



**DANVILLE CITY COUNCIL REGULAR MEETING AGENDA
REVISED**

MUNICIPAL BUILDING

January 3, 2019

7:00 P.M.

PRESIDING: Alonzo L. Jones, Mayor

**CITY COUNCIL
MEMBERS:** James B. Buckner
L.G. "Larry" Campbell, Jr.
Dr. Gary P. Miller
Sherman M. Saunders

Fred O. Shanks, III
Adam J. Tomer
J. Lee Vogler, Jr., Vice Mayor
Madison J. Whittle

STAFF: Ken F. Larking, City Manager
Earl B. Reynolds, Jr., Deputy City Manager

W. Clarke Whitfield, Jr., City Attorney
Susan M. DeMasi, City Clerk

The City Council is the City of Danville's legislative body and is composed of nine Council members. Council members are elected to serve a four year term of office and elects one of its own to serve as Mayor and presiding officer for a two year term.

Time and Place of Meeting

The public is invited and encouraged to attend and participate in the City Council meetings. The City Council meets in the City Hall, Fourth Floor, Council Chambers at 7:00 p.m. on the first and third Tuesday of each month. All meetings of the Council are open to the public.

Communications from Visitors

Communication from Visitors is an opportunity for citizens to address Council on matters not on the agenda. Citizens who desire to speak on agenda items will be heard when the agenda item is considered. Each speaker shall clearly state his or her name and address. Each individual speaker shall have five uninterrupted minutes. A representative of a group may have up to ten uninterrupted minutes to make a presentation. The representative shall identify the group and a group may have no more than one spokesperson. Time will be kept using the electronic timer on the podium.

Guidelines for Public Hearings

For Public Hearings the applicant or his or her representative shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation. The presiding officer shall then solicit comments from the public, asking those in favor of the proposal to speak first, and then those opposed to the proposal. Each speaker must clearly state his or her name and address. There shall be a time limit of three (3) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of five (5) minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The presiding officer may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to the subject of the

public hearing. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.

MEETING CALLED TO ORDER

ROLL CALL

INVOCATION - Fred O. Shanks, III

PLEDGE OF ALLEGIANCE TO THE FLAG

COMMUNICATIONS FROM VISITORS

Citizens who desire to speak on matters not listed on the agenda will be heard at this time. Citizens who desire to speak on agenda items will be heard when the agenda item is considered.

MINUTES

- A. Consideration of Approval of Minutes from Regular Council Meeting held on December 4, 2018.
Council Letter Number CL - 2045.

NEW BUSINESS

- A. Consideration of Granting a Special Use Permit for a Commercial Recreational Establishment and Restaurant at 760, 762 and 764 Westover Drive.
Council Letter Number CL - 2048
 - 1. Public Hearing
 - 2. An Ordinance Granting a Special Use Permit for a Commercial Recreational Establishment (Limited to Indoor Uses) and a Restaurant in Accordance with Article 3:J Section C, Item 2 and Item 13 of the Code of the City of Danville, Virginia 1986, as Amended at 760, 762, 764 Westover Drive, Otherwise Known as Grid 0715, Block 003, Parcel 000007 of the City of Danville, Virginia Zoning District Map.
- B. Consideration of a Resolution in Support of New Legislation to Enable a Local Referendum to Consider Allowing a Developer to Construct a Resort and Casino in the City of Danville.
Council Letter Number CL - 2054

A Resolution of the Council of the City of Danville, Virginia Supporting New Legislation that would Enable a Local Referendum in the City of Danville to Consider Allowing a Developer to Construct and Develop a Resort and Casino in the City of Danville.

COMMUNICATIONS FROM:

- A. City Manager
- B. Deputy City Manager
- C. City Attorney
- D. City Clerk
- E. Roll Call

ADJOURNMENT

Council Letter

City of Danville, Virginia



CL-2045

Meeting Minutes Item #: A.

City Council Regular Meeting

Meeting Date: 01/03/2019

Subject: Approval of Meeting Minutes

From: Susan M. DeMasi, City Clerk

COUNCIL ACTION

Business Meeting: 01/03/2019

SUMMARY

Consideration of Approval of Minutes from Regular Council Meeting held on December 4, 2018.

Council Letter Number CL - 2045.

Attachments

Meeting Minutes

December 4, 2018

The Regular December meeting of the Danville City Council was held on December 4, 2018, at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: James B. Buckner, L.G. "Larry" Campbell Jr., Mayor Alonzo L. Jones, Dr. Gary P. Miller, Sherman M. Saunders, Fred O. Shanks, III, Vice Mayor J. Lee Vogler, Jr., Adam J. Tomer and Madison J.R. Whittle (9).

Staff Members present were: City Manager Ken F. Larking, Deputy City Manager Earl B. Reynolds, Jr., City Attorney W. Clarke Whitfield Jr., and City Clerk Susan M. DeMasi.

Mayor Jones presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Vice Mayor J. Lee Vogler, Jr.; the Pledge of Allegiance to the Flag followed, led by Boy Scout Troop #452.

COMMUNICATIONS FROM VISITORS

Mayor Jones recognized Angela Baldwin, 1924 Churchview Court, Millersville, MD, owner of Colonial Heights Apartments in Danville, and Melissa Dix, property manager, who spoke about the flooding in October. Mayor Jones noted the City Manager or Deputy City Manager would be in touch with Ms. Baldwin.

ANNOUNCEMENTS AND SPECIAL RECOGNITIONS

Mayor Jones read a Proclamation proclaiming Saturday, December 8, 2018, Wendell O. Scott, Sr. Day in the City of Danville and presented the Proclamation to members of the Scott Family. Mr. Warrick Scott thanked City Council for the Proclamation and discussed the dedication of the Wendell O. Scott, Sr. Memorial Highway on Saturday December 8, 2018 at 2:00 p.m., and the Legacy Gala at the Institute that evening.

CONSENT AGENDA

Mayor Jones opened the floor for a Public Hearing regarding the Consent Agenda Budget Items. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 27, 2018. No one present desired to be heard and the Public Hearing was closed.

Council Member Saunders **moved** for adoption of the following Consent Agenda items:

Minutes from the Regular Council Meeting held on November 8, 2018; draft copies had been distributed prior to the meeting.

Amending the FY 2019 Budget Appropriation Ordinance for the Proceeds from the Issuance of Bonds

Ordinance No. 2018-11.01, presented by its First Reading on November 20, 2018, Amending the Fiscal Year 2019 Budget Appropriation Ordinance for the Proceeds from the Issuance of Bonds and Appropriating Same for Anticipated Expenditures;

Amending the FY 2019 Budget Appropriation Ordinance in the Amount of \$612,080 for two Virginia Tobacco Commission Grants

December 4, 2018

Ordinance No. 2018-11.03, presented by its First Reading on November 20, 2018, Amending the Fiscal Year 2019 Budget Appropriation Ordinance in the Amount of \$612,080 to Provide for One Half of the Required Local Matching Funds for Two Virginia Tobacco Region Revitalization Commission Grants #3301 and #2264 for the Southern Virginia Megasite at Berry Hill and Appropriating the Same; and

Amending the FY 2019 Budget Appropriation Ordinance in the Amount of \$120,000 from the Danville Regional Foundation

Ordinance No. 2018-11.02, presented by its First Reading on November 20, 2018, Amending the Fiscal Year 2019 Budget Appropriation Ordinance by Increasing Revenues from the Danville Regional Foundation in the Amount of \$120,000 for the City's Business Attraction Strategy and Appropriating the Same.

The Motion was **seconded** by Council Member Buckner and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

NEW BUSINESS

CODE AMENDMENT - AMENDING CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, ARTICLE 8, ENTITLED "PARKING AND LOADING REQUIREMENTS."

Mayor Jones opened the floor for a Public Hearing regarding Amending Chapter 41 of the Danville City Code. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 20, 2018 and November 27, 2018. No one present desired to be heard and the Public Hearing was closed.

Vice Mayor Vogler **moved** for adoption of an Ordinance entitled:

ORDINANCE NO. 2018-12.01

AMENDING CHAPTER 41 ENTITLED "ZONING ORDINANCE" OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED, MORE SPECIFICALLY ARTICLE 8, ENTITLED "PARKING AND LOADING REQUIREMENTS" TO ALLOW FOR REDUCTIONS OF PARKING SPACE REQUIREMENTS.

The Motion was **seconded** by Council Member Buckner.

Council Member Shanks noted he had a question; Mr. Gillie introduced Bryce Johnson, the new City Senior Planner. Mr. Shanks stated this was a good amendment and questioned, there was Planning Commission approval to reduce parking, what happens when that business leaves and some other business comes in, does the reduction in the parking go away. Mr. Johnson explained this was a variance for the business that applies for it. Mr. Gillie noted the subsequent use may require additional parking, if so, that subsequent user will have the ability to come back to the Planning Commission and ask for the same waiver.

December 4, 2018

The **Motion** was carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

PUBLIC HEARING - GRANTING A SPECIAL USE PERMIT TO OPERATE A BED AND BREAKFAST AT 327 WEST MAIN STREET

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 327 Main Street. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 20, 2018 and November 27, 2018. Mayor Jones recognized William Doss, 327 West Main Street, the applicant who noted he was before Council to ask them to ratify the unanimous recommendation of the Planning Commission, and asked Council to consider updating the relevant Ordinance as other municipalities have done. Mr. Doss then discussed home sharing.

Vice Mayor Vogler questioned Mr. Doss how long he had been doing this and Mr. Doss noted about twenty months and has had less than one hundred guests. Mr. Vogler noted even though he had to go through the process of being approved as a commercial bed and breakfast, he does not wish to operate a full fledged commercial bed and breakfast, and Mr. Doss stated that was correct and if it comes to that he will stop doing it. Mr. Vogler stated home sharing is relatively new in Danville; Danville can look at what other cities have done in terms of home sharing, most are not classifying them as commercial bed and breakfasts. Mr. Vogler noted he hopes Council will have a discussion about it.

Council Member Tomer noted the property is zoned as OT-R. Whenever an individual decides they are going to take a private home and rent it out through home sharing, he thinks the people living near them should have a say as far as how it impacts the parking and potentially changes the characteristics of the neighborhood. Mr. Tomer stated while Council should look at updating the Ordinances, he does think Council and/or the Planning Commission needs to have a say in this to protect the other owners and neighbors. Council Member Miller noted this was not a new concept, it has been around for years and is something Council needs to look at. Council Member Buckner stated he thought it was a great thing, people traveling these days want to stay at an Airbnb and noted he supported this.

Mr. Tomer questioned Mr. Doss if he has been paying lodging tax through Airbnb and Mr. Doss noted he has not. Mr. Tomer noted that was another issue; people are operating these without special use permits or ways for the City to track them. They are indirectly competing against a commercial hotel at an advantage because they are not charging their tenants a hotel tax; Council needs to keep that in mind as well. Vice Mayor Vogler noted Airbnb has locality agreements they enter into with the locality; they take care of the tax collection and send it to the City. In response to Council Member Saunders, Mr. Doss explained how he vets his guests, and that Airbnb also has a \$2M insurance policy with every guest he has. No one further desired to be heard and the Public Hearing was closed.

Council Member Buckner **moved** for adoption of an Ordinance entitled:

ORDINANCE NO. 2018-12.02

December 4, 2018

GRANTING A SPECIAL USE PERMIT FOR A BED AND BREAKFAST IN ACCORDANCE WITH ARTICLE 3:E, SECTION C, ITEM 3 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA 1986, AS AMENDED AT 327 W. MAIN STREET, OTHERWISE KNOWN AS GRID 1719, BLOCK 022, PARCEL 000023 OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP

The Motion was **seconded** by Council Member Whittle and carried by the following vote:

VOTE: 8-0-1
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Tomer, Vogler and Whittle (8)
NAY: None
ABSTAIN: Shanks (1)

STATEMENT OF CONFLICT OF INTEREST

I, Fred O. Shanks, III, do hereby state that I have a conflict of interest regarding the consideration of an Ordinance Granting a Special Use Permit to Operate a Bed and Business at 327 West Main Street, listed on the Agenda as New Business item (B). Therefore, pursuant to the State and Local Government Conflict of Interest Act, Virginia Code §2.2-3112, I must abstain from voting on this agenda item.

Witness my signature this 4th day of December, 2018

s/Fred O. Shanks, III

GRANTING A SPECIAL USE PERMIT TO OPERATE AN AUCTION ESTABLISHMENT AT 2179 SOUTH BOSTON ROAD

Mayor Jones opened the floor for a Public Hearing regarding a Special Use Permit at 2179 South Boston Road. Notice of the Public Hearing was published in the *Danville Register & Bee* on November 20, 2018 and November 27, 2018. No one present desired to be heard and the Public Hearing was closed.

Council Member Campbell **moved** for adoption of an Ordinance entitled:

ORDINANCE NO. 2018-12.03

GRANTING A SPECIAL USE PERMIT FOR AN AUCTION ESTABLISHMENT IN ACCORDANCE WITH ARTICLE 3.M, SECTION C, ITEM 1 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA, 1986, AS AMENDED AT 2179 SOUTH BOSTON ROAD, OTHERWISE KNOWN AS GRID 4719, BLOCK 005, PARCEL 000003, OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP.

The Motion was **seconded** by Council Member Buckner.

Council Member Tomer questioned why there were two votes against this in the Planning Commission and Senior Planner Bryce Johnson explained during the Planning Commission meeting there were concerns about the parking; currently there is no paved parking. Council Member Miller noted there was paved parking in the front of the building and Mr. Johnson noted that didn't meet the minimum parking requirement for this use. Dr. Miller stated the

December 4, 2018

business that was there for years, why wasn't there a requirement for parking for that and Mr. Johnson explained there was required parking for that but it was permitted as legal non-conforming; the required parking for that was less than it would be for this item.

The **Motion** was carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

APPROVING AND AUTHORIZING THE EXECUTION OF A LOCAL GOVERNMENT AGREEMENT WITH THE VIRGINIA DEPARTMENT OF HEALTH

Council Member Buckner **moved** for adoption of a Resolution entitled:

RESOLUTION NO. 2018-12.01

RESOLUTION OF THE CITY COUNCIL OF DANVILLE, VIRGINIA APPROVING AND AUTHORIZING THE EXECUTION OF A LOCAL GOVERNMENT AGREEMENT WITH THE VIRGINIA DEPARTMENT OF HEALTH

The Motion was **seconded** by Council Member Campbell and carried by the following vote:

VOTE: 9-0
AYE: Buckner, Campbell, Jones, Miller, Saunders,
Shanks, Tomer, Vogler and Whittle (9)
NAY: None

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE FOR FUNDS FROM HUD, AND ESTIMATED PROGRAM INCOME IN THE AMOUNT OF \$1,286,284.00

Upon **Motion** by Vice Mayor Vogler and **second** by Council Member Saunders, an Ordinance entitled:

ORDINANCE NO. 2018-12.04

AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE FOR PROJECTS TO BE OR BEING UNDERTAKEN TO IMPROVE THE DANVILLE COMMUNITY FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND ESTIMATED PROGRAM INCOME FOR A TOTAL APPROPRIATION OF \$1,286,284.00

was presented by its **First Reading**, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE FOR FUNDS FROM THE LITTER CONTROL AND RECYCLING GRANT IN THE AMOUNT OF \$9,497.00

December 4, 2018

Upon **Motion** by Council Member Buckner and **second** by Council Member Whittle, an Ordinance entitled:

ORDINANCE NO. 2018-12.05

AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE TO ANTICIPATE GRANT FUNDS FROM THE COMMONWEALTH OF VIRGINIA FOR LITTER CONTROL AND RECYCLING EFFORTS IN THE AMOUNT OF \$9,597 AND APPROPRIATING SAME

was presented by its **First Reading**, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT – CONSIDERATION OF AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE FOR THE 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$33,274.00

Upon **Motion** by Council Member Miller and **second** by Council Member Campbell, an Ordinance entitled:

ORDINANCE NO. 2018-12.06

AMENDING THE FISCAL YEAR 2019 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE FOR THE 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD IN THE AMOUNT OF \$33,274 TO BE USED TO IMPLEMENT A COMMUNITY BICYCLE PATROL PROJECT

was presented by its **First Reading**, as required by City Charter, to lie over before final adoption.

Council Member Saunders questioned the hours of operation for the bikes and Major Tim Jones explained there wouldn't be any set hours of operation; they will rotate the times the officers will use them. Major Jones noted they would be patrolling both city-wide and targeted areas, and they will be used for community engagement, crime reduction and crime prevention. Major Jones noted how many bikes they get will depend on the cost of the training, uniforms and equipment. Council Member Campbell noted he believed this would be great for community engagement and Vice Mayor Vogler stated he is a great believer in community policing and loves what the Police Department has been doing with community walks.

COMMUNICATIONS

There were no communications from the City Manager, Deputy City Manager, or City Clerk. City Attorney Clarke Whitfield noted that the first meeting of January will be on Thursday, January 3, 2019. City Code mandates that when January 1st falls on a Tuesday, that the meeting automatically moves to the Thursday.

ROLL CALL

Vice Mayor Vogler noted Council was looking forward to Saturday for the Wendell Scott sign unveiling at 2:00 p.m. at the Institute and the Gala that evening. Saturday is also the annual Kiwanis Pancake Breakfast, tickets are \$5.00 each; that money is raised for the Kiwanis Club

December 4, 2018

which does a lot of great work in the community. Earlier today Mr. Vogler spoke with the National Weather Service in Blacksburg; Danville had an historic amount of rainfall, the most in recorded history, 61.92" this year. Last night he attended a meeting with the Southern Virginia Regional Alliance to talk about the future of the region, things they are doing well and things that can be improved on. VEDP credited Council with taking steps for Danville to have the lowest tax rate on data centers in Virginia.

Council Member Whittle noted his congratulations to the Wendell Scott Foundation for the highway dedication. Mr. Whittle also congratulated Elizabeth Leggett on being appointed to the Danville School Board.

Council Member Buckner thanked Boy Scout Troop #452, and Mr. Adcock and Mr. Lindquist, they are doing a fine job working with some fine young men. The Danville Piano project has started and he looks forward to seeing more of them in the community in the coming months.

Council Member Campbell noted he would like to salute the Wendell Scott Foundation, it is a very momentous occasion to have that honor in the City of Danville.

Council Member Miller noted the Wendell Scott celebration was this weekend, and noted he looks forward one day to a Wendell Scott Museum. This weekend the Light Show in Ballou Park begins, December 8th through the 25th, it is a great show.

Council Member Saunders noted a special thanks to the Rotary Club for sponsoring the Christmas Parade, many people were concerned about the weather, but attendance was very good. Mr. Saunders congratulated the Wendell Scott family for the recognition that will be bestowed on them this weekend. Danville has done a lot in support of this project, and he is very proud of this. Mr. Saunders stated he thinks it is wonderful what they are doing; it tells young people they can do the same in terms of having a dream, to work hard and stay with it.

Mayor Jones thanked everyone for attending and Troop #452 for leading the Pledge of Allegiance. Mayor Jones thanked School Board Member Ty'Quan Graves, the School Board did a great job appointing a new member; congratulations to Elizabeth Leggett on her appointment. Mayor Jones thanked Hampton Wilkins for being an ambassador for the City of Danville and for all he does for the City.

The meeting adjourned at 8:03 p.m.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

Council Letter

City of Danville, Virginia



CL-2048

New Business Item #: A.

City Council Regular Meeting

Meeting Date: 01/03/2019

Subject: Request for a Special Use Permit to Operate a Commercial Recreational Establishment and restaurant at 760, 762, 764 Westover Drive.

From: Kenneth C. Gillie, Jr., Community Development Director

COUNCIL ACTION

Business Meeting: 01/03/2019

SUMMARY

Requests have been filed by James C. Shaw, requesting Special Use Permits to operate a commercial recreational establishment (limited to indoor uses) and a restaurant, in accordance with Article 3:J Section C, Item 2 and Item 13 of the Code of the City of Danville, Virginia 1986, as amended at 760, 762, 764 Westover Drive, otherwise known as Grid 0715, Block 003, Parcel 000007. The applicant is proposing to operate a tabletop, virtual reality, Play Station and Xbox gaming room, a small bistro/sandwich shop, and a retail sales establishment.

BACKGROUND

An application has been filed by James C. Shaw, requesting Special Use Permits to operate a commercial recreational establishment (limited to indoor uses) and a restaurant in accordance with Article 3:J Section C, Item 2 and Item 13 of the Code of the City of Danville, Virginia 1986, as amended at 760, 762, 764 Westover Drive, otherwise known as Grid 0715, Block 003, Parcel 000007.

The applicant is proposing to operate a tabletop, virtual reality, Play Station and Xbox gaming room, a small bistro/sandwich shop, and a retail sales establishment. The retail sales establishment within this business is a use permitted by right in the N-C, Neighborhood Commercial zoning district.

Thirty-two (32) notifications were sent to the surrounding property owners within 300' of the subject property. A full report was presented to the City Planning Commission on December 12, 2018.

Currently there are 22 partially marked parking spaces on-site: 13 spaces along the front of the building, 6 spaces along the right side of the building where the fitness center is located, 2 spaces and 1 handicap accessible space on the left side of the building.

At their meeting of December 12, 2018, the Planning Commission voted 5-0-1 (Chairman Searce abstained, and Commissioner Jones was absent) to recommend approval subject to the following conditions:

1. Applicant must obtain all required building permits for the work that has been performed on the interior of the building, and provide all required documentation and plans necessary for the issuance of said permits.
2. Applicant must obtain approvals and a certificate of occupancy prior to operation and occupancy of any sort which includes, but is not limited to private, invitation only events, private system testing, game burn in and tabletop playtesting / evaluations, and any other event held on site.
3. The building's occupancy for the retail, restaurant, and gaming is set at a maximum of 80 persons per the building code.
4. A parking lot drawing, showing the location and dimensions of the minimum number of required spaces, which is 27, based on the buildings occupancy of 80 (1 space for every 3 persons) – must be provided and approved. All spaces must be appropriately striped and marked to meet code and the handicap accessible space must meet the ADA requirements.
5. There shall be no consumption or sale of alcohol on site, the condition being originally and voluntarily offered by the applicant.

RECOMMENDATION

It is recommended that City Council adopt an Ordinance granting *Special Use Permits to operate a commercial recreational establishment (limited to indoor uses) and a restaurant in accordance with Article 3:J Section C, Item 2 and Item 13 of the Code of the City of Danville, Virginia 1986, as amended at 760, 762, 764 Westover Drive, otherwise known as Grid 0715, Block 003, Parcel 000007* subject to the following conditions:

1. Applicant must obtain all required building permits for the work that has been performed on the interior of the building and provide all required documentation and plans necessary for the issuance of said permits.
2. Applicant must obtain approvals and a certificate of occupancy prior to operation and occupancy of any sort which includes, but is not limited to private, invitation only events, private system testing, game burn in and tabletop playtesting / evaluations, and any other event held on site.
3. The building's occupancy for the retail, restaurant, and gaming is set at a maximum of 80 persons per the building code.
4. A parking lot drawing, showing the location and dimensions of the minimum number of required spaces, which is 27, based on the buildings occupancy of 80 (1 space for every 3 persons) – must be provided and approved. All spaces must be appropriately striped and marked to meet code and the handicap accessible space must meet the ADA requirements.
5. There shall be no consumption or sale of alcohol on site, the condition being originally and voluntarily offered by the applicant.

Attachments

Ordinance

Planniing Backup

PRESENTED: _____

ADOPTED: _____

ORDINANCE NO. 2019-____.____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A COMMERCIAL RECREATIONAL ESTABLISHMENT (LIMITED TO INDOOR USES) AND A RESTAURANT IN ACCORDANCE WITH ARTICLE 3:J SECTION C, ITEM 2 AND ITEM 13 OF THE CODE OF THE CITY OF DANVILLE, VIRGINIA 1986, AS AMENDED AT 760, 762, 764 WESTOVER DRIVE, OTHERWISE KNOWN AS GRID 0715, BLOCK 003, PARCEL 000007 OF THE CITY OF DANVILLE, VIRGINIA ZONING DISTRICT MAP.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Danville, Virginia, that the report of the Planning Commission recommending approval of Special Use Permit application PLSUP20180000310, filed by James C. Shaw, requesting Special Use Permits to operate a commercial recreational establishment (limited to indoor uses) and a restaurant in accordance with Article 3:J Section C, Item 2 and Item 13 of the Code of the City of Danville, Virginia 1986, as amended at 760, 762, 764 Westover Drive, otherwise known as Grid 0715, Block 003, Parcel 000007 of the City of Danville, Virginia Zoning District Map, is hereby received, subject to the following conditions:

1. Applicant must obtain all required building permits for the work that has been performed on the interior of the building and provide all required documentation and plans necessary for the issuance of said permits.
2. Applicant must obtain approvals and a certificate of occupancy prior to operation and occupancy of any sort which includes, but is not limited to private, invitation only events, private system testing, game burn in and tabletop playtesting / evaluations, and any other event held on site.
3. The buildings occupancy for the retail, restaurant, and gaming is set at a maximum of 80 persons per the building code.
4. A parking lot drawing, showing the location and dimensions of the minimum number of required spaces – which is 27, based on the buildings occupancy of 80 (1 space for every 3 persons) – must be provided and approved. All spaces must be appropriately striped and marked to meet code and the handicap accessible space must meet the ADA requirements.
5. There shall be no consumption or sale of alcohol on site, the condition being originally and voluntarily offered by the applicant.

AND BE IT FURTHER ORDAINED THAT in consideration of said report and the public hearing this day held by Council, PLSUP20180000310, filed by James C Shaw, requesting Special Use Permits to operate a commercial recreational establishment (limited to indoor uses) and a restaurant in accordance with Article 3:J Section C, Item 2 and Item 13 of the Code of the City of Danville, Virginia 1986, as amended at 760, 762, 764 Westover Drive, otherwise known as Grid 0715, Block 003, Parcel 000007 of the City of Danville, Virginia Zoning District Map, is hereby granted and approved, subject to the following conditions:

1. Applicant must obtain all required building permits for the work that has been performed on the interior of the building and provide all required documentation and plans necessary for the issuance of said permits.
2. Applicant must obtain approvals and a certificate of occupancy prior to operation and occupancy of any sort which includes, but is not limited to private, invitation only events, private system testing, game burn in and tabletop playtesting / evaluations, and any other event held on site.
3. The buildings occupancy for the retail, restaurant, and gaming is set at a maximum of 80 persons per the building code.
4. A parking lot drawing, showing the location and dimensions of the minimum number of required spaces – which is 27, based on the buildings occupancy of 80 (1 space for every 3 persons) – must be provided and approved. All spaces must be appropriately striped and marked to meet code and the handicap accessible space must meet the ADA requirements.
5. There shall be no consumption or sale of alcohol on site, the condition being originally and voluntarily offered by the applicant.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to Form and
Legal Sufficiency:

City Attorney



City of Danville
427 Patton Street, Suite 208
Danville VA, 24541
Phone: (434) 799-5260

City Planning Commission

MEMORANDUM

DATE: DECEMBER 12, 2018
TO: CITY COUNCIL
FROM: CITY PLANNING COMMISSION
SUBJECT: SPECIAL USE PERMIT REQUEST
REQUEST:

Special Use Permit application PLSUP20180000310, filed by James C Shaw, requesting Special Use Permits to operate a commercial recreational establishment (limited to indoor uses) and a restaurant in accordance with Article 3:J Section C, Item 2 and Item 13 of the Code of the City of Danville, Virginia 1986, as amended at 760, 762, 764 Westover Drive, otherwise known as Grid 0715, Block 003, Parcel 000007. The applicant is proposing to operate a tabletop, virtual reality, Play Station and Xbox gaming room; a small bistro / sandwich shop; and a retail sales establishment.

RECOMMENDATION:

The Planning Commission voted 5-0-1 (Chairman Searce abstained, and Commissioner Jones was absent) to recommend approval subject to the following conditions:

1. Applicant must obtain all required building permits for the work that has been performed on the interior of the building and provide all required documentation and plans necessary for the issuance of said permits.
2. Applicant must obtain approvals and a certificate of occupancy prior to operation and occupancy of any sort which includes, but is not limited to private, invitation only events, private system testing, game burn in and tabletop playtesting / evaluations, and any other event held on site.
3. The buildings occupancy for the retail, restaurant, and gaming is set at a maximum of 80 persons per the building code.
4. A parking lot drawing, showing the location and dimensions of the minimum number of required spaces – which is 27, based on the buildings occupancy of 80 (1 space for every 3 persons) – must be provided and approved. All spaces must be appropriately striped and marked to meet code and the handicap accessible space must meet the ADA requirements.
5. There shall be no consumption or sale of alcohol on site, the condition being originally and voluntarily offered by the applicant.

Michael J Searce (BUT)

Mr. Michael Searce, Chairman

RESPONSES:

Thirty-two (32) notices were sent to property owners within three hundred (300) feet of the property. Eight (8) property owners returned statements. Six (6) property owners are not opposed to the special use permit (Barbara B Burckett, Rachel R. & A. J. Burkett Jr. (Life) & Charles Lee & Barbara Lyn & Abram Joseph III, Morris Anderson Sr., Blairs Properties LLC, Sunrise Investments Inc. & Hardison Donald A. Sr. Estate, and Ameer Nesmith). Two (2) property owners are opposed to the special use permit (Mary Louvene Blake McBride, and Alice M. Henley).

COMMENTS:

"If you was a homeowner located 300 feet of this requested permit, would you oppose this request. This request is no family desire, but for young adults. Our neighborhood has already been affected by youth activities in a harmful way. Our dedicated police no not need another activity added to their workforce. Please oppose this request for the safety and well being of our neighborhood, and also the burden this will bring to our police. This neighborhood is made up of many senior residents. Thanks for your thoughtfulness and respect to this request!" (Mary Louvene Blake McBride)



City Planning Commission

City Planning Commission

Meeting of Wednesday, December 12, 2018

Subject:

Special Use Permit application PLSUP20180000310, filed by James C Shaw, requesting Special Use Permits to operate a commercial recreational establishment (limited to indoor uses) and a restaurant in accordance with Article 3:J Section C, Item 2 and Item 13 of the Code of the City of Danville, Virginia 1986, as amended at 760, 762, 764 Westover Drive, otherwise known as Grid 0715, Block 003, Parcel 000007. The applicant is proposing to operate a tabletop, virtual reality, play station and xbox gaming room; a small bistro / sandwich shop; and a retail sales establishment.

Background:

An application has been filed by James C. Shaw, requesting Special Use Permits to operate a commercial recreational establishment (limited to indoor uses) and a restaurant in accordance with Article 3:J Section C, Item 2 and Item 13 of the Code of the City of Danville, Virginia 1986, as amended at 760, 762, 764 Westover Drive, otherwise known as Grid 0715, Block 003, Parcel 000007.

The applicant is proposing to operate a tabletop, virtual reality, play station and xbox gaming room; a small bistro / sandwich shop; and a retail sales establishment. The retail sales establishment within this business, is a use permitted by right in the N-C, Neighborhood Commercial zoning district.

Thirty-two (32) notifications were sent to the surrounding property owners within 300' of the subject property. A full report will be presented to the City Planning Commission on December 12, 2018.

Currently there are 22 partially marked parking spaces on-site: 13 spaces along the front of the building, 6 spaces along the right side of the building where the fitness center is located, 2 spaces and 1 handicap accessible space on the left side of the building.

Recommendation:

Planning staff recommends that the Planning Commission approve Special Use Permit application PLSUP201800000310, filed by James Shaw, requesting Special Use Permits to operate a commercial recreational establishment and restaurant with the following conditions:

1. Applicant must obtain all required building permits for the work that has been performed on the interior of the building and provide all required documentation and plans necessary for the issuance of said permits.
2. Applicant must obtain approvals and a certificate of occupancy prior to operation and occupancy of any sort which includes, but is not limited to private, invitation only events, private system testing, game burn in and tabletop playtesting / evaluations, and any other event held on site.
3. The buildings occupancy for the retail, restaurant, and gaming is set at a maximum of 80 persons per the building code.
4. A parking lot drawing, showing the location and dimensions of the minimum number of required spaces – which is 27, based on the buildings occupancy of 80 (1 space for every 3 persons) – must be provided and approved. All spaces must be appropriately striped and marked to meet code and the handicap accessible space must meet the ADA requirements.

City Planning Commission Alternatives:

1. Recommend approval of the request as submitted;
2. Recommend approval of the request subject to conditions recommended by staff;
3. Recommend approval of the request subject to conditions by the Planning Commission;
4. Recommend denial of the request; or
5. Recommend tabling the request.

Attachments:

- Application
- Property Ownership/Zoning Map
- Data Sheet
- Existing Land Use Map (2015 Aerial)

CITY OF DANVILLE

SPECIAL USE PERMIT APPLICATION

TO THE CITY PLANNING COMMISSION AND THE HONORABLE CITY COUNCIL:

Application is hereby made for the Special Use Permit as described below:

INFORMATION TO BE PROVIDED BY THE PLANNING DIVISION

APPLICATION IS HEREBY MADE FOR A SPECIAL USE PERMIT TO AUTHORIZE THE FOLLOWING USE:

Article 3:J:C.2 - Commercial recreational establishments
(limited to indoor uses) & Article 3:J:C.13 - Restaurants

CASE NUMBER: PLSUP20180000310

EXISTING ZONING: N-C, Neighborhood Commercial

PROPOSED ZONING: unchanged

TAX MAP NUMBER: 0715-003-000007

RECEIVED BY: Harvey Preston

DATE FILED: 11/12/18

PLANNING COMMISSION DATE: 12/13/18

CITY COUNCIL DATE: 1/3/19

INFORMATION TO BE PROVIDED BY THE APPLICANT
(PLEASE TYPE OR PRINT)

Exact legal description of property (Attach if insufficient space).

Gross Area/Net Area: 3600 SQ FEET Property Address: 760 TO 764 WESTOVER DRIVE
INSIDE BUILDING

Property Location: N S E W Side of: SEE ATTACHED PLAN

Between: _____ and _____

Proffered Conditions (if any, please attach): _____

EXPLANATION OF REQUEST:

1. PROPOSED USE FOR THE SPECIAL USE PERMIT:

Please provide a site plan with the following information:

- Proposed use of the land: size and location of structures with dimensions to lot lines.
- Vehicular circulation system with points of ingress and egress.
- Existing on-site buildings, separation dimensions and paved areas.
- Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided.
- Net acreage.
- Gross and net square footage of building (s) (proposed and existing).
- Required landscaping and buffer areas.

Please provide a brief description of the proposed development:

PLEASE SEE ATTACHED PLAN

PRESENT OWNER (S) OF ALL PROPERTIES INCLUDED IN APPLICATION (PLEASE TYPE OR PRINT):

1. NAME: Hunter - Hand Laid Props TELEPHONE: 434-250-6576
MAILING ADDRESS: 221 River St. Danville VA.
SIGNATURE: D M A. AK DATE: 11-9-18
SIGNATURE: _____ DATE: _____
EMAIL ADDRESS: contactfresh@comcast.net

APPLICANT (PLEASE TYPE OR PRINT):

If the applicant is not the property owner, written authorization from the property owner must accompany this application.

NAME: JAMES C SHAW TELEPHONE: 434 713 6912
MAILING ADDRESS: 749 PINEY FOREST RD UNIT 201
EMAIL ADDRESS: JIM.SHAW@THEKINGS CUDGEL.COM
SIGNATURE: James C Shaw DATE: 11/9/2018

RE; PROPERTY ZONING REQUEST

760, 762, 764, WESTOVER DRIVE. DANVILLE, VA 24541

OWNER; DONALD HARDISON.

APPLICANT; JAMES C. SHAW.

REPRESENTING "THE KING'S CUDGEL LLC"

I Donald Hardison, legal owner of the properties described above, give James C. Shaw, and The King's Cudgel LLC, permission to apply for special use zoning on the listed property as needed to effect the conduct of business as a retail shop, indoor recreation center and bistro/café.

OWNER:

Donald Hardison;  Date 11/9/2018

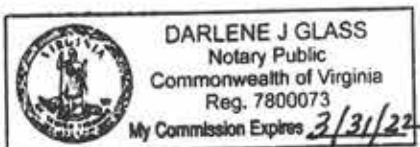
APPLICANT:

James C. Shaw  Date 11/9/2018

NOTARY;

NAME  Date 11-9-18

SEAL:





The King's Cudgel

Café – Tabletop Games – Virtual Reality – Play Station - Xbox

NEIGHBORHOOD AND IMPACTED AREA

The impact to the surrounding area will be minimal if any in respect to residences. The impact to surrounding businesses will be a positive effect. The King's cudgel will not be in direct competition with surrounding businesses and the additional traffic to the area by the customers of The King's Cudgel would be expected to have a beneficial effect in terms of exposure and awareness of the surrounding businesses and their respective services. As well as these businesses will be able to offer their services to the employees of The King's Cudgel. We will also be able to offer potential job opportunities to local residents in the surrounding neighborhoods.



Proposed location for 760 – 762 – 764 Westover drive, Danville, VA 24541

Contact information; Jim Shaw, 434-713-6912. 749 Piney Forest Road, Unit 201, Danville, VA 24540



The King's Cudgel

Café – Tabletop Games – Virtual Reality – Play Station - Xbox

PARKING SPACES/ENTRY & EGRESS

The existing parking area provides for Eighteen (18) dedicated spaces for customer parking off street in front of the proposed location with three separate points of entry and egress on two different streets. Four additional spaces are available for employee parking around the back side of the building opposite from Allison Drive.

Overflow parking is available during expected peak flow times after 6 PM across Westover Drive on property owned by the same landlord/Owner.

Additionally, a portion of our traffic is expected to be by walk ins from the local neighborhood surrounding the business.

Loading and unloading of supplies will be scheduled during the morning hours before peak traffic flow utilizing the space at the back side of the parking lot.

Two Handicap accessible spaces will be provided at the front sidewalk to the building.



Proposed location for 760 – 762 – 764 Westover drive, Danville, VA 24541

Contact information; Jim Shaw, 434-713-6912. 749 Piney Forest Road, Unit 201, Danville, VA 24540



The King's Cudgel

Café – Tabletop Games – Virtual Reality – Play Station - Xbox

CHANGES TO PROPOSED PROPERTY & GROUNDS.

None! We are fortunate that the spaces at 760, 762 and 764 Westover drive are perfect for our use with minimal work other than installing our furniture, game consoles, tables, decorations and paint.

In respect to the café portion of the business, the building in years past had been a restaurant prior to being utilized as a book store, record store and tattoo shop. Numerous changes and upgrades were made over the years that have left us with infrastructure to work our systems around. Given the small size of our café, we will utilize free standing coolers, work tables, microwave ovens and small convection ovens, and hot dog warmers that will be able to utilize existing services. This will eliminate the need for any construction that would change the existing nature of the building beyond its current state.

SIGNAGE

An existing sign post with Marquee is already onsite and available for prospective tenants to install personalized placards for their businesses. Therefore no additional signage will be needed.



Proposed location for 760 – 762 – 764 Westover drive, Danville, VA 24541

Contact information; Jim Shaw, 434-713-6912. 749 Piney Forest Road, Unit 201, Danville, VA 24540



The King's Cudgel

Café – Tabletop Games – Virtual Reality – Play Station - Xbox

SIMILAR GAMING VENUES WITHIN VIRGINIA OPERATING TODAY.

Gaming Cafes and shops like this are beginning to take hold within communities not just in Virginia but across a number of states, providing a safe atmosphere to enjoy the latest technology and newest board games, while promoting good sportsmanship, tolerance, and inclusiveness within the communities they serve.

Mishap Games

4.6 ★★★★★ (85) Video Game Store

Roanoke, VA
(540) 340-1460
Open - Closes 9PM



The Cave Gaming Center

4.7 ★★★★★ (113) Video Arcade

Fairfax, VA
(703) 270-0542
Open 24 hours
Very cheap and great internet cafe. Staff are



Game Junkies

4.1 ★★★★★ (141) Video Game Store

Roanoke, VA
(540) 204-4084
Open - Closes 9PM



Seoul PC Gaming Center

4.7 ★★★★★ (164) Internet Cafe

Annandale, VA
(703) 750-2460
Open 24 hours



Star City Game Center

4.4 ★★★★★ (111) Game Store

Roanoke, VA
(540) 767-4263
Open - Closes 11:30PM



Meeples! Cafe & Games

5.0 ★★★★★ (9) Cafe

Lynchburg, VA
(434) 515-2494
Fast service - Casual
Closed - Opens 5PM



Proposed location for 760 – 762 – 764 Westover drive, Danville, VA 24541

Contact information; Jim Shaw, 434-713-6912. 749 Piney Forest Road, Unit 201, Danville, VA 24540



The King's Cudgel

Café – Tabletop Games – Virtual Reality – Play Station - Xbox

ABOUT OUR GAMING

First and foremost, The King's Cudgel is a family friendly and community friendly gaming café. Absolutely none of the games will have the ability to win monetary prizes of any kind. Our store wifi will be set to a dns service that will allow for out of state gambling sites to be locked out, such that potential customers are not able to bring a laptop and privately access prohibited services. We will be an alcohol-free establishment.

Our intent for business is to serve the community at large, providing a place for friends and families gather, learn about the latest gaming technology, enjoy a game night and meal, and be able to purchase the games they enjoy for home use.



Proposed location for 760 – 762 – 764 Westover drive, Danville, VA 24541

Contact information; Jim Shaw, 434-713-6912. 749 Piney Forest Road, Unit 201, Danville, VA 24540



The King's Cudgel

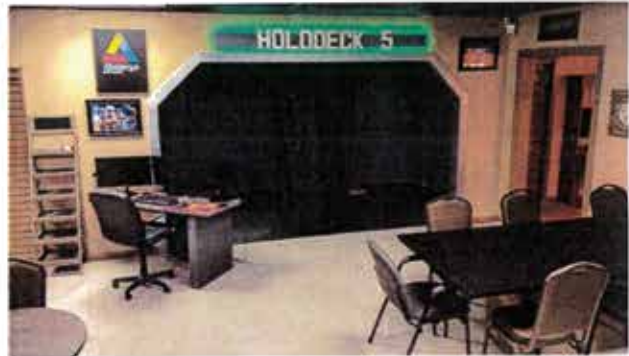
Café – Tabletop Games – Virtual Reality – Play Station - Xbox

PROPOSED USE OF PROPERTY; 760, 762, 764 Westover Drive, Danville, VA 24541

Our proposed use of the property is for zoning as Retail/Restaurant/Recreation, to allow for a business (The King's Cudgel) that is to offer in addition to a small focused Bistro offering sandwiches, hot dogs, salad plates, and non-alcoholic drinks, milkshakes, tea, and coffee. A tabletop gaming experience, virtual reality gaming utilizing HTC Vive, and Oculus Rift game platforms. Play Station, Xbox and Nintendo gaming will be offered as well. A retail merchandising area will provide customers with the ability to browse and purchase various games. Within the game room customers/members will be able to check out a game from the store library to demo with friends before purchasing. While onsite gamers may order coffee, tea, or other drinks delivered to their game table.

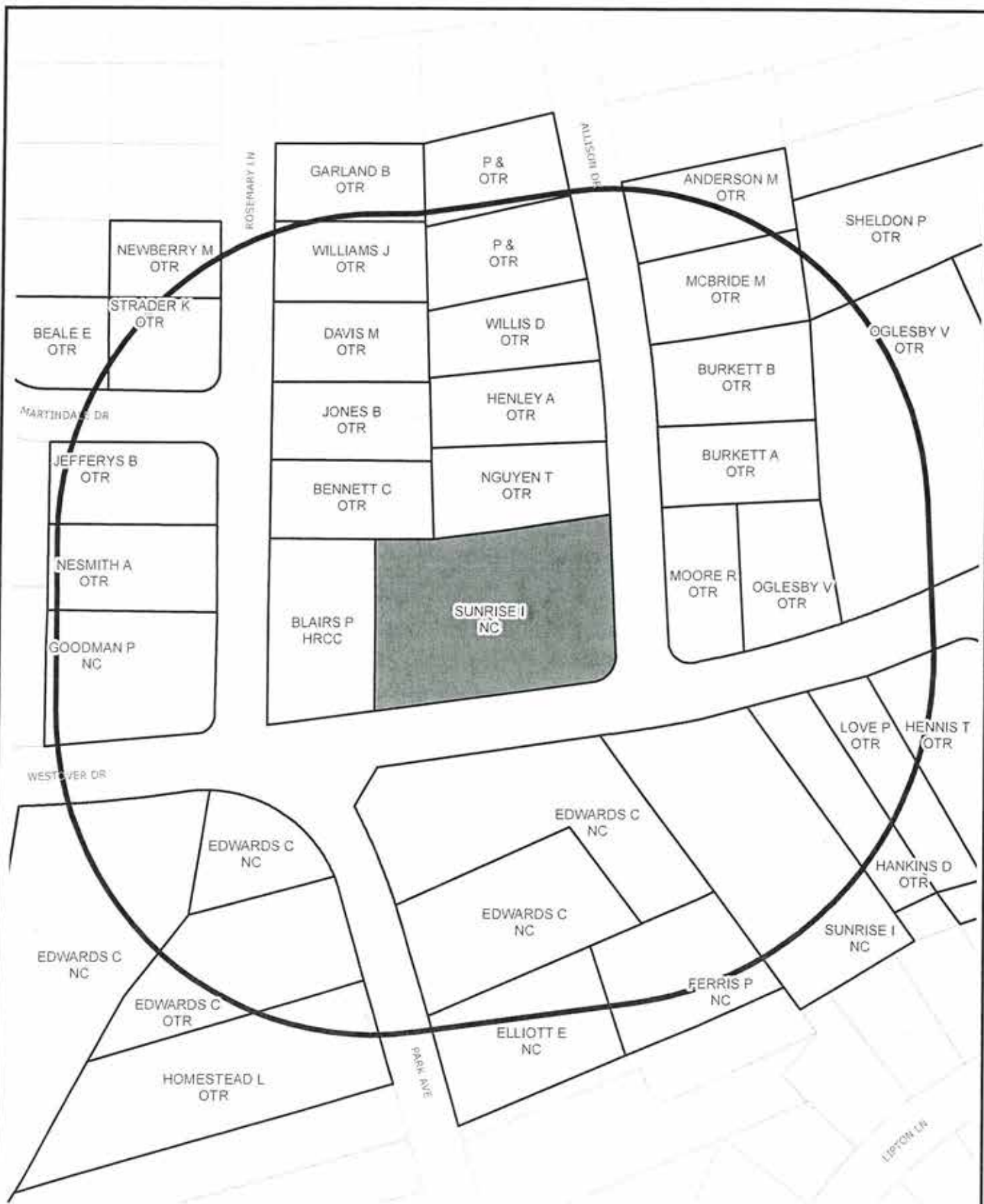
All three units (760, 762, 764) are in a row and are interconnected. Two units 762 and 764, total 2400 square foot and will be utilized as the game room and retail space.

Unit 760 at the end of the building facing Allison Drive, will be utilized as the small bistro/sandwich shop aspect of the total business. Separated seating to accommodate 38 customers at any one given time will be available in this space.



Proposed location for 760 – 762 – 764 Westover drive, Danville, VA 24541

Contact information; Jim Shaw, 434-713-6912. 749 Piney Forest Road, Unit 201, Danville, VA 24540



SURROUNDING PROPERTY OWNERS AND ZONING WITHIN 300 FEET OF SUBJECT PROPERTY

Prepared by:
Planning Division
11/15/2018

Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation of warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

SPECIAL USE PERMIT REQUEST
DATA SHEET

PUBLIC HEARING DATE: December 12, 2018

LOCATION OF PROPERTY: 760, 762, 764 Westover Drive

PRESENT ZONE: N-C, Neighborhood Commercial

PROPOSED ZONE: Unchanged

ACTION REQUESTED: Special Use Permit to operate a commercial recreational establishment (limited to indoor uses) and a restaurant

PRESENT USE OF PROPERTY: Commercial

PROPOSED USE OF PROPERTY: Commercial

PROPERTY OWNER (S): Sunrise Investments Inc. & Donald A Hardison, Sr. Estate

NAME OF APPLICANT (S): James C Shaw

PROPERTY BORDERED BY: Commercial along the west and south; Residential along the east and north

ACREAGE: 0.8 acres

CHARACTER OF VICINITY: Mixture of commercial and residential

INGRESS AND EGRESS: Westover Drive

TRAFFIC VOLUME: Moderate



2015 AERIAL VIEW OF AREA SURROUNDING SUBJECT PROPERTY



Prepared by:
Planning Division
12/3/2018

Disclaimer: Information contained on this map is to be used for reference purposes only. The City of Danville is not responsible for any inaccuracies herein contained. The City of Danville makes no representation or warranty as to this map's accuracy, and in particular, its accuracy in labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. No responsibility is assumed for damages or other liabilities due to the accuracy, availability, use or misuse of the information herein provided.

Council Letter

City of Danville, Virginia



CL-2054

New Business Item #: B.

City Council Regular Meeting

Meeting Date: 01/03/2019

Subject: Resolution in Support of New Legislation

From: W. Clarke Whitfield, Jr., City Attorney

COUNCIL ACTION

Business Meeting: 01/03/2019

SUMMARY

The City of Danville received a request from the United Company of Bristol, Virginia to consider supporting legislation that would enable a local referendum to allow casinos to operate in specific localities in the Commonwealth of Virginia.

BACKGROUND

The City of Danville's revenues have remained flat for over ten years while expenditures have increased, leading to a current projected cumulative five year deficit of over \$20 million. Chmura Economics and Analytics prepared a preliminary independent employment and fiscal impact analysis of a Danville Resort and Casino with hotel, restaurants, entertainment and convention space. A proposed Resort and Casino project would bring unprecedented employment opportunities and significant new revenue to the City, the costs of which will be borne by the business and not City taxpayers.

RECOMMENDATION

It is recommended Council adopt the resolution fully supporting new legislation that would enable a local referendum in the City of Danville to consider allowing a developer to construct a resort and casino in the City of Danville.

Attachments

Resolution

PRESENTED: _____

ADOPTED: _____

RESOLUTION NO. 2019-____.____

A RESOLUTION OF THE COUNCIL OF THE CITY OF DANVILLE, VIRGINIA SUPPORTING NEW LEGISLATION THAT WOULD ENABLE A LOCAL REFERENDUM IN THE CITY OF DANVILLE TO CONSIDER ALLOWING A DEVELOPER TO CONSTRUCT AND DEVELOP A RESORT AND CASINO IN THE CITY OF DANVILLE.

WHEREAS, the City of Danville received a request to consider supporting legislation that would enable and require a local referendum in specific localities in the Commonwealth of Virginia to allow for casinos to operate within those localities; and

WHEREAS, Chmura Economics and Analytics prepared an independent employment and fiscal impact analysis of a Danville Resort and Casino with hotel, restaurants, entertainment, and convention space; and

WHEREAS, the preliminary study shows a one-time economic impact of \$118.7 million and 182 jobs for the renovation and construction of a Danville Resort and Casino (project); and

WHEREAS, the preliminary study further shows that, in 2022, the project would generate 2,534 direct and indirect/induced jobs, which would grow to 5,426 direct jobs and 1,408 indirect/induced jobs by 2028; and

WHEREAS, the preliminary study shows that, in 2022, the project would generate \$384.8 million in direct and indirect/induced economic impact, which would grow to \$909 million direct and \$183 million indirect/induced economic impact by 2028; and

WHEREAS, the preliminary study shows that, in 2022, the project would generate \$12.1 million in local taxes, which would grow to \$20.3 million by 2028; and

WHEREAS, the City of Danville's revenues have remained flat for over ten years while expenditures have increased, leading to a current projected cumulative five year deficit of over \$20 million; and

WHEREAS, the proposed redevelopment project is intended to bring unprecedented employment opportunities and significant new revenue to the City, the costs of which will be borne by the business and not City taxpayers.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Danville, Virginia, in consideration of the foregoing in light of the best interests of Danville, Virginia and the general welfare of its citizens, fully supports new legislation that would enable and require a local referendum in the City of Danville to consider allowing a developer to construct and develop a resort and casino in the City of Danville; and

BE IT FURTHER REVOLVED, that the City Clerk is hereby directed to send certified copies of this resolution to Daniel W. Marshall, III, Delegate, 14th District, Virginia House of Delegates, William M. Stanley, Jr., Senator, 10th District, Virginia Senate, and Frank M. Ruff, Jr., Senator, 15^h District, Virginia Senate.

APPROVED by the City Council of the City of Danville, Virginia, at a regularly scheduled meeting of said Council on January 3, 2019.

APPROVED:

MAYOR

ATTEST:

CLERK

Approved as to Form and
Legal Sufficiency:

City Attorney