The work session meeting of the Petersburg City Council was held on Tuesday, February 25, 2025 at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:00 p.m. The meeting video link is https://petersburgva.new.swagit.com/videos/335855

1. **ROLL CALL:**

Present:

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

Absent:

Arnold Westbrook, Jr., Councilor – Ward 7

Present from City Council Administration:

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

Planning Commissioners Present:

Kirsten Katzenbach
Tony McDaniel
Alvin Cannon
James Norman
Dianne Harley
Fenton Bland (Arrived at 5:55 p.m.)
Marshall Ford

2. **PRAYER:**

Vice Mayor Hill led the Council meeting in prayer.

3. **PLEDGE OF ALLEGIANCE:**

Mayor Parham led the Council and the citizens in the pledge of allegiance.

4. **DETERMINATION OF THE PRESENCE OF A QUORUM:**

A quorum of the Petersburg City Council and the Petersburg Planning Commission were present.

5. **OFFICIAL PUBLIC HEARINGS**

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

Jared Crews, Planning Manager, said that he would provide a brief overview of the case before the public hearing. The subject was a three-acre property located on the western side of Pine Tree Drive, just off of County Drive. The property consisted of three parcels, with the majority being zoned B-2 General Commercial, and was directly across the street from Liberty Point Phase 1 Apartments, north of the Pine Tree Apartments.

Mr. Crews said the applicant was requesting to construct a three-story apartment building on the property, which would include 50 affordable apartment units, similar to the developer's other projects throughout the City and state and given that the prevailing use in the area was multi-family housing, including Liberty Point Phase 1, which was a project developed and managed by the applicant.

Mr. Crews explained that a special use permit was required for multi-family development in the B-2 district. If approved, the development would have to conform to the development standards of their R-5 district, as well as any conditions of approval placed on the special use permit. According to the zoning ordinance, a special use permit could be granted if it did not adversely affect public health, safety, morals, and general welfare, and conditions could be placed on the approval to protect surrounding properties, persons, and neighborhood values.

Mr. Crews provided a review of the existing conditions on the property, which was largely wooded. The top image on the slide showed the first phase of Liberty Point on the left, and the bottom image showed the Pine Tree Apartments to the south. A concept plan provided with the application showed the proposed layout of the site, with approximately 2.3 acres developed, and the remaining portion remaining wooded. The developed portion included the apartment building, parking area, amenities, and landscaping features.

Mr. Crews said that the application also included an architectural theme and rendered elevations of the building, featuring a combination of brick, fiber cement, lap siding, and board-and-batten accents. Examining the adjacent zoning and land uses, all surrounding lands were zoned B-2 General Commercial, with the exception of the Pine Tree apartment property to the south, which was zoned R-4, another multifamily district. The neighboring land uses were largely existing apartments to the east and south, with undeveloped land to the west.

Mr. Crews said that considering how the request aligned with the Comprehensive Plan, this property was designated as community mixed use on their future land use map. The principal land uses in community mixed use areas included adaptive reuse, multifamily dwellings, offices, personal services, and small-scale office and retail uses. The Comprehensive Plan encouraged compact development patterns with pedestrian resident amenities and aimed to create a diverse and attainable housing stock within the City and also identified areas for infill development compatible with its surroundings.

Mr. Crews said that staff were proposing conditions for the use, primarily to ensure a quality development that aligned with the Comprehensive Plan's goals. The proposed conditions included: (1) development must adhere to the provided site plan and elevations, (2) improvements to the frontage along Pine Tree, including street tree planning, street furniture, sidewalk, and pedestrian-scale lighting, (3) on-call management and maintenance staff, security surveillance, (4) Energy Star certification, (5) universal design elements and three ADA-accessible units, (6) existing vegetation and green space on the remaining undeveloped portion of the property would be maintained unless additional development was approved, and (7) the permit may be revoked if the development failed to comply with the conditions or local, state, or federal laws.

Mr. Crews said that staff recommended approving the special use permit with the conditions outlined above, because additional multi-family housing was indicated to be an appropriate land use. He said that the proposal aligned with the existing development in the area, which, although zoned for commercial use, may not be suitable or desirable for that purpose.

Mr. Crews said the proposal also met the Comprehensive Plan's objective of providing diverse and attainable housing stock in the city, particularly in infill development that matched the character of its surroundings, where existing apartments and access to resources like bus stops were present. Staff believed the conditions drafted would ensure the property was developed in accordance with the Comprehensive Plan's goals and principles, as well as matching the presentation and plans provided by the applicant.

Mayor Parham asked if the applicant had a presentation.

Greg Mustric with Woda Cooper Companies said that he would like to provide a brief overview of their company and their goals. Woda Cooper Companies was an integrated company that encompassed development, construction, and property management. He said that they had been in business for 35 years, owning and operating over 16,000 units in 350 properties across 18 states. They owned all their properties, so they did not plan to sell them once they were developed.

Mr. Mustric said that their long-term goal was to be a part of the community for an extended period, as evidenced by their successful first phase at Liberty Point. He said that their properties typically featured on-site property management and maintenance throughout the week, as well as on-site service technicians. He said that they were present tonight to request a special use permit and answer any questions Council and the Commission may have regarding this new development, which they were very excited about.

Mayor Parham opened the public hearing. Seeing no speakers, he closed the public hearing, and the matter rested with the Planning Commission and City Council.

Vice Mayor Hill said that he would like to know the average income of the individuals who will be applying for these units.

Mr. Mustric said that for a four-person household, the estimated range would be approximately $33,000 to $88,000.

Vice Mayor Hill asked if there were any housing vouchers considered for this development.

Mr. Mustric said that they had requested Section 811 vouchers from the Virginia Housing program for individuals who may have a disability. He said that he wanted to clarify that Section 811 was distinct from Section 8.

Vice Mayor Hill said that they were trying to increase their median household income in the City of Petersburg and considering that Petersburg was one of the most poverty-stricken communities in the state of Virginia, ranking low in various health and economic indicators, he was hesitant to add more affordable housing as opposed to market-rate housing.

Mayor Parham said that he wanted to build on the previous statement regarding tax credits. He said that given the current state of affairs with the federal government, he was concerned about the potential impact of rolling back programs like this. He asked, if this program were to be cut, what would be the implications for their development, and would they be able to move forward without it, or would it essentially sit idle due to the uncertainty and changes happening in Washington, D.C.?

Mr. Mustric said that the tax credits were already allocated in the IRS code, so this was not a new allocation. He said that they did not anticipate any cuts to the program, as the state had already allocated funds for this round. He said that in terms of timeline, they planned to apply for the credits on March 13 and expected to hear back by July of this year, provided the credits were approved and the project was developed or constructed.

Commissioner Katzenbach said that she visited the Liberty Point location and noticed that the playground was quite small. She said that considering the amount of units and the focus on providing housing for families, she believed they should have more of a facility for families to enjoy outdoor play.

Mr. Mustric said that in addition to the playground, they would be providing a picnic and grill area. He said that he was not sure of the specific playground equipment they would be installing, but a wide range of ages should be able to enjoy it.

Commissioner Ford said that as they moved forward, this development would be located next door to the larger project in the City, and he believed this project may not align with their desired target market. He said that his concern was specifically related to crime, although he wanted to emphasize that the existing projects by the applicant's existing projects had been well-received. He said that after conducting research, he thought it would be prudent for them to reevaluate projects of this nature as they moved forward with growth and aimed to increase revenue for the City.

Council Member Smith-Lee asked how many units would be dedicated to the Section 811 vouchers.

Mr. Mustric said that there would be eight units which were specifically ADA-accessible.

Council Member Smith-Lee asked what the rent for the units would be on average.

Mr. Mustric said that the projected net rents for a one-bedroom unit would be between $540 and $1,170, for a two-bedroom unit between $625 and $1,310, and for a three-bedroom unit between $685 and $1,530.

Council Member Smith-Lee asked if senior citizens were a target demographic for this development.

Mr. Mustric said that the development was accessible and marketed to seniors, single people such as individuals who may have just graduated and obtained their first job or were looking for an affordable place to live.

Council Member Smith-Lee said that the federal government was currently awarding very few contracts, if any. She asked what the result would be if they did not receive federal funding for this development.

Mr. Mustric clarified that the tax credit was not a contract, but rather it was codified in the IRS code, making it a permanent provision. He said that to repeal the entire section of the code would require significant changes. He said that with this program, it had been successful and was considered one of the best public-private partnerships for many years. He said that they did not believe it would be eliminated, and the credits had already been allocated for this year, so they were available for this development.

City Attorney Williams asked if Mr. Mustric did not think these apartments could compete at market rate.

Mr. Mustric said that their company did not develop market-rate apartments; instead, they focused on creating affordable housing. He said that this project would be an $18.9 million investment within the community. He said that as a company, they prioritized hiring locally for the construction, then regionally and throughout the state if necessary.

Mr. Mustric said that this development would also serve as an economic incentive to the city. He said that the property itself was not generating significant revenue in real estate taxes at present. He said that based on their current plans, they estimated that the development would generate approximately $54,000 in real estate taxes annually, a significant increase from the current minimal revenue.

Council Member Jones said that he was hearing concerns about the vouchers and LIHTC status being discussed, and he heard that there was a fear that this project would benefit low-income individuals in the City. Some people thought their citizens were poor. He emphasized that the people of Petersburg were not poor; they were powerful. He said that they needed to give them the opportunity to exercise that power.

Council Member Jones said that they should take a look at Liberty Point, which was already developed. He could assure everyone that there was no strain on their resources, no strain on the community, and no problems there. He asked what they would put on this site instead and what they were waiting for; the site would sit there regardless. They should not be attempting to place restrictions on the developer who already owned the property. Staff had confirmed that this project aligned with the Comprehensive Plan.

Mr. Mustric asked about the possibility of amending one of the staff recommendations, which pertained to the improvements along Pine Tree Drive. He said that putting sidewalk along the frontage, while promoting connectivity, would not actually provide a pedestrian walkway because the neighboring properties were lacking sidewalk. He requested that Council consider removing that requirement for sidewalk on the property frontage of this development.

Mr. Crews said that he would like to make a couple of quick points regarding the sidewalk and street improvements. He said that this piece aligned with the goals and principles of the Comprehensive Plan, which aimed to create an environment that supported those objectives. They had heard that sidewalks may not be necessary in this area because there was not one currently, but that was precisely why they did not have a connected pedestrian system.

Mr. Crews said that if this parcel developed, and the parcels to the north and west did as well, a pedestrian system would be in place, extending that far. The requirement for sidewalk along the frontage of this property was a standard code requirement for any new development on the site and would apply regardless of this special use permit. From the staff's perspective, this was about ensuring that the development met the principles outlined in the Comprehensive Plan, and that the finished product served the residents and the City in the bigger picture.

Mayor Parham said that Council Member Jones was supportive of developing sidewalks on both sides of the road. He asked if they could accommodate that.

Mr. Crews said that he would refer to City Attorney Williams, but he was unsure if doing something on a separate parcel on the other side of the street fell within their scope of this particular approval.

City Attorney Williams replied that no, they could not do that.

Mr. Mustric said that he would withdraw his request to acknowledge that it was in their zoning; they would update their site plan to show the sidewalks and requirements on the frontage of this building.

Council Member Jones confirmed there were no sidewalks on either side of the road when one turned off at 460, heading towards Pine Tree. He asked the applicant to consider installing one on the existing side, particularly on the development side. He had observed people walking from Pine Tree to the bus stop, which was roughly midway, and he believed a sidewalk would greatly contribute to achieving their goals and principles outlined in the Comprehensive Plan for that area. By providing a sidewalk, they could encourage pedestrians to walk from the area back to the main strip, which would be a significant improvement. He asked how far the sidewalk would extend along Pine Tree.

Mr. Mustric said that the sidewalk, one of the conditions, would be located along the frontage of Liberty Point 2, running from one side of the property they were purchasing to the other side of the property.

Council Member Jones asked if they were considering adding sidewalk down the strip.

Mr. Mustric said no, not on Pine Tree Drive. He said that unfortunately, they did not have sufficient funds to install the project all the way down Pine Tree Drive, and it was also located on someone else's property. He said that therefore, they could not encroach on their neighbor's land. He said that on their own property, however, they were willing to invest in sidewalks, street lighting, and benches.

Vice Mayor Hill said that they had a $4 billion project coming to that area. He said that he believed that particular area had the potential to generate energy and synergy, which would lead to the right project being developed there. Their City already had affordable housing, LIHTC, senior citizens complexes, and high-rise buildings. He did not want to give the impression that they lacked these amenities.

Council Member Jones said that he must respectfully disagree with the notion that they should dictate what constitutes right or wrong development in this City. The issue was that they must provide opportunities, not just for developers, but for their people, whether they were currently here or not. They had already seen success with a similar development across the road, and he believed they should be consistent in their approach. He reiterated that people needed a place to live, and it was their responsibility to ensure that they were providing for that need.

Council Member Myers made a motion to convene a closed session at this time, pursuant to 2.2-3711 of the Code of Virginia, for the purpose of consulting with legal counsel regarding the requirements of Article 23, Section 1 of the Petersburg Zoning Ordinance. Vice Mayor Hill seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Jones, Myers, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A; Absent: Westbrook.

The Planning Commission convened a closed session.

Vice Mayor Hill made a motion to conclude the closed session called today and certify, in accordance with 2.2-3711 of the Code of Virginia, that only those matters to which the closed session was called were discussed. Any member who believed this was a departure from the foregoing should state for the record, identifying the substance of the departure which they believed had occurred. Council Member Jones seconded the motion.

There was no discussion on the motion. The motion was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Jones, Myers, Smith-Lee, Hill, and Parham; no: N/A; Abstain: N/A; Absent: Westbrook.

The Planning Commission certified their Closed Session.

Commissioner Ford made a motion to recommend denial of the special use permit. Commissioner Cannon seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Katzenbach; McDaniel; Cannon; Norman; Harley; Bland; Ford; no: N/A; abstain: N/A.

Vice Mayor Hill made a motion to deny the special use permit on the recommendation of the Planning Commission. Council Member Myers seconded the motion.

City Attorney Williams asked if Council could clarify on the reason for the denial.

Vice Mayor Hill stated that the reason for the denial was that the City was already saturated with subsidized and LIHTC income housing. There were still vacant spaces in several areas that remained unfilled in the City of Petersburg. Given this, he believed they had more than their fair share, and that was the reason for the denial.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, and Parham; no: Jones; abstain: N/A; absent: Westbrook.

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

Naomi Siodmok, Director of Planning, said that she would like to share with City Council and the Planning Commission the proposed zoning ordinance for the Entertainment and Resort Casino (ERC) District. To provide some background, they had been working towards this goal for several months, even years, by seeking approval from the Virginia General Assembly and the Virginia Lottery Board and then obtaining voter approval through a referendum in November 2024. Since then, staff, the City Manager, and the casino company had collaborated to develop the zoning district language, which they would be discussing today.

Ms. Siodmok said that the proposed ordinance included definitions, outlining the purpose of the district, use and design regulations, and addressing noise, buffers, and street regulations. The definitions aligned with the state code, and they had established a unique set of guidelines to guide the development of this casino and resort district, as well as a minimum size requirement of 75 acres to ensure that no one could request an ERC District elsewhere in the City. This size requirement also met the requirement for a minimum density to meet the district's needs.

Ms. Siodmok said that the proposed ordinance also included use regulations, with the primary land use being the casino gaming establishment and its accessory uses. However, other allowed uses by right included medical, dining, and grocery uses, while any other uses would require a special use permit. The ordinance established height, area, density, and bulk requirements, with varying height limitations based on land use.

Ms. Siodmok said that for instance, parking decks were limited to eight stories, but other developments could reach up to 30 stories, with restrictions on non-hotel, motel, office, or residential buildings. They did not have strict guidelines for lot width, frontage, or area, which allowed for a diverse range of development in the casino district. Regarding signage, the casino corporation, Cordish, had requested flexibility in their signage, and as a result, they had been granted permission to do so.

Ms. Siodmok said that however, they were still required to obtain City permits before installing signs, which provided the City with an opportunity to review and approve signage. For parking flexibility, staff supported the lack of a minimum parking requirement, but ensured that required parking was present, along with landscaping and trees to minimize the impact of surface parking. Noise regulations for the ERC District were separate from their existing ordinance and included specific limits of 85 decibels during the day and 72 decibels at night, measured from adjacent residential land use.

Ms. Siodmok said that exterior lighting complied with state and federal requirements, and staff had ensured that there was no spillover onto adjacent properties. Buffer regulations required a 15-foot landscape buffer screening adjacent to properties outside the district. The public open space regulations required at least 5% of the total development area to be designated as active, usable open space.

Ms. Siodmok said that street regulations included sidewalk requirements, planting, and street furniture requirements. Some additional requirements near the end of the zoning district focused on the architectural treatments of the project, including the materials that could be used, as well as screening for waste receptacles and considerations for a temporary casino establishment. A temporary casino would be constructed first on this site, exempt from these requirements, but subject to temporary improvements such as landscaping, lighting, and other enhancements to improve its appearance.

Ms. Siodmok said that for special uses not listed in the district, the applicant had the opportunity to request a special use permit before the Planning Commission and City Council for consideration. The Comprehensive Plan considerations had been outlined here, and entertainment uses were supported in their code. The City should carefully consider targeting specific initiatives to build and enhance their economic development ecosystem, identifying opportunities in priority areas, such as tourism, development, and economic development.

Ms. Siodmok said that the Comprehensive Plan generally supported these goals. She said that the options for recommendations were approval as drafted, approval with changes, and denial of the text amendment were outlined. The staff recommendation was contained in the staff report.

Mayor Parham asked if the applicant had a presentation.

Mark Stewart, general counsel for Cordish Companies, said that he was joined by Rob Norton, the President of Cordish Gaming to address Council and the Commission tonight. He said that they were excited to be in Petersburg, in this room where everyone had celebrated the passage of the referendum, and they were eager to move one step closer to making this project a reality with favorable consideration tonight.

Mr. Stewart said that they had included their company's vision for the site and renderings in the packet for review. In terms of phase one, the temporary casino, they were well underway. He said that plans for civil work had been submitted earlier this month, and they had submitted applications for building permits and a groundbreaking was scheduled for later in March.

Mr. Stewart said that for phase two, the casino, hotel, entertainment center, event center, they were currently deep in design and working diligently on it every week. He said that they were also exploring opportunities for non-gaming development in subsequent phases of the proposal and project. He said that as previously mentioned, the Council had seen their general vision and the world-class designs they had planned.

Mr. Stewart said that the Cordish Companies had been in business for over 114 years, and they had a proven track record of delivering transformative projects. They were excited to get started here and asked that the Council consider approval of the ordinance as drafted. He said that they looked forward to moving closer to making this project a reality.

Mayor Parham opened the public hearing.

Barb Rudolph, 1675 Mount Vernon Street, said that one of the earlier slides had a section on use regulation, listing various categories, but it looked like lodging was missing from the list. Regarding the noise regulations and limitations outlined in the document, it appears that cities have faced challenges in defining noise regulations and determining who they should apply to and what decibel levels should be enforced at different times of the day.

Ms. Rudolph said that she was wondering if this was consistent across all exceptions, particularly in light of earlier discussions about data centers. She said that the actual site plan, which shows the various components of the facility on the 92-acre site, appears to have changed significantly since the initial 2021 presentation and the approval of the referendum.

Ms. Rudolph said that she would like to know the reasoning behind this change and to see the updated site plan, particularly to understand the exact location of the interim or temporary casino. She said that in the earlier drawing, the interim casino was clearly located in a specific building that would later be converted into the event center. However, it now appears that the plan has changed, and the casino will be a temporary structure that would not be part of the ongoing construction in phases one and two.

Ms. Rudolph said that upon reviewing the agenda’s package, she noticed several references to Planning Department requirements, including a proposed addition that would have included a management plan or management site plan. According to her understanding, the Planning Department had written this requirement and was then instructed to remove it. She said that she was unclear as to why this requirement was initially removed. She said that she was in favor of approving the new zoning category, but she believed that some of the unanswered questions should be addressed.

Cheryl Brown, 1860 Westover Avenue, said that she was concerned about the flexibility in signage, which had been mentioned earlier. She said that she had a conversation with the Economic Development Council and Council Member Jones about this concern, which she had briefly brought up.

Ms. Brown said that many companies were located on the outskirts of Petersburg, and she had noticed that their signage often disengaged from the City and instead targeted neighboring municipalities. She said that she would like to propose that the ordinance require signage to clearly state "Petersburg proper" to prevent this from happening.

Ms. Brown said that by doing so, they could protect the City's brand and maintain their relationships with neighboring cities like Hopewell and Prince George. She said that she kindly requested that they ensure that any signage on the casino clearly indicated that it was located in Petersburg proper, rather than targeting surrounding municipalities.

Robinette Stewart, 38 South Old Church Street, said that she wholeheartedly supported this proposal. Petersburg needed these jobs, and as the previous speaker had mentioned, this was specifically for Petersburg's benefit, with the understanding that any revenue generated would be used to benefit the community. She urged Council to approve this request so that the people of Petersburg could gain employment, as they did need the jobs.

Ms. Stewart said that that it had been approximately five decades since Brandermill eft, and Petersburg had been struggling for five decades. She hoped that this casino would bring about positive change, making Petersburg comparable to New York and New Jersey. She was not only advocating for the casino, but also for the police officers, who would be working double time to maintain order. She believed they deserved a pay increase, double their current salary, considering the overtime they would be working to keep their City safe.

Ms. Stewart suggested that they hire additional security personnel to supplement their efforts, ensuring that their City remained secure. Paying their police a fair wage was crucial to their ability to effectively serve and protect them.

Sandra Macy 120 Perry Street, said that she did not vote in favor of the casino, as she strongly believed in job creation, but she had concerns about the City's image, renewable energy, and the overall well-being of their community. She said that specifically, she was worried about the noise ordinance and its impact on the police department, as well as the potential strain on the state's economy, especially considering the federal government's job market.

Ms. Macy was concerned about the effects of casino gambling on individuals, particularly those who may struggle with addiction, and the added stress it could cause on their daily lives, including paying rent and mortgage payments. She said that she would like to bring this to Council's consideration regarding how the allocated funds could be used to benefit the community.

Robert Norton, President of Cordish Gaming, said that he appreciated the opportunity to respond to the community's questions. It was a pleasure to be there with all the positive support, which was a nice change from their initial visit. He said that the first question was about the site plan change. He said that as they began the actual site development and started conducting soil testing, they realized the importance of understanding the site's specifics, including the location of the wetlands. He said that they adjusted their plans accordingly, ensuring that the main elements of the original development remained intact, but with a reorganized layout that better suited the site.

Mr. Norton said that there was nothing in this plan that was not part of the original development. He said that the temporary casino, which was initially located adjacent to the facility, was now being relocated further south on the site. He said that this change allowed them to build the permanent structure without the need for a temporary facility, which would have required additional infrastructure and construction.

Mr. Norton said that they were actually ahead of schedule in this regard. He said that regarding law enforcement, they were already in the process of meeting with the Police Chief and Department to discuss hiring off-duty police officers to assist during peak times, a common practice at their existing casinos. He said that if there were any additional questions, he was happy to address them.

John Altman, City Manager, said that the presentation was part of the rezoning application, which may make it a more comprehensive and accurate representation of the changes. He said that it would be better to discuss the change in the plan and the temporary measures in the context of the rezoning application, as it would be a more detailed and relevant topic of discussion. He said that this was a text amendment, and it may be more suitable to address in the next case.

City Manager Altman said that it was essential to consider the conversations they had over the past months and year about Council's opportunity to review the development and other projects across the country. Providing flexibility was crucial, as they did not know what the market would show in the future. They did not want to tie them down to specific uses. This flexibility was key to allowing them to adapt to changing market conditions. The plan should reflect this flexibility so they could ensure a successful development, which was a partnership between the City and Cordish Companies.

Mayor Parham said that Cordish Companies had acknowledged the City's need for retail, so they were adding in retail components to this development. It was essential that they remain flexible as the market continued to evolve, and they welcomed new visitors to the area. He said that if they observed declining retail across the river, with limited shopping options from here to North Carolina, they must capitalize on this opportunity in Petersburg to generate more tax revenue for the City of Petersburg.

City Manager Altman said that to clarify, the bill that was introduced to establish a revenue-sharing program in their region did not pass through the House floor. Therefore, they would not be sharing revenue generated by this project; the revenue would be reinvested locally to improve their community, benefiting only their City.

Commissioner Katzenbach said that she had a question about signage. She said that Ms. Siodmok had mentioned "lay eyes on," which she was not familiar with in the context of signage and zoning. She asked if she could receive a definition for this term.

Ms. Siodmok said that they had wanted to ensure that they at least came before staff for a permit, allowing them to review their plans. She said that as a result, staff's review in this situation would be limited to ensuring that the signage met the safety of the public and the community. She said that they would be conducting a straightforward review, focusing on whether the signage posed a negative impact on the health and safety of Petersburg.

Commissioner Katzenbach asked if she could identify the process. She asked what the process would be if the signage was determined to be inappropriate for the community.

Ms. Siodmok said that if the ordinance was adopted as it currently stood, the process would be that when the applicant came forward to develop signage, they would still submit a sign permit, similar to any other applicant. She said that staff would collect the sign permit fee, but their review would be limited to ensuring the sign did not pose a risk to the health and safety of the public, without considering the existing sign limitations outlined in the ordinance regarding height, area, or lighting.

Commissioner Katzenbach said that since they had never had a project like this in the area, the signage would likely be unique. She said that her concern was whether the signage would accurately represent their community. She said that ideally, she would like the opportunity for the signage to be presented to the committee and Council for approval before it was finalized, rather than Cordish presenting their preferred design without giving the City a chance to review and provide feedback.

Ms. Siodmok said that the Council and Commission retained the option to make a motion that included amending the rule that any signs coming from or any sign plan would have to come before all of them for approval.

Commissioner Katzenbach made a motion to recommend approval of the Zoning Text Amendment, with changes so that the organization must present to the Planning Commission and City Council for final approval of signage. Commissioner Cannon seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Katzenbach; McDaniel; Cannon; Norman; Harley; Bland; Ford; no: N/A; abstain: N/A.

Mayor Parham thanked the Cordish Companies for their collaboration with the City in developing this project over the past three and a half years.

Council Member Myers made a motion to approve the Zoning Text Amendment as drafted, without the restrictions of the master plan, and the amendment of removing Section 4.2(C). Vice Mayor Hill seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, Jones, and Parham; no: N/A; abstain: N/A; absent: Westbrook.

<u>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</u>

Naomi Siodmok, Director of Planning, said that they had the Entertainment, Resort and Casino District in place, so this should be a straightforward process. They were primarily looking to rezone these properties to the new ERC district. The subject properties on the provided map were near Brasfield

Parkway and the interstate. They were seeking to rezone the existing PUD zones and B-2 commercial zones to the ERC zoning district to support the casino gaming establishment and associated uses.

Ms. Siodmok said that the proposed use was outlined in the approved agreement with Cordish and the City, including phase one, a temporary casino with a two-year limit, followed by phase two, a permanent casino with a hotel, spa, restaurants, bars, 35,000 square feet of conference center, and 3,000 square feet of entertainment venue. However, this was subject to market and demand, which may lead to opportunities for retail, office, multifamily housing, and additional lodging.

Ms. Siodmok said that the master plan was available for providing clarification on the temporary casino's location. The adjoining zoning included the PUD and commercial zoning they had previously discussed, as well as Comprehensive Plan considerations for the mixed-use area of the Gateway. This area was suitable for hospitality, economic development, and could be considered for community entertainment. Staff's recommendations were simple: either approve or deny the rezoning.

Mayor Parham asked if the applicant had a presentation.

Robert Norton, President of Cordish Gaming, said that the temporary structure was indicated on the master plan, and would allow them to build the access road and the casino without disrupting the existing Brasfield Parkway during phase one. They would construct surface lots around the temporary casino to support the customers arriving there. He said that this should provide a clear answer to the question about the location plan for the temporary facility.

Mayor Parham opened the public hearing.

Barb Rudolph, 1675 Mount Vernon Street, said that she appreciated the applicant for illustrating the temporary casino. She said that that made a lot of sense, given its accessibility and the fact that it had been pushed back into the farther reaches of the property. This particular aspect of the discussion about rezoning brought to her attention the need to examine this issue more closely. She stated that she did not think this was a Cordish issue, but rather a City issue. There were four parcels in question, and according to the package, each was approximately 92.5 acres in size.

Ms. Rudolph said that when she reviewed the City's assessment records, she noticed that the actual size of the properties was significantly different from what was being discussed in these packages, including the agreement between Cordish and the City in May 2024. She would like to provide a couple of examples. She said that for instance, 155 Wagner Road was consistent, with Cordish's materials showing 6.22 acres, which matched the City's records.

Ms. Rudolph said that the discrepancies became more apparent when examining the other parcels. 161 Wagner Road showed 63.35 acres in the City's records, but only 26.32 acres in the plan presented tonight. 301 Wagner Road showed 28.36 acres in the City's records, but only 18.89 acres in the plan.

Ms. Rudolph said that the most striking difference, however, was 2949 South Crater Road, which was being considered as a 41-acre parcel, whereas the City's assessor records showed it as being only 4.72 acres. She said that when adding together the acres for city records, the total was approximately 103 acres, compared to 92.5 acres. Although the locations were in the same vicinity, she was concerned about this difference.

Ms. Rudolph said that she was not sure of any potential legal issues that may arise from this discrepancy. She stated that she did not want to imply that there was anything wrong, but she did notice some anomalies or discrepancies between the information presented tonight and the package, as well as the data shown on the City's website.

Commissioner Cannon made a motion to recommend approval of the rezoning. Commissioner Ford seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On a roll call vote, voting yes: Katzenbach; McDaniel; Cannon; Norman; Harley; Bland; Ford; no: N/A; abstain: N/A.

Council Member Myers made a motion to approve the rezoning request by PPE Casino Resorts Petersburg, LLC. Vice Mayor Hill seconded the motion.

There was no discussion on the motion. The motion was approved on a roll call vote.

On roll call vote, voting yes: Cuthbert, Myers, Smith-Lee, Hill, Jones, and Parham; no: N/A; abstain: N/A; absent: Westbrook.

6. UNFINISHED BUSINESS

There were no items under this portion of the agenda.

7. NEW BUSINESS

There were no items under this portion of the agenda.

8. ADJOURNMENT

Vice Mayor Hill made a motion to adjourn. All members of the Council present voted in the affirmative. Meeting adjourned.

The City Council adjourned at 6:41 p.m.

Adopted: March 18, 2025.

APPROVED:

Samuel Parham

Mayor

ATTEST:

Tange R. Hill

City Clerk