for open space.

Councilmember Dent asked what the difference between a cottage and a townhome is on the preliminary drawing. What is a cottage?

Mr. Roderick said that it is the nomenclature used by the developer. They are very similar in style. From a City's definition standpoint, they will all fall under the townhouse definition. It is more of a stylistic difference.

Hal Grayson, Valeo Development LLC, spoke regarding the request. The project is a combination of what we call cottages, townhomes, and apartments. We like to have a lot of green space. We have a dog park and amenities. By being able to group the density in the larger apartment buildings allows us to have a larger village green, which is a real focal point for the community. There is not much difference between cottages and townhomes. It is what we call it, internally. We like to mix up the look of the building, so that it looks more like a community. We have a streetscape and lots of landscaping.

Commissioner Whitten asked if there were photos from the Clemson development. I assume that has already been built.

Mr. Grayson said he does not believe that photos were provided. You can look EPOCH Clemson on the internet, you will find a website that can give you some pictures.

Commissioner Whitten asked how long the development in Clemson has been open.

Mr. Grayson said that it has been open for about two years. We are on the other side of the lake. We have a lot of lake frontage. We even built some boat docks and swim docks. It is a really cool community. We call it an academic village because we market it, not just to students, but to junior faculty and grad students. What we are seeing is that there are also a lot of companies that like to hire recent grads. They create special programs and the residents like this kind of academic village.

We have a lot of features to it, including meeting rooms, study rooms, places that the residents can gather, a coffee shop with free coffee and tea, and the regular amenities that you see in most apartment communities with a pool, and so on.

Commissioner Whitten asked how many bedrooms are in a cottage versus a townhouse versus an apartment.

Mr. Roderick said that there are anywhere from one to four bedrooms across the board. The average was about three. I do not recall the exact mix.

Mr. Grayson said that sounds accurate.

Councilmember Dent said that the Clemson development has four or six bedroom cottages. That is different from what we have here.

Mr. Roderick said that the City of Harrisonburg caps the number of bedrooms at four. There are no more than four with this project.

Ms. Dang said that, to clarify, we cap the number of individuals who can occupy the space. If the desire is to have one individual per bedroom, then in effect it is a cap of four bedrooms, but we do not cap the number of bedrooms.

Chair Finnegan said that it is how the leases are structured, correct? You are leasing one bedroom at a time?

Mr. Grayson said that it is by the bed. In Clemson, there was no cap on the number of bedrooms, so we did some six bedroom cottages. Here we had to modify that to comply with the code in Harrisonburg.

Commissioner Whitten said that it sounds more like undergrad and an opportunity for fraternities.

Ms. Dang added a point of clarification regarding definitions in the Zoning Ordinance. When Mr. Grayson and Mr. Roderick are talking about townhomes, we consider those townhouse-style apartments because they are not on individual subdivided lots. The style that they are describing would look like a townhouse.

Chair Finnegan asked if there were any questions for the applicant's representative. Hearing none, he asked for the next caller. As there were no more callers, he closed the public hearing and opened the matter for discussion.

Chair Finnegan asked Commissioner Whitten if she is opposed to the four-bedroom, four leases per unit, cottage style apartments anywhere in Harrisonburg or just in this location.

Commissioner Whitten said that she is not necessarily against them. I do have concern that we have single-family homes and a school that are in proximity to this property. I know that we did get a letter from a family that lived in Woodland and moved away from there because of noise

issues and other issues related to student housing. I do not think that we currently have a need for student housing. We have a need for housing, but it is not for student housing. Clemson and Harrisonburg compare fairly well. It sounds like Clemson zoning is a little lacking, perhaps. That would have been my comment in 1987 when we lived there, too. I do think that more and more we are seeing fraternities move away from campus; I do not really know if fraternities are existing on campus now. I know there are certainly a multitude of problems related to fraternities as we all read in our newspapers, with alcohol, and fraternities are looking for places to exist. That usually is places that have a large number of bedrooms where people can cohabitate. We need to be aware that it can be a concern for lifestyle issues for people who would like to have a more stable lifestyle than a student lifestyle. I do have a concern about approving large numbers of apartments for students when we do not have a need that exists in our community. I believe that we are probably over-built by just about anybody's standards for student housing.

Commissioner Baugh said that the layout is conceptual, correct? It is not proffered.

Ms. Banks said that is correct.

Commissioner Baugh said that is not unusual. Does that mean that the SUP as it is right now... Am I reading it right that while they presented the conceptual drawing with three buildings that could have an increased number of units, they are not limited to that, right?

Ms. Banks said that they are demonstrating three buildings on the layout, but the SUP is with the property. Unless there is a condition that limits it, you are correct.

Commissioner Baugh said that the limit here is the limit that was placed on the entire tract, right? My point is that they could actually put a whole lot here and the issue of limits on the existing proffers does not come up because they still have a lot of room to go because roughly half of this tract remains undeveloped. Is that right?

Mr. Fletcher said that he needs to understand the context of the question. When we are talking about limits and units and numbers, the SUP is for the number of units in buildings. The proffer is limiting the number of units on the entire parent tract. What has been discussed is that it is sort of a first come first served kind of deal where however many units are constructed on portions of the property as it evolves, the last piece will get whatever is left. Of course, as we all know, we are writing a new Zoning and Subdivision Ordinance. Depending on what you and City Council decide as to what uses are applied to which parcels, it could change in the next six months.

Commissioner Baugh said that if we approve the SUP as it is right now, we are saying that they can put however many units in the buildings that they can otherwise fit in on the rolls. They are not limited to three buildings. They are not limited to 14 as opposed to 12. They can put six buildings with more than 12 units if they can otherwise fit that into the tract. You are nodding your head like I am correct, Mr. Fletcher.

Mr. Fletcher said that he would add that ultimately, the entity that owns the property is going to perform a subdivision to purchase the property. The area in which they purchase will still have density limitation based on the square footage that they purchase.

Commissioner Baugh said that is what he meant by- there are other rules that apply. It is not just that they can build as many 865s as they can cram in the place. I am not saying that. Nonetheless, as to the number of buildings, they can creep it up. The thought that I have had, and I know that we have discussed this some years ago on some other developments, is the concern that: I have a large tract, I proffer that I will never have more than 1,000 units on that tract, I develop it in five stages, by the time I have completed four, I have 980 units of that 1,000, and a substantial amount of undeveloped land left. I wonder what kind of request we are going to get then? Is it going to be to move that cap? I am mindful of that. The other thing that I want to mention alludes some what to what Commissioner Whitten is talking about from a different direction. This tract is zoned and planned medium density residential. It was planned and zoned that in 2008 when we voted for the R-5 Conditional. It was an old R-3 parcel. It was already medium density. A big chunk of it has already been developed consistent with that. I have a little bit of pause about fighting back too much when it looks so much like a proposal that is consistent with what is there and consistent with the planning. Where I think the disconnect is sometimes, is that when we are asked to approve other projects like this in other places of the City... Another way of looking at this, for instance, is when you say that whatever is driving this is not the need for new student beds. We do not need new student beds. Maybe other reasons are driving this, but it is not a need for new student beds. In a weird way, one of the reasons that I think that we ought to at times be more conservative about how we look at those types of developments in other parts of the City is that you have places like this that were already kind of planned for. It illustrates this point that I think we need to be mindful of all the time, and that is that the pressures to allow this type of increased density come at us from twelve directions all the time. There is a tendency to view these things in isolation because they come to us piece meal. None of which changes the fact that this is a piece of property that is already planned and zoned for medium density residential. In many respects, I wonder whether there may be a basis for approving the SUP because it does look like in the general sense it is consistent with the planning, but we can put additional conditions on it. For example, they have done a conceptual drawing and we can say that it is three buildings on the property.

Chair Finnegan clarified that without the SUP, with the property zoned as it is, they would be able to put those quad unit apartments like you see on Port Republic Road and Hunter's Ridge. They would be able to put those there by right. This is more about massing, more like 865 on Port Republic Road, lumping more of these buildings together. I know that the conceptual design is not proffered. Given what is all along Port Republic Road and what is all along Devon Lane, townhouses or quad apartments, I like that this is something different. The layout is different. Looking at some of the items from Epoch in Clemson, it is set up in a way that is not all parking lot and has shared use spaces. I would be in favor of this, given what they can build there by right versus this different massing of buildings. I prefer this to more of the same of what we already have on Port Republic Road.

Commissioner Baugh said I agree with almost everything Chair Finnegan said. That is largely why the SUP was approved in November 2008. There is that aspect that we like getting away from that uniform three story, twelve units per building. We were trying to get away from this. This proposal moves in that direction. The issue is that there are no limits that are proffered. The other issue is that the SUP is not particular to the property owner. We might think that Epoch is doing well, but they end up selling and the next developer that buys it gets the level of flexibility that we may have

assumed was not going to get applied to this parcel. I agree with this idea of getting away from that uniformity and look. For those of us who opposed the original rezoning from R-3 to R-5, it was because we recognized where the property is. We recognized that the other side of the hill is Devon Lane and Port Republic Road. We knew that it made sense to go there whether you were crazy about it or not. Where we butted heads was for those of us who wanted to see even more of what already existed. It never got zoned or planned that way, but this would have been a great mixed use property if it had not been zoned like that, if you really had a lot of flexibility with it.

Councilmember Dent said that she likes the massing of density to clear out a larger greenspace. Looking at the map, the property backs up to Devon Lane, but is on Stone Spring Road. That makes it somewhat less convenient to JMU. You cannot go directly to Port Republic Road. You have to go around to Peach Grove Road up to Port Republic Road. I saw in the description that there was an offer of shuttle buses to JMU, is that is right?

Ms. Banks said that they discussed the possibility of shuttle buses.

Councilmember Dent said that it is a shame that you cannot cut through from Leland Circle to Devon Lane.

Commissioner Baugh asked whether the Devon Lane development put buildings in the spots where you could do that?

Ms. Banks said yes.

Commissioner Byrd said that if we consider approving the SUP that would enable that particular part of the main tract to add on a number of units more, getting closer to the cap limit. That issue is more for the property owner who would be responsible for finishing off the circle. Staff presented in the discussion that once there are a certain number of units on the main tract, the circle is finished. Correct?

Ms. Banks said, yes, once the overall density reaches 60 percent. When the current property owners subdivide and carve out the 17 acres for this particular development, the developer will be held to what that density is for those 17 acres. They cannot build all of the remaining 900 dwelling units that are permitted.

Commissioner Byrd said that he sees no reason why the property owners would want to sell to someone who would put too many units on one portion of the land, when they know that, in the future, they are going to have to finish that circle with a finite set number of units, unless they plan on coming back to us.

Commissioner Byrd moved to recommend approval of the SUP, as submitted.

Commissioner Orndoff seconded the motion.

Commissioner Whitten said that she would be happier if this development was mixed use that might include housing for families or single persons looking for a place to live. I know that is not

what this is. If the developer's representative is still listening in, since they brought up Clemson, I am wondering about the litigation against the developer in Clemson over this particular development. It seems like they were not fulfilling all their obligations to build the development or to pay the people who were building the development. That gives me some concern. Could you comment on that?

Mr. Grayson said that when it was being built there were a lot of weather delays. Our lender stopped our funding. We did work out finishing and we are 100 percent leased for this fall. We resolved all that.

Mr. Fletcher said that he recalls that there was discussion regarding getting bicycle paths over to Devon Lane through the private properties, cutting through different sections where there was some open space, recognizing the difficulty of two private entities trying to figure that component out. Knowing that what we are talking about is a SUP to a building where there are by right abilities, the overall big picture of trying to connect multiple transportation options.

Mr. Roderick said that the bike and pedestrian plan shows a connection between this property and Devon Lane hugging I-81. It is probably not the best location for a sidewalk or shared-use trail. The way it was left was for that item to be followed up on during the site plan review process. There will be a connection that will be necessary through there. We do have some topographic challenges that we will have to work around and try to figure out how to best apply for that. So, yes, that is the case due to the existing notation within the bike and pedestrian plan.

Mr. Fletcher said that he wanted to bring that up because there is always a lot of conversation behind the scenes about things that we try to help make the presentation of whatever gets developed there the best that it can be from all the different components of the things that we are trying to do for the community. Commissioner Baugh, was some of your conversation earlier about whether or not Planning Commission is interested in conditioning the SUP to a certain number of units per building? If there was concern that what you are looking at seems to be okay from an aesthetic of the layout, but would the Commissioners feel differently if it was two buildings where the 265 units were made up between the two buildings? Planning Commission has the authority to put a cap on the number of units per building, if you so desire. Mr. Roderick, can you say how many units is the maximum amount of units you plan to have in one particular large building?

Mr. Roderick said that he would have to look for the number. It will have to be changed slightly because it has to do with the amenity spaces that go into each building. There are going to be some architectural modifications to the buildings footprints that have not been finalized. We do not have an architect on staff yet to be able to say officially. Placing a very specific cap would be a possible concern. I will try to find that number.

Mr. Fletcher said that he was doing an approximation based on an image that he saw. Based on that image, it looked like the larger buildings may have about 30 to 32 or so units. If Planning Commission desires, if you have concerns about the massing of the building or a certain size of the building is too large, knowing that there is the reality that this developer buys it but then chooses to sell to someone else and that somebody else comes in with a different plan, you could

put a cap on it. If it is 40 units, there could be no more than 40 units within one particular building, for example. Is that what you were trying to get at, Mr. Baugh?

Mr. Roderick said that he found information in the Traffic Impact Analysis (TIA). On the TIA, we were showing 50 unit buildings. The three large scale buildings were 50 units each.

Mr. Grayson said that he thinks that is correct. We got 150 total units in the three apartment buildings. I do not know if they are all equal. We prefer not to have a cap, so that we have the flexibility to make it fit the site. We have a lot of topography to work with and we want to have as much open space as we can.

Councilmember Dent said that if we want to explore the idea of a cap, whether it is more than something like “no more than three large buildings” however we define that or “no more than X number of units per large building.” I hear you say that you would rather not have a cap for the flexibility, for example the land layout turned out that you wanted a 60 unit building. I do not know how much good it would do to have those caps or what we would be trying to protect against. I hear that it is in case there is some revision that suddenly someone is stacking in six 50 unit buildings. That is much more density than we are looking for.

Commissioner Whitten said that is the point. That is the concern that we have. It is certainly legitimate for us to say that we would like a cap. I do not know any developer that would ever say that they want a cap, unless it is a baseball cap. That is why we are here, to look after the best interests of the residents of our City. I would be in favor of exploring what would be a reasonable ask. I think that there is a lot of vagueness about what possibly could happen here. Mr. Fletcher, is that fair?

Mr. Fletcher said that it is entirely within your authority to decide whether or not you want to give control to the size of the building.

Chair Finnegan asked Mr. Russ what language would be necessary. It is too vague to say “the three large buildings...” If we were to put conditions on this, what words would need to be used? The drawing that I am looking at shows three large buildings.

Mr. Russ said that the SUP is to allow for more than 12 units per building. You could say “no more than three buildings with more than 12 units.” You could set a cap on the number of units in each of those buildings. It would still leave them the option of buildings that had eight or ten units.

Mr. Fletcher said that another option would be to say that no single building shall have more than X number of units.

Mr. Russ said that you could go with one or both of those, if you wanted to hold them to three buildings with no more than 50 units in any single building.

Commissioner Byrd said that The Outlook is the highest portion of land, of the topography. This tract is going downward. Its neighbors would be The Outlook and the properties on Devon Lane and the highway. The size of those buildings would matter to whom? That is the part that I am not

understanding. Unless they built one tower, I am not following why capping any building in particular. What neighbors would be concerned is the part that I am struggling with in this conversation. That is why I presented the motion as is in the first place. The other neighbors, having driven on that road, there are no neighbors. The circle is not even finished yet. It is just wilderness, currently.

Commissioner Whitten said that is wilderness, undeveloped land. At this point, in the City of Harrisonburg it is very rare to have undeveloped land. You are casting the die for future development of whatever undeveloped land that there is. Look at it that way.

Commissioner Byrd said that he is looking at this that way. The main tract has a cap on units. Unless we, in the future, are going to change that cap...

Chair Finnegan said that what this request is about is the massing. We are not increasing the density. We are increasing the massing of the buildings, the arrangement of the units. I do not think that there is a concern from the neighbors of it blocking the view. I do not think that is the issue here.

Mr. Roderick said that, referring to Ms. Dang's definition point earlier, if these townhouses, which we have been calling cottages or townhouses, are to be grouped as and deemed as apartments, we have several five bay cottages. That is townhouses that are lumped together. If those five have more than twelve total units, which they would, depending on how it is defined. We want to make sure that our requests and the layout that we presented is not going to be significantly deterred based on upon a condition. We are not trying to go for more than what we have shown, but we want to make sure that a condition is not applied that would hinder that. I want to make sure that we are on the same page as to what constitutes a unit and what type of limitations are being presented to where we are not unintentionally further restricting.

Chair Finnegan said that we have a motion and a second. We can put this to a vote, as presented. Procedurally, do we need to go ahead and vote on this or can we take friendly amendments here?

Ms. Dang said that, procedurally, whoever made the motion can withdraw the motion and someone else can make a new one. Or you can vote on the motion that has been presented. I would also like to clarify that we are talking about the number of units in a building. The height restriction for apartments at 52 feet remains the same. That is the by right ability. It does not increase because they add more units. They would have to request another SUP if they wanted to exceed that height.

Chair Finnegan said that, as a point of reference, 865 Port exceeds that height.

Commissioner Whitten said that it is not just about view sheds. It is also about traffic. I have a granddaughter who attends Stone Spring Elementary School. I know what the traffic is like in that part of our City in the mornings and the afternoons. That is going to change related to this development. I think it certainly is reasonable to talk about limits. As the motion stands, I will be voting against it.

Chair Finnegan said that the SUP does not increase the overall density of this parcel. It is the same number of units arranged differently.

Commissioner Baugh said that there are elements of almost everything that has been said that I agree with, including Commissioner Byrd's point that as a general philosophical proposition, I am not one of the people who cringes in fear of big buildings or density per se. To answer his question about who cares about this, to a large extent it is the future development of the undeveloped part of it. It is the yet unknown. I do not think that there is anything crazy about saying that I would not care about that either. I would not happen to agree with it for this, but I understand the point. If we are going to vote on this right now, I am going to vote against it. I am not a million miles away from voting for this. I really think that the general concept of what has been represented is sound and is more or less fitting with how this property is planned and zoned. I am concerned that there is some potential for, and I get it, the developer wants all the flexibility they can get. If you do care about some of this stuff and the future development, I think that is a discussion that I would have liked for us to have had. I do not intend to offer an amendment. I could throw out an amendment and see if there are enough votes for it, but I do not know what number to pick. I think that the alternative to this would be to table it to allow for the developer to have more discussions with staff to see if they can come up with something to refine. Since that is not on the table, what is on the table is a straight up or down vote, I am poised to vote against it.

Chair Finnegan asked Commissioner Orndoff to explain his position on this matter.

Commissioner Orndoff said my position was such that I was willing to offer a second.

Chair Finnegan called for a roll call vote.

Commissioner Baugh	No
Commissioner Whitten	No
Commissioner Orndoff	Aye
Commissioner Byrd	Aye
Councilmember Dent	Aye
Chair Finnegan	Aye

The motion to recommend approval of the SUP passed (4-2). The recommendation will move forward to City Council on July 13, 2021.