

# Issue Analysis Form

**Date:** February 22, 2022

**Item:** Authority to Advertise Pubic Hearing Waiving Code Sections 82-311 and 82-591 to allow private well and sewer service.



**Lead Department(s):** Engineering & Utilities

**Contact Person(s):** Frank Haltom, Director

## Description and Current Status

Mr. Nelson Cunningham intends to develop tax parcel 340(19)00-001-0 located along Chudoba Parkway to relocate his business currently located in Chesterfield County. His business is focused on automotive restoration, specializing in the detailing and high-end work on automobiles for the creation of personalized, customized and restored vintage automobiles.

Prince George currently has insufficient water and wastewater capacity to serve this project. In order to secure financing for the project, among other requirements, Mr. Cunningham must identify a reliable source of potable water and domestic wastewater treatment. The County is taking steps to provide additional water and wastewater capacity to the Southpoint Business Park area. However, it will take 24 to 36 months to complete the necessary improvements to serve this part of the county.

Until the public water and wastewater improvements are complete, the applicant requests a waiver of the ordinance to allow them to install private water and wastewater facilities to serve the property.

The approval of an ordinance after a public hearing is required for a one-time waiver to County Code Section 82-311(a) and 82-591.

A resolution authorizing a public hearing to consider the waiver is attached for consideration; a motion approving the resolution is requested.

Sample Motion: I move that the Board approve the resolution authorizing the advertisement of a public hearing to consider a one-time waiver of Code Sections 82-311(a) and 82-591 to allow the use of private water and wastewater facilities to serve tax parcel 340(19)00-001-0 until the completion of the necessary public water and wastewater improvements to serve the property.

## Government Path

**Does this require IDA action?**

☐ Yes ☒ No

**Does this require BZA action?**

☐ Yes ☒ No

**Does This require Planning Commission Action?**

☐ Yes ☒ No

**Does this require Board of Supervisors action?**

☒ Yes ☐ No

**Does this require a public hearing?**

☒ Yes

☐ No

**If so, before what date?**

### **Fiscal Impact Statement**

None. The utility connection fees will be paid at the time of connection to the public utilities.

### **County Impact**

Waiver will allow the County to receive the benefits of the business operations in lieu of delaying the business due to inadequate water and wastewater capacities.

### **Notes**

Board of Supervisors  
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 22nd day of February, 2022:

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Present:

Marlene J. Waymack, Chair  
Donald Hunter, Vice-Chair  
Alan R. Carmichael  
Floyd M. Brown, Jr.  
T. J. Webb

Vote:

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On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, which carried unanimously, the following Resolution was adopted:

**RESOLUTION: AUTHORITY TO ADVERTISE A PUBLIC HEARING FOR A ONE-TIME WAIVER OF SECTIONS 82-311(A) AND 82-591 OF THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA FOR TAX PARCEL 340(19)00-001-0.**

**WHEREAS**, County Code Sections 82-311(a) and 82-591 prohibits the use of private water and wastewater facilities where public water and wastewater facilities are available; and

**WHEREAS**, Prince George currently has insufficient water and wastewater capacity to serve this project; and

**WHEREAS**, The applicant requests a waiver of the ordinance to allow them to install private water and wastewater facilities to serve the property until the public water and wastewater improvements are complete.

**NOW, THEREFORE BE IT RESOLVED:** That the Board of Supervisors of the County of Prince George this 22nd day of February, 2022, does hereby authorize the advertisement of a public hearing to consider a one-time waiver of Sections 82-311(A) and 82-591 of the Code of the County of Prince George for tax parcel 340(19)00-001-0.

A Copy Teste:

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Jeffrey D. Stoke  
Interim County Administrator



Dean E. Hawkins  
Landscape Architects & Land Development Planners

1 February 2022

Mr. Frank Haltom, P.E.  
Director of Engineering and Public Utilities  
County of Prince George  
6602 Courts Drive  
Prince George, VA 23875

**RE: Tax Map No.: 340(19)00-001-0  
Nelson Cunningham**

Dear Mr. Haltom:

As you know we recently completed a rezoning for several buildings to be placed on the above referenced site for its owner, Mr. Nelson Cunningham. At the time of the approval of this rezoning, it was made clear to us that the current utility capacity for both public water and sewer at this location was adequate for our proposed development, but limited. Since the time of our request's approval, we have now been notified that this remaining capacity has now been awarded to other projects closer to being ready for public utility service allocation and system construction.

Given this current fact, we hereby request that we be granted a Waiver to the Required Use of Public Utilities through your department and with the final approval of the Board of Supervisors. Upon this approval, we request that we be permitted to construct a private potable water well and septic drainfield for wastewater system treatment on our site, in lieu of using the public system. The locations of and the site conditions on our parcel for these systems have been preliminarily determined and we feel that this will be an excellent alternative to the public design. We understand that these components will need to be permitted through the Prince George County Health Department to the standards of the Virginia Department of Health for such facilities.

We thank you and the Board for your consideration in this matter. Please advise when the item is placed on the next possible public hearing agenda. On a side note, we are pleased that the county is moving forward with the physical implementation of the January 2016 Water and Wastewater Master Plan. For too long now the county has been throttled by the lack of public facilities to accommodate growth and tax base expansion, so it is good to see your progress.

Yours truly,

Dean E. Hawkins, L.A.

County of Prince George



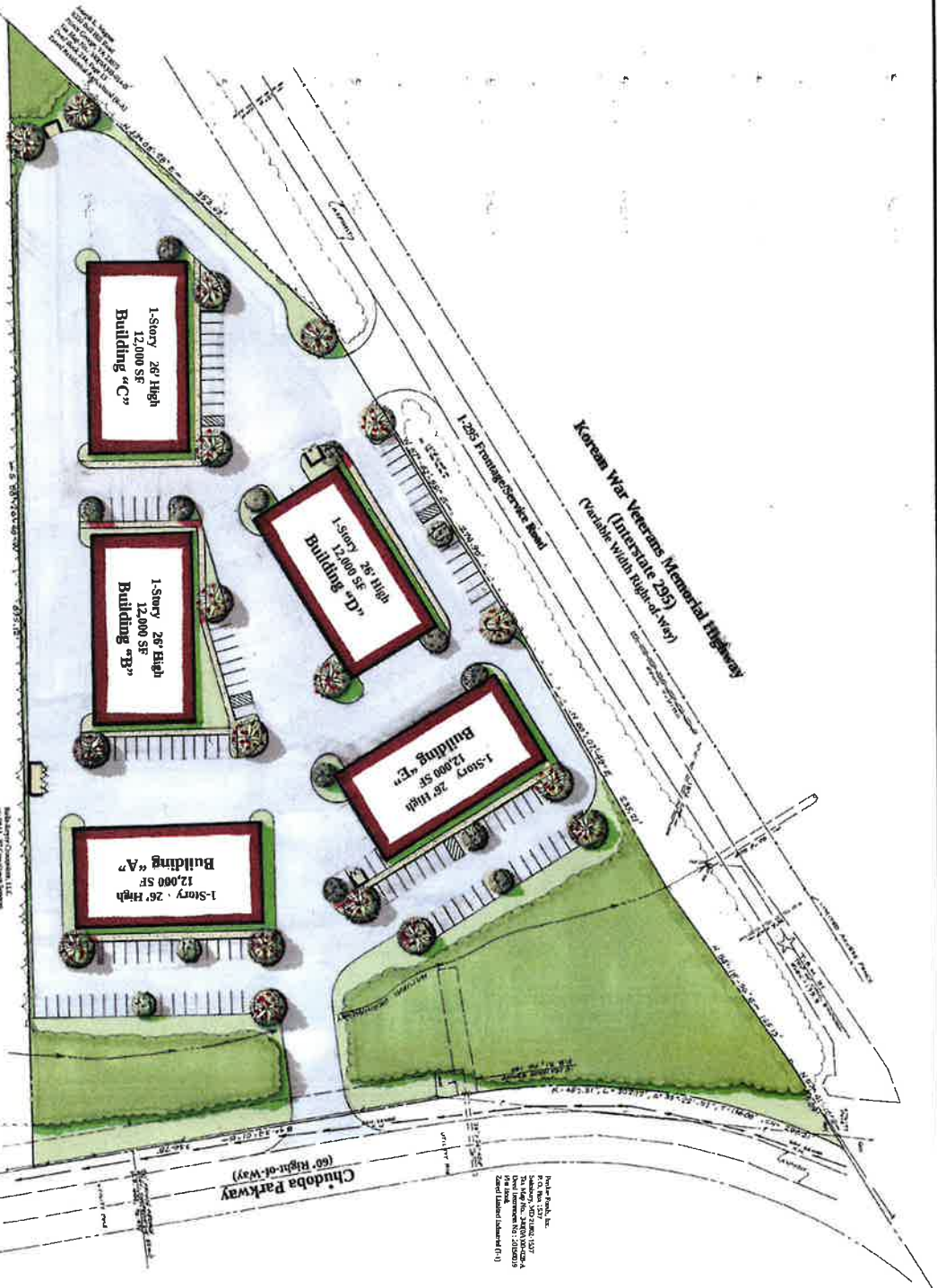


# Preliminary Site Plan

1" = 50'



Wade Hampton Company, LLC  
 1701 E. Highway 280, Suite 100  
 Chesapeake, VA 23026  
 Phone: (757) 424-1100  
 Fax: (757) 424-1101  
 Email: info@wadehampton.com  
 www.wadehampton.com



Dean E. Hawkins, ASLA  
 1751 E. Highway 280, Suite 100  
 Chesapeake, VA 23026  
 Phone: (757) 424-1100  
 Fax: (757) 424-1101  
 Email: info@deanhawkins.com  
 www.deanhawkins.com



Project No. 2104-02  
 Scale: 1" = 50'  
 Sheet No. 1 of 1

Sheet Title: Preliminary Site Plan  
 Project Name: New Visions Industrial Park  
 Prince George County,  
 Virginia



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 Landscape Architects & Land Development Planners  
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 Chesapeake, VA 23026  
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 Fax: (757) 424-1101  
 Email: info@deanhawkins.com  
 www.deanhawkins.com

