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February 4, 2021

City Council
c/o Adam Fletcher, Director
Department of Community Development
City of Harrisonburg, Virginia
409 S Main St
Harrisonburg, VA 22801

RE: Application for Rezoning and Special Use Permit
161 and 241 Blue Ridge Drive

Dear Council members and Adam:

I enclose a revised proffer statement in advance of the February 9, 2021 public hearing pertaining to the above-referenced application, for the purpose of clarifying that the proffers will be effective only if both the rezoning and the special use permit are approved. Given the constraints of this site, the proffers are only feasible if the project can be developed with buildings containing more than 12 units by special use permit, as reflected in the application materials.

We respectfully request and appreciate the City's consideration of the rezoning and special use permit as a joint application for approval purposes, as permitted by Section 10-3-128(d) of the City's Zoning Ordinance. Thank you.

Very Truly Yours,



Lisa Anne Hawkins

cc: Applicant

Enc: Revised proffer statement

880617

PROFFERS

Two41 Central Apartments
241 Blue Ridge Drive, Harrisonburg, Virginia

Date of Proffer: November 4, 2020
Revision #1: November 30, 2020
Revision #2: February 2, 2021
Revision # 3: February 4, 2021

Project Name: Two41 Central Apartments

Owners: MG Harrisonburg LLC
Martha Estes Grover, Trustee of the Charles Edwin Estes Irrevocable Grandchildren’s Trust

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

Tax Map Parcel #s	Current Owner	Acreage	Existing Zoning	Existing Land Use	Land Use Guide
028 G 1	MG Harrisonburg LLC	4.59	R-1	Industrial	Medium Density Mixed Residential
028 G 2	Grover Martha E Trustee	2.40	R-1	Vacant	Medium Density Mixed Residential

Total Acreage of Parcel(s) 6.99 +/- acres

Rezoning/Land Use Requested: R-5 with simultaneous issue of special use permit to allow >12 units per building

Tax Map #(s) 028 G 1; 028 G 2

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 and will take effect upon approval of the requested rezoning including simultaneous approval of the requested special use permit to allow >12 units per building:

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 1.5 parking spaces per dwelling unit shall be provided.
2. Bicycle and Pedestrian Connection: The owner will design and construct a 10-ft wide shared use path connection from the western terminus of Blue Ridge Drive to the western boundary of 919 Oakland Street (Tax Map Parcel # 028 F 1) as general shown on Exhibit A. In the event the City obtains necessary easement or right-of-way prior to final paving of the development, then the owner will also construct the shared use path connection to East Market Street. The final alignment of the connection will be determined and eventually agreed to at the site plan review stage of the project.
3. Road and Sidewalk Improvements: The following improvements will be constructed as part of this development:

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Two41 Central Apartments
241 Blue Ridge Drive, Harrisonburg, Virginia

- a. Blue Ridge Drive shall be improved to include 2.5' curb and gutter, 6' planting strip, and 5' sidewalk along the project frontage. The face of the proposed curb shall be located 13' from the centerline of Blue Ridge Drive.
 - b. Country Club Road shall be improved to include 2.5' curb and gutter, 6' planting strip, 10' shared use path, and 2' path shoulder. The face of the proposed curb shall be located 6' from the existing edge of pavement.
 - c. A 5' wide sidewalk with a 2' planting strip shall be installed along the project frontage of Country Club Court.
4. Donation of Right-of-Way: For the purpose of road improvements to the intersection of Blue Ridge Drive and Country Club Road, the Owners shall provide a right-of-way to the City across 028 G 1 and 028 G 2 as generally shown on the Concept Plan dated 11-25-20, attached as Exhibit A, within 90 days of the issuance of building permits.
 5. Donation of Additional Parcels: For the purpose of future improvements to Blue Ridge Drive, MG Harrisonburg LLC has entered into a Development Agreement with the City of Harrisonburg regarding donation of Tax Map Parcels 028 F 1 and 028 F 2 to the City. Those parcels are not included in this Rezoning Application.
 6. Density and Unit Mix: The development shall contain a maximum of 142 units. Units shall be limited to 1, 2, and 3 bedroom units, of which a minimum of 75% shall be 2 bedroom units or less.
 7. Parking Lot Placement- Parking shall not be located between the proposed apartment buildings and Blue Ridge Drive or Country Club Road. This proffer does not apply to amenity structures, maintenance facilities, and/or other accessory structures.
 8. Bus Shelter- The Owner will coordinate with the City to identify and provide a location for a bus shelter if requested during the site plan review phase of the project. Owner shall provide a concrete pad for City-provided shelter at a mutually agreeable location.
 9. Playground-A playground will be provided within the development.
 10. Street Trees- Street Trees will be provided along Blue Ridge Drive and Country Club Road frontages. Tree spacing will average 60 ft on center for medium or large maturing trees and 30 ft on center for small maturing trees. Location of street trees to be in the proposed planting strip or behind the sidewalk, depending on the location of above or below grade utilities.
 11. 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 area median family income 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.

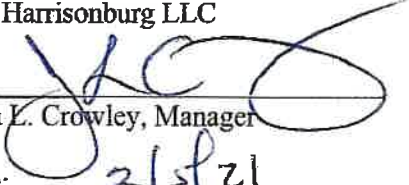
Signature page follows

PROFFERS

Two41 Central Apartments
241 Blue Ridge Drive, Harrisonburg, Virginia

Owner(s):

MG Harrisonburg LLC

By: 
John L. Crowley, Manager

Date: 2/5/21

Charles Edwin Estes Irrevocable Grandchildren's Trust

By: 
Martha Estes Grover, Trustee

Date: 2/5/21

Applicant/Contract Purchaser:

Bluestone Land, L.L.C.

By: 
William N. Park, Manager

Date: February 4, 2021