

Issue Analysis Form



Date: September 1, 2022

Item: Special Exception Request (SE 22-06)

Applicant: Michael Ellis (Ellis Construction Inc.)

Lead Department: Community Development

Contact Person: Andre M. Greene, Planner II

Description and Current Status

The applicant wishes to continue and expand an existing borrow pit located off West Quaker Road.

The applicant is requesting a special exception for the extraction of natural resources pursuant to Section 90-103(21) of the Zoning Ordinance.

Staff and the Planning Commission recommended **APPROVAL** of this request, subject to several conditions contained in the draft ordinance.

Staff on behalf of the Planning Commission has attached the draft ordinance for consideration and is requesting a motion to **APPROVE** the ordinance.

Sample Motion:

"I move that the Board approve the Special Exception request (SE-22-06) of Michael Ellis (Ellis Construction, Inc.) to continue and expand an existing borrow pit located off West Quaker Road and further identified as Tax Parcels 340(OA)00-136-0, 137-0, 139-0 and 108-0, subject to the specified conditions."

Government Path

Does this require IDA action?

Yes No

Does this require BZA action?

Yes No

Does this require Planning Commission action?

Yes

On August 25, 2022
the PC Recommended
Approval by a **5-0** vote
Public Hearing on
Sept. 13, 2022

Does this require Board of Supervisors action?

Yes

Does this require a Public Hearing?

Yes No

If so, before what date?

N/A

Fiscal and Economic Impact Statement

If approved, the proposed use would continue to generate tax revenue from an existing commercial operation in the County.

County Impact

The special exception would allow an existing commercial operation to continue and expand.

Notes

Attached: Draft Ordinance; Staff report; Application and attachments; Public notice: APO letter, map, list, newspaper ad; PowerPoint presentation.

County of Prince George, Virginia

DRAFT Ordinance

SPECIAL EXCEPTION – SE-22-06: Request of Michael Ellis (Ellis Construction, Inc.) pursuant to §90-103(21) of the Zoning Ordinance to continue and expand the extraction of natural resources (borrow pit) in an R-A (Residential-Agricultural) Zoning District. The subject property is approximately 23.4 acres in size, located on West Quaker Road (SR 629) and is identified by Tax Maps 340(0A)00-136-0, 137-0, 139-0, and 108-0. The Prince George County Comprehensive Plan Future Land Use Map indicates that the property is planned for Residential uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-22-06 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception is granted to Michael Ellis (Ellis Construction, Inc.) for the extraction of natural resources (borrow pit) on Tax Maps 340(0A)00-0136, 137-0, 139-0 and 108-0.
2. This Special Exception is renewable or transferrable to future owners only by approval of the Board of Supervisors without a public hearing so long as there are no deviations from the conditions.
3. All applicable requirements of Chapter 54-6 (Quarries, Pits and Mines) of the Code of the County of Prince George, Virginia and all other applicable Federal, State and County Code requirements are shall be observed and adhered to.
4. The owner/applicant shall retain existing trees for visual and noise buffering purposes. Any removal of trees that currently contribute to the visual and noise buffer shall require advance permission in writing from the Director of Planning.
5. The owner/applicant shall obtain an updated letter from the City of Petersburg granting the applicant permission to utilize the existing access road located off County Drive (U.S. Route 460). This letter is shall be provided to the Director of Planning prior to Site Plan approval. If updated permission is not obtained from the City of Petersburg, then the entrance utilizing this road shall not be permitted.
6. The Borrow Pit shall be limited to 10 acres of mining operation at any one time.
7. The applicant to shall modify their existing permit held with VDMM prior to disturbing in excess of the 3.6 acres that has been permitted by the VDMM.
8. A Site Plan shall be approved before excavation activities can begin.
9. This Special Exception shall become null and void if no Site Plan has been submitted within a period of 12 months from the date of Special Exception Approval.
10. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four 24 consecutive months.
11. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of federal, state or local regulations.

Adopted on _____, 2022 and becoming effective immediately.



BOARD OF SUPERVISORS STAFF REPORT
Public Hearing September 13, 2022
SE-22-06- Skalsky Borrow Pit
Applicant: Michael Ellis (Ellis Construction Inc.)
Case Manager: Andre Greene - (804)722-8678

I. Request

The applicant has requested a special exception to continue and expand the extraction of natural resources (borrow pit) on approximately 23.4 acres of property consisting of four (4) individual parcels that total approximately 220.84 acres.

II. Property

Location: West Quaker Road	Zoning District: R-A General Agricultural
Tax Map: 340(0A)00-136-0, 137-0, 139-0, and 108-0	Current Use: Borrow Pit and Agricultural (farmland and trees)
Site Size ~23.40 acres of land disturbance ~220.8 acres (combined acreage)	Comp Plan Future Land Use: Residential Uses
Legal Owner: Charles Skalsky	Planning Area: Prince George Planning Area
RE Taxes Paid?: Yes	Previous Zoning Cases: see case history below

III. Meeting Information

Planning Commission Public Hearing: August 25, 2022
Board of Supervisors Public Hearing: September 13, 2022

IV. Background

The applicant submitted a preliminary application on March 4, 2021 and a formal special exception application on June 10, 2022.

Case History:

SE 90-08	March 27, 1990	Approved for 8 years on Tax Map 340(0A)00-136-0
SE 97-25	January 13, 1998	Approved for 5 years on Tax Map 340(0A)00-136-0
SE 02-01	January 22, 2002	Approved for 5 years and added 340(0A)00-137-0
SE 06-17	January 9, 2007	Approved for 6 months; issues with the site entrance
SE 06-17	June 10, 2008	Approved for 5 years with VDOT commercial entrance
SE 13-04	May 13, 2013	Approved for 5 years with on Tax Maps 340(0A)00-136-0, 137-0, and 139-0.

The borrow pit has operated since May 13, 2018 without a renewed special exception by the Board of Supervisors.

V. Applicant Proposal

- The applicant is requesting a special exception to continue and expand the borrow pit that was previously approved in 2013. According to the conceptual site plan included in the application materials, the proposed disturbed area consists of approximately 23.4 acres divided into three

(3) work areas/zones that impact four (4) parcels of land. Three (3) parcels [(340(0A)00-136-0, 137-0 & 139-0)] have been permitted in the past and a fourth parcel [(340(0A)00-108-0)] is being added with this application.

- The operation will utilize a dozer, dump trucks and an excavator.
- The applicant plans to excavate on an as-needed basis beginning with a portion of Work Area B. The applicant has a permit from the Virginia Department of Mines, Minerals and Energy (DMME) Division of Mineral Mining for 3.6 acres in work area B.
- After discussion with the applicant, the proposed hours of operation will be Monday-Saturday from 7:00 am to 5:30 pm with some occasional work on Sundays.
- The primary access road to be used in the operation is located off West Quaker Road. The applicant is requesting to install a construction entrance onto an existing unnamed access road that is located off Route 460 and serves the Crater Criminal Justice Academy.
- Estimated life of the operation (borrow pit) is 10 years.

VI. Exhibits

Exhibit 1 – Zoning Map (showing boundaries of request)



Exhibit 2 – Aerial View (showing boundaries of request)

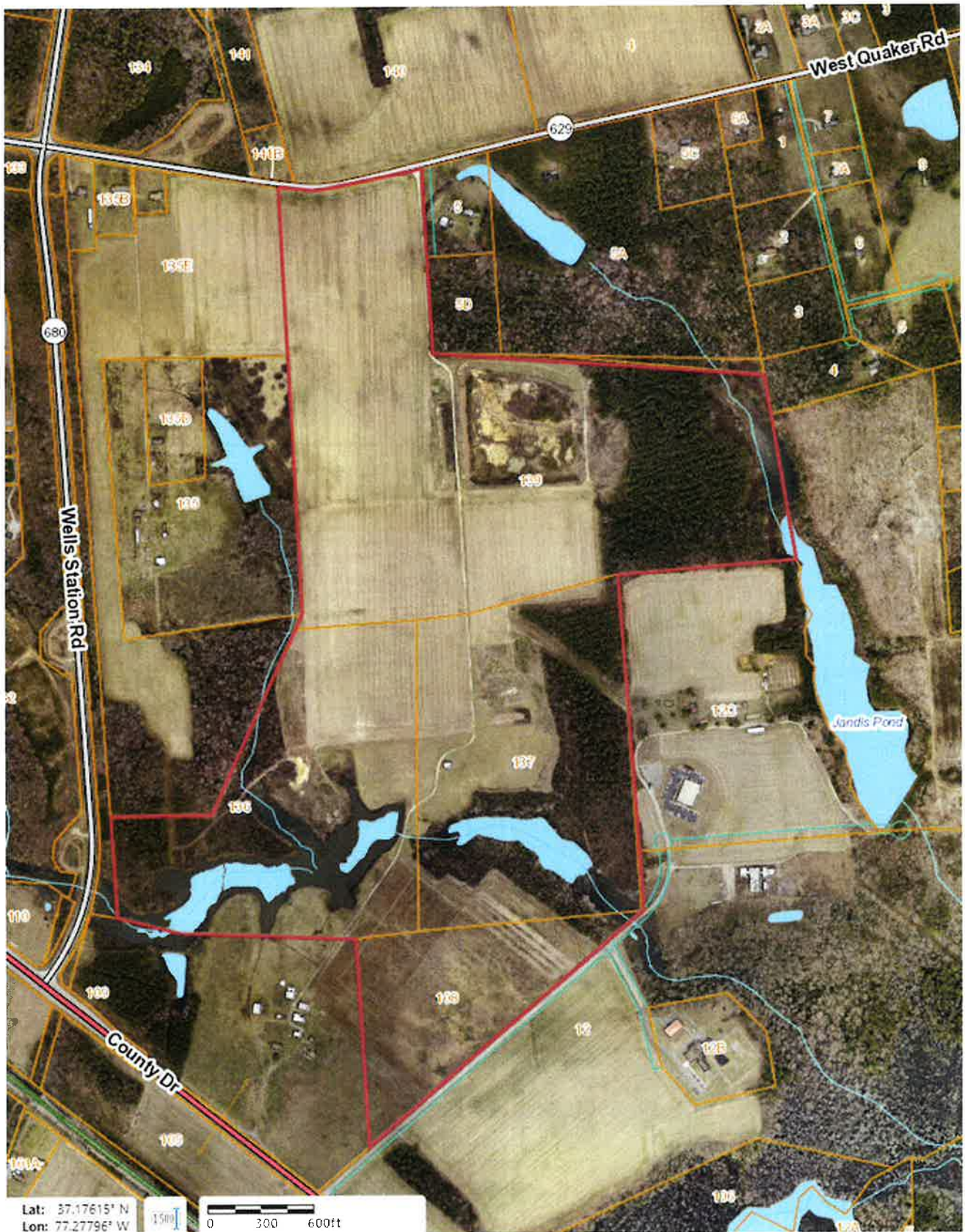
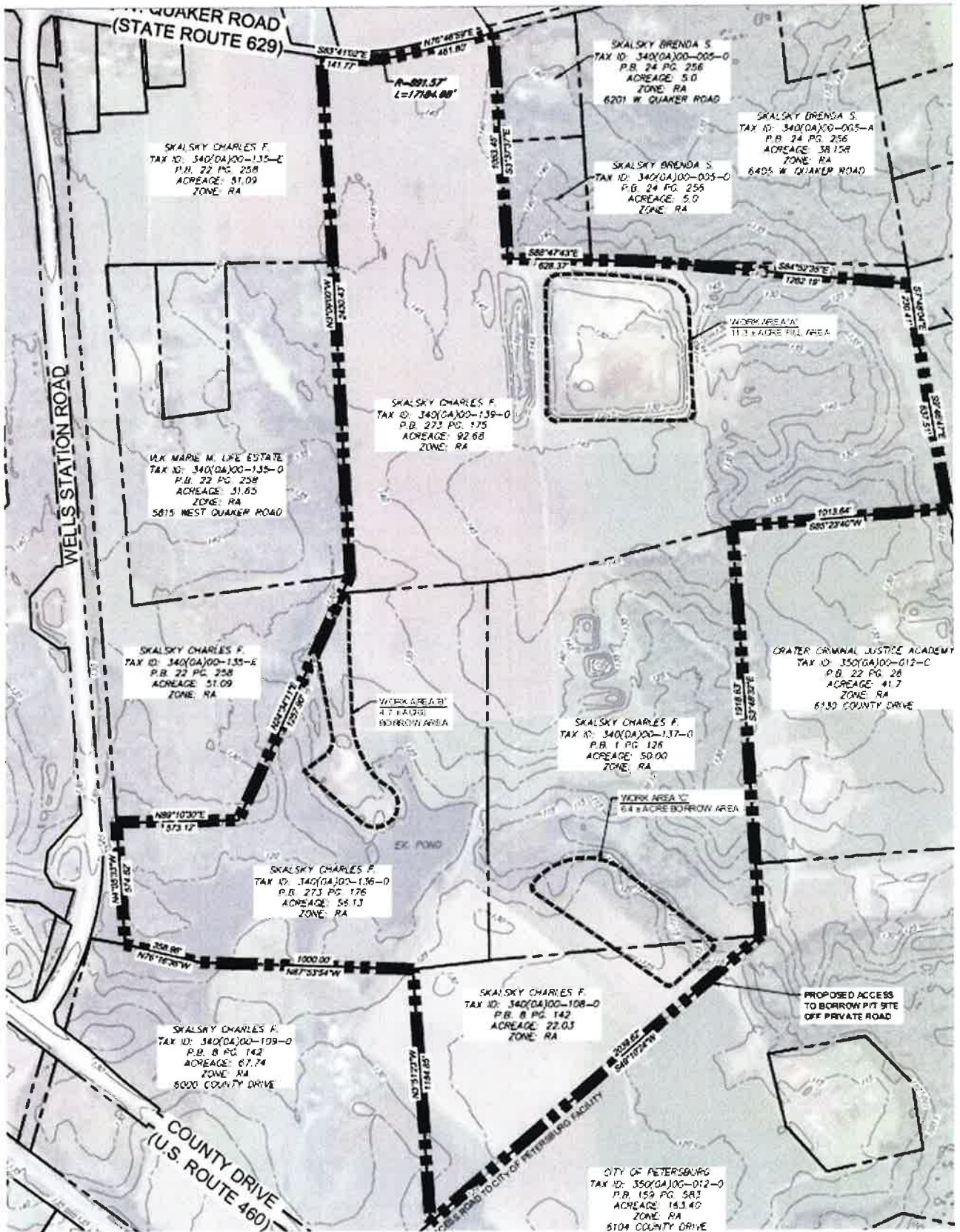


Exhibit 3 – Site Plan Map (showing work areas)



VII. Planning and Zoning Review Comments

1. The subject property is zoned R-A, Residential Agricultural. Adjoining properties are zoned as follows:
 - North- R-A, Residential Agricultural
 - South- R-A, Residential Agricultural and M-2, General Industrial
 - East - R-A, Residential Agricultural
 - West- R-A, Residential Agricultural and M- 1, Limited Industrial
2. The proposed land use (borrow pit) is permitted by Special Exception in the R-A zoning district and has been in operation since 1990.
3. If the project receives Special Exception approval, the facility layout and operation will be reviewed in detail for compliance with applicable County Code requirements and Zoning Ordinance requirements. The use is also regulated by the State Department of Mines, Minerals and Energy.
4. Land uses on adjacent properties include low-density residential development, farmland, woodlands and public/semi-public uses.
5. Expected impacts on adjacent properties and roadways will be in the form of increased truck traffic and noise associated with the operation.
6. VDOT has reviewed the request and has no issues or concerns with the anticipated increase in truck traffic and has no issues or concerns with the existing commercial entrance located on West Quaker Road (SR 629).
7. The applicant has provided a letter, dated March 23, 1990, from the City of Petersburg granting him the authorization to use the private road off County Drive (U.S. Route 460) subject to certain conditions.
8. Visual impacts are expected to be mitigated by the existing buffer of trees existing on the property.
9. Noise can be mitigated by the existing trees and the County's noise ordinance.
10. Compatibility with the Comprehensive Plan: The Comprehensive Plan's future land use map has the subject property designated for Residential uses; however, this is not a new use because the applicant has been granted six (6) Special Exceptions for a borrow at this site since 1990.

VIII. Supplemental Staff Review Comments

Environmental Division - Angela Blunt - Environmental Program Coordinator

1. Land Disturbing activity not covered under the Department of Mines and Minerals permit in excess of 10,000 square feet but under 1 acre will need to be covered under a Land Disturbance Permit issued by Prince George County. In addition to the local permit, activities 1 acre and above will need to be covered under a Construction General Permit issued by the Virginia Department of Environmental Quality.
2. Further comments will be reserved for Site Plan submittal.

Virginia Department of Transportation (VDOT) - Paul Hinson, Area Land Use Engineer

1. A commercial entrance is proposed from SR 629, West Quaker Road to access the project. SR 629 West Quaker Road has a functional classification of major collector and an AADT of 2205. West Quaker Road is posted as a "no thru trucks" route. Trucks will be allowed to access the proposed borrow pit from either end of West Quaker Road without violating the thru truck restrictions as the project would be considered a destination.
2. The proposed use as outlined in the application will require a commercial entrance meeting VDOT standards. Based upon field observations, an existing commercial entrance meeting VDOT standards is in place to serve the proposed borrow pit.

3. The applicant discussed constructing a construction entrance from the unnamed road to the Petersburg Jail Annex and Farm. This is not a VDOT maintained state road and VDOT does not have the authority to issue permits or allow new users on the roadway.

Real Estate Assessor - Carol Crawford, Real Estate Operations Coordinator

1. Pursuant to opinion from the Department of Taxation, the acreage affected by this Special Exception would not be eligible for the Land Use Assessment Program; therefore, the Owner would need to submit an acreage change application each time the site changes.

Economic Development Office – Jeff Stoke – Former Director

1. The access road being used for the borrow pit off Route 460 is actually a private road owned by the City of Petersburg. It is not a VDOT maintained road. I am assuming the property owner has the legal ability to access his property from the City of Petersburg-owned road since it is adjacent to the subject parcel. The City of Petersburg may want to review this action.

The departments below reviewed this request and had no comments.

Building Department – Charles Harrison, III – Building Official

Utilities Department - Frank Haltom, Director of Engineering and Utilities

Fire & EMS Department

Police Department / Sheriff's Department

Virginia Department of Health - Alice Weathers, Environmental Health Specialist

IX. Public Notice and Community Feedback

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- Staff posted a sign on the property.
- The applicant reviewed a copy of this report prior to the Board of Supervisors hearing date.
- No comments from the community were received prior to finalizing this report.

X. Planning Commission's Recommendation


The Planning Commission recommended Approval of this renewal request for a Borrow Pit with the recommended conditions.

XI. Recommended Conditions

1. This Special Exception is granted to Michael Ellis (Ellis Construction, Inc.) for the extraction of natural resources (borrow pit) on Tax Maps 340(0A)00-0136, 137-0, 139-0 and 108-0.
2. This Special Exception is renewable or transferrable to future owners only by approval of the Board of Supervisors without a public hearing so long as there are no deviations from the conditions.
3. All applicable requirements of Chapter 54-6 (Quarries, Pits and Mines) of the Code of the County of Prince George, Virginia and all other applicable Federal, State and County Code requirements are shall be observed and adhered to.

4. The owner/applicant shall retain existing trees for visual and noise buffering purposes. Any removal of trees that currently contribute to the visual and noise buffer shall require advance permission in writing from the Director of Planning.
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11. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of federal, state or local regulations.

Enorgov SE-22-0012

	<h2 style="margin: 0;">SPECIAL EXCEPTION FINAL APPLICATION</h2> <p style="margin: 0;">Department of Community Development and Code Compliance Planning & Zoning Division 6602 Courts Drive, Prince George, VA 23875 (804) 722-8678 www.princegeorgecountyva.gov</p>		<p style="margin: 0;">OFFICE USE ONLY</p> <p style="margin: 0;">APPLICATION #: SE-22-06</p> <p style="margin: 0;">DATE SUBMITTED: MAY 19 2022 TWG</p>
	<p style="margin: 0;">APPLICANT FILL-IN ALL BLANKS</p>		
<p style="margin: 0;">REQUEST</p>	<p style="margin: 0;">REQUEST:</p> <p style="margin: 0; font-size: 1.2em;">Permit Borrow Pit</p>		<p style="margin: 0;">LAND USE(S) CODE REFERENCE(S):</p> <p style="margin: 0; font-size: 1.5em;">90-103(21)</p>
	<p style="margin: 0;">REQUEST PROPERTY ADDRESS / LOCATION:</p> <p style="margin: 0; font-size: 1.2em;">6002 County Dr. Disputanta, VA 23842</p>		
	<p style="margin: 0;">REQUEST TAX MAP PIN(S): (LIST ALL)</p> <p style="margin: 0; font-size: 1.2em;">340(OA)00-136-0 340(OA)00-108-0</p> <p style="margin: 0; font-size: 1.2em;">340(OA)00-137-0</p> <p style="margin: 0; font-size: 1.2em;">340(OA)00-139-0</p>		<p style="margin: 0;">AFFECTED ACREAGE (EACH PARCEL):</p> <p style="margin: 0; font-size: 0.8em;">136-0 = 4.7 Ac</p> <p style="margin: 0; font-size: 0.8em;">137-0 = 6.4 Ac</p> <p style="margin: 0; font-size: 0.8em;">139-0 = 11.3 Ac F11</p> <p style="margin: 0; font-size: 0.8em;">108-0 = 1 Ac</p>
	<p style="margin: 0;">REQUIRED ATTACHMENTS (CHECK IF ATTACHED):</p> <p style="margin: 0;"> <input checked="" type="checkbox"/> PROJECT DETAILS DOCUMENT(S) <input type="checkbox"/> COMMUNITY MEETING SUMMARY (IF REQUIRED) </p> <p style="margin: 0;"> <input checked="" type="checkbox"/> PROPOSED CONDITIONS <input checked="" type="checkbox"/> ADDITIONAL ATTACHMENTS: </p> <p style="margin: 0;"> <input checked="" type="checkbox"/> CONCEPTUAL SITE PLAN (USE GIS OR ENGINEER DRAWING) </p>		
<p style="margin: 0;">LEGAL OWNER</p>	<p style="margin: 0;">NAME(S):</p> <p style="margin: 0; font-size: 1.2em;">Charles Skalsky</p>		
	<p style="margin: 0;">MAILING ADDRESS (INCL. CITY, STATE, ZIP):</p> <p style="margin: 0; font-size: 1.2em;">6002 County Dr. Disputanta, VA 23842</p>		
	<p style="margin: 0;">E-MAIL:</p> <p style="margin: 0; font-size: 1.2em;">CJSKALSKY@AOL.COM</p>	<p style="margin: 0;">PHONE:</p> <p style="margin: 0; font-size: 1.2em;">804-590-7365</p>	
<p style="margin: 0;">APPLICANT CONTACT</p>	<p style="margin: 0;">NAME(S) (IF DIFFERENT THAN OWNER):</p> <p style="margin: 0; font-size: 1.2em;">Michael Ellis Ellis Construction LLC</p>		
	<p style="margin: 0;">RELATION TO OWNER:</p> <p style="margin: 0; font-size: 1.2em;">None</p>		
	<p style="margin: 0;">MAILING ADDRESS (INCL. CITY, STATE, ZIP):</p> <p style="margin: 0; font-size: 1.2em;">913 W. City Point Rd Hopewell, VA 23860</p>		
	<p style="margin: 0;">E-MAIL:</p> <p style="margin: 0; font-size: 1.2em;">mellis735@gmail.com</p>	<p style="margin: 0;">PHONE:</p> <p style="margin: 0; font-size: 1.2em;">804-691-4982</p>	
<p style="margin: 0;">OFFICE USE ONLY (COMPLETED AT TIME OF APPLICATION)</p>			
<p style="margin: 0;">CURRENT ZONING DISTRICT(S):</p> <p style="margin: 0; font-size: 1.2em;">R-A</p>		<p style="margin: 0;">CURRENT LAND USE(S):</p> <p style="margin: 0; font-size: 1.2em;">Farmer Vacant/Agriculture/Borrow Pit</p>	<p style="margin: 0;">COMP PLAN FUTURE LAND USE(S):</p> <p style="margin: 0; font-size: 1.2em;">Residential</p>
<p style="margin: 0;">PAYMENT</p>	<p style="margin: 0;">FEE DUE:</p> <p style="margin: 0;">Special Exception: \$700</p> <p style="margin: 0;">Special Exception Home Occ: \$350</p>		<p style="margin: 0;">FEE PAID:</p>
	<p style="margin: 0;">CHECK # / TRANSACTION #:</p>		<p style="margin: 0;">DATE RECEIVED:</p>
		<p style="margin: 0;">PAYMENT TYPE:</p> <p style="margin: 0;">CHECK / CASH / CREDIT / DEBIT</p>	
		<p style="margin: 0;">RECEIVED BY:</p>	

APPLICANT AFFIDAVIT

The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

NAME:

M. E. Ellis

NAME:

Charles F. Skalsky

SIGNED:

[Signature]

SIGNED:

[Signature]

DATE:

5-10-22

DATE:

5-10/22

AFFIDAVIT

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF:

Hopewell

Subscribed and sworn before me this

10th

day of

May

2022

Notary Public

My Commission expires:

09/30, 2022

LATASHA CHEATHAM
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES SEPT 30, 2025
COMMISSION # 7959006

**INVOICE (INV-00001988)
FOR PRINCE GEORGE COUNTY, VA**

BILLING CONTACT
Mike Ellis



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-00001988	05/24/2022	05/24/2022	Paid In Full	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
SE-22-0012	PGC Special Exception Request	\$700.00
SUB TOTAL		\$700.00

REMITTANCE INFORMATION
Prince George County, VA 6602 Courts Drive P.O. Box 68 Prince George, VA 23875

TOTAL **\$700.00**



**913 W. City Point Rd
Hopewell, VA 23860**

Mike Ellis, President SDVOSB Virginia SWAM No. 804994 Virginia Class A "H/H" 2705153014 Cell: 804-691-4982 Email: mellis735@gmail.com

June 9th, 2022

Location: 6002 County Dr. Disputanta, VA 23842

Request To Reopen Existing Borrow Pit/ Plan of Operation

It is requested by Ellis Construction Inc., (Michael Ellis), to renew the borrow pit permit, previously approved by Prince George County. The open pit will be mined with the use of an excavator, assisted by a Dozer; load dump trucks with excavator, hauled to job sites. Depth of excavations will be a variable depth of approx. 13'-20' in sections over 11.1 Acres with an estimated export volume between 232,800 to 358,160 Cubic Yards of soils. We will excavate on an as needed basis beginning with 3 acre portion of Work area B, as noted on the attached plan set. Future expansion of the 11.1 acres is not intended at this time. We are assuming a timeframe of approximately 10 years to achieve final depths and backfills on requested areas. Upon completion of excavations the edges of banks will be sloped to 3:1 or greater for safety or backfilled after excavations have been completed.

Drainage will be to a retention area within the borrow pit limits, and the water will be directed to the natural flow of surrounding area. Water accumulation in the borrow sites will be pumped out through sediment bags as needed to continue excavations.

Topsoil will be stored next to permit site protected by silt fence on the non-permitted sides. The edges and slopes of borrow pit will have topsoil respread and stabilized. The main area will be covered with water at a minimum of 4 feet creating additional water storage for the site. Existing topsoil piles from prior permit require removal. We will be screening this soil and removing it as part of prior permitting closure.

Intake of brush/stumps/logs/natural debris will be recycled (mulched) onsite to create cover for exposed areas that require stabilization. Mulch will also be used to create compost offsite, compost will then be mixed with soils onsite to create 100% locally recycled topsoil and used for commercial and residential projects in our community.

Access roads to the pits area will be 15' wide with 75'+ of #3 stone for the construction entrances. Haul roads will be maintained to prevent heavy dust and tracking into adjoining roads. Adjoining hard surface roads will be kept clean and free of debris.



**913 W. City Point Rd
Hopewell, VA 23860**

We would like to partner with the County of Prince George to supply any needs you have with recycling natural debris, (trees, pruning's, mulch, etc.) as well as supplying the county with any soils needed with the counties projects with local resources.

If you have any questions or concerns, feel free to contact me at any time.

Respectfully,

Mike Ellis

804-691-4982



913 W. City Point Rd
Hopewell, VA 23860

Mike Ellis, President	SDVOSB	Virginia SWAM No. 710104	Virginia Class A "H/H" 2705153014
Cell: 804-691-4982			Email: mellis735@gmail.com

March 3, 2021

Borrow Pit Permit Request

Location: 6002 County Dr. Disputanta, VA 23842

Borrow Pit Permit Plan

We are asking for approval to reopen an existing borrow pit within Prince George County. Three Parcels have been previously permitted (expired 2019), we will be adding a fourth parcel for this new permit. Attachments will show an overall layout of proposed parcels marked in red outline, Attachment #1. Attachments #2 and #3 show intended work areas within each parcel and highlighted in blue. Work areas will be used as a borrow pit. Borrow pit operations to be permitted for 24hr operation.

We are also requesting the authority to install access entrance onto existing access road for the Crater Juvenile Detention Home, road name is unknown and not listed. This will be used for the construction entrance and access point for farmers equipment. An already existing entrance located on W. Quaker Rd will be used as well and maintained per guidance.

Existing 3 approved parcels:

New Parcel to be added:

340(0A)00-136-0

340(0A)00-108-0

340(0A)00-137-0

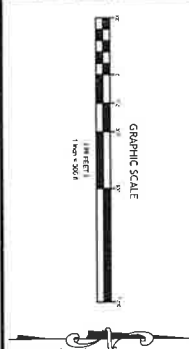
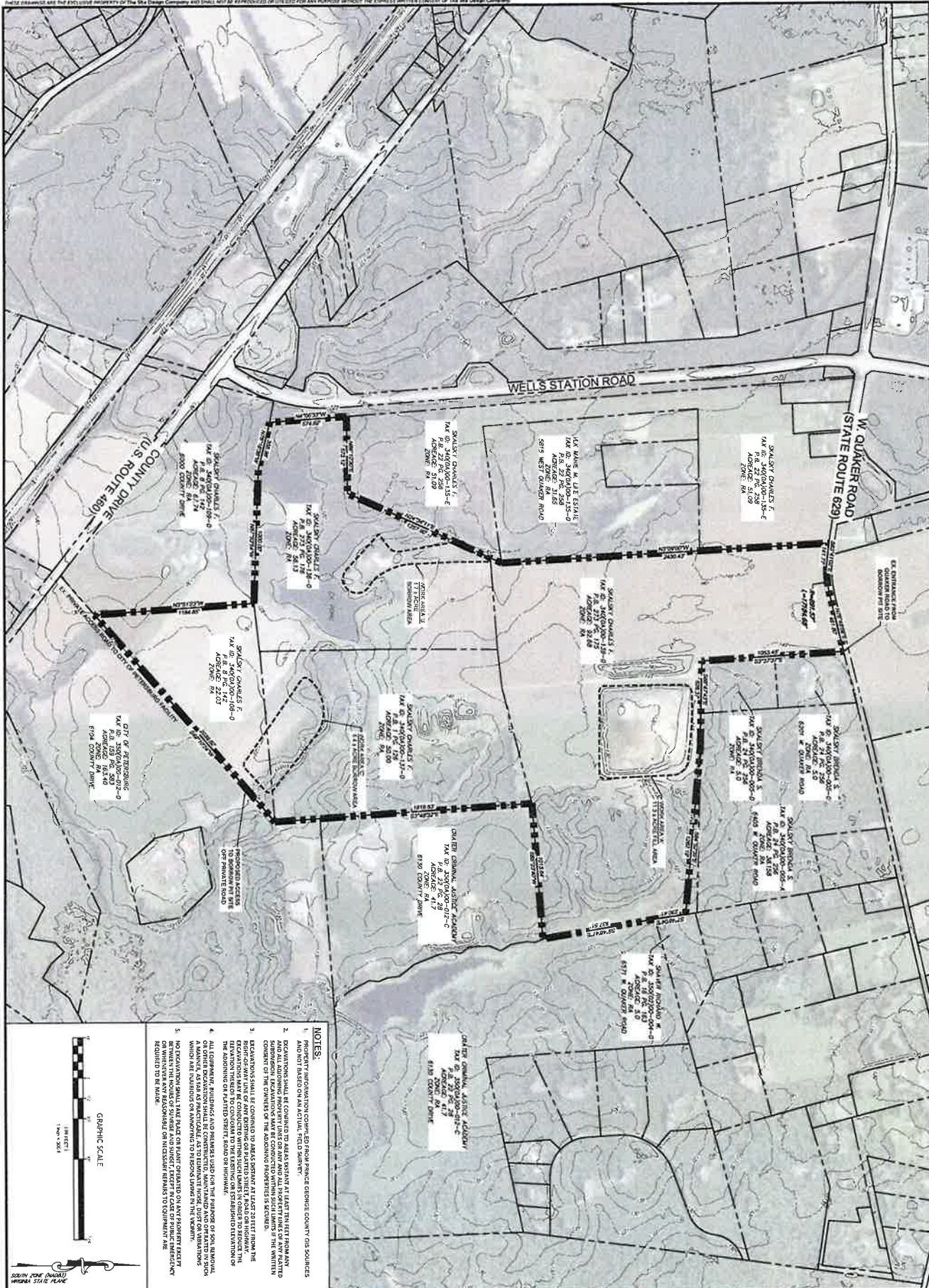
340(0A)00-139-0

If you have any questions or concerns, feel free to contact me at any time.

Respectfully,

Mike Ellis

804-691-4982



- NOTES:**
1. PROPERTY INFORMATION COMPRISED FROM PRINCE GEORGE COUNTY GIS SOURCES AND NOT BASED ON A SURVEY FIELD SURVEY.
 2. ALL EXISTING RECORDS, UTILITIES, AND ALL PROPERTY LINES OF ANY PLATTED SUBDIVISION SHALL BE CONSIDERED WITHIN THE BOUNDARIES OF THE BORROW PIT.
 3. THE BORROW PIT SHALL BE CONSIDERED AS A BORROW PIT AND NOT AS A BORROW PIT WITHIN THE BOUNDARIES OF ANY PLATTED SUBDIVISION. THE BORROW PIT SHALL BE CONSIDERED AS A BORROW PIT AND NOT AS A BORROW PIT WITHIN THE BOUNDARIES OF ANY PLATTED SUBDIVISION.
 4. ALL EQUIPMENT, INCLUDING FUEL TANKS, SHALL BE USED FOR THE PURPOSE OF SOIL REMOVAL. NO OTHER EQUIPMENT SHALL BE CONSIDERED. ALL EQUIPMENT SHALL BE OPERATED IN SUCH A MANNER AS TO AVOID DAMAGE TO ANY ADJACENT PROPERTY OR TO ANY OTHER PROPERTY WHICH ARE INHABITED OR ADJACENT TO THE BORROW PIT.
 5. NO EXCAVATION SHALL TAKE PLACE OR SHALL OPERATE ON ANY PROPERTY EXCEPT AS SHOWN ON THIS PLAN. ALL EXCAVATION SHALL BE CONSIDERED AS A BORROW PIT AND NOT AS A BORROW PIT WITHIN THE BOUNDARIES OF ANY PLATTED SUBDIVISION.

**SKALSKY/ELLIS
BORROW PIT**
PRINCE GEORGE COUNTY, VA

OVERALL PLAN

SHEET NO.
C1

DATE: MAY 2, 2022

REVISION BLOCK

 **The Site Design Company**
CIVIL ENGINEERING AND LAND DEVELOPMENT CONSULTING
266 HIGH STREET - PETERSBURG, VIRGINIA 23203
www.sitedesignco.com

PROJECT # 2012 PROJECT MANAGER CHRIS THOMPSON PHONE: 804-728-6040 EMAIL: thompson@skedcs-prgc.com



SEQUENCE OF CONSTRUCTION

1. PERFORM ALL REQUIRED EROSION CONTROL MEASURES PRIOR TO THE START OF CONSTRUCTION ACTIVITIES.
2. THE OWNER MUST HAVE THE COUNTY INSPECTOR AND THE ENVIRONMENTAL INSPECTOR ON SITE WITH THE CONTRACTOR TO VERIFY THE EROSION CONTROL MEASURES.
3. PRIOR TO INSTALLATION OF A LIQUID DISTURBANCE PREVENTATIVE SYSTEM FOR THE CONSTRUCTION OF THE EROSION CONTROL MEASURES, THE CONTRACTOR SHALL VERIFY THE EROSION CONTROL MEASURES.
4. THE INSTALLATION OF THE APPROVED EROSION CONTROL DEVICES.
5. INITIAL CONSTRUCTION OF THE EROSION CONTROL MEASURES SHALL BE COMPLETED BY THE END OF THE FIRST RAINFALL EVENT.
6. DISTURBANCE OF THE EROSION CONTROL MEASURES SHALL BE LIMITED TO THE EROSION CONTROL DEVICES.
7. EROSION CONTROL MEASURES SHALL BE MAINTAINED ON THE EROSION CONTROL DEVICES.
8. EROSION CONTROL MEASURES SHALL BE MAINTAINED ON THE EROSION CONTROL DEVICES.
9. EROSION CONTROL MEASURES SHALL BE MAINTAINED ON THE EROSION CONTROL DEVICES.
10. EROSION CONTROL MEASURES SHALL BE MAINTAINED ON THE EROSION CONTROL DEVICES.

DATE	DESCRIPTION	BY
May 11, 2022	Initial Design	Chris Thompson
May 11, 2022	Final Design	Chris Thompson
May 11, 2022	Construction	Chris Thompson

NO.	REVISION	DATE	DESCRIPTION
1	ADD	05/11/22	Initial Design
2	REVISE	05/11/22	Final Design
3	REVISE	05/11/22	Construction

SEEDING NOTES

1. SEEDING SHALL BE DONE IN ACCORDANCE WITH THE RECOMMENDED SEEDING RATES AND SPECIFICATIONS.
2. THE SEEDING SHALL BE DONE IN ACCORDANCE WITH THE RECOMMENDED SEEDING RATES AND SPECIFICATIONS.
3. THE SEEDING SHALL BE DONE IN ACCORDANCE WITH THE RECOMMENDED SEEDING RATES AND SPECIFICATIONS.
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SVAC26-840-40. MINIMUM STANDARDS

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NO.	REVISION	DATE	DESCRIPTION
1	ADD	05/11/22	Initial Design
2	REVISE	05/11/22	Final Design
3	REVISE	05/11/22	Construction

1. THE MAINTENANCE SHALL BE DONE IN ACCORDANCE WITH THE RECOMMENDED SEEDING RATES AND SPECIFICATIONS.
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SKALSKY/ELLIS

BORROW PIT

PRINCE GEORGE COUNTY, VA



The Site Design Company

CIVIL ENGINEERING AND LAND DEVELOPMENT CONSULTING
288 HIGH STREET - PETERSBURG, VIRGINIA 23808
www.sitedesignco.com



PROJECT # 2022

PROJECT MANAGER: CHRIS THOMPSON

PHONE: 804-725-5048

EMAIL: thompson@thesitedesignco.com

DATE: MAY 2, 2022

REVISION: BLOCK

SHEET NO. **C3**

EROSION CONTROL NOTES AND DETAILS

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 14th day of May, 2013:

<u>Present:</u>	<u>Vote:</u>
William A. Robertson, Jr., Chairman	Aye
William F. Gandel, Vice Chairman	Aye
Alan C. Carmichael	Aye
Henry D. Parker, Jr.	Aye
Jerry J. Skalsky	Abstained

P-3

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application Identified as SE-13-02 for Charles F. Skalsky and JoAnn Skalsky is granted as an amendment to the official zoning map with the following conditions:

1. All applicable requirements of Chapter 54-6 (Quarries, Pits and Mines) of the Code of the County of Prince George, Virginia and all other applicable Federal, State, and County Code requirements are observed and adhered to;
2. The Special Exception is for the applicant only and is not transferable to future property owners.
3. The applicant shall come back to the County to renew the Special Exception in five (5) years from the date of approval.
4. This Special Exception request includes Tax Maps 340(0A)00-136-0, 137-0 and 139-0.
5. The Borrow Pit combined can only have 9.77 acres of mining operations at any one time.

Adopted on May 14, 2013 and becoming effective immediately.

Sec. 54-6. - Quarries, pits and mines.

- (a) *Applicability.* This section shall apply to the operations of sand and gravel pits, quarries, mines and the removal of topsoil, sand, clay, fill dirt or other earth for purposes other than those customarily involved in the grading of streets, highways, rights-of-way, agricultural purposes and such excavation is necessary in preparing land for the construction of foundation, footings, cellars or other structures below the natural grade.
- (b) *Plan of operation for excavations.* A plan of operation for soil removal or other excavation shall be submitted for approval to the county administrator or his duly authorized agent which shall provide in all respects for the adequate safeguarding and protection of other nearby interests and the general public health, safety, convenience, prosperity and welfare. Such a plan of operation shall include a satisfactory program for restoring the land to a safe and usable condition, so as to reduce the peaks and depressions, maintain erosion due to rainfall and be in substantial conformity to the land area immediately surrounding the site of excavation.
- (c) *Soil removal permit required; application.* Application for a permit to remove soil for commercial purposes shall be made to the county administrator. The county administrator shall transmit all applications to the planning commission for study and report. The commission shall make its recommendation to the board of supervisors, which shall approve or disapprove a conditional use permit. If approved, the county administrator shall issue the permit. There shall be attached to the application as a part thereof the following:
 - (1) A topographical survey showing the limits of excavation and other data such as the location of platted and existing streets, houses, other buildings, natural growth and watercourses.
 - (2) The name of all landowners including the owners of the adjacent land.
 - (3) The quantity of fill to be removed and a drawing or profile showing the depth of the excavation and the condition of the land at the termination of operations.

All maps, plats, drawings and profiles shall be made by an engineer or other persons certified to do such work by the state.

- (d) *Permit expiration; renewal; effect of discontinuance of operations.*
 - (1) Whenever a permit issued by the county administrator under this section shall have expired, such permit may be renewed by the county administrator, provided that an application is filed within 60 days before any expiration date with the county administrator and that the applicant is carrying out the requirements of his existing permit in good faith.
 - (2) Whenever the permit issued by the county administrator shall have expired or whenever the operation of any gravel or sand pit or excavation shall have been discontinued for any period exceeding 12 consecutive months, all plants, buildings, structures, except fences, stockpiles and equipment shall be entirely removed from the property, and the property shall be restored to a safe and usable condition.
- (e) *Bond.* A bond or other suitable guarantee shall be furnished, if required, prior to undertaking any work under a permit issued under this section guaranteeing the faithful performance of all of the applicable requirements of this section.
- (f) *Special use permit.* The provisions of this section shall not prohibit the filing of an application for or the granting of a special use permit subject to no conditions or to less or different conditions than those specified in this section.
- (g) *Location.* The location of the excavation shall be in accordance with the following:
 - (1) Excavations shall be confined to areas distant at least ten feet from any and all adjoining property lines or any and all property lines of any platted subdivision. Excavations may be conducted within such limits if the written consent of the owners of the adjoining properties is secured.

- (2) Excavations shall be confined to areas distant at least 20 feet from the right-of-way line of any existing or platted street, road or highway. Excavations may be conducted within such limits in order to reduce the elevation thereof to conform to the existing or established elevation of the adjoining or platted street, road or highway.
- (3) Any building containing power-driven or power-producing machinery or equipment shall be distant at least 200 feet from all adjacent property or at least 200 feet distant from the right-of-way lines of any existing or platted street, road or highway.
- (4) If the property to be used for such excavation is within 100 feet of any platted subdivision, it shall be enclosed along the exterior boundaries thereof, as excavation progresses, by a fence prescribed by the county administrator.
- (h) *Noise, dust and vibration control.* All equipment, buildings and premises used for the purpose of soil removal or other excavation shall be constructed, maintained and operated in such a manner, as far as practicable, as to eliminate noise, dust or vibrations which are injurious or annoying to persons living in the vicinity.
- (i) *Excavation site roadways.* All roadways on and all vehicular entrances to and exits from the private properties on which such soil removal or excavation operations are conducted to any public roads shall be located to secure safety, to lessen congestion and to facilitate transportation. Such roadways shall be so maintained as to eliminate any nuisance from dust to neighboring properties.
- (j) *Hours of operation.* No excavation shall take place or plant operated on any property except between the hours of sunrise and sunset, except in case of public emergency or whenever any reasonable or necessary repairs to equipment are required to be made.

(Code 1988, § 8-6)

State Law reference— Employing minors in mines, quarries, etc., Code of Virginia, § 40.1-100; notice of mining operation to county administrator, Code of Virginia, § 45.1-184.1; dredging sand and gravel in or near waters, Code of Virginia, § 62.1-190 et seq.

RECEIVED

MAR 26 1990

AM 7 8 9 10 11 12 1 2 3 4 5 6 PM



City of Petersburg

Department of Public Works
804/733-2353

City Hall Annex
Petersburg, Virginia 23803

March 23, 1990

Page 1 of 2

Mr. Lonnie Cooper
Cooper & Claiborne
P. O. Box 357
Hopewell, Virginia 23860

Re: Use of Access Road to Petersburg Jail Farm in Prince
George County

Dear Mr. Cooper:

In reference to your request to use the Jail Farm Access Road to gain access to your proposed borrow site, we are willing to allow such use provided the following list of conditions is met:

1. Continuous maintenance shall be performed, (as required by the City of Petersburg) to provide a safe, even riding surface. This maintenance shall include but not be limited to:
 - a. The prompt repair of pot holes.
 - b. Repair of shoulders damaged by trucks.
 - c. Repair of ruts produced by heavy trucks and/or other machinery.
 - d. The removal of mud, dirt and debris which has fallen on the roadway from vehicles hauling material to and from your site.
2. In the event the roadway surface is damaged beyond repair, the damaged portion will be replaced to its original cross section by your firm at no cost to the city.
3. At such time as the roadway will no longer be used by your company, a final inspection will be held and all existing problems will be repaired by your firm at no cost to the City.
4. Should items 1 and 2 above be left unattended by your firm, the City may, at its pleasure, withdraw permission to use the road.

Please indicate you agree to the above conditions by signing below and returning one copy to this office.

Sincerely,

M. Guthrie Smith
Director of Public Works

Re: Use of Access Road to Petersburg Jail Farm in Prince
George County Continued

Page 2 of 2

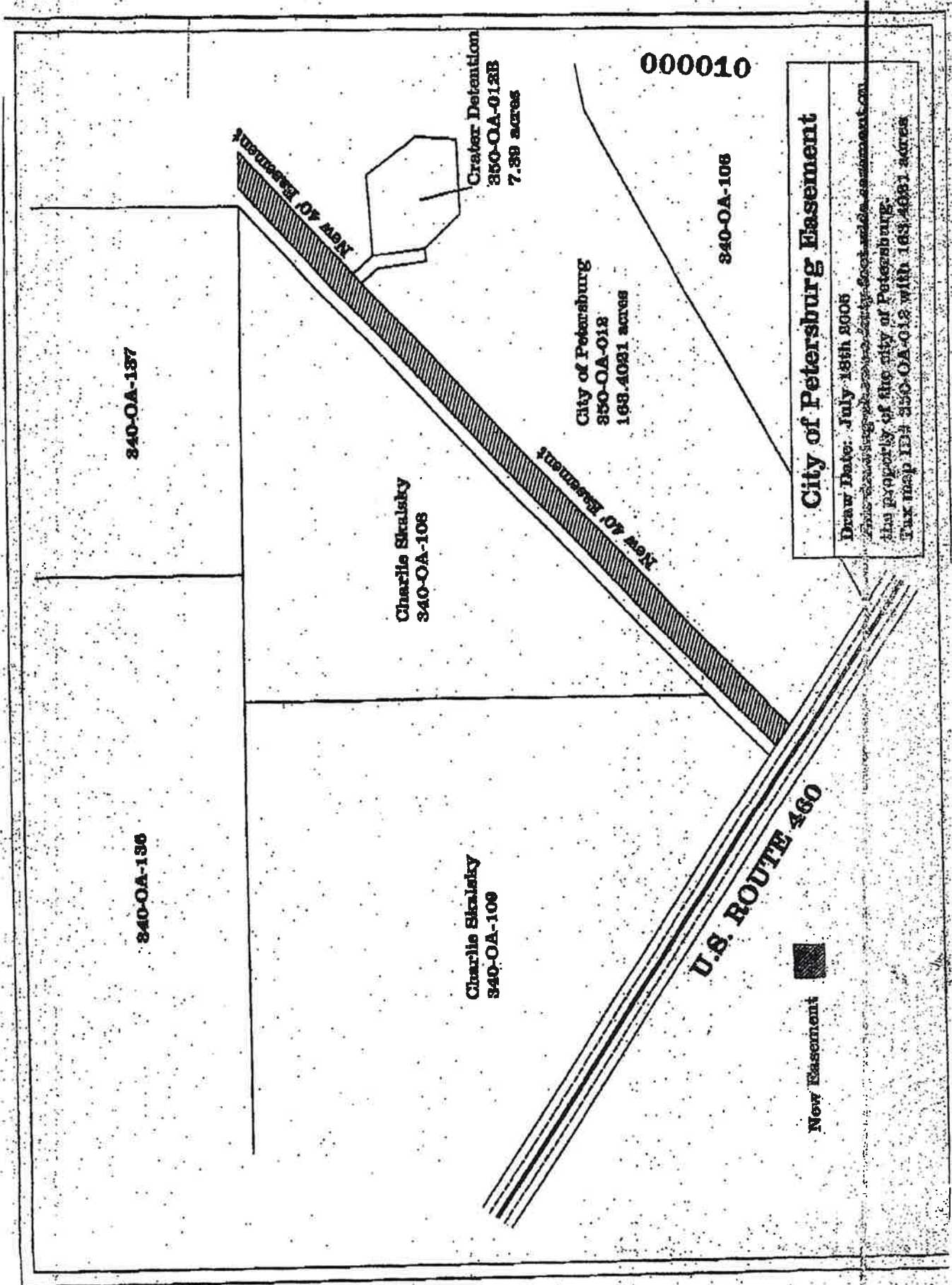
I Agree to the above conditions.

Armond J. Cooper
Name

Secretary/Treasurer
Title

COOPER & CLAIBORNE CONSTR., INC.
Company

March 23, 1990
Date





County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

AUGUST 29, 2022

BOARD OF SUPERVISORS - NOTICE OF PUBLIC HEARING

Dear owner, agent or occupant of each parcel that is abutting, immediately across the street or road, or within close proximity of the property affected:

This is notification that the Prince George County Board of Supervisors will hold a public hearing on **Tuesday, September 13, 2022 beginning at 7:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

SPECIAL EXCEPTION – SE-22-06 Renewal Request of Michael Ellis (Ellis Construction, Inc.) pursuant to §90-103 (21) of the Zoning Ordinance to expand and to continue the extraction of natural resources (borrow pit) in an R-A (Residential-Agricultural) Zoning District. The subject property is approximately 23.4 acres in size, located on West Quaker Road (SR 629) and is identified by Tax Maps 340(OA)00-136-0,137-0,139-0, and 108-0. The Prince George County Comprehensive Plan Future Land Use Map indicates that the property is planned for Residential uses

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday. All interested persons are invited to participate in the public hearings in person. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>.

You may also contact Planning and Zoning Division at (804)722-8678 or by e-mail at planning@princegeorgecountyva.gov with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

A handwritten signature in black ink that reads "Andre M. Greene".

Andre Greene
Planner II

BAUCOM BILLY J & KATHERINE
6010 W QUAKER RD
DISPUTANTA, NJ 23842

BLACKBURN E H & PATRICIA ANN
5809 W QUAKER RD
DISPUTANTA, VA 23842

CITY OF PETERSBURG
ATT SHEKIRA WYNN
144 N SYCAMORE ST
PETERSBURG, VA 23803

CRATER CRIMINAL JUSTICE ACADEMY
6130 COUNTY DR
DISPUTANTA, VA 23842

CRATER DETENTION HOME
COMMISSION
6102 COUNTY DR
DISPUTANTA, VA 23842

DUBOVSKY ELIZABETH V LIFE ESTATE
5901 W QUAKER RD
DISPUTANTA, VA 23842

SHAVER RICHARD W & KATHY J
6571 W QUAKER RD
DISPUTANTA, VA 23842

SKALSKY BRENDA S
6405 W QUAKER RD
DISPUTANTA, VA 23842

SKALSKY CHARLES F & JOANN V
6002 COUNTY DR
DISPUTANTA, VA 23842

SLOAN RODNEY E & ELIZABETH J
5801 W QUAKER RD
DISPUTANTA, VA 23842

U S BANK TRUST NA TR C/O HUDSON
HOMES MANAGEMENT LLC
3701 REGENT BLVD STE 200
IRVING, TX 75063

VLK ANTHONY J JR
5811 W QUAKER RD
DISPUTANTA, VA 23842

VLK MARIE M LIFE ESTATE
5811 W QUAKER RD
DISPUTANTA, VA 23842

**PUBLIC NOTICE
COUNTY OF PRINCE GEORGE**

Public Notice is hereby given to all interested persons regarding the following public meeting: The Prince George County Board of Supervisors will hold a public hearing on Tuesday, September 13, 2022 beginning at 7:30 p.m. concerning the following request:

SPECIAL EXCEPTION – SE-22-06: Request of Michael Ellis (Ellis Construction, Inc.) pursuant to §90-103(21) of the Zoning Ordinance to continue and expand the extraction of natural resources (borrow pit) in an R-A (Residential-Agricultural) Zoning District. The area to impacted is approximately 23.4 acres in size, located on West Quaker Road (SR 629) and is identified by Tax Maps 340(0A)00-136-0, 137-0, 139-0, and 108-0. The Prince George County Comprehensive Plan Future Land Use Map indicates that the property is planned for Residential uses.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 5:00 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>.

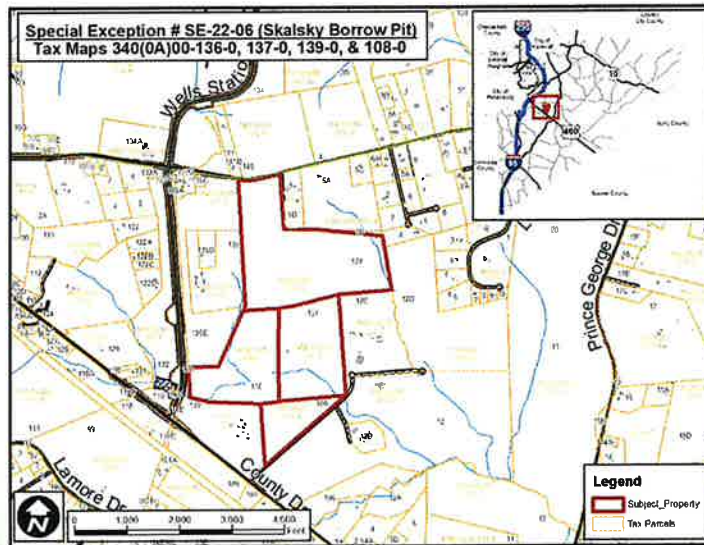
Jeffrey D. Stoke
County Administrator

SPECIAL EXCEPTION SE-22-06:

Request of Michael Ellis (Ellis Construction, Inc.) pursuant to §90-103(21) of the Zoning Ordinance to continue and expand the extraction of natural resources (borrow pit) in an R-A (Residential-Agricultural) Zoning District. The subject property is approximately 23.4 acres in size, located on West Quaker Road (SR 629) and is identified by Tax Maps 340(0A)00-136-0, 137-0, 139-0, and 108-0. The Prince George County Comprehensive Plan Future Land Use Map indicates that the property is planned for Residential uses.

SE-22-06 | Borrow Pit

Location Map



SE-22-06 | Borrow Pit

Zoning Map



SE-22-06 Borrow Pit

Aerial View



Background

Case History:

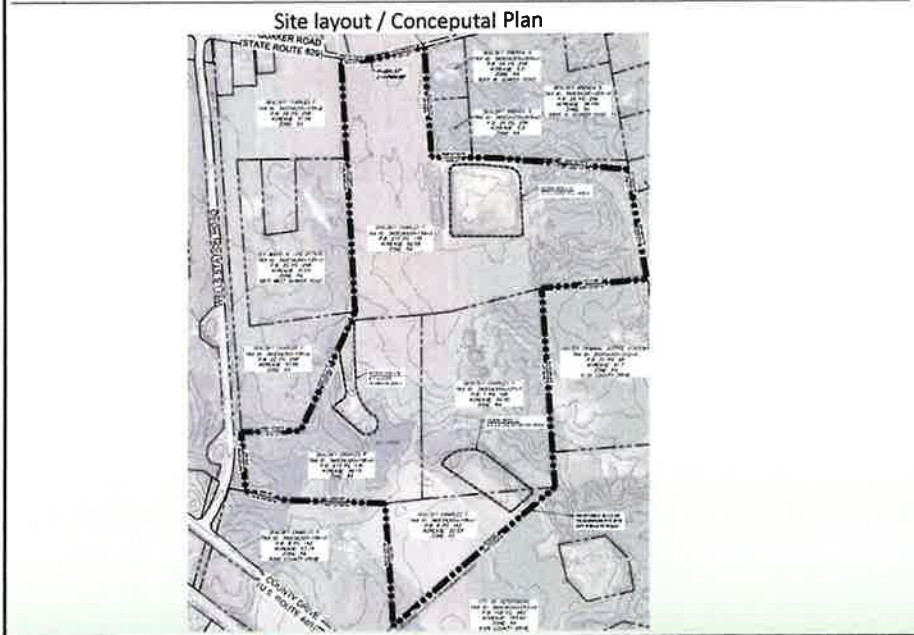
SE 90-08	March 27, 1990	Approved for 8 years on Tax Map 340(0A)00-136-0
SE 97-25	January 13, 1998	Approved for 5 years on Tax Map 340(0A)00-136-0
SE 02-01	January 22, 2002	Approved for 5 years and added 340(0A)00-137-0
SE 06-17	January 9, 2007	Approved for 6 months; issues with the site entrance
SE 06-17	June 10, 2008	Approved for 5 years with VDOT commercial entrance
SE 13-04	May 13, 2013	Approved for 5 years with on Tax Maps 340(0A)00-136-0, 137-0, and 139-0.

The borrow pit has operated since May 13, 2018 without a renewed special exception by the Board of Supervisors.

Request Summary

- Continue and expand the borrow pit that was previously approved in 2013.
- Three (3) parcels have been permitted in the past and a fourth parcel would be added if this application is approved.
- The proposed disturbed area consists of approximately 23.4 acres divided into three (3) work areas/zones that impact four (4) parcels of land.
- The operation will utilize a dozer, dump trucks and an excavator.
- The applicant plans to excavate on an as-needed basis beginning with a portion of Work Area B. The applicant has a permit from the Virginia Department of Mines, Minerals and Energy (DMME) Division of Mineral Mining for 3.6 acres in work area B.
- Proposed hours of operation will be Monday-Saturday from 7:00 am to 5:30 pm with some occasional work on Sundays.
- Primary access road is located off West Quaker Road.
- The applicant is requesting to install a construction entrance onto an existing unnamed access road that is located off Route 460.
- Estimated life of the operation (borrow pit) is 10 years.

SE-22-06 Borrow Pit



SE-22-06 | Borrow Pit

Planning & Zoning Staff Review Comments

- The proposed land use (borrow pit) is permitted by Special Exception in the R-A zoning district and has been in operation since 1990.
- If the project receives Special Exception approval, the facility layout and operation will be reviewed in detail for compliance with applicable County Code requirements and Zoning Ordinance requirements. (Site Plan review)
- The use is also regulated by the State Department of Mines, Minerals and Energy. The Applicant is responsible for obtaining a separate permit from the Department and staying in compliance.
- Applicant has a letter from 1990 from City of Petersburg granting access via the private road from Route 460

Planning & Zoning Staff Review Comments

Adjacent uses:

- low-density residential development, farmland, woodlands and public/semi-public uses.

Expected Impacts on adjacent properties and roadways:

- increased truck traffic and noise associated with the operation.

Mitigation of expected impacts:

- Visual impacts are expected to be mitigated by the existing buffer of trees existing on the property.
- Noise can be mitigated by the existing trees and the County's noise ordinance.
- See recommended conditions.

Compatibility with the comprehensive plan:

The Comprehensive Plan's future land use map has the subject property designated for Residential uses; however, this is not a new use because the applicant has been granted six (6) Special Exceptions for a borrow at this site since 1990.

Other Staff Review Comments

Environmental Division - Angela Blunt - Environmental Program Coordinator

- May require Land Disturbance Permit from Prince George County and Construction General Permit from DEQ
- Further comments will be reserved for Site Plan submittal.

Virginia Department of Transportation (VDOT) - Paul Hinson, Area Land Use Engineer

- The proposed use as outlined in the application will require a commercial entrance meeting VDOT standards. Based upon field observations, an existing commercial entrance meeting VDOT standards is in place to serve the proposed borrow pit. (West Quaker Road)
- The applicant discussed constructing a construction entrance from the unnamed road to the Petersburg Jail Annex and Farm. This is not a VDOT maintained state road and VDOT does not have the authority to issue permits or allow new users on the roadway.

Recommendation

The Planning Commission met on August 25, 2022 and recommended APPROVAL subject to the recommended conditions.

Recommended Conditions

Highlights:

- No 5-year renewal required
- Adhere to all applicable requirements of Chapter 54-6 (Quarries, Pits and Mines) and all other applicable requirements
- Retain existing trees for visual and noise buffering purposes (except with permission of Director of Planning)
- obtain an updated letter from the City of Petersburg for use of access road located off County Drive (U.S. Route 460). This letter is shall be provided to the Director of Planning prior to Site Plan approval
- The Borrow Pit shall be limited to 10 acres of mining operation at any one time.
- The applicant to shall modify their existing permit held with VDMM prior to disturbing in excess of the 3.6 acres that has been permitted by the VDMM.
- A Site Plan shall be approved before excavation activities can begin.

(Full list of recommended conditions in the Staff Report / Draft Ordinance)

Questions?

See Staff Report for Sample Motions



Ad Preview

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 September 13, 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 of "The Code of the County of Prince George, Virginia," 2005, as amended to allow installation of private water and wastewater facilities to serve tax parcel 340(06)00-001-A until public water and wastewater improvements are complete to allow connection to the public facilities.

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
County Administrator
9/1, 9/8/22 7697152