City of Harrisonburg, Virginia

Planning Commission Meeting

April 9, 2014

7:00 p.m.

Regular Meeting
409 South Main Street

1) **Call to order, roll call, determination of quorum, and review/approval of minutes from the March 12, 2014 regular meeting.**

2) **New Business**

Preliminary Plat – The Village at Chicago Park
Consider a request from Theda and Merle Brunk and John Harding and Others with representative Scott Sellers of Engineering Solutions to preliminarily subdivide three lots totaling 2.26 +/- acres into 19 lots (16 residential lots and three open space lots). The property owners are requesting five Subdivision Ordinance variances per Sections 10-2-41 (a), 10-2-42 (c), 10-2-45, 10-2-66, and 10-2-67. These variances would allow the design of the proposed private cul-de-sac to deviate from the private street standards of the DCSM, allow lots to not have public street frontage, and allow the subdivision to occur without dedicating public street right-of-way and building required street improvements along tax map 48-D-25. The properties, addressed as 1041 and 1049 Chicago Avenue, are zoned R-7, Medium Density Mixed Residential Planned Community District and R-3, Medium Density Residential District and are identified as tax map parcels 48-D-26 & 41 and 48-D-25.

15.2-2232 Review – New City Hall
Consider a request to review the proposed City Hall project per City Code Section 10-1-6 to determine if the public facility is in substantial accord with the Comprehensive Plan as provided by the Code of Virginia Section 15.2-2232.

3) **Unfinished Business**

4) **Public Input**

5) **Report of secretary and committees**
Proactive Zoning

6) **Other Matters**

7) **Adjournment**

Staff will be available Monday May 12, 2014 at 4:30 p.m. for those interested in going on a field trip to view the sites for the May 14, 2014 agenda.

MINUTES OF HARRISONBURG PLANNING COMMISSION
March 12, 2014

The Harrisonburg Planning Commission held its regular meeting on Wednesday, March 12, 2014 at 7:00 p.m. in the City Council Chambers, 409 South Main Street.

Members present: Richard Baugh, Gil Colman, Judith Dilts, Deb Fitzgerald, Jefferson Heatwole, and Henry Way.

Members absent: MuAwia Da'Mes

Also present: Stacy Turner, Director of Planning and Community Development; Adam Fletcher, City Planner; Alison Banks, Senior Planner and Secretary.

Chair Fitzgerald called the meeting to order and determined there was a quorum with six of seven members in attendance. She then asked if there were any corrections, comments or a motion regarding the minutes from the February 12, 2014 Planning Commission meeting.

Mr. Heatwole moved to approve the minutes as presented from the February 12, 2014 regular Planning Commission meeting.

Mr. Colman seconded the motion.

All members voted in favor of approving the February 2014 minutes (5-0) with Dr. Dilts abstaining because she was not in attendance at that meeting.

New Business

Special Use Permit-Urban Exchange Brewery Manufacturing

Chair Fitzgerald read the request and asked staff to review.

Mrs. Banks said the Comprehensive Plan designates this area as Mixed Use Development. This designation includes both existing and proposed new mixed use areas. These areas are intended to combine residential and non-residential uses in planned neighborhoods where the different uses are finely mixed instead of separated. These areas are prime candidates for "live-work" and traditional neighborhood developments. Live-work developments combine residential and office/service uses allowing people to both live and work in the same area, which could be combined in the same building or on the same street. The gross residential density in areas outside downtown should not exceed an average of 15 units per acre, though all types of residential units are permitted: single family detached, single family attached and apartments. Apartments are permitted only if single family detached and/or attached units are also provided and together cover a greater percentage of the project site. Residential densities in downtown may be higher than an average of 15 units per acre, and commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way.

The following land uses are located on and adjacent to the property:

Site: Urban Exchange building, zoned B-1

North: Across East Market Street, professional offices, zoned B-1/B-2, and a fast food restaurant, zoned B-2

East: Professional offices, parking, Muhlenberg Luthren Church, zoned B-1/B-1C

South: Across East Water Street, professional offices, zoned B-2

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West: Commercial establishments, zoned B-1, and across South Mason Street, a financial institution, zoned B-1

The applicant is requesting a special use permit per Section 10-3-85 (1) of the Zoning Ordinance, to allow for a manufacturing use within the B-1, Central Business District. If approved, Three Notch'd Brewing Company, LLC, would operate a brewery operation and taproom within the Urban Exchange building at 241 East Market Street. Per the requirements of the SUP, no more than 15 persons can be employed on a single shift and all storage and activities must be conducted within a building.

Urban Exchange is a mixed use building, which currently has commercial uses and parking on the first level and apartment units on the upper levels. The Urban Exchange property has street frontage along East Market Street, South Mason Street, and East Water Street. The commercial uses front East Market and South Mason Streets. Three Notch'd Brewing would occupy a 2,100+/- square foot unit in the northeastern portion of the building, along East Market Street.

Three Notch'd Brewing Company, LLC currently operates in Charlottesville and is looking to expand their operations to the City, where they plan to manufacture beer that would be unique to Harrisonburg. The beer would be sold from their taproom and in kegs to other businesses upon request. The beer manufactured in Harrisonburg would not be bottled for resale; it would only be made and then stored in kegs. In addition to the beer manufactured on site, they would also sell beer made from their Charlottesville location at the Urban Exchange site and sell merchandise such as hats, t-shirts, and growlers.

With regard to deliveries, they will personally transport the raw materials from their main location in Charlottesville. It was explained that raw material deliveries would be so small in amounts they could be transported in the back of a car if necessary. Due to the small scale of the brewing at this location, there would be only one employee working in production and four to five persons operating the taproom/retail portion; with the largest number of employees onsite at any time being 15.

Overall, staff believes the brewery use should have no adverse effect on the health, safety or comfort of those working and living in the area and is compatible with uses generally permitted in the B-1 zoning district.

Staff recommends approving the special use permit request to allow a brewery manufacturing operation at this location.

Chair Fitzgerald asked if there were any questions for staff regarding the special use request. Hearing none, she opened the public hearing for the request and asked the applicant or their representative if they would like to speak. Hearing none, she asked if there was anyone wishing to speak in favor or opposed to the special use request. Hearing none, she closed the public hearing and asked if there was a motion.

Mr. Way said this is another good example of the mixed use principles we want to see within the B-1, Central Business District. He then made a motion to recommend approval of the brewery manufacturing special use permit.

Dr. Dilts seconded the motion.

All voted in favor of the motion to recommend approval (6-0).

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Chair Fitzgerald said this will move forward to City Council with a favorable recommendation on April 8, 2014.

Street Right-Of-Way Closing – Intersection of West Bruce Street and Old South High Street Adjacent to 25-C-14 (164 W Bruce, LLC)

Chair Fitzgerald read the request and asked staff to review.

Mr. Colman recused himself from the meeting at this time.

Mr. Fletcher said the following land uses are located on and adjacent to the property:

Site: Public street right-of-way currently under construction to be part of a private parking lot, adjacent to property zoned B-1C.

North: Private parking lot owned by the applicants, zoned B-1C

East: Private parking lot owned by the applicants, zoned B-1C

South: Remaining developed public street right-of-way of West Bruce Street

West: Remaining developed public street right-of-way of Old South High Street

The applicant is requesting to close and purchase 1,434 square feet of variable width public street right-of-way (ROW) at the northeastern corner of the intersection of Old South High and West Bruce Streets, adjacent to tax parcel 25-C-14. The public street ROW is not used for the adjacent developed public streets, and therefore is considered undeveloped street ROW. The applicant owns tax parcel 25-C-14, which is the only private lot adjacent to the area requested for closure. If approved, the new ROW line would be located to the back of the recently re-constructed sidewalk.

In November 2013, the applicant's engineered comprehensive site plan for the private parking lot currently under construction on tax parcel 25-C-14 was approved. The site plan demonstrated utilizing this ROW in the design of the parking lot, as if the applicant already owned this area, serving mainly as the required 10-foot landscaping buffer along the West Bruce Street frontage with portions of a retaining wall also being in this area. A note on the site plan described the applicant was coordinating with the City to purchase the subject area. The City approved the comprehensive site plan noting that "work in this area [the public right-of-way] shall not proceed until developer acquires the necessary strip of right-of-way from the City. If this transaction does not occur, then modifications to this plan will be required such to meet City standards without reliance on this strip of property." This area, however, has already been constructed upon and incorporated into the private parking lot's design. To conform to their approved comprehensive site plan, the applicant must close and purchase the public street ROW or redesign and then reconstruct this corner to meet City regulations.

During the summer of 2011, the same group of individuals requested to close approximately 3,600 square feet of public street ROW, which stretched as much as 40-feet at its widest section, at this same corner. (The 3,600 square feet included the area that is requested to be closed in the current application.) At that time, City staff recommended closing the requested ROW except for a 10-foot wide strip from the back of the existing sidewalk as it was uncertain to how this area was going to redevelop and we wanted to be assured we retained enough ROW for any necessary public street improvements. The retained 10-foot strip is what is now being requested for closure. Since 2011,

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much has happened with the redevelopment potential in this area and staff is now comfortable with stating this ROW does not need to be retained.

As noted, the area in question is not used by the City for the public street, and therefore is not needed for that purpose. There is, however, an existing water main located just outside and to the west of the area requested for closure. If approved, and as shown on the submitted plat, portions of the ROW should be reserved as a public water easement prior to selling the ROW.

Staff recommends closing the 1,434 square feet of undeveloped public street ROW.

Chair Fitzgerald asked if there were any question for staff.

Mr. Way asked if closing the right-of-way impacted the sidewalk in any way.

Mr. Fletcher replied no, it does not.

Chairman Fitzgerald said this is not a public hearing before Planning Commission; however, we do invite anyone to come forward and speak if they so desire. Hearing no one, she asked Planning Commission for discussion or a motion on the closing.

Dr. Dilts moved to recommend approval of the street right-of-way closing as presented.

Mr. Way seconded the motion.

All voted in favor of the motion (5-0).

Mr. Colman returned to the Council Chambers at this time 7:14 p.m.

Unfinished Business

None.

Public Input

None.

Report of secretary and committees

Mrs. Banks said for proactive zoning this month inspectors went to the Route 33 West area where they found thirteen violations consisting of inoperable vehicles, signs, and discarded materials. Next month inspectors will be in the Chicago Avenue Area of the City.

Mr. Baugh said at City Council last night two matters from this body were approved, the special use permits for the jewelry manufacturing and the brewery manufacturing at the Ice House.

Chair Fitzgerald said she just wanted to update the Commission on one of the items we have been keeping track of – it is associated with the process by which Planning Commission reviews public buildings. I spoke with the City Attorney, Chris Brown, to find out where that item was. He said he has looked at procedures used by several other jurisdictions in determining the necessity of those types of hearings. What he is going to be doing is to summarize the pros and cons of the different options and get a summary out to City Council, staff, and Planning Commission for their input. Council can then make a final decision based on the input. He hopes to have this done before our April meeting.

Chair Fitzgerald then asked about the Streetscape Plan and would it return to Planning Commission in April?

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Mr. Fletcher replied no, I do not have a time frame for the plan to return. We actually had a meeting regarding it and there are still some tweaks that the committee is making, so I do not expect to see it until May or later.

Mr. Baugh asked what the April Planning Commission Agenda looks like.

Mr. Fletcher said actually it was starting to look quiet heavy; however, it has dwindled down to three preliminary plats. One is for the Village of Chicago Park; another is a ten lot subdivision and public cul-de-sac off of Garbers Church Road; lastly, a plat to permanently dead-end Wyndham Drive in a cul-de-sac.

Chair Fitzgerald said hopefully in April we will have this input from the City Attorney regarding the public building review process.

Other Matters

None.

Adjournment

Planning Commission adjourned at 7:19 p.m.

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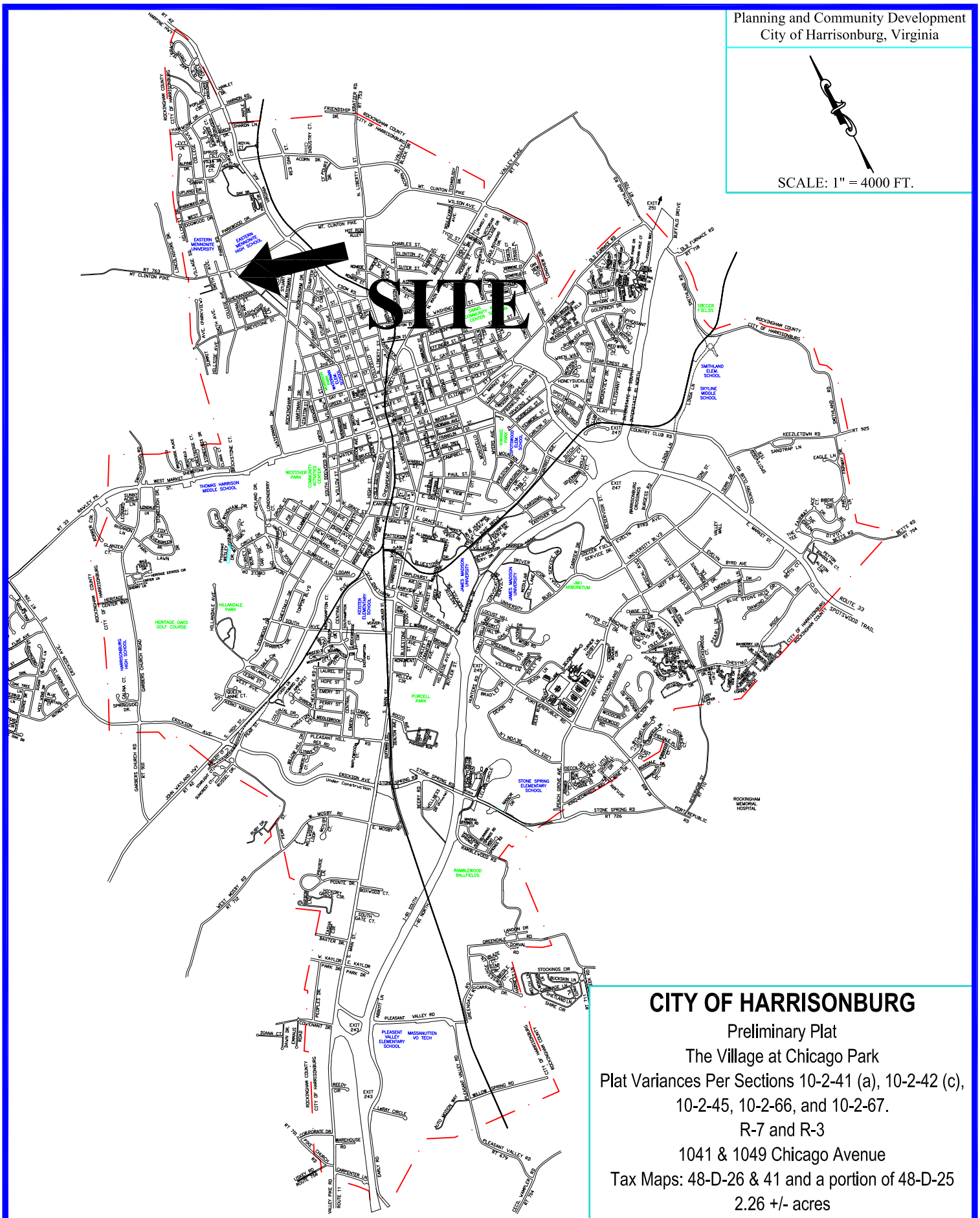
Planning and Community Development
City of Harrisonburg, Virginia

SCALE: 1" = 4000 FT.



CITY OF HARRISONBURG

Preliminary Plat

The Village at Chicago Park

Plat Variances Per Sections 10-2-41 (a), 10-2-42 (c), 10-2-45, 10-2-66, and 10-2-67.

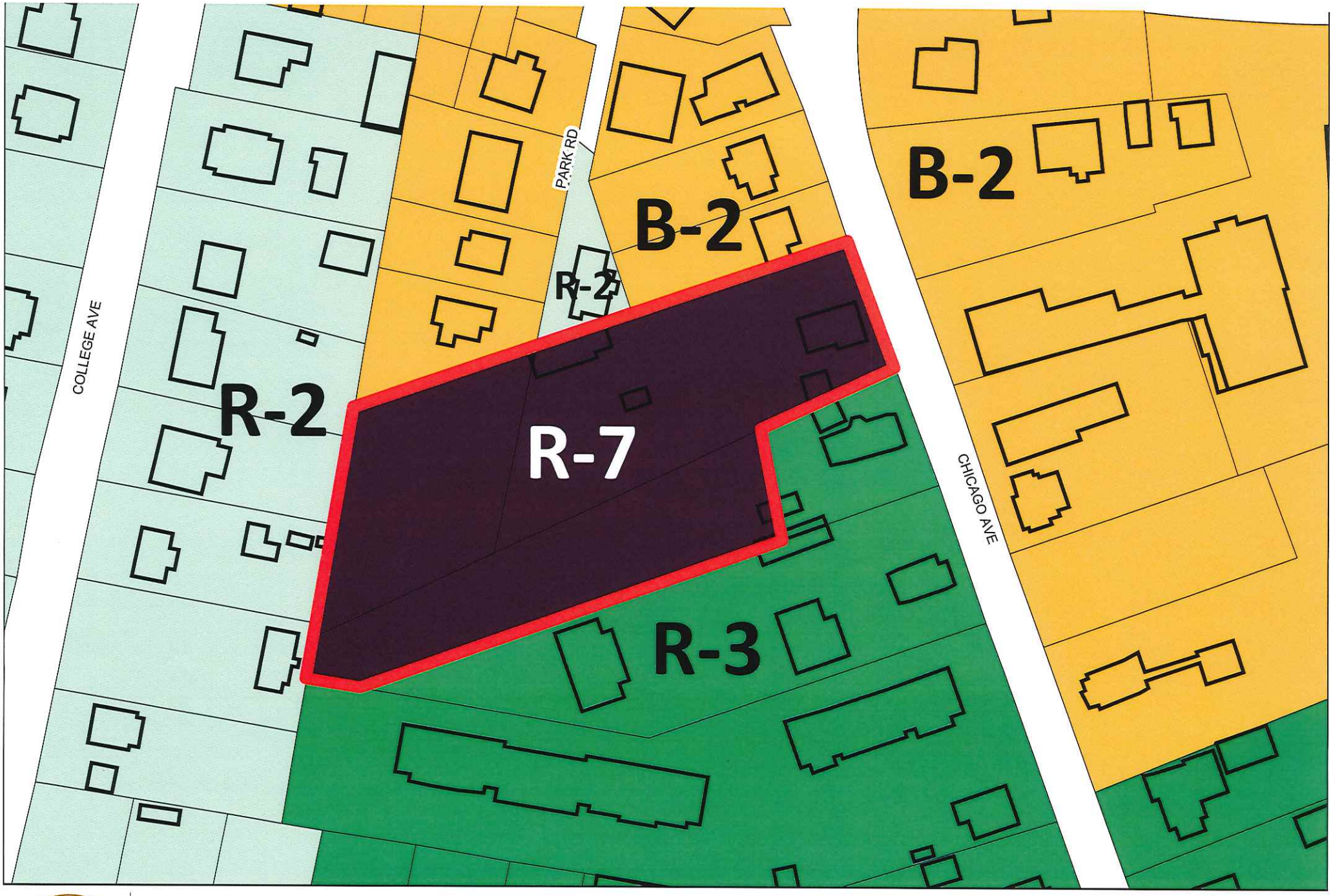
R-7 and R-3

1041 & 1049 Chicago Avenue

Tax Maps: 48-D-26 & 41 and a portion of 48-D-25

2.26 +/- acres

LOCATION MAP



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Preliminary Plat (Subdivision Ordinance Variances)
The Village at Chicago Park

City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT
April 9, 2014

PRELIMINARY PLAT – THE VILLAGE AT CHICAGO PARK

GENERAL INFORMATION

Applicant: Theda and Merle Brunk and John Harding and Others (with representative Scott Sellers of Engineering Solutions)

Tax Map: 48-D-26 & 41 and 48-D-25

Acreage: 2.26+/- acres

Location: 1041 and 1049 Chicago Avenue

Requests: Consider a request to preliminarily subdivide three lots totaling 2.26 +/- acres into 19 lots (16 residential lots and three open space lots). The property owners are requesting five Subdivision Ordinance variances per Sections 10-2-41 (a), 10-2-42 (c), 10-2-45, 10-2-66, and 10-2-67. These variances would allow the design of the proposed private cul-de-sac to deviate from the private street standards of the DCSM, allow lots to not have public street frontage, and allow the subdivision to occur without dedicating public street right-of-way and building required street improvements along tax map 48-D-25.

LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Neighborhood Residential. This designation states that this type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. Infill development and redevelopment must be designed so as to be compatible with the existing character of the neighborhood. These are older neighborhoods, which can be characterized by large housing units on small lots.

The following land uses are located on and adjacent to the property:

Site: Detached single family uses, zoned R-7 and R-3

North: A non-conforming duplex, zoned R-2 and other non-conforming dwellings, zoned B-2

East: Across Chicago Avenue, Christian Light Publications, Inc., zoned B-2

South: Multi-family units, zoned R-3

West: Detached single family homes fronting College Avenue, zoned R-2

EVALUATION

The applicants are applying to preliminarily subdivide three parcels totaling 2.26+/- acres for the development of the Village at Chicago Park R-7 master planned community. The property is located along the western side of Chicago Avenue, about 220 feet south of Chicago Avenue's intersection with Mt. Clinton Pike. The preliminary plat would create the 15 residential parcels and three common areas comprising the Village of Chicago Park, along with one residual, single family lot, zoned R-3, Medium Density Residential. The applicants have stated they do not intend to phase this development; therefore, all lots would be final platted in one step.

As described during the rezoning process, the subdivision would be accessed by a private street, Saturday Drive. The applicant is requesting variances to Sections 10-2-41(a) and 10-2-42(c) of the Subdivision Ordinance to permit the proposed private cul-de-sac to deviate from the private street standards of the DCSM and to allow lots to not have public street frontage. The applicants are also requesting a variance to subdivision Sections 10-2-45, 10-2-66, and 10-2-67 to allow for the subdivision without dedicating public street right-of-way and building required street improvements along the residual R-3 parcel located at 1041 Chicago Avenue.

Only two parcels in the proposed subdivision, a common area and the remnant R-3 lot, would have frontage along Chicago Avenue, the remaining lots would front along the private cul-de-sac. Saturday Drive would not be maintained by the City and would not receive public services such as trash collection and snow removal; school bus service would be provided as determined necessary. Staff supported this concept during the rezoning/master plan; therefore we continue to support the variance to Section 10-2-42(c) to allow 17 parcels to not have public street frontage.

Section 10-2-41(a) states that all proposed streets shall conform to the standards and specifications outline in the Design and Construction Standards Manual (DCSM), except that variances to the standards may be approved on a case-by case basis by the City Council when:

(1) the proposed alternative would better achieve the walkable, pedestrian and bicycle-oriented environment the City desires;

(2) the particular conditions of the site and surrounding street network would allow the proposed alternative without causing undue inefficiencies for service vehicles, nor an excessive reduction in pedestrian safety due to pedestrian-vehicle movement conflicts; and

(3) the proposed alternative would better balance the needs of pedestrians and vehicles, and better achieve the goals of the comprehensive plan.

Included within the packet is a letter submitted by the applicants addressing why it is believed the proposed development meets the three measures for variance approval as outlined above. Again, staff supports the requested variance for the private street.

The remaining three subdivision variances requested pertain to right–of-way dedication:

- Section 10-2-45, which requires the applicant, when subdividing, to dedicate all land designated for future street widening to public use;
- Section 10-2-66, which states street improvements shall be provided with each new subdivision in accordance with standards and specifications of the City; and

- Section 10-2-67, which states the street improvements shall be installed by the applicant, at their expense.

As indicated on the preliminary plat and discussed during the R-7 rezoning/master plan process, right-of-way and street improvements will be provided along the existing tax map parcel 48-D-26 (addressed as 1049 Chicago Avenue) but the same required dedication and improvements are not shown along tax map parcel 48-D-25 (addressed as 1041 Chicago Avenue), even though this property will be subdivided with the rest of the development. If the needed right-of-way is dedicated along this parcel, the existing house would have to be relocated or demolished, because the right-of-way would proceed through the house. The applicants do not wish to dedicate or build the street improvements along this parcel and are requesting variances to the Subdivision Ordinance Sections 10-2-45, 66, and 67. At this time, given the circumstances of the structure's location, staff is supportive of the requested variances. If and when the remaining portions of Chicago Avenue are ready for widening improvements the City can negotiate with the property owner, and decide at that time the best approach for improvements.

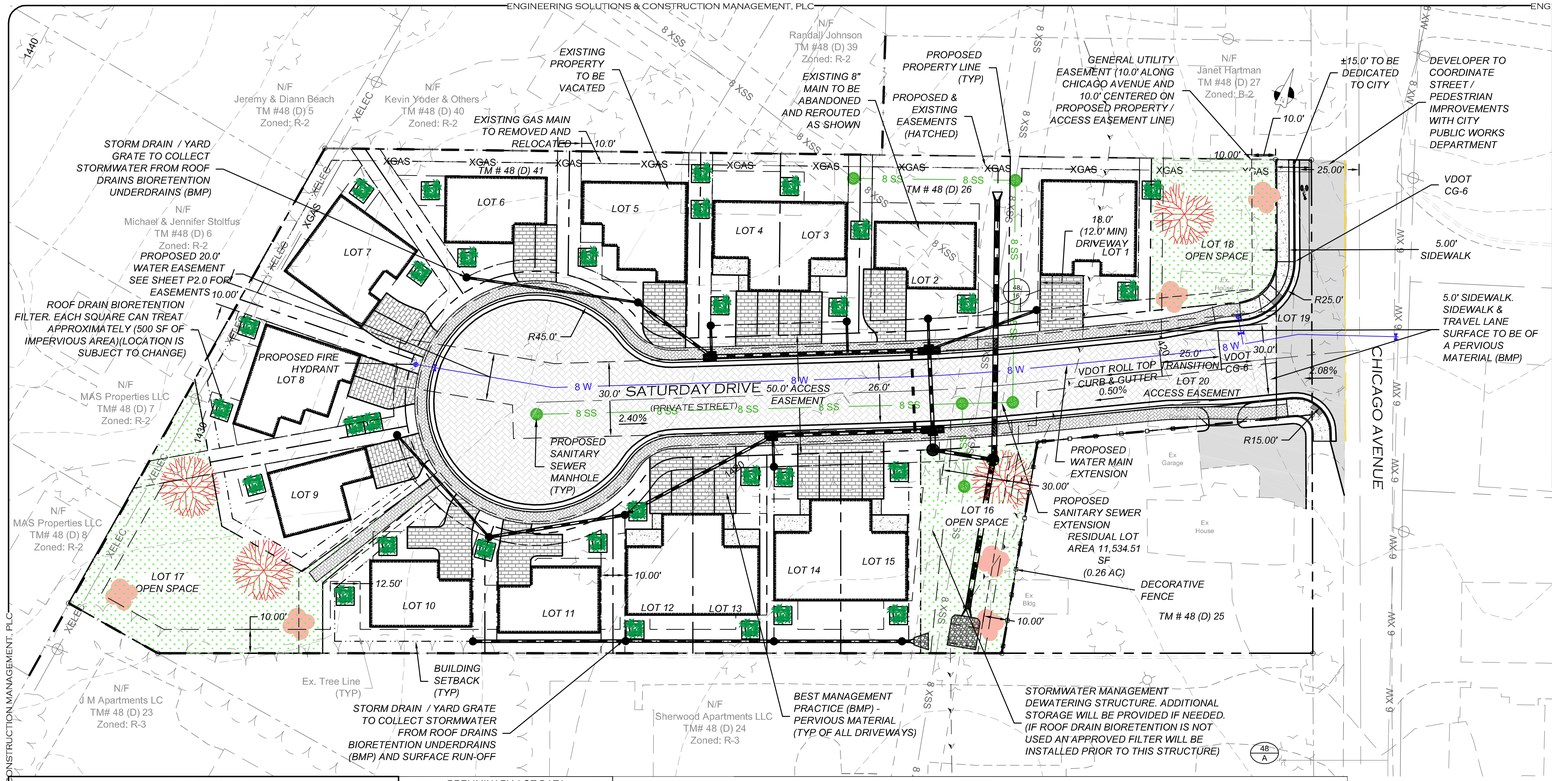
As previously discussed with this project, staff is concerned with how stormwater management would be handled. The applicant's engineer has provided stormwater easements and BMP's throughout the development, incorporating the private cul-de-sac and driveways into those practices with plans to construct them with pervious material. The area of the development is relatively flat and does not have an adequate channel downstream. Therefore, a note has been added to the preliminary plat indicating that the site grade would be raised slightly to allow the BMP areas to drain to the proposed outfall and that the applicant would either acquire easements from downstream property owners or design the site as if it was a "pristine forest." As noted on the plat, all these stormwater management possibilities will be designed per code and the site engineer will coordinate design with the City of Harrisonburg review staff during the comprehensive site plan process.

Provided on the preliminary plat are required water, sanitary sewer, and storm sewer easements. Although general utility easement are provided on the preliminary plat, the approval of the variance to Section 10-2-41(a) will allow the development to accommodate easement locations for general utilities, typically located along specified lot lines, to be determined when more specifics are understood during the engineered comprehensive site plan review process.

Lastly, per section 10-2-41(e) of the Subdivision Ordinance, since the street will permanently end in a cul-de-sac, Planning Commission must approve of such a design. (This detail does not need City Council approval.) As this design was vetted during the rezoning process and approved, staff recommends this element of the development be accepted.

Staff supports the preliminary plat with all the requested variances.

ENGINEERING SOLUTIONS & CONSTRUCTION MANAGEMENT, PLC



NOTE: 11 x 17 SHEETS DOUBLE NOTED SCALE

VICINITY MAP
SCALE: 1" = 200'

GENERAL SITE DATA

PROPERTY OWNER'S ADDRESS:	MERLE & THEDA BRUNK (TM 48 (D) 26 & 41) 566 DALE ENTERPRISE ROAD DAYTON, VA 22821 JOHN HARDING & OTHERS (TM 48 (D) 25) 204 KNOLLWOOD DRIVE CLEMSON, SC 29631
DEVELOPER:	SCOTT BENTON 800 OSAGE LANE HARRISONBURG, VA 22802 540.434.4045
ENGINEER:	ENGINEERING SOLUTIONS & CONSTRUCTION MANAGEMENT, PLC 1010 NORTH MAIN STREET HARRISONBURG, VA 22802 CONTACT: SCOTT SELLERS, PE (W)540.442.8787 (F)540.442.9090
TAX MAP #:	48 (D) 25, 26, & 41
DB. / PG:	
EXISTING ZONING:	R-3 (11,534 SF) WITH THE REMAING R-7
PROPOSED ZONING:	NO CHANGE
LAND USE:	
EXISTING:	VACANT / SINGLE FAMILY RESIDENTIAL
PROPOSED:	MIXED SINGLE FAMILY / DUPLEX RESIDENTIAL
TOTAL LOT ACREAGE:	2.26
OPEN SPACE:	0.30 AC ~ 15.0%
DENSITY:	7.5 LOTS PER ACRE
LAND DISTURBANCE AREA (SF):	
TOPOGRAPHIC / BOUNDARY SURVEY:	
BENCHMARK:	N.A.
DATUM:	WGS 84
FLOOD PLAIN INFORMATION:	THIS PROPERTY IS NOT LOCATED IN 100 YEAR FLOOD PLAIN AS SHOWN ON ROCKINGHAM COUNTY VIRGINIA AND INCORPORATED AREAS FLOOD INSURANCE RATE MAP 51165C0384D DATED FEBRUARY 6, 2008
WATERSHED:	BLACKS RUN (HUC PS22)
ACCESS:	PROPOSED COMMERCIAL ENTRANCE

LEGEND

SYMBOL	DESCRIPTION
	EXISTING BOUNDARY/LOT LINE
	EXISTING BUILDING
XC	EXISTING CABLE
	EXISTING CENTERLINE OF ROAD
	EXISTING CURB & GUTTER w / EDGE OF PAVEMENT
	EXISTING EASEMENT
XELEC XOHELEC	EXISTING ELECTRIC LINE / OVERHEAD
X	EXISTING FENCE
	EXISTING FIRE HYDRANT
XGAS	EXISTING GAS LINE
	EXISTING GATE VALVE
XXXX	EXISTING INDEX CONTOUR
	EXISTING INTERMEDIATE CONTOUR
XSS	EXISTING SANITARY SEWER
	EXISTING SANITARY SEWER CLEANOUT
	EXISTING SANITARY SEWER MANHOLE
EX SS	EXISTING SANITARY SEWER MANHOLE LABEL
XTEL	EXISTING TELEPHONE
XW	EXISTING WATER LINE
	EXISTING WATER SERVICE/METER
	EXISTING UTILITY/POWER POLE
	BOUNDARY (SITE)
	BOUNDARY (PROPOSED LOT LINE)
	BUILDING SETBACK
	CABLE
	CENTERLINE OF ROAD
	CURB & GUTTER
	EASEMENT
	FENCE
	FIRE HYDRANT
GAS	GAS LINE
	GATE VALVE
XXXX	INDEX CONTOUR
	INTERMEDIATE CONTOUR
	RIGHT OF WAY
8 SS	SANITARY SEWER
SS #22	SANITARY SEWER MANHOLE
	SANITARY SEWER MANHOLE LABEL
	SIGN
XX.XX - SS	SPOT ELEVATION
	STORM SEWER
	STORM SEWER CURB INLET
	STORM SEWER MANHOLE
	STORM SEWER GRATE INLET
W	WATER LINE (PROPOSED)

PRELIMINARY LOT DATA

NUMBER	AREA SF	AREA AC
1	3,992.19	0.09
2	4,574.73	0.11
3	2,528.57	0.06
4	2,575.66	0.06
5	3,688.33	0.08
6	3,722.82	0.09
7	4,623.96	0.11
8	4,168.34	0.10
9	3,353.30	0.08
10	3,621.64	0.08
11	2,810.68	0.06
12	2,507.39	0.06
13	2,561.77	0.06
14	2,590.68	0.06
15	2,832.21	0.07
OPEN SPACE	13,069.00	0.30
PERCENTAGE	15.0%	
RIGHT-OF-WAY EASEMENT	22,477.20	0.52
RIGHT-OF-WAY DEDICATED TO CITY	1,609.35	0.04

TABLE A

LOT TYPE	NUMBER OF UNITS*	LOT SIZE (MIN. SF)	LOT DEPTH (MIN, FT)	LOT WIDTH @ SETBACK (MIN, FT)	SETBACK (FT) FRONT	SIDE	REAR
SINGLE FAMILY	9	2,400	50	25	5	5	5
DUPLEX	6	2,400	60	25	5	3' ADJACENT TO DUPLEX; 5' ADJACENT TO SINGLE FAMILY LOTS AND OPEN SPACE	5
OPEN SPACE / COMMON AREA	N /A	NO MINIMUM	NO MINIMUM	NO MINIMUM	5	5	5

*THE EXACT NUMBER OF SINGLE FAMILY AND DUPLEX UNITS MAY VARY SO LONG AS NO ONE HOUSING TYPE EXCEEDS 70 PERCENT OF ALL RESIDENTIAL UNITS IN THE COMMUNITY AS REGULATED BY 10-3-57.6(C).

TABLE B

Quantity	Common Name Latin Name	Size	Remarks
Trees			
4	Red Maple *Acer rubrum "Autumn flame"*	2-1/2" Clal	B & B Mulch Indivdually, 3 Stakes
6	Common White Dogwood *Cornus florida "Rubra"*	1-3/4" Clal	B & B Mulch Indivdually, 3 Stakes
Shrubs			
15	Burning Bush *Euonymus alata "Compactus"*	24" - 36" Height	B & B or 2 - 3 Gal. Container
15	Butterfly Bush *Buddleja davidii*	18" - 24" Height	B & B or 2 - 3 Gal. Container

The general amount of tree / shrubs, and locations are generally depicted on the Master Plan Layout. Exact locations will be determined at a later time frame of the development.

STORMWATER NOTE:

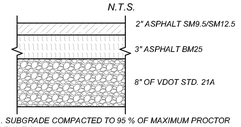
THE SITE STORMWATER MANAGEMENT SYSTEM WILL BE DESIGNED TO MEET ALL LOCAL, STATE, AND FEDERAL REGULATIONS. THE SITE IS RELATIVELY FLAT WITH MANY ROCK OUTCROPS, SO THE PLAN IS TO RAISE THE SITE TO KEEP COST AT A MINIMUM. RAISING THE EXISTING GRADE WILL ALLOW THE THE BEST MANAGEMENT PRACTICES AREAS TO DRAIN TO THE PROPOSED OUTFALL. A MAJOR CRITIERIA THAT HAS TO MEET WITH THE EXISTING STORMWATER REGULATIONS IS THAT CONCENTRATED RUN-OFF MUST DISCHARGE INTO AN ADEQUATE CHANNEL THIS SITE DOES NOT HAVE AN ADEQUATE CHANNEL DOWNSTREAM SO ONE OF THE FOLLOWING WILL BE PROVIDED TO CONTROL STORMWATER DISCHARGE FROM THE SITE:

-ACQUIRE DRAINAGE EASEMENT FROM DOWNSTREAM PROPERTY OWNERS SO THAT AN OFF SITE STORM SEWER SYSTEM CAN BE INSTALLED PROVIDING THE ADEQUATE CHANNEL
-DESIGN THE SITE AS IF IT WAS PRISTINE FOREST PER EROSION & SEDIMENT CONTROL LAW. THIS WILL REQUIRE ADDITIONAL ON-SITE DETENTION MEETING THESE LAWS.

WITH THESE POSSIBILITIES STORMWATER MANAGEMENT WILL BE DESIGN PER CODE AND THE SITE ENGINEER WILL COORDINATED PRELIMINARY DESIGN WITH THE CITY OF HARRISONBURG REVIEW STAFF.

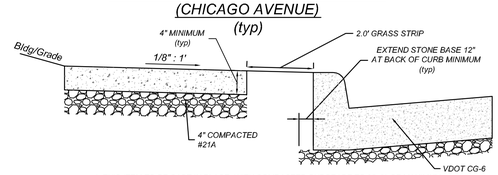
HEAVY PAVEMENT SECTION (CHICAGO AVENUE)

N.T.S.



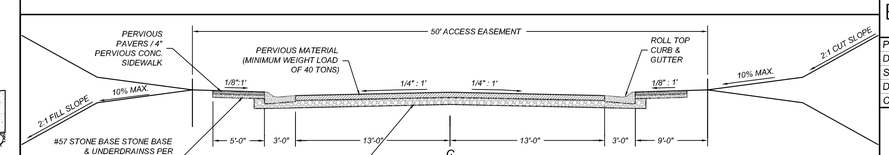
1. SUBGRADE COMPACTED TO 95 % OF MAXIMUM PROCTOR DENSITY.

SIDEWALK & CURB & GUTTER DETAIL (CHICAGO AVENUE) (typ)



1. THIS ITEM TO BE CAST IN PLACE, WITH COMPACTED SUBGRADE TO 95 % OF MAXIMUM PROCTOR DENSITY.

2. CONCRETE TO BE CLASS A3, 7 DAY STRENGTH OF 3,000 PSI.



SATURDAY DRIVE
N.T.S.

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HARRISONBURG, VIRGINIA 22802
540.442.8787 (O) 540.442.9090 (F)
DESIGNING FOR TOMORROW...TODAY

PRELIMINARY PLAT

THE VILLAGE AT CHICAGO PARK

1041 & 1049 CHICAGO AVENUE
HARRISONBURG, VIRGINIA 22802

Revision	Date	Revision Requested By
A	04.02.14	Addressed City Comments

30 0 30
SCALE: 1" = 30'

PROJECT NUMBER:	13-2007-1
DATE:	03.07.14
SCALE:	1" = 30'
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CHECK BY:	ss

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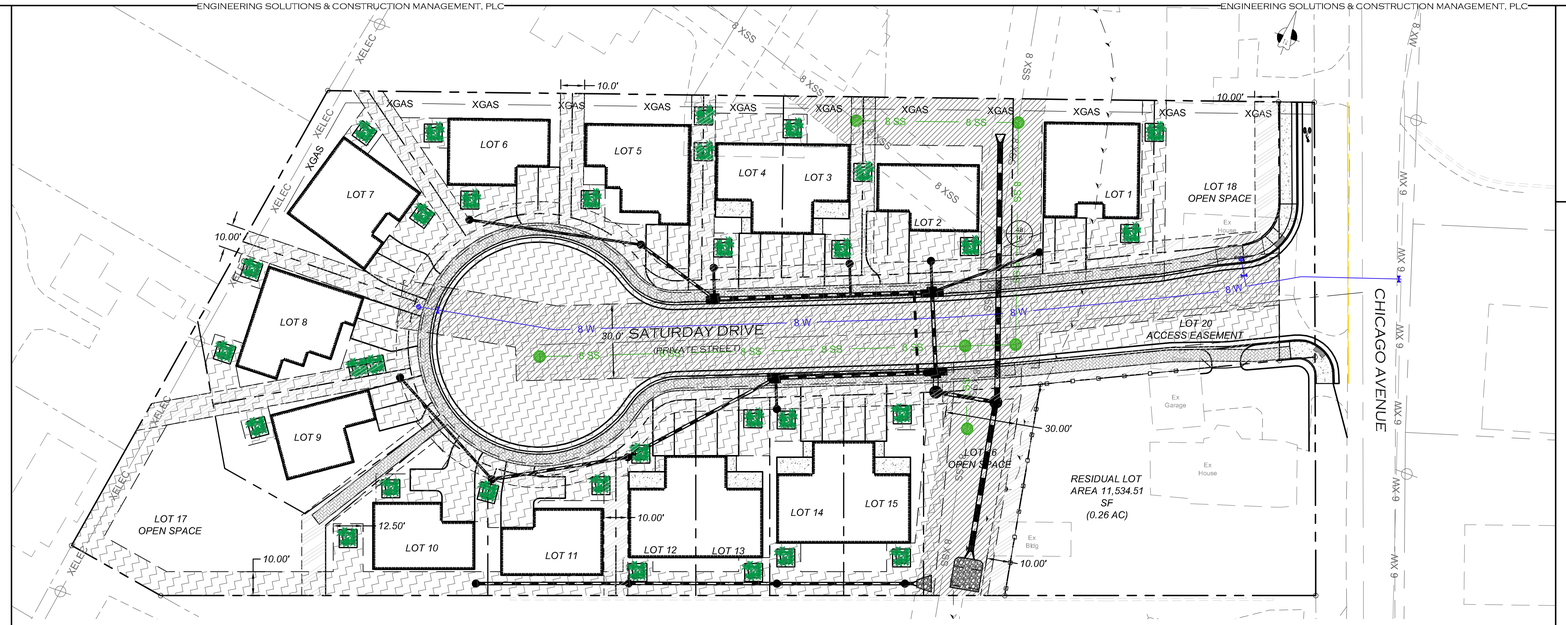

EASEMENT PLAT

SCALE: 1" = 30'

EASEMENT LEGEND

- CITY OF HARRISONBURG WATER, SANITARY SEWER AND STORM SEWER
- STORMWATER MANAGEMENT, BMP, AND LANDSCAPING EASEMENT
- GENERAL UTILITY EASEMENT

LOT REPORT

LOT	LENGTH	BEARING	R	A	CH	CB	DELTA
1	70.67	N 10°41'09" W					
	59.24	N 79°18'51" E					
	64.11	S 10°41'09" E					
	56.16	S 72°59'10" W					
			725.00	3.44	3.44	S 73°07'19" W	0°16'19"
2	74.78	N 10°41'09" W					
	62.74	N 79°18'51" E					
	70.67	S 10°41'09" E					
	46.22	S 75°05'05" W					
	16.66	S 76°54'40" W					
3	76.18	N 10°41'09" W					
	33.50	N 79°18'51" E					
	74.78	S 10°41'09" E					
	33.53	S 76°54'40" W					
4	77.59	N 10°41'09" W					
	33.50	N 79°18'51" E					
	76.18	S 10°41'09" E					
	33.53	S 76°54'40" W					
5	51.93	N 10°41'09" W					
	55.00	N 79°18'51" E					
	77.59	S 10°41'09" E					
	10.06	S 76°54'40" W					
			17.50	16.53	15.92	N 76°01'59" W	54°06'42"
			55.00	36.83	36.15	N 68°09'45" W	38°22'15"
6	73.25	N 45°22'45" W					
	85.69	N 79°18'51" E					
	51.93	S 10°41'09" E					
	44.77	S 68°38'11" W					
7	76.59	N 82°11'40" W					
	72.64	N 18°00'48" E					
	16.92	N 79°18'51" E					
	73.25	S 45°22'45" E					
			55.00	35.34	34.74	S 26°12'47" W	36°48'56"
8	84.07	S 68°14'56" W					
	35.35	N 21°45'04" W					
	38.46	N 18°00'48" E					
	76.59	S 82°11'40" E					
			55.00	28.37	28.06	S 06°58'22" E	29°33'24"
9	66.08	S 42°47'19" W					
	38.70	N 71°59'12" W					
	27.30	N 21°45'04" W					
	84.07	N 68°14'56" E					
			55.00	24.44	24.24	S 34°28'52" E	25°27'37"
10	10.94	S 07°46'30" W					
	42.91	S 11°21'56" E					
	67.95	S 78°38'04" W					
	29.47	N 11°21'56" W					
	62.29	N 38°24'49" E					
			55.00	29.42	29.08	S 66°54'46" E	30°39'11"
11	60.52	S 11°21'56" E					
	53.67	S 78°38'04' W					
	42.91	N 11°21'56" W					
	10.94	N 07°46'30" E					
			55.00	52.59	50.61	N 70°22'13" E	54°46'50"
12	82.17	S 11°21'56" E					
	33.50	S 78°38'04" W					
	60.52	N 11°21'56" W					
			55.00	19.37	19.27	N 32°53'23" E	20°10'50"
			17.50	16.53	15.92	N 49°51'19" E	54°06'42"
	6.10	N 76°54'40" E					
13	83.10	S 11°21'56" E					
	31.00	S 78°38'04" W					
	82.17	N 11°21'56" W					
	31.01	N 76°54'40" E					
14	84.04	S 11°21'56" E					
	31.00	S 78°38'04" W					
	83.10	N 11°21'56" W					
	31.01	N 76°54'40" E					
15	85.08	S 11°21'56" E					
	33.50	S 78°38'04" W					
	84.04	N 11°21'56" W					
	25.65	N 76°54'40" E					
			775.00	0.51	0.51	N 76°53'32" E	0°02'16"
			775.00	7.36	7.36	N 76°36'06" E	0°32'38"
16	89.85	S 01°48'14" E					
	34.06	S 78°38'04" W					
	85.08	N 11°21'56" W					
OPEN SPACE			775.00	45.23	45.22	N 74°39'28" E	3°20'37"
	3.89	N 72°59'10" E					
17	62.29	S 38°24'49" W					
	29.47	S 11°21'56" E					
	69.21	S 78°38'04" W					
	42.80	N 72°00'29" W					
	33.38	N 18°03'06" E					
OPEN SPACE	74.42	N 18°00'48" E					
	62.65	S 21°45'04" E					
	38.70	S 71°59'12" E					
	66.08	N 42°47'19" E					
			55.00	4.20	4.20	S 49°23'56" E	4°22'30"
18	64.11	N 10°41'09" W					
	52.00	N 79°18'51" E					
	42.33	S 11°35'15" E					
OPEN SPACE	23.55	S 30°41'58" W					
	37.32	S 72°59'10" W					
19	14.96	S 72°59'10" W					
	108.47	N 11°35'15" W					
TO BE DEDICATED TO CITY	15.01	N 79°18'51" E					
	106.82	S 11°31'44" E					
20	104.65	S 72°59'10" W					
			775.00	53.09	53.08	S 74°56'55" W	0°55'30"
	93.78	S 76°54'40" W					
			17.50	16.53	15.92	S 49°51'19" W	54°06'42"
			55.00	276.67	64.48	S 13°05'20" E	288°13'24"
/ ACCESS EASEMENT			17.50	16.53	15.92	S 76°01'59" E	54°06'42"
	93.78	N 76°54'40" E					
			725.00	49.67	49.66	N 74°56'55" E	3°55'30"
	93.48	N 72°59'10" E					
			17.50	25.83	23.55	N 30°41'58" E	84°34'23"
	66.14	S 11°35'15" E					
RESIDUAL LOT	99.99	S 11°31'44" E					
	130.37	S 78°38'04" W					
	89.85	N 01°48'14" W					
	115.72	N 72°59'09" E					

ENGINEERING SOLUTIONS
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PRELIMINARY PLAT
LOT REPORT &
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THE VILLAGE AT CHICAGO PARK

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SCALE: 1" = 30'

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CHECK BY:	ss

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ENGINEERING SOLUTIONS & CONSTRUCTION MANAGEMENT, PLC

ENGINEERING SOLUTIONS
1010 North Main Street
Harrisonburg, VA 22802
540.442.8787 (O) 540.442.9090 (F)

March 11, 2014

Adam Fletcher
City Planner
City of Harrisonburg
409 South Main Street
Harrisonburg, Virginia 22801

Re: Variance Request for *"The Village at Chicago Park"*

Dear Mr. Adam Fletcher:

This correspondence is to provide a written outline for variance requests for the following City of Harrisonburg Code Section per Chapter 2 Subdivision Ordinance:

In order to create the private street shown on The Village at Chicago Park plan, a variance is needed per Section 10-2-41 (a). The proposed street plan is designed to be environmentally friendly with a pavement width of 26.0' to slow vehicle traffic thus being pedestrian oriented. For the private street to be obtained, it would not conform to the standards of DCSM Section 2.7. With a cul-de-sac, the desired result is to create a neighborhood that is walk able and helps to enhance the social interaction of the neighborhood dwellers. As well, a through street is not favorable due to adjacent parcel configuration.

A variance is also needed per Section 10-2-42 (c) to allow several of the lots that are preliminarily platted to have only private street frontage. The wish to do a private street is to create a sociable and close-knitted atmosphere for the neighborhood. The property owners also wish to preserve the existing house, addressed as 1041 Chicago Avenue. They do not want to dedicate the public street right-of-way or build any of the required street improvements to this lot. In order to do this, they are requesting variances to Sections 10-20-45, 10-2-66, and 10-2-67.

If you have any questions, please feel free to contact me at 540.442.8787.

Sincerely,

Scott Sellers

R. Scott Sellers, P.E.
scott@engsoln.com

Date Application Received: 03-10-14 **Total Paid:** _____

Application for Preliminary Subdivision Plat Approval

City of Harrisonburg, Virginia

Fee:	**w/o Variance Request**	**$175.00 plus $20.00 per lot**	**Plus fees for TIA reviews where applicable (see back for details)**
	Variance Request	**$200.00 plus $20.00 per lot**	

I, Raymond S. Sellers, hereby apply for preliminary subdivision plat approval for the following property located within the City of Harrisonburg:

Description of Property

Title of Subdivision: The Village at Chicago Park
Location (Street Address): 1041 & 1049 Chicago Ave Sheet: 48 Block: D Lot: 25, 26, 40
Total Acreage: 2.00 Number of Lots Proposed: 19 Zoning Classification: R-7

Proposed Use of Property: Mixed Use Residential

Property Owner's Name: **See Property Owner's Information - Attached**
Street Address: _____ Email: _____
City: _____ State: _____ Zip: _____
Telephone: Work _____ Fax _____ Mobile _____

Owner's Representative *(if applicable)*: **Raymond Sellers**
Street Address: 1010 North Main Street Email: scott@engsoln.com
City: Harriosnburg State: VA Zip: 22802
Telephone: Work 540-442-8787 Fax 540-442-9090 Mobile 540-478-4748

Developer: Scott & Carla Benton
Telephone: 540-434-4045 Email: CSBenton84@comcast.Net

Surveyor/Engineer: See Owner's Representative above
Telephone: _____ Email: _____

VARIANCES

NOTE: If a variance is requested, please provide the following information:

I (we) hereby apply for a variance from Section ***See Variance Letter Attached*** of the City of Harrisonburg Subdivision Ordinance and/or Section _____ of the City of Harrisonburg Design and Construction Standards Manual, which require(s):

I (we) believe a variance should be granted based on the following "unnecessary hardship" which is peculiar to

the property in question (See Section 10-2-2 of the Subdivision Ordinance):
See Variance Letter Attached

The City of Harrisonburg's preliminary plat and subdivision requirements are in the code of the City of Harrisonburg, Subdivision Ordinance Sections 10-2-1 through 10-2-86. Please read these requirements carefully.

Certification: *I have read the ordinance requirements. I also certify that the information contained herein is true and accurate.*

Signature: _____ Signature: _____

Property Owner *Applicant, if different from owner*

See Back for Additional Application Fees Regarding TIA Reviews

Last Updated: 07/01/2011

(a). Would the development from this preliminary plat require a Traffic Impact Analysis by VDOT?
Yes_____ No__X__

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 preliminary plat require a Traffic Impact Analysis review by the City?
Yes_____ No__X__

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.

Property Owner's Information

Tax Map #: 48 (D) 26 & 48 (D) 41

Name: Theda & Merle Brunk

Street Address: 566 Dale Enterprise

City / State / Zip: Dayton, VA 22821

Telephone (work): _____ (home or cellular): _____

(fax:): _____

Email: _____

Tax Map #: 48 (D) 25

Name: John Harding & Others

Street Address: 204 Knollwood Drive

City / State / Zip: Clemson, SC 29631

Telephone (work): _____ (home or cellular): _____

(fax:): _____

Email: _____

Adjacent Property Owners						
North						
Owner(s)	Address	City	State	Zip	Tax Map	Zone
Janet Hartman	1577 Stone Sprins Road	Harrisonburg	VA	22801	48 (D) 27	B-2
Randall Johnson	879 Hillside Avenue	Harrisonburg	VA	22802	48 (D) 39	R-2
Kevin Yoder & Others	2267 Rawley Pike	Harrisonburg	VA	22801	48 (D) 40	B-2
West						
Jeremy & Diann Beach	1068 College Avenue	Harrisonburg	VA	22802	48 (D) 5	R-2
Michael & Jennifer Stoltzfus	1048 College Avenue	Harrisonburg	VA	22802	48 (D) 6	R-2
Mas Properties LLC	1048 College Avenue	Harrisonburg	VA	22802	48 (D) 7	R-2
Mas Properties LLC	1048 College Avenue	Harrisonburg	VA	22803	48 (D) 8	R-2
South						
J M Apartments LC	265 Chesapeake Drive	Harrisonburg	VA	22801	48 (D) 23	R-3
Sherwood Apartments LLC	POB 112	Linville	VA	22834	48 (D)24	R-3
East						
Chicago Avenue						

The Village at Chicago Park

Master Plan

Benton Family
800 Osage Lane
Harrisonburg, VA 22802

Approved
by City Council on:
02-25-14

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II. Vision

III. Zoning Regulations

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Table B – General Landscape Schedule

Figures

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IV. Appendices

Appendix A – Conceptual elevations and renderings

Appendix B – Property Owners' Association Covenants, Conditions, and Rights

I. Introduction

The following information comprises the Vision for The Village at Chicago Park and the zoning regulations for development.

Philosophy

An eco-friendly vision and neighborhood concept is the intent behind The Village at Chicago Park.

Zoning Regulations

The zoning regulations as identified in this section and Master Plan layout (described below) define all of the regulations necessary to bring the The Village at Chicago Park to culmination.

Master Plan Layout

The Master Plan layout is a visual depiction of the Zoning Regulations sections, but the layout is a governing detail of The Village at Chicago Park development generally depicting where roads, building lots, sidewalks, landscaping, grading, and utilities will be provided.

II. Vision

The Village at Chicago Park is designed to be a Community aligned with the purpose of the R-7 district.

1. A combination of single family and duplex lots provide a unified neighborhood.
2. In order to uphold valuable environmental resources and open recreational space, housing is gathered.
3. A connected roadway with sidewalks, provide facilitated means for public transportation.
4. Pedestrian safety may be protected by traffic calming techniques.
5. Front impressions are present on publicly visible side, addressing the street.
6. Common areas and open spaces are designed to be visually attuned with the residential character of the neighborhood.

General Intentions of Housing and Neighborhood

The Village at Chicago Park intent is for environmentally friendly, relatively small mixed residential development with single-story and two-story homes with footprints from 1,500 sq-ft to 2,100 sq-ft under roof. The principle for the intended size of the homes is to be sustainable, energy efficient, low maintenance, and attractive by utilizing elements that mirror natural aspects. The homes are intended to include porches, a garage, and stoops all within the small footprint. The homes can be constructed and oriented so that the southern exposure is utilized for solar energy. Efficient house shell and controlled crawl space construction with the above elements provide for an eco-friendly neighborhood.

The Village at Chicago Park will incorporate pedestrian walks on both sides of the street. These walkways will connect to the emergent walk system along Chicago Avenue as the developer seeks to keep things neighborhood oriented increasing the accessibility to a greater community. The Village at Chicago Park's emphasis is on sustainability. These concepts combined with the use of quality products, excellent craftsmanship, on site open space, and small lots create an environmental and pedestrian friendly, low maintenance attractive neighborhood.

Intent of R-7 zoning is for clustered groups of living units to allow for open space. The Village at Chicago Park coordinates private areas and public areas into sustainable and inviting spaces typical to urban planning and the intent of R-7 zoning. The master plan will allow for single family and duplex development within the defined areas. The Village at Chicago Park residential types will be integrated and made compatible through the use of good site planning, common architectural themes, and landscaping.

The Village at Chicago Park vision is to uniquely apply the attributes of the R-7 zoning in such a way that allows for the principles of urbanism, traditional neighborhood, and sustainable design, to serve our community long into the future.

III. Zoning Regulations for The Village at Chicago Park

Lot area, width and depth and setbacks for all buildings are stated in Table A.

TABLE A							
LOT TYPE	NUMBER OF UNITS*	LOT SIZE (MIN. SF)	LOT DEPTH (MIN, FT)	LOT WIDTH @ SETBACK (MIN, FT)	SETBACK (FT)		
					FRONT	SIDE	REAR
SINGLE FAMILY	9	2,400	50	25	5	5	5
DUPLEX	6	2,400	60	25	5	3' ADJACENT TO DUPLEX; 5' ADJACENT TO SINGLE FAMILY LOTS AND OPEN SPACE	5
OPEN SPACE / COMMON AREA	N /A	NO MINIMUM	NO MINIMUM	NO MINIMUM	5	5	5
*THE EXACT NUMBER OF SINGLE FAMILY AND DUPLEX UNITS MAY VARY SO LONG AS NO ONE HOUSING TYPE EXCEEDS 70 PERCENT OF ALL RESIDENTIAL UNITS IN THE COMMUNITY AS REGULATED BY 10-3-57.6(C).							

The Master Plan Layout illustrates the general arrangement and location of buildings and where residential unit types will be located. The application of typical requirements of the City's Zoning Ordinance Article T and other regulations for this development are specified below.

1. No provisions of the city's Zoning Ordinance Article T, except as noted, shall apply. However, matters normally regulated by Article T are otherwise regulated as indicated below.

   - Patios, courtyards, terraces, uncovered porches, and other similar features may have zero setbacks along all property lines.
   - Section 10-3-111 Height will be applicable.
   - Accessory buildings shall be held to the same setbacks required of principal buildings and as afforded by the provisions of the H.O.A.
   - Architectural treatments and functional elements, including, but not limited to: chimneys, moldings, rain gutters, downspouts, roof eaves, buttresses and bay windows, shall be allowed to project not more than two (2) feet, into the required yard setback, provided they do not include additional floor space.

2. Walls and fences, and similar items which may restrict passage or vision or simply enhance private property shall not exceed 8' in height and may be located with a zero setback as afforded by the provisions of the H.O.A. except as restricted by needed sight lines for traffic.

3. In the event that residential dwellings utilize garage space to meet minimum required parking requirements, such space shall not be converted to livable space.

4. Any community building (i.e. pavilion) and any other future amenities for the green/open space can be constructed in common areas with setbacks as noted in Table A and as afforded by the provisions of the H.O.A.

Street and Parking

The location of streets, access to parking areas, and sidewalks shall be constructed in the areas generally shown on the Master Plan in Figure 1. The private road entrance for The Village at Chicago Park off of Chicago Avenue will be shared with tax map 48-D-25.

A variance to the Subdivision Ordinance for the design of streets, alleys, blocks, easements, sidewalks, and all such related features shall be applied for during the preliminary platting of this development. This variance will allow a private street width of 26 feet of pavement with an additional 3 feet of roll top curb & gutter adjoining a five foot wide sidewalk; no grass strip will be provided. Off street parking shown on the Master Plan is simply a representation. Landscaping within the private street right-of-ways will be maintained by The Village at Chicago Park Home Owners Association.

A variance will also be needed to allow lots to not have public street frontage.

Pedestrian Path

As indicated on the Master Plan in Figure 1, a sidewalk is generally located along Saturday Drive and as needed pedestrian paths to access open space. If this path cannot be accommodated in this general location, a different location may be provided within the development to provide the same connection intent as described in the Vision.

Stormwater Management

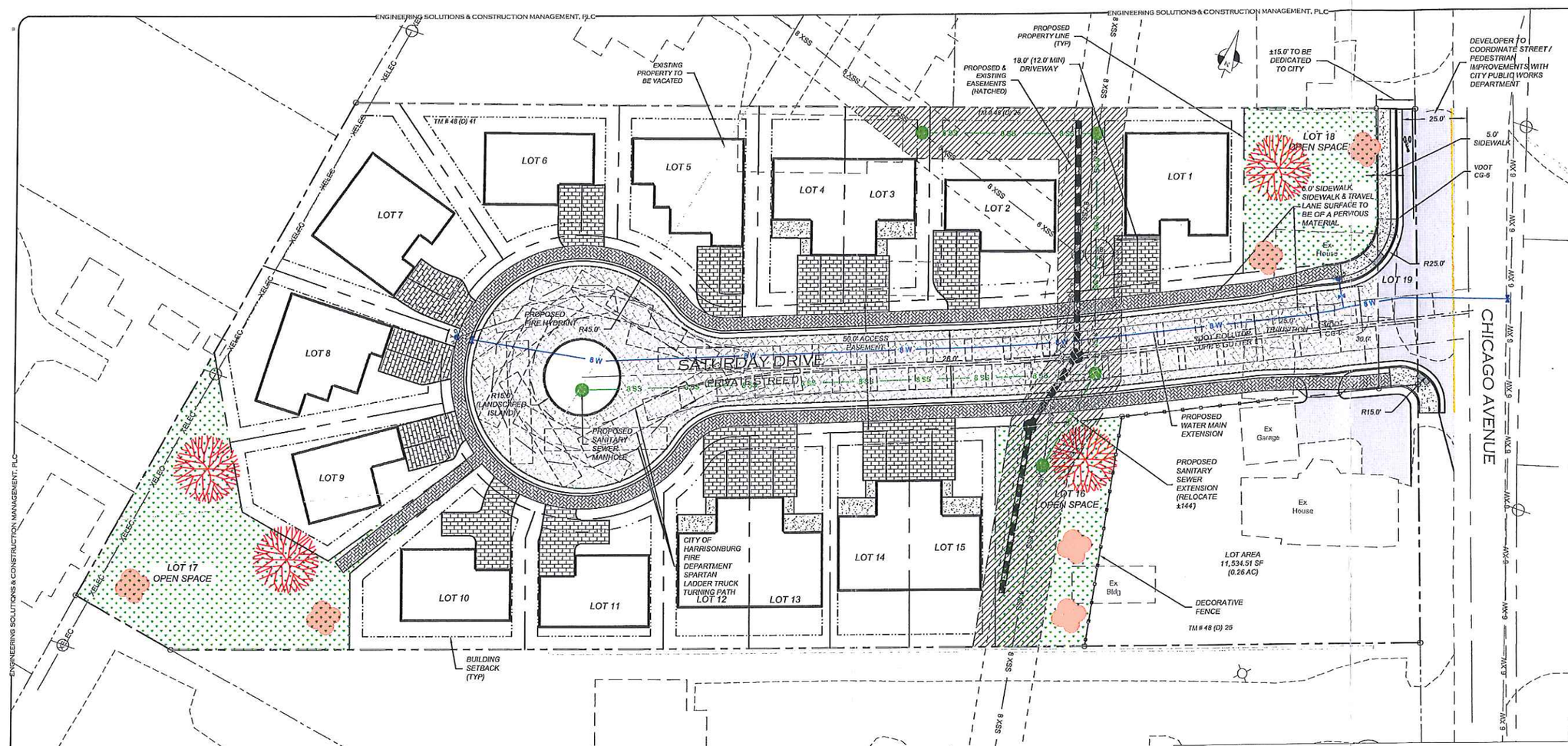
On-site and off-site storm water systems shall be designed and retained by the property owner to a point of channel adequacy and all maintenance easements will be obtained by the property owner prior to the site development.

Landscaping

General Landscaping for The Village At Chicago Park is described in Table B. The general amount of tree / shrubs, and locations are generally depicted on the Master Plan Layout. Exact locations will be determined at a later time frame of the development.

TABLE B			
Quantity	Common Name Latin Name	Size	Remarks
Trees			
4	Red Maple *Acer rubrum "Autumn flame"*	2-1/2" Clal	B & B Mulch Indivdually, 3 Stakes
6	Common White Dogwood *Cornus florida "Rubra"*	1-3/4" Clal	B & B Mulch Indivdually, 3 Stakes
Shrubs			
15	Burning Bush *Euonymus alata "Compactus"*	24" - 36" Height	B & B or 2 - 3 Gal. Container
15	Butterfly Bush *Buddleja davidii*	18" - 24" Height	B & B or 2 - 3 Gal. Container

Figure 1 – Master Plan



PREUIMINARY LOT DATA		
NUMBER	AREA SF	AREA AC
1	3,992.19	0.09
2	4,574.73	0.11
3	2,528.57	0.06
4	2,575.66	0.06
5	3,688.33	0.08
6	3,722.82	0.09
7	4,623.96	0.11
8	4,168.34	0.10
9	3,353.30	0.08
10	3,621.64	0.08
11	2,810.68	0.06
12	2,507.39	0.06
13	2,561.77	0.06
14	2,590.68	0.06
15	2,832.21	0.07
OPEN SPACE	13,059.00	0.30
PERCENTAGE	15.0%	
RIGHT-OF-WAY EASEMENT	22,477.20	0.52
RIGHT-OF-WAY DEDICATED TO CITY	1,609.35	0.04

TABLE A

LOT TYPE	NUMBER OF UNITS*	LOT SIZE (MIN. SF)	LOT DEPTH (MIN. FT)	LOT WIDTH @ SETBACK (MIN. FT)	SETBACK (FT) FRONT	SETBACK (FT) SIDE	SETBACK (FT) REAR
SINGLE FAMILY	9	2,400	50	25	5	5	5
DUPLEX	6	2,400	60	25	5	3' ADJACENT TO DUPLEX; 5' ADJACENT TO SINGLE FAMILY LOTS AND OPEN SPACE	5
OPEN SPACE / COMMON AREA	N /A	NO MINIMUM	NO MINIMUM	NO MINIMUM	5	5	5

*THE EXACT NUMBER OF SINGLE FAMILY AND DUPLEX UNITS MAY VARY SO LONG AS NO ONE HOUSING TYPE EXCEEDS 70 PERCENT OF ALL RESIDENTIAL UNITS IN THE COMMUNITY AS REGULATED BY 10-3-57.6(C).

TABLE B

Quantity	Common Name / Latin Name	Size	Remarks
Trees			
4	Red Maple *Acer rubrum "Autumn flame"*	2-1/2" Clal	B & B Mulch Indivdually, 3 Stakes
6	Common White Dogwood *Cornus florida "Rubra"*	1-3/4" Clal	B & B Mulch Indivdually, 3 Stakes
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The general amount of tree / shrubs, and locations are generally depicted on the Master Plan Layout. Exact locations will be determined at a later time frame of the development.

Approved by City Council on: 02-25-14

GENERAL SITE DATA

PROPERTY OWNER'S ADDRESS:	MERLE & THEDA BRUNK (TM 48 (D) 26 & 41) 566 DALE ENTERPRISE ROAD DAYTON, VA 22821 JOHN HARDING & OTHERS (TM 48 (D) 25) 204 KNOLLWOOD DRIVE CLEMSON, SC 29631
DEVELOPER:	SCOTT BENTON 800 OSAGE LANE HARRISONBURG, VA 22802 540.434.4015
ENGINEER:	ENGINEERING SOLUTIONS & CONSTRUCTION MANAGEMENT, PLC 1010 NORTH MAIN STREET HARRISONBURG, VA 22802 CONTACT: SCOTT SELLERS, PE (W)540.442.8787 (F)540.442.9090
TAX MAP #:	48 (D) 25, 26, & 41
DB. / PG:	
EXISTING ZONING:	R-3
PROPOSED ZONING:	R-7
LAND USE:	
EXISTING:	VACANT / SINGLE FAMILY RESIDENTIAL
PROPOSED:	MIXED SINGLE FAMILY / DUPLEX RESIDENTIAL
TOTAL LOT ACREAGE:	2.00
OPEN SPACE:	0.30 AC ~ 15.0%
DENSITY:	7.5 LOTS PER ACRE
LAND DISTURBANCE AREA (SF):	
TOPOGRAPHIC / BOUNDARY SURVEY:	
BENCHMARK:	N.A.
DATUM:	WGS 84
FLOOD PLAIN INFORMATION:	THIS PROPERTY IS NOT LOCATED IN 100 YEAR FLOOD PLAIN AS SHOWN ON ROCKINGHAM COUNTY VIRGINIA AND INCORPORATED AREAS FLOOD INSURANCE RATE MAP 7 DATED FEBRUARY 6, 2008
WATERSHED:	BLACKS RUN (HUC PS22)
ACCESS:	PROPOSED COMMERCIAL ENTRANCE

ENGINEERING SOLUTIONS
1010 NORTH MAIN STREET
HARRISONBURG, VA 22802
PHONE 540.442.8787
FAX 540.442.9090
DESIGNING FOR TOMORROW...TODAY!

MASTER PLAN

THE VILLAGE AT CHICAGO PARK

1041 & 1049 CHICAGO AVENUE
HARRISONBURG, VIRGINIA 22802

Revision	Date	Revision Requested By
A	12.31.13	Addressed Staff Comments
B	12.31.13	Addressed Staff Comments

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PROJECT NUMBER:	13-2007-1
DATE:	10.31.13
SCALE:	1" = 20'
DRAWN BY:	SS
CHECK BY:	SS

P1.0 of 2

ENGINEERING SOLUTIONS & CONSTRUCTION MANAGEMENT, PLC

ENGINEERING SOLUTIONS & CONSTRUCTION MANAGEMENT, PLC

LOT REPORT

LOT	LENGTH	BEARING	R	A	CH	CB	DELTA
1	70.67	N 10°41'09" W					
	59.24	N 79°18'51" E					
	64.11	S 10°41'09" E					
	56.16	S 72°59'10" W					
			725.00	3.44	3.44	S 73°07'19" W	0°16'19"
2	74.78	N 10°41'09" W					
	62.74	N 79°18'51" E					
	70.67	S 10°41'09" E					
	46.22	S 75°05'05" W					
	16.66	S 76°54'40" W					
3	76.18	N 10°41'09" W					
	33.50	N 79°18'51" E					
	74.78	S 10°41'09" E					
	33.53	S 76°54'40" W					
4	77.59	N 10°41'09" W					
	33.50	N 79°18'51" E					
	76.18	S 10°41'09" E					
	33.53	S 76°54'40" W					
5	51.93	N 10°41'09" W					
	55.00	N 79°18'51" E					
	77.59	S 10°41'09" E					
	10.06	S 76°54'40" W					
			17.50	16.53	15.92	N 76°01'59" W	54°06'42"
			55.00	36.83	36.15	N 68°09'45" W	38°22'15"
6	73.25	N 45°22'45" W					
	85.69	N 79°18'51" E					
	51.93	S 10°41'09" E					
	44.77	S 68°38'11" W					
7	76.59	N 82°11'40" W					
	72.64	N 18°00'48" E					
	16.92	N 79°18'51" E					
	73.25	S 45°22'45" E					
			55.00	35.34	34.74	S 26°12'47" W	36°48'56"
8	84.07	S 68°14'56" W					
	35.35	N 21°45'04" W					
	38.46	N 18°00'48" E					
	76.59	S 82°11'40" E					
			55.00	28.37	28.06	S 06°58'22" E	29°33'24"
9	66.08	S 42°47'19" W					
	38.70	N 71°59'12" W					
	27.30	N 21°45'04" W					
	84.07	N 68°14'56" E					
			55.00	24.44	24.24	S 34°28'52" E	25°27'37"
10	10.94	S 07°46'30" W					
	42.91	S 11°21'56" E					
	67.95	S 78°38'04" W					
	29.47	N 11°21'56" W					
	62.29	N 38°24'49" E					
			55.00	29.42	29.08	S 66°54'46" E	30°39'11"
11	60.52	S 11°21'56" E					
	53.67	S 78°38'04" W					
	42.91	N 11°21'56" W					
	10.94	N 07°46'30" E					
			55.00	52.59	50.61	N 70°22'13" E	54°46'50"

LOT	LENGTH	BEARING	R	A	CH	CB	DELTA
12	82.17	S 11°21'56" E					
	33.50	S 78°38'04" W					
	60.52	N 11°21'56" W					
			55.00	19.37	19.27	N 32°53'23" E	20°10'50"
			17.50	16.53	15.92	N 49°51'19" E	54°06'42"
	6.10	N 76°54'40" E					
13	83.10	S 11°21'56" E					
	31.00	S 78°38'04" W					
	82.17	N 11°21'56" W					
	31.01	N 76°54'40" E					
14	84.04	S 11°21'56" E					
	31.00	S 78°38'04" W					
	83.10	N 11°21'56" W					
	31.01	N 76°54'40" E					
15	85.08	S 11°21'56" E					
	33.50	S 78°38'04" W					
	84.04	N 11°21'56" W					
	25.65	N 76°54'40" E					
			775.00	0.51	0.51	N 76°53'32" E	0°02'16"
			775.00	7.36	7.36	N 76°36'06" E	0°32'38"
16	89.85	S 01°48'14" E					
	34.06	S 78°38'04" W					
OPEN SPACE	85.08	N 11°21'56" W					
			775.00	45.23	45.22	N 74°39'28" E	3°20'37"
	3.89	N 72°59'10" E					
17	62.29	S 38°24'49" W					
	29.47	S 11°21'56" E					
	69.21	S 78°38'04" W					
	42.80	N 72°00'29" W					
	33.38	N 18°03'06" E					
OPEN SPACE	74.42	N 18°00'48" E					
	62.65	S 21°45'04" E					
	38.70	S 71°59'12" E					
	66.08	N 42°47'19" E					
			55.00	4.20	4.20	S 49°23'56" E	4°22'30"
18	64.11	N 10°41'09" W					
	52.00	N 79°18'51" E					
OPEN SPACE	42.33	S 11°35'15" E					
	23.55	S 30°41'58" W					
	37.32	S 72°59'10" W					
19	14.96	S 72°59'10" W					
TO BE DEDICATED TO CITY	108.47	N 11°35'15" W					
	15.01	N 79°18'51" E					
	106.82	S 11°31'44" E					
ROW	104.65	S 72°59'10" W					
			775.00	53.09	53.08	S 74°56'55" W	0°55'30"
	93.78	S 76°54'40" W					
			17.50	16.53	15.92	S 49°51'19" W	54°06'42"
			55.00	276.67	64.48	S 13°05'20" E	288°13'24"
/ ACCESS EASEMENT			17.50	16.53	15.92	S 76°01'59" E	54°06'42"
	93.78	N 76°54'40" E					
			725.00	49.67	49.66	N 74°56'55" E	3°55'30"
	93.48	N 72°59'10" E					
			17.50	25.83	23.55	N 30°41'58" E	84°34'23"
	66.14	S 11°35'15" E					

Approved
by City Council on:
02-25-14

ENGINEERING SOLUTIONS
10 DISCOVERY MILL STREET
HARRISONBURG, VA 22802
PHONE 540.442.8797
FAX 540.442.9080
DESIGNING FOR TOMORROW ... TODAY!

MASTER PLAN
LOT REPORT

THE VILLAGE AT CHICAGO PARK
1041 & 1049 CHICAGO AVENUE
HARRISONBURG, VIRGINIA 22802

Revision	Date	Revision Requested By

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PROJECT NUMBER:	13-2007-1
DATE:	10.31.13
SCALE:	AS NOTED
DRAWN BY:	SS
CHECK BY:	SS

IV. Appendices

Appendix A

Elevations provided herein are to demonstrate the general intent of the unit types, however any house design may be permitted.

FRONT ELEVATION- DESIGN 'C'

THE MR. &MRS.SCOTT BENTON
CHICAGO AVE. DEVELOPMENT

ENGINEERING SOLUTIONS

1016 NORTH MAIN STREET
HARRISONBURG, VA.

PATTERSON CONSULTING, LLC

SOTA DRAFTING

FRONT ELEVATION DESIGN-1

THE MR. & MRS. SCOTT BENTON
CHICAGO AVE. DEVELOPMENT

ENGINEERING SOLUTIONS

PATTERSON CONSULTING, LLC

SOTA DRAFTING

FRONT ELEVATION

THE MR. & MRS. SCOTT BENTON
CHICAGO AVE. DEVELOPMENT

ENGINEERING SOLUTIONS
1010 N. MAIN STREET
HARRISONBURG, VA.

PATTERSON CONSULTING, LLC

SOTA DRAFTING

Appendix B

DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS OF
THE VILLAGE AT CHICAGO PARK SUBDIVISION

THIS DECLARATION, made on this _____ day of _____, 2014 by _____, a Virginia corporation (Grantor), hereinafter referred to as "Declarant," as the Owner and proprietor of certain Lots of land situate in City of Harrisonburg, Virginia, shown and designated on a plat entitled "The Village at Chicago Park", dated the _____ day of _____, 20__, and made by _____ ("Plat"), which Plat is to be recorded in the Clerk's Office of the Circuit Court of Rockingham, Virginia, immediately prior to the recordation of this instrument. All land shown and described on said Plat shall be referred to herein as the "Properties"; and

WITNESSETH:

WHEREAS, Declarant will convey the said Properties, subject to certain protective covenants, conditions, restrictions, reservations, liens, and charges as hereinafter set forth.

NOW, THEREFORE, Declarant hereby declares that all of the Properties described herein shall be held, sold, and conveyed subject to the following easements, restrictions, covenants, and conditions, all of which are for the purpose of enhancing and protecting the value, desirability, and attractiveness of the Properties and insuring a uniform mode of development. These easements, covenants, restrictions, and conditions shall run with the land constituting the Properties and shall be binding on all parties having or acquiring any rights, title, or interest in the described Properties or any part thereof, and shall inure to the benefit of each Owner thereof.

ARTICLE ONE
DEFINITIONS

Section 1.1. "Association" shall mean and refer to The Village at Chicago Park Property Owners' Association, its successors and assigns. The Association may or may not be incorporated or organized as a limited liability company.

Section 1.2. "Properties" or "Property" shall mean and refer to that certain real property hereinbefore described on the Plat, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 1.3. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties with the exception of the Road and Common Areas.

Section 1.4. "Member" shall mean and refer to every person or entity that owns one (1) or more of the Lots.

Section 1.5. "Owner" shall mean and refer to the record Owner, whether one (1) or more persons or entities, of a fee simply title to any Lot which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 1.6. "Family" shall mean two (2) or more persons all of whom are related to each other by blood, marriage, or adoption.

Section 1.7. "Common Area" shall mean that portion of the Properties not contained within a public Street, Lot, or Lots, which Common Area shall be controlled and managed by the Declarant or the Association for the benefit of the Owners.

Section 1.8. "Roads" or "Streets" shall mean "Saturday Drive" as shown on the Plat, which shall be constructed to City Of Harrisonburg private street standards and maintained by the Property Owners' Association.

ARTICLE TWO
COMPOSITION OF ARCHITECTURAL CONTROL COMMITTEE

Section 2.1. Composition of Architectural Control Committee. The Architectural Control Committee is composed of the _____, a Virginia corporation. A majority of the Committee may designate a representative or representatives to act for it. .Upon the completion of the subdivision, the Architectural Control Committee, consisting of at least three (3) in number, shall be elected by the record title Owners of all Lots in said subdivision, each Lot having one (1) vote in such election. Such election may be called by anyone (1) Lot Owner in such subdivision by giving thirty (30) days written notice to all other Owners at the address then listed with the Treasurer of the governmental subdivision having real estate tax jurisdiction over said subdivision.

Section 2.2. Authority of Architectural Control Committee. No building, fence, wall, or other structure shall be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change, including paint and trim, roofing, or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, color of paint, color of roofing, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Architectural Control Committee. In the event said Board, or its designated committee, fails to approve or disapprove such design and: location within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with. Said compliance shall be limited to the scope and character of the improvements or alterations contained in the plans and specifications submitted to the Committee.

Section 2.3. Fences. All fencing, subject to the decision of the Architectural Control Committee, shall be white vinyl fencing of equal or better quality than Dutchway fencing. Fence height shall not exceed 8'.

Section 2.4. Driveways. All driveways shall be of equal quality and appearance to that installed by the Developer, unless otherwise approved by the Architectural Control Committee.

ARTICLE THREE
MEMBERSHIP AND VOTING RIGHTS

Section 3.1. Every person or entity who is a record Owner of a fee or undivided fee interest in any Lot that is subject by covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. No Lot Owner shall have more than one (1) membership. Membership shall be appurtenant to and may not be separated from ownership of any Lot that is subject to assessment by the Association. Ownership of such Lot shall be the sole qualification for membership.

Section 3.2. The Association shall have two (2) classes of voting membership:

3.2.1. Class A. Class A members shall be all those Owners as defined in Article One with the exception of the Declarant. Class A members shall be entitled to one (1) vote for each Lot in which they hold the interest required for membership by Article Three. When more than one (1) person holds such interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as they among themselves determine, but in no event shall more than one (1) vote be cast with respect to any Lot. Owners shall not be entitled to vote until their Lot is subject to assessment.

3.2.2. Class B. The Class B member shall be the Declarant. The Class B member shall be entitled to fifteen (15) votes for each Lot in which it holds the interest required for membership by Article Three, provided that the Class B membership shall cease and be converted to Class A membership when the total votes outstanding in the Class A membership equal or exceed the total votes outstanding in the Class B membership.

Section 3.3. Association's Board of Directors. The business of the Property Owners' Association shall be managed by its Board of Directors. The initial number of directors shall be three (3). Developer shall appoint said initial directors, who are not required to be Lot Owners, until such time as eighty percent (80%) of the Lots are independently owned. At that time, the directors shall be elected annually by and from the membership with voting privileges as set forth in Article Three, Section 3.2.

Section 3.3. Association's Authority. The Association shall, have the authority and responsibilities as set forth herein.

Section 3.4. Association Organizational Documents. The Declarant shall prepare and adopt the initial organizational documents and entity form for the Association that shall be binding upon the Owners unless amended or abrogated according to their terms.

ARTICLE FOUR
COVENANTS FOR MAINTENANCE ASSESSMENTS

Section 4.1. Creation of the Lien and Personal Obligation of Assessments. The Declarant, for each Lot owned within the Properties. hereby covenants, and each Owner of any Lot by acceptance of a deed therefore, whether or not it shall be so expressed in any such deed or other conveyance, is deemed to covenant and agree to pay to the Association; (i) annual assessments or charges, and (ii) special assessments for capital improvements, such assessments to be fixed, established, and collected from time-to-time as hereinafter provided. The annual and special assessments, together with such interest thereon and costs of collection thereof, as hereinafter provided shall be a charge on the land and shall be a

continuing lien upon the property against which each such assessment is made. Each such assessment, together with such interest, costs, and reasonable attorney's fees shall also be the personal obligation of the person who was the Owner of such property at the time when the assessment fell due. The personal obligation shall not pass to his successors in title unless expressly assumed by them, but shall remain a lien upon the Lot or Lots against which the assessments are made.

Section 4.2. Purpose of Assessments. The assessments levied by the Association shall be used exclusively for the purpose of promoting the recreation, health, safety, and welfare of the residents in the Properties and in particular for the improvement and maintenance of the Properties, services, and facilities devoted to this purpose and relating to the use and enjoyment of the homes situated upon the Properties. The assessments levied by the Association shall also be used to cover the expenses related to the ownership, maintenance, and use of the Common Areas.

Section 4.3. Basis of Annual Assessments. The initial annual assessment shall be set at NINE HUNDRED AND NO/100 DOLLARS ($900.00) per Lot, and shall commence upon the conveyance of a Lot from the Declarant and shall be prorated for the remainder of the assessment year from the time of such conveyance. Thereafter, upon a unanimous vote of the Board of Directors the annual assessment may be increased to an amount in excess of NINE HUNDRED AND NO/100 DOLLARS ($900.00) per Lot in order to meet current and future maintenance costs and operational responsibilities.

Section 4.4. Special Assessments for Capital Improvements. In addition to the annual assessments authorized above, the Board of Directors shall have the authority as provided by Section 55-514 of the Code of Virginia, as amended, to levy in any assessment year a special assessment applicable to that year only, if the purpose in so doing is found by the" Board to be in the best interests of the Association. A special assessment must have the assent of two-thirds (2/3) of the votes of each class of members who are voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be sent to all members in accordance with the Association's bylaws. Pursuant to Section 55-514 of the Code of Virginia, as amended, a special assessment may be rescinded or reduced upon a majority of votes of each class of members who are voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be sent to all members in accordance with the Association's bylaws; provided that such meeting to rescind or reduce the special assessment is held within sixty (60) days of notice of the meeting.

Section 4.5. Declarant Exempt from Assessment. Declarant shall not be assessed on any Lots owned by it.

Section 4.6. Uniform Rate of Assessment. Both annual and special assessments must be fixed at a uniform rate for all Lots and may be collected on an annual basis. Special assessments shall not be made more than once per year and shall not exceed one hundred fifty percent (150%) the amount of the annual assessments.

Section 4.7. Date of Commencement of Annual Assessment; Due Dates. The annual assessments provided for herein shall commence as to each Lot upon the conveyance of the Lot from the Declarant. The first annual assessment shall be prorated according to the number of months remaining in the calendar year. The Board of Directors shall fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period. Written notice of the annual assessment shall be sent to every Owner subject thereto. The Association shall upon demand at any time furnish a certificate in

writing signed by an officer of the Association setting forth, whether the assessments on a specified Lot have been paid. A reasonable charge may be made by the Board of Directors for the issuance of these certificates. Such certificate shall be conclusive evidence of payment of any assessment therein stated to have been paid.

Section 4.8. Effect of Nonpayment of Assessment; Remedies of the Association. Any assessments that are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the current legal rate, and the Association may bring an action at law against the Owner personally obligated to pay the same, or may perfect the lien against the property, pursuant to Section 55-516 of the Virginia Code. Interest, costs, and reasonable attorney's fees of any such action shall also be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by abandonment of his Lot.

Section 4.9. Subordination of the Lien to Deeds of Trust. Pursuant to Section 55-516 of the Code of Virginia, as amended, the lien of the assessments provided for herein shall be subordinate to (i) real estate tax liens on the Lot, (ii) liens and encumbrances recorded prior to the recordation of the Declaration, and (iii) sums unpaid on and owing under any mortgage or deed of trust recorded prior to the perfection of said lien; provided, however, that mechanics' and materialmen's liens shall not be affected by this Section 4.9. Sale or transfer of any Lot shall not affect the assessment lien. However, the sale or transfer of any Lot, which is subject to any deed of trust, pursuant to a deed of foreclosure thereof, shall extinguish the lien of such assessments as to payments thereof that became due prior to such sale or transfer. No sale or transfer shall relieve such Lot from liability for any assessment thereafter becoming due or for the lien thereof.

Section 4.10. Exempt Property. The following property subject to this Declaration shall be exempt from the assessments created herein: (i) all Properties dedicated to and accepted by a local public authority, (ii) all Properties owned by a charitable or nonprofit organization exempt from taxation by the laws of the State of Virginia and (iii) all common area owned by The Village at Chicago Park Property Owners' Association. However, no land or Improvements devoted to dwelling use shall be exempt from said assessments.

ARTICLE FIVE
PARTY WALLS

Section 5.1. General Rules of Law to Apply. Each wall which is built as a part of the original construction of the duplex homes upon the Properties and placed on the dividing line between the Lots shall constitute a party wall, and, to the extent not inconsistent with the provisions of this Article, the general rules of law regarding party walls and liability for property damage due to negligence or willful acts or omissions shall apply thereto.

Section 5.2. Sharing of Repair and Maintenance. The cost of reasonable repair and maintenance of a party wall shall be shared by the Owners who make use of the wall in proportion to such use.

Section 5.3. Destruction by Fire or Other Casualty. If a party wall is destroyed or damaged by fire or other casualty, and Owner who has used the wall may restore it, and if the other Owners thereafter make use of the wall, they shall contribute to the cost of restoration thereof in proportion to such use without prejudice,

however, to the right of any such Owners to call for a larger contribution from the others under any rule of law regarding liability for negligent or willful acts or omissions.

Section 5.4. Weatherproofing. Notwithstanding any other provision of this Article, an Owner who by his negligent or willful act causes the party wall to be exposed to the elements shall bear the whole cost of furnishing the necessary protection against such elements.

Section 5.5. Right to Contribution Runs with the Land. The right of any Owner to contributions from any other Owner under this Article shall be appurtenant to the land and shall pass to such Owner's successors in title.

Section 5.6. Arbitration. In the event of any dispute arising concerning a party wall, or under the provisions of this Article, each party shall choose one (1) arbitrator, the Association shall choose a third arbitrator, and the decision shall be by a majority of all the arbitrators, and shall be binding upon all parties.

ARTICLE SIX
EXTERIOR MAINTENANCE

The Association shall exercise its authority and fulfill its responsibilities as set forth herein. To this end, it shall have the power to levy assessments as herein contained and in accordance with the organizational documents of The Village at Chicago Park Property Owners Association.

In the event an Owner of any Lot shall fail to maintain the premises and the improvements situated thereon in a manner satisfactory to the Board of Directors of The Village at Chicago Park Property Owners Association, after approval by two-thirds (2/3) decision of the Board of Directors, the Association shall have the right, through its agents and employees, to enter upon said parcel and repair, maintain, and restore the Lot and the exterior of the buildings and any other improvements erected thereon. The cost of such exterior maintenance shall be added to and become part of the annual assessment to which such Lot is subject, and the expense of such exterior maintenance shall become a lien upon the subject property. It is a condition of these Covenants that The Village at Chicago Park Property Owners Association is and shall be, deemed general contractor for the purpose of qualifying to file a mechanic's lien, and every Lot Owner so in default, by the acceptance of his/her deed, and those claiming under him/her, hereby agrees to pay such expense, and grants permission to The Village at Chicago Park Property Owners' Association, to enter upon such Lot and make such exterior maintenance without being guilty of trespass, and said Association, its agents and employees, shall not be liable in damages to any Lot Owner except for willful and tortuous acts committed beyond the scope hereof. Any assessments under this paragraph and the preceding paragraph hereof, shall constitute liens and shall be subject to the provisions of Section 55-516 of the Code of Virginia, as amended.

ARTICLE SEVEN
USE RESTRICTIONS

1. No Lot shall be used, except for residential purposes, or for builders' construction sheds and sales and administrative offices during the construction and sales period, and not more than one (1) principal building shall be permitted on any residential Lot shown on said plat, and no such Lot shall be resubdivided. The Declarant' shall not be subject to the restriction on resubdivlsion set forth herein.

2. No utility, boat, house camper, etc., recreational vehicle, trailer, bus, commercial equipment, disabled or unlicensed vehicle or material portion thereof, or commercial vehicle larger than three-fourths (3/4) ton, may be parked on any street or parking area, or Lot within said land area, unless, in the case of commercial equipment, it shall be temporarily within such subdivision for the purpose of performing work therein.

3. No noxious or offensive use of activity shall be carried on upon any Lot or parking area, nor shall any practice be engaged in by the Owners of the Lots, their tenants, agents, guests, or assigns, that shall become an annoyance or a nuisance to the neighborhood.

4. No exterior clothesline or hanging device shall be allowed upon any Lot, and no antenna shall project above the surface of the roof.

5. All units shall have an "estate premium mailbox and post" or of equal quality as approved by the Architectural Control Committee. All mailboxes shall be black in color, with initial mailboxes to be installed by Declarant.

6. No sign of any kind shall be displayed on any Lot, except one (1) sign of not more than five (5) square feet advertising the property for sale or rent, except signs used by the developer and its agents to advertise the property during the construction and sales period.

7. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any Lot, except that dogs, cats, or other usual household pets may be kept, provided that they are not kept, bred, or maintained for commercial or charitable purposes, or in unusual numbers. All household animals kept on a Lot must be housed indoors. All domestic animals shall be kept on a leash while on the Roads or Common Areas on the Properties. Owners and their guests shall be responsible for collection and proper disposal of animal waste on the Property, including the Streets and Common Areas therein.

8. No trash, garbage, or other refuse shall be burned upon any Lot except within the interior of the residence, except that the builder or developer may burn debris for the purpose of cleaning the land or preparing any dwelling for occupancy.

9. A satellite dish, not in excess of twenty-four (24") inches in diameter, may be installed upon the Lots provided that said satellite dish does not extend beyond the roof-line of the dwelling to which it is attached, and must not be visible from the street. The installation and screening of any satellite dish is subject to the approval of the Architectural Control Committee.

10. No hedge shall be planted or permitted to grow over three and one-half (3 1/2') feet high along the front or side property lines, nor shall any growth be permitted by any Owner or tenant to extend beyond his property line. Rear lot line is unaffected by #11; no height restrictions at rear lot line.

11. All improvements to Lots shall be completed within twelve (12) months of the commencement of construction thereof.

12. The Association shall be responsible for snow removal from the Street shown on the plat recorded herewith, abutting sidewalks, and Lot Owners' sidewalks and driveway. Snow removal from patios, porches, and decks shall be the responsibility of the Lot Owner.

13. The Association shall be responsible for cutting of all grass, weed removal, mulching, plant, and shrub maintenance and replacement for all Lots, City Right-of-Way, and Common Area portions of the Property.

14. The Association shall be responsible for the removal of Lot Owner's trash. The Lot Owner shall place his/her trash in the designated area in the subdivision for removal by the Association.

15. The Association shall maintain and fund via the regular Annual Assessments street lighting on the Property. Declarant will install the initial street lighting.

16. The use of the Common Areas is exclusively reserved to the Owners and their guests and subject to regulation and control by the Association. The Association may adopt rules and regulations from time-to-time governing the use rights of the Owners in the Common Areas and improvements placed thereon. The Declarant will install the initial Common Area structures and improvements, and the community entrance area sign, fencing, and landscaping, which Common Area improvements and structures shall subsequently be maintained by the Association.

17. The Association shall be responsible for maintaining all private storm drainage systems and stormwater best management practice (BMP) facilities.

18. Every violation of the covenants contained herein is hereby declared to be and constitutes a nuisance, and every remedy allowed by law or equity against a nuisance, either public or private, shall be applicable thereto, and such remedies shall be deemed cumulative and not exclusive.

19. Inasmuch as the enforcement of the provisions hereof is deemed essential for the implementation and preservation of the general plan of development, and for the protection of the undersigned and all of the Owners and inhabitants of said subdivision, it is hereby declared that any violation of the provision hereof shall constitute irreparable harm not adequately compensable by recovery of damages, and any person, firm, or corporation shall be entitled, in addition to all other remedies, to relief by way of injunction for enforcement of the provisions hereof.

20. The cost and expenses incidental to the abatement of any violation hereof, and the removal and correction of any offending structure or condition shall be paid by the Owners of the offending property, and the amount thereof until paid shall constitute a lien upon such offending property, in favor of Association, inferior only to such liens as prescribed in Section 55-516 of the Code of Virginia, as amended.

ARTICLE EIGHT
EASEMENTS

Section 8.1. Utility Easements. Easements for installation and maintenance of utilities, walkways, driveways, drainage facilities, sanitary sewer, water line, street lights, and community entrance sign and fencing and access to all Lots are reserved as shown or described on the Plat and designated thereon respectively as Drainage, Utility, Sewer, Detention, and Water Easements. Easements for utilities and maintenance of utilities are reserved over the Lots in The Village at Chicago Park development as necessary for the benefit of said Lots, said locations to be designated by Declarant. Within these easements, no structure, planting, or other material shall be placed or permitted to remain which may

obstruct or interfere with the installation and maintenance of said utilities or which may obstruct or interfere with the installation and maintenance of said utilities or access to Lots. The easement area within each Lot shall be maintained constantly by the Owner of said Lot, except those easements for which a public authority, utility company, or municipality is responsible.

Section 8.2. Sight Distance Easement. No fences, shrubbery, structures, fill material, or other facilities shall be placed within the bounds of said easement, unless sufficiently detailed plans for such fences, shrubbery, structures, or other facilities are first approved by the Association. The Association shall have the right to trim, maintain, and/or remove any and all plantings or other facilities deemed by it to be an obstruction within the easement; provided, however, that the Association at its own expense shall restore as nearly as possible, to their original condition, all land or premises which are disturbed in any manner by the removal of obstructions, and maintenance of said sight distance easement, Such restoration shall include the reseeding or resodding of lawns or pasture areas within and outside the easements, and the replacement of structures and other facilities located outside the easement, but shall not include the replacement of fences, shrubbery, structures, trees, and other facilities located within the easement. This easement shall be perpetual and shall run with the land. This easement shall be binding upon the Owner, its successors and/or assigns, and shall inure to the benefit of the Association / utility, its successors and assigns. These easements are reserved as shown or described on the Plat.

Section 8.3. Landscaping Easement. An Easement for landscaping is reserved across all Lots and Common Areas as shown on the plat recorded herewith. Within this easement, Declarant shall plant the original landscaping. Within this easement, no structure, planting, or other material shall be placed by an Owner or permitted, by an Owner, to remain, which may obstruct or interfere with the planting and maintenance of said vegetation. Provided, however, that the Declarant or the Association may do additional landscaping within this Easement. The Association shall, after the initial planting is complete, be responsible for the care, pruning, and replacement of this vegetation, as it is needed. Therefore, the Association, its agents and assigns, may enter on the Lots over which this easement lies for the purposes aforesaid. The Owner shall not prune, replace, or harm this vegetation. This easement shall be perpetual and shall run with the land. These easements are reserved as shown or described on the Plat.

Section 8.4. Easements of the Association. There is hereby reserved to the Association such easements as are necessary to perform the duties and obligations of the Association, including such access easements as are necessary for ingress, egress, and maintenance of the Common Areas, Storm Pipes, Stormwater Management / Best Management Practice (BMP) Facilities, and Landscaping Easements.

Section 8.5. Pipes. Ducts, Cables, Wires, Conduits. Each Owner shall have an easement in common with the Owners of all other Lots to use pipes, wires, ducts, cables, conduits, telephone, and public utility - lines. The Association, its agents, and such telephone, electric, and other utility companies as may be appropriate, but no other person or entity without the consent of the Owner, shall have the right of access to each Lot to inspect the same, to remove violations there from, and to maintain, repair, or replace same. These easements are reserved as shown or described on the Plat.

Section 8.6. Priority of Easements. Each of the easements hereinabove referred to shall be deemed to be established upon the recordation of this Declaration and shall run with the land for the use and benefit of the Lots superior to all other encumbrances which may hereafter be applied against or in favor of the Properties or any portion hereof.

Section 8.7. Declarant's Easements to Correct Drainage. For a period of five {5} years from the date of submission of each Lot to this Declaration, the Declarant reserves an easement and right on, over, and under the ground within each Lot to maintain and to correct drainage of surface water in order to maintain reasonable standards of health, safety, and appearance. Such right expressly includes the right to cut any trees, bushes, or shrubbery, to perform any grading of the land, or to take any other similar action reasonably necessary, following which the Declarant shall restore the affected property to its original condition as nearly as is practicable. The Declarant shall give reasonable notice of intent to take such action to all affected Owners, unless in the opinion of the Declarant an emergency exists which precludes such notice.

Section 8.8. Construction Easements and Rights. Notwithstanding any provision of this Declaration or of any Supplementary Declaration, so long as the Declarant or Builders are engaged in developing or improving any portion of the Properties, the Declarant and Builders and their employees, agents, and assigns shall have an easement of ingress, egress, and use over any portion of the Properties not conveyed as a Lot to an Owner for occupancy for (i) movement and storage of building materials and equipment, (ii) erection and maintenance of directional and promotional signs, and (iii) conduct of sales activities, including maintenance of model Units. Such easement shall be subject to such rules as may be established by Declarant to maintain reasonable standards of safety, cleanliness, and general appearance of Properties.

Section 8.9. Easement to Inspect. There is hereby created an easement in favor of the Association for ingress and egress on any Lot (i) to inspect such property for alleged violations of the Governing Documents, based on formal, written complaints, and/or compliance with architectural standards and/or approved plans for alterations and improvements and (ii) to perform such maintenance as is required by this Declaration or the Supplementary Declaration for such Lot, provided the Owner of such Lot is given written notice of the purpose and time of inspection at least three (3) days in advance thereof and such inspection is performed during reasonable hours.

Section 8.10. Easement for Governmental Personnel. A right of entry on any Lot or Common Area is hereby granted to law enforcement officers and fire and rescue personnel as is needed to carry out their duties, including enforcement of cleared emergency vehicle access.

Section 8.11. Common area access or Use Easements. There is created a joint easement appertaining to all Lots for ingress, egress, and use of the Common Area created and described herein. Said easement of use and enjoyment of the Common Area by Owners shall be subject to the rights granted to the Association hereunder to control and manage maintenance use of the Common Areas. These joint easement rights granted hereunder also include the right to ingress and egress to the Common Areas as shown on the Plat.

ARTICLE NINE
GENERAL PROVISIONS

Section 9.1. Enforcement. The Association, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens, and charges now or hereafter-imposed by the provisions of this Declaration. Failure by the Association or any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Section 9.2. Severability. Invalidation of any one (1) of these covenants or restrictions by judgment or court order shall in no wise affect any other provisions which shall remain in full force and effect.

Section 9.3. Amendment. The covenants and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by the Association, or the Owner of any Lot subject to the Declaration, their respective legal representatives, heirs, successors, and assigns, for a term of twenty (20) years from the date this Declaration is recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years. The covenants and restrictions of this Declaration may be amended during the first twenty (20) year period by an instrument signed by not less than ninety percent (90%) of the Lot Owners, and thereafter by an instrument signed by not less than seventy-five percent (75%) of the Lot Owners. Any amendment must be properly recorded.

_____
A Virginia Corporation

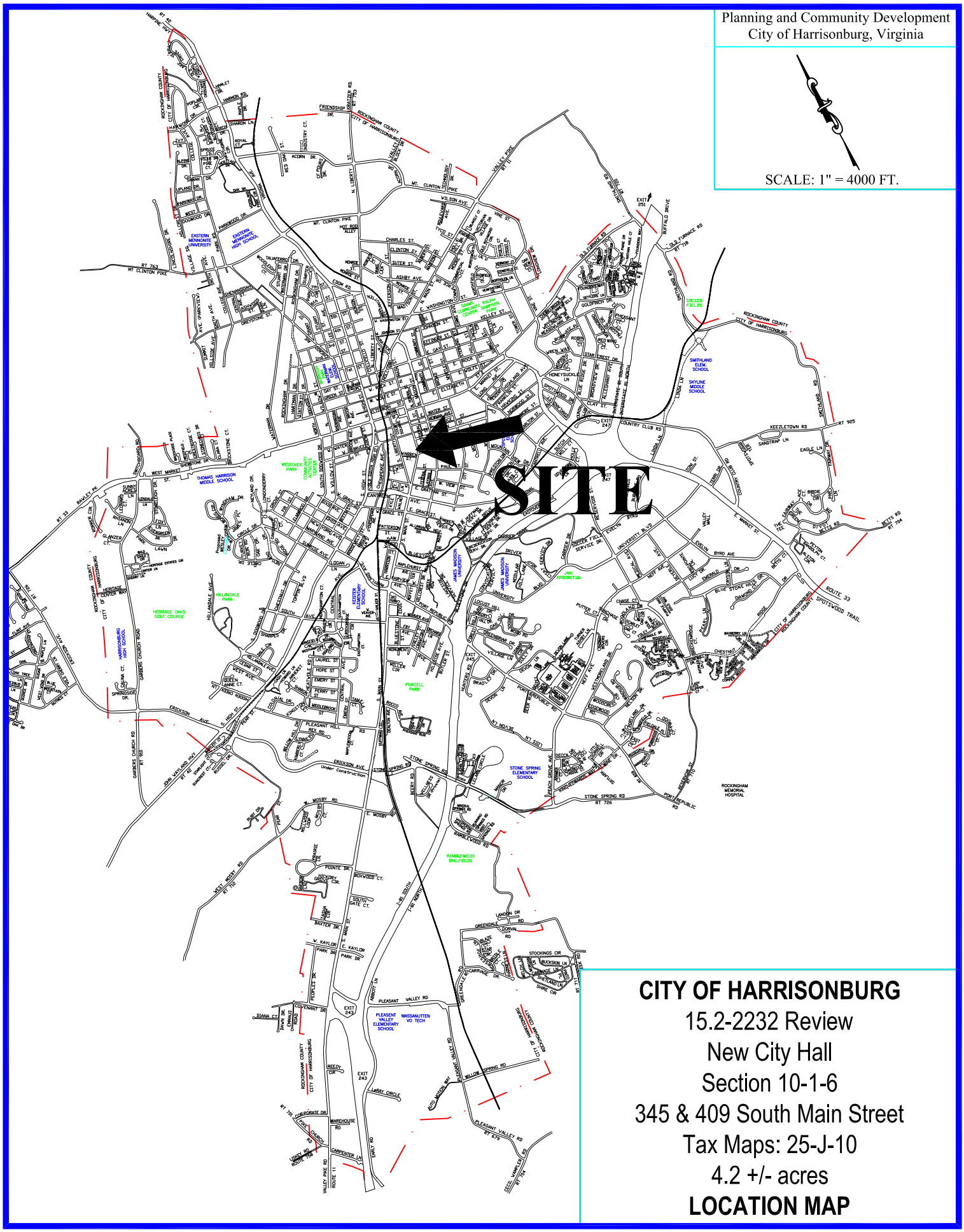
By: _____

COMMONWEALTH OF VIRGINIA,
City of Harrisonburg, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____, by _____, a Virginia corporation, on behalf of said Corporation.

My Commission expires: _____

_____
Notary Public



CITY OF HARRISONBURG

15.2-2232 Review

New City Hall

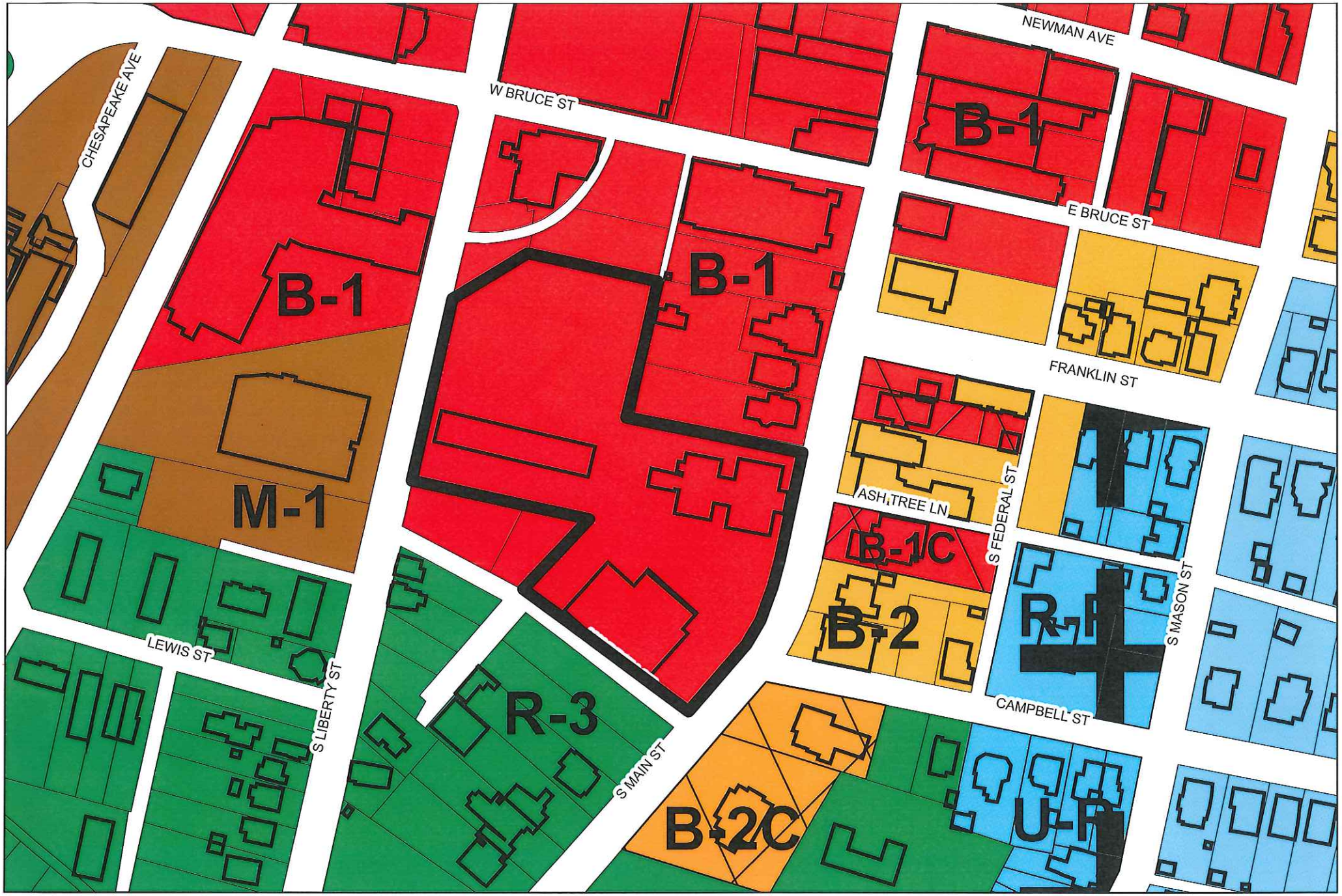
Section 10-1-6

345 & 409 South Main Street

Tax Maps: 25-J-10

4.2 +/- acres

LOCATION MAP



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New City Hall - 15.2-2232 Review

City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT
April 9, 2014

15.2-2232 REVIEW – NEW CITY HALL

GENERAL INFORMATION

Applicant: City of Harrisonburg

Tax Map: 25-J-10

Acreage: 4.2 +/- acres

Location: 345 & 409 South Main Street

Requests: Consider a request to review the proposed City Hall project per City Code Section 10-1-6 to determine if the public facility is in substantial accord with the Comprehensive Plan as provided by the Code of Virginia Section 15.2-2232.

LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Public/Semi-Public. This designation states that these lands are designated for public and semi-public use. They include lands owned or leased by the Commonwealth of Virginia, the federal government, the City of Harrisonburg, and other governmental organizations. Examples of uses included in this category are public schools, libraries, City Hall and City administrative and support facilities.

The following land uses are located on and adjacent to the property:

Site: Municipal Building, Planning and Community Development Department building, Turner Pavilion, and municipal parking lot, zoned B-1

North: HEC office building and parking lot, zoned B-1; and across a public alley the former Harrisonburg School Board Building (owned by the City), zoned B-1

East: Across South Main Street, BB&T Shomo & Lineweaver office building, zoned B-2; Hoover Penrod office building, zoned B-1C; other office uses and the United Church of Christ, zoned B-2; and the Joshua Wilton House, zoned B-2C

South: Across Warren Street, parking areas for Lindsey Funeral Home, zoned R-3

West: Undeveloped parcels owned by the City, zoned B-1; and across South Liberty Street, the Daily News Record property, zoned M-1; and the Ice House project (under construction), zoned B-1

EVALUATION

At the request of Planning Commission, the proposed City Hall project, which includes the construction of a new City Hall and the demolition of the existing Planning and Community Development building, is under review per City Code Section 10-1-6. This section stipulates that

“if a public facility subject to Section 15.2-2232 of the Code of Virginia is not already shown on the comprehensive plan, the planning commission shall determine whether the location, character and extent of such public facility is in substantial accord with the comprehensive plan as provided by Section 15.2-2232 of the Code of Virginia and the terms and conditions set forth therein, as may be amended from time to time.”

With regard to Section 15.2-2232, among other things, it states that when a locality has adopted a comprehensive plan, “it shall control the general or approximate location, character and extent of each feature shown on the plan.” The code section then lists items, citing among others, public buildings and public structures, and stating that unless features are already shown on the plan, they “shall not be constructed, established, or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof.” Under Section 15.2-2232, a public hearing is not required unless directed by City Council. Planning Commission was not directed by City Council to hold a public hearing regarding this issue.

Staff believes the proposed use by the City to construct a new City Hall on the subject property is substantially in accord with the Comprehensive Plan. First, the subject site is designated by the Comprehensive Plan’s Land Use Guide as Public/Semi-Public. The Plan specifically states these lands are “owned or leased by the Commonwealth of Virginia, the federal government, the City of Harrisonburg, and other governmental organizations.” It goes on to state that “examples of uses included in this category are public schools, libraries, City Hall and City administrative and support facilities.” The subject site has been designated as Public/Semi-Public since the Plan’s 2004 update. Prior to that, it was designated as Commercial.

Secondly, the subject site has been used continuously as City Administrative offices since 1960; the new building would be built to the south of the existing Municipal Building, connected by an atrium. The Planning and Community Development building, which has housed that Department since about 1990 and the existing City Council chambers since 2007, will be demolished, with those services moving into the new building. At the current time, the project is undergoing comprehensive site plan review by City staff to ensure City development standards are met.

Thirdly, from a zoning perspective, the property is zoned B-1, where public uses is listed as a by-right use.

Lastly, from a transportation point of a view, the subject property is located along South Main Street and South Liberty Street, two highly traveled and well known arterial streets, and is well connected to the City’s overall transportation network. Transit bus stops are located across South Main Street from the proposed building and near the property’s South Liberty Street frontage. As the property is located downtown, the environment is very walkable to many different services. Furthermore, bicyclists use both South Main Street and South Liberty Street regularly and the streets are marked with bicycle “sharrows,” which are intended to guide bicyclists to the best place to ride on the road, avoid car doors, and remind drivers to share the road with bicyclists.

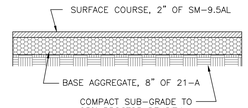
Staff recommends the Commission communicate the same findings to City Council that the new City Hall project conforms to the Comprehensive Plan.

CITY GENERAL NOTES

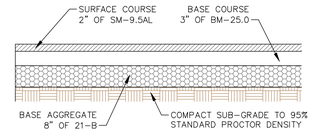
1. Work in this project shall conform to the latest editions of the Virginia Department of Transportation (VDOT) Road and Bridge Specifications, the VDOT Road and Bridge Standards, the Virginia Erosion and Sediment Control Handbook, the Virginia Erosion and Sediment Control Regulations and the City of Harrisonburg Design and Construction Standards Manual. In the event of conflict between any of these standards, specifications or plans, the most stringent shall govern. All utilities to be dedicated to the City of Harrisonburg Municipal Water and/or Sanitary Sewer System shall be constructed and tested to conform to Commonwealth of Virginia/State Board of Health Waterworks and/or Sewerage Regulations and the City of Harrisonburg Design and Construction Standards manual.
2. Erosion and sediment control measures shall be maintained continuously, relocated when and as necessary and shall be checked after every rainfall. Seeded areas shall be checked regularly and shall be watered, fertilized, reseeded and mulched as necessary to obtain a dense stand of grass.
3. All drain inlets shall be protected from siltation. Ineffective protection devices shall be immediately replaced and the inlet cleaned. Flushing is not an acceptable method of cleaning.
4. When the crushed stone construction entrance has been covered with soil or has been pushed into the soil by construction traffic, it shall be replaced with a depth of stone equal to that of original application.
5. The location of existing utilities as shown is approximate only. The contractor is responsible for locating all public or private utilities which lie in or adjacent to the construction site. The contractor shall be responsible for repairing, at his expense, all existing utilities damaged during construction. Forty-eight (48) hours prior to any excavation call Miss Utility 1 (800) 552-7001.
6. All underground facilities located within the City's rights-of-way shall be installed prior to the placement of any part of the pavement structure.
7. Installation of concrete storm pipe shall comply with VDOT standard Drawing PB-1.
8. All materials used for fill or back-fill shall be free of wood, roots, rocks, boulders or any other non-compactible soil type material. Unsatisfactory materials also include man-made fills and refuse debris derived from any source.
9. Satisfactory material for use as fill for public streets include material classified in ASTM D-2487 as GW, GP, GM, GC, SW, SP, SM, SC, ML and CL groups. The moisture content shall be controlled within plus or minus 2 percentage points of optimum to facilitate compaction. Generally, unsatisfactory materials include materials classified in ASTM D-2487 as PT, OH, MH, OI, OH, and any soil too wet to facilitate compaction. CH and MH soils may be used subject to approval of the City Engineer. Soils shall have a minimum dry density of 92 lb./cu. ft. per ASTM D-698 and shall have a plasticity index less than 17.
10. Compaction of fill material under building slabs shall be based upon recommendations of soils engineer after completion of standard Proctor test and shall meet bearing requirements of architect of buildings. The contractor shall be responsible for testing.
11. Materials used to construct embankments for any purpose, back-fill around drainage structures or in utility trenches or any other depression requiring fill or back-fill shall be compacted to 95% of maximum density as determined by the standard Proctor test as set out in ASTM standard D-698. The contractor shall, prior to any operations involving filling or back-filling submit the results of the Proctor test together with a certification that the soil tested is representative of the materials to be used on the project. Tests shall be conducted by a certified materials testing laboratory and the certifications made by a licensed professional engineer representing the laboratory.
12. Embankment fill and trench back-fill shall be placed in lifts at a maximum uncompacted depth of 8-inches and 6-inches, respectively. Density tests shall be conducted at the following minimum frequencies:
    (a) Embankments for roads, street, dams, etc.; One test per lift per 10,000 square feet of lift.
    (b) Back-fill around structures and in trenches: One test pe lift lift per 500 lineal feet of trench.
13. Compaction tests for street pavement structure shall be made in cut and fill areas at the following minimum frequencies:
    (a) Sub-Grade: One test per lane per 500 lineal feet
    (b) Stone Base: One test per lane per 6" compacted lift per 500 lineal feet
    (c) Hot Asphaltic Concrete: One test per lane per lift per 500 linear feet
14. All excavations, including trenches, shall be kept dry to protect their integrity.
15. Test results shall be submitted to the City Engineer. Failure to conduct density tests shall be cause for non-acceptance of the facility. Tests shall be conducted at the sole cost of the general contractor.
16. Omitted.
17. Omitted.
18. Pavement design is based upon subgrade CBR of 3 and an RF of 2. Upon bringing the street subgrade to approximate elevation the contractor shall cause soil samples for CBR determination to be taken at a maximum interval of 300 feet measured along the street centerline. The CBR of each sample shall be determined and the average CBR shall be used to determine the pavement structure requirements. The pavement materials and the amount thereof as shown on the typical street section may be modified by the results of these tests in accordance with the City standards and if approved by the City Engineer. A copy of all soils test results shall be submitted to the City Engineer prior to the placing of any base or subbase material. This work shall not be required on streets classified as Local/Sub-Class A. Paving sections shall not be reduced below the City minimum section.
    The contractor is responsible fall all pavement repairs in city streets and within city right-of-way.
19. City Inspectors have full authority to reject fill or backfill materials, require undercutting or subgrade stabilization, require provisions for subdrainage, or require other measures which affect the integrity of road and utility construction Failure to comply with Inspector's directives shall be cause for non-acceptance to the facility.
20. Traffic control on public streets shall be in conformance with the Manual of Uniform Traffic Control Devices and as further directed by City Inspectors.
21. Any discrepancies found between the drawings and specifications and site conditions or any inconsistencies or ambiguities in drawings or specifications shall be immediately reported to the engineer, in writing, who shall promptly address such inconsistencies or ambiguities. Work done by the contractor after his discovery of such discrepancies, inconsistencies, or ambiguities shall be done at the contractor's risk.
22. A preconstruction conference shall be held prior to the start of the construction. The contractor shall arrange the meeting with the City Engineer.
23. All proposed public water and sewer mains to have a dedicated easement in place and recorded before the City of Harrisonburg will turn on the public water supply. Owner to coordinate with surveyor, owner's attorney, and City Engineer's Office for easement plat and City standard Deed of Easement. The plat and deed to be reviewed by City prior to recordation and after recordation the deed book and page number or copy of Clerk of Court recordation receipt to be provided to City Engineer Office (Doug Adams).

ADDITIONAL NOTES

24. Site statistics: Zoned B-1, Total Site Area = 78,725 sf (A portion of 5 parcels), Disturbed Area = 103,000± sf, Green Space = 27900± sf (35% of Total Area); Impervious Area = 49,440± sf.
25. City Landscape requirements: Site paved area = 28,520± sf; Landscape/green area within 30' of pavement = 18,225± sf (approximately 64%±)
26. Water Main: All water lines shall be 8" ductile iron slip joint class 52, unless stated otherwise on plan. The minimum depth to the top of the pipe shall be 36" and a 10' minimum separation between sewer lines.
27. Water Main Connection: Phase 1: The connection of the proposed 8" water main into the existing 8" water main in South Liberty Street is to be via a 8"x8" wet tap and sleeve. Contractor to provide and install both 6"x6" and 8"x8" tapping sleeve, 6" and 8" tapping valve, and install an OSHA safe trench. Upon execution of a work authorization agreement, the City will pressure test the sleeve in place and will tap the existing main. Phase 2: The connection of the proposed 6" water main into the existing 6" water main in South Main Street is to be via a 6"x6" wet tap and sleeve. Contractor to provide and install 6"x6" tapping sleeve and 6" tapping valve. Upon execution of a work authorization agreement, the City will pressure test the sleeve in place and will tap the existing main.
28. Water Lateral and Meter: Phase 1: Per City standards the contractor is to install a 3" water lateral from main to meter, a 2" water meter per DCSM Drawing 29 on page 43 of Chapter 7; and a 3" lateral (IBC approved material) from meter to building mechanical room. Contractor to construct 3" service line from main to meter manhole, the meter manhole, a 3"x2" reducer, and 2" stub at meter manhole; City forces will construct the service within the meter manhole and provide a 2" stub behind meter manhole – schedule of installtion is subject to availability of City crews; contractor to provide 3"x2" increaser and 3" lateral from meter manhole to building. Phase 2: The existing 1" water service to Community Development building shall remain active through Phase 1 of the project. During Phase 2, the existing meter will be abandoned by City forces upon execution of a work authorization agreement.
29. Fire Suppression System: The 6" DI fire line with detector check valve and backflow prevention to be built in accordance with City DCSM DWG. NO. 2, PAGE K-5. The contractor shall install touch read wire in a ¾" conduit from the detector check assembly bypass meter to a touch pad in the lid of the domestic meter box. Place the detector check/backflow preventer inside proposed building mechanical room. Note, an additional interior fire suppression plan will be required.
30. All storm sewer piping shall be either HDPE smooth walled, or reinforced concrete pipe (RCP) Class III unless otherwise noted.
31. Sanitary sewer: Phase 1: A new 6" lateral is to be installed from the new building to the existing City MH 25/36 approximately 14" above the existing 6" lateral in invert. This new laterals shall be at a minimum slope of 1/8" per foot and shall conform with City Standard Detail Drawings 48, 49 and 51. All cleanouts in pavement to be Heavy Duty Sanitary Lateral Cleanout. Phase 2: The existing laterals to 409 South Main Street are to be plugged at either the main or manhole and removed per City standards. Contractor shall perform the work and coordinate the inspection with Public Works to view plugs before backfilling.
32. Handicap spaces to have vertical signs with the international handicap symbol. At least one space must be van accessible with "Van Accessible" sign below the international sign. Minimum height to sign bottom is 4'-0", maximum is 7'-0". Accessibility ramps to be VDOT standard CG-12B as shown in the Road and Bridge Standards' 203.07 detail.
33. Site Lighting: Site lighting will be per the site lighting plan by MEI. No more than 0.5 footcandle at property line is permitted. Light Poles to be provided by HEC; contractor to coordinate with HEC (Brian Odell 434-5361) to obtain poles. Contractor responsible for installation of poles, pole bases and all conduit\wiring needed.
34. Trash collection: Trash collection will utilize a City trash service. The dumpster will be located inside the basement with collection at the rear service door.
35. Emergency Access: During construction at least one entrance is to remain open onto the site at all times. All parking drive areas are to be designated as permanent fire lanes with no parking allowed.
36. The Erosion Control Narrative is a part of these plans. Contractor to comply with any additional items contained in the narrative.
37. Electric: All proposed electric lines shall be run underground while on site. Contractor to to coordinate with HEC (Brian Odell 434-5361) for transformer pads. Transformer front to face the South. Transformer clearance requirements are 3' for sides and rear; 10' for the front.
38. Construction traffic to utilize Warren St., and access new building from behind the existing annex building.
39. Any issues relating to soils is the responsibility of the general contractor. This includes payment for all soils consultant/independent engineering costs and fees, as well as other site related testing fees or costs.
40. Omitted.
41. Boundary and topographic data obtained from January 2011 field survey provided by Benner and Associates.
42. Parking: Per City zone B-1 Ordinance, no minimum parking is required. The proposed site provides 49 spaces, 3 of which are handicapped.
43. Sign: No exterior ground sign is proposed at this time.



LIGHT PAVEMENT SECTION
N.T.S.



HEAVY PAVEMENT SECTION
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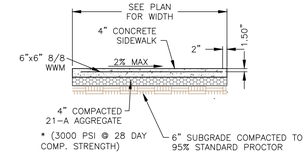

SIDEWALK DETAIL
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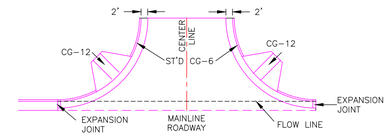
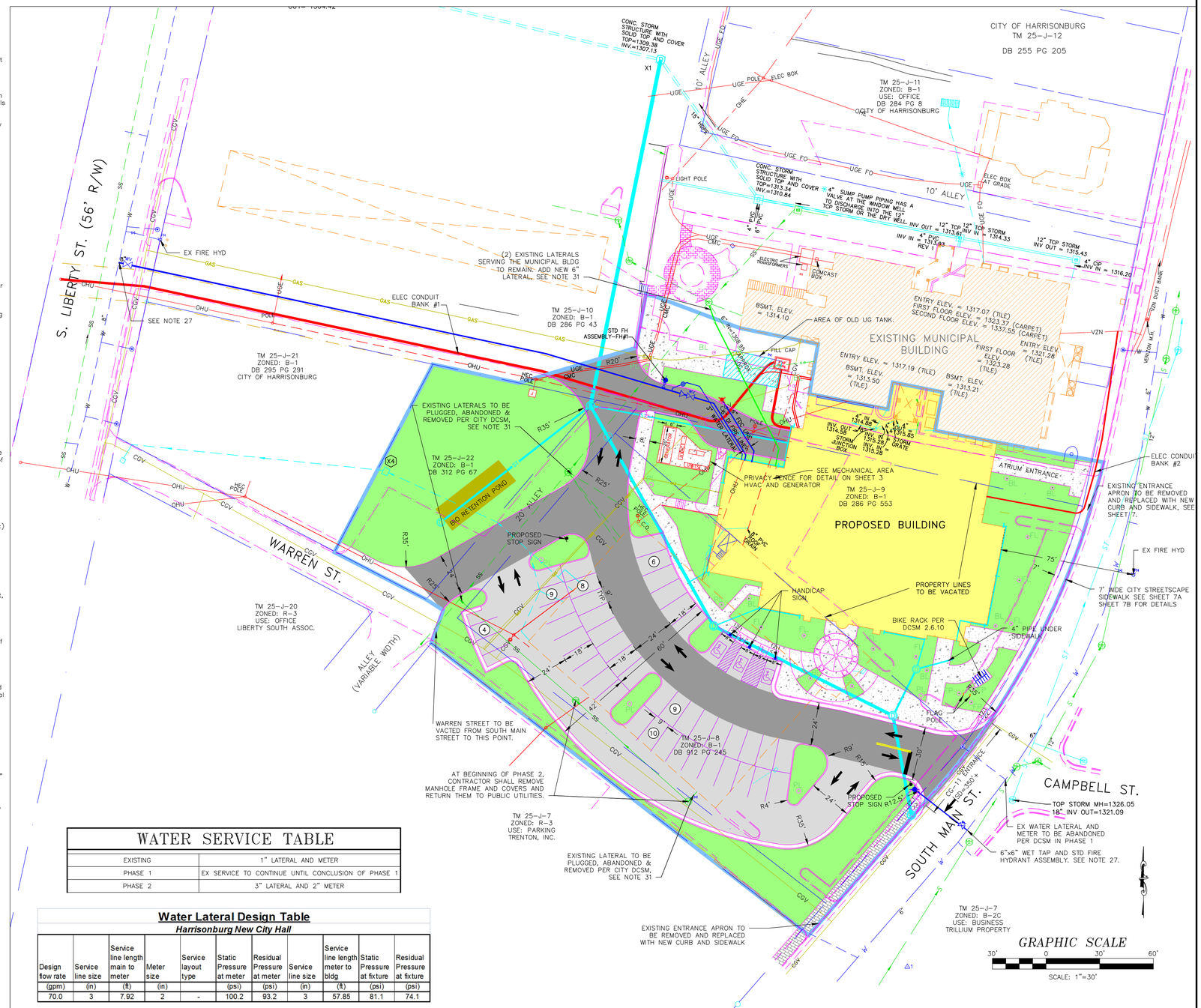


CG-11 DETAIL
NTS



WATER SERVICE TABLE

EXISTING	1" LATERAL AND METER
PHASE 1	EX SERVICE TO CONTINUE UNTIL CONCLUSION OF PHASE 1
PHASE 2	3" LATERAL AND 2" METER

Water Lateral Design Table

Harrisonburg New City Hall

Design flow rate	Service line size	Service line length main to meter	Meter size	Service layout type	Static Pressure at meter	Residual Pressure at meter	Service line size	Service line length meter to bldg	Static Pressure at fixture	Residual Pressure at fixture
(gpm)	(in)	(ft)	(in)		(psi)	(psi)	(in)	(ft)	(psi)	(psi)
70.0	3	7.92	2	-	100.2	93.2	3	57.85	81.1	74.1

Date: 1/27/2014
Scale: 1"=30'
Designed by: EHB
Drawn by: PBR
Checked by: EHB

BLACKWELL ENGINEERING, PLC
566 East Market Street
Harrisonburg, Virginia 22801
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COMMONWEALTH OF VIRGINIA
4-2-14
EDMOND H. BLACKWELL
Lic. No. 023361
PROFESSIONAL ENGINEER

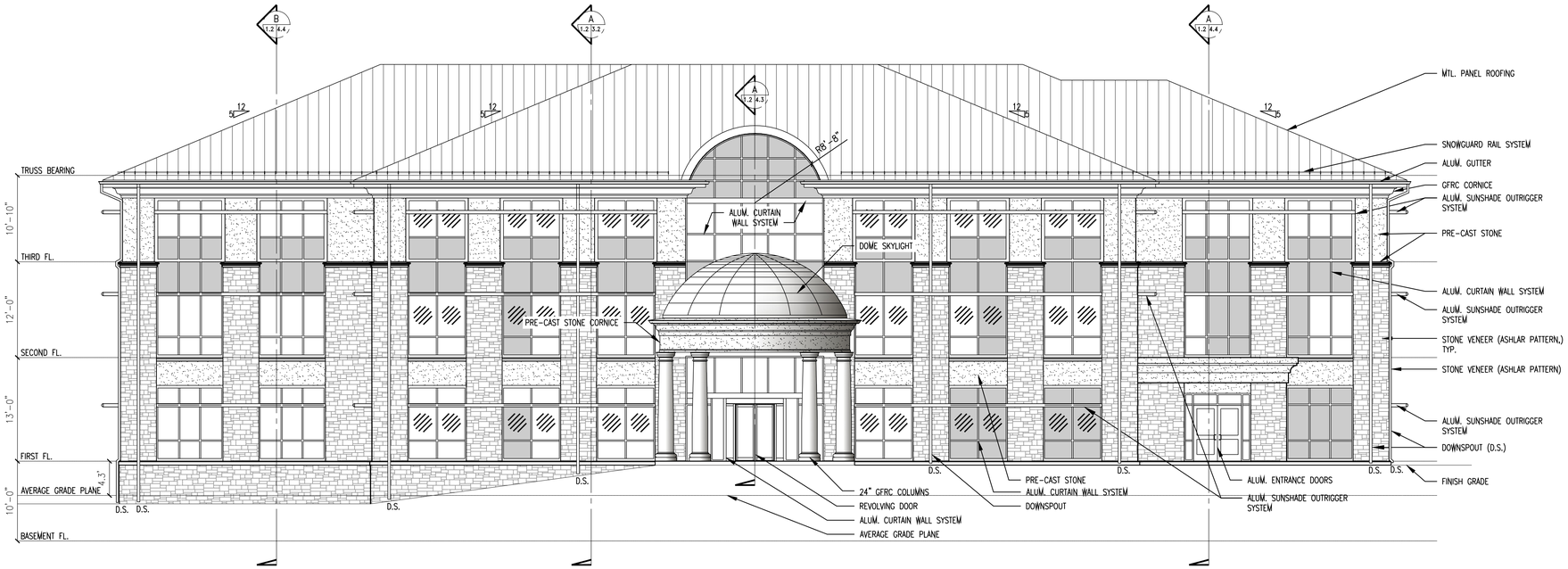
Revision Dates

SITE LAYOUT & UTILITY PLAN

HARRISONBURG CITY HALL
CITY OF HARRISONBURG
345 SOUTH MAIN STREET
HARRISONBURG, VA 22801

Drawing No.
2
of 7 Sheets

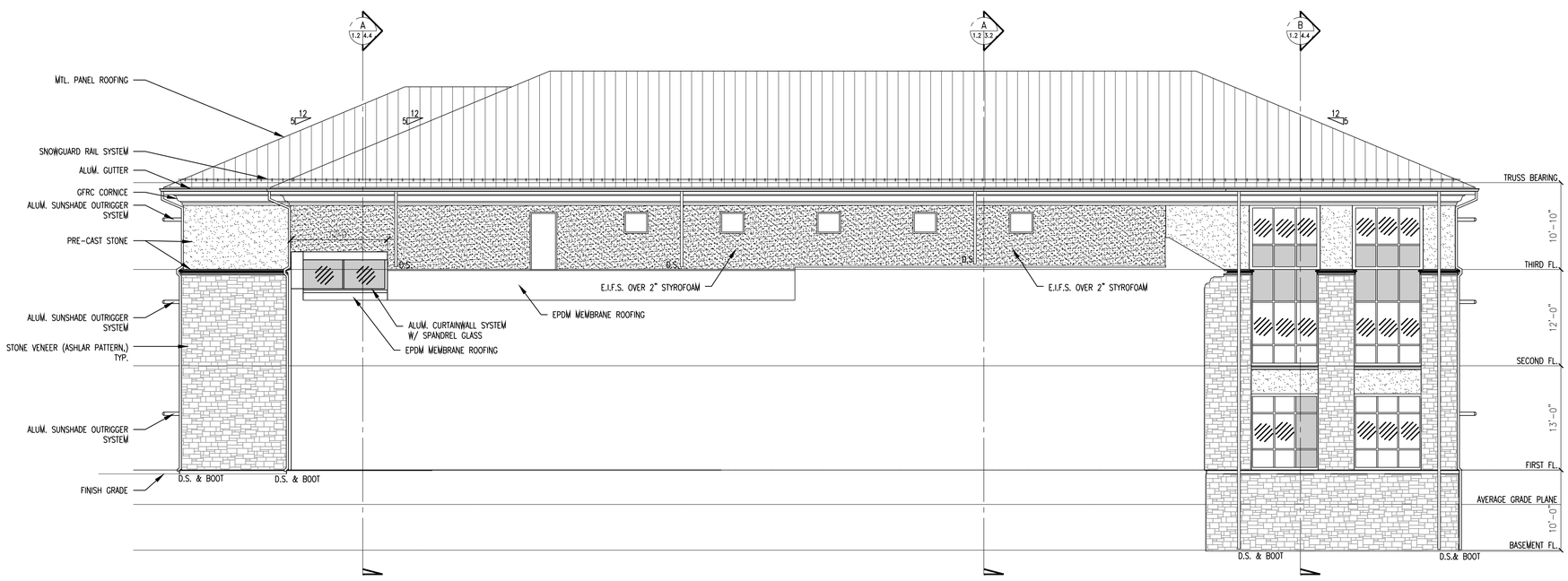
Job No. 2347



Front Elevation

1/8"=1'-0"

INDICATES SPANDREL GLASS



Rear Elevation

1/8"=1'-0"

INDICATES SPANDREL GLASS

MATHER ARCHITECTS, P.C.
373 Neff Ave, Harrisonburg, VA 22801
Phone Number: (540) 442-1400

Elevations

Scale: 1/8" = 1'-0"

New City Hall

Harrisonburg, Virginia

COMMONWEALTH OF VIRGINIA
JOHN R. MATHER
Lic. No. 7453
3-31-14
ARCHITECT

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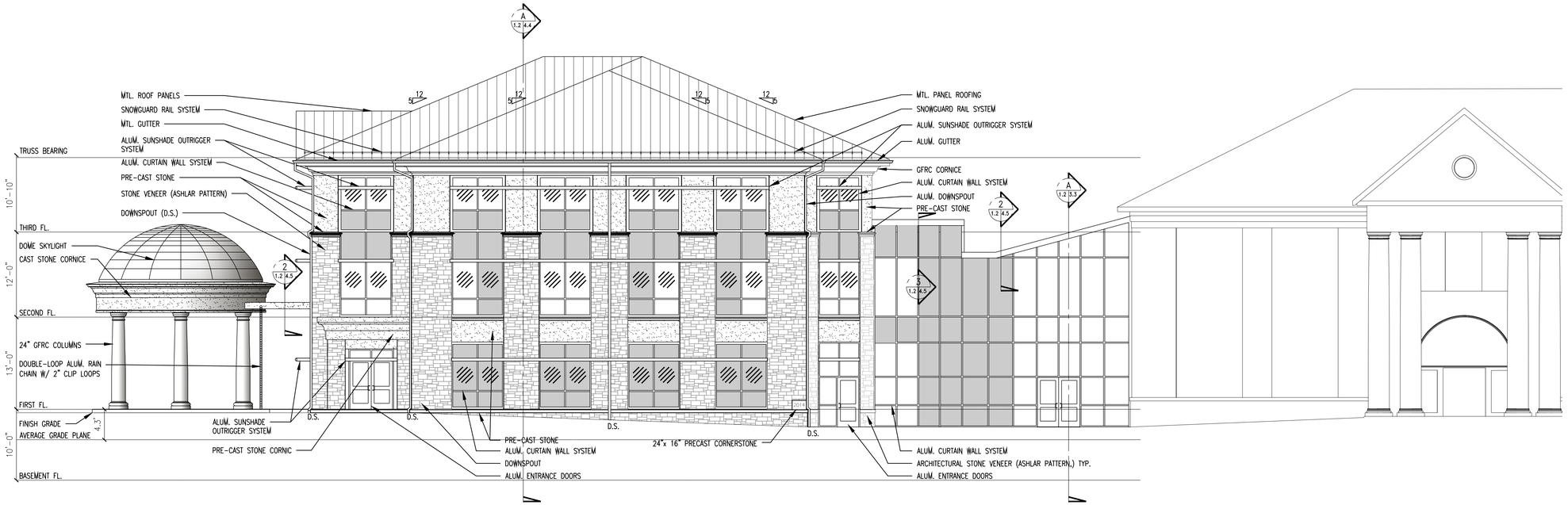
MATHER ARCHITECTS, P.C.

Date:	03/31/2014
Project:	013007
File:	xx.dwg
Drawn By:	fwr

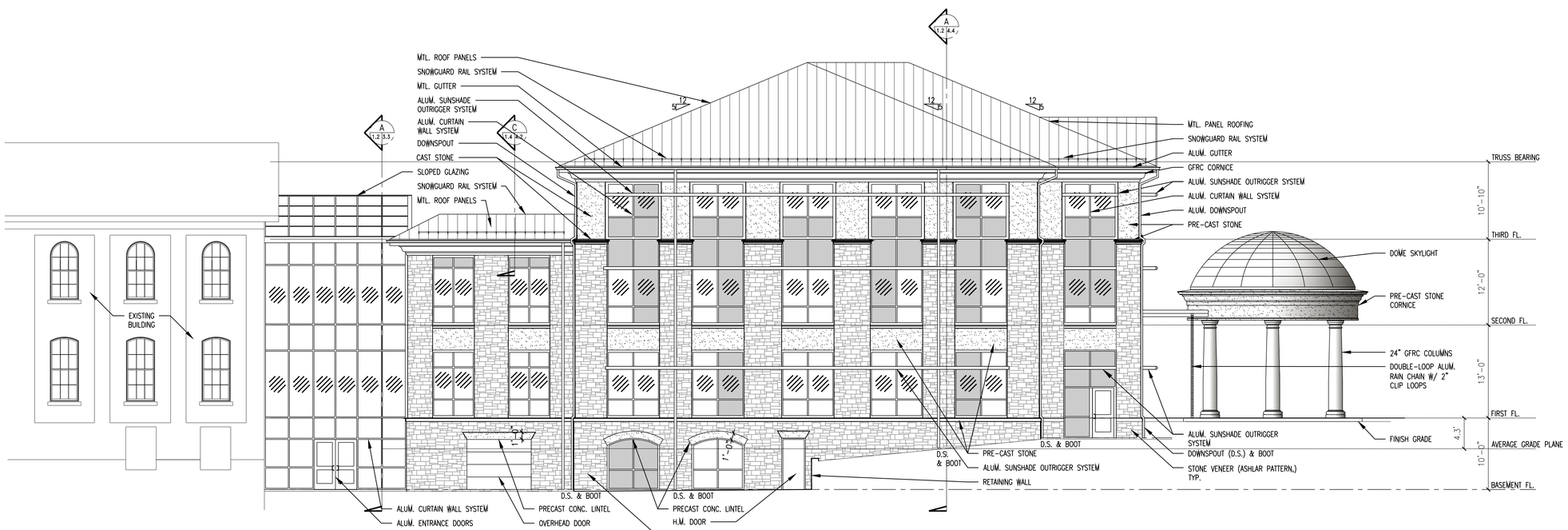
A2.1



Right Side Elevation

1/8"=1'-0"

INDICATES SPANDREL GLASS



Left Side Elevation

1/8"=1'-0"

INDICATES SPANDREL GLASS

MATHER ARCHITECTS, P.C.
373 Neff Ave, Harrisonburg, VA 22801
Phone Number: (540) 442-1400

Side Elevations

Scale: 1/8" = 1'-0"

New City Hall
Harrisonburg, Virginia

COMMONWEALTH OF VIRGINIA
JOHN R. MATHER
Lic. No. 7453
3-31-14
ARCHITECT

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MATHER ARCHITECTS, P.C.

Date:	03/31/2014
Project:	013007
File:	xx.dwg
Drawn By:	fwr

A2.2

Extract from City Council's September 24, 2013 Regular Meeting

Item #7: Mather Architects will make a presentation at the request of Council regarding the potential location of the new municipal building on the lot north of the current municipal building.

John Mather, of Mather Architects, made a presentation at the request of Council regarding the potential location of the new Municipal Building on the lot north of the current municipal building. The first major issue with locating the new building on the north side lot is the GIS map shows this building would be partially sitting in a 100 year floodplain, and completely encompassed by the 500 year floodplain. Building on the north side of the current Municipal Building would also not allow for space for an atrium between the two buildings, and would not preserve the original historic face of the older building. The third concern with building on the north side is that the parking currently located there would be lost and have to be made up in another area. One variation of the plan to build on the north side would include preserving the old school board building, however the through-street would be lost and the new Municipal Building would have to face towards Liberty Street, as it would not be seen from Main Street. Facing the building in this direction would mean traffic would be circuitous to get to the building because the driver would have to pass the building traveling on South Main Street, and turn left on Water Street, and then left again on Liberty Street, and left into the parking lot of the new Municipal Building. Because of the more than 200 parking spaces that are needed for City employees, visitors, and Farmers Market guests, parking would have to be to the south side of the building and therefore severely limit the amount of green space. Another variation of the new Municipal Building on the north side lot would include demolishing the old school board building. This would give some frontage to the new building on Main Street; however a driver would still not be able to identify the building until they were right up on it or past it. A small parking lot with about a dozen spaces could be placed in front of this design, and therefore would move the building location back off Main Street. This again would mean that visitors to the Municipal Building would still need prior knowledge of where the building is located. The second problem with the variation that would demolish the old school board building is that downtown would lose a historic building on Main Street. Another variation of the new Municipal Building on the north side lot would include spacing the new building 27 feet away from the old building. This would create enough space for an atrium between the two buildings and allow for historic preservation of the old building; however it would create a long and narrow space for offices which could be problematic for functionality.

Council Member Baugh asked Mr. Mather to work on two more considerations for footprints. Both explorations would include tearing down the current Community Development Building and using that space. This would mean staff would need to be relocated during construction. Council Member Baugh asked Mr. Mather to first look into a building that would front Main Street, and potentially close Warren Street with Council Member Baugh asked Mr. Mather to work on two more considerations for footprints. Both explorations would include tearing down the current Community Development Building and using that space. This would mean staff would need to be relocated during construction. Council Member Baugh asked Mr. Mather to first look into a building that would front Main Street, and potentially close Warren Street with potential to maintain a south face and a Main Street orientation. This one would have to include

parking behind the building. Second, he asked Mr. Mather to look at how far back the building could be moved off of Main Street in order to have parking in front of the building and also would not obscure the existing structure. This would have less emphasis on the south façade.

Mr. Mather stated that with parking in front of the building and the building set back from the road, the same issue of not being able to see the building as you drive up Main Street would exist. He stated that there is also a difference in elevation between the two sides that he will have to look into. Mr. Mather will look into the two new locations that Council requested and report back at the next Council meeting.

Council Member Baugh offered a motion to approve Mr. Mather to work on the footprints for the two new locations as presented. The motion was seconded by Council Member Shearer and approved with a recorded roll call vote taken as follows:

> Yes – Council Member Baugh, Mayor Byrd, Council Member Degner, Vice-Mayor Chenault and Council Member Shearer
>
> No – None.

Council Member Baugh added that City Manager Hodgen should look at the real costs to relocate staff for these two new footprints. He requested Mr. Hodgen look at the cost of doing two moves, as well as the cost of the space needed for use by the Community Development Department and Council during the construction time. Council Member Baugh requested City Manager Hodgen report back at the next Council meeting on his findings.

Council Member Baugh stated that Council is still interested in setting up a public process to get input on the new Municipal Building project after they review the two footprints at the next Council meeting. Council Member Baugh offered a motion to have staff report back at the next Council meeting on a public input process for the new Municipal Building. The motion was seconded by Vice-Mayor Chenault and approved with a unanimous voice vote.

> Yes – Council Member Baugh, Mayor Byrd, Vice-Mayor Chenault, Council Member Degner and Council Member Shearer.
>
> No – None.

Extract from City Council's October 8, 2013 Regular Meeting

Item #8: Mather Architects will make a presentation at the request of Council regarding the potential location of the new municipal building on the lot south of the current municipal building.

John Mather, Mather Architects, provided a presentation regarding the potential location for the new municipal building on the lot south of the current Municipal Building and in the vicinity of the existing Community Development Building. Mr. Mather reviewed the existing site of the Municipal Building with the 80 parking spaces on south side. Mr. Mather reviewed two versions of the site with one placing the new building with parking located on both the side and back of the building and the other moving the building back creating parking on the front and back of the building. Mr. Mather stated if Council would decide to go with the parking on the front and back, two main entrances would be created. Also, on both options the eastern part of Warren Street would be removed, so it might cause more traffic to move between the buildings. Mr. Mather reviewed the pros of the building which he felt the status quo is maintained and the Municipal Building is unaffected. Mr. Mather reviewed the cons which were as follows: city buildings will be permanently separated by roads and parking; confusion, perhaps, in terms of which building is "City Hall"; still difficult to identify building from Main Street approach; much of parking is not adjacent to main entry and/or Council Chambers; front and back of building are at different levels, so lobby or main hall will need to extend thru building; limited opportunity to improve site circulation and alignment of Campbell Street; lost some "green space" next to Farmers Market; lost opportunity for community atrium space; Farmers Market remains largely hidden from Main Street view; and Community Development would need to be relocated for 1 to 1½ years. No further action on this matter was taken.

City Manager Hodgen presented estimated expenses for temporary relocation of the Community Development Offices based on need of 15,500 square foot for fifteen months. City Manager Hodgen stated if rental space was found and the space was finished it could cost $266,000 to $325,000. City Manager Hodgen stated if rental space was found and the space was unfinished, it could cost $556,400 to $963,900. City Manager Hodgen stated possible parking costs for staff and the general public was not included in the estimates and didn't include the temporary relocation of Council Chambers or possible associated costs. City Manager Hodgen stated staff is not aware of any single building with 15,500 square feet of "ready to occupy" office space, but Council could possibly relocate their meetings to either the School Board meeting room or the Board of Supervisors meeting room. Staff believes the new municipal building could serve possibly 50 years or more as the current one has.

City Manager Hodgen stated during the September 24 Council Meeting, staff was asked to report back to Council on the process recommended for a public input meeting relative to the Municipal Building project. City Manager Hodgen stated staff's recommendation was as follows: an input session to be held in an open house format with displays with staff and the architect's team present to collect information and comments. A handout and comment form would be provided to each member of the public when they sign in. Proposed date and time is October 16, 2013 from 4:30 through 7:30 p.m. City Manager Hodgen stated staff also plans to utilize the City's website to also collect input from citizens. Council would like to show citizens all options for the

Municipal Building. Vice-Mayor Chenault offered a motion for a public input session to be held on Wednesday, October 16, 2013 from 4:30 through 7:30 p.m. As well as, content available on the website on Wednesday or sooner if possible for comments to be received until 8:00 a.m. on Monday, October 21, 2013. The motion was seconded by Council Member Degner and approved with a unanimous voice vote. It was also noted that citizens could continue to submit e-mails and/or letters to staff and Council. Staff is planning to present a report at the October 22, 2013 Council Meeting about the information gathered during the input period.

Extract from City Council's October 22, 2013 Regular Meeting

Item #9: Staff will update Council on information received relative to the Municipal Building project from the October 16 public input meeting and online comment process, which concludes on 8:00 AM on Monday, October 21, 2013.Following the update, staff will request direction on how to move forward with the project through either: 1) Council selection of a preferred building site option; or 2) Council establishing a date at which time a selection will be made.

City Manager Hodgen provided an update on the Municipal Building Project and Public Input Process. City Manager Hodgen stated a public input meeting was held last Wednesday and comments were received through 8:00 a.m. Monday, October 21, 2013. City Manager Hodgen stated 70 citizens attended the meeting and a total of 81 comments were received. City Manager Hodgen stated all comments that were received on the survey were posted on the City's website. City Manager Hodgen asked Council for direction and reminded them that the City has an architect under contract.

Vice-Mayor Chenault stated that section 10-1-6 of the Harrisonburg City Code provides that in certain situations public facilities, including public buildings, be referred to the Planning Commission to ensure that the general location, character and extent thereof conform to the comprehensive plan. Section 10-1-6 also provides that such a referral to Planning Commission may be waived by Council in any instance in when Council deems it advisable to do so. The location of the proposed new municipal building is designated in the current comprehensive plan for use for public facilities, so Vice-Mayor Chenault believed that Planning Commission approval is not necessary. The new municipal building will replace an existing municipal building next door to the proposed building, and Planning Commission approved the new municipal building as part of current Capital Improvement Program (CIP), which is based on the comprehensive plan. For those reasons, Vice-Mayor Chenault offered a motion that pursuant to Harrisonburg Code Section 10-1-6, referral of the new municipal building to Planning Commission be waived. The motion was seconded by Council Member Shearer. Discussion on the following occurred: approved as part of the CIP; would have liked more people involved earlier on in the process; option 6 provides a bigger green footprint, allows view of Turner Pavilion, aligns with Campbell Street, puts all city offices in one building; and all of Council didn't agree this motion was necessary and some felt better by having this section noted. The motion was approved with a recorded roll call vote taken as follows:

Yes – Mayor Byrd, Vice-Mayor Chenault and Council Member Shearer.

No – Council Member Baugh and Council Member Degner.

Vice-Mayor Chenault moved that option 6 be adopted as the design location for the new Municipal Building and that the building process include retrofitting the old municipal building lower rear level with bathrooms, an office, and storage space for the farmer's market as well as having the architect review the parking space layout for the option to reduce its impact on the green space in the rear and perhaps reducing parking spaces. The motion was seconded by Council Member Shearer. Discussion on the following occurred: staff doesn't have to move for

additional cost; option 4 has been out less time for review and it maintains the view from Main Street; spending more money maybe worthwhile; preserve and relocate; create a policy for historic City owned buildings; expansion options; and disagreement of building less than 100 ft difference in location. The motion was approved with a recorded roll call vote taken as follows:

Yes – Mayor Byrd, Vice-Mayor Chenault and Council Member Shearer.

No – Council Member Baugh and Council Member Degner.

For additional information, please see the pages and documents at the webpages listed below:

New City Hall ITB (Invitation to Bid) webpage:

- This page provides information and bid documents, attachments, and addenda documents for the new City Hall.
- http://www.harrisonburgva.gov/new-city-hall-itb-2014

Selected Site Option for the New City Hall webpage:

- This page contains the information for the chosen site option for the new City Hall. This option was one of six options made available for public input.
- http://www.harrisonburgva.gov/city-hall-site-6

Public Information and Input Session Summary document page:

- This page contains the document that summarizes the comments associated with the six options made available for public input.
- http://www.harrisonburgva.gov/sites/default/files/CMO/files/Comment%20Sheet%20-%20Final.pdf

March 2014 Proactive-Zoning Report

For the month of March 2014 the proactive-zoning program inspected the **Chicago Avenue** section of the city. During the proactive inspections four violations were found. The violations consisted of inoperable vehicles.

MONTH	SECTOR	4th CYCLE VIOLATIONS	CORRECTED	1st CYCLE	2nd CYCLE	3rd CYCLE
December 2011	Wyndham Woods	2	2	2	0	4
January 2012	Northfield	13	13	21	6	19
February 2012	Purcell Park	8	8	7	6	5
March 2012	Parkview	5	5	19	7	16
April 2012	Ind./Tech Park	0	0	0	1	0
May 2012	Northeast	29	29	80	45	63
June 2012	Exit 243	1	1	10	0	1
July 2012	Fairway Hills	2	2	1	0	0
August 2012	Smithland Rd.	2	2	0	4	0
September 2012	N. Main St.	10	10	13	4	4
October 2012	Liberty St.	11	11	6	4	18
November 2012	Westover	13	13	18	8	17
December 2012	Garbers Church	9	9	1	2	1
January 2013	Spotswood Acres	8	8	6	4	1
February 2013	Jefferson St.	21	21	26	22	35
March 2013	Forest Hills/JMU	1	1	6	1	1
April 2013	S. Main St.	5	5	1	0	2
May 2013	Hillandale	11	11	7	5	17
June 2013	Maplehurst/JMU	0	0	6	5	2
July 2013	Long Ave/Norwood	11	11	12	28	17
August 2013	Greystone	9	9	13	10	13
September 2013	Greendale/SE	1	1	3	2	5
October 2013	Ramblewood	11	11	4	8	1
November 2013	Stone Spring Village/JMU	2	2	2	10	0
December 2013	Sunset Heights	2	2	7	29	10
January 2014	Reherd Acres	10	10	10	12	9
February 2014	RT 33 West	13	10	0	16	6
March 2014	Chicago Ave	4	n/a	16	22	29
April 2014	Pleasant Hill			4	13	17
May 2014	Avalon Woods			7	26	11
June 2014	Waterman Elementary			6	61	18
July 2014	Keister Elem			6	5	8
August 2014	500-600 S. Main			7	30	16
September 2014	Court Square			0	3	2
October 2014	Bluestone Hills & Valley Mall			3	33	31
November 2014	Preston Heights			8	3	1

The proactive-zoning program for April 2014 will be directed towards the enforcement of the Zoning Ordinance in the **Pleasant Hill** section of the City.