

PROFFERS

The undersigned applicant submits these proffered conditions, in lieu of any and all pre-existing proffers, as a part of its requested rezoning of:

- (i) City Tax Map parcel 41-Q-6, currently owned by the Boys & Girls Club of Harrisonburg and Rockingham County and under contract to Harrisonburg Redevelopment and Housing Authority, from B-2 to R-3 Conditional;
- (ii) City Tax Map parcel 41-Q-7, currently owned by Harrisonburg Rockingham Association for Retarded Children, Inc. and under contract to Harrisonburg Redevelopment and Housing Authority, from B-2 to R-3 Conditional; and
- (iii) City Tax Map parcels 41-Q-4 and 4A, currently owned by J. Kenneth Kline, Trustee and under contract to Harrisonburg Redevelopment and Housing Authority, from B-2 to B-2 Conditional.

Parcels (i) and (ii) are hereafter the "Residential Property" and parcel (iii) is hereafter the "Business Property".

1. USE RESTRICTIONS (Business Property): The Business Property shall not be used for any of the uses listed in subsections (6), (7), (8) or (12) of § 10-9-90 of the City Code. Additionally, use of the Business Property shall be limited to 2,000 square feet per use.

~~2.~~ OPEN SPACE (Residential Property). Not less than 10% of the total acreage of the Residential Property shall be devoted to open space. Open space may include storm detention ponds, picnic facilities, benches, parks, courtyards, plazas, landscaped areas within parking lots, street tree planting areas, and landscaping buffers.

~~3.~~ PRIVACY FENCE (Residential Property). A six-foot (6') high solid buffer privacy fence meeting the requirements of the City Code shall be installed between the Residential Property and adjoining commercial and industrial-zoned properties (excluding the Business Property).

4. RESIDENTS (Residential Property). No more than two (2) unrelated persons shall occupy any dwelling unit on the Residential Property. "Unrelated persons" shall mean persons unrelated by either blood or marriage.

5. MASTER PLAN (Business and Residential Properties). The development of the Business and Residential Properties shall be substantially in conformance with the attached site plan.

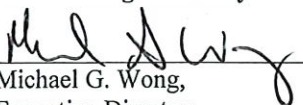
Variance: On the attached site plan, the Business Property is shown with 15-foot setbacks. The applicant is applying for a setback variance with regard to the Business Property. If such variance is not approved, the Business Property will be developed with setbacks required by the City Code (as shown on the second attachment). **Denied by BZA.**

These proffered conditions, if approved by the City of Harrisonburg, will become part of the zoning of the Business and Residential Properties and will continue with the Properties if there is

a change in ownership. Once adopted, these conditions may be changed through a rezoning request to the City of Harrisonburg.

August 6, 2004

Harrisonburg Redevelopment  
and Housing Authority

By:   
Michael G. Wong,  
Executive Director



WASHINGTON

RETAIL 1 2

RETAIL 3

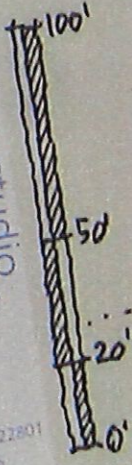
STORM WATER

VILLAGE GREEN  
TERRACE  
TRELLIS  
TRANSIT STOP  
COMMERCE DRIVE

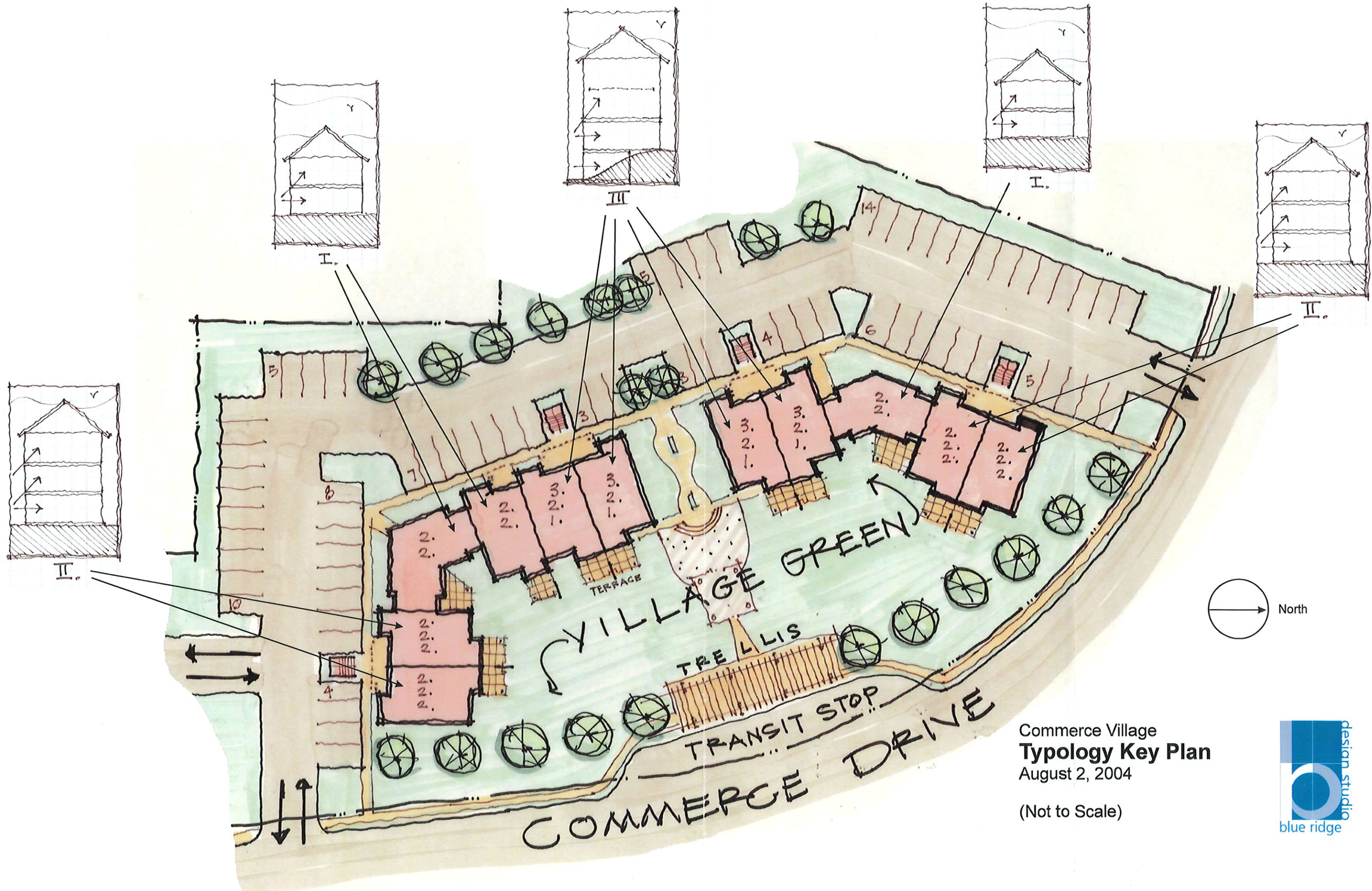
COMMERCE  
VILLAGE - 30 UNITS  
1"=30' SITE PLAN - 7.28.04



61 s. main street  
hock building  
suite 200  
harrisonburg, va. 22801  
p.540 | 437.1223





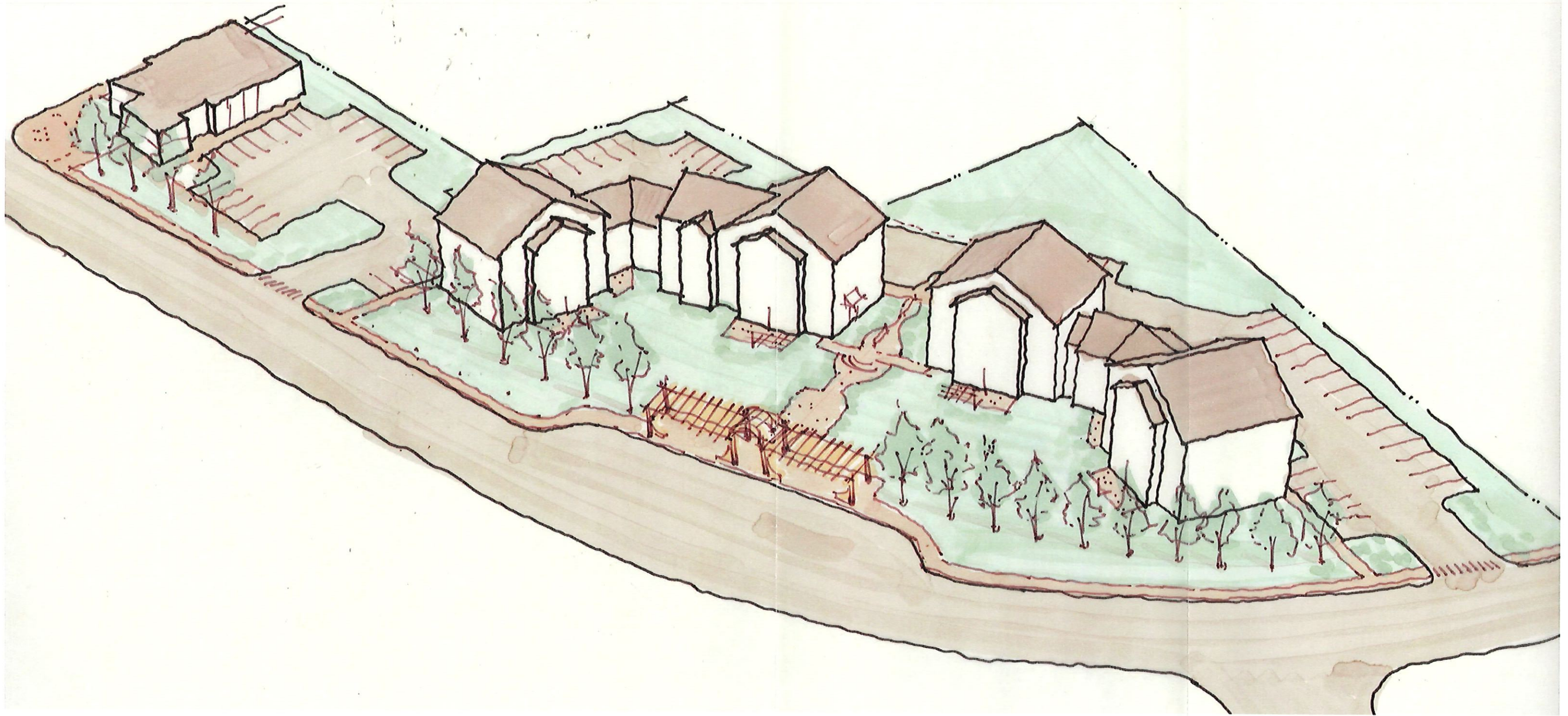


Commerce Village  
**Typology Key Plan**  
 August 2, 2004

(Not to Scale)







Commerce Village  
Overhead View to Southwest  
August 2, 2004

(Not to Scale)

