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(NOT AN ATTORNEY)

March 23, 1995

Mayor and Members of Council
City of Harrisonburg
345 South Main Street
Harrisonburg, Virginia 22801

**RE: Application for Zoning Amendment by T & T Real Estate at
Chicago Avenue, Third Street, and Dogwood Drive**

Dear Mayor and Members of Council:

Enclosed herewith is the application of T & T Real Estate, a Virginia general partnership, for zoning amendment for the re-zoning of a portion of Block P, Page 39, and portions of the adjoining vacated streets from R-1 to B-2, conditional. "Before" and "After" plats of the proposed re-zone area indicating the area for requested rezoning are also enclosed.

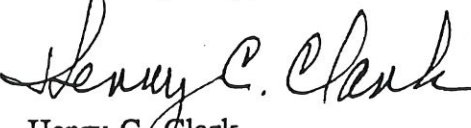
As conditions to the requested re-zoning, the following proffers are hereby made:

- A. A building or premises shall be used only for the following purposes (numbered to correspond to Section 10-3-84 of the City Code):
- (1) Mercantile establishments which promote the show, sale, and rental of goods, personal service establishments, restaurants and other shops and stores customary to shopping centers and convenience outlets.
 - (2) Governmental, business and professional offices, and financial institutions.
 - (4) Theaters, community rooms, museums and galleries and other places of assembly for the purpose of entertainment or education. In addition, customary recreational and leisure-time activities which are compatible with surrounding uses are permitted.
 - (8) General service or repair shops permitted in the B-1 Central Business District but without the limitation as to the number of employees.

- (10) Radio and television stations and studios or recording studios, but not towers more than one hundred twenty-five feet (125') in height.
 - (11) Public utilities, public service or public transportation uses or buildings, generating, purification or treatment plants, water storage tanks, pumping or regulator stations, telephone exchange and transformer or substations.
 - (12) Warehousing and other storage facilities with floor area limited to twenty thousand (20,000) square feet, which are contiguous to permitted uses in this district.
 - (15) Accessory buildings and uses customarily incidental to any of the above-listed uses.
- B. No further improvement of the R-1 area between North Dogwood Drive, Third Street, and the closed portion of North Willow Street shall be made until the area is re-subdivided in accordance with the City of Harrisonburg Subdivision Ordinance.

We also enclose our check in the amount of \$300.00 for filing fees and request that the matter be referred to the City of Harrisonburg Planning Commission for review and recommendation thereon.

Yours very truly,



Henry C. Clark

HCC/rrb

Enclosures

cc: Ms. Stacy Turner

in this article are the "B-2" General Business District regulations.

Sec. 10-3-83. Purpose of District.

This district is intended to provide a sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, and miscellaneous recreational and service activities generally serving the city, a wide area of the region, and the traveling public, and generally located along major thoroughfares or near development centers where a general mixture of commercial and service activity now exists or is planned, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, or the nuisance factors of dust, odor and noise associated with manufacturing.

Sec. 10-3-84. Use regulations. B-2

A building or premises shall be used only for the following purposes:

- (1) Mercantile establishments which promote the show, sale and rental of goods, personal service establishments, restaurants and other shops and stores customary to shopping centers and convenience outlets.
- (2) Governmental, business and professional offices and financial institutions.
- ~~(3) Hotels, motels and similar types of transient accommodations. Nontransient housing facilities are not permitted nor may existing housing facilities be expanded.~~
- (4) Theaters, community rooms, museums and galleries and other places of assembly for the purpose of entertainment or education. In addition, customary recreational and leisure-time activities which are compatible with surrounding uses are permitted.
- ~~(5) Religious, educational, charitable or benevolent institutional uses which do not provide housing facilities.~~
- ~~(6) Service stations, bus terminals and other facilities designed for vehicular convenience or service, automobile, mobile home and customary agricultural sales and service.~~

~~In addition, designated lots for the purpose of display and sales of merchandise and equipment are permitted but such lots must be served by a permanent building facility unless clearly incidental to an existing building.~~

- ~~(7) Automobile or truck sales, service and repair, including body or fender repair, but not auto salvage, storage or sale of junk.~~
- (8) General service or repair shops permitted in the B-1 Central Business District but without the limitation as to the number of employees.
- ~~(9) Pet shop or pet grooming establishment and animal hospitals.~~
- (10) Radio and television stations and studios or recording studios, but not towers more than one hundred twenty-five (125) feet in height.
- (11) Public utilities, public service or public transportation uses or buildings, generating, purification or treatment plants, water storage tanks, pumping or regulator stations, telephone exchange and transformer or substations.
- (12) Warehousing and other storage facilities with floor area limited to twenty thousand (20,000) square feet, which are contiguous to permitted uses in this district.
- ~~(13) Funeral homes.~~
- ~~(14) Public and privately owned parking lots and parking garages.~~
- (15) Accessory buildings and uses customarily incidental to any of the above-listed uses.

Sec. 10-3-85. Area and dimensional regulations.

Except as provided in Article S, the following area and dimensional regulations shall apply:

Minimum Setback:

- Front**—Thirty (30) feet.
- Side**—Ten (10) feet, except on the side of a lot abutting a residential district, then thirty (30) feet.

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April 19, 1995

Mayor and Members of Council
City of Harrisonburg
345 South Main Street
Harrisonburg, Virginia 22801

RE: Application for Zoning Amendment by T & T
Real Estate at Chicago Avenue, Third Street
and Dogwood Drive.

Dear Mayor and Members of Council:

In addition to the proffers made with my letter of March 23, 1995, and as a part of the application of T & T Real Estate for rezoning of eight lots and portions of two others with portions of two closed streets and a vacated alley, the following additional proffers are hereby made:

- C. Evergreen buffers consisting of trees not less than five feet in height and on not less than ten foot centers will be installed as indicated on the Development Plan for a Portion of Blocks F, P & Q, Sheet 35 of the Harrisonburg City Block Maps as prepared by Copper, Mars, Nicely & Associates, dated April 13, 1995, which has been filed with the Harrisonburg Planning Commission, as the areas affected by such buffer are developed.
- D. The 20' wide portion of abandoned North Willow Street extending 126' in a northerly direction from 3rd Street shall be gated with approved entrance, as may be required as a part of subdivision and site plan approval,

Mayor and Members of Council

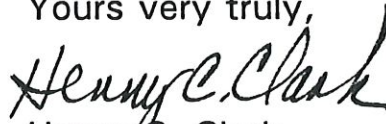
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April 19, 1995

to prevent its use as a normal access, recognizing that the same does not comply with City requirements for a commercial entrance or for use in conjunction with commercial operations occurring on the adjoining property.

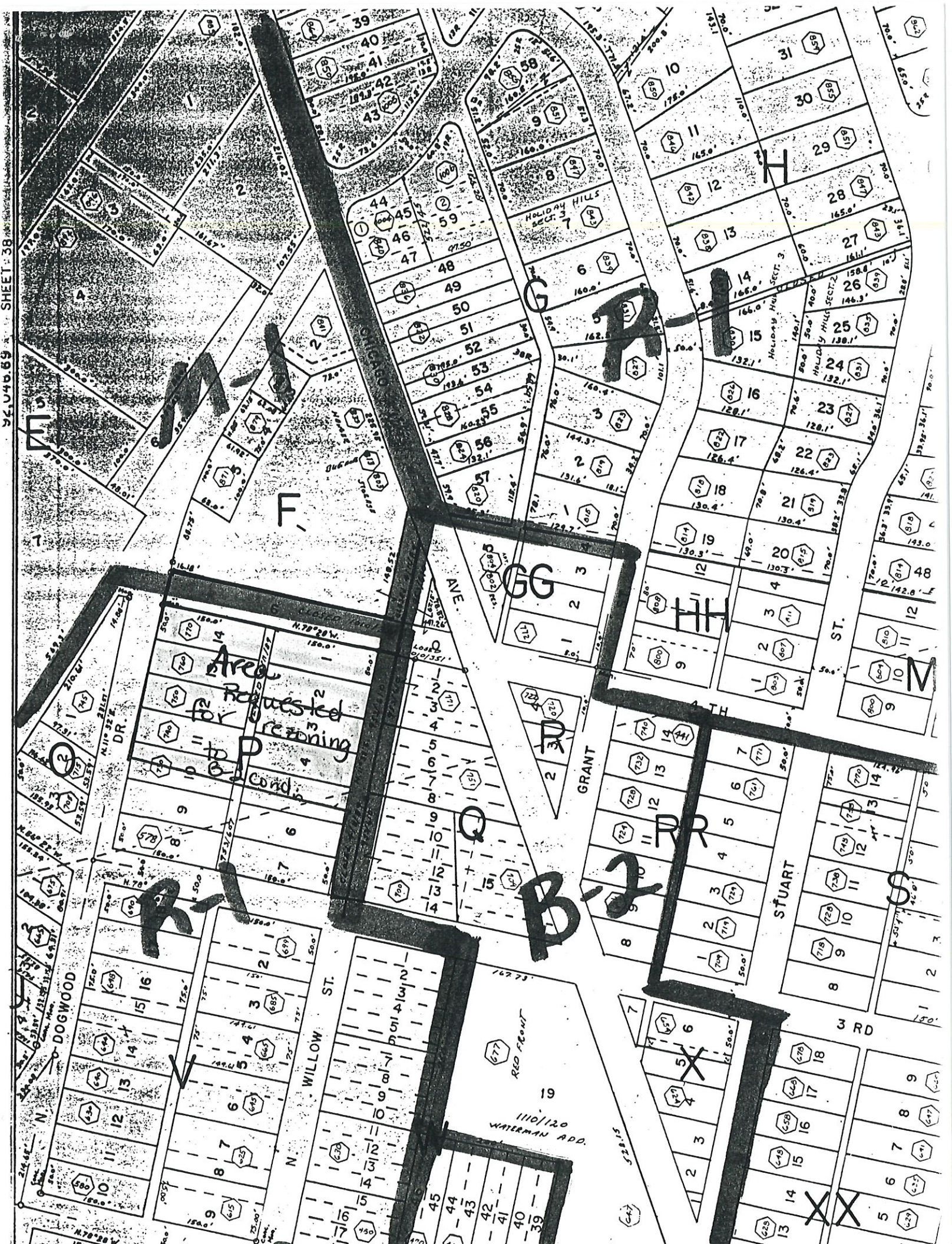
We appreciate your consideration of this matter and will be glad to supply any further information or documentation.

Yours very truly,



Henry C. Clark

hcc\rrb



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Area Requested for Rezoning to C-2 Cond.

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110/120 WATERMAN ADD.

REC ACOUNT

52815

DOGWOOD DR.

WILLOW ST.

GRANT AVE.

STUART ST.

DOGWOOD DR.

WILLOW ST.

GRANT AVE.

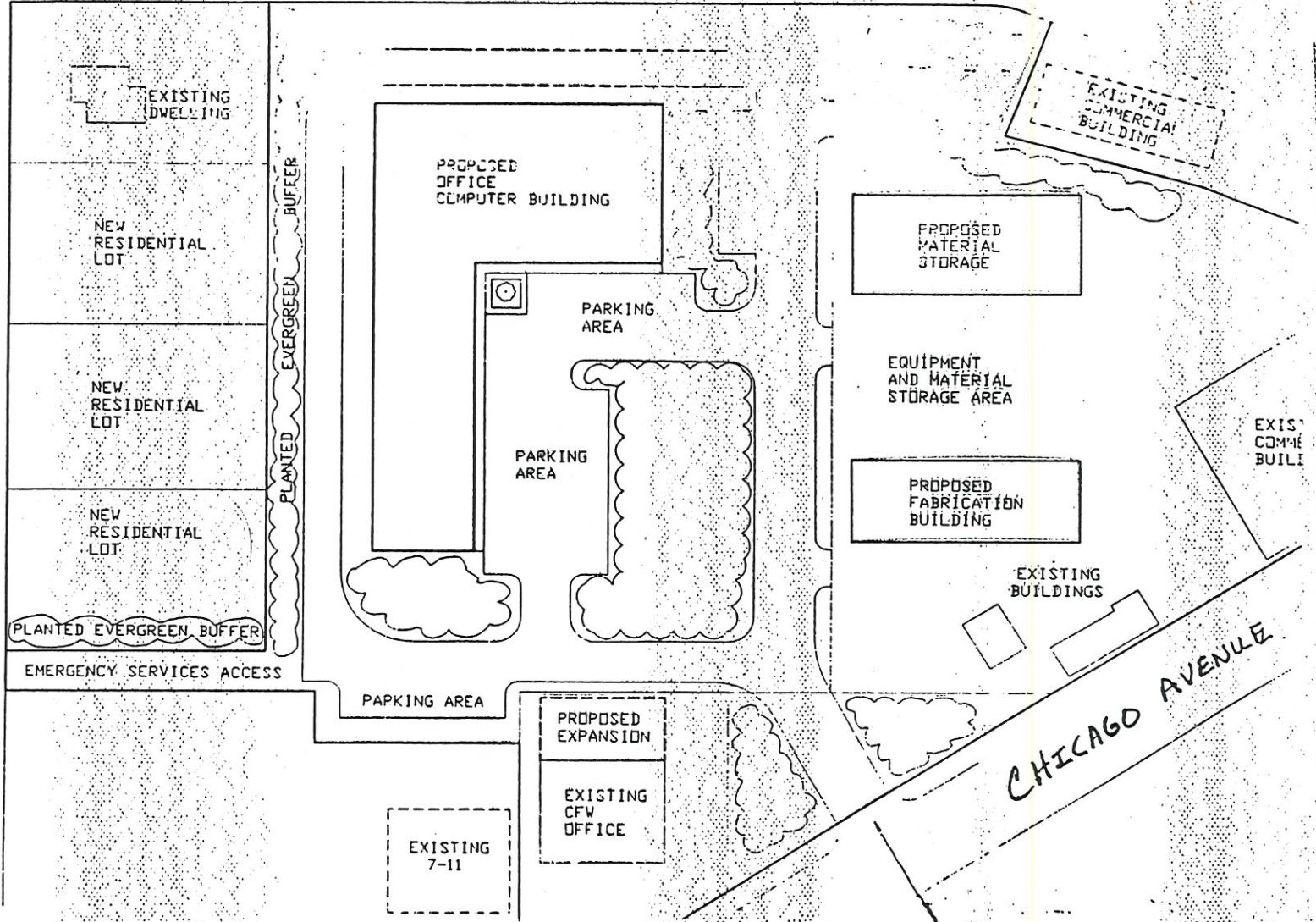
STUART ST.

DOGWOOD DRIVE

DOGWOOD DRIVE
(UNIMPROVED)

3rd. STREET

NORTH
WILLOW STREET



EXISTING
COMMERCIAL
BUILDING

PROPOSED
WATERIAL
STORAGE

EQUIPMENT
AND MATERIAL
STORAGE AREA

PROPOSED
FABRICATION
BUILDING

EXISTING
BUILDINGS

EXISTING
COMMERCIAL
BUILDING

PROPOSED
OFFICE
COMPUTER BUILDING

PARKING
AREA

PARKING
AREA

PARKING
AREA

PLANTED EVERGREEN BUFFER

EMERGENCY SERVICES ACCESS

PARKING AREA

PROPOSED
EXPANSION

EXISTING
CFW
OFFICE

EXISTING
7-11

PROPOSED COMMERCIAL
ENTRANCE

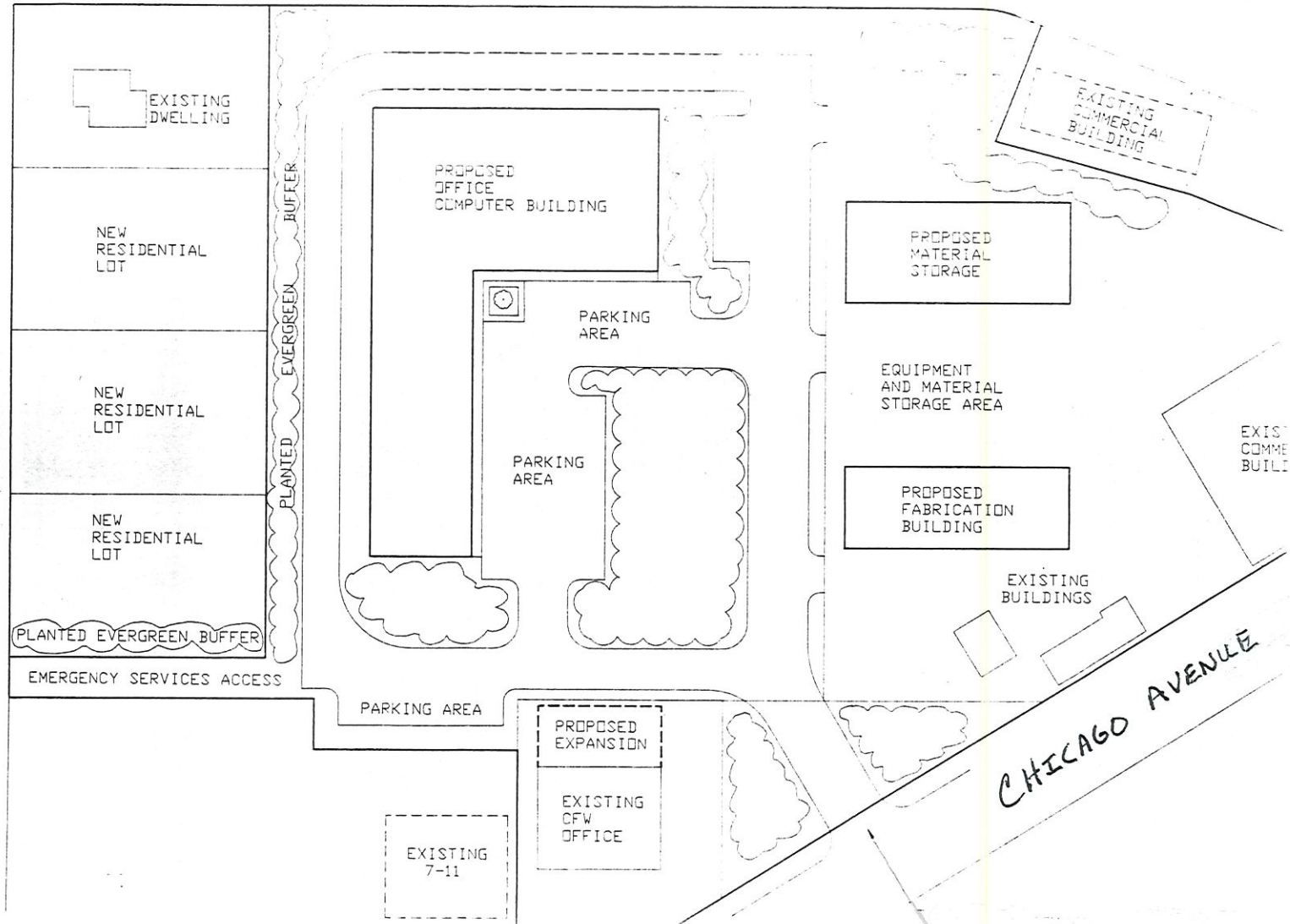
CHICAGO AVENUE

DOGWOOD DRIVE

DOGWOOD DRIVE
(UNIMPROVED)

3rd. STREET

NORTH
WILLOW STREET



PROPOSED COMMERCIAL
ENTRANCE