

June 25, 2015

Campbell & Main, LLC
56 West Gay Street
Harrisonburg, VA 22802

City of Harrisonburg
Department of Planning and Community Development
Stacy Turner, Director

RE: Rezoning Proffers – Joshua Wilton House Inn & Restaurant

Dear Ms. Turner,

On behalf of the applicant, Campbell & Main, LLC, the following proffered conditions are submitted in connection with the pending request of the applicant to rezone the property located at 412 S. Main Street, Harrisonburg, VA from B2-C to B-1C.

The applicant owner does hereby proffer that the development and use of the subject property on the present B-1C rezoning application shall be in strict conformance with the conditions set forth below in this submission as follows:

1. The subject property shall only be used for inn (transient lodging), restaurant and related activities such as weddings, meetings, civic and other special events. Catering activities for off-premises purposes shall also be permitted.
2. The restaurant operation shall not be open to the public between the hours of 1:00AM to 11:00AM on Sundays. Limited food service to in-house Inn guests from the kitchen may be provided during these hours.
3. The property shall maintain the existing off-street parking area enclosed by the existing vinyl fencing on the north side of the property adjacent to Campbell Street. Portions of the property (not restricting the Campbell Street entrance), may also be used for non-permanent outdoor storage of landscaping, construction or similar materials (with outdoor storage at no time to take up more than 20% of the fenced-in area).
4. The property shall maintain a thirty foot (30') setback along South Main Street and a twenty foot (20') setback along Campbell Street for permanent structures. Fences, patios or other non-enclosed and uncovered structures shall not be subject to this restriction.

Thank you for accepting these proffered conditions, which shall be binding on the subject property as a portion of the requested B-1C rezoning.

Sincerely,

Campbell & Main, LLC

Campbell + Main LLC

By: Rodney Eagle, Manager

Rodney Eagle MANAGER

SUBJECT: JOSHUA WILTON HOUSE REZONED TO B-2 CONDITIONAL GENERAL BUSINESS DISTRICT, TO SERVE AS RESTAURANT AND INN FACILITY.

EXTRACT TAKEN FROM MINUTES OF REGULAR MEETING
CITY COUNCIL MEETING HELD ON: TUESDAY, OCTOBER 27, 1987

At 7:50 P.M., Mayor Green closed the regular session temporarily and called the evening's public hearing to order. City Manager Milam read the following Notice of Hearing as publicized in the Daily News Record on October 8th and October 22nd:

The Harrisonburg City Council and Harrisonburg Planning Commission will hold a joint Public Hearing on Tuesday, October 27, 1987, at 7:30 P.M. in the City Council Chambers to consider the following rezoning request:

To rezone from R-3 Multiple Dwelling District to B-2 Conditional General Business District, Lot 3, Block O, Page 26 of City Block Map. This parcel is located on the southeast corner of South Main and Campbell Streets. Requestor is Hoye and Sara Moore.

Conditional zoning proffer

- 1. Dwelling (Joshua Wilton House) will be converted into an inn and restaurant.*
- 2. Restaurant will not be open to the public on Sundays prior to 12:00 o'clock noon.*
- 3. The use of the property will be restricted to an inn and restaurant, and no other use otherwise permitted under the current B-2 zoning district will be permitted.*

All persons interested will have an opportunity to express their views at this public hearing.

CITY OF HARRISONBURG— Marvin B. Milam, City Manager

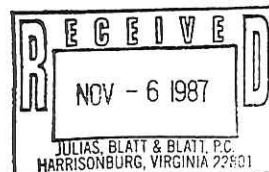
Attention was called to the following report of the City Planning Commission which was presented to Council on September 22nd:

Following the Public Hearing, during which ten citizens spoke in favor of Hoye and Sara Moore's request to rezone the Joshua Wilton House (412 S. Main St.) from R-3 Multiple Dwelling District to B-2 General Business District, and when 9 letters endorsing the rezoning were received, Mr. Hartman moved for the Commission to recommend rezoning the Joshua Wilton House from R-3 Residential to B-2. Mr. Hughes seconded the motion and all members present voted in favor. Chairman Trobaugh added that Mr. Moore will be applying for 'Conditional B-2 Business' at City Council's next meeting..."

Planning Director Sullivan presented copies of a map, setting out location of the Joshua Wilton House, gave background information concerning the request, leading up to the present time, and noted that if rezoned to B-2, the business district would be extended southward on Main Street. The Planning Commission had endorsed the rezoning to B-2, with the understanding that B-2 Conditional General Business District zoning would be sought by the requestors, in that this type of zoning has been provided for under the text of the amended Zoning Ordinance. Attorney Steven Blatt, representing the Moores, pointed out that the Planning Commission and City Council had been aware of the request over the past year and a half. He noted that his clients could not go forward on renovations to the interior of the house, until the rezoning issue is determined. He expressed a hope that the facility may be open by the first of next year, and asked consideration of Council for the B-2 Conditional General Business Zoning.

(continued)

OFFICE OF CITY CLERK OF COUNCIL
HARRISONBURG, VIRGINIA
Form-HBG 47 (2-68-5M)



Existing Proffers

SUBJECT: JOSHUA WILTON HOUSE REZONED (continued)

EXTRACT TAKEN FROM MINUTES OF REGULAR MEETING
CITY COUNCIL MEETING HELD ON: TUESDAY, OCTOBER 27, 1987

An observation was made by a citizen that the requestors are "genuinely interested people who are willing to take the property and make it into something the community will be proud of." There being no others present, desiring to be heard, Mayor Green closed the public hearing at 7:55 P.M. and reconvened the regular session.

Mr. Walter R. Trobaugh, Jr., Chairman of the City Planning Commission, noted that his Commission (majority of members present) had previously endorsed rezoning of the property. Mayor Green then asked members of Council, their wishes. Council Member Robinson offered a motion for the Joshua Wilton House, situate on the southeast corner of Main and Campbell Streets, to be rezoned from R-3 Multiple Dwelling District, to B-2 Conditional General Business District. The motion was seconded by Council Member Rhodes, and adopted by a unanimous vote of Council.

I, N. Arlene Loker, Clerk of the Harrisonburg City Council, do hereby certify that the foregoing is a true copy of an excerpt taken from the minutes of a regular meeting held on Tuesday, October 27, 1987.

Given under my hand this 29th day of October, 1987.


CLERK

Date Application Received: 06-04-15

Total Paid: 405.00 AF

Application for Change of Zoning District City of Harrisonburg, Virginia

Section 1: Property Owner's Information

Name: Campbell and Main, LLC
Street Address: 412 South Main Email: eagleinc@comcast.net
City/State/Zip: Harrisonburg, VA 22801
Telephone (work): 540-434-1818 (home or cellular): 540-810-9999 (fax): 540-434-0453

Section 2: Owner's Representative Information

Name: Rodney L Eagle
Street Address: 1188 Port Republic Rd Email: eagleinc@comcast.net
City/State/Zip: Harrisonburg VA 22801
Telephone (work): 540-434-1818 (home or cellular): 540-810-9999 (fax): 540-434-0453

Section 3: Description of Property

Location (street address): 412 South Main Street, Harrisonburg
Tax Map Number: Sheet: 02603 Block: _____ Lot: _____ Total Land Area (acres or square feet): _____
Existing Zoning District: B-2C Proposed Zoning District * : B-1
Existing Comprehensive Plan Designation: _____

**If applying for conditional rezoning, provide a letter stating proffers on separate sheet of paper*

Section 4: Application Fee

\$375.00 plus \$30.00 per acre, and if applicable, Fees for a Traffic Impact Analysis (TIA) Review (see below)

(a) Would the development from this rezoning require a Traffic Impact Analysis by VDOT?
Yes _____ No

If yes, then fees must be made payable to VDOT to cover costs associated with the TIA review.

PLEASE NOTE - If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.

(b) Would the development from this rezoning require a Traffic Impact Analysis review by the City?
Yes _____ No

If yes, then an additional \$1,000.00 must be made payable to the City to cover costs associated with the TIA review.

PLEASE NOTE - If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.

Section 5: Names and Addresses of Adjacent Property Owners (Use separate sheet for additional names)

North: St. Stephen's United Church of Christ, 358 S. Main Street
East: Campbell Apartments, Barry Kelly
South: Union Bank & Trust, 440 South Main Street
West: Community Development, City of Harrisonburg

Section 6: Certification

I certify that the information contained herein is true and accurate. Signature: Campbell and Main by Rodney L Eagle
Property Owner

See Back for Items Required for Submission

MAY 8, 2015
SCALE: 1"=40'

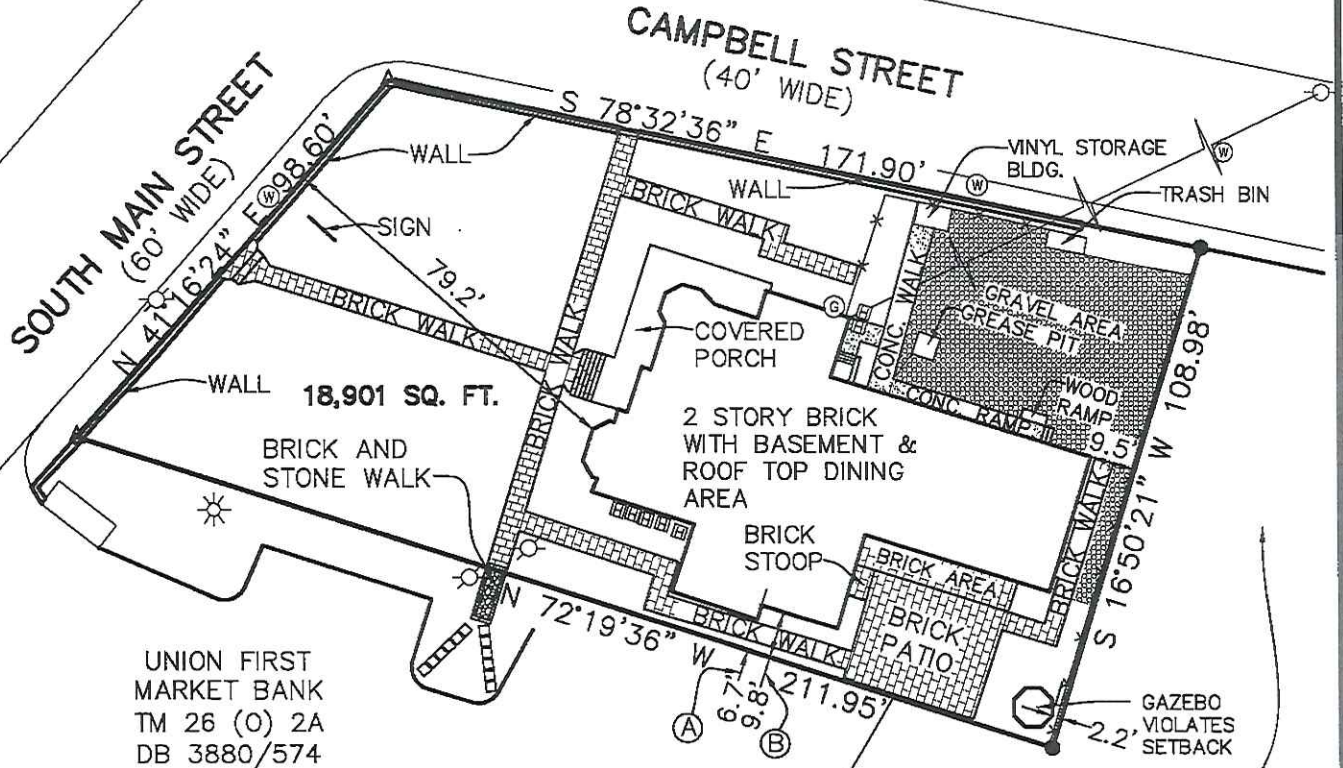
THIS LOT IS IN FLOOD ZONE X.

NOTE:
NO TITLE OPINION WAS SUPPLIED
FOR THIS SURVEY.



VA. NORTH GRID

- = IRON PIN SET
- △ = POINT
- ☼ = FLUORESCENT LIGHT
- = UTILITY POLE
- = LIGHT POLE
- = OVERHEAD LINE
- ⊗ = WATER METER
- ⊙ = GAS METER
- * * = VINYL FENCE
- = HEAT PUMP



UNION FIRST
MARKET BANK
TM 26 (O) 2A
DB 3880/574

TITLE INFORMATION:

TM 26 (O) 3
DB 2760/384
ZONE: B2 CONDITIONAL
OWNER: TRILLIUM PROPERTY GROUP, LLC
PURCHASER<s>: <first mi. last>
ADDRESS: 412 SOUTH MAIN STREET
HARRISONBURG, VA 22801

CAMPBELL STREET
PROPERTIES, LC
TM 26 (O) 2
DB 3126/609

- Ⓐ = BUILDING ENCRACHES 7'
SETBACK BY 0.3'
- Ⓑ = BUILDING ENCRACHES 10'
SETBACK BY 0.2

PHYSICAL SURVEY

OF A 18,901 SQUARE FEET LOT

CITY OF HARRISONBURG, VIRGINIA

SURVEYOR'S CERTIFICATE:

TO ALL PARTIES INTERESTED IN TITLE TO PREMISES SURVEYED
THIS SURVEY WAS ACTUALLY MADE ON THE GROUND AS PER RECORD
DESCRIPTION AND IS CORRECT. THERE ARE NO ENCRACHMENTS
EITHER WAY ACROSS PROPERTY LINES, EXCEPT AS SHOWN.
GIVEN UNDER MY HAND THIS 8TH DAY OF MAY, 2015.

THIS SURVEY IS BASED ON
A CURRENT FIELD SURVEY.

BENNER & ASSOC., INC.
8 PLEASANT HILL ROAD
HARRISONBURG, VA 22801
540 434-0267
REF# 041615
DRAWING: 041615.DWG

