



September 20, 2024

SENT BY FIRST CLASS & CERTIFIED MAIL

Kaamil Ali
4484 Weejun Loop
Woodbridge, VA 22192

NVP INC
9300 Grant Avenue, Suite 300
Manassas, VA 20110

Re: Proffer Determination Case #ZNR2025-00007

Determination of Proffer #2 and Proffer #4 of Rezoning #REZ1986-0062

Property Address: 16825 Dumfries Road, Dumfries, VA 22025; (the "Property")

Acreage: 3.8271; **GPIN:** 8189-68-9060

Zoning District: B-1, General Business

To Whom It May Concern:

This is in response to the zoning determination application that you, as a potential buyer, filed on July 11, 2024, requesting a proffer determination for the above referenced property. More specifically, you have requested confirmation that the existing access point to the Property at Copper Mill Drive can comply with Proffer #2 and Proffer #4 of Rezoning Case #REZ1986-0062 (Attachment A), and if a second commercial entrance could be added to the Property in accordance with the proffers. You provided details of your specific transportation proffer determination request to the Department of Transportation in an email dated June 15, 2024 (Attachment B).

Background

The Property is zoned B-1, General Business, and is subject to the proffers approved by County on November 26, 1986, as part of rezoning case #REZ1986-0062. The Property is also located within the Dumfries Road (Route 234) Highway Corridor Overlay District. The development and use of the Property are regulated by the proffers approved with the referenced rezoning case, as well as the applicable zoning regulations, including Part 401 and Part 500 of the Prince William County Zoning Ordinance.

Applicable Proffers of #REZ1986-0062

Proffer #2: That the subject property will be served by a single entrance, said entrance to be a standard commercial entrance.

Proffer #4: In connection with the on-site transportation plan, the Applicant agrees to provide for a point of access to that property located to the south.

Proffer Request

You have stated in your application that you are a potential buyer of the Property and seeking confirmation that: 1.) The existing access point to the Property could satisfy the intent of Proffer #2 and Proffer #4 by serving as both an access point and a commercial entrance; and 2.) If the existing access point can comply with Proffer #2 and Proffer #4, a secondary commercial entrance could also be added elsewhere on the Property, specifically along Route 234.

Proffer Analysis

Rezoning #REZ1986-0062: Based on the submitted Proffer Request narrative, the Proffer Request is not prohibited by the approved proffered documents of rezoning #REZ1986-0062. However, please be advised that development of the Property must adhere to all applicable conditions as set forth in rezoning #REZ1986-0062.

Proffer Determination

Based on the above referenced background information and analysis of the relevant proffers of rezoning #REZ1986-0062, this determination letter serves to confirm the findings of the attached email from Paolo J. Belita, Assistant Director of the Department of Transportation, dated June 28, 2024 (Attachment C), *"that based on the ultimate widening of Route 234 and substantial changes to the surrounding roadway network, that an entrance either at Route 234 (if approved by the Virginia Department of Transportation) or at the existing cul-de-sac, appears to satisfy the intent of meeting proffered condition #4 and its reference to a southern access point. It is also our interpretation that these proffers do not preclude a secondary access via the existing cul-de-sac if the Rote 234 commercial entrance is approved. In addition, a commercial entrance such as a CG-11 would be acceptable and would be considered as a commercial entrance, meeting the intent of proffered condition #2."* Development of the property is subject to compliance with all applicable conditions as set forth in the proffer statement of the rezoning case, all local and state regulations, and required site plan approval for any permitted use.

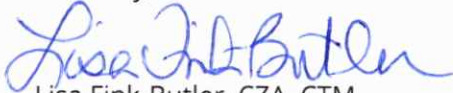
This determination is based on regulations that are in effect on the date of this letter, which are subject to change. Should you have any questions, please feel free to contact me at this office. State law mandates the following paragraph to be included in all determinations rendered by the Zoning Administrator, whether such determination includes the desired outcome.

The Zoning Ordinance allows that anyone aggrieved by a zoning determination of the Zoning Administrator may appeal the decision to the Board of Zoning Appeals. An appeal must be filed within thirty (30) days of receipt of this letter. The Board of Zoning Appeals will schedule and advertise a public hearing to consider an appeal within 90 days of the filing. The determination contained within this letter shall be final if an appeal is not filed within 30 days of receipt of this letter. The application fee for the appeal will be in accordance with the fee schedule in effect at the time of filing the appeal application and the appeal application form is available on our web page at the following link:

<http://www.pwcgov.org/government/dept/planning/Documents/Fillable%20BZA%20Appeal.pdf>.

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September 20, 2024

Sincerely,



Lisa Fink-Butler, CZA, CTM
Zoning Administrator

Attachment A: Proffer Statement (REZ#86-62)
Attachment B: Email to Department of Transportation
Attachment C: Email from Department of Transportation

cc: Paolo J. Belita, Assistant Director, Department of Transportation
Kerry Burnette, Proffer Administrator
Joyce Fadeley, Department of Development Services, Land Development Division Chief

Attachment A

REVISED SUBMISSION
RECEIVED
OCT 9 1986

APPROVED

PROFFER/DEVELOPMENT PLAN

[Signature]

PROFFER STATEMENT

11/26/86

Signed

REZONING FILE: #86-62

OFFICE OF PLANNING

The Calvert Property Dumfries Limited Partnership
October 9, 1986
6.74 acres and 1.854 acres, Prince William
County, Virginia ("Property")

I hereby proffer that the use and development of this property shall be in strict accordance with the following conditions and shall supersede all other proffers made prior to hereto. In the event the above referenced zoning is not granted as applied for by applicant, then the below described proffers shall be deemed withdrawn and null and void.

1. In connection with the planned widening of Route 234 which is to occur on the west side of Route 234, the Applicant will provide the easements on its Property for temporary construction and/or grading deemed reasonably necessary by the Virginia Department of Highways and Transportation.

2. That the subject Property will be served by a single entrance, said entrance to be a standard commercial entrance.

3. That in the event this Property is developed prior to the planned widening of Route 234, the Applicant will provide a dedicated left-turn lane (striped). In the event the development of the subject Property takes place following the planned improvements for the widening of Route 234, there will be no obligation on the part of the Applicant to provide such dedicated left-turn lane unless a cross-over is planned and constructed at the subject Property.

4. In connection with the on-site transportation plan, the Applicant agrees to provide for a point of access to that property located to the south.

5. No pole signs shall be erected on the Property; and in the event additional signage is erected on the Property, it (they) will be of a monument type not to exceed 14 feet in height.

6. Any structure erected on the Property will have a predominantly brick veneer or be of architectural precast concrete. Predominantly earthtone materials shall be used in connection with said improvements and primary colors shall be avoided.

7. Any dumpsters to be located on the Property shall be screened.

10/2
[Signature]

8. Any lighting used in connection with the development of the Property will be directed inward to the Property. In addition, any free standing lighting to be used on the Property will not exceed 12 feet in height.

9. Applicant agrees to contribute the sum of Ten Thousand Dollars (\$10,000.00) to Prince William County to be used for transportation purposes in connection with the improvement or upgrading of the intersection of Old Stage Road and Route 234. Said sum shall be paid at the time of final site plan approval for the first phase of development of the subject property.

The Calvert Dumfries Limited
Partnership

BY: 

Title: GP

blf:profi
Calvert Proffer

2062
6/1/00

Paolo J. Belita, AICP, PTP

Assistant Director of Transportation
Planning, Traffic, and Inspections Division
T: 703.792.6273 | C: 571.643.4197
Pbelita@pwcgov.org

Prince William County Government
Department of Transportation
5 County Complex Ct., Prince William, VA 22192
www.pwcgov.org/transportation

From: Belita, Paolo J.

Sent: Wednesday, June 26, 2024 5:28 PM

To: Fahad Sheikh <estafahad@gmail.com>; Kaamil Ali <kaamilali@gmail.com>

Subject: RE: Meeting 16825 Dumfries Rd - Query on Commercial Entrance

Hi Kaamil and Fahad,

Thank you for your patience on this inquiry. We met as a group this week. Are you available for a quick call tomorrow afternoon at either 2:30 or sometime after 4:30 to discuss?

Paolo J. Belita, AICP, PTP

Assistant Director of Transportation
Planning, Traffic, and Inspections Division
T: 703.792.6273 | C: 571.643.4197
Pbelita@pwcgov.org

Prince William County Government
Department of Transportation
5 County Complex Ct., Prince William, VA 22192
www.pwcgov.org/transportation

From: Fahad Sheikh <estafahad@gmail.com>

Sent: Saturday, June 15, 2024 10:33 PM

To: Kaamil Ali <kaamilali@gmail.com>

Cc: Belita, Paolo J. <PBelita@pwcgov.org>

Subject: Re: Meeting 16825 Dumfries Rd - Query on Commercial Entrance

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Paolo,

Thanks for setting up the call. Checking on the 2 points we needed clarity on.

There are really 2 distinct points that we asked for clarity.

1. Can a single commercial entrance, if located on the south side (cul de sac) meet the requirement for both bullet points in the proffer?

This particular item your team will be speaking to Lisa to make this determination, any update on this?

2. Can the entrance from the cul de sac be considered a commercial entrance?

Our point is that any non-residential entrance is a commercial entrance whether its on a B-1 or R4, so the fact it's in a residential cul de sac should not be a reason for consideration. So in our view the regulatory definition here would mean that this entrance can be considered a commercial entrance. And per the plat the ingress/egress easement was granted for this to serve as an entrance to the commercial development. (plat attached).

Your team would provide us a written response on this. I believe you guys mentioned CG-11 standard for the entrance. If we meet the CG-11 standard, for which I don't see a reason we can't, then can this entrance be considered a commercial entrance, if we wanted to declare it as such. When do you think your team can get back to us on this point.

Thanks,
Fahad

On Thu, Jun 6, 2024 at 9:06 AM Fahad Sheikh <estafahad@gmail.com> wrote:

Here you go

On Thu, Jun 6, 2024 at 12:34 AM Fahad Sheikh <estafahad@gmail.com> wrote:

Paolo,

See these old plans:

1. 234 Route Assemblage
2. The more recent you can see page 11 on the Copper Mill Commercial Traffic Study (its a big grainy), this is associated with the Copper Mill Estates PI Plan (page 5)

As you can see the 234 Route Assemblage, site plan shows 182 VPD on both route 234 and the cul de sac. While the Copper Mill plan isn't clear the traffic study is showing similar VPD on that entrance as well.

So traffic study assumes the same traffic flow from both entrances, then our question is if the cul de sac can accommodate the same traffic flow, why can't that single entrance be considered a commercial entrance as well from the residential side. If VDOT approves on Route 234, we can 'relocate' the commercial entrance to match what is in the PI Plan.

Thanks,
Fahad

Attachment c

Thornton, Randy A.

From: Kaamil Ali <kaamilali@gmail.com>
Sent: Monday, July 8, 2024 3:06 PM
To: Thornton, Randy A.
Subject: Fwd: Meeting 16825 Dumfries Rd - Query on Commercial Entrance

This email is from an EXTERNAL source. Use caution when replying or clicking embedded links.

Good Afternoon Randy ,

Please see emails from Paolo below related to proffer determination request and let me know if anything else is required.

Thank you,
Kaamil

Sent from my iPhone

Begin forwarded message:

From: "Belita, Paolo J." <PBelita@pwcgov.org>
Date: June 28, 2024 at 1:38:08 PM EDT
To: Fahad Sheikh <estafahad@gmail.com>, Kaamil Ali <kaamilali@gmail.com>
Cc: "Fink-Butler, Lisa M." <lfinkbutler@pwcgov.org>, "Vanegas, Alexander I." <AVanegas@pwcgov.org>, "Barrett, Bryce" <BBarrett@pwcgov.org>, "Li, Zhenyang" <zli@pwcgov.org>
Subject: RE: Meeting 16825 Dumfries Rd - Query on Commercial Entrance

Good afternoon Fahad and Kaamil,

As discussed, I have provided additional information highlighted below based on our discussion and initial question in the proffer determination request.

"-Can the access already provided on the county mapper serve as both an access point AND a commercial entrance to meet conditions of Proffer #2 and Proffer #4? And if the access point meets both criteria of proffer #2 and Proffer #4 of "Access Point" and "Commercial Entrance" will we be allowed to have another secondary commercial entrance elsewhere on the property?"

After further discussion and coordination, it is our Department's interpretation based on the ultimate widening of Route 234 and substantial changes to the surrounding roadway network, that an entrance either at Route 234 (if approved by VDOT) or at the existing cul-de-sac, appears to satisfy the intent of meeting Proffer 4 and its reference to a southern access point. It is also our interpretation that these proffers do not preclude a secondary access via the existing cul-de-sec if the Route 234 commercial entrance is approved. In

addition, a commercial entrance such as a CG-11 would be acceptable and would be considered as a commercial entrance, meeting the intent of Proffer 2.

Thank you,

Paolo

Paolo J. Belita, AICP, PTP

Assistant Director of Transportation
Planning, Traffic, and Inspections Division
T: 703.792.6273 | C: 571.643.4197
Pbelita@pwcgov.org

Prince William County Government
Department of Transportation
5 County Complex Ct., Prince William, VA 22192
www.pwcgov.org/transportation

From: Belita, Paolo J.

Sent: Thursday, June 27, 2024 3:51 PM

To: 'Fahad Sheikh' <estafahad@gmail.com>; 'Kaamil Ali' <kaamilali@gmail.com>

Cc: Fink-Butler, Lisa M. <lfinkbutler@pwcgov.org>; Vanegas, Alexander I. <AVanegas@pwcgov.org>; Barrett, Bryce <BBarrett@pwcgov.org>; Li, Zhenyang <zli@pwcgov.org>

Subject: RE: Meeting 16825 Dumfries Rd - Query on Commercial Entrance

Good afternoon Fahad and Kaamil,

In advance of our follow up call, I wanted to provide our Department's response and interpretation of the proffers. Please note that if you would like to continue to move forward with the Official Proffer Determination, you may use this email to send to Lisa to continue that process and to receive an official response.

"-Can the access already provided on the county mapper serve as both an access point AND a commercial entrance to meet conditions of Proffer #2 and Proffer #4? And if the access point meets both criteria of proffer #2 and Proffer #4 of "Access Point" and "Commercial Entrance" will we be allowed to have another secondary commercial entrance elsewhere on the property?"

After further discussion and coordination, it is our Department's interpretation based on the ultimate widening of Route 234 and substantial changes to the surrounding roadway network, that an entrance either at Route 234 (if approved by VDOT) or at the existing cul-de-sac, appears to satisfy the intent of meeting Proffer 4 and its reference to a southern access point. In addition, a commercial entrance such as a CG-11 would be acceptable and would be considered as a commercial entrance, meeting the intent of Proffer 2.

Thank you,

Paolo