BLUESTONE LAND, L.L.C.

1821 Avon Street, Suite 200 Charlottesville, Virginia 22902 Phone: 434-979-2900 Fax: 434-979-0001

February 4, 2022

City of Harrisonburg Community Development Attn: Adam Fletcher, Director 409 South Main St. Harrisonburg, VA 22801

Re: Change of Zoning District (Rezoning) Application, Special Use Permit Application {Revised}
Tax Map Parcels: 028J20; 028J21; 028J22; 028J23; 028J24; 028J25; 028J26; 028J27; 028J28;

028K12; 028K13; 028K14; 028K15; 028K16; 028K17; 028K18; 028K1-2; 028K3-4; 028K09;

028K10; 028K11

Address: 765 E. Market Street, Harrisonburg, VA 22801

Owner: Joyce A. Schultz, M.D., Trustee of the Joyce A. Schultz, M.D. Living Trust

Contract Purchaser: Bluestone Land, L.L.C.

Dear Mr. Fletcher,

Please accept the attached:

- Change of Zoning District (Rezoning) Application from R-2/B-2 to R-5 High Density Residential District dated November 4, 2021 (Exhibit 'A')
- Special Use Permit Application dated November 9, 2021 (Exhibit 'B')
- Concept Plan revised February 1, 2022 (Exhibit 'C')

for the proposed "The Edge" development located on Franklin Street. These applications are being submitted concurrently and this letter shall replace the prior narrative and conceptual plan dated November 4, 2021. The intent of the applications is to allow a mixed-income residential development featuring several multi-family dwellings that include more than 12 units per building. After discussions with staff, we are withdrawing the application for a mixed-use building containing commercial and residential uses. In addition, based on staff's strong recommendation, we are withdrawing the previously submitted application for road closure for the currently unused portion of Franklin Street.

The planned area of development includes sixteen (16) undeveloped vacant small parcels (approximately 0.3 acres each) on the undeveloped/unpaved portion of Franklin Street currently designated as R-2 Residential and seven (7) commercial parcels currently designated as B-2 Commercial. Four of the commercial parcels front on East Market Street (State Route 33) and are the only developed commercial parcels with an existing use of recreational vehicle sales (Myers Auto Exchange). See Existing Zoning Map, Exhibit D.

As planned The Edge will revitalize the approximate 6.48 acre vacant/underused site to a total

156-unit multi-family residential development featuring an on-site community center with swimming pool and other recreational amenities. Surface parking is proposed to be relegated away from adjacent uses, and no parking will front East Market Street. Parking has been designed to yield a minimum overall ration of 1.4 spaces off-street parking spaces per unit. In addition, The Edge is located on an existing bus route (Stop #6 on Route 2), which reduces the demand for parking for the apartment community. Franklin Street will be a public street connection from the existing terminus at the western boundary of tax map parcel 28 J 28 to East Market Street with left and right turns in and out onto East Market Street. Traffic calming will be provided at crosswalks within the development. The revised concept plan is attached as Exhibit C.

Proposed Proffer: <u>Occupancy Restrictions and Parking</u>: Dwelling units may be occupied by a single family or no more than three (3) unrelated persons. A minimum of 1 off-street parking space per dwelling unit shall be provided. There shall be a minimum overall ratio of 1.4 off-street parking spaces per unit for all parcels herein requested to be rezoned.

The residential development will consist of one, two, and three-bedroom units; some with lofts. The majority of units will be two-bedroom, two-bath units designed to attract younger professionals, empty nesters, and other renters by choice.

Proposed Proffer: <u>Density and Unit Mix:</u> The development shall contain a maximum of 156 units. Units shall be limited to 1, 2, and 3 bedroom units, of which a minimum of 70% shall be 2 bedroom units or less.

In addition, the developer intends to proffer that 5% of the units are proposed to be affordable to residents earning up to 80% of the HUD median family income for the Harrisonburg VA MSA, which will help to address the City's vision of *Affordable Housing for All* as detailed in the Comprehensive Housing Assessment & Market Study by Mullin & Lonergan Associates. For illustration: with the 2021 Area Median Income of \$66,700, residents earning \$53,360 or less would qualify for these units. The City of Harrisonburg Job Descriptions webpage currently lists over eighty positions with starting salaries that would meet these criteria including: Police Sergeant, Firefighter, Payroll Manager, School Bus Superintendent, and Accounting Manager. [Source: https://www.harrisonburgva.gov/job-descriptions] City of Harrisonburg Public Schools' published salary scales indicate that teachers (up through "Step 12") would qualify for these affordable units.

[Source: https://www.harrisonburg.k12.va.us/District/Department/100-Careers/4633-Untitled.html]

Proposed proffer: <u>Affordable Housing</u>. The Owner shall provide affordable housing equal to five percent (5%) of the total residential dwelling units within the Project in the form of for-lease affordable dwelling units. The Owner shall convey responsibility of constructing the affordable units to any subsequent purchaser of the Property. The Owner shall create units affordable to households with incomes at or less than 80% of the Department of Housing and Urban Development (HUD) median family income for the Harrisonburg VA MSA at the time of initial move-in (the "Affordable Unit Qualifying Income"). This requirement shall apply for a period of fifteen (15) years following the date the final Certificate of Occupancy for the Project is issued by the City of Harrisonburg (the "Affordable Term"). During the Affordable Term, each January, the Owner shall provide to the City of Harrisonburg a Compliance Report for the prior year to demonstrate that 5% of the units were rented in accordance

with this proffer.

When developing the plan for *The Edge*, the intent was to respond to the 2018 Comprehensive Plan's vision for urban density and market demands, while respecting the existing terrain. The Comprehensive Plan designates this property Mixed-Use that anticipates approximately 24 dwelling units per acre (DUA). This planned development with a density of 23.24 DUA would provide more vibrant, high quality, higher density housing which will include on-site professional management. With nearby existing commercial and retail uses, this quality residential development contributes to the Comprehensive Plan's Mixed Use designation area.

The 2018 Comprehensive Plan describes the mixed-use concept for land use planning including the following applicable to *The Edge*:

- Mixed Use areas shown on the Land Use Guide map are intended to combine residential and nonresidential uses in neighborhoods
- Quality architectural design features and strategic placement of green spaces for large scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area.
- These areas are prime candidates for "live-work" and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area.
- Residential density in Mixed Use areas outside of downtown should be around 24 dwelling units per acre

Chapter 6, Land Use and Development Quality

Per the R-5 zoning section 10-3-55.4 (1), multi-family dwellings of more than 12 units are allowed with a special use permit.

The applicant plans to have all buildings certified under the National Green Building Standard (NGBS) for energy efficiency, water efficiency, resource efficiency, lot development, operation and maintenance, and indoor air quality. The plan for more than twelve units in five of the nine residential buildings assists in the "green" certification for efficient lot development and allows development consistent with architectural trends for more efficient use of space in multifamily buildings.

The applicant proposes the improvement of Franklin Street from the existing terminus at the western boundary of tax map parcel 28 J 28 to East Market Street. Pedestrian connectivity will be provided by a 5 ft sidewalk that will be located on the public street, creating a pedestrian connection through the site.

The area currently is rated "Most Walkable" on the National Walkability Index [https://www.epa.gov/smartgrowth/smart-location-mapping#walkability]. To further improve the existing walkability of the neighborhood, the applicant plans to include sidewalks throughout the development, including connectivity from the existing terminus of Franklin Street near the western boundary of tax map parcel 28 J 28 to East Market Street.

Proposed Proffer: <u>Road and Sidewalk Improvements</u>: The following improvements will be constructed as part of this development:

a. At the time of development, the Owner shall, as approved by the City, and as generally shown on the concept plan, build Franklin Street as a public street with curb, gutter, and sidewalk from the existing terminus near the western boundary of tax map parcel 28-J-28

to East Market Street. In addition, the mid-block crosswalk nearest East Market Street shall be raised. The crosswalks shown at the intersection of Franklin Street and the private entrances to the development shall, at minimum, be painted. The street width will be narrowed with "bump outs" for on-street parking.

Proposed Proffer: Exclusive of the parking lot in front of building # 7, no parking lot (including travel lanes and drive aisles) shall be located between any other building and East Market Street or Franklin Street.

A traffic impact determination form has been submitted to City staff for review. The multifamily apartments are expected to generate 56 AM peak hour trips, and 68 PM Peak Hour trips. Therefore, the anticipated traffic impacts are minimal, and well below the threshold of 100 Peak Hour Trips which would require further analysis. As typical with a city street grid pattern, residential traffic would be dispersed among local streets and would not be concentrated on any one street.

With regard to utilities, water mains are currently adjacent to the site along East Market St. and Franklin St. In working with the City Water and Sewer Department, it is understood that the Needed Fire Flow (NFF) will have to be brought down to 750 gpm. Through the design process, looping of the system will be evaluated to determine if this NFF can be increased. Otherwise, alternative building designs such as fire separation walls will be implemented to meet the available NFF. The City Water and Sewer Department is currently monitoring downstream sewer pipes to determine existing flows. Once data acquisition is complete and provided to the engineering team, the existing sanitary sewer will be evaluated from railroad tracks at Blue Ridge Drive to the site to verify capacity to serve this development. The site has a sewer manhole available to tie into along the perimeter of the site.

In summary, the development provides needed, high-quality housing with well-planned street and pedestrian approvements to benefit the area and is consistent with the Comprehensive Plan.

Finally, we request an extension to establish the special use permit from the 12 months described in Section 10-3-130 of the Zoning Ordinance to 36 months due to the typical time frame required for completion of site planning and financing.

Bluestone Land and its affiliates (Pinnacle Construction & Development Corp. and Park Properties Management Co LLC) have extensive experience in development, construction, and property management of multi-family residential and commercial properties throughout the Commonwealth of Virginia, including the Colonnade in Harrisonburg (mixed-use commercial/residential) and Preston Lake Apartments currently under construction off Stone Spring Road in Rockingham County.

Thank you for your assistance and cooperation. If you have any questions, please do not hesitate to contact me.

Sincerely.

William N. Park

EXHIBIT A

Rezoning Application





Change of Zoning District (Rezoning) Application

www.harrisonburgva.gov/zoning

		PROPERTY	INFORMATION			
765 E. Market Street, Harrisonburg, VA 228	001 Parcels: 28-K-	1 thru 28-K-4, 28-K-9 thru 28-K-18, and	28-J-20 thru 28-J-28	6. ⁴⁸ +/-		
Property Address			Tax Map Parcel/ID	Total Land Area circ	ele)	
Existing Zoning District: R	-2/B-2		Proposed Zoning Distric	t: R-5		
Existing Comprehensive Plan	n Designation	n: Mixed Use				
		PROPERTY OW	NER INFORMATION			
Joyce A. Schultz, M.D., Trustee	of the Joyce	A. Schultz, M.D. Living Trust	Please contact Listing Agent: Jason Song 540-383-6692			
Property Owner Name			Telephone			
425 Sherwood Forest Dri	ve		jason.song@cottonwo	od.com		
Street Address			E-Mail			
Hayesville	NC	28904				
City	State	Zip				
		OWNER'S REPRESEN	TATIVE INFORMATION	N		
William N. Park, Manager of Blue	stone Land, L.	.C. (contract purchaser)	434-979-2900			
Owner's Representative			Telephone			
1821 Avon St. Suite 200			wpark@pcdcva.com			
Street Address			E-Mail			
Charlottesville	VA	22902				
City	State	Zip				
			FICATION			
to the best of my knowledge. I	n addition, I processing a	hereby grant permission to	the agents and employees o	and other information) is accur, f the City of Harrisonburg to ente when required, public notice s.	er the above	
20416 H. Schulk	5 -		11/3/2021			
PROPERTY OWNER			DATE			
The state of the s		REQUIRED A	ATTACHMENTS			
✓ Statement on proffer✓ Survey of property o✓ Traffic Impact Analy	s, if applying r site map. ysis (TIA) Dunt is responsurgva.gov/tra	ible for coordinating with laffic-impact-analysis.	affic Impact Analysis (TIA) Public Works prior to submi	Acceptance Letter signed by Putting this application. For more in		
	то в	E COMPLETED BY PLA	ANNING & ZONING DIV	ISION		
Date Application and Fee Received			Total Fees Due: \$_Application Fee: \$550.00	+ \$30.00 per acre		
Received By		===				

PROFFERS

The Edge Apartments 765 East Main Street, Harrisonburg, Virginia

Date of Proffer: November 4, 2021, revised February 4, 2022

Project Name: The Edge Apartments

Owner: Joyce A. Schultz, M.D., Trustee of the Joyce A. Schultz, M.D.

Living Trust

Contract Purchaser: Bluestone Land, L.L.C., or assigns

Tax Map	Acreage	Existing	Existing Land Use	Land Use	Current Owner
Parcel #s		Zoning		Guide	
028J20	4.90 +/-	R-2	Vacant	Mixed Use	Joyce A. Schultz, M.D.,
028J21					Trustee of the Joyce A.
028J22					Schultz, M.D. Living
028J23					Trust
028J24					
028J25					
028J26					
028J27					
028J28					
028K12					
028K13					
028K14					
028K15					
028K16					
028K17					
028K18					
028K1-2	0.68 +/-	B-2	Commercial: Recreational		
028K3-4			vehicle sales		
028K09	0.90 +/-	B-2	Vacant		
028K10					
028K11					

Total Acreage of Parcel(s) 6.48 +/- acres

Rezoning/Land Use Requested: R-5 High Density Residential

Tax Map #(s) 028J20; 028J21; 028J22; 028J23; 028J24; 028J25; 028J26; 028J27;

028J28; 028K12; 028K13; 028K14; 028K15; 028K16; 028K17;

028K18; 028K1-2; 028K3-4; 028K09; 028K10; 028K11

The Term "Owner" as referenced within this document shall include within its meaning the owner, or owners, of record of the Property, or properties, and their successors in interest.

In connection with the rezoning request for the above parcels, the following is proffered:

PROFFERS

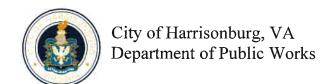
The Edge Apartments 765 East Main Street, Harrisonburg, Virginia

- 1. Occupancy Restrictions and Parking: Dwelling units may be occupied by a single family or no more than three (3) unrelated persons. A minimum of 1 off-street parking space per dwelling unit shall be provided. There shall be a minimum overall ratio of 1.4 off-street parking spaces per unit for all parcels herein requested to be rezoned.
- 2. <u>Road and Sidewalk Improvements:</u> The following improvements will be constructed as part of this development:
 - a. At the time of development, the Owner shall, as approved by the City, and as generally shown on the concept plan, build Franklin Street as a public street with curb, gutter, and sidewalk from the existing terminus near the western boundary of tax map parcel 28-J-28 to East Market Street. In addition, the mid-block crosswalk nearest East Market Street shall be raised. The crosswalks shown at the intersection of Franklin Street and the private entrances to the development shall, at minimum, be painted. The street width will be narrowed with "bump outs" for on-street parking.
- 3. Exclusive of the parking lot in front of building # 7, no parking lot (including travel lanes and drive aisles) shall be located between any other building and East Market Street or Franklin Street.
- 4. <u>Density and Unit Mix:</u> The development shall contain a maximum of 156 units. Units shall be limited to 1, 2, and 3 bedroom units, of which a minimum of 70% shall be 2 bedroom units or less.
- 5. Affordable Housing- The Owner shall provide affordable housing equal to five percent (5%) of the total residential dwelling units within the Project in the form of for-lease affordable dwelling units. The Owner shall convey responsibility of constructing the affordable units to any subsequent purchaser of the Property. The Owner shall create units affordable to households with incomes at or less than 80% of the Department of Housing and Urban Development (HUD) median family income for the Harrisonburg VA MSA at the time of initial move-in (the "Affordable Unit Qualifying Income"). This requirement shall apply for a period of fifteen (15) years following the date the final Certificate of Occupancy for the Project is issued by the City of Harrisonburg (the "Affordable Term"). During the Affordable Term, each January, the Owner shall provide to the City of Harrisonburg a Compliance Report for the prior year to demonstrate that 5% of the units were rented in accordance with this proffer.

Signature page follows

PROFFERS The Edge Apartments 765 East Main Street, Harrisonburg, Virginia

Owner:
Joyce A. Schultz, M.D. Living Trust
By:
Date:
Applicant/Contract Purchaser:
Bluestone Land, L.L.C.
By:
William N. Park, Manager
Date: 2/4/22



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 Information	on				
Consultant Name:	Valley Engineering, PLC				
Telephone:	540-434-6365 csnyder@valleyesp.com				
E-mail:					
Owner Name:	Joyce A Schultz / Joyce A Schultz MD Living Trust				
Telephone: E-mail:					
Project Information	n				
Project Name:	Franklin Street Site				
Project Address: TM #:	765 E. Market Street, Harrisonburg, VA 22801 28-K-1 thru 28-K-4, 28-K-9 thru 28-K-18, 28-J-20 thru 28-J-28				
Existing Land Use(s):	Vacant / RV Sales				
Proposed Land Use(s): (if applicable)	Residential Apratments/Commercial				
Submission Type:	Comprehensive Site Plan Special Use Permit Rezoning Preliminary Plat O				
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	Proposed rezoning (R-2/B-2 to R-5) for residentail use of land, with special use for number of units in a building.				
	neration (from row 15 on the second page)				
AM Peak Hour Trips:	56				
PM Peak Hour Trips:	68				
(reserved for City TIA required? Y Comments:	y staff) es No				
Accepted by:	Date:				

Peak Hour Trip Generation by Land Use

Row		ITE Land Use	ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	Multifamily Housing (Mid-Rise)	221	Dweling Untis	158	57	70
2	Proposed #2						
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7		Total New Trip	S			57	70
8	Existing #1	Recreational Vehicle Sales	842	1000 SF	2.4	1	2
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips					1	2
15	Final Total (Total New – Total Existing)					56	68

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.

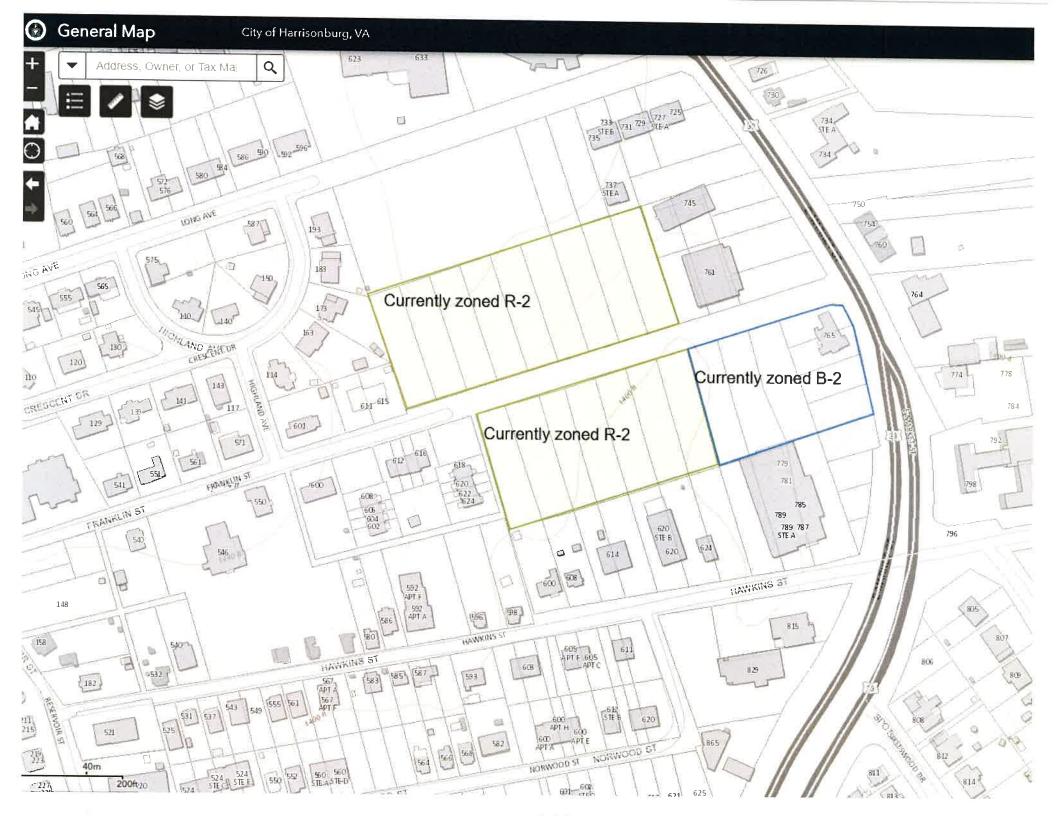




EXHIBIT B

Special Use Permit Application

DocuSign Envelope ID: 33813C37-E09D-4DBC-BF9D-4C4332F5A457

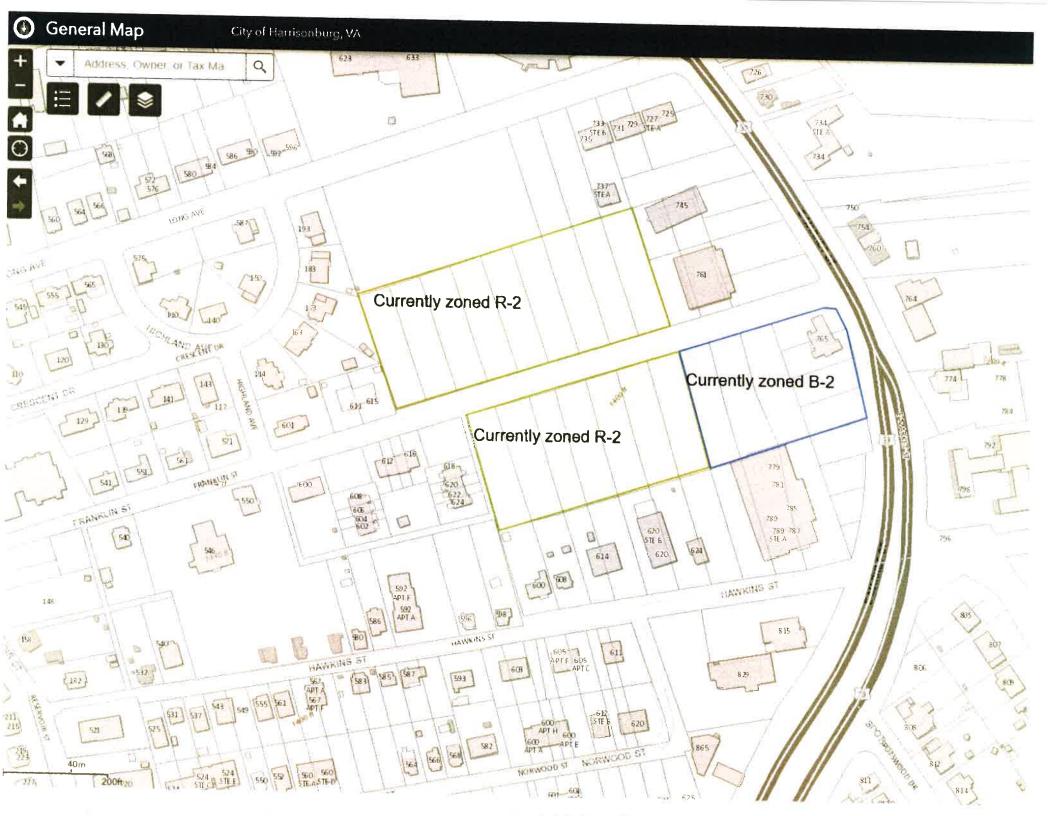




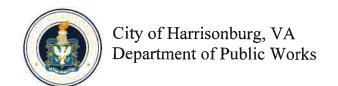
Special Use Permit Application

www.harrisonburgva.gov/zoning

		PROPERTY	INFORMATION		
765 E. Market Streel, Harrisonburg, VA 2280	1 Parcels: 28-K-1	thru 28-K-4, 28-K-9 thru 28-K-18, and	28-J-20 thru 28-J-28	6. ⁴⁸ +/-	acres or sq.ft.
Property Address			Tax Map	Total Land Area	(circle)
Existing Zoning Classification	R-2/B-2		_		
Special Use being requested:	In connecti	on with Application for I	Rezoning to R-5, spec	cial use permit to allow	:
Multiple-family dwellings o	f more thar	twelve (12) units per b	uilding i. [10-3-55.4 (1	1)]	
		PROPERTY OWN	ER INFORMATION		
Joyce A. Schultz, M.D., Trustee of	of the Joyce A	Schultz, M.D. Living Trust	Please contact Listi	ng Agent: Jason Song	540-383-6692
Property Owner Name			Telephone		=======================================
425 Sherwood Forest Drive			jason.song@cotton	wood.com	
Street Address Hayesville	NC	28904	E-Mail		
City	State	Zip			
City	State	OWNER'S REPRESEN	TATIVE INFORMAT	ION	
William N. Park, Manager of Bluest	one Land III				
Owner's Representative	one Land, L.L.	C. (contract purchaser)	434-979-2900 Telephone		=======================================
1821 Avon St. Suite 200			wpark@pcdcva.com	n	
Street Address			E-Mail		
Charlottesville	VA	22902	L-Widii		
City	State	Zip			
			FICATION		
I certify that the information su to the best of my knowledge. In property for the purposes of p posted by the City consum property of the Cit	addition, I h rocessing ar	ereby grant permission to	the agents and employee	es of the City of Harrison	burg to enter the above
PROPERTY OWNER 1668444			DATE		
		REQUIRED A	TTACHMENTS		
 ☑ Site or Property Map ☑ Letter explaining propose ☑ Traffic Impact Analysis Department. Applicant is www.harrisonburgva.gov/required parking areas, re rentals. To prevent delays a TIA Determination Form Note: If applying for a Wireless application. 	(TIA) Deter responsible to traffic-impart duction in re- in reviewing m or TIA Ac	mination Form OR Traff for coordinating with Publict-analysis. This requirem equired side yard setback, g your application, please ceptance Letter.	ic Impact Analysis (TIA ic Works prior to submit ent is waived for the foll wireless telecommunic consult with Planning st	ting this application. For a owing SUPs: major famil ation facilities, wall and aff to confirm your applic	more information, visit y day homes, reducing fences, and short-term cation does not require
	то ве	COMPLETED BY PLA	NNING & ZONING D	IVISION	
Date Application and Fee Rece			Total Fees Due: \$_Application Fee: \$425.		
Received By					







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	on				
Consultant Name:	Valley Engineering, PLC				
Telephone:	540-434-6365				
E-mail:	csnyder@valleyesp.com				
Owner Name:	Joyce A Schultz / Joyce A Schultz MD Living Trust				
Telephone:	, , ,				
E-mail:					
Project Information	n				
Project Name:	Franklin Street Site				
Project Address: TM #:	765 E. Market Street, Harrisonburg, VA 22801 28-K-1 thru 28-K-4, 28-K-9 thru 28-K-18, 28-J-20 thru 28-J-28				
Existing Land Use(s):	Vacant / RV Sales				
Proposed Land Use(s): (if applicable)	Residential Apratments/Commercial				
Submission Type:	Comprehensive 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)	Proposed rezoning (R-2/B-2 to R-5) for residentail use of land, with special use for number of units in a building.				
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(reserved for City TIA required? You Comments:	y staff) es No				
Accepted by:	Date:				
	Date.				

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11	Existing #4						
12	Existing #5						
13	Existing #6						
14	4 Total Existing Trips					1	2
15		Final Total (Total New – To	56	68			

Instructions

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- 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.

EXHIBIT C

Conceptual Plan



EXHIBIT D

Existing Zoning Map/GIS

