



Change of Zoning District (Rezoning) Application

www.harrisonburgva.gov/zoning

		PROPERTY	INFORMATION	
150 & 210 W. Mosby Roa	ad		007 C 2 & 007 C 3	12 acres Total Land Area acres or sq.ft.
Property Address		Tax Map Parcel/ID	Total Land Area (circle)	
Existing Zoning District: R2C & R2			Proposed Zoning Distric	ct: R-5C
Existing Comprehensive Plan	n Designation:	Medium Density Mixe	d Residential	
		PROPERTY OWN	NER INFORMATION	
Blue Stone Land Con	npany, Inc.	et al	(540) 271-2178	
Property Owner Name			Telephone	
150 W. Mosby Road			JohnBowman@odrva	i.com
Street Address			E-Mail	
Harrisonburg	VA	22801		
City	State	Zip		
		OWNER'S REPRESEN	TATIVE INFORMATIO	ON
J. Mark Slack			(804) 370-6384	
Owner's Representative			Telephone	,
175 Tabbs Choice Rd			JMarkSlack@Kanawh	naRA.com
Street Address			E-Mail	
White Stone	VA	22578		
City	State	Zip		
			FICATION	
I certify that the information	supplied on th	is application and on the	attachments provided (map	os and other information) is accurate and true of the City of Harrisonburg to enter the above
property for the purposes of	n addition, 1 n	ereoy gram permission io nd reviewing this applica	tion I also understand tha	of the City of Harrisonburg to enter the above it, when required, public notice signs will be
posted by the City on any pro	perty.	a reviewing mis appried	non. I diso unacrstana ma	ii, when required, phone honce signs will be
71. NI	0 1	1:41	July 7, 2022	
PROPERTY OWNER	for App	le cont / Dures	July 7, 2023	
PROPERTY OWNER		20	DATE ATTACHMENTS	
✓ Letter explaining pr	oposed use & i	reasons for seeking change		
		for conditional rezoning.	,• seg.	
Survey of property of		-		
✓ Traffic Impact Anal	lysis (TIA) De	termination Form OR Tr	affic Impact Analysis (TIA	A) Acceptance Letter signed by Public Works
visit <u>www.harrisonb</u>	ant is responsi	fic-impact-analysis	Public Works prior to subn	nitting this application. For more information,
Tion www.marribone			ANNING & ZONING DIV	VISION
43 84			0	0.1
7/7/2	3		Total Fees Due: \$	10 Pard 0 + \$30.00 per acre
Date Application and Fee Re	ceived		11	F
JAH T				
Received By				





Special Use Permit Application

www.harrisonburgva.gov/zoning

PROPERTY INFORMATION					
150 & 210 W. Mosby Road	ł		007 C 2 & 007 C 3	12 acres acres or sq.ft.	
Property Address			Tax Map	Total Land Area (circle)	
Existing Zoning Classification	. R2C & R2	Existing - R5C Requeste	ed		
Special Use being requested:	10-3-55.4 M	ultiple-family buildings	greater than four (4) stori	ies and/or fifty-two (52) feet in height	
		PROPERTY OW	NER INFORMATION		
Blue Stone Land Comp	pany Inc.	et al	(540) 271-2178		
Property Owner Name	•		Telephone		
150 W. Mosby Road			JohnBowman@odrva	a.com	
Street Address		,	E-Mail	Λ =	
Harrisonburg	VA	22801			
City	State	Zip			
		OWNER'S REPRESE	NTATIVE INFORMATI	ON	
J. Mark Slack			(804) 370-6384		
Owner's Representative			Telephone		
175 Tabbs Choice Rd			JMarkSlack@KanawhaRA.com		
Street Address			E-Mail		
White Stone	VA	22578			
City	State	Zip			
	1: 1 .1		IFICATION	aps and other information) is accurate and true	
to the best of my knowledge. In property for the purposes of	n addition, I h processing a	hereby grant permission t	o the agents and employee:	s of the City of Harrisonburg to enter the above nat, when required, public notice signs will be	
posted by the City on any prop	erty.				
July 7, 2023					
PROPERTY OWNER	app	1	DATE		
		REQUIRED	ATTACHMENTS		
Department. Applicant is www.harrisonburgva.go required parking areas, I rentals. To prevent delay a TIA Determination For	s (TIA) Deter s responsible v/traffic-impareduction in reviewing reduction in reviewing rm or TIA Ac	rmination Form OR Tra for coordinating with Pul act-analysis. This require required side yard setbac ng your application, pleas cceptance Letter.	ffic Impact Analysis (TIA blic Works prior to submitt ment is waived for the follo k, wireless telecommunica se consult with Planning sta	A) Acceptance Letter signed by Public Works ing this application. For more information, visit owing SUPs: major family day homes, reducing ation facilities, wall and fences, and short-term aff to confirm your application does not require a submit a wireless telecommunications facility	
application.	TO DI	E COMDI ETED DV DI	LANNING & ZONING D	IVISION	
	10 81	E COMPLETED BY PI			
4/7/23			Total Fees Due: \$	Pard 785	
Date Application and Fee Received			Application Fee: \$425.	00 + \$30.00 per acre	
AH					
Received By					





Special Use Permit Application

www.harrisonburgva.gov/zoning

		PROPERTY	INFORMATION		
150 & 210 W. Mosby Roa	d		007 C 2 & 007 C 3	12 acres	acres or sq.ft.
Property Address			Tax Map	Total Land Area	(circle)
Existing Zoning Classification	n: R2C & R2	Existing - R5C Requeste	ed		
Special Use being requested:				welve (12) units p	er building
Special Use being requested:	10 0 00.4	Watapie farmy awa	mingo or more triair t	worve (12) arms p	<u> </u>
Į .					
		PROPERTY OWN	NER INFORMATION		
Blue Stone Land Com	pany Inc.	et al	(540) 271-2178		
Property Owner Name			Telephone		
150 W. Mosby Road			JohnBowman@odrva	i.com	
Street Address			E-Mail		
Harrisonburg	VA	22801			
City	State	Zip	IN A MINUTE INTO DAY A MINUTE	N. C.	
		OWNER'S REPRESEN	NTATIVE INFORMATIO	JN	
J. Mark Slack			(804) 370-6384		
Owner's Representative			Telephone		
175 Tabbs Choice Rd			JMarkSlack@Kanawl	haRA.com	
Street Address			E-Mail		
White Stone	VA	22578			
City	State	Zip			
			FICATION		
I certify that the information to the best of my knowledge. I property for the purposes of posted by the City on any pro	n addition, I i processing a perty.	hereby grant permission to	the agents and employees	of the City of Harrison	burg to enter the above
PROPERTY OWNER	701 17/4	The state of the s	DATE		
		REQUIRED.	ATTACHMENTS		
☐ Traffic Impact Analysic Department. Applicant i www.harrisonburgva.go required parking areas,	s (TIA) Dete s responsible ov/traffic-imp reduction in ys in reviewin orm or TIA A ess Telecomm	for coordinating with Pub act-analysis. This requirer required side yard setback ag your application, please cceptance Letter. nunications Facility allow	ific Impact Analysis (TIA) blic Works prior to submitting ment is waived for the follow, wireless telecommunicate e consult with Planning state and only by SUP, then also	ng this application. For wing SUPs: major famition facilities, wall and ff to confirm your applications a wireless telec	more information, visit ly day homes, reducing fences, and short-term ication does not require
	TOB	E COMPLETED BY PL	ANNING & ZONING DI		
7/7/23			Total Fees Due: \$\frac{78}{2}\$ Application Fee: \$425.0	35 faid.	
Date Application and Fee Re	ceived		Application Fee: \$425.0	0 + \$30.00 per acre	-
Received By					

Last Updated: December 5, 2019

CLARK & BRADSHAW, P.C.

ATTORNEYS AND COUNSELORS AT LAW

TODD C. RHEA MATTHEW C. SUNDERLIN BRADLEY J. MOYERS QUINTON B. CALLAHAN KAREN L. ROWELL KATHERINE M. MANN KEVIN M. WHEELER 92 North Liberty Street
Harrisonburg, Virginia 22802
Post Office Box 71
Harrisonburg, Virginia 22803-0071
Telephone: (540) 433-2601
Facsimile: (540) 433-5528
Web Site: www.clark-bradshaw.com

Web Site: www.clark-bradshaw.com
Writer's Email: tcrhea@clark-bradshaw.com

August 1, 2023

MARK B. CALLAHAN

OF COUNSEL

AMY L. RUSH, C.P.A.
NOT AN ATTORNEY

Via Electronic Mail:

Adam Fletcher, Director
City of Harrisonburg Department of Community Development
409 S. Main Street
Harrisonburg, VA 22801
Adam.fletcher@harrisonburgva.gov

Re: Beverly J. Searles Foundation, Inc. – Application for an R-5C District Zoning Ordinance Amendment and Special Use Permits for a multifamily community not to exceed 164 units; located at 150 and 210 W. Mosby Road, Harrisonburg, VA 22801, Tax Map References: Portions of 007 C 2 & 007 C 3 ("Subject Property")

Dear Mr. Fletcher:

I write on behalf of the applicant, Beverly J. Searles Foundation, which requests an R-5C High Density Residential District rezoning approval with two (2) Special Use Permit requests for the Subject Property. The Subject Property contains 12 acres and is a portion of City Tax Parcels 007 C 2 and 007 C 3. The Subject Property is designated as Medium Density Mixed Residential on the Future Land Use Guide Map contained in the 2018 City Comprehensive Plan. The proposed Rezoning and Special Use Permit requests would allow for the development of the vacant Subject Property into a diverse and affordable residential community serving seniors and potentially workforce and other citizens qualifying for affordable housing options. The approvals would directly address the existing need for additional housing stock, units of varied types and additional density as identified in the City of Harrisonburg Comprehensive Housing Assessment and Market Study. It is further noted that the project will address the critical affordable housing needs of seniors in a community designed specifically for senior housing. The location, unit mix and proffers dictate that the proposed housing units are not student housing, luxury, or short-term rentals.

The applicant, the Beverly J. Searles Foundation, desires to establish an apartment community not to exceed 164 units on the Subject Property. The number of units is fully compatible with target densities in the Medium Density Mixed Residential district of up to 20 units per acre. Proffered

August 1, 2023 Page 2

amenities include a dog run, gazebo, koi pond, , picnic pavilion and sidewalks. The community would also benefit from full-time professional property management and maintenance personnel on site.

Beverly J. Searles Foundation, Inc. ("Searles Foundation") is a not-for-profit 501(c)(3) corporation incorporated in Georgia on August 31, 2007. An independent Board of Directors governs Searles Foundation. IRS issued a determination letter dated February 12, 2008, confirming Searles Foundation is exempt from federal income taxation under Section 501(a) of the Internal Revenue Code of 1986, as amended (the "Code"), as an organization described in Section 501(c)(3) of the Code. The mission of the Searles Foundation is to transform communities by providing quality, affordable, and workforce housing for families and seniors. The Foundation focuses on excellent resident service, energy-efficient new housing, opportunities for community leaders, and a holistic approach to wellness and healthy lifestyles. Since 2007, Searles Foundation has been a developer and owner of affordable housing in Georgia. As of February 20, 2023, Searles Foundation holds member interests in eighteen (18) limited partnerships that own and operate Affordable Housing financed in part with Housing Tax Credits (often called "LIHTC" or "HTC").

The Subject Property is located generally at the intersection of West Mosby Road and Pear Street. The surrounding properties include the Millwood Townhome and Condominium communities, the Mosby Heights Apartments, and single-family detached homes. Numerous retail facilities are located along South Main Street which intersects West Mosby Road about one-half mile east of the proposed entrance to the new apartment community. These amenities are easily accessible to pedestrian and bike trips with existing connecting sidewalks along the south side of West Mosby Road. This rezoning would facilitate the improvement and widening along the north side of West Mosby Road and the installation of pedestrian improvements on that frontage. The Subject Property is also located on an existing City bus transit line and a new transit stop is proffered to be installed on the Subject Property.

This development will address many of the housing concerns outlined in the Harrisonburg Housing Study dated January 2021 including:

- 1. There is a "housing mismatch" in which thousands of households live in units that do not align with their income (page 6).
- 2. The City's rental market is comparably tight (page 6).
- 3. More than 3,600 lower income renter households are cost-burdened and pay more than 30% of their income on housing costs (page 7).
- 4. There is strong demand for expanding the rental housing inventory at both ends of the income spectrum (page 8).
- 5. Recommendations from the report specify:
 - a. Large sites may be appropriate for substantial multifamily apartment...development (page 81).
 - b. In most cases, affordable housing projects should maximize allowable density to provide the City's greatest number of affordable housing units (page 81).

August 1, 2023 Page 3

The Subject Property is also located to provide additional senior, and potentially workforce and affordable housing options in the redeveloping South Main Street corridor of the City with convenient access to City shopping venues and other amenities.

The developer has committed to sustainable features within the community and has proffered the installation of solar panels to power its amenity areas and EV charging stations for resident use. Convenient bike and e-bike parking and storage will also be provided to allow residents to conveniently access bike trip options.

The applicant requests approval of the R-5C and two technical Special Use Permit applications for multifamily units within the Medium Density Mixed Residential planning district under the submitted applications, proffers, and supplemental documents. The applicant further requests that as a condition to approving the Special Use Permit requests, that these uses be established, or any construction authorized shall be commenced and diligently pursued within 48-months of the approval date of the Special Use Permits.

I appreciate your consideration of this proposal. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

Todd C. Rhea, Esq.

cc: Philip Searles

Beverly J. Searles Foundation, Inc.

BJSF Harrisonburg Phase I

RZ - _____ REZONING REQUEST PROFFER (Conditions for this Rezoning Request)

Applicant:

The Beverly J. Searles Foundation, Inc.

Owners:

BRUBAKER DANIEL W. NANCY R. TRUSTEES
Tax Map No. 007 C 2
150 W. Mosby Road
AREA = 32.98 acres
ZONED: R2C

BLUESTONE LAND COMPANY INC. Tax Map No. 007 C 3 210 W. Mosby Road AREA = 3.3 acres ZONED: R2

Dated: June 8, 2023 and Revised July 7, 2023 and August 1, 2023

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF HARRISONBURG

Property Information

The Applicant and the Owners of the above-described parcels, containing 36.28 acres (+/-) of land (the "Property"), have petitioned the City of Harrisonburg, Virginia (the "Council") for a rezoning to allow for the development of a specific project, identified as the BJSF Harrisonburg Phase I (the "Project"), as specifically detailed in the Mosby Road Rezoning Area Map and Concept Plan (2 pages) ("Concept Plan") by Valley Engineering containing a total of 12.00 acres which represents the portion of the Property delineated in the rezoning application filed with the City.

The Applicant intends to develop up to 164 units of affordable multifamily rental housing on this 12 acres. 82 of the units will be in a single four-story building designed for occupancy by senior residents, ages 55 and older, containing one- and two-bedroom units. A minimum of 82 of the units will be in a separate four-story building for occupancy

by residents with families containing one-, two-, and three-bedroom units. Depending on funding, all units may be converted to 55 and older units in the project as rezoned.

Proffers

In furtherance of the Proposed Rezoning, the Applicant hereby proffers that in the event the Council shall approve the rezoning of the Property, from their varying current zoning districts to R-5C High Density Residential District, then the Project shall be done in conformity with the terms and conditions as set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the Applicant and such be approved by the Council in accordance with Virginia law. In the event that such rezoning is not granted, then these Proffers shall be deemed withdrawn and have no effect whatsoever. These Proffers shall be binding upon the Applicant, the Owners, and their legal successors or assigns. Any and all terms and conditions, accepted or binding upon the Property and Project, as a condition of accepting these Proffers, shall become void and have no subsequent effect. The Applicant hereby agrees that the Proposed Rezoning itself gives rise to the need for these Proffers, that the Proffers have a reasonable relation to the Proposed Rezoning, and that all conditions are in conformity with the City's Comprehensive Plan.

The Applicant, who is acting on behalf of the Owners of the Property, hereby voluntarily proffers that, if the Council approves the rezoning, the Applicant and the Owners, or their successors and assigns, will provide the following during the Project:

- 1. The number of dwelling units on the property shall not exceed 164 units.
- 2. The property shall not contain dwelling units that have more than three (3) bedrooms. None of the dwelling units shall be rented on a "per bedroom" basis other than one-bedroom units designed for that purpose. At least 25% of the total units will be one-bedrooms.
- 3. A minimum of 82 units will be age-restricted, in that at least one member of each household must be aged 55 or older and will comply with applicable laws and regulations relating to age restricted housing.
- 4. A minimum of 1.35 parking spaces per dwelling unit shall be provided. Occupancy shall be limited to a family or no more than three (3) unrelated persons per dwelling unit.
- 5. Solar panels shall be installed and maintained on a minimum of 10,000 sf of building roof area as measured from the outside perimeter of the solar installation area (and not panel surface area).
- 6. A minimum of two (2) "Level 2" (equivalent or better technology at the time of construction) electric vehicle charging stations at the property shall be installed prior to project completion and thereafter maintained in operating condition.
- 7. An easement shall be granted for a bus shelter at a location acceptable to Harrisonburg Department of Public Transportation (HDPT). A concrete pad will be

- constructed within the agreed easement location to HDPT's bus shelter design specifications. HDPT will install the bus shelter on the pad provided.
- 8. Amenities Proffer shall include a minimum of 1,500 sq feet of installed and maintained outdoor amenity area space, to potentially include community amenity and recreational areas such as a dog run, gazebo, koi pond, picnic pavilion. The location and specific amenity type may be changed or relocated relative to final site plan approval and resident mix. A community clubhouse will also be constructed containing a minimum of 2500 sq. ft. Both the clubhouse and outdoor amenity areas proffered shall be completed and opened no later than the issuance of the 100th Certificate of Occupancy for residential units on the property.
- 9. The north side of Mosby Road will be improved and widened for the length of the full property frontage as generally shown on the Concept Plan. These improvements shall contain the following mitigations subject to final site plan approval of the final engineered design:
 - A. The north travel lane of West Mosby Road will be widened to include an eighteen-foot (18') width of pavement from centerline exclusive of curb and gutter and turn lane.
 - B. Curb and gutter will be provided along the north travel lane of West Mosby Road along the entire property frontage.
 - C. A two-foot (2') green strip will be provided between the curb and gutter and sidewalk along the north side of the West Mosby Road frontage. Consideration by the City Public Works Department will be given during site planning to allow a sidewalk to be installed adjacent to curbing in sections where topographic hardship can be demonstrated.
 - D. A minimum five-foot (5') sidewalk will be provided along the north side of the West Mosby Road street frontage.
 - E. Public Right-of-Way or a Pedestrian sidewalk easement will be dedicated or granted to a point six inches (0.5') behind the installed sidewalk along the north side of West Mosby Road.
 - F. A one hundred foot (100') right turn lane with one hundred foot (100') taper will be provided serving the primary project entrance as shown on the Concept Plan.
- 10. A vegetated screen shall be provided and maintained along the common property line with Tax Parcel # 007-C-6 as generally depicted on the Concept Plan. The screen shall include a single row of evergreen trees planted approximately ten (10) feet apart. Trees shall be a minimum of six (6) feet tall at time of planting.
- 11. The Owner/Applicant shall participate in a Small Area Transportation Study in accordance with the Small Area Transportation Study Agreement submitted as part of the rezoning application.
- 12.A 10' wide minimum gated emergency only access will be provided from Pear Street into the development to provide a second means of egress. The access shall be installed to standards required to support full size fire engine weight. The

- final location of the emergency only access will be at a location acceptable to the Harrisonburg Fire Department.
- 13. The entrance to the Project from Mosby Road shall be installed at the location shown on the Concept Plan. The entrance dual roadway and roundabout shown on the Concept Plan shall be dedicated to the City for public use upon completion of full installation, final coat paving, inspection and acceptance by City Public Works for inclusion in the City's public street network.
- 14. The installed roundabout shall maintain a minimum of two hundred twenty-five feet (225') of entrance separation from Mosby Road (measured from the edge of the westbound travel lane on Mosby Road to the outer edge of the inscribed circle diameter (Yield Line) of the roundabout. The 225' entrance separation shall be maintained for access management purposes on any future public street connections to the roundabout.
- 15. The Owner/Applicant shall dedicate to the City upon request up to thirty feet (30') of right-of-way along the Pear Street Project (Phase I) frontage as measured from the centerline of the current Pear Street pavement for future right-of-way improvements.
- 16. No less than one (1) large deciduous tree shall be planted and maintained for every fifty (50) linear feet of parcel public street frontage where trees are not required by parking lot landscaping regulations (Section 10-3-30.1(1) of the Zoning Ordinance). Trees shall be planted within 10 feet of public street rights-of-way. At the time of planting, tree sizes shall meet the requirements as defined in Section 10-3-24 of the Zoning Ordinance.

APPLICANT:		
BEVERLY J. SEARLES FOUND	ATION, INC.	
By: Philip E. Searles, President	(SEAL)	
STATE/COMMONWEALTH OF_		
CITY/COUNTY OF		
	knowledged before me thisday of, 2 the Beverly J. Searles Foundation, Inc., Applicant.	
	Notary Public	
	My commission expires:	
	Registration Number:	

IN WITNESS WHEREOF, the parties have executed this Rezoning Request Proffer as

follows:

OWNER:
DANIEL W. BRUBAKER, Trustee of the Daniel W. Brubaker Revocable Declaration of Trust, under Trust Agreement dated June 10, 2003
(SEAL)
COMMONWEALTH OF VIRGINIA CITY OF HARRISONBURG
The foregoing instrument was acknowledged before me thisday of, 2023, by Daniel W. BRUBAKER, Trustee of the Daniel W. Brubaker Revocable Declaration of Trust, under Trust Agreement dated June 10, 2003.
Notary Public
My commission expires: Registration Number:
OWNER:
NANCY R. BRUBAKER, Trustee of the Nancy R. Brubaker Revocable Declaration of Trust, under Trust Agreement Dated June 10, 2003
(SEAL)
COMMONWEALTH OF VIRGINIA CITY OF HARRISONBURG
The foregoing instrument was acknowledged before me thisday of, 2023, by Nancy R. Brubaker, Trustee of the Nancy R. Brubaker Revocable Declaration of Trust, under Trust Agreement Dated June 10, 2003

	Notary Public
	My commission expires:Registration Number:
OWNER:	
BLUE STONE LAND COMPANY A Virginia stock corporation	Y, INC.,
By:	
COMMONWEALTH OF VIRGIN CITY OF HARRISONBURG	IA
	Notary Public My commission expires:
	Notary Public My commission expires:
2023, by Daniel W. Brubaker, Pr	My commission expires:Registration Number:

COMMONWEALTH OF VIRGINIA CITY OF HARRISONBURG

The foregoing instrument wa	as acknowledged before me thisday of
2023, by Daniel W. Brubake	r, Manager of D & N, LLC.
	Notary Public
	My commission expires:
	Registration Number:

SMALL AREA TRANSPORTATION STUDY AGREEMENT

This Agreement is entered into on this __ day of July 2023 by and between, THE BEVERLY J. SEARLES FOUNDATION, INC. ("Applicant"), BRUBAKER DANIEL W. NANCY R. TRUSTEES and BLUESTONE LAND COMPANY INC. ("Owner") and the CITY OF HARRISONBURG ("City"). The Applicant, Owner and City agree to the following terms and conditions relating to the rezoning and development of all or portions of Harrisonburg City Tax Map Parcels 007-C-2 and 007-C-3 owned by the Owner/Developer (collectively "BJSF Harrisonburg"), which present and future development is anticipated to have a future traffic impact on the traffic area generally bounded by South Main street, Mosby Road/Pear Street, Erickson Avenue/Bypass, and South High Street (Project Vicinity").

RECITALS

WHEREAS, the Applicant and Owner have filed a rezoning application with the City of Harrisonburg, VA designated as Rezoning _____("City Rezoning").

WHEREAS, in lieu of Proffers the Applicant and Owner wish to agree on certain transportation related matters as set forth herein in the event the City Rezoning is approved by City Council.

WHEREAS, the rezoning and other entitlements requested in the City Rezoning do not trigger TIA requirements, however entitlements for the entire subject property and other adjacent property owned by Owner may trigger future TIA requirements and it is in the interest of the City to have a comprehensive Small Area Transportation Study ("SA Study") performed to better plan for traffic and transportation needs in the Project Vicinity,

IT IS THEREFORE agreed between the parties as follows:

- 1. The Valley Engineering Concept Plans and Rezoning Plans ("Valley Plans") filed with the City Rezoning are incorporated as an integral term of this Agreement.
- 2. Applicant will make a Twenty-Five Thousand and 00/100 dollar (\$25,000) cash contribution to the City in order to defray the cost of the SA Study covering the Project Vicinity. The cash payment will be made after City Council approval of the City Rezoning and within thirty (30) days of written request by the City Public Works Department once the SA Study is commissioned and approved by City Council.
- 3. Applicant or Owner shall not request any material rezoning changes to the approximately 16-acre portion of the subject property (shown on the Concept Plan in yellow and delineated as "Rezoning Restricted Area") until the earlier of a) substantial completion of the SA Study, or b) the 3-year anniversary of the approval of the rezoning contained in the current application.
- 4. City agrees to solicit SA Study input from the Applicant during the scoping, drafting and completion of the SA Study.

- 5. This Agreement shall be binding upon Owner its successors and/or assigns and shall inure to the benefit of the City of Harrisonburg.
- 6. All recitals set forth above are hereby incorporated into this Agreement.

Signature pages to follow.

SIGNATURES

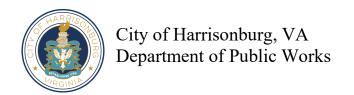
CITY OF HARRISONBURG, VIRGINIA

Bv:	(SEAL)	
By:, City Manag	er (22122)	
WITTNESS:		
Attest	Attest	
APPLICANT: BEVERLY J. SEARLES FOUNDATION, IN	C.	
By:Philip E. Searles, President	(SEAL)	
WITTNESS:		
Attest	Attest	
OWNER: DANIEL W. BRUBAKER, Trustee of the Daniel W. Brubaker Revocable Declaration of Trust, under Trust Agreement dated June 10, 2003		
	(SEAL)	

OWNER: NANCY R. BRUBAKER, Tructon of the Nancy R. Brubaker Reveasable	
Trustee of the Nancy R. Brubaker Revocable Declaration of Trust, under Trust Agreement Dated June 10, 2003	
Dated Julie 10, 2003	
	(SEAL)
OWNER:	
BLUE STONE LAND COMPANY, INC., A Virginia stock corporation	
By:	(SEAL)
Daniel W. Brubaker, President	
OWNER: D & N, LLC,	
A Virginia limited liability company	
By:	(SEAL)
Daniel W. Brubaker, Manager	` /







Determination of Need for a Traffic Impact Analysis (TIA)

www.harrisonburgva.gov/traffic-impact-analysis

For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

Contact Informatio	n			
Consultant Name:				
Telephone:				
E-mail:				
Owner Name:				
Telephone:				
E-mail:				
Project Information	1			
Project Name:				
Project Address: TM #:				
Existing Land Use(s):				
Proposed Land Use(s): (if applicable)				
Submission Type:	Comprehensive Site Plan	Special Use Permit	Rezoning	Preliminary Plat
Project Description: (Include site plan or preliminary sketch and additional details on				,
land use, acreage, access to site, etc)				
Peak Hour Trip Ge	neration (from	row 15 on t	he second page	e)
AM Peak Hour Trips:				
PM Peak Hour Trips:				
(reserved for City	y staff)			
TIA required? Y Comments:	es No	TM		
·	,			
Accepted by:	netty ma	\$00	Date: 6	/9/2023

Revised Date: December 2019

Peak Hour Trip Generation by Land Use

Row		IVG'Nand Use	ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1						
2	Proposed #2						
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips						
8	Existing #1						
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14		Total Existing Tri	ips				
15		Final Total (Total New – To	otal Existing)				

Instructions

Determination of trip generation rates shall be in conformance with ITE guidelines.

- 1. Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
- 2. Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
- 3. If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
- 4. Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
- 5. Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.

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