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ELLEN H. BRODERSEN, C. P. A.
(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:

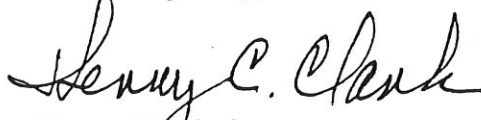
- A. A building or premises shall be used only for the following purposes (numbered to correspond to Section 10-3-84 of the City Code):
- (1) Mercantile establishments which promote the show, sale, and rental of goods, personal service establishments, restaurants and other shops and stores customary 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.

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- (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

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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

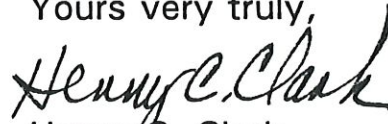
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to prevent its use as a normal access, recognizing that the same does not comply with City requirements for a commercial entrance or for use in conjunction with commercial operations occurring on the adjoining property.

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