

# South Canal Rezoning

## Revised Proffered Conditions

- Applicant:** South Canal, LLC
- Property:** 111 Hull Street (S0000052017) and 1 Hull Street (S0000052006).  
Collectively the parcels shall be hereinafter referred to as the “Subject Property”
- Project Name:** South Canal Development (the “Proposed Project”)
- Rezoning Request:** Conditional Rezoning from RF-1 to B-4.
- City File No.** 9810
- Date:** August 15, 2016

The property owners and applicants in this rezoning case, pursuant to the Code of Virginia (1950 as amended) and the Zoning Ordinance of the City of Richmond, for themselves and their successors or assigns, proffer that the property under consideration for rezoning (the “Subject Property”) will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the owners and applicants. In the event this request is denied or approved with conditions not agreed to by the owners and applicants, the proffer shall immediately be null and void and of no further force or effect.

1. **Driveway Conveyance to City.** The Developer will, pursuant to the terms of the Development Agreement, dedicate to the City fee ownership of the Driveway Parcel. This proffer is needed in connection with the rezoning, has a reasonable relation to the rezoning, is in conformity with the City Master Plan and, as drafted in the Development Agreement, is clearly understandable and enforceable.
2. **Construction of Replacement Bridge.** The Developer will, pursuant to the terms of the Developer Agreement, construct a replacement bridge over the Manchester Canal to provide access for the Developer, the City and the general public to the Subject Property and to the Floodwall. This proffer is needed in connection with the rezoning, has a reasonable relation to the rezoning, is in conformity with the City Master Plan and, as drafted in the Development Agreement, is clearly understandable and enforceable.

3. **Height Restriction – 16 Stories.** The Developer will limit the overall height of any structures erected on the Subject Property to a maximum height of one hundred and eighty-five (185) feet, as measured from mean grade level in accordance with the Zoning Ordinance.
4. **Prohibited Uses.** The Developer agrees that the following uses which would otherwise be permitted by B-4 zoning shall not be permitted on the Subject Property: adult entertainment, adult book stores, adult motion picture theaters, funeral homes, furniture repair and upholstery shops, hospitals, janitorial and custodial service and supplies establishments, animal hospital including boarding clinics, flea markets, and shelters.
5. **Car Turnaround.** The Developer, prior to receiving a certificate of occupancy for any buildings located on the Subject Property, shall construct and perpetually maintain a passenger vehicle turnaround adjacent to the northern end of the Replacement Bridge to facilitate immediate reversal of direction by passenger cars which have crossed the bridge in error.
6. **Fire Truck Turn-Around.** The Developer, prior to receiving a certificate of occupancy for any buildings located on the Subject Property, shall construct and otherwise provide for a turn-around for the use of fire and safety vehicles, which turn-around shall be located on the Subject Property, designed in compliance with applicable regulations as set forth on **Exhibit “A”** attached hereto and approved by the City’s Department of Fire and Emergency Services.
7. **Second Fire/Safety Access.** The Developer, prior to receiving a certificate of occupancy for any buildings located on the Subject Property, shall construct and otherwise provide for a second means of access for fire and safety vehicles over and across Diversity Park in the location shown on the Survey attached hereto as **Exhibit C** and constructed substantially in compliance with the specifications attached hereto as **Exhibits “B-1”** and **“B-2”** and approved by the City’s Department of Fire and Emergency Services. This proffer is needed in connection with the rezoning, has a reasonable relation to the rezoning, is in conformity with the City Master Plan and, as drafted in the Development Agreement, is clearly understandable and enforceable.
8. **Screening of Diversity Park.** The Developer shall provide and perpetually maintain vegetative screening at the first floor level between structures built on the Subject Property and Diversity Park.
9. **Department of Public Utilities and Army Corps of Engineers Approvals.** The Developer shall obtain all required approvals from the City’s Department of Public Utilities and the Army Corps of Engineers for the plans, specifications and construction

practices used for the development of the Subject Property and to erect the Replacement Bridge, including, but not limited to: (a) providing required before and after surveys of the condition of the adjacent portions of the flood wall; and (b) performing the work pursuant to National Permit Number 3.

10. **Pedestrian Path and Canal Recreation.** The Developer agrees that the design and location of all improvements constructed upon the Subject Property (the “Developer Improvements”), will be compatible with the City’s goal of establishing and maintaining the existing and future pedestrian path areas as a public amenity allowing recreation areas on the adjacent City property for walking, jogging, biking, fishing, kayaking and other similar purposes. Accordingly, the Developer agrees that Developer Improvements shall not encroach upon the adjacent City property, particularly along the flood wall pedestrian path and the Manchester Canal.
  
11. **Parking Garages/Areas.** The Developer acknowledges the City’s goal of limiting visibility of ground level parking garages/areas. Accordingly, the Developer agrees that the ground floor South-facing side of the buildings constructed on the Subject Property shall have residential units or commercial uses facing the Canal and to the extent any areas adjacent to such buildings are used for permanent parking spaces, such parking spaces shall be screened from pedestrian view at the ground level fronting the Canal.

Respectfully submitted,

SOUTH CANAL, LLC

By: 

Thomas W. Papa, Authorized Representative

Date: August 15, 2016

# EXHIBIT "A"

[Home](#)[ICC Home](#)[Contact Us](#)[Help](#)[Shop](#)

## ICC publicACCESS

[Home](#) > [2012 VA Fire Prevention Code](#)

### 2012 VA Fire Prevention Code

Chapter Selector

[Table of Contents](#)

#### APPENDIX D FIRE APPARATUS ACCESS ROADS

***DHCD Note: The provisions of this appendix are not part of this code and are provided only as a resource for local governments in consideration of the adoption of local fire prevention regulations.***

#### SECTION D101 GENERAL

##### D101.1 Scope.

Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

#### SECTION D102 REQUIRED ACCESS

##### D102.1 Access and loading.

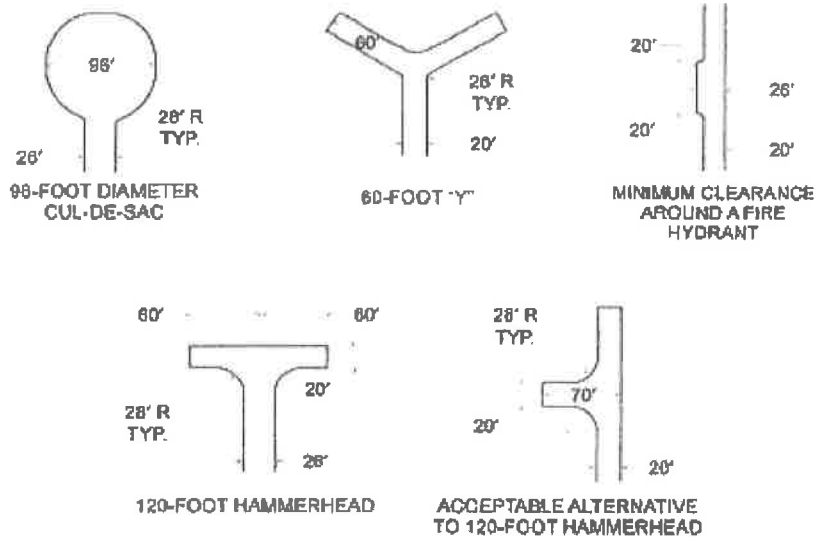
Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

#### SECTION D103 MINIMUM SPECIFICATIONS

##### D103.1 Access road width with a hydrant.

[BACK TO TOP](#)

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).



For SI: 1 foot = 304.8 mm.

### FIGURE D103.1 DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

#### D103.2 Grade.

Fire apparatus access roads shall not exceed 10 percent in grade.

**Exception:** Grades steeper than 10 percent as *approved* by the fire chief.

#### D103.3 Turning radius.

The minimum turning radius shall be determined by the *fire code official*.

#### D103.4 Dead ends.

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

### TABLE D103.4 REQUIREMENTS FOR DEAD-END FIRE

## APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.

### D103.5 Fire apparatus access road gates.

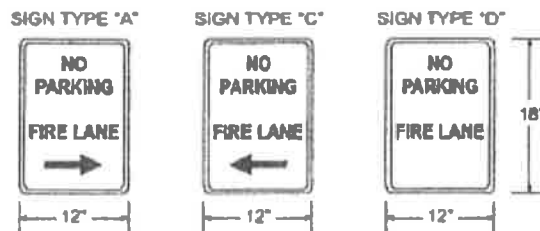
Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one *person*.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be *approved by the fire code official*.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the *fire code official*.
8. Electric gate operators, where provided, shall be *listed* in accordance with UL 325.
9. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F

[http://codes.iccsafe.org/app/book/content/VA/2012\\_VA\\_Fire\\_HTML/Appendix%20D.html](http://codes.iccsafe.org/app/book/content/VA/2012_VA_Fire_HTML/Appendix%20D.html)

2200.

**D103.6 Signs.** Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.



**FIGURE D103.6 FIRE LANE SIGNS**

**D103.6.1 Roads 20 to 26 feet in width.**

Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925 mm).

**D103.6.2 Roads more than 26 feet in width.**

Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm).

**SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS**

**D104.1 Buildings exceeding three stories or 30 feet in height.**

Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.

**D104.2 Buildings exceeding 62,000 square feet in area.**

Buildings or facilities having a gross *building area* of more than 62,000 square feet (5760 m<sup>2</sup>) shall be provided with two separate and *approved* fire apparatus access roads.

**Exception:** Projects having a gross *building area* of up to 124,000 square feet (11 520 m<sup>2</sup>) that have a single *approved* fire apparatus access road when all buildings are equipped throughout with *approved automatic sprinkler systems*.

#### **D104.3 Remoteness.**

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

### **SECTION D105 AERIAL FIRE APPARATUS ACCESS ROADS**

#### **D105.1 Where required.**

Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

#### **D105.2 Width.**

Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

#### **D105.3 Proximity to building.**

At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the *fire code official*.

#### **D105.4 Obstructions.**

Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the *fire code official*.

### **SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS**



**D106.1 Projects having more than 100 dwelling units.**

Multiple-family residential projects having more than 100 *dwelling units* shall be equipped throughout with two separate and *approved* fire apparatus access roads.

**Exception:** Projects having up to 200 *dwelling units* may have a single *approved* fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with *approved automatic sprinkler systems* installed in accordance with Section 903.3.1.1 or 903.3.1.2.

**D106.2 Projects having more than 200 dwelling units.**

Multiple-family residential projects having more than 200 *dwelling units* shall be provided with two separate and *approved* fire apparatus access roads regardless of whether they are equipped with an *approved automatic sprinkler system*.

**SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS****D107.1 One- or two-family dwelling residential developments.**

Developments of one- or two-family *dwelling units* where the number of *dwelling units* exceeds 30 shall be provided with two separate and *approved* fire apparatus access roads, and shall meet the requirements of Section D104.3.

**Exceptions:**

1. Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road and all *dwelling units* are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the *International Fire Code*, access from two directions shall not be required.
2. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

**D108 REFERENCED STANDARDS**

ASTM F 2200—05 Standard Specification for  
Automated Vehicular Gate  
Construction D103.5

4/27/2016

Codes and Standards | ICC publicACCESS

ICC	IFC—12	International Fire Code	D101.5, D107.1
UL	325—02	Door, Drapery, Gate, Louver, and Window Operators and Systems, with Revisions through February 2006	D103.5

Contact Us: 1-888-422-7233 Ext: 33021 | Technical Support: [Support & FAQ for Electronics Products](#) | [Shop](#)

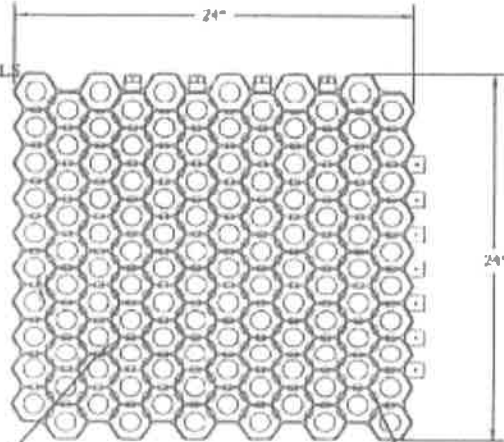
Copyright © 2016 ICC. All rights reserved.

# EXHIBIT "B-1"

## TUFFTRACK PRODUCT DESCRIPTION

PANEL SIZE - 24" x 24" x 1 1/2"  
 CELLS PER PANEL - (120) - 2-1/2" HEXAGONAL CELLS

NESTED HONEYCOMB CELL LAYOUT  
 COMPRESSIVE STRENGTH - 98,770 PSF  
 685 PSI  
 EXCEEDS H2O  
 LOADING



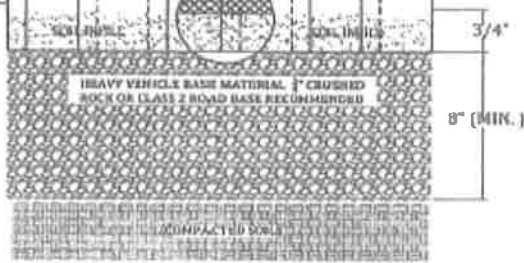
TUFFTRACK GRASS ROAD PAVEMENT

"SOD" PLANTING LEVELS INSIDE CELLS

ACTUAL FINISH GRADE

ADJOINING FINISH GRADE

SOIL FILL LEVEL INSIDE  
 PAVEMENT GRIDWORK AFTER  
 HEAVY WATER DOWN.  
 THIS IS THE ACTUAL SOD  
 PLANTING LEVEL.



### NOTE:

EXISTING SOILS SHOULD BE EVALUATED TO ENSURE  
 PROPER STRUCTURAL AND PERMEABILITY PROPERTIES.



## TYPICAL TUFFTRACK PAVEMENT FIRELANE DETAIL

HEAVY VEHICLE 40 PPM ACQUISITION

TECHNICAL SERVICES  
 1-800-871-4716  
 See www.nds.com for Page 9 details

D. G. S.

EXHIBIT "B-2"

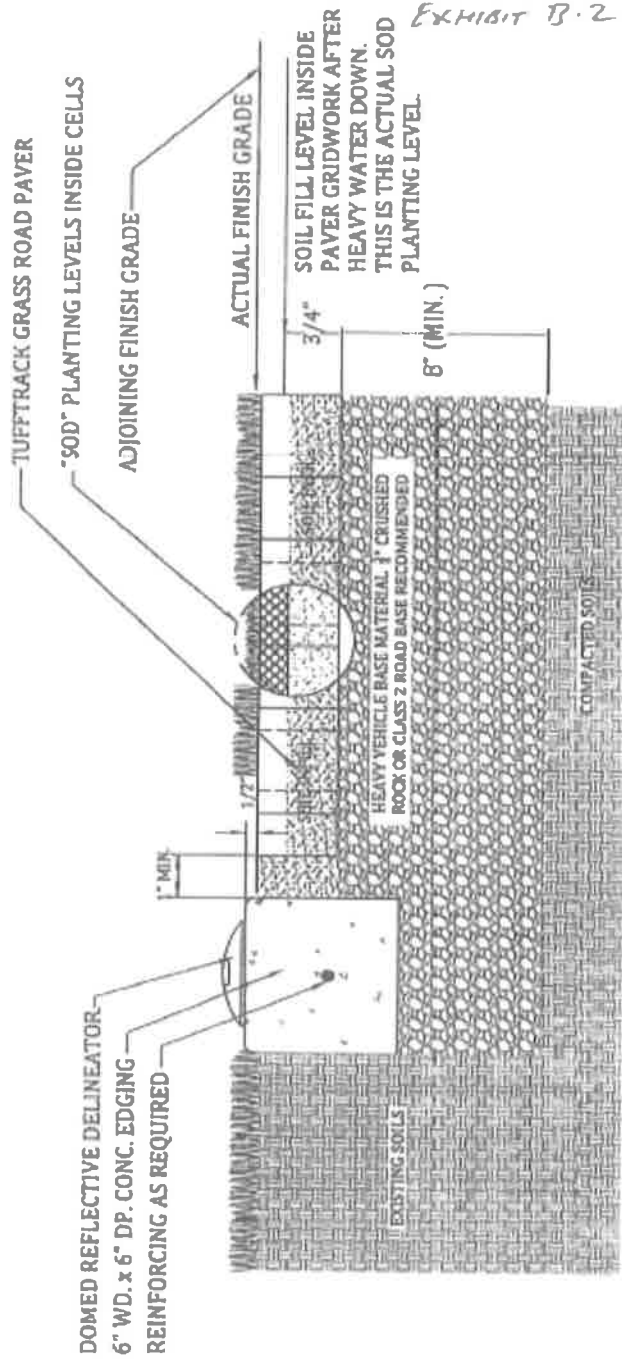


EXHIBIT B.2

NOTE:

EXISTING SOILS SHOULD BE EVALUATED TO ENSURE PROPER STRUCTURAL AND PERMEABILITY PROPERTIES.



TUFFTRACK GRASS PAVER FIRELANE CONCRETE EDGING W/ REFLECTOR  
HEAVY VEHICLE FIRELANE ACCESS ROAD

EXHIBIT C

\* BEARING BASIS (DATUM SOURCE): PER UNRECORDED PLANS BY NYFELER ASSOCIATES DATED 11/15/2012, TITLED "FOR SOUTH CANAL 111 AND 115 HULL STREET."

NOTE: THIS EXHIBIT WAS COMPILED FROM DEEDS/PLATS OF RECORD, WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY BE SUBJECT TO INFORMATION THAT MAY BE DISCLOSED BY SUCH, AND DOES NOT REPRESENT A BOUNDARY SURVEY AS REGULATED BY THE COMMONWEALTH OF VIRGINIA. NOT ALL EASEMENTS OR IMPROVEMENTS MAY BE SHOWN.

THE PURPOSE OF THIS EXHIBIT IS TO SHOW SEVERAL PARCELS OF LAND TO BE DEVELOPED, AS PER UNRECORDED PLANS BY NYFELER ASSOCIATES DATED 11/15/2012, TITLED "FOR SOUTH CANAL 111 AND 115 HULL STREET."

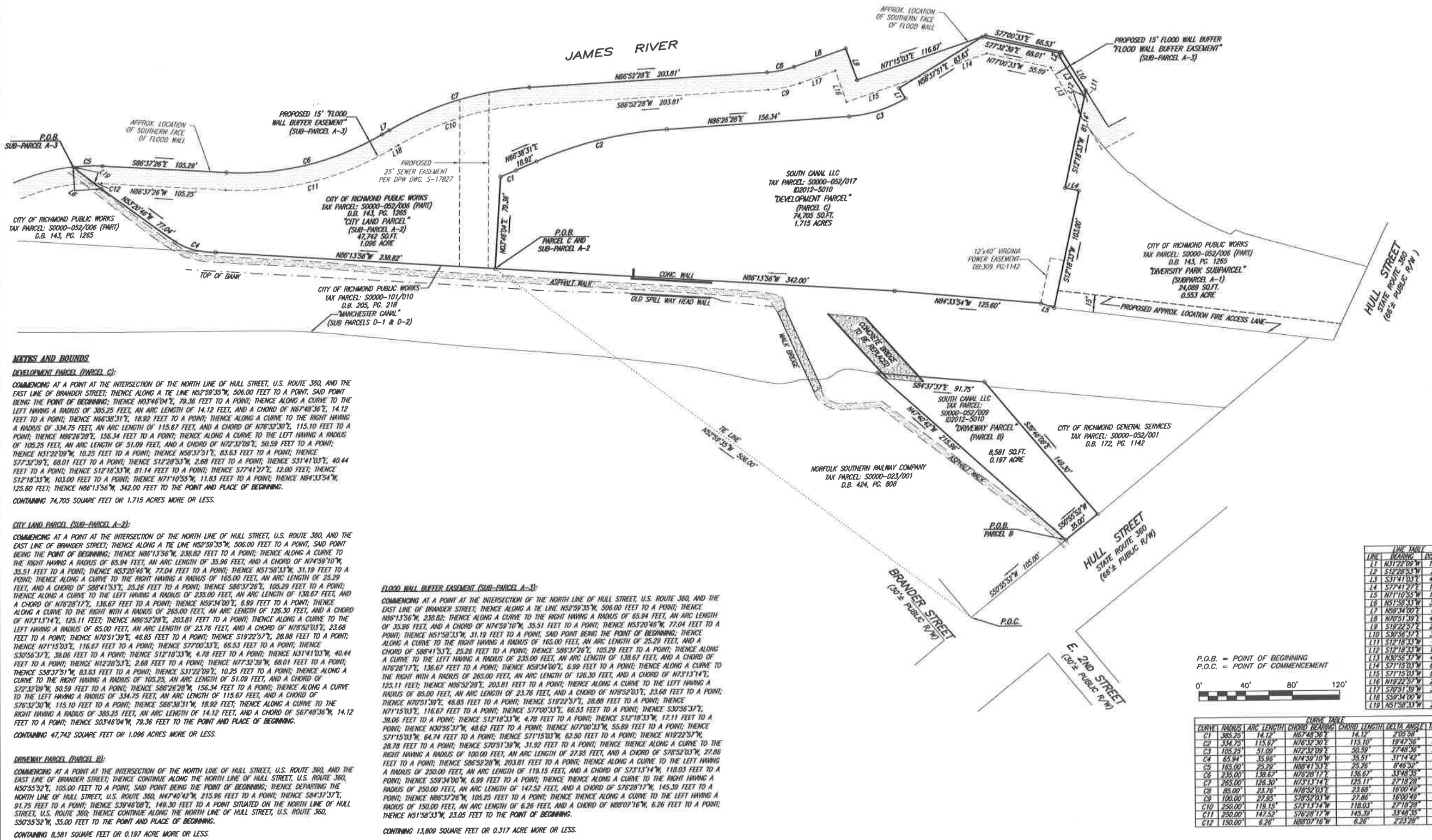
EXHIBIT PURPOSES ONLY FOR SOUTH CANAL DEVELOPMENT.



www.balzer.cc
Chesterfield
New River Valley
Roanoke
Shenandoah Valley
Harrisonburg

RESIDENTIAL LAND DEVELOPMENT ENGINEERING
SITE DEVELOPMENT ENGINEERING
LAND USE PLANNING & ZONING
LANDSCAPE ARCHITECTURE
LAND SURVEYING
ARCHITECTURE
STRUCTURAL ENGINEERING
GEOTECHNICAL ENGINEERING
TRANSPORTATION ENGINEERING
ENVIRONMENTAL & SOIL SCIENCE
WETLAND DELINEATION & STREAM EVALUATION

Balzer and Associates, Inc.
15871 City View Drive
Suite 200
Midlothian, VA 23113
804-794-0571
FAX 804-794-2635



NOTES AND BOUNDS

DEVELOPMENT PARCEL (PARCEL C): COMMENCING AT A POINT AT THE INTERSECTION OF THE NORTH LINE OF HULL STREET, U.S. ROUTE 360, AND THE EAST LINE OF BRANDER STREET...

CITY LAND PARCEL (SUB-PARCEL A-2): COMMENCING AT A POINT AT THE INTERSECTION OF THE NORTH LINE OF HULL STREET, U.S. ROUTE 360, AND THE EAST LINE OF BRANDER STREET...

FLOOD WALL BUFFER EASEMENT (SUB-PARCEL A-3): COMMENCING AT A POINT AT THE INTERSECTION OF THE NORTH LINE OF HULL STREET, U.S. ROUTE 360, AND THE EAST LINE OF BRANDER STREET...

Table with columns: LINE, BEARING, DISTANCE. Lists line data for parcels C1 through C12.

Table with columns: CURVE, RADIUS, ARC LENGTH, CHORD BEARING, CHORD LENGTH, DELTA ANGLE, TANGENT. Lists curve data for parcels C1 through C12.

COMPILED EXHIBIT SHOWING SOUTH CANAL DEVELOPMENT CITY OF RICHMOND, VIRGINIA

DRAWN BY WRL
DESIGNED BY
CHECKED BY CMF
DATE JUNE 1, 2016
SCALE 1" = 40'

REVISIONS: 08/16/2016 LABEL REVISIONS
SHEET NO. 1 of 1
JOB NO. 56160036.00