



September 10, 2025 Planning Commission Meeting

Title

Consider Rezoning at 1010 Garbers Church Road, 1645 Erickson Avenue, 1781 South High Street, and South Dogwood Drive (Bluestone Town Center) — Thanh Dang, Community Development

Summary

Project name	Bluestone Town Center
Address/Location	1010 Garbers Church Road, 1645 Erickson Avenue, 1781 South High Street, and South Dogwood Drive (although there is no property frontage along South High Street or South Dogwood Drive)
Tax Map Parcels	21-K-4 & 5; 115-B-1 & 4; and 117-C-3
Total Land Area	+/- 89.75-acres
Property Owner	EP Harrisonburg Owner LLC and Cook Creek Church of the Brethren Cemetery
Owner's Representative	Litten & Sipe, LLP
Present Zoning	R-7, Medium Density Mixed Residential Planned Community District
Proposed Zoning	R-7, Medium Density Mixed Residential Planned Community District (Master Plan Amendment)
Planning Commission	September 10, 2025 (Public Hearing)
City Council	Anticipated October 14, 2025 (First Reading/Public Hearing) Anticipated October 28, 2025 (Second Reading)

Recommendation

Option 1. Recommend approval of the rezoning request.

Fiscal Impact

N/A

Context & Analysis

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

Site: Undeveloped land, containing a small historic cemetery; zoned R-7

North: Single-family detached dwellings, Heritage Oaks Golf Course, and vacant properties, zoned R-1

East: Single-family detached dwellings, zoned R-1 and R-3; and multi-family dwellings, zoned R-3

South: Professional offices and retail uses, zoned B-2 and across Erickson Avenue, vacant properties, zoned R-1 and B-2, and a place of worship, zoned B-2
West: Presumed nonconforming agricultural use, zoned R-1 and across Garbers Church Road, Harrisonburg High School, zoned R-1

On February 28, 2023, City Council approved to rezone +/- 89.75-acres for the Bluestone Town Center from R-1, Single-Family Residential District, R-3, Medium Density Residential District, and B-2, General Business District to R-7, Medium Density Mixed Residential Planned Community District. In connection with the rezoning approval for the property, the following documents together are the approved Master Development Plan for the development known as Bluestone Town Center:

- Master Plan Zoning Requirements for Bluestone Town Center, revised February 24, 2023.
- Bluestone Town Center Rezoning Request Proffer, revised January 13, 2023.
- Street Improvement Agreement, dated March 1, 2023.
- Master Plan Layout, revised January 10, 2023.
- Typical Manufactured Home, Single Family Detached, and Townhome Landscape Plan, dated February 24, 2023.
- Page 2 of the Conceptual Site Layout, revised February 24, 2023. (Note: This layout is conceptual and not part of the master development plan, except for the reference from the Master Plan text in Section F, Other Regulations, Subsection (3) to general locations of park areas shown.)

A copy of the approved Master Development Plan is attached and additional information on the 2023 rezoning is available at: <https://harrisonburg-va.legistar.com/LegislationDetail.aspx?ID=6041039&GUID=AC21AE3C-5425-4D02-8432-1A30AA805A11&Options=&Search=>. Additionally, a document titled *What is an R-7 Development? Information Sheet* is attached herein for a reminder as to how R-7 zoning is implemented.

The applicant is requesting to amend the existing proffers as described below. All other documents will be readopted as part of the Master Development Plan.

Proffers

The existing 2023-approved proffers will remain the same except for an amendment to proffer 1.a.ii and removal of two proffers that were not approved by City Council on February 28, 2023. Attached within the applicant's supporting documents are two versions of the proffers; one with tracked changes and a clean version.

The applicant is requesting to amend Proffer 1.a.ii. as shown below (written with changes tracked):

1. ***Provision of Affordable Dwelling Units. Provision of Affordable Housing.***

Where the Master Plan indicates residential uses, the residential dwelling units within the Project are two-fold: a) for-purchase units; and b) rental units. The Project will incorporate affordable housing components as set forth below:

- a. For-Purchase Units (single-family detached dwellings, manufactured homes, and townhouses):
 - i. Term: The For-Purchase Units affordability period shall only be upon the initial sale from the Developer to the initial homebuyer.
 - ii. Income Restrictions: 100% of the For-Purchase Units will be initially sold and restricted only to households with incomes ~~below~~ ~~between 80% and~~ 120% of the Area Median Income (AMI), as established and updated regularly by the U.S. Department of Housing and Urban Development (HUD).
 - iii. Compliance and Monitoring: Upon request from the City, the Developer will provide certification of household income eligibility for all For-Purchase Unit sales.

A summary explanation of Area Median Income (AMI) is available at the following Housing Forward Virginia webpage: <https://housingforwardva.org/news/fwd-b06-area-median-income/>.

The following paragraph, quoted from a letter submitted by the applicant, describes the reasoning for the proposed proffer amendment:

In 2023, at the time of the original rezoning application, the Owner had not selected a developer/contractor to construct the for-purchase residences. Nor did the Owner think it would be economically feasible for a developer/contractor to construct quality homes for sale to persons with an AMI of below 80%. Since that time, the Owner has contracted with NVR, Inc. (“Ryan Homes”) to develop and construct certain for-purchase single-family homes and townhouses. During contract discussions, Ryan Homes stated that it would be able to construct and offer some of these residences for sale to families with an AMI at 60% and above while maintaining the quality required by the Project and Owner. Ryan Homes is also offering financing for these home purchases.

In addition to the above proffer amendment, the original text for proffers 2.b. and 4 are both proposed to be replaced with the statement “Not Approved by City Council on February 28, 2023” as neither proffer was accepted and approved by City Council in 2023. Lastly, the Property Information section within the proffer letter has also been updated but is not shown in tracked changes.

Conclusion

Staff has no concerns with amending proffer 1.a.ii. This amendment does not cause any changes to planned land uses, transportation facilities and traffic, public utilities, or projected school enrollment. Amending proffer 1.a.ii. could allow a larger pool of homeowners (to include those below 80% AMI) the opportunity to purchase a home. As noted earlier, all other components of the development would remain as approved in 2023. Staff recommends approval of the rezoning request by amending the described proffers.

Options

1. Recommend approval of the rezoning request.
2. Recommend denial of the rezoning request.

Attachments

- Site maps
- Application and supporting documents
- 2023 Approved Master Development Plan
- What is an R-7 development? Information Sheet