



City of Petersburg Virginia

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Special Joint Meeting Petersburg City Council and Petersburg Planning Commission

February 25, 2025
Petersburg Library
201 W. Washington Street
Petersburg, VA 23803
5:00 PM

City Council

Samuel Parham, Mayor – Ward 3
Darrin Hill, Vice Mayor – Ward 2
Marlow Jones, Councilor – Ward 1
Charles Cuthbert, Jr., Councilor – Ward 4
W. Howard Myers, Councilor – Ward 5
Annette Smith-Lee, Councilor – Ward 6
Arnold Westbrook, Jr., Councilor – Ward 7

City Administration

John "March" Altman, Jr. - City Manager
Anthony Williams - City Attorney
Tangi R. Hill - City Clerk

-
1. **Roll Call**
 2. **Prayer**
 3. **Pledge of Allegiance**
 4. **Determination of the Presence of a Quorum**
 5. **Official Public Hearings**
 - a. Public Hearing of an Ordinance Approving a Request by Woda Cooper Development Inc., on Behalf of 3030 Pinetree, LLC and Chanmeet Singh, LLC, for a Special Use Permit for Multiple-Family Dwellings as Authorized and Controlled by the R-5 Multiple Dwelling District Standards at 3030, 3060, and 3090 Pinetree Drive, Parcel IDs 059010806, 059010807, 059010808 in the B-2 General Commercial District - Pages 2-35
 - b. Public Hearing of an Ordinance Amending the Zoning Ordinance of the City of Petersburg Pertaining to Creation and Regulation of a New Zoning District Entitled the ERC, Entertainment and Resort Casino District - Pages 36-80
 - c. Public Hearing of an Ordinance Approving a Request by PPE Casino Resorts Petersburg, LLC on Behalf of Roslyn Farm Corporation to Rezone Property at 2949 South Crater Road and 155, 161, and 301 Wagner Road, Parcel IDs 064020003, 064020800, 082010001, 082010802 from the PUD, Planned Unit Development and B-2, General Commercial Districts to the ERC, Entertainment and Resort Casino District - Pages 81-119
 6. **Unfinished Business**
 7. **New Business**
 8. **Adjournment**



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: February 25, 2025

TO: The Honorable Mayor and Members of City Council

THROUGH: Naomi Siodmok, Director of Planning and Community Development

FROM: March Altman, Jr.

RE: **Public Hearing of an Ordinance Approving a Request by Woda Cooper Development Inc., on Behalf of 3030 Pinetree, LLC and Chanmeet Singh, LLC, for a Special Use Permit for Multiple-Family Dwellings as Authorized and Controlled by the R-5 Multiple Dwelling District Standards at 3030, 3060, and 3090 Pinetree Drive, Parcel IDs 059010806, 059010807, 059010808 in the B-2 General Commercial District - Pages 2-35**

PURPOSE: To Request a Special Use Permit for Multiple-Family Dwellings as Authorized and Controlled by the R-5 Multiple Dwelling District Standards at 3030, 3060, and 3090 Pinetree Drive, Parcel IDs 059010806, 059010807, 059010808 in the B-2 General Commercial District.

REASON: To request a special use permit for multi-family housing development.

RECOMMENDATION: Approval with conditions.

BACKGROUND: The applicant is seeking to construct an approximately 20,000-square-foot, multi-family dwelling comprising 50 units at 3030, 3060, and 3090 Pinetree Drive in the B-2, General Commercial Zoning District. A special use permit is required for multi-family housing in the B-2 District. The proposed use, if permitted, will be subject to the regulations of the R-5, Multiple Dwelling District as well as any conditions recommended by Planning Commission and accepted by City Council. The property is designated Community-Mixed Use on the Future Land Use Map of the PetersburgNEXT Comprehensive Plan and staff is recommending approval of the request with conditions.

The applicant has previously developed several affordable housing communities, including the Liberty Pointe apartments directly across from the subject property, which were constructed in 2015. The developer has several other properties throughout the state, including in Hopewell.

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. 1. 25-SUP-01 Memo
2. 2. 25-SUP-01
3. 3. Resolution 25-SUP-01
4. 4. Ordinance 25-SUP-01
5. 5. Application
6. 6. Plat
7. 7. Concept Plan
8. 8. Architectural Theme and Rendering
9. 9. Zoning Map
10. 10. Future Land Use Map
11. 11. R5 MULTIPLE_DWELLING_DISTRICT
12. 12. Adjoining Property Owners



City of Petersburg

MEMORANDUM

DATE: February 25, 2025

TO: Planning Commission & City Council

FROM: Planning and Community Development

RE: 2025-SUP-01: Consideration of an ordinance approving a request by Woda Cooper Development Inc., on behalf of 3030 Pinetree, LLC and Chanmeet Singh, LLC, for a special use permit for multiple-family dwellings as authorized and controlled by the R-5 Multiple Dwelling District Standards at 3030, 3060, and 3090 Pinetree Drive, Parcel IDs 059010806, 059010807, 059010808 in the B-2 General Commercial District.

EXECUTIVE SUMMARY

The applicant is seeking to construct an approximately 20,000-square-foot, multi-family dwelling comprising 50 units at 3030, 3060, and 3090 Pinetree Drive in the B-2, General Commercial Zoning District. A special use permit is required for multi-family housing in the B-2 District. The proposed use, if permitted, will be subject to the regulations of the R-5, Multiple Dwelling District as well as any conditions recommended by Planning Commission and accepted by City Council. The property is designated Community-Mixed Use on the Future Land Use Map of the PetersburgNEXT Comprehensive Plan and staff is recommending approval of the request with conditions.

CHRONOLOGY OF EVENTS

1. January 9, 2025 – Application for special use permit received
2. January 21, 2025 – The applicant requested that the petition be heard at the February 25 joint meeting rather than the February 6 regular meeting of the Planning Commission.

BACKGROUND

The subject property is located on the western side of Pinetree Drive and comprises three parcels totaling three acres in the B-2, General Commercial Zoning District. The property is directly across from Liberty Pointe apartments and north of Pinetree apartments. The land is currently undeveloped, and the applicant is seeking to construct a three-story apartment building with 50 dwelling units.

The application was accompanied by a concept plan showing the proposed layout of the site, which would consist of approximately 2.3 acres of developed area with 0.7 acres remaining undeveloped. The developed site would include the apartment building, 94 parking spaces, and several amenities including a picnic area and a playground. Landscaping features are shown throughout the site. The application also included a written architectural theme as well as rendered elevations showing the proposed building with two tones of brick and a combination of fiber cement lap siding with board and batten accents.

According to the application, the units will be offered as affordable housing serving residents with incomes between 30 and 80 percent of the area median income (AMI). The applicant has previously developed several affordable housing communities, including the Liberty Pointe apartments directly across from the subject property, which were constructed in 2015. The developer has several other properties throughout the state, including in Hopewell. The application states that the development will be EnergyStar Certified by the Environmental Protection Agency and will include universal design elements and ADA units which will cater to people with mobility challenges. The applicant has stated that the site is currently underutilized, and that multi-family housing is the best and highest use of the property due to its proximity to existing multi-family housing.

A special use permit is required for multiple-family dwellings in the B-2 District and, if approved, those dwellings are subject to the district standards of the R-5, Multiple Dwelling District including maximum height and minimum area requirements. Per Article 23 of the Zoning Ordinance, Council may grant approval of special use permits when the public health, safety, moral and general welfare will not be adversely affected, and provided that necessary safeguards will be provided to protect surrounding property, persons, and neighborhood values.

ADJACENT ZONING/USES

All lands surrounding the subject property are also zoned B-2, General Commercial, except for the property directly to the south, which is zoned R-4, Multiple Dwelling. Adjoining and neighboring land uses are largely existing multi-family dwellings to the east and south with undeveloped land to the west.

COMPREHENSIVE PLAN CONSIDERATIONS

The subject parcels are identified as Community Mixed-Use on the Future Land Use Map of the Comprehensive Plan. The Comprehensive Plan defines these areas as commerce centers for both residents and visitors which are walkable, dense, and interconnected. Appropriate future development in Community Mixed-Use areas includes adaptive re-use, multi-family dwellings, offices, personal service establishments, and small-scale commercial uses. The Comprehensive Plan goes on to emphasize the importance of compact development patterns, open space and park facilities, and pedestrian amenities as development principles in these areas.

One major objective of the Comprehensive Plan is to facilitate a diverse and attainable housing stock in the City. The plan encourages identification of key opportunity areas for infill development that's compatible with its surroundings.

Multi-family housing at this location appears to be supported by the Comprehensive Plan. Multi-family dwellings would be in keeping with the primary land uses in a Community

Mixed-Use area and the project would provide additional housing units. The project would be an example of appropriate infill development with additional units being provided in an area with existing multi-family development and resources such as a bus stop.

PUBLIC INPUT

As of the writing of this report, staff have received no telephone calls, emails, or letters in support of or in opposition to the request.

RECOMMENDATION

Staff recommends approval of the Special Use Permit subject to the following conditions:

- 1) The property shall be developed in substantial accordance with the Site Plan and Rendered Elevation prepared by PCI Design Group, Inc. and dated February 14, 2025.
- 2) The development shall include improvements to the Pinetree Drive frontage to include tree plantings of native species, street furniture, sidewalk, and pedestrian-scale lighting. A plan identifying these features shall be provided to the Planning Department for approval and the features installed prior to the issuance of any Certificate of Occupancy for the property.
- 3) The development shall include on-call management and maintenance staff as well as on-site security surveillance.
- 4) The development shall obtain EnergyStar Certification through the United States Environmental Protection Agency. Construction materials shall be submitted for approval by the Zoning Administrator prior to the issuance of any building permits for the development.
- 5) The development shall include universal design elements as well as at least three ADA-accessible units.
- 6) Existing vegetation and greenspace on the remaining undeveloped portion of the property shall be maintained unless and until such time additional development is approved.
- 7) This permit may be revoked by the City of Petersburg City Council or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State, or local regulations.

ATTACHMENTS

Presentation

Resolution

Ordinance

Application

Concept Plan

Architectural Theme and Renderings

Zoning Map and Future Land Use Map

R-5 District Regulations

Adjoining Property Owners List

JOINT
PLANNING
COMMISSION/
CITY COUNCIL
MEETING

FEBRUARY 25,
2025



2025-SUP-01:

Request by Woda Cooper Development Inc., on behalf of 3030 Pinetree, LLC and Chanmeet Singh, LLC, for a special use permit for multiple-family dwellings as authorized and controlled by the R-5 Multiple Dwelling District Standards at 3030, 3060, and 3090 Pinetree Drive in the B-2 General Commercial District.

Subject Property



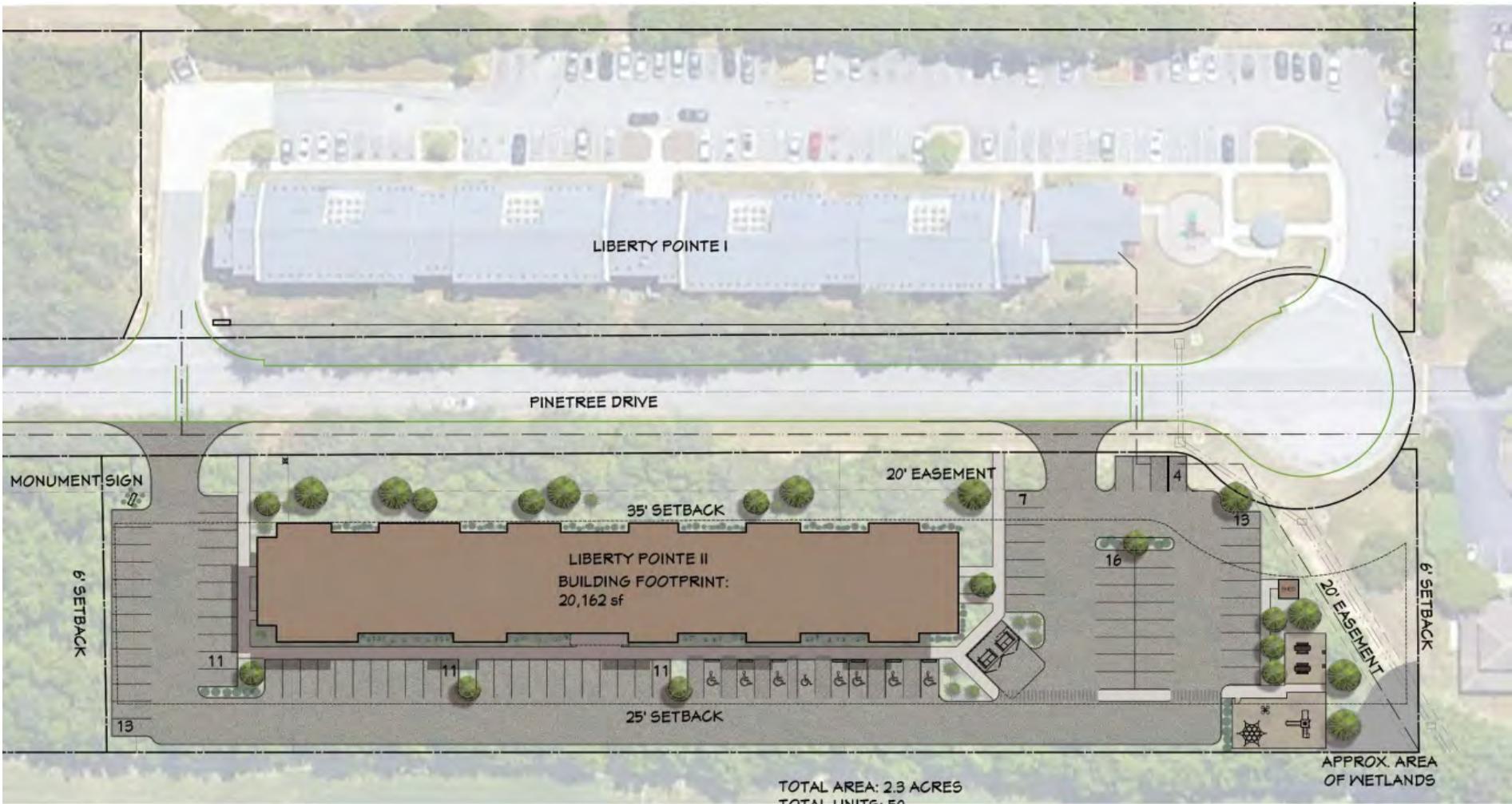
Request and Background

- Applicant seeking to construct three-story apartment comprising 50 units
- Special Use Permit is required for multi-family dwellings in B-2 District; subject to R-5 District regulations and any conditions of approval
- Property currently undeveloped; neighboring Liberty Pointe Phase I and Pinetree Apartments
- Proposed as affordable development like existing Woda Cooper properties throughout City and State

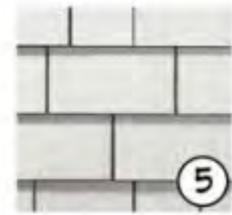
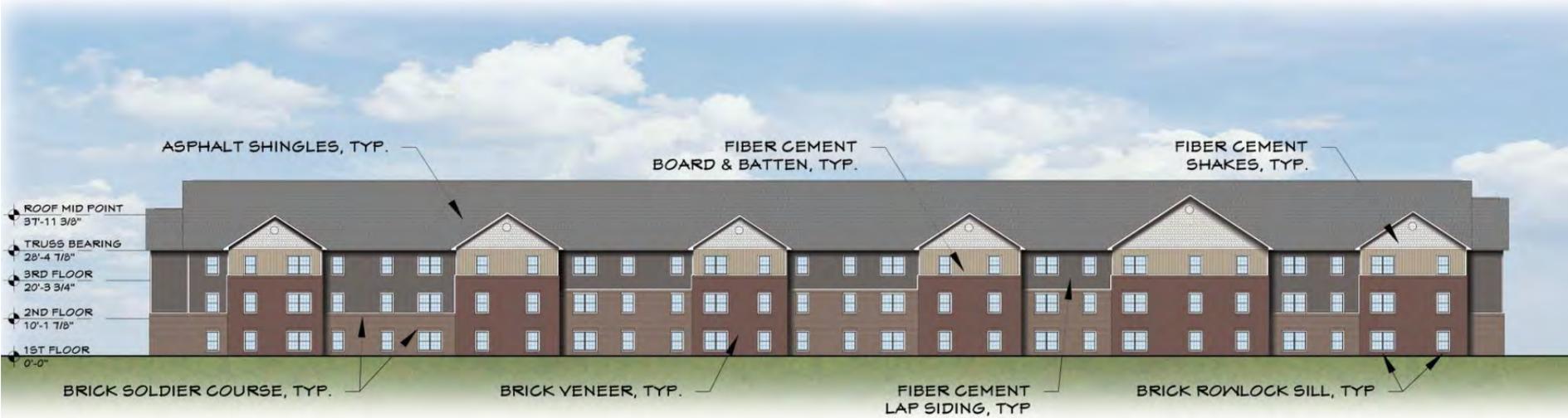
Existing Conditions



Site Plan



Elevations and Materials



Petersburg
VIRGINIA

Adjoining Zoning



Comprehensive Plan Considerations

- Community Mixed-Use on Future Land Use Map; principal land uses include adaptive reuse, multi-family dwellings, offices, personal services and small-scale office and retail uses
- Compact development pattern and resident amenities encouraged
- Goal of creating diverse and attainable housing stock, City should identify areas for compatible infill development

Proposed Conditions

- 1) The property shall be developed in substantial accordance with the Site Plan and Rendered Elevation prepared by PCI Design Group, Inc. and dated February 14, 2025.
- 2) The development shall include improvements to the Pinetree Drive frontage to include tree plantings of native species, street furniture, sidewalk, and pedestrian-scale lighting. A plan identifying these features shall be provided to the Planning Department for approval and the features installed prior to the issuance of any Certificate of Occupancy for the property.
- 3) The development shall include on-call management and maintenance staff as well as on-site security surveillance.

Proposed Conditions

- 4) The development shall obtain EnergyStar Certification through the United States Environmental Protection Agency. Construction materials shall be submitted for approval by the Zoning Administrator prior to the issuance of any building permits for the development.
- 5) The development shall include universal design elements as well as at least three ADA-accessible units.
- 6) Existing vegetation and greenspace on the remaining undeveloped portion of the property shall be maintained unless and until such time additional development is approved.
- 7) This permit may be revoked by the City of Petersburg City Council or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State, or local regulations.

Options

- Approve special use permit with conditions as drafted
- Approve special use permit with amended conditions
- Deny special use permit

**A RESOLUTION RECOMMENDING APPROVAL OF A PETITION FOR A SPECIAL USE PERMIT FOR
MULTIPLE-FAMILY DWELLINGS AS AUTHORIZED AND CONTROLLED BY THE R-5 MULTIPLE DWELLING
DISTRICT STANDARDS 3030, 3060, and 3090 PINETREE DRIVE PARCEL IDENTIFICATION NUMBERS
059010806, 059010807, AND 059010808 IN THE B-2, GENERAL COMMERCIAL DISTRICT.**

WHEREAS, the City of Petersburg Zoning Ordinance establishes zoning districts and permitted uses within each district; and

WHEREAS, the City received a petition from Woda Cooper Development Inc., on behalf of 3030 Pinetree, LLC and Chanmeet Singh, LLC, owners of property at 3030, 3060, and 3090 Pinetree Drive for a special use permit pursuant to Article 23, Section 4 (37) of the Zoning Ordinance to construct a 50-unit multiple-family dwelling subject to the regulations of the R-5 Multiple Dwelling District; and

WHEREAS, the PetersburgNEXT Comprehensive Plan designates the property as Community Mixed-Use on the Future Land Use Map and Community Mixed-Use which is supportive of multi-family dwelling development and the proposed project would match the existing neighborhood development pattern and increase the city's housing stock; and

WHEREAS, Planning Staff have made recommendations for several conditions to ensure that the proposed development of the property would be in conformance with the Comprehensive Plan;

WHEREAS, the Planning Commission recommends approval with conditions as listed below to mitigate potential adverse impacts to surrounding properties and to promote general welfare:

1. The property shall be developed in substantial accordance with the Site Plan and Rendered Elevation prepared by PCI Design Group, Inc. and dated February 14, 2025.
2. The development shall include improvements to the Pinetree Drive frontage to include tree plantings of native species, street furniture, sidewalk, and pedestrian-scale lighting. A plan identifying these features shall be provided to the Planning Department for approval and the features installed prior to the issuance of any Certificate of Occupancy for the property.
3. The development shall include on-call management and maintenance staff as well as on-site security surveillance.
4. The development shall obtain EnergyStar Certification through the United States Environmental Protection Agency. Construction materials shall be submitted for approval by the Zoning Administrator prior to the issuance of any building permits for the development.
5. The development shall include universal design elements as well as at least three ADA-accessible units.
6. Existing vegetation and greenspace on the remaining undeveloped portion of the property shall be maintained unless and until such time additional development is approved.
7. This permit may be revoked by the City of Petersburg City Council or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State, or local regulations. The development shall include improvements to the street frontage and existing landscaping strip along South Crater Road to include tree plantings of native species, street furniture, and pedestrian-scale lighting. A plan identifying these features shall be

provided to the Planning Department for approval and the features installed prior to the issuance of any Certificate of Occupancy for the property.

8. This permit may be revoked by the City of Petersburg City Council or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State, or local regulations; and

WHEREAS, pursuant to the requirements of Titles 15.2-2204 and 15.2-2285 of the Code of Virginia, as amended, a public hearing was advertised and held, in accordance with applicable laws.

NOW THEREFORE BE IT RESOLVED that Planning Commission does hereby recommend approval of a petition for a Special Use Permit for multiple-family dwellings as authorized and controlled by the R-5 Multiple Dwelling District standards at 3030, 3060, and 3090 Pinetree Drive subject to the aforementioned conditions.

AN ORDINANCE APPROVING A PETITION FOR A SPECIAL USE PERMIT FOR MULTIPLE-FAMILY DWELLINGS AS AUTHORIZED AND CONTROLLED BY THE R-5 MULTIPLE DWELLING DISTRICT STANDARDS AT 3030, 3060, and 3090 PINETREE DRIVE, PARCEL IDENTIFICATION NUMBERS 059010806, 059010807, AND 059010808 IN THE B-2, GENERAL COMMERCIAL DISTRICT

WHEREAS, the City of Petersburg Zoning Ordinance establishes zoning districts and permitted uses within each district; and

WHEREAS, the City received a petition from Woda Cooper Development Inc., on behalf of 3030 Pinetree, LLC and Chanmeet Singh, LLC, owners of property at 3030, 3060, and 3090 Pinetree Drive for a special use permit pursuant to Article 23, Section 4 (37) of the Zoning Ordinance to construct a 50-unit multiple-family dwelling subject to the regulations of the R-5 Multiple Dwelling District; and

WHEREAS, the PetersburgNEXT Comprehensive Plan designates the property as Community Mixed-Use on the Future Land Use Map and Community Mixed-Use which is supportive of multi-family dwelling development and the proposed project would match the existing neighborhood development pattern and increase the city's housing stock; and

WHEREAS, City Council approved several conditions to ensure that the proposed development of the property would be in conformance with the Comprehensive Plan;

WHEREAS, City Council approves with conditions as listed below to mitigate potential adverse impacts to surrounding properties and to promote general welfare:

1. The property shall be developed in substantial accordance with the Site Plan and Rendered Elevation prepared by PCI Design Group, Inc. and dated February 14, 2025.
2. The development shall include improvements to the Pinetree Drive frontage to include tree plantings of native species, street furniture, sidewalk, and pedestrian-scale lighting. A plan identifying these features shall be provided to the Planning Department for approval and the features installed prior to the issuance of any Certificate of Occupancy for the property.
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8. This permit may be revoked by the City of Petersburg City Council or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State, or local regulations; and

WHEREAS, pursuant to the requirements of Titles 15.2-2204 and 15.2-2285 of the Code of Virginia, as amended, a public hearing was advertised and held, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that City Council does hereby approve of a petition for a Special Use Permit for multiple-family dwellings as authorized and controlled by the R-5 Multiple Dwelling District standards at 3030, 3060, and 3090 Pinetree Drive subject to the aforementioned conditions.

PETITION FOR SPECIAL USE PERMIT

RETURN TO: DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
(CITY HALL, THIRD FLOOR, ROOM 304)
FILING FEE: \$1,500 (CHECK OR MONEY ORDER) AT THE TIME OF SUBMITTAL

CASE NUMBER: _____

APPLICANT: Woda Cooper Development, Inc.

ADDRESS: 500 S Front St, 10th floor, Columbus, Ohio 43215

I, Woda Cooper Development, Inc. hereby petition for a special use permit for Multiple-Family Dwellings
at the following described properties:

A. DESCRIPTION OF PROPOSED USE: (INCLUDE ANY PROPOSED CONDITIONS)

Three story building with an elevator and 50 apartment units.

B. PROPERTY INFORMATION

1. **Tax Parcel Identification Number(s):**

059010806, 059010807, and part of 059010808

2. **Current Street Address(es) if assigned):**

3090 Pinetree Dr, Petersburg, VA 23803, 3060 Pinetree Dr, Petersburg, VA 23803, and 3030 Pinetree Dr, Petersburg, VA 23803

3. **Approximate Area:**

100,188 sq. ft. 2.3 acres

4. **Public Street Frontage:**

669 ft.

5. **A boundary plat of this property outlining the area to be use must be attached to this petition.**

6. **The following deed restrictions may affect the use of this property:**

7. **Brief:**

Said deed restrictions will expire on: _____

C. JUSTIFICATION FOR SPECIAL USE PERMIT

1. The proposed use is in the interest of the public health, safety, morals and general welfare of the community because: (Provide a detailed statement of reasons why the proposed use should be granted).

Currently, the site is underutilized and has remained vacant for many years. Due to the location and parcel size, it is highly unlikely that commercial or retail development will be built. Obtaining a SUP will enable

the development of high-quality multi-family housing which is the highest and best use of the site. Providing high-quality workforce and affordable housing is crucial to supporting and spurring continued economic growth within the city, such as the proposed casino project.

The development will be EnergyStar Certified and include an additional "green" certification which reduces utility consumption and is environmentally friendly. Providing affordable housing will enable

members of the community at different income levels a high-quality place to call home. The development is adjacent to a bus stop and will include several on-site amenities and referrals to local service providers, if needed. Additionally, the development will

include universal design elements and ADA units which will allow persons with mobility disabilities easy access throughout the building and site amenities.

2. The material impact of the proposed use will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement and/or present ways the impact may be mitigated).

We do not anticipate any negative impacts on the community. The only nearby uses are two existing

apartment communities. One of which is a development named Liberty Pointe which is owned by our company.

We have not had issues with traffic or noise impacting our neighbors at Liberty Pointe, and do not anticipate any future issues with the

development of this site. Currently, the site is underutilized and has remained vacant for many years. Due to the location and parcel size,

it is highly unlikely that commercial or retail development will be built. Therefore, multi-family is the highest and best use for the land.

3. The proposed use will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).

We are proposing an affordable housing development that will provide housing to the persons of the community with incomes between 30% to

80% of the Area Median Income. Thus, the development will provide high-quality affordable housing to individuals and families at

different incomes up to \$102,400. The site is located on an existing bus line and in an area with other apartment developments,

making it ideally located for multi-family apartments.

4. Describe your experience with developing and maintaining the use in question (Provide references and/or examples).

We have developed more than 400 properties and 16,000 units throughout 17 states in our 34-year history. We are a vertically integrated company which includes

development, construction, and property management. We have a reputation for building high-quality affordable housing communities and are long-term property owners.

In Petersburg, we have built Liberty Pointe, which is located across the street. We plan to break ground on Malone Place which is located at

230 Medical Park Blvd. in 2025. Additional properties in our VA portfolio are located in the Richmond MSA and Tidewater MSA.

D. CERTIFICATION:

The undersigned applicant certifies that they:

(a) are the owner, lessee or agent for (specified in writing)

(b) possess a proprietary interest in (contract or option agreement)

the property(ies) identified within this PETITION FOR SPECIAL USE PERMIT, and that the foregoing information and statements herein provided, and all other information herewith submitted, are in all respects true and correct to the best of their knowledge and belief.

Signed:

Mailing Address:

~~500 South Front St., 10th Floor, Columbus, OH 43215~~

Phone Number:

614-396-3222

Email Address:

gmustric@wodagroup.com

APPROVED

City Attorney

TO BE FILED IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION RECORD

Date Filed (with Planning Department):

Date of Planning Commission Public Hearing:

Planning Commission Action(s):

Date of City Council Hearing:

City Council Action(s):

Attachment to the Special Use Permit petition

JUSTIFICATION FOR SPECIAL USE PERMIT

- 1. The proposed use is in the interest of the public health, safety, morals and general welfare of the community because: (Provide a detailed statement of reasons why the proposed use should be granted).**
 - a. Currently, the site is underutilized and has remained vacant for many years. Due to the location and parcel size, it is highly unlikely that commercial or retail development will be built. Obtaining a SUP will enable the development of high-quality multi-family housing which is the highest and best use of the site. Providing high-quality workforce and affordable housing is crucial to supporting and spurring continued economic growth within the city, such as the proposed casino project. The development will be EnergyStar Certified and include an additional "green" certification which reduces utility consumption and is environmentally friendly. Providing affordable housing will enable members of the community at different income levels a high-quality place to call home. The development is adjacent to a bus stop and will include several on-site amenities and referrals to local service providers, if needed. Additionally, the development will include universal design elements and ADA units which will allow persons with mobility disabilities easy access throughout the building and site amenities.
- 2. The material impact of the proposed use will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because:(Specify reasons to substantiate this statement and/or present ways the impact may be mitigated).**
 - a. We do not anticipate any negative impacts on the community. The only nearby uses are two existing apartment communities. One of which is a development named Liberty Pointe which is owned by our company. We have not had issues with traffic or noise impacting our neighbors at Liberty Pointe, and do not anticipate any future issues with the development of this site. Currently, the site is underutilized and has remained vacant for many years. Due to the location and parcel size, it is highly unlikely that commercial or retail development will be built. Therefore, multi-family is the highest and best use for the land.
- 3. The proposed use will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).**
 - a. We are proposing an affordable housing development that will provide housing to the persons of the community with incomes between 30% to 80% of the Area Median Income. Thus, the development will provide high-quality affordable housing to individuals and families at different incomes up to \$102,400. The site is located on an existing bus line and in an area with other apartment developments, making it ideally located for multi-family apartments.
- 4. Describe your experience with developing and maintaining the use in question (Provide references and/or examples).**
 - a. We have developed more than 400 properties and 16,000 units throughout 17 states in our 34-year history. We are a vertically integrated company which includes development, construction, and property management. We have a reputation for building high-quality affordable housing communities and are long-term property

owners. In Petersburg, we have built Liberty Pointe, which is located across the street. We plan to break ground on Malone Place which is located at 230 Medical Park Blvd. in 2025. Additional properties in our VA portfolio are located in the Richmond MSA and Tidewater MSA.

Page 281 PLAT BOOK 5

SUBDIVISION CERTIFICATE
THE SUBDIVISION OF LAND HEREBY DESIGNATED AS:

WM#05-003131

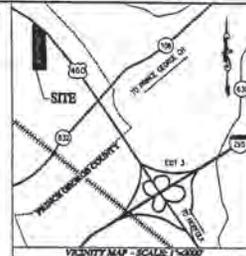
COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Henrico } TO WIT:

**RESUBDIVISION OF LOTS 1 & 2 OF
"PINE TREE" SUBDIVISION**

IS WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERGROUND OWNERS AND TRUSTEES. THERE IS A MORTGAGE ON THIS PROPERTY. ALL PROPOSED EASEMENTS ARE OF THE WIDTH AND EXTENT SHOWN AND ARE DEDICATED TO THE APPROPRIATE AUTHORITIES FREE AND UNRESTRICTED BY ANY PREVIOUS AGREEMENTS EXCEPT AS NOTED ON THIS PLAT AS OF THE TIME OF RECORDATION. THE DEDICATION OF EASEMENTS TO THE CITY OF PETERSBURG AND APPROPRIATE AUTHORITIES GRANTING THE RIGHT TO MAKE REASONABLE USE OF THE ADJOINING LAND FOR CONSTRUCTION AND MAINTENANCE OF PUBLIC FACILITIES WITHIN THE BOUNDARIES OF EASEMENTS SHOWN HEREON. ALL EASEMENTS ARE FOR USE AS SPECIFIED ON THE SUBDIVISION PLAT.

Arthur G. Gentry, A NOTARY PUBLIC IN AND FOR THE County of Henrico, COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT Beecher Thomas Watson WHOSE NAMES ARE SIGNED TO THE SUBDIVISION CERTIFICATE HAVE ACKNOWLEDGED THE SAME BEFORE ME IN MY Presence AND COMMONWEALTH AFORESAID. GIVEN UNDER MY HAND AND SEAL THIS 15 DAY OF July, 2005.
Arthur G. Gentry NOTARY PUBLIC May 21, 2002 BY COMMISSION EXPIRES

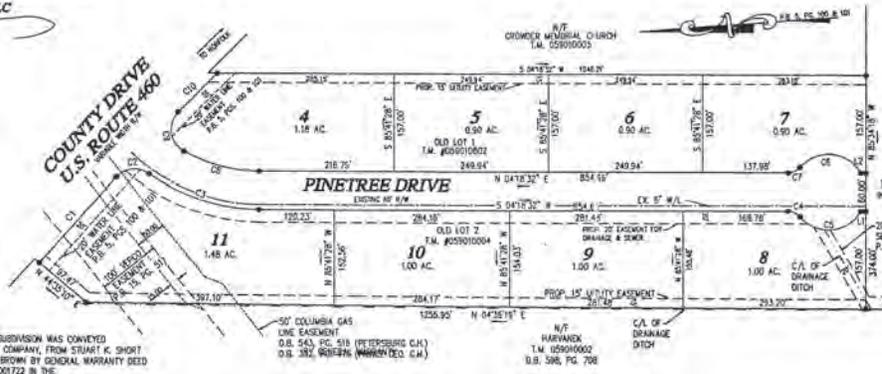
* PINE TREE DRIVE EXISTS AS AN ASPHALT PAVED ROAD WITH ROADSIDE DITCHES IN PLACE AND WATER LINE WITH FIVE HYDRANTS IN PLACE. DETAILS OF ROAD IMPROVEMENTS AND DRAINAGE IMPROVEMENTS TO BE SHOWN ON DEVELOPMENT PLANS (SITE PLAN)



GIVEN UNDER OUR HANDS AND SEALS THIS 15 DAY OF July, 2005.

WATSON & WATSON, LLC

WATSON & WATSON, LLC



NOTES

1. USE: COMMERCIAL
2. WATER: PUBLIC SYSTEM
3. SEWER: PUBLIC SYSTEM
4. NUMBER OF LOTS: 8
5. ACREAGE: AREA IN LOTS: 8.36 AC. AREA IN R/W: N/A
6. ZONING: B-2
7. REFERENCE PLAT BY GEORGE WHITMAN, JR. DATED FEB. 8, 1994 AND RECORDED AT P.B. 3, PGS. 100 & 101
8. COMMON ENTRANCES BETWEEN LOTS 1 & 2, LOTS 3 & 4, LOTS 5 & 6 AND LOTS 7 & 8 AND CROSS EASEMENTS SHALL BE ACKNOWLEDGED UPON AS CONDITION OF SALE.
9. ADDITIONAL HYDRAULIC PUNCH SHALL BE OBTAINED A COMMON SINK/POD ON SITE.
10. THIS PROPERTY IS NOT IN A HUD DEFINED FLOOD HAZARD AREA. ZONE "X"
11. UTILITY EASEMENTS TO BE FOR UNDERGROUND UTILITIES.
12. NO WETLANDS HAVE BEEN DELINEATED ON THIS SITE.

SOURCE OF TITLE

THE PROPERTY EMBRACED WITHIN THE LIMITS OF THIS RESUBDIVISION WAS CONVEYED TO WATSON & WATSON, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, FROM STUART K. SHORT FORMERLY KNOWN AS JUDITH K. FLORENCE AND LINDA K. BROWN BY GENERAL WARRANTY DEED DATED APRIL 11, 2005 RECORDED AS INSTRUMENT 05-001722 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF PETERSBURG, VIRGINIA.
Michael E. Bristol
MICHAEL E. BRISTOW, C.L.S. #1305

SURVEYOR'S CERTIFICATE

TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS AS SET FORTH IN THE ORDINANCE FOR APPROVING SUBDIVISION PLATS FOR RECORDATION IN THE CITY OF PETERSBURG HAVE BEEN COMPLIED WITH.
Michael E. Bristol
MICHAEL E. BRISTOW, C.L.S. #1305

APPROVED BY THE CITY OF PETERSBURG

DATE: July 15, 2005 Michael E. Bristol DIRECTOR OF PUBLIC WORKS
DATE: July 19, 2005 Samuel R. Miller DIRECTOR OF PLANNING
DATE: 7/19/05 Heather Beardsley CHAIRMAN OF PLANNING COMMISSION

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING	TANGENT
C1	184.10	5687.00	184.09	N 45° 27' 54" W	92.06
C2	37.40	40.00	32.66	N 01° 32' 14" W	34.28
C3	187.80	307.56	184.90	S 21° 58' 24" E	36.23
C4	21.68	25.00	21.00	N 29° 08' 54" E	11.57
C5	114.86	60.00	98.11	S 00° 50' 02" E	85.18
C6	114.85	60.00	98.10	N 89° 28' 11" E	85.18
C7	21.68	25.00	21.00	S 20° 54' 42" E	11.57
C8	126.31	247.58	124.84	S 18° 52' 27" W	64.56
C9	73.21	40.00	63.41	S 60° 56' 30" W	52.00
C10	86.01	5687.00	88.01	N 41° 08' 56" W	44.01

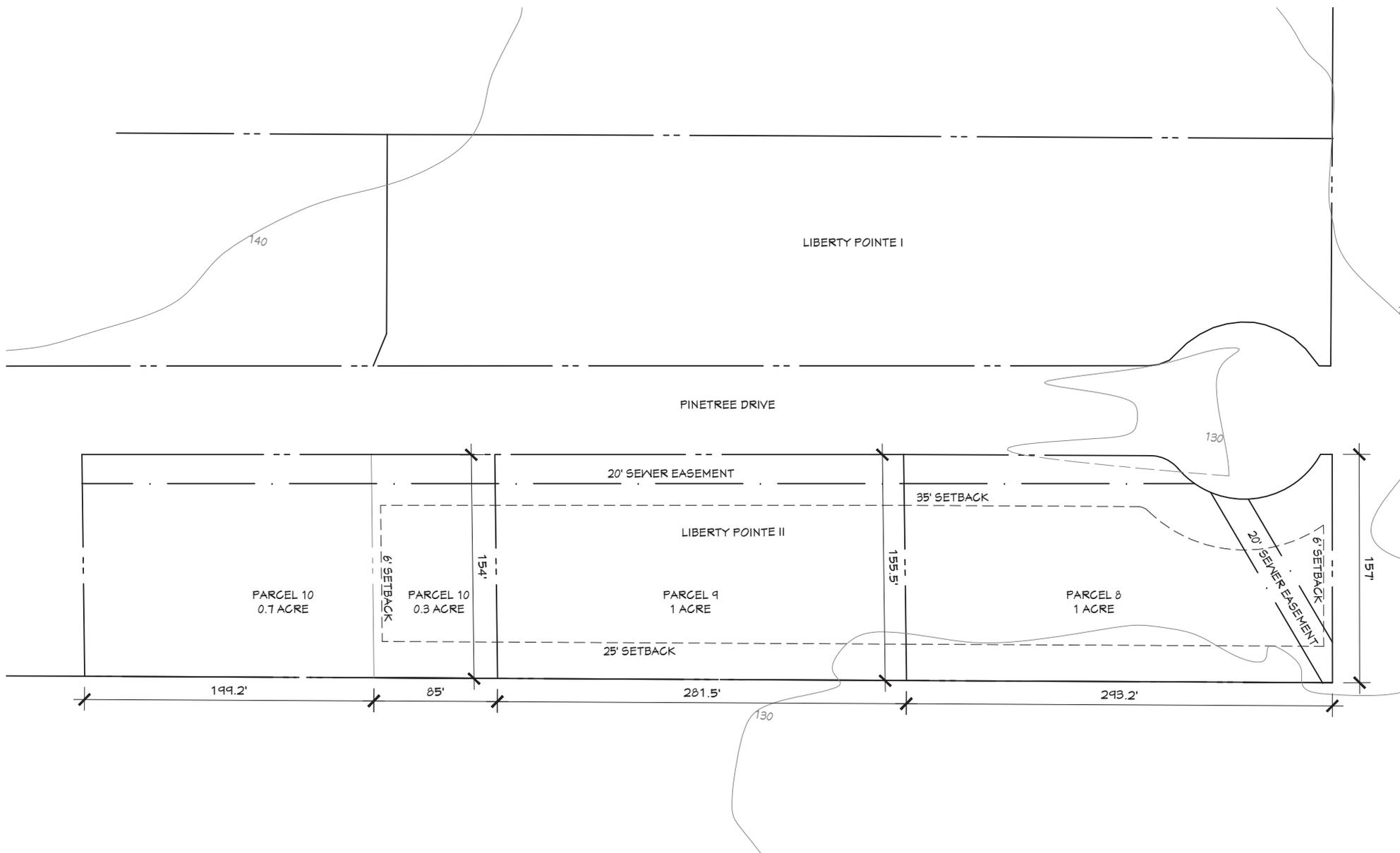
LINE TABLE		
LINE	LENGTH	BEARING
L1	2.88	S 34° 16' 32" W
L2	8.10	N 04° 18' 52" E



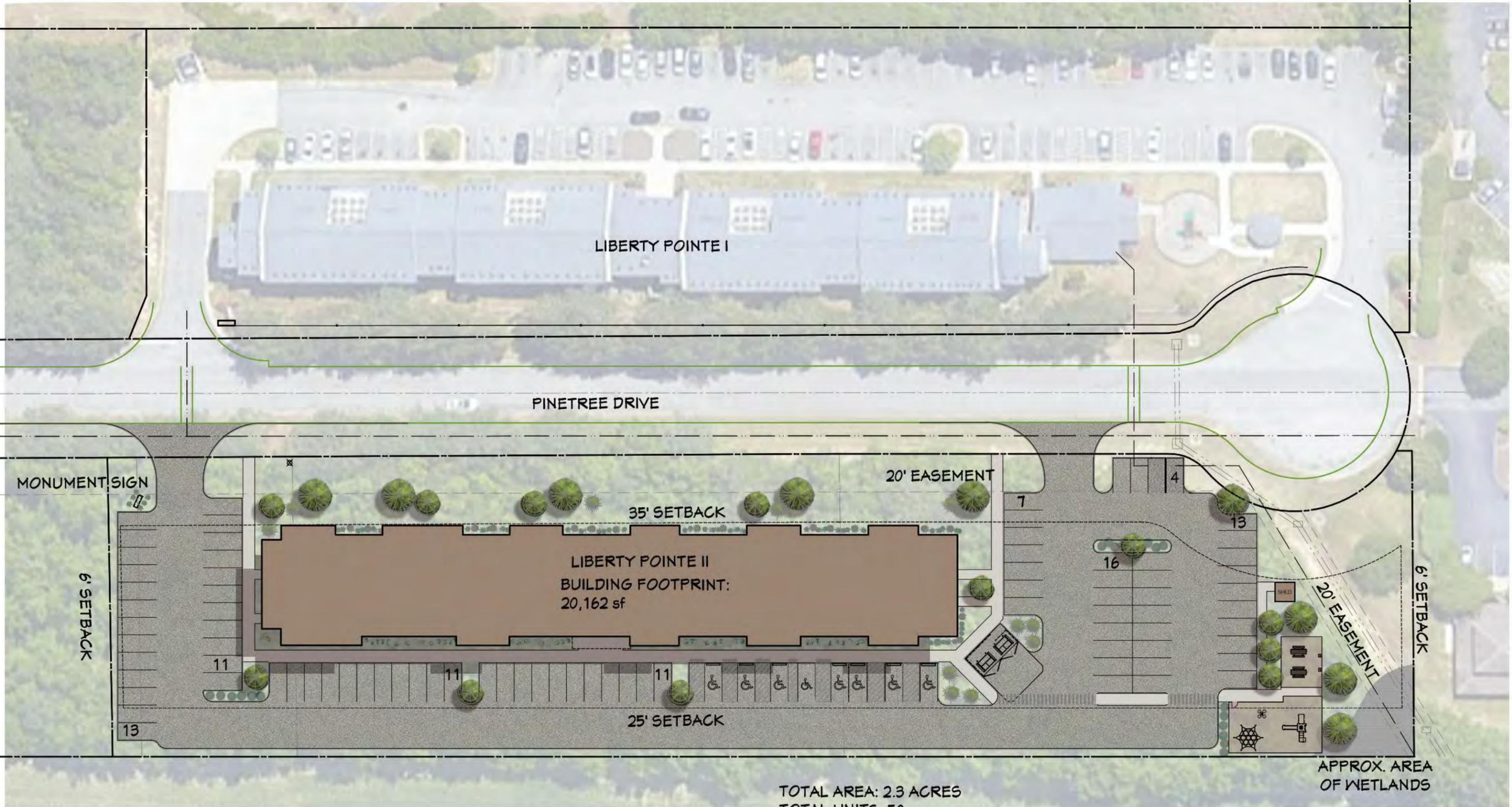
RESUBDIVISION OF
LOTS 1 & 2
"PINE TREE" SUBDIVISION
CITY OF PETERSBURG, VIRGINIA



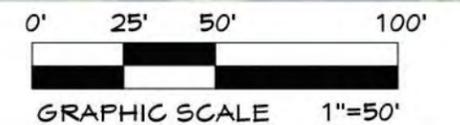
HARVEY L. PARKS, INC.
4508 W. HUNDRED ROAD
CHESTER, VA.
748-8641 748-0515
DATE: JULY 12, 2005 SCALE: 1"=100'
DRAWN BY: L.S.B.
CHECKED BY: W.E.B.
DATE: 05



<p>ARCHITECT OF RECORD: PCI DESIGN GROUP, INC. 500 SOUTH FRONT STREET SUITE 975 COLUMBUS, OHIO 43215</p>		<p>PROJECT TYPE: MULTI-FAMILY OCCUPANCY HOUSING</p>	<p>SHEET TITLE: EXISTING SITE PLAN</p>	<p>DATE: 1/7/2025</p> <p>DRAWN BY:</p>	<p>PROJECT TITLE: 3090 PINETREE DRIVE PETERSBURG, VA 23803</p>	<p>SERIES:</p>	<p>SHEET: S-1</p>
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TOTAL AREA: 2.3 ACRES
 TOTAL UNITS: 50
 REQUIRED PARKING: 94
 PROVIDED PARKING: 94



SITE PLAN



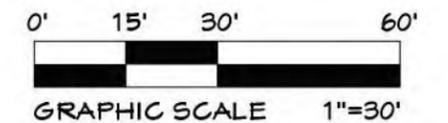
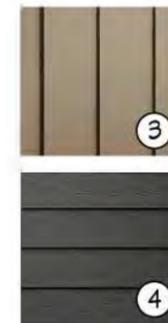


Liberty Pointe II Architectural Theme

The attached Rendered Site Plan and Elevation demonstrate the proposed architectural treatment of the development. The size and general massing of the building will match nicely with the first phase, Liberty Pointe across the street. We selected two tones of brick to match with the two-tone look of Liberty Pointe. The fiber cement lap siding and board and batten accents will also fit in well with the surrounding uses, while providing enhanced durability and quality. Finishes will be consistent on all faces of the building.



- FINISH SELECTION:
1. BRICK VENEER 1
 2. BRICK VENEER 2
 3. FIBER CEMENT BOARD AND BATTEN
 4. FIBER CEMENT LAP SIDING
 5. FIBER CEMENT SHAKES
 6. ASPHALT SHINGLES



EAST ELEVATION

Petersbug, Virginia

Legend

 City Boundary

 Parcels

Zoning

 A

 B-1

 B-2

 B-2 (C)

 B-3

 B-3 (C)

 M-1

 M-1 (C)

 M-2

 MXD1

 MXD2

 MXD3

 PUD

 R-1

 R-1 (C)

 R-1A

 R-1A (C)

 R-2

 R-3

 R-4

 R-5

 R-5 (C)

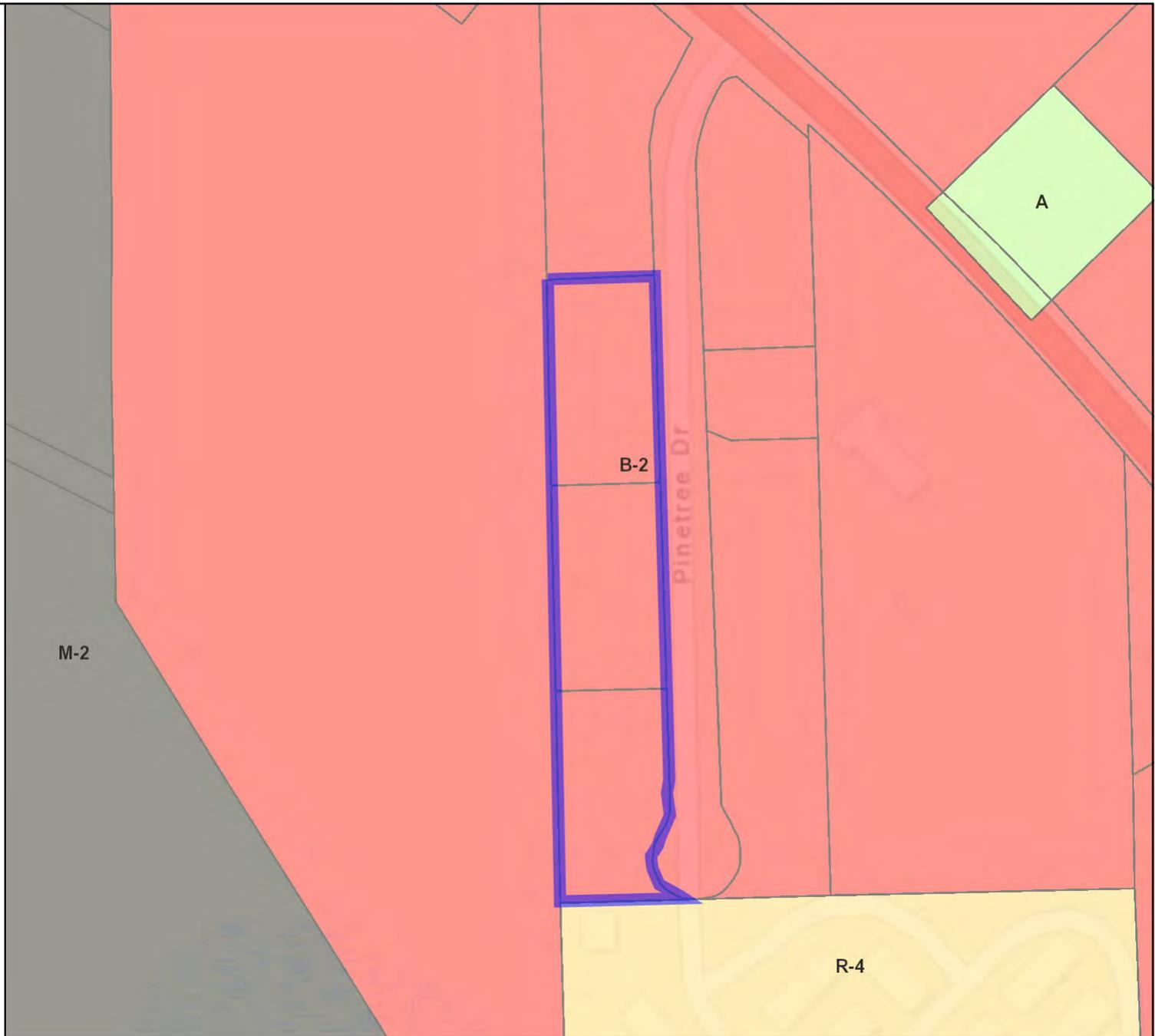
 R-6

 RB

 RMH

 RTH

 RTH (C)



Title:

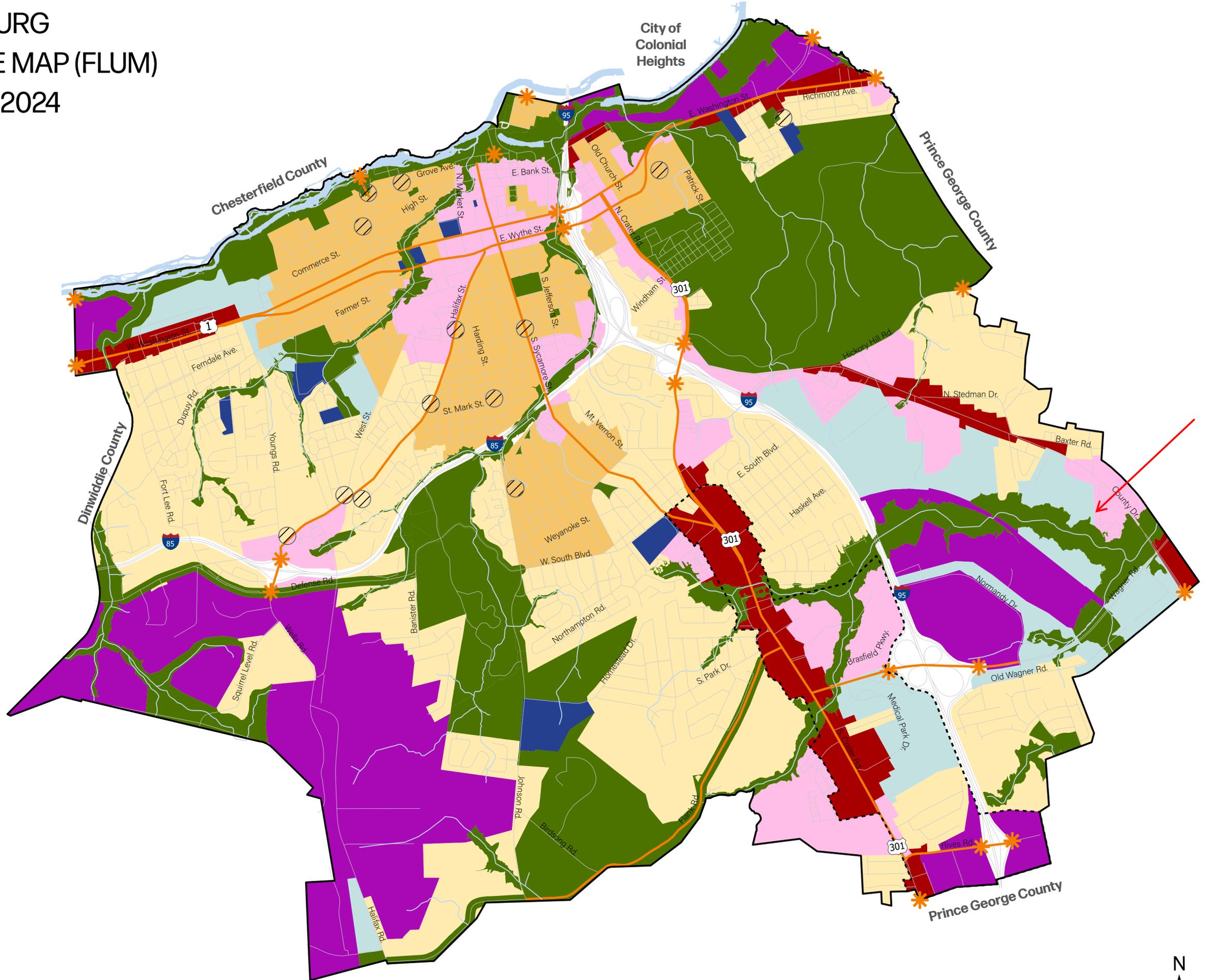
Date: 2/14/2025

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and City of Petersburg is not responsible for its accuracy or how current it may be.

**CITY OF PETERSBURG
FUTURE LAND USE MAP (FLUM)
ADOPTED MAY 21, 2024**

LEGEND

-  City Limits
-  Roads
-  Appomattox River
-  Waterways
-  South Crater Urban Development Area (UDA)
-  Historic Core Neighborhoods
-  Community Residential
-  Neighborhood Commercial
-  Community Mixed-Use
-  Corridor Commercial
-  Research and Development
-  General Industrial
-  Civic
-  Conservation and Recreation
-  Gateways
-  Corridors



ARTICLE 10. "R-5" MULTIPLE DWELLING DISTRICT REGULATIONS

Section 1. [Purpose.]

The regulations set forth in this article or set forth elsewhere in this ordinance when referred to in this article, are the regulations in the "R-5" Multiple Dwelling District. This district provides for the highest density multiple-family residence, either in new construction or for conversion of existing dwellings to apartments, in older sections of the city.

Section 2. Use regulations.

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

- (1) Any use permitted in the "R-1" Two-Family Residence District and the "R-3" Two-Family Residence District;
- (2) Multiple-family dwellings;
- (3) Private clubs, fraternities, sororities, and lodges excepting those the chief activity of which is a service customarily carried on as a business;
- (4) Parking areas (Ground level);
- (5) Accessory buildings and uses not otherwise prohibited in this section;
- (6) Nonprofit religious, educational and philanthropic institutions.

Section 3. Height, area and bulk regulations.

The height, area and bulk requirements shall be as set forth in the chart of article 22 of this ordinance; except:

- (1) Requirements for lot area per family shall not apply to dormitories, fraternities or sororities where no cooking facilities are provided in individual rooms or apartments.

Section 4. Reference to additional regulations.

The regulations contained in this article are supplemented or modified by regulations contained in other articles of this ordinance, especially the following: Article 19, Off-street parking regulations, except that required off-street parking shall be provided in the rear of such buildings or in the portion of the side yards except adjacent to a street, if a corner lot, lying to the rear of extensions of the front line of such building; Article 20, Off-street loading regulations; Article 23, Supplementary use regulations; Article 25, Supplementary height, area and bulk regulations.

Parcel	Owner	Mailing Address	City	State	ZIP
2918 County Dr	Produce Center Rentals LLC	2938A County Dr	Petersburg	VA	23803
3100 Pinetree Dr	MP Pinetree LLC	111 Pine Street STE 1850	San Francisco	CA	94111
3061 Pinetree Dr	Liberty Pointe Lp C/O Woda Cooper Co Inc Attn: Connor Swa	500 Front St 10Th Fl	Columbus	OH	43215
3060 Pinetree Dr, 3090 Pinetree Dr	Chanmeet Singh LLC	12741 Ellington Woods Pl	Glen Allen	VA	23059
3030 Pinetree Dr, 3000 Pinetree Dr	3030 Pinetree LLC	10608 Sherwin Rd	Glen Allen	VA	23059
3001 Pinetree Dr, 3091 Pinetree Dr	Vital Housing LLC	41912 Clover Valley Ct	Ashburn	VA	20148



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: February 25, 2025

TO: The Honorable Mayor and Members of City Council

THROUGH: Naomi Siodmok, Director of Planning and Community Development

FROM: March Altman, Jr.

RE: **Public Hearing of an Ordinance Amending the Zoning Ordinance of the City of Petersburg Pertaining to Creation and Regulation of a New Zoning District Entitled the ERC, Entertainment and Resort Casino District - Pages 36-80**

PURPOSE: In 2024, the City of Petersburg became eligible to host a casino and resort through legislation passed by the Virginia General Assembly and a referendum approved by city residents. Currently, there is no zoning district outlined in the Zoning Ordinance that would permit casino development. The proposed Zoning Ordinance amendment would create the Entertainment and Resort Casino (ERC) District which would introduce unique regulations for the development of the proposed casino and resort area. Staff are recommending *approval of the amendment contingent on including language requiring a master plan* to ensure development in the ERC District is consistent with what is being presented to the City and community.

REASON: To provide a zoning district that supports the casino and associated development.

RECOMMENDATION: Staff are recommending *approval of the amendment contingent on including language requiring a master plan* to ensure development in the ERC District is consistent with what is being presented to the City and community.

BACKGROUND: With the approval of the citizen referendum in November, the City of Petersburg is now empowered to permit a casino and resort development in the city. Since the Zoning Ordinance does not currently allow casino gaming and there is no existing zoning district that would accommodate the casino and resort development as proposed, a text amendment has been drafted to create the Entertainment and Resort Casino (ERC) Zoning District, which would be tailored to the proposed development. The goal of the text amendment is to provide a zoning district with a casino as the primary feature and to provide some flexibility given the unique nature of the proposed development which would primarily consist of the casino, but could also include a range of other lodging, retail, entertainment, and residential uses.

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. 1. 25-ZTA-01 Memo
2. 2. 25-ZTA-01
3. 3. Resolution 25-ZTA-01
4. 4. Ordinance 25-ZTA-01
5. 5. Tracked Changes Combined 2-20



City of Petersburg

Department of Planning and Community Development
135 N Union St, Room 304
Petersburg, VA 23803
(804) 733-2308

MEMORANDUM

DATE: February 25, 2025

TO: Planning Commission & City Council

FROM: Planning and Community Development

RE: 2025-ZTA-01: Consideration of an ordinance amending the Zoning Ordinance of the City of Petersburg pertaining to creation and regulation of a new zoning district entitled the ERC, Entertainment and Resort Casino District.

EXECUTIVE SUMMARY

In 2024, the City of Petersburg became eligible to host a casino and resort through legislation passed by the Virginia General Assembly and a referendum approved by city residents. Currently, there is no zoning district outlined in the Zoning Ordinance that would permit a casino development as proposed. The proposed Zoning Ordinance amendment would create the Entertainment and Resort Casino (ERC) District which would introduce unique regulations for the development of the proposed casino and resort area. Staff are recommending ***approval of the amendment contingent on including language requiring a master plan*** to ensure development in the ERC District is consistent with what is being presented to the City and community.

CHRONOLOGY OF EVENTS:

1. April, 2024 – The Virginia General Assembly passed legislation making the City of Petersburg eligible to host a casino. Petersburg City Council voted to select The Cordish Companies to develop a casino and entertainment resort on an approximately 90-acre development site located off Interstate-95 at Wagner Road along Brassfield Parkway pending the outcome of a citizen referendum.
2. July, 2024 – The Virginia Lottery Board approved the proposed casino project; City Council and Petersburg Circuit Court approved citizen referendum to be added to November, 2024 ballot.
3. November 5, 2024 – Residents of the city voted in favor of allowing the casino and resort development within the city with 81.6 percent of the vote.

4. November, 2024 – February, 2025 – Staff collaboration with Cordish on a text outlining Entertainment and Resort Casino District.

BACKGROUND

With the approval of the citizen referendum in November, the City of Petersburg is now empowered to permit a casino and resort development in the city. Since the Zoning Ordinance does not currently allow casino gaming and there is no existing zoning district that would accommodate the casino and resort development as proposed, a text amendment has been drafted to create the Entertainment and Resort Casino (ERC) Zoning District, which would be tailored to the planned development. The goal of the text amendment is to provide a zoning district with a casino as the primary feature and to provide some flexibility given the unique nature of the proposed development which would primarily consist of the casino, but could also include a range of other lodging, retail, entertainment, and residential uses.

Proposed Components

The full text of the proposed amendment is included as an attachment, but it includes the following components:

- **Definitions:** The terms “Casino Gaming/Game” and “Casino Gaming Establishment” are introduced, matching those in the Code of Virginia.
- **Purpose:** The purpose of the proposed district is specified and explains that the district is designed to be compatible with existing land uses while being granted flexibility in some regulatory standards due to the unique characteristics of the proposed casino and resort development.
- **Use Regulations:** The primary land use would be the casino gaming establishment, but the district would also allow other uses including, but not limited to, retail, office, multi-family residential, dining, grocery, medical, and community uses. The district would also allow a temporary gaming establishment to be installed and operated while the permanent facilities are being constructed.
- **District Requirements:** There is an overall minimum district size of 75 acres.
- **Height, Area, Density, and Bulk regulations:** Height limits vary by land use and, largely, there are no minimum or maximum lot width, lot frontage, lot area, or yard requirements except where a lot adjoins property outside the ERC District.
- **Parking:** Flexibility is allowed for the total number of parking spaces per use, but the text lays out design specifications for both surface and structured parking areas.
- **Exterior Lighting:** Lighting must comply with State and Federal requirements; unique and varied lighting sources are allowed, but must be designed and operated to prevent spillover onto adjoining properties.
- **Signs:** Signage for the casino and associated uses under common ownership or control will be granted flexibility with regulations; additional uses would be subject to general sign ordinance requirements.

- Noise: The noise levels for any activities in the ERC District would be limited to 85 dBA between 9:00 a.m. and midnight and 72 dBA between midnight and 9:00 a.m. when measured at the property line of an adjoining residential land use.
- Buffer Regulations: A landscape buffer will be required along any property that is not a part of the ERC District, the buffer will consist of either existing vegetation or plantings, including grass, shrubs, hedges and trees.
- Public Open Space Regulations: Open amenity space is required throughout the development. There is no minimum requirement for individual parcels, but at least 5 percent of the total development will need to consist of active, usable areas for residents and visitors.
- Street Regulations: Street design requirements include requirements for pedestrian amenities like sidewalk, lighting, plantings, and street furniture as well as amenities for biking. The overall street system will be broken into walkable blocks.
- Additional Requirements: Additional requirements are specified for architectural treatment of buildings, sound barriers, public transportation hubs, and waste receptacles. This section also specifies that the temporary gaming establishment site will be exempt from certain design requirements for the permanent development, but requires certain improvements.
- Special Uses Enumerated: Any use that's not listed as a permitted use in the ERC District could be requested in the future through the Special Use Permit process.

STAFF CONSIDERATION

A former draft of the proposed text required that the master plan guide development to be provided during the rezoning of any property to the ERC District. The master plan includes the layout of streets, trails, park locations, and pedestrian only connections. This code language would require conformance to the plan as the property is built out. Planning staff were directed to remove this language but feel the absence of a provision to this effect leaves the City in a disadvantaged position unable to ensure a variety of open spaces, the development of the proposed trails and roadway connections, and diversity of uses.

Without a master plan, the City would have little leverage in terms of the layout and design of an ERC District; there would be no guarantee as to what the development would look like. A master plan would provide assurance that development occurs in a manner consistent with the product that was reviewed by the City and its residents and led to the selection of the casino developer and the approval of the citizen referendum.

COMPREHENSIVE PLAN CONSIDERATIONS

The PetersburgNEXT Comprehensive Plan does not specifically reference a casino and resort development, but does include several considerations that can be applied to the proposed text amendment.

Notably, entertainment uses were consistently named as one of the most desirable land uses throughout the drafting of the Comprehensive Plan. This is evidenced by the overwhelming support for the casino in the referendum vote.

The Comprehensive Plan also notes that the City should give careful consideration to targeting particular industries with the goal of building and enhancing the economic ecosystem. The plan goes on to state that the City should identify opportunities in priority areas to attract the types of development needed for growth and improving the City's tax base.

The Comprehensive Plan also states that Petersburg is well-positioned to capitalize on tourism and speaks to the strength of Petersburg's existing tourism industry as well as the potential for expansion. Strategies identified for strengthening tourism include finding ways to extend the stays of visitors through providing more entertainment and lodging opportunities.

RECOMMENDATION: Staff recommend *approval of the proposed text amendment contingent on the inclusion of a provision requiring a master plan* to ensure development in the ERC District is consistent with the product being presented and considered.

ATTACHMENTS

Presentation

Resolution

Ordinance

Article 3, Definitions - Revised

Article 18.3, "ERC" Entertainment and Resort Casino District - New

JOINT
PLANNING
COMMISSION/
CITY COUNCIL
MEETING

FEBRUARY 25,
2025

2025-ZTA-01:

Consideration of an ordinance amending the Zoning Ordinance of the City of Petersburg pertaining to creation and regulation of a new zoning district entitled the ERC, Entertainment and Resort Casino District.

Background

- April 2024 – The Virginia General Assembly passed legislation making the City of Petersburg eligible to host a casino. Petersburg City Council voted to select The Cordish Companies to develop a casino and entertainment resort on an approximately 90-acre development site located off Interstate-95 at Wagner Road along Brassfield Parkway pending the outcome of a citizen referendum.
- July 2024 – The Virginia Lottery Board approved the proposed casino project; City Council and Petersburg Circuit Court approved citizen referendum to be added to November 2024 ballot.
- November 5, 2024 – Residents of the city voted in favor of allowing the casino and resort development within the city with 81.6 percent of the vote.
- November 2024 – Staff began coordinating with Cordish to create a zoning district, since there is no district outlined in the Zoning Ordinance that would permit a casino development.

Master Plan



Master Plan Rendering



Rendering – Approaching Casino



Overview

Components of the proposed amendment:

- A.** Define “casino gaming” and “casino gaming establishment”
- B.** Outline purpose, use regulations, and district requirements for “ERC” Entertainment and Resort Casino District
- C.** Introduce district design standards for parking, lighting, signage, noise, buffers/open space, and street regulations

Definitions

Casino Gaming.

- Baccarat, blackjack, twenty-one, poker, craps, dice, slot machines, roulette wheels, Klondike tables, Mah Jongg, electronic table games, hybrid table games, punchboards, faro layouts, numbers tickets, push cards, jar tickets, or pull tabs, or any variation of the aforementioned games, and any other activity that is authorized by the Virginia Lottery Board as a wagering game or device under Chapter 41 of Code of Virginia Title 58.1 as amended.

Casino Gaming Establishment.

- The premises, including, but not limited to, the entire property located at the address of the licensed casino, upon which lawful casino gaming is authorized and licensed under Virginia law. A casino gaming establishment does not include a riverboat or similar establishment.

ERC District — overall district

- Purpose: District is designed to be compatible with existing land uses while being granted flexibility due to the unique characteristics of the proposed casino and resort development.
- District Requirements: Overall minimum district size of 75 acres

ERC District — use and bulk regulations

- Use Regulations: Primary land use would be casino gaming establishment, but the district also allows other uses including, but not limited to, retail, office, multi-family residential, dining, grocery, medical, and community uses; temporary casino structure allowed while the permanent facilities are being constructed.
- Height, Area, Density, and Bulk Regulations: Height limits vary by land use and, largely, there are no minimum or maximum lot width, lot frontage, lot area, or yard requirements except where a lot adjoins property outside the ERC District.

ERC District — signage and parking

- Signs: Signage for the casino and associated uses under common ownership/control will be granted flexibility with regulations; additional uses subject to general sign ordinance requirements.
- Parking: Flexibility is allowed for the total number of parking spaces per use, but the text lays out design specifications for both surface and structured parking areas.

ERC District — lighting and noise

- Noise: Noise levels for any activities limited to 85 dBA between 9:00 a.m. and midnight and 72 dBA between midnight and 9:00 a.m. when measured at the property line of an adjoining residential land use.
- Exterior Lighting: Lighting to comply with State and Federal requirements; unique and varied lighting sources are allowed, but must be designed and operated to prevent spillover onto adjoining properties.

ERC District — buffers, open space, streets

- Buffer Regulations: Buffers required along any property that is not a part of the ERC District consisting of either existing vegetation or plantings, including grass, shrubs, hedges and trees.
- Public Open Space Regulations: Open amenity space required throughout the development; No minimum requirement for individual parcels, but at least 5 percent of the total development to be open space.
- Street Regulations: Include requirements for pedestrian amenities like sidewalk, lighting, plantings, and street furniture; overall street system to be broken into walkable blocks.

ERC District — additional requirements

- **Additional Requirements:** Requirements for architectural treatment of buildings, sound barriers, public transportation hubs, and waste receptacles; also specifies that the temporary gaming establishment site will be exempt from certain design requirements for the permanent development subject to temporary improvements.
- **Special Uses Enumerated:** Any use that's not listed as a permitted use in the ERC District could be requested in the future through the Special Use Permit process.

Comprehensive Plan Considerations

- Entertainment uses consistently named as one of the most desirable land uses by residents
- City should give careful consideration to targeting particular industries with the goal of building and enhancing the economic ecosystem; identify opportunities in priority areas to attract the types of development needed for growth and improving the City's tax base
- Petersburg is well-positioned to capitalize on tourism; should find ways to extend the stays of visitors through providing more entertainment and lodging options

Staff Request for Consideration

- Former draft of the proposed text required a master plan to guide development , including layout of streets, trails, park locations, and pedestrian only connections. General conformance to the plan would be required as the property is built out.
- Planning staff were directed to remove this language, but feel its absence leaves the City in a disadvantaged position unable to ensure a quality development with variety of uses and features like open spaces, proposed trails, and roadway connections.
- A master plan provides assurance that development occurs in a manner consistent with the product that was presented and led to the selection of the casino developer and the approval of the citizen referendum. Without a master plan, the City has little leverage in terms of the layout and design of an

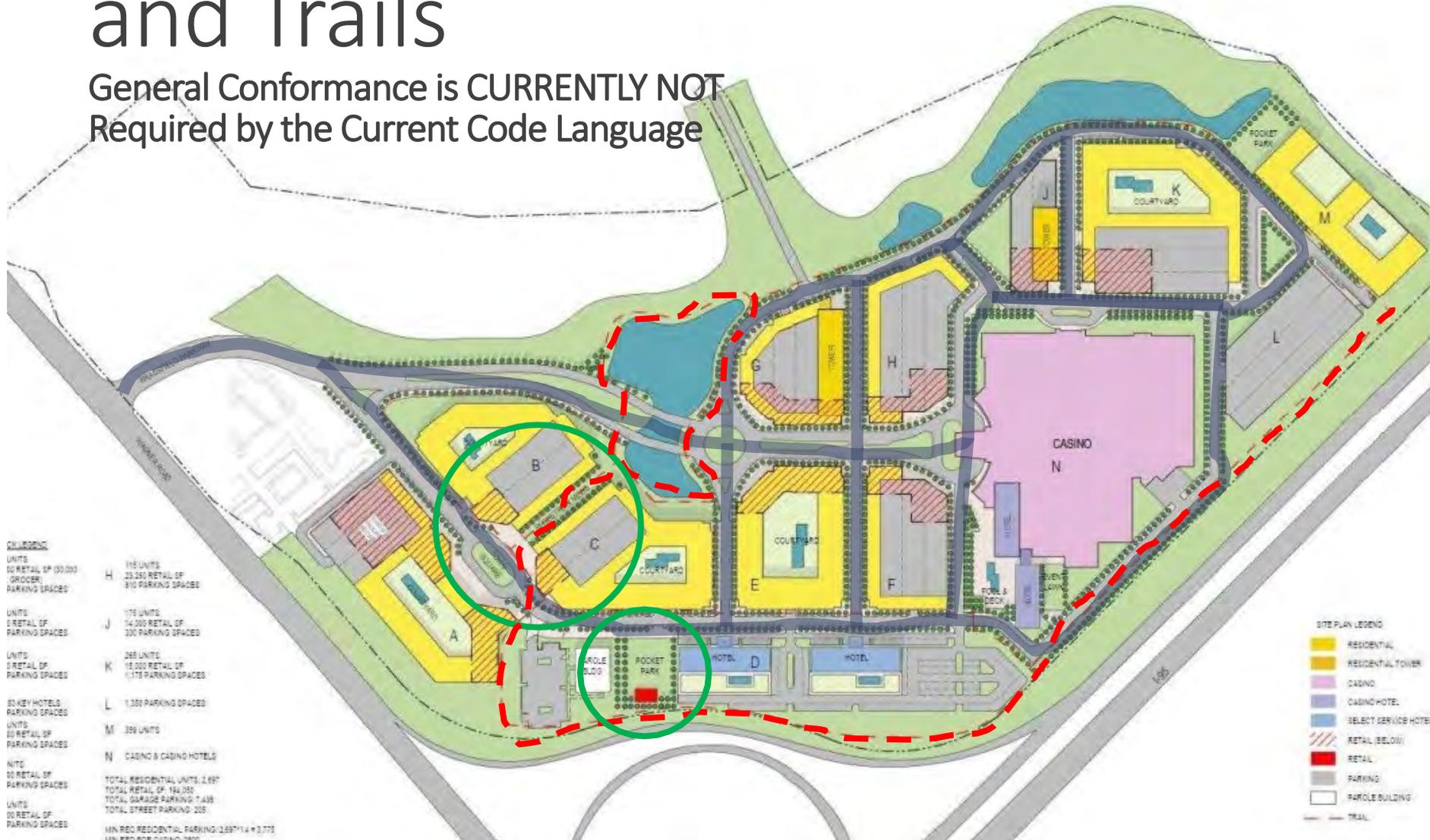
Master Plan

General Conformance is CURRENTLY NOT Required by the Current Code Language



Road Network, Public Spaces, and Trails

General Conformance is CURRENTLY NOT Required by the Current Code Language



Options

- Approval of the text amendment as drafted
- Denial of the text amendment
- **STAFF RECOMMENDATION** Approval of the text amendment with changes
 - Staff recommend approval of the proposed text amendment contingent on the inclusion of a provision requiring a master plan as written below:

The ERC District is subject to general conformance with a master plan to be provided during the rezoning of any property to the ERC District. Minor revisions to the master plan may be approved administratively per Article 38, Section 7 of the Zoning Ordinance. Major revisions to the master plan may be approved by City Council following a public hearing process as outlined in Article 28.

A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE ADOPTING ARTICLE 18.4. –“ERC” ENTERTAINMENT AND RESORT CASINO DISTRICT AND AMENDING AND READOPTING ARTICLE 3. – DEFINITIONS AS SET FORTH IN THE ZONING ORDINANCE OF THE CITY OF PETERSBURG, TO CREATE AND REGULATE A NEW ZONING DISTRICT ENTITLED THE ERC, ENTERTAINMENT AND RESORT CASINO DISTRICT

WHEREAS, the City of Petersburg Zoning Ordinance deals with land uses in the city and regulation of such uses; and

WHEREAS, on April 17, 2024, the Virginia General Assembly voted to make the City of Petersburg an eligible host for a casino gaming establishment and on November 5, 2024 the residents of the City of Petersburg voted overwhelmingly in favor of allowing a casino and resort development in the city; and

WHEREAS, the City’s Zoning Ordinance does not currently list casino gaming as a permitted use and no existing zoning district would accommodate a casino and resort development as desired; and

WHEREAS, the PetersburgNEXT Comprehensive Plan states the City should give careful consideration to targeting desired industries with the goal of enhancing its economic ecosystem and should identify opportunities attract the types of development needed for growth and improving the City’s tax base; and

WHEREAS, The Planning Commission supports the adoption of Article 18.4. – “ERC” Entertainment and Resort Casino District to create and regulate a zoning district to accommodate a casino and resort development within the city as well as an amendment to Article 3. – Definitions to define “casino gaming” and “casino gaming establishment;” and

WHEREAS, pursuant to the requirements of Titles 15.2-2204 and 15.2-2285 of the Code of Virginia, as amended, a public hearing was advertised and held, in accordance with applicable laws.

NOW THEREFORE BE IT RESOLVED that the Planning Commission does hereby recommend approval of an ordinance adopting Article 18.4. – “ERC” Entertainment and Resort Casino District into the Zoning Ordinance and amending and readopting Article 3. – Definitions of the Zoning Ordinance as indicated in Exhibit A.

AN ORDINANCE APPROVING THE ADOPTION OF ARTICLE 18.4. – “ERC” ENTERTAINMENT AND RESORT CASINO DISTRICT AND AMENDING AND READOPTING ARTICLE 3. – DEFINITIONS AS SET FORTH IN THE ZONING ORDINANCE OF THE CITY OF PETERSBURG, TO CREATE AND REGULATE A NEW ZONING DISTRICT ENTITLED THE ERC, ENTERTAINMENT AND RESORT CASINO DISTRICT

WHEREAS, the City of Petersburg Zoning Ordinance deals with land uses in the city and regulation of such uses; and

WHEREAS, on April 17, 2024, the Virginia General Assembly voted to make the city of Petersburg an eligible host for a casino gaming establishment and on November 5, 2024 the residents of the city of Petersburg voted overwhelmingly in favor of allowing a casino and resort development in the city; and

WHEREAS, the City’s Zoning Ordinance does not currently list casino gaming as a permitted use and no existing zoning district would accommodate a casino and resort development as desired; and

WHEREAS, the PetersburgNEXT Comprehensive Plan states the City should give careful consideration to targeting desired industries with the goal of enhancing its economic ecosystem and should identify opportunities to attract the types of development needed for growth and improving the City’s tax base; and

WHEREAS, City Council supports the adoption of Article 18.4. – “ERC” Entertainment and Resort Casino District to create and regulate a zoning district to accommodate a casino and resort development within the city as well as an amendment to Article 3. – Definitions to define “casino gaming” and “casino gaming establishment;” and

WHEREAS, pursuant to the requirements of Titles 15.2-2204 and 15.2-2285 of the Code of Virginia, as amended, a public hearing was advertised and held, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that City Council does hereby approve an ordinance adopting Article 18.4. – “ERC” Entertainment and Resort Casino District into the Zoning Ordinance and amending and readopting Article 3. – Definitions of the Zoning Ordinance as indicated in Exhibit A.

ARTICLE 3. - DEFINITIONS

Section 1. - General rules of construction.

For the purpose of this ordinance, certain terms and words are hereby defined. Words used in the present tense include the future, words in singular number include the plural number, and words in plural number include the singular; the word "building" includes the word "structure"; the word "shall" is mandatory and not directory.

(Ord. No. 94-140, 11-15-1994)

Section 2. - Definitions.

Abattoir. A commercial slaughterhouse.

Accessory building. An accessory building is a subordinate building or a portion of the main building, the use of which is clearly incidental to or customarily found in connection with, and (except as otherwise provided in this article) located on the same lot as the main building or principal use of the land.

Accessory use. An accessory use is one which is clearly incidental to or customarily found in connection with, and (except as otherwise provided in this article) on the same lot as the principal use of the premises. When "accessory" is used in the text, it shall have the same meaning as "accessory use."

Adult book store. A commercial establishment which has a substantial or significant portion of its stock in trade, books, magazines, periodicals, films or similar printed materials and which, with respect to the entire premises or a portion or a section of the premises, limits its customers to persons over 18 years of age, or as one of its principal business purposes offers for sale, rental or viewing for any form of consideration any one or more of the following:

- (1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or
- (2) Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities."

Adult entertainment establishment. A restaurant, nightclub, private club or similar establishment which allows live performances involving persons who are semi-nude. For the purposes of this provision, semi-nude shall mean:

- (1) Less than completely and opaquely covered pubic region, buttocks, or female breasts below a point immediately above the top of the areolae, excepting any portion of the cleavage of the female breast exploited by a dress, shirt, leotard, bathing suit or other wearing apparel, provided the areolae are not exposed, but under no circumstances less than completely covered genitals, anus, or areolae of the female breast;
- (2) Male genitals in a state of arousal, even if completely and opaquely covered.

Any establishment which features such performances shall be deemed to be an adult entertainment establishment. The above restrictions shall not apply to a legitimate theatrical performance where nudity or semi-nudity is only incidental to the primary purpose of the performance.

Adult motion picture theater. A commercial establishment where, for any form of consideration, films (which term shall also include videotapes and other, comparable technology) containing "specified sexual activities" or "specified anatomical areas" ("sexually oriented films") are predominantly shown; or where a predominant

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number of films are limited to adults only. For the purposes of this section, sexually oriented films will be deemed predominantly shown if they are shown more frequently than other, nonsexually oriented films, or if there is regularly greater audience attendance at such films than at other, nonsexually oriented films. A finding of the zoning administrator that sexually oriented films predominate or that a predominant number of films are restricted to adults shall be presumed to be correct unless the subject owner or operator rebuts the presumption by clear and convincing evidence.

Adult video store. A commercial establishment where, for any form of consideration, films, including videotapes/video cassettes, motion pictures, slides and other, comparable technology, containing "specified sexual activities" or "specified anatomical areas" (sexually oriented films) are offered for sale or rent; such films are a substantial portion of the stock-in-trade of such establishment; or where a substantial portion of such films are limited to adults only.

Alley. A public way which affords only a secondary means of access to property abutting thereon.

Alteration. Any change in the total floor area, use, adaptability or external appearance of an existing structure.

Apartment. A part of a building containing cooking and housekeeping facilities, consisting of a room or suite of rooms, intended, designed and used as a residence by an individual or a single family.

Apartment house. Same as "dwelling, multiple-family."

Assisted living facility. A residential facility, other than a group home, where more than eight residents who are not related by blood or marriage receive assistance with activities of daily living or therapeutic care, regardless of whether licensed by a governmental agency or not. Assisted living facilities shall only be permitted upon issuance of a special use permit by city council.

Automobile. A motor vehicle designed to transport property and/or persons on its own structure. The term "automobile" shall include, but not be limited to, "passenger car," "pickup truck," "panel truck," "van," or "light truck, with a capacity of four tons or less and having no more than two axles."

Automobile self-service station. Any establishment having pumps and storage tanks at which fuels and oils for automobiles are dispensed or sold at retail, and where dispensing is performed by the customer or an employee, but where automotive repair is not performed. A gasoline service station shall not have parking or refueling facilities for semi-trailer trucks, nor shall the refueling of such vehicles be permitted, although semi-trailer trucks may be permitted to park on the site for the purpose of off-loading goods to the businesses located on the premises.

Automobile service station. Any establishment having pumps and storage tanks at which fuels and oils for automobiles are dispensed or sold at retail, and where dispensing is performed by the customer or an employee. A gasoline service station shall not have parking or refueling facilities for semi-trailer trucks, although semi-trailer trucks may be permitted to park on the site for the purpose of off-loading goods to the businesses located on the premises. In addition, only the following services and sales may be made: sale and servicing of spark plugs, batteries and/or distributors and ignition system parts; replacement or muffler or other exhaust system parts; replacement of coolant hoses, accessory drive belts, windshield wipers or blades, light bulbs or parts; the changing or oil and filters and lubrication of parts; repairs to fuel injectors or related systems; adjustment and repair of brakes; repair of automotive wiring systems; and minor motor repairs not involving the removal of the engine head or crankcase, or transmission; sales of beverages, packaged foods, tobacco products and similar convenience goods for customers, as accessory and incidental to the principal operations; provision of restroom facilities; and state motor vehicle inspections.

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Banquet hall/Event facility. A facility with or without a kitchen, leased for the purpose of hosting private social events that are not open to the general public for gatherings like wedding receptions, meetings, and banquets, with or without live entertainment, where food and/or drink may be consumed on site.

Basement. That portion of a building between the floor and ceiling which is wholly or partly below grade, and having more than one-half of its height below grade.

Bed-and-breakfast inn. A structure or building containing sleeping and eating accommodations for compensation and allowing only overnight transient guests and which is operated in accordance with all pertinent city code requirements and regulations.

Boardinghouse. A building or portion thereof where no more than six rooms, limited to no more than one occupant each, are rented on a weekly or monthly basis, where renters may share common cooking or bathroom facilities.

Breezeway. A structure, entirely open, except for roof and supporting columns, which connects a residence and an accessory building on the same lot.

Building. Any structure, having a roof supported by columns or walls, for the housing or enclosure of persons or property of any kind.

Building, height of. The vertical distance from the grade to the highest point of the coping of a flat roof or to the mean height level between eaves and ridge for gable, hip and gambrel roof.

Buildable width. The width of that part of a lot not included within the open space herein required.

Casino gaming/game. Baccarat, blackjack, twenty-one, poker, craps, dice, slot machines, roulette wheels, Klondike tables, Mah Jongg, electronic table games, hybrid table games, punchboards, faro layouts, numbers tickets, push cards, jar tickets, or pull tabs, or any variation of the aforementioned games, and any other activity that is authorized by the Virginia Lottery Board as a wagering game or device under Chapter 41 of Code of Virginia Title 58.1 as amended.

Casino Gaming Establishment. The premises, including, but not limited to, the entire property located at the address of the licensed casino, upon which lawful casino gaming is authorized and licensed under Virginia law. A casino gaming establishment does not include a riverboat or similar establishment.

Child-care center. A facility operated for the purpose of providing care, protection and guidance to a group of ten or more children separated from their parents or guardian during a part of the day only, except:

- (1) A facility required to be licensed as a summer camp under the Code of Virginia, §§ 35-43 through 35-53;
- (2) A public school, unless the commission of welfare and institutions determines that such private schools is operating a child care outside the scope of regular classes;
- (3) A facility which provides child care on a hourly basis, which is contracted for by parent only occasionally;
- (4) A facility operated by a hospital on the hospital's premises, which provides care to the children of the hospital employees while such employees are engaged in performing work for the hospital;
- (5) Sunday School conducted by a religious institution or a facility operated by a religious organization, where children are cared for during short periods of time while persons responsible for such children are attending religious study;

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(6) Those operated as an auxiliary use on the premises of a church or religious institution.

Clinic. An office building or a group of offices for one or more physicians, surgeons or dentists engaged in treating the sick or injured, but not including rooms for abiding patients.

Club, community. Buildings and facilities owned or operated by a corporation, association, person or persons, for a social, educational or recreational purpose, but not primarily for profit which inures to any individual, and not primarily to render a service which is customarily carried on as a business.

Club, private. A use that provides meeting areas or social facilities for civic or social clubs and similar organizations and associations that hold regular meetings or events for dues-paying members and their guests only. Such establishment shall not be operated for the purpose of carrying on a trade or business and no part of the net earnings shall inure to the benefit of any member of such organization or any other individuals, although regular employees may be paid reasonable compensation for services rendered. Private clubs shall maintain a current membership log, which is available for view upon request by the City Commissioner of the Revenue.

Conditional zoning. As part of classifying land within a governmental entity into areas and districts by legislative action, the allowing of reasonable conditions governing the use of such property, such conditions being in addition to the regulations provided for a particular zoning district or zone by the overall zoning ordinance.

Commission. The planning commission of the City of Petersburg.

Court. An open space, which may or may not have direct street access and around which is arranged a single building or a group of related buildings.

Data Center. An establishment engaging in the storage, management, processing, and/or transmission of digital data, and housing computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. Such facility or use may include, but is not limited to, air handlers, water cooling and storage facilities, utility substations and infrastructure, back-up power generation, fire suppression systems, and/or enhanced security systems.

District. Any section of the City of Petersburg within which the zoning regulations are uniform.

Drive-in restaurant. A retail food-dispensing and eating establishment where patrons are permitted to park cars on the premises and food or drinks are served to patrons in cars.

Driveway. The paved area between a road/street and required parking spaces, which provides an approach to the parking spaces.

Dwelling. Any building, or portion thereof: designed or used for residential purposes.

Dwelling, single-family. A building designed for use, or occupied exclusively, by one family.

Dwelling, two-family. A building designed for, or occupied exclusively, by two families living independently of each other.

Dwelling, multiple-family. A building designed for, or occupied exclusively, by three or more families living independently of each other.

Dwelling, townhouse. One of a series of from three to 12 attached dwelling units separated from one another by continuous vertical walls without openings from basement floor to roof: and having diversified architectural facades or treatment of materials on both front and rear of the building group, with not more than four or any 12 abutting townhouses having the same architectural facades and treatment of materials, and with same front and rear setbacks. Minimum setback offset shall be one foot.

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Dwelling unit. A room or group of rooms occupied or intended to be occupied as separate living quarters by a single family or other group of persons living together as a household, or by a person living alone.

Family. One person, or two or more persons related by blood, adoption or marriage living and cooking together as a single housekeeping unit with not more than two boarders; or a number of persons, but not exceeding two living and cooking together as a single housekeeping unit, though not related by blood, adoption or marriage shall be deemed to constitute a family. The term "person" used herein shall not be construed to include lodger(s) or boarder(s).

Family day-care home. Any private family home in which five to nine children are received for care, protection and guidance during only a part of the 24-hour-day, except children who are related by blood or marriage to the person who maintains the house.

Financial institution. Any establishment, the primary business of which is concerned with such federal or state regulated activities as banking, savings and loans, and consumer loan companies, not including pawnshops or short-term loan establishments.

Floor area. The gross horizontal area of all floors, including basements, cellars and penthouses (but excluding such areas within a building which are used for parking), measured from the exterior faces of the exterior of a building.

Frontage.

- (1) *Street frontage.* All of the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street; or if the street is dead-ended, then all the property abutting on one side between an intersecting street and the dead-end of the street.
- (2) *Lot frontage.* The distance for which the front boundary line of the lot and the street line are coincident.

Garage, private. An accessory building, not exceeding 900 square feet in area, designed or used for the storage of not more than four motor-driven vehicles owned and used by the occupants of the building to which it is accessory. Not more than one of the vehicles may be a commercial vehicle [, such vehicle] of not more than two tons capacity.

Garage, storage or parking. A building, or portion thereof: designed or used exclusively for storage of motor-driven vehicles, and at which motor fuels and oils may be sold without exterior advertising, and where motor-driven vehicles are not equipped, repaired, hired, or sold.

Gasoline service station. Same as automobile self-service station.

Grade.

- (1) For buildings having a wall or walls adjoining one street only, the elevation of the sidewalk grade at the center of the wall adjoining the street.
- (2) For buildings having a wall or walls adjoining more than one street, the average elevation of the sidewalk grade at the centers of all walls adjoining the streets.
- (3) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Any wall parallel to, or within ten degrees of being parallel to and not more than 15 feet from a street line is to be considered as adjoining the street. Sidewalk grades shall be as established by the director of public works.

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Group home. As defined within Code of Virginia, § 15.2-2291, (1) a residential facility for which the Department of Behavioral Health and Developmental Services of the Commonwealth is the licensing authority; and, in which no more than eight mentally ill, mentally retarded or developmentally disabled persons reside, with one or more resident or nonresident staff persons or (2) a residential facility in which aged, infirm or disabled persons reside for which the Department of Social Services is the licensing authority in which no more than eight aged, infirm or disabled persons reside, with one or more resident counselors or other staff persons. A group home shall be treated as residential occupancy by a single family. Mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined within Code of Virginia, § 54.1-3401.

Guesthouse. Living quarters within a detached accessory building located on the same premises with the main building for use by temporary guests of the occupants of the premises; such quarters having no kitchen facilities or separate utilities and not rented or otherwise used as a separate dwelling.

Home occupation. Any occupation or activity which is clearly incidental and secondary to use of the premises for dwelling, and which is carried on wholly within a main building by a member of a family residing on the premises; in connection with which there is no advertising other than an identification sign of not more than one square foot in area; and no other display or storage of materials, or generation of substantial volumes of vehicular or pedestrian traffic or parking demand, or other exterior indication of the home occupation or variation from the residential character of the building; and in connection with which no person outside the resident family is employed, and no equipment used, other than that normally used in connection with a residence. A home occupation shall not include beauty parlors, barbershops, or doctors' or dentists' offices for the treatment of patients, or similar establishments offering services to the general public.

Hospital. A building or group of buildings, having room facilities for one or more abiding patients, used for providing services for the in-patient, medical or surgical care of sick or injured humans, and which may include related facilities, such as laboratories, out-patient department, training facilities, central service facilities, and staff offices; provided, however, that such related facility must be incidental and subordinate to the main use, and must be an integral part of the hospital operation.

Hotel, motel. An establishment primarily engaged in the rental of more than six rooms on a daily basis. As such, it is open to the public in contradistinction to a boardinghouse, rooming house, lodging house or apartment, which are herein separately defined. The term "motel" includes "motor court," "motor hotel," or "motel lodge." The term "hotel" includes "apartment hotel." A hotel or motel shall be deemed to include any establishment which provides residential living accommodations for transients on a short-term basis.

Live entertainment. An accessory use allowing live performances but not limited to, music performances involving amplified music or more than one live instrument, a disc jockey, any form of dancing, karaoke, solo artists and comedians.

Loading space. A space within the main building or on the same lot therewith providing for temporary parking of motor vehicles while transferring, loading or unloading goods, merchandise, or products.

Lodging house. Same as "boardinghouse."

Lot. A portion or parcel of land devoted to a common use, or occupied by a principal building or group of buildings devoted to common use, together with the customary accessories and open spaces belonging to same, and having its principal frontage on a public street or a private street of record.

Lot, area. The total horizontal area within the lot lines of the lot.

Lot, corner. A lot abutting upon two or more streets at their intersection.

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Lot, depth of. The distance from the front street line to the rear lot line, measured in the mean direction of the side lot lines.

Lot, interior. A lot whose side line or lines do not abut upon any street.

Lot, through. An interior lot having frontage on two streets.

Lot of record. A lot which has been recorded in the office of the clerk of the Hustings Court of the City of Petersburg or the Circuit Court of Dinwiddie or Prince George County.

Lot, width. The distance between the side lot lines measured at the required front yard line.

Lounge or bar. An area, or room, utilized primarily for the sale of alcoholic beverages for the consumption by patrons on the premises and in which the sale of food is merely incidental to the sale of alcoholic beverages.

Micro-brewery, micro-distillery, micro-winery and/or micro-cidery. A facility for the production and packaging of alcoholic beverages for distribution, retail or wholesale, on- or off-premises and which meets all Virginia Alcoholic Beverage Control laws and regulations. The facility may include other uses such as retail sales, tasting rooms and restaurants.

Mini-storage facility, mini-warehouse, or self-storage facility. A facility consisting of individual, small, self-contained units or areas within a building which are rented individually for storage, that is used or is designed to be used for storing household goods, business records or supplies, vehicles or recreational vehicles.

Mobile food unit. A restaurant that is mounted on wheels and readily movable from place to place by an internal engine or that is towed from place to place by a motor vehicle. Mobile food unit shall not include vending carts or other conveyances which are designed to be moved by either human or animal power.

Mobile home. An industrialized building unit which is eight feet or more in width and 32 feet or more in length and is constructed on a chassis for towing to the point of use and designed to be used with or without a foundation for occupancy as a dwelling when connected to required utilities; or two or more such units, separately towable, but designed to be joined together at the point of use to form a single dwelling, and which is designed for removal to and installation or erection on other sites.

Mobile home park. Any plot of ground upon which two or more mobile homes, occupied for dwelling sleeping purposes, are located, regardless of whether or not a charge is made for such accommodations.

Mobile home space. A plot of ground within a mobile home park designed for accommodation for one mobile home.

Mobile home subdivision. Any division of land into three or more lots, for the intended purpose of occupation of the resultant lots by mobile homes. Each lot to be occupied by no more than one mobile home at any one time.

Modular home or unit. An industrialized building assembly or system of building subassemblies, including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building or as a part of a finished building, comprising two or more industrialized building units and not designed for ready removal to or installation or erection on another site. For the purpose of this article, a modular unit shall be deemed a single-family dwelling and shall not be deemed a mobile home.

Nightclub. An establishment where entertainment, live or otherwise, predominates over food service, becoming the principal use for at least during part of the business' operations, with or without dancing, and typically involving a cover or other charge for admission and event advertising. An establishment that serves alcoholic

beverages, that provides live entertainment with live music, a disc jockey and a dance floor and that operates late in the evening later than 11:00 p.m.

Nonconforming use. Any building or land lawfully occupied by a use at the time of passage of this article, or amendment thereto, which does not conform after the passage of this article, or amendment thereto, with the use regulations of the district in which it is located.

Parking space, off-street. An all-weather surfaced area, not in the street or alley, and having an area of not less than 180 square feet, exclusive of driveways, permanently reserved for the temporary storage of one automobile, and connected with a street or alley by an all-weather surfaced driveway which affords satisfactory ingress and egress for automobiles.

Pawnshop. Any establishment which loans money on the security of a borrower's personal property held in keeping of the pawnbroker.

Premises. A lot, together with all buildings and structures thereon.

Private nursery school. A school operated primarily for the educational instruction of children three to five years of age, at which [school] children three or four years of age do not attend in excess of four hours per day and children five years of age do not attend in excess of six and one-half hours per day.

Private plaza. A multi-purpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor movies, staged musical or theatrical entertainment, which may also include fountains, benches, temporary installations, including temporary stages, lighting and sound equipment, recreational facilities, outdoor furniture and seating areas and outdoor seating for restaurants and other eating establishments that surround the plaza.

Proffer. A condition voluntarily offered by a developer that limits or qualifies how the property in question will be used or developed.

Recreational Substances. Recreational substances includes the following:

- (1) Any product made of tobacco including cigarettes, cigars, smokeless tobacco, and pipe tobacco.
- (2) Any noncombustible product containing nicotine or vaping fluid that employs a heating element, power source, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution or other form.
- (3) Any product, including any raw materials from hemp that are intended to be consumed by inhalation.

Recreational Substances Retail, Off-Site Use: Any establishment, facility, or location whose business operation involves (i) the retail sale of Recreational Substances and (ii) includes Recreational Substances as 25% or more of its total inventory or 15% or more of its total display shelf area.

Recreational Substances Retail, On-Site Use. Any establishment, facility, or location whose business operation allows the on-site use of Recreational Substances.

Restaurant. An establishment primarily engaged in the preparation and service of food and beverages to patrons for on-site consumption in a permanent, seated dining area.

Restaurant, carry out. An establishment where food and beverages are prepared for consumption off the premises, and with no customer seating on the premises.

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Restaurant, coffee or ice cream shop. A small restaurant, typically no more than 2,000 square feet in area, where the principal business is either the sale of coffee and other hot beverages or the sale of ice cream, frozen yogurt or other related confections. Pastries, baked goods, cold beverages, sandwiches and other light fare may also be sold incidental to the service of coffee, and other confections, but no alcohol is served, no entertainment takes place and no significant cooking, other than the application of heat by microwave, electric burner, espresso machine, the heating of soup or the boiling of water, typically takes place.

Rooming house. Same as "boardinghouse."

Short-term loan establishment. A business licensed to make payday loans under Chapter 18 of Title 6.2, Code of Virginia, licensed to sell money orders or engage in the business of money transmission under Chapter 19 of Title 6.2, Code of Virginia, registered as a check casher under Chapter 21 of Title 6.2, Code of Virginia, or licensed to make motor vehicle title loans under Chapter 22 of Title 6.2, Code of Virginia. Banks, savings and loans institutions, credit unions, and retail stores, among others, are not considered to be short-term loan establishments.

Sign. A sign is any structure, or part thereof or any device attached to, painted on, or represented on a building, fence or other structure, upon which is displayed or included any letter, work, model, banner, flag, pennant, insignia, decoration, device or representation used as, or which is in the nature of an announcement, direction, advertisement or other attention-directing device. A sign shall not include a similar structure or device located within a building, except illuminated signs within show windows.

Sign area. That area within a line including the outer extremities of all letters, figures, characters and delineations, or within a line, including the outer extremities of the framework or background of the sign, whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon or a building, or part thereof shall be included in the sign area.

Sign, flashing. Any illuminated sign on which the artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use. Any revolving illuminated sign shall be considered a flashing sign.

Sign, illuminated. Any sign designed to give forth artificial light, or designed to reflect light from one or more sources of artificial light erected to provide light for the sign.

Small box discount store. Retail sales uses with a floor area less than 12,000 square feet that offer for sale a combination and variety of convenience shopping goods and consumer shopping goods; and continuously offer a majority of the items in their inventory for sale at a price less than \$10.00 per item.

Solar panel, small. Non-commercial/industrial solar energy harvesting equipment designed to be affixed to a pre-existing structure to supplement a primary energy source. The use is permitted in all zoning districts and must conform to any current or future laws and regulations regarding electrical energy harvesting, storage, and distribution. If the proposed location is within a historic district, the use is subject to review by the architectural review board. All solar facilities must comply with Code of Virginia title 15.2, chapter 22, article 7, § 15.22288.7.

Solar farm. Commercial/industrial solar energy harvesting equipment designed to function as standalone structures to provide solar energy as a primary source of electric energy. The use is permitted in A, M-1, and M-2 Zoning Districts, pursuant to an approved special use permit and must conform to any current or future laws and regulations regarding electrical energy harvesting, storage, and distribution. If the proposed location is within a historic district, the use is subject to review by the architectural review board. All solar facilities must comply with Code of Virginia title 15.2, chapter 22, article 7, § 15.2-2288.7.

Specified anatomical area. As used herein, specified anatomical areas means and includes any of the following:

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- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae; or
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activities. As used herein, specified sexual activities means and includes any of the following:

The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;

Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;

Masturbations, actual or simulated; or

Excretory functions as part of or in connection with any of the activities set forth in subdivisions (1) through (3) of this subsection.

Stand-alone used vehicle sales. A business which is not a part of and not on the same parcel as a franchised new vehicle sales business, but which is subject to licensing by the Virginia Department of Motor Vehicles as a vehicle dealership.

Stand-alone vehicle repair shop. A business which is engaged in the provision of general repairs to motor vehicles, including the serving or rebuilding of engines and transmissions, vehicle suspensions, vehicle electrical, hydraulic, or fuel systems, or the provision of major overhauls and maintenance, or minor repairs and routine maintenance to vehicles or parts thereof, and the washing or waxing of vehicles either through the use of automated devices or by hand. The term "stand alone vehicle repair shop" shall not include the painting of vehicles, bodywork or framework performed on vehicles. Neither shall the term "stand alone vehicle repair shop" apply to the service shops of franchised new vehicle dealerships licensed as such by the Virginia Department of Motor Vehicles Dealer Services Division.

Story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or if there be no floor above it, then the space between such floor and the ceiling next above it.

Story, half. A space under a sloping roof at the top of a building, the floor of which is not more than two feet below the plate, shall be counted as a half-story when not more than 60 percent of said floor area is used for rooms, baths or toilets. A half-story containing an independent apartment or living quarters shall be counted as a full story.

Street. A public thoroughfare which affords the principal means of access to abutting property.

Street line. A dividing line between a lot, tract, or parcel of land and a contiguous street.

Structure. Anything, other than a fence, constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, advertising signs, billboards and posterboards.

Structural alterations. Any change in the supporting members of a building, including, but not limited to, bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

Tourist court, auto court. Same as "motel."

Tractor-trailer. A truck equipped with a coupling device to pull trailers, tankers, or semi-trailers, and having a gross vehicular weight of more than five tons. The term "tractor-trailer" shall include, but not be limited to, "tractor truck," and "semi-trailer."

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Tractor-trailer service station or truck stop. Any establishment having pumps and storage at which fuels and oils for tractor-trailers, trucks, or buses are dispensed or sold at retail. The facility may also have provisions for the following; tractor trailer, truck, or bus parking; automobile fueling; repair or maintenance of automobiles, trucks, buses, or tractor-trailers; sleeping accommodations; sanitation facilities; or sale of parts or accessories for automobiles or tractor trailers, trucks or buses.

Trailer park, auto trailer camp or mobile home court. That area of land on which two or more trailers or mobile homes being used for living purposes are parked.

Travel trailer. A vehicular, portable structure built on a chassis and designed to be used for temporary occupancy for travel, recreational or vacation use; with manufacturers' permanent identification, "travel trailer," thereon and when factory-equipped for the road, being of any weight, provided its gross weight does not exceed 4,500 pounds; or being of any length provided its overall length does not exceed 32 feet.

Truck. A vehicle with a gross weight of more than five tons.

Vehicle demolisher. Any person whose business it is to crush, flatten, or otherwise reduce a vehicle to a state where it can no longer be considered a vehicle.

Vehicle rebuilder. Any person who acquires and repairs, for use on the public highways, two or more salvage vehicles within a twelve-month period.

Vehicle removal operator. Any person who acquires a vehicle for the purpose of reselling it to a demolisher, scrap metal processor, or salvage dealer.

Vehicle salvage dealer. Any person who acquires any vehicle for the purpose of reselling any parts thereof.

Vehicle tow lot or storage lot. The use of a parcel or lot for the temporary storage of damaged, disabled, inoperative, or impounded motor vehicles or machinery. Except as noted below, temporary storage shall be limited to a maximum of 30 days per vehicle unless the vehicle has been abandoned by its owner. Abandoned vehicles may remain on the lot a maximum of 90 days. Maximum storage times shall be extended up to six months if the owner submits certification to the zoning administrator and to the Bureau of Police that legal obligations preclude removal of such vehicles. The term vehicle tow lot or storage lot shall not include junkyards; nor any vehicle or machinery storage on the same property or portion of property as and directly related to any permitted motor vehicle sales, service, repair and rental use, automobile service station, body shop or similar use and permitted as part of that use. The term vehicle tow lot or storage lot shall include the storage of vehicles in association with the operation of wreckers or similar vehicles, and the parking of wreckers whether or not attached to wrecked, damaged, disabled, inoperative, or impounded vehicles.

Yard. An open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this article.

Yard, front. A yard extending across the front of a lot between the side yard lines; and being the minimum horizontal distance between the street line and the main building, or any projections thereof: other than the projections of uncovered steps, uncovered balconies, terraces, or uncovered porches. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

Yard, rear. A yard extending across the rear of the lot between the side lot lines, and measured between the rear lot lines and the rear of the main building or any projection other than steps, unenclosed porches, or entrance ways.

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Yard, side. A yard between the main building and the side line of the lot; extending from the front lot line to the rear yard; and being the minimum horizontal distance between a side lot line and side of the main building, or any projection thereof.

ARTICLE 18.4. "ERC" Entertainment and Resort Casino District

Section 1. – Purpose.

The Entertainment and Resort Casino (ERC) District establishes standards and conditions for the development and operation of an entertainment and/or casino gaming establishment including accessory uses while promoting the public, health, safety, and general welfare to ensure development is compatible with existing and future land uses.

Because of the special characteristics of the uses permitted within the ERC District, in particular casino gaming establishments, the purpose of this district is to provide flexibility in parking, signage, exterior lighting, building heights, setbacks, and other standards not typically permitted elsewhere in the city.

The ERC District is subject to the entirety of Appendix B, unless otherwise stated in this article or in conflict. Where the standards governing the ERC District expressly conflict with any other provision of this Ordinance, the standards governing the ERC District shall control, unless expressly stated otherwise in the ERC District regulations. The regulations contained in this article are supplemented or modified by regulations contained in other articles of this ordinance. The following articles in their entirety do not apply to development within the ERC District: Article 22, Article 20, and Subsections 4.1 and 4.4 of Article 25.

Section 2. – Use Regulations

The primary land use for this district shall be a casino gaming establishment. The following additional uses or uses identified as similar or accessory to shall be permissible:

- (1) Casino gaming establishments, including accessory uses, buildings, and structures customarily subordinate, incidental, and on the premises of such casino gaming establishments
- (2) Hotels and motels
- (3) Entertainment, cultural and recreational uses (including theatres, art galleries, libraries, museums, entertainment venues, private clubs, lodges, amusement centers, and other recreational facilities)
- (4) Retail sales establishments
- (5) Personal services, including but not limited to beauty and barbershops, accountant and tax services, fitness centers, attorney offices and any other comparable services
- (6) Pharmacies
- (7) Business and professional offices, and office buildings and research laboratories
- (8) Restaurants, including without limitation drive-in restaurants, mobile food units, carry-out establishments.
- (9) Coffee shops
- (10) Ice cream parlor
- (11) Convention center
- (12) Multiple-family dwelling
- (13) Incidental uses in multi-family dwellings and office buildings for the convenience of the occupants thereof, including but not limited to restaurants, beauty parlors and barbershops
- (14) Athletic and recreational facilities and fields to include golf courses

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- (15) Swimming pools, community buildings, and other similar related improvements
- (16) Amusement places in an enclosed building, auditorium
- (17) Outdoor advertising structures or signs as accessory to other permitted uses in the ERC District (excluding highway billboard signs; provided, however, that a pylon sign promoting a casino gaming establishment visible from surrounding rights-of-way shall not be considered a "billboard sign" hereunder)
- (18) Bowling alleys and billiard parlors
- (19) Printing, publishing, and engraving establishments
- (20) Child-care centers
- (21) Micro-breweries, micro-distilleries, micro-wineries and/or micro-cideries
- (22) Distilleries (alcoholic), breweries, and alcoholic spirits (non-industrial)
- (23) Automobile service station or self-service station (excluding automobile repair)
- (24) Medical clinics
- (25) Garages, storage or parking
- (26) Live entertainment
- (27) Nightclubs as accessory to casino gaming establishment (and otherwise as a special use per Section 13, below)
- (28) Private clubs
- (29) Private plazas
- (30) Temporary buildings, including a temporary casino gaming establishment, the uses of which are incidental to construction operations or sale of lots during development being conducted on the same or adjoining tract or subdivision, and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of two (2) years from the time of erection of such temporary buildings, whichever is sooner
- (31) Community clubs and community-operated playgrounds, parks and nonprofit little theater operations, and similar recreational facilities
- (32) Public utilities, and poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision of maintenance of public utilities, as provided in Article 23
- (33) Off-street parking, including parking decks/garages
- (34) Nonprofit educational and philanthropic institutions
- (35) Studios for an artist, photographer, sculptor, or musician, including teaching of art, music, dancing, or other artistic instructions
- (36) Exposition buildings or centers
- (37) Colleges and schools, public or private, having a curriculum and conditions under which teaching is conducted equivalent to a public school and institutions of higher learning
- (38) Laundries
- (39) Motion picture production
- (40) Theaters, including a drive-in or outdoor theater, provided that drive-in or outdoor theaters shall not operate past 12:00 AM
- (41) Banking offices and financial institutions
- (42) Accessory buildings and uses
- (43) Grocery store
- (44) Helipad as accessory to other permitted uses in the ERC District

Section 3. – District Requirements.

- (1) The minimum ERC District size shall be 75 acres.

Section 4. – Height, area, and bulk regulations.

- (1) The maximum density for multiple-family dwellings in an ERC District shall be 40 units per acre, which shall be calculated for each separate ERC District based upon the entire acreage located within such ERC District. With respect to the total number of multiple-family dwelling units permitted for an ERC District hereunder, there shall be no limitation as to how many of such units may be located on each parcel within the ERC District (regardless of any subsequent subdivision or lot consolidation), but the total number of units throughout the ERC District shall not exceed 3,000 units.
- (2) Building height shall not exceed 6 (six) stories, except for: (a) hotels and motels, office, and multiple-family dwellings which are permitted up to thirty (30) stories, and (b) structured parking facilities, which are permitted up to eight (8) stories. Buildings taller than six stories must incorporate design elements that enhance the pedestrian experience at the ground level. These include:
 - a. A clearly defined, human-scaled base using materials or architectural details distinct from upper stories;
 - b. Integration of architectural elements such as awnings, canopies, or arcades to provide shelter and visual interest.
 - c. Setbacks or step-backs for any portion of the building above the sixth story, starting at a minimum of 10 feet from the base to reduce visual bulk; and
 - d. Building entrances that are prominent, well-lit, and oriented toward the pedestrian right-of-way.
- (3) Maximum building height: 400 feet.
- (4) Minimum yard requirements:
 - (a) Front/Side Yard: None.
 - (b) Rear Yard abutting property located within an ERC District: None.
 - (c) Rear Yard abutting property not located within an ERC District: 25 feet.
- (5) There shall be no minimum lot area, lot width, lot coverage, or public road frontage requirements in an ERC District provided vehicular or pedestrian access for each lot is provided through a perpetual, unobstructed easement. Additionally, more than one main building may be located on each lot regardless of the use(s) of such building(s).
- (6) This Section is supplemented by the exceptions granted by Article 25. Section 2.
- (7) City Council may grant modifications to the density, buffering, landscaping, yard, or other requirements of the ERC District, for individual projects or lots within the ERC District after following a public hearing process as outlined in Article 28.

Section 5. - Parking.

- (1) This Article is not subject to the standards of Article 19, Off-Street Parking Regulations, with the exception of the following Sections, which apply:

- (a) All off-street parking shall be concrete, asphalt, pavers, brick, or porous pavement approved for use by the Department of Planning and Community Development.
 - (b) Section 4. – General (1) and (2)
 - (c) Section 8. – Buffers required
- (2) Structured Parking: Street-facing facades shall (a) be designed to be compatible with the principal building in terms of architectural style, texture, and quality, and (b) be screened at ground level by architectural and/or landscape screening. All non-street facing sides of parking structures, when not built to a zero set back on the property line, shall have a continuous minimum ten (10) feet wide landscaped strip between the structure and said property line, except at vehicular and pedestrian access openings.
- (3) Off-street, surface parking lots shall have a minimum landscaped area equal to at least ten (10) percent of the paved area of the lot. No more than fifteen (15) consecutive parking spaces may be provided without a landscape interior island. A landscape median island must be provided for every six (6) rows of single parking spaces. Median islands must be at least six (6) feet wide. Within median islands, walkways a minimum width of four (4) feet wide must be provided to connect such parking to sidewalks/walkways and to building entrances.

Section 6. – Exterior lighting.

- (1) Development in an ERC District, in particular casino gaming establishments, has unique needs for exterior lighting that require flexibility and would not typically be permitted in other areas of the city.
- (2) Exterior lighting must comply with state and federal regulations and must not interfere with any public roadways.
- (3) Exterior lighting must comply with Code of Virginia Ch. 12, Title 33.2.
- (4) Notwithstanding any provision of the City Code to the contrary:
 - (a) Upwardly directed lighting may be used to illuminate buildings, structures, and landscaping in the ERC District, provided the lighting does not spillover onto adjacent residential uses.
 - (b) Awnings or canopies used for building accents over doors, windows, etc., may be internally illuminated (i.e. from underneath or behind the awning) in the ERC District.
- (5) Searchlights operated within the ERC District must comply with the following regulations:
 - (a) Searchlights must not be operated so as to constitute a traffic hazard or a nuisance.
 - (b) Searchlights must be so operated so as to avoid directing the beam at any building.
 - (c) Searchlights must be so operated as to avoid directing the beam onto any adjacent property.
 - (d) Searchlight beams must not be displayed at an angle greater than 45 degrees from the perpendicular.
 - (e) Searchlights must not operate between 12:00 a.m. midnight and 5:00 p.m.

Section 7. - Signs.

- (1) Development in the ERC District, in particular casino gaming establishments, will have unique needs for signage that require flexibility and would not typically be permitted in other areas of the city.
- (2) Notwithstanding Article 21 of this Ordinance, there shall be no restrictions on the type, amount, or size of signage in the ERC District for the following uses (a) casino gaming establishments, and (b) uses (including, without limitation hotel(s), entertainment venues, commercial retail establishments, offices, restaurants, exhibition centers and convention centers) under common ownership or control (including affiliated entities) with a casino gaming establishment. Signage for the aforementioned uses shall require permitting as outlined in Article 21, Sections 3 and 3.1 except that multiple signs can be approved on a single permit. Such sign permits shall be approved unless proposed signage poses a threat to public health, safety, or general welfare.
- (3) All other uses in the ERC District shall be subject to the signage regulations set forth in Article 21 of this Ordinance.
- (4) All signage in the ERC District shall comply with applicable state and federal regulations, and the signs prohibited in Code of Virginia Sec. 33.2-1216 are prohibited in the ERC District.

Section 8. – Noise.

- (1) In lieu of any other noise regulations contained in the City Code (including, without limitation, those set forth under Chapter 50, Article II), the following noise regulations shall apply to all activities, operations, or sources within the ERC District:
 - (a) The exterior noise limits for any source of noise in any ERC District cannot exceed 85 dBA between 9:00 a.m. and 12:00 a.m. midnight, when measured at the property line of a residential use.
 - (b) The exterior noise limits for any source of noise in any ERC District must be reduced between 12:00 a.m. midnight and 9:00 a.m. so that when measured at the property line of a residential use the noise does not exceed 72 dBA.

Section 9. – Buffer regulations.

- (1) A minimum 15-foot landscaped buffer must be provided along any property line abutting property not located within an ERC District, utilizing natural vegetation and topography when possible or, when natural vegetation cannot be utilized, live grass, shrubs, hedges, trees and other landscaping materials, as approved by the Director of Planning and Community Development. Driveways, utility easements, signage, and sidewalks are allowed to encroach into the landscaped buffer. With respect to any portion of an ERC District having frontage along Interstate 95 or associated on/off ramps, the landscaped buffer shall be required for only sixty percent (60%) of such frontage provided that no single expanse without buffer meets the entirety of the 40 percent (40%) allowable.

Section 10. – Public open space regulations.

- (1) Five percent (5%) of the total development area included within each ERC District must consist of “open/amenity space”, which shall include but not be limited to: plazas, green spaces, landscaped areas, natural preservation areas meeting the requirements of Section 10 (2), green roofs, water amenities, pedestrian walkways, pedestrian facilities, or other similar features
- (2) Above-ground stormwater drainage and/or retention facilities shall be considered as open/amenity space, provided the design incorporates landscaping, recreational elements, and/or public access features that enhance the aesthetic and functional value of the space, creating a usable community asset. Such elements or features may include pedestrian walkways, fountains, benches, supplemental plantings or other similar improvements.
- (3) There shall be no minimum open/amenity space requirement for the development of individual parcels within the ERC District (regardless of any subsequent subdivision or lot consolidation), and compliance with this Section 10 shall be determined based upon the entire development area located within the ERC District. Open/amenity space features should not be limited to a single location within the ERC District.
- (4) Streets are not to be considered in the calculation of open/amenity space. Plans for open/amenity space shall be submitted with the site plan for review by the Department of Planning and Community Development.

Section 11. – Street regulations.

- (1) Streets onto which buildings front and streets that serve as the primary corridors into the community shall provide sidewalks at least five (5) feet in width, with pedestrian scale lighting, native trees, and amenities such as seating, trashcans, and bicycle racks. Street sections must be submitted with the site plan to ensure compliance with this code.
- (2) A 10-foot-wide area must be provided along each public or private roadway within an ERC District, which area will accommodate the listed amenities in Section 10.(1), and will be developed concurrently with the adjacent roadway.
- (3) Blocks shall not exceed 2,400 linear feet. Enhanced pedestrian pathways can be utilized to break down blocks such as a wide promenade with art, landscaping, seating, and lighting.
- (4) Prior to the issuance of final site plan approval for a permanent Casino Gaming Establishment, a Traffic Impact Analysis (TIA) for such permanent Casino Gaming Establishment shall be completed. Any traffic improvements to City rights-of-way recommended by the TIA as the result of traffic generated by the permanent Casino Gaming Establishment shall be completed to the satisfaction of the City Engineer prior to the issuance of a final certificate of occupancy for the permanent Casino Gaming Establishment, unless the City Engineer approves a phasing plan that permits the construction of a portion of such improvements after the issuance of a final certificate of occupancy. Nothing in Section 11(4) shall preclude the issuance of a temporary certificate of occupancy prior to the completion of any improvements required hereunder.

Section 12. – Additional requirements.

- (1) Development in the ERC District is exempt from Article 25 Sections 4.1 and 4.4, provided that all building exteriors must be clad in durable materials, to include, but not limited to, architectural block, brick, natural stone, fiber cement/concrete, stucco, and architectural metal cladding. Vinyl siding/cladding is prohibited as an exterior building material.

- (2) All dumpsters that are visible from a public road must be fully screened. The screening structure must consist of a masonry unit design enclosure and/or materials to match the adjacent building and a metal gate(s) that screens the view of the dumpster.
- (3) Sound barriers: Any sound barriers developed within this district shall be enhanced with architectural treatment, murals, or other treatment approved by the Director of Planning and Community Development in a manner which shall be architectural to provide interest and approximate human scale.
- (4) The temporary casino structure and any associated site improvements which will be removed or redeveloped following construction of the permanent casino gaming establishment, including but not limited to streets and parking areas, shall be exempt from the site standards outlined in the following portions of this article:
 - (a) Section 5 (3)
 - (b) Section 9
 - (c) Section 10
 - (d) Section 11
 - (e) Section 12 (1-3)

In lieu of meeting the standards outlined above, the temporary casino site shall include temporary site improvements to enhance aesthetics and guest experience. These improvements may include, but are not limited to, planters with greenery around the tent and within the parking lots, temporary art installations, string lighting, and other decorative elements as approved by the Department of Planning and Community Development. All temporary improvements shall be maintained in good condition for the duration of the casino's operation and removed upon cessation of activities.

- (5) Within each ERC District, right-of-way shall be provided by the property owner(s) upon request of the City in a mutually agreeable location for the installation of up to two (2) bus stops. The City may construct improvements associated with such bus stops at its own cost and expense.

Section 13. – Additional requirements.

The following special uses may be approved by the council, as provided in this article:

- (1) Any use not listed as a "permitted use", above, yet are listed within Appendix B as permitted uses or special uses.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: February 25, 2025

TO: The Honorable Mayor and Members of City Council

THROUGH: Naomi Siodmok, Director of Planning and Community Development

FROM: March Altman, Jr.

RE: **Public Hearing of an Ordinance Approving a Request by PPE Casino Resorts Petersburg, LLC on Behalf of Roslyn Farm Corporation to Rezone Property at 2949 South Crater Road and 155, 161, and 301 Wagner Road, Parcel IDs 064020003, 064020800, 082010001, 082010802 from the PUD, Planned Unit Development and B-2, General Commercial Districts to the ERC, Entertainment and Resort Casino District - Pages 81-119**

PURPOSE: To Rezone Property at 2949 South Crater Road and 155, 161, and 301 Wagner Road, Parcel IDs 064020003, 064020800, 082010001, 082010802 from the PUD, Planned Unit Development and B-2, General Commercial Districts to the ERC, Entertainment and Resort Casino District to support a planned casino.

REASON: The City has received a request to rezone four parcels located off Interstate-95 at Wagner Road along Brassfield Parkway to the ERC, Entertainment and Resort Casino District contingent upon approval of 2025-ZTA-01. Approval of the rezoning would allow the development of a multi-use project with a casino gaming establishment and associated hotel, and entertainment venue as the primary use. Staff are recommending *approval of the proposed rezoning contingent on the inclusion of a provision requiring a master plan in 2025-ZTA-01* to ensure development is consistent with the product being presented and considered.

RECOMMENDATION: Staff are recommending *approval of the proposed rezoning contingent on the inclusion of a provision requiring a master plan in 2025-ZTA-01* to ensure development is consistent with the product being presented and considered.

BACKGROUND: The property comprises four undeveloped lots and totals approximately 90 acres. It is located on the north side of Wagner Road off Interstate-95 with access to the property provided from Brasfield Parkway. The applicant is requesting to rezone the property to the ERC, Entertainment and Resort Casino District. If approved, 2025-ZTA-01 would create the ERC District and introduce regulations, including permitted uses and design standards. The primary land use of the ERC District would be a casino gaming establishment, but the district would also allow other uses, including retail, office, multi-family residential, dining, grocery, medical, and community uses. The district would also allow a temporary gaming establishment to be installed and operated while the permanent facilities are being constructed.

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. 1. 25-REZ-01 Memo2
2. 2. 25-REZ-01
3. 3. Resolution 25-REZ-01
4. 3. Ordinance 25-REZ-01
5. 4. Application - Cordish
6. 5. Application - Walker
7. 6. 2024-03-07_Petersburg_Parcels Map
8. 7. Master Plan Pics for City
9. 8. Zoning Map
10. 9. Future Land Use Map
11. 10. Community Mixed-Use
12. 11. Adjoining Property Owners



City of Petersburg

Department of Planning and Community Development
135 N Union St, Room 304
Petersburg, VA 23803
(804) 733-2308

MEMORANDUM

DATE: February 25, 2025

TO: Planning Commission & City Council

FROM: Planning and Community Development

RE: 2025-REZ-01: Contingent on approval of 2025-ZTA-01, Consideration of an ordinance approving a request by PPE Casino Resorts Petersburg, LLC, on behalf of Roslyn Farm Corporation, to rezone property at 2949 South Crater Road and 155, 161, and 301 Wagner Road from the PUD, Planned Unit Development and B-2, General Commercial Districts to the ERC, Entertainment and Resort Casino District

EXECUTIVE SUMMARY

The City has received a request to rezone four parcels located off Interstate-95 at Wagner Road along Brassfield Parkway to the ERC, Entertainment and Resort Casino District contingent upon approval of 2025-ZTA-01. Approval of the rezoning would allow the development of a multi-use project with a casino gaming establishment and associated hotel, and entertainment venue as the primary use. One parcel is currently in a PUD, Planned Unit Development District (2949 South Crater Road) and the other parcels are located in the B-2, General Commercial District. The property is designated as a Community Mixed-Use area of the Future Land Use Map of the PetersburgNEXT Comprehensive Plan and is also located at a corridor and gateway into the city. Staff are recommending ***approval of the proposed rezoning contingent on the inclusion of a provision requiring a master plan in 2025-ZTA-01*** to ensure development is consistent with the product being presented and considered.

CHRONOLOGY OF EVENTS

1. April, 2024 – The Virginia General Assembly passed legislation making the City of Petersburg eligible to host a casino. Petersburg City Council voted to select The Cordish Companies to develop a casino and entertainment resort on an approximately 90-acre

development site located off Interstate-95 at Wagner Road along Brassfield Parkway pending the outcome of a citizen referendum.

2. July, 2024 – The Virginia Lottery Board approved the proposed casino project; City Council and Petersburg Circuit Court approved citizen referendum to be added to November, 2024 ballot.
3. November 5, 2024 – Residents of the city voted in favor of allowing the casino and resort development within the city with 81.6 percent of the vote.
4. December 12, 2024 – City staff received petition to rezone subject property to ERC, Entertainment and Resort Casino District

BACKGROUND

The property comprises four undeveloped lots and totals approximately 90 acres. It is located on the north side of Wagner Road off Interstate-95 with access to the property provided from Brasfield Parkway. The applicant is requesting to rezone the property to the ERC, Entertainment and Resort Casino District. If approved, 2025-ZTA-01 would create the ERC District and introduce regulations, including permitted uses and design standards. The primary land use of the ERC District would be a casino gaming establishment, but the district would also allow other uses, including retail, office, multi-family residential, dining, grocery, medical, and community uses. The district would also allow a temporary gaming establishment to be installed and operated while the permanent facilities are being constructed.

If the rezoning is approved, the build-out of the district would be in conformance with the approved development agreement between the City and the developer. The agreement stipulates that there will be a first phase of development consisting of a temporary casino gaming establishment that will be operated for a period of up to two years while the permanent facilities are constructed. The second phase of the project includes the permanent casino gaming establishment as well as a 200-room hotel and spa, a minimum of five restaurants and bars, a conference center with approximately 35,000 square feet of meeting and function space, and an event venue with approximately 3,000 seats.

Subsequent phases of development will be subject to market conditions and demands, but may include multi-family residential development, additional hotel and lodging accommodations, retail and office space, and further dining and entertainment options. The applicant has provided a master plan showing the general layout and proposed renderings of the planned development which is included as an attachment to this report.

If the rezoning is approved, the development of the site would be subject to plan review and permitting by the City, including any necessary improvements or extensions of existing public utilities or streets.

ADJACENT ZONING/USES

The subject property is surrounded by a variety of zoning districts and land uses:

- Property to the north is zoned R-1, Single-Family Residence and includes the Oakhurst Subdivision.
- Property to the south is zoned B-2, General Commercial and comprises a range of uses including restaurants, convenience stores, medical, and lodging uses.
- The property is bordered to the east by Interstate-95, but property across the interstate is zoned M-2, Heavy Industrial and includes a number of industrial facilities.
- Property to the west is zoned PUD, Planned Unit Development, and includes the Cavalier Apartments as well as the Delta Community Foundation facilities.
- Along Brasfield Parkway, the property also adjoins the District 7 Parole Probation and Parole Office.

Please note the subject property is largely separated from existing residential developments by the Blackwater Swamp and adjoining wetlands.

COMPREHENSIVE PLAN CONSIDERATIONS

The property is designated as a Community Mixed-Use area on the Future Land Use Map of the PetersburgNEXT Comprehensive Plan. Community Mixed-Use areas are defined as “centers of commerce and amenities for Petersburg residents and visitors alike.” The Comprehensive Plan states these areas should contribute to Petersburg’s overall economy and primary land uses include recreation, hospitality, personal services, medical clinics, multi-family residential, small commercial, and uses compatible with tourism goals. Planning principles for these areas include a focus on compact, traditional neighborhood-style development with well-defined streets and pedestrian and bicycle amenities, preservation of existing greenspace where possible, and incorporation of open space, public art, and high-quality building materials.

The property is also located within a Gateway and Corridor area on the Future Land Use Map. Gateways are locations where regional travel networks enter the Petersburg City limits and the plan emphasizes using art, signage, lighting, and landscaping to create a sense of arrival in the city. Corridors are longer stretches of street which serve as important travel routes and the plan emphasizes a focus on consistent streetscapes with multiple travel options that welcome people to visit as well as spend time and stay within the city.

While the Comprehensive Plan doesn’t speak directly to a casino and resort development in the city, a key strategy identified in the plan is to “market the economic potential of interchanges along Interstates 85 and 95 and recommend approval of appropriate development opportunities, such as hospitality-oriented uses and mixed-use development, in those areas.” The plan also states the City should identify opportunities in priority areas to attract the types of development needed for growth and improving its tax base.

Entertainment uses were consistently named as one of the most desirable land uses throughout the drafting of the Comprehensive Plan and the plan notes that the City should give careful

consideration to targeting particular industries with the goal of building and enhancing the economic ecosystem.

PUBLIC Input:

As of the writing of this report, staff have received no telephone calls, emails, or letters in support of or in opposition to the request. Staff have received several phone calls with general inquiries about the proposed development.

RECOMMENDATION: Staff recommend *approval of the proposed rezoning contingent on the inclusion of a provision requiring a master plan in 2025-ZTA-01* to ensure development is consistent with the product being presented and considered.

ATTACHMENTS

Presentation

Resolution

Ordinance

Applications (one signed by applicant/developer, one signed by property owner)

Petersburg Live! Master Plan

Zoning Map and Future Land Use Map

Comprehensive Plan Excerpt on Community Mixed-Use Areas

Adjoining Property Owners List

PLANNING
COMMISSION
MEETING

FEBRUARY 6,
2025



2025-REZ-01:

Contingent on approval of 2025-ZTA-01, Consideration of an ordinance approving a request by PPE Casino Resorts Petersburg, LLC, on behalf of Roslyn Farm Corporation, to rezone property at 2949 South Crater Road and 155, 161, and 301 Wagner Road from the PUD, Planned Unit Development and B-2, General Commercial Districts to the ERC, Entertainment and Resort Casino District

Subject Properties



Request Overview

- Rezone to ERC, Entertainment and Casino Resort District, contingent on approval of 2025-ZTA-01
- 2949 South Crater Road zoned PUD, Planned Unit Development, remaining parcels zoned B-2, General Commercial
- Primary land use in ERC is casino gaming establishment; additional uses include lodging, retail, office, multi-family residential, dining, grocery, medical, and community uses



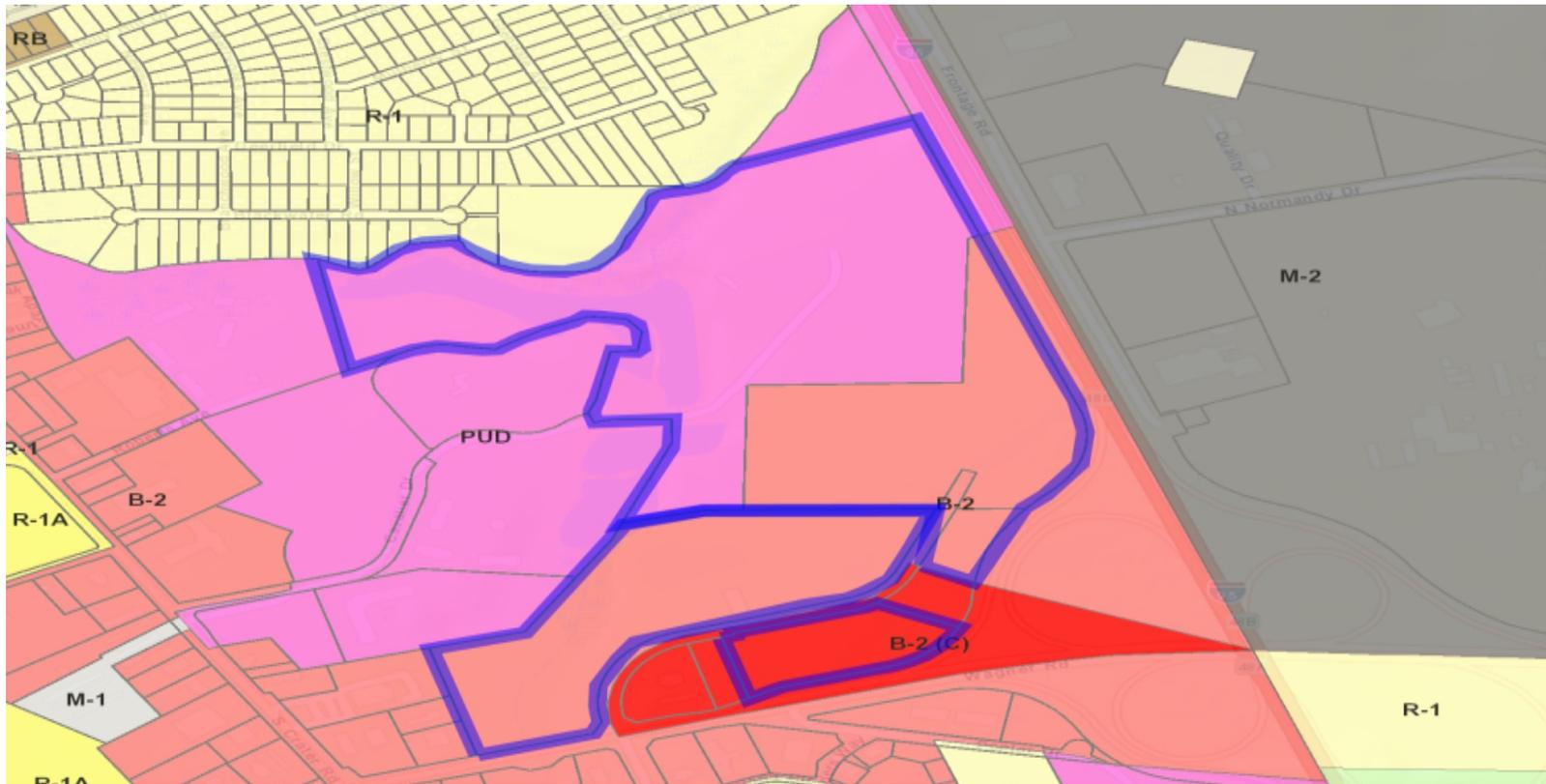
Proposed Use

- Property to be developed according to approved agreement between City and developer.
- Phase 1: Temporary casino to be operated while permanent facilities are constructed for up to two years.
- Phase 2: Permanent casino, hotel and spa, restaurants and bars, 35,000-square-foot conference center and 3,000-set entertainment venue.
- Subsequent phases of development subject to market demands, may include additional lodging, retail and office space, multi-family residential, and/or additional dining and entertainment options.

Master Plan



Adjoining Zoning



Comprehensive Plan Considerations

- Community Mixed-Use and Gateway/Corridor on Future Land Use Map:
 - “Centers of commerce and amenities for Petersburg residents and visitors alike”
 - Primary land uses include recreation, hospitality, personal services, medical clinics, multi-family residential, small commercial, and uses compatible with tourism goals
 - Focus on compact, traditional neighborhood-style development with well-defined streets and pedestrian and bicycle amenities, preservation of existing greenspace where possible, and incorporation of open space, public art, and high-quality building materials; make people want to visit as well as stay and spend time

Comprehensive Plan Considerations (continued)

- Strategy: “Market the economic potential of interchanges along Interstates 85 and 95 and recommend approval of appropriate development opportunities, such as hospitality-oriented uses and mixed-use development, in those areas.”
- City should identify opportunities in priority areas to attract the types of development needed for growth and improving its tax base.

Staff Recommendation

Staff recommend ***approval of the proposed rezoning contingent on the inclusion of a provision requiring a master plan in 2025-ZTA-01*** to ensure development is consistent with the product being presented and considered.

Planning Commission Options

- Approval of the rezoning
- Denial of the rezoning

A RESOLUTION RECOMMENDING APPROVAL OF A PETITION TO REZONE PROPERTY LOCATED AT 2949 SOUTH CRATER ROAD AND 155, 161, AND 301 WAGNER ROAD, PARCEL IDENTIFICATION NUMBERS 064020003, 064020800, 082010001, AND 082010802 FROM PUD, PLANNED UNIT DEVELOPMENT AND B-2, GENERAL COMMERCIAL DISTRICT AND M-1, LIGHT INDUSTRIAL DISTRICT TO ERC, ENTERTAINMENT AND RESORT CASINO DISTRICT

WHEREAS, the City of Petersburg received a petition from PPE Casino Resorts Petersburg, LLC, on behalf of Roslyn Farm Corporation, to rezone the property located at 2949 South Crater Road and 155, 161, and 301 Wagner Road from PUD, Planned Unit Development, and B-2, General Commercial to ERC, Entertainment and Resort Casino District in order to develop a casino and resort development; and

WHEREAS, the development of the property shall be guided by the development agreement signed by the developer and the City of Petersburg; and

WHEREAS, the property is designated as a Community Mixed-Use area on the PetersburgNEXT Comprehensive Plan, a designation that supports a range of uses, including entertainment, lodging, commercial and multi-family residential; and

WHEREAS, the Future Land Use further identifies the property as Gateway and Corridor area which should create a sense of arrival in the city and welcome travelers to visit as well as stay in the city; and

WHEREAS, the PetersburgNEXT Comprehensive Plan encourages the City to market the economic potential of properties along Interstate interchanges and to identify and approve appropriate development opportunities to attract industry needed for growth and improvement on the City's tax base; and

WHEREAS, pursuant to the requirements of Titles 15.2-2204 and 15.2-2285 of the Code of Virginia, as amended, a public hearing was advertised and held, in accordance with applicable laws.

NOW THEREFORE BE IT RESOLVED that Planning Commission does hereby recommend approval of the petition to rezone the property located at 2949 South Crater Road and 155, 161, and 301 Wagner Road from PUD, Planned Unit Development, and B-2, General Commercial to ERC, Entertainment and Resort Casino District.

AN ORDINANCE APPROVING A PETITION TO REZONE PROPERTY LOCATED AT 2949 SOUTH CRATER ROAD AND 155, 161, AND 301 WAGNER ROAD, PARCEL IDENTIFICATION NUMBERS 064020003, 064020800, 082010001, AND 082010802 FROM PUD, PLANNED UNIT DEVELOPMENT AND B-2, GENERAL COMMERCIAL DISTRICT AND M-1, LIGHT INDUSTRIAL DISTRICT TO ERC, ENTERTAINMENT AND RESORT CASINO DISTRICT

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NOW THEREFORE BE IT ORDAINED that City Council does hereby approve the petition to rezone the property located at 2949 South Crater Road and 155, 161, and 301 Wagner Road from PUD, Planned Unit Development, and B-2, General Commercial to ERC, Entertainment and Resort Casino District.



City of Petersburg

Department of Planning and Community Development

PROCEDURES FOR PETITION FOR REZONINGS

1. Applicant files petition with the Petersburg Department of Planning and Community Development, City Hall, 135 N Union Street, Petersburg, Virginia 23803.
2. **The Filing fee for Petitions for Rezoning is \$1,500.** A Check or Money Order *made payable to the City of Petersburg* is to accompany the application.
3. A Plat of the property must also accompany the petition.
4. The Department of Planning and Community Development Staff will refer the petition to the Planning Commission to hold a public hearing and consider the petition. Department of Planning and Community Development staff shall advertise the public hearing twice during a fourteen-day period, and the Planning Commission will hold a public hearing, and make a recommendation to the City Council regarding the petition.
5. The City Council schedules then advertises a public hearing regarding the petition.
6. The City Council holds a public hearing then considers the petition with the Planning Commission recommendation and renders a final decision to approve or disapprove the petition.

PLEASE NOTE: The rezoning process may take up to three months.

C. JUSTIFICATION FOR REZONING

- 1. The proposed change in zoning is necessary for the preservation and enjoyment of a substantial property right because: (Provide a detailed statement of reasons why the proposed rezoning should be granted).**

The proposed re-zoning will consolidate the applicable parcels into a single zoning classification that would accommodate a mix of entertainment, commercial and residential uses at an appropriate location along Interstate 95 and Wagner Road.

- 2. The material impact of the proposed rezoning will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement).**

The proposed uses are compatible with surrounding properties, as the site borders Interstate 95, a significant commercial corridor along S. Crater Road and Wagner Road, and will be well buffered from the nearest residential uses.

- 3. The proposed rezoning will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).**

The proposed re-zoning will facilitate the development of a significant mixed use project that will include additional entertainment and commercial amenities for the public, and will provide additional housing options within the City.

- 4. The proposed rezoning is necessary because suitable property for the proposed use is not presently situated within required existing zoning districts. (Specify reasons for this determination).**

The property is currently split-zoned PUD, B-2, and B-2(C), which classifications would not permit the type of mixed use development that is currently proposed.

D. CERTIFICATION:

The undersigned applicant certifies that they:

(a) are the owner, lessee or agent for (specified in writing)

(b) possess a proprietary interest in (contract or option agreement)

the property(ies) identified within this PETITION FOR REZONING, and that the foregoing information and statements herein provided, and all other information herewith submitted, are in all respects true and correct to the best of their knowledge and belief.

Signed:

M. Stewart

Mailing Address:

601 E. Pratt St. 6 Floor

Baltimore, MD 21202

Phone Number:

410-752-5444

Email Address:

m.stewart@cordish.com

APPROVED

City Attorney

TO BE FILED IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION RECORD

Date Filed (with Planning Department):

Date of Planning Commission Public Hearing:

Planning Commission Action(s):

Date of City Council Hearing:

City Council Action(s):



City of Petersburg
Department of Planning and Community Development

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PLEASE NOTE: The rezoning process may take up to three months.

PETITION FOR REZONING

RETURN TO: DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
(CITY HALL, THIRD FLOOR, ROOM 304)
FILING FEE: \$1,500 (CHECK OR MONEY ORDER) AT THE TIME OF SUBMITTAL

CASE NUMBER: _____
APPLICANT: PPE Casino Resorts Petersburg, LLC
ADDRESS: 601 E. Pratt Street, 6th Floor, Baltimore, MD 21202

I, PPE Casino Resorts Petersburg, LLC hereby petition to rezone the following described properties
from zoning district PUD, B-2, B-2(C) to zoning district Resort Casino Entertainment (RCE-1)

A. DESCRIPTION OF PROPOSED USE: (INCLUDE ANY PROFFERED CONDITIONS)

The Applicant proposes to develop a casino gaming establishment, together with additional
entertainment, commercial, restaurant, and multi-family residential uses

B. PROPERTY INFORMATION

1. Tax Parcel Identification Number(s):
064020002; 064020800; 08201001; and 082010802
2. Current Street Address(es) if assigned:
2949 Crater Rd. S.; 161 Wagner Rd.; 301 Wagner Rd.; and 155 Wagner Rd.
3. Approximate Area:
4,029,300 sq. ft. 92.5 acres
4. Public Street Frontage:
Frontage on Interstate 95, Wagner Road, and Brasfield Pkwy ft.
5. A boundary plat of this property outlining the area to be rezoned must be attached to this petition.
6. The following deed restrictions may affect the use of this property:
None known.
7. Brief:
Said deed restrictions will expire on: N/A

C. JUSTIFICATION FOR REZONING

- 1. The proposed change in zoning is necessary for the preservation and enjoyment of a substantial property right because: (Provide a detailed statement of reasons why the proposed rezoning should be granted).**

The proposed re-zoning will consolidate the applicable parcels into a single zoning classification that would accommodate a mix of entertainment, commercial and residential uses at an appropriate location along Interstate 95 and Wagner Road.

- 2. The material impact of the proposed rezoning will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement).**

The proposed uses are compatible with surrounding properties, as the site borders Interstate 95, a significant commercial corridor along S. Crater Road and Wagner Road, and will be well buffered from the nearest residential uses.

- 3. The proposed rezoning will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).**

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D. CERTIFICATION:

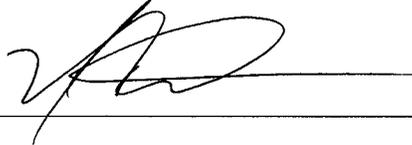
The undersigned applicant certifies that they:

(a) are the owner, lessee or agent for (specified in writing)

(b) possess a proprietary interest in (contract or option agreement)

the property(ies) identified within this PETITION FOR REZONING, and that the foregoing information and statements herein provided, and all other information herewith submitted, are in all respects true and correct to the best of their knowledge and belief.

Signed:



(LANDOWNER)

Mailing Address:

P.O. BOX 727

COLUMBIAN HEIGHTS, VA 23034

Phone Number:

804.526.0820

Email Address:

NWALKER@ROSLYNFARMCORP.COM

APPROVED

City Attorney

TO BE FILED IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION RECORD

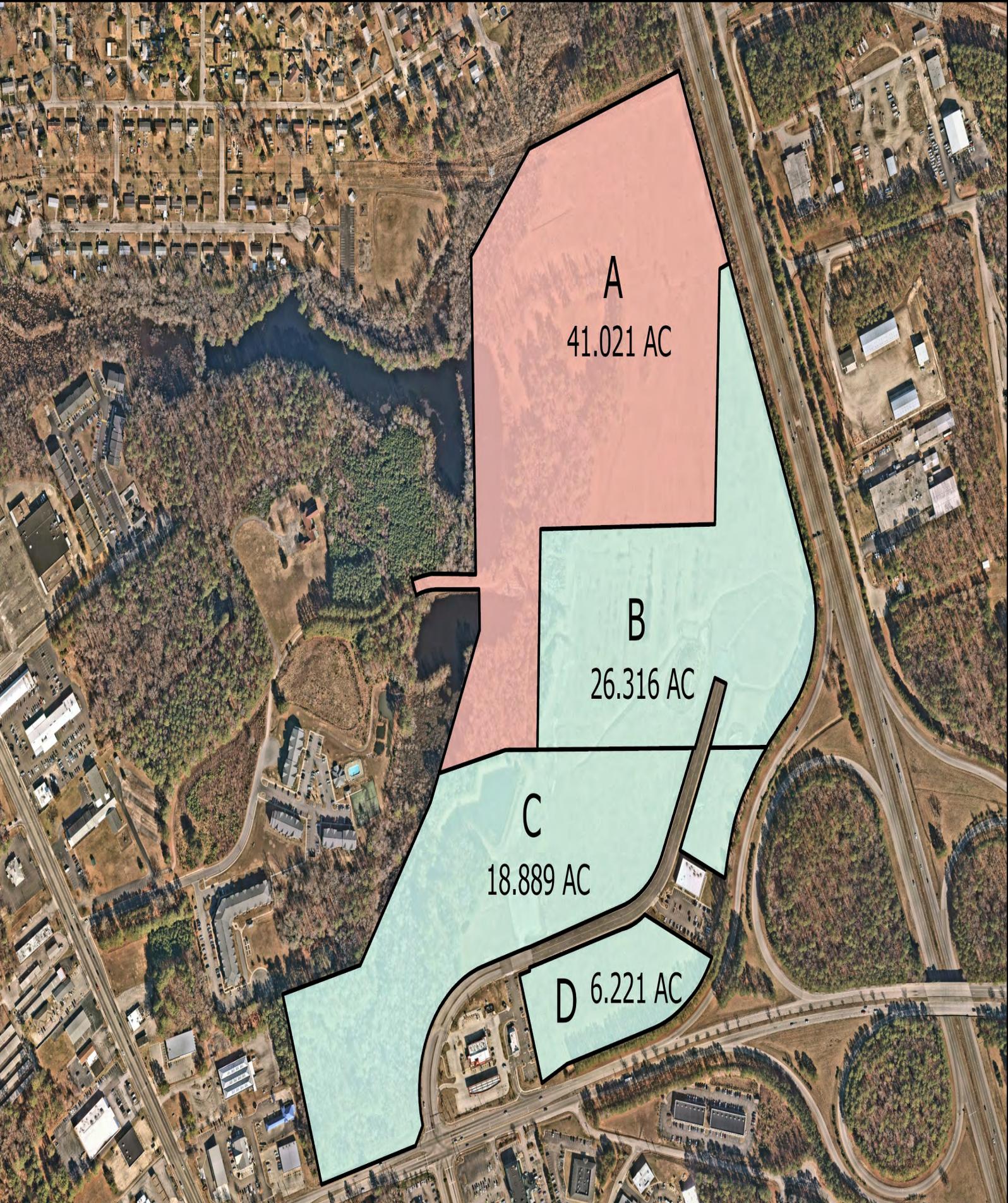
Date Filed (with Planning Department): _____

Date of Planning Commission Public Hearing: _____

Planning Commission Action(s): _____

Date of City Council Hearing: _____

City Council Action(s): _____



A
41.021 AC

B
26.316 AC

C
18.889 AC

D 6.221 AC

Legend

Zoning

 B-2

 PUD



Parcel	Parcel Number	Owner	Address	Acreage (AC)	Zoning
A	064020002	ROSLYN FARM CORPORATION	2949 S. CRATER RD	41.021	PUD
B	064020800	ROSLYN FARM CORPORATION	161 WAGNER RD	26.316	B-2
C	08201001	ROSLYN FARM CORPORATION	301 WAGNER RD	18.889	B-2
D	082010802	ROSLYN FARM CORPORATION	155 WAGNER RD	6.221	B-2



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Master Plan





BLOCK LEGEND

A	250 UNITS 68,000 RETAIL SF (30,000 FOR GROCER) 775 PARKING SPACES	H	115 UNITS 23,260 RETAIL SF 810 PARKING SPACES
B	350 UNITS 7,000 RETAIL SF 600 PARKING SPACES	J	175 UNITS 14,000 RETAIL SF 300 PARKING SPACES
C	384 UNITS 7,000 RETAIL SF 550 PARKING SPACES	K	265 UNITS 15,000 RETAIL SF 1,175 PARKING SPACES
D	(2) 150 KEY HOTELS 215 PARKING SPACES	L	1,350 PARKING SPACES
E	386 UNITS 20,500 RETAIL SF 363 PARKING SPACES	M	359 UNITS
F	87 UNITS 19,400 RETAIL SF 615 PARKING SPACES	N	CASINO & CASINO HOTELS
G	327 UNITS 19,900 RETAIL SF 780 PARKING SPACES		TOTAL RESIDENTIAL UNITS: 2,697 TOTAL RETAIL SF: 194,050 TOTAL GARAGE PARKING: 7,438 TOTAL STREET PARKING: 205

MIN REQ RESIDENTIAL PARKING: 2,697*1.4 = 3,775
MIN REQ FOR CASINO: 2800

SITE PLAN LEGEND

	RESIDENTIAL
	RESIDENTIAL TOWER
	CASINO
	CASINO HOTEL
	SELECT SERVICE HOTEL
	RETAIL (BELOW)
	RETAIL
	PARKING
	PAROLE BUILDING
	TRAIL



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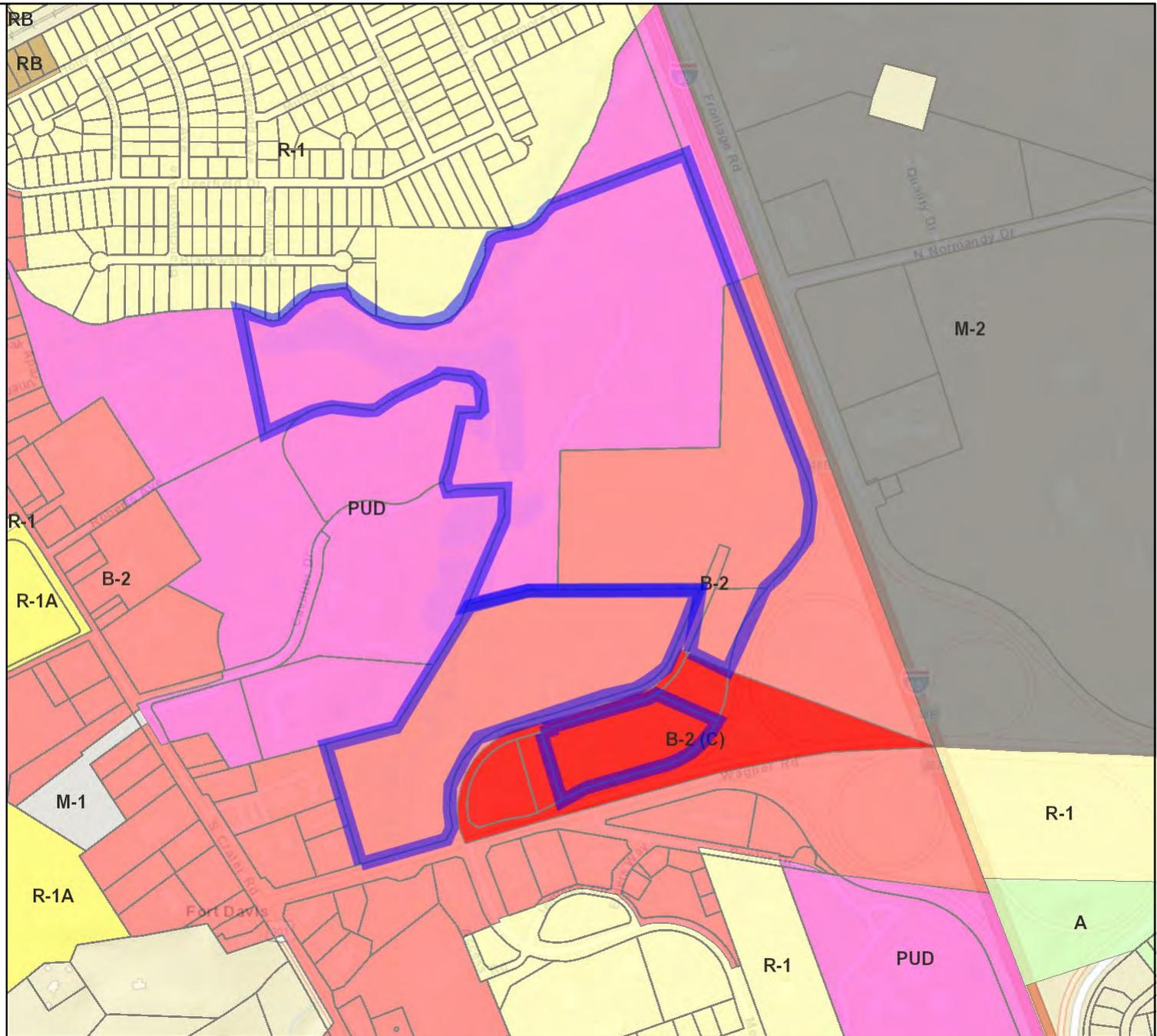
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Petersburg, Virginia

Legend

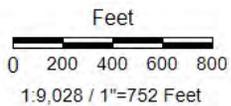
- City Boundary
- Parcels
- Zoning**
- A
- B-1
- B-2
- B-2 (C)
- B-3
- B-3 (C)
- M-1
- M-1 (C)
- M-2
- MXD1
- MXD2
- MXD3
- PUD
- R-1
- R-1 (C)
- R-1A
- R-1A (C)
- R-2
- R-3
- R-4
- R-5
- R-5 (C)
- R-6
- RB
- RMH
- RTH
- RTH (C)



Title:

Date: 2/18/2025

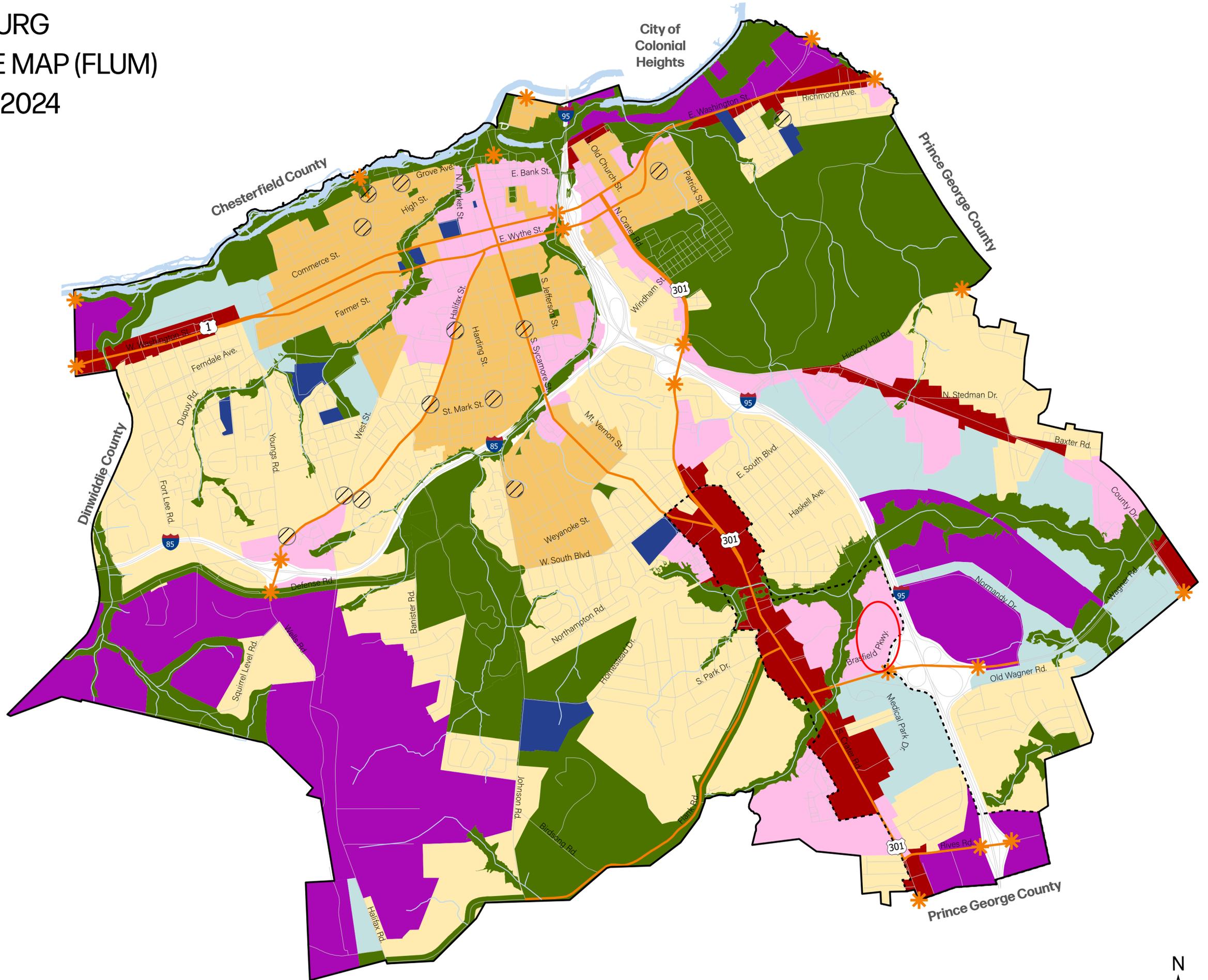
DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and City of Petersburg is not responsible for its accuracy or how current it may be.



CITY OF PETERSBURG FUTURE LAND USE MAP (FLUM) ADOPTED MAY 21, 2024

LEGEND

-  City Limits
-  Roads
-  Appomattox River
-  Waterways
-  South Crater Urban Development Area (UDA)
-  Historic Core Neighborhoods
-  Community Residential
-  Neighborhood Commercial
-  Community Mixed-Use
-  Corridor Commercial
-  Research and Development
-  General Industrial
-  Civic
-  Conservation and Recreation
-  Gateways
-  Corridors



COMMUNITY MIXED-USE

Community mixed-use areas are centers of commerce and amenities for Petersburg residents and visitors alike. These areas are walkable, dense, and interconnected environments of entertainment, shopping, personal services, restaurants, hotels, offices, the arts, and residential uses. While the footprint of community mixed-use areas should not expand in a manner that overwhelms or endangers historic core neighborhoods or conservation areas, their use and intensity may expand in ways that are compatible with Petersburg's historic and architectural character and urban form. Community mixed-use areas are appropriate areas for commercial uses that are pedestrian-oriented, enhance a vibrant street life, and contribute to Petersburg's overall economy. These areas should also integrate pocket parks, street trees, and urban gardens to promote an aesthetically pleasing streetscape and promote air quality and temperature reductions within identified heat islands.

In some community-mixed use areas, such as Old Towne, there may be few opportunities for new development. Therefore, adaptive reuse and infill are most likely to occur and be most appropriate given the historic context of the area. Any investment, however, should ensure the preservation of historic structures

and continue the architectural character of the surrounding area. Renovations, infill, and new construction within designated Local Historic Districts should conform to the Historic District Design Guidelines and decisions of the ARB. Where development and redevelopment occur within a quarter of a mile of a designated historic district, but are not regulated under historic district overlays, adherence to the City's Historic District Design Guidelines should be considered.

Primary Land Uses

- Adaptive reuse
- Infill development
- Community hubs
- Hospitality-oriented uses (e.g., hotels, boutiques, galleries, restaurants)
- Live-work units
- Medical clinics (e.g., dentists, doctors, therapists)
- Multi-family residential dwellings
- Offices
- Parks and recreational spaces
- Personal services (e.g., hair salons, laundromats, pharmacies)
- Places of worship
- Small commercial (e.g., banks, specialty food stores)
- Small-scale manufacturing (e.g., makers' spaces, studios, microbreweries)
- Uses compatible with Fort Gregg-Adams



Planning + Development Principles

- Compact development patterns, including cluster and traditional neighborhood development, are encouraged.
- Connect existing and established new trails, bicycle routes, and other recreational amenities.
- Incorporate use of public art, amenities (i.e., benches, trash cans, street trees), and wayfinding signage to orient visitors and create a sense of place.
- Implement traffic calming measures.
- Incorporate high-quality materials for all buildings.
- Open space should be integrated and provide for community spaces well-defined by streets and adjacent buildings.
- Preservation, renovation, reuse, and adaptive use of existing structures is encouraged.
- Preserve the existing tree canopy wherever possible and include native plantings when new landscaping is necessary.

<u>Parcel</u>	<u>Owner</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>ZIP</u>
3131 S Crater Rd	United States Postal Service	0	0		0 0
130 Wagner Rd	Vraj Enterprise LLC	13412 Silver Dust Rd	Chester	VA	23836
435 Blackwater Dr, 2575 Century Dr and 2577 Century Dr	City Of Petersburg	135 N. Union St	Petersburg	VA	23803
401 Roberts Ave	Petg United Methodist Hsng Lp	1706 Grandin Rd Sw	Roanoke	VA	24015
100 Poplar Dr	Poplar Petersburg Holdings LLC C/O Colliers	2221 Edward Holland Dr Ste 600	Richmond	VA	23230
153 Wagner Rd	153 Wagner Road Assoc LLC C/O Weg Property Mgmt	2420 South Croatan Hwy	Nags Head	NC	27949
2740 Frontage Rd	Brenco Incorporated	2580 Frontage Rd	Petersburg	VA	23805-9309
2929 Normandy Dr	Quality Land L.L.C.	2929 N Normandy Dr	Petersburg	VA	23805
330 Blackwater Dr	Bennie J Zvirzdin, Eloise P Zvirzdin	330 Blackwater Dr	Petersburg	VA	23803
6 Brasfield Pkwy	Doc-P LLC	3303 Airline Blvd Ste 1F	Portsmouth	VA	23701
400 Blackwater Dr	Cynthia Walton	400 Blackwater Dr	Petersburg	VA	23805
412 Blackwater Dr	Ivey A Jones, Janette L Jones	412 Blackwater Dr	Petersburg	VA	23805
418 Blackwater Dr	Linda Gail Whirley	418 Blackwater Dr	Petersburg	VA	23805
430 Blackwater Dr	Charles Jackson	430 Blackwater Dr	Petersburg	VA	23805
200 Cavalier Dr and 50 Cavalier Dr	Cavalier Apartments LLC	474 Wando Park Blvd Ste 102	Mt Pleasant	SC	29464
324 Blackwater Dr	James W Marks Jr	5601 Teterling Ct	Chester	VA	23831
151 Wagner Rd	PTM Lp	5700 Sixth Ave	Altoona	PA	16602
2781 Frontage Rd	Service Rd Petersburg Va LLC	600 East Ave Ste 200	Rochester	NY	14607
406 Blackwater Dr	Deshaun Crews	8851Lake Jordan Ln	Petersburg	VA	23803-6593
120 Wagner Rd	King Street Investment Co LLC	9151 Quarry St	Manassas	VA	20110
2700 Normandy Dr Petersburg Va	Kingsland Creek Properties LLC Attn: John W Ruffin	Po Box 1444	Chesapeake	VA	23327
20 Wagner Rd and 30 Wagner Rd	Crater Center LLC	Po Box 14800	Richmond	VA	23221
110 Wagner Rd	Peoples Advantage Federal Credit Union	Po Box 3180	Petersburg	VA	23805
3155 S Crater Rd	E-Sales LLC	Po Box 3539	Petersburg	VA	23805
2949 S Crater Rd, 321 Poplar Dr, 155 Wagner Rd, 161 Wagner Rd and 301 Wagner Rd	Roslyn Farm Corporation	Po Box 727	Colonial Heights	VA	23834
2951 S Crater Rd	Delta Community Svc Foundation	Po Box 853	Petersburg	VA	23804
25 Wagner Rd	Oreilly Automotive Inc C/O Ryan LLC #3878	Po Box 9167	Springfield	MO	65801-9167