

Issue Analysis Form



Date: March 22, 2022

Item: Ordinance for a one-time waiver of Code Sections 82-311 (A) and 82-591 to allow private water and wastewater facilities.

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.

Prince George currently has insufficient water and wastewater capacity to serve this project. In order to secure financing for the project, among other requirements, Landmark Industrial 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 the public hearing is required for a one-time waiver to County Code Section 82-311(a) and 82-591.

Sample Motion: I move that the Board approve an Ordinance for 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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require BZA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does This require Planning Commission Action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require Board of Supervisors action?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does this require a public hearing?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> 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

Ordinance

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 March, 2022:

Present:

Vote:

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

ORDINANCE FOR A ONE-TIME WAIVER OF CODE SECTION 82-311(A) AND 82-591 OF "THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA" TO ALLOW THE USE OF PRIVATE WATER AND WASTEWATER FACILITIES.

BE IT ORDAINED by the Board of Supervisors of Prince George County:

- (1) That a one-time waiver of Code Sections 82-311(A) and 82-591 of the "Code of the County of Prince George, Virginia, 2005, as amended" 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.
- (2) That this ordinance shall be effective immediately upon adoption.

Adopted on March 22, 2022 and becoming effective immediately.



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.

PUBLIC HEARING - WAIVER OF UTILITY ORDINANCE

Prince George County
Board Of Supervisors
March 22, 2022



PURPOSE OF WAIVER REQUEST

Property owner, Nelson Cunningham, intends to construct multiple commercial structures, approximately 12,000 SF each, on tax parcel 340(19)00-001-0 along Chudoba Parkway. The initial structure will be used to relocate his business that focuses on the restoration of automobiles.

Prince George currently has insufficient water and wastewater capacity to serve this project. 24 to 36 months to complete the necessary improvements.

The owner must identify a reliable source of potable water and domestic wastewater treatment to secure financing for the project.

County of Prince George



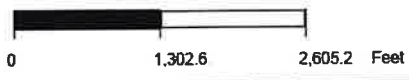
Legend

- Schools
- Firestations
- Building Footprints
- Political Boundaries
- Taxparcels
- Access Easements
- Parcel Join Lines
- Swamps

Notes



The information contained in this data should not be used as a "legal description". Map information aims to be accurate, but accuracy and completeness is not guaranteed.
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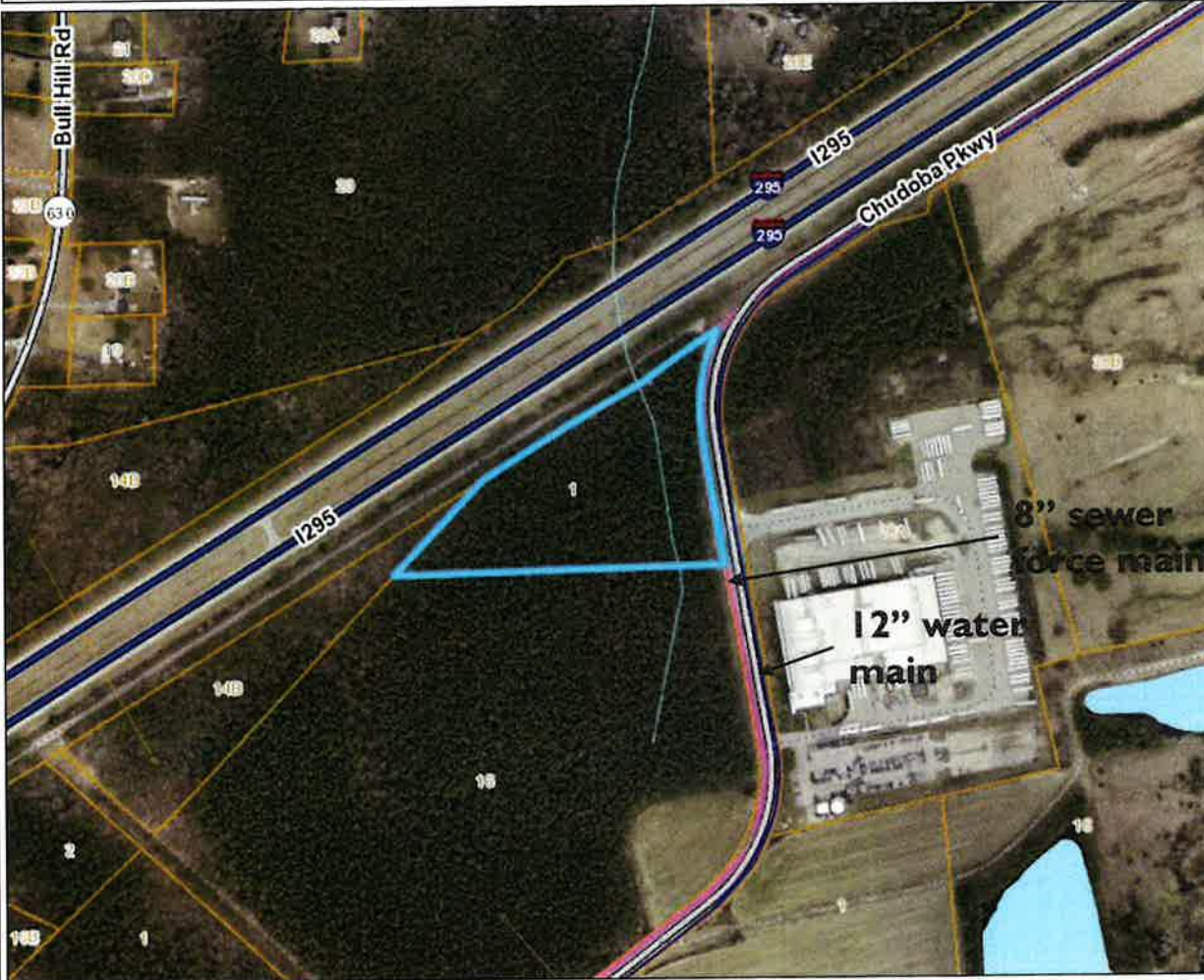


Map Scale 1: 15,631

3/10/2022



County of Prince George

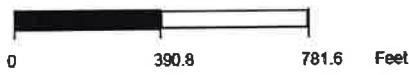


- Legend**
- Schools
 - Firestations
 - SiteAddresses
 - Political Boundaries
 - Taxparcels
 - Access Easements
 - Water Line
 - Sewer Line - Gravity
 - Sewer Line - Force Main
 - Swamps

Notes



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Map Scale 1: 4,689
3/10/2022



Korean War Veterans Memorial Highway
 (Interstate 295)
 (Variable Width, page 4 of 14)

1.25 Frontage Service Road

Project File No.
 173 May 22
 10/10/05 10:11 AM
 The Plan No. 100200000000
 10/10/05 10:11 AM
 10/10/05

Cherokee Parkway
 (1/2 mile or less)

1-story 29' High
 12,000 SF
 Building "C"

1-story 26' High
 12,000 SF
 Building "B"

1-story 29' High
 12,000 SF
 Building "A"

1-story 26' High
 12,000 SF
 Building "D"



Preliminary Site Plan

Submitted: 10/10/05
 10/10/05 10:11 AM
 10/10/05 10:11 AM
 10/10/05 10:11 AM
 10/10/05 10:11 AM
 10/10/05 10:11 AM

UTILITY ORDINANCE REQUIREMENTS

Subdivision II. - Individual Water Supply Facilities

- **Sec. 82-311. - Scope.**
- (a) Except as provided in this article, it shall be unlawful to construct or maintain any privately owned well or other water supply facility intended or used for the supply of potable water for domestic purposes.

Subdivision II. - Individual Wastewater Disposal Facilities

- **Sec. 82-591. - Scope.**
- Except as provided in this article, it shall be unlawful to construct or maintain any privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

PRIVATE ON SITE UTILITY OPTIONS IDENTIFIED BY APPLICANT

Water:

- Install a well to withdraw groundwater, and treat as required for potable use

Wastewater:

- Install an onsite sewer septic system

Each solution requires approval by VDH.

APPLICANT REQUEST

Applicant acknowledges the private onsite utilities will be an additional cost associated with their construction and operation until the county increases its water and wastewater capacity.

Applicant also acknowledges the utility connection fees will be paid at the time of connection to the public utilities.

Until the public water and wastewater improvements are complete, the applicant requests a waiver of sections 82-311(a) and 82-591 of the Prince George County ordinance to allow them to install private water and wastewater facilities to serve the property.

A 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.

**NOTICE OF PUBLIC HEARING
COUNTY OF PRINCE GEORGE**

Notice is hereby given to all interested persons that the Prince George Board of Supervisors will hold a public hearing on March 22, 2022 beginning at 7:30 p.m. in the Board of Supervisors Meeting Room, Third Floor of the County Administration Building, 6602 Courts Drive, Prince George, Virginia, (located at the intersection of Laurel Springs Road and Courts Drive in the County Government Complex) pursuant to § 15.2-1427, Code of Virginia (1950), as amended, to consider:

One-time waiver of Code Sections 82-311(a) and 82-591 “The Code of the County of Prince George, Virginia,” 2005, as amended to allow private well and sewer service on property located off of Chudoba Parkway know as Tax Map # 340(19)00-001-0.

A copy of the waiver is available for review in the County Administrator’s Office (Tel. 722-8600), Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, Monday through Friday from 8:30 a.m. until 5:00 p.m. All interested persons shall be given an opportunity to be heard.

Jeffrey D. Stoke
Interim County Administrator