



January 15, 2025

SENT BY FIRST CLASS & CERTIFIED MAIL

Ms. Jessica Pfeiffer
Walsh Colucci Lubeley and Walsh, PC
4310 Prince William Parkway, Suite 300
Woodbridge, VA 22192

SI NVA05B, LLC
1700 Broadway Suite 1750
Denver, CO 80290

Re: Zoning Verification and Proffer Determination Case # ZNR2025-00057
Property Address: 9001 Freedom Center Blvd, Manassas, VA 20110 (the "Property")
Acreage: 20.4649 acres; **GPIN:** 7696-41-1654
Property Address: 8826 Wellington Road, Manassas, VA 20109 (the "Property")
Acreage: 0.9779 acres; **GPIN:** 7696-42-1302
Property Address: 8986 Ellsworth Road, Manassas, VA 20109 (the "Property")
Acreage: 1.0653 acres; **GPIN:** 7696-31-9766
Property Address: 9006 Ellsworth Road, Manassas, VA 20109 (the "Property")
Acreage: 1.0318 acres; **GPIN:** 7696-31-8770
Zoning District: PBD, Planned Business District

To Whom It May Concern:

This is in response to the application that you filed on October 18, 2024, requesting a zoning verification and proffer determination for the above referenced Property on behalf of the property owner, SI NVA05B, LLC. More specifically, you have requested confirmation that: 1) the FAR designated for the Property (0.5 FAR) is designated for the whole property and not on a percentage of each subdivided parcel. 2) That Data Centers are permitted in these zoning districts and pursuant to the proffers.

Zoning Verification for the Property:

1. The Property is zoned PBD, Planned Business District, and is subject to the proffers approved by the Prince William County Board of Supervisors on September 17, 2024, as part of rezoning case #REZ2024-00009, NVA05A and NVA05B Proffer Amendment and Rezoning (copy attached). The Property is regulated by part 404 of the Prince William County Zoning Ordinance: (https://www.municode.com/library/va/prince_william_county/codes/code_of_ordinances?nodeId=CH32ZO).
2. The Property is not subject to any variances, nonconforming uses, or special use permits.

3. The Property is located within the Airport Safety Overlay District and Data Center Opportunity Overlay District
4. The Property is located within the Technology Overlay District ("TeOD") and located within the EO, Employment Center Office/R&D and HO, Higher Education Office/ R&D, TeOD Subdistricts.
5. Based on our records, which are complaint based, there are no zoning enforcement actions pending on the Property. However, no inspections of the Property have been conducted to determine if any violations exist.

Background

The Property is zoned PBD, Planned Business District, with a Land Bay designation of O(F) and M-2. It is subject to the proffers approved for Rezoning #REZ2024-00009 by the Prince William County Board of Supervisors on September 17, 2024 (copy attached). The Property is regulated by part 404 of the Prince William County Zoning Ordinance. As outlined in the proffers, the Property is zoned PBD, with a Land Bay designation of O(F) and M-2 and EO, Employment Center Office/R&D and HO, Higher Education Office/ R&D, TeOD Subdistricts zoning regulations for the land bay designation.

Your request asks for: 1) the FAR designated for the Property (0.5 FAR) is designated for the whole property and not on a percentage of each subdivided parcel. 2) That Data Centers are permitted in these zoning districts and pursuant to the proffers.

Proffer #2 states:

Floor Area Ratio: The maximum Floor Area Ratio (FAR) on the Property is .50. The FAR shall be calculated as the cumulative total on the Property and not on a percentage of each subdivided parcel. In addition, at the time each site plan is filed on the Property, a running tabulation of the approved uses on the balance of the Property, and as reflected on approved final site plans, shall be provided to evidence compliance with this proffer.

Definitions & Applicable Sections of Zoning Ordinance

Part 100 of the Prince William County Zoning Ordinance contains defined terms. The Zoning Administrator shall strictly construe the terms and definitions. In the event a term is not defined in this section, the Administrator shall refer to other chapters of the Prince William County Code and to the building code for guidance. If ambiguity remains, the Zoning Administrator shall then rely upon the conventional, recognized meaning of the word or phrase (e.g., current edition, Merriam-Webster's Dictionary).

Data Center shall mean a use involving a building/premise in which the majority of the use is occupied by computers and/or telecommunications and related equipment, including supporting equipment, where information is processed, transferred and/or stored.

Part 402 – Office Districts

Part 403 – Industrial Districts

Part 404 – Planned Business District

Part 500 – Special Public Interest Overlay Districts, Generally

Proposed Uses

You have stated in your application that the property owner, for whom you are requesting this determination on behalf of, is seeking confirmation that data center uses are permitted by-right.

Proffer Analysis

Proffer Amendment and Rezoning #REZ2024-00009: Based on the submitted Proposed Use narrative, the Proposed Use are not prohibited by the approved proffered documents of proffer amendment.

Furthermore, the approved proffers commit to a maximum of 0.5 FAR on the Property. The proffers do not limit any specific area or land bay to 0.5 FAR.

Use and Proffer Determination

Based on the above referenced background information and approved documents of Rezoning #REZ2024-00009, the approved proffers commit to a maximum of 0.5 FAR on the Property. The proffers do not limit any specific area or land bay to 0.5 FAR. Therefore, the FAR is designated for the whole property and not on a percentage of each subdivided parcel. Additionally, the Proposed Use of data center would be permitted by-right on the subject property

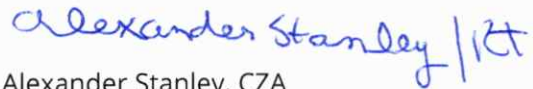
Development of the Property is subject to site plan approval, including but not limited to compliance with all proffered conditions of Rezoning #REZ2024-00009 and local and state regulations/requirements. This determination is based on regulations that are in effect on the date of this letter, which are subject to change. Should you have any questions, please feel free to contact this office. State law mandates the following paragraph to be included in all determinations rendered by the Zoning Administrator.

The Zoning Ordinance allows that anyone aggrieved by a proffer determination of the Zoning Administrator may appeal the decision to the Board of County Supervisors (BOCS). An appeal must be filed within 30 days of receipt of this letter with the clerk to the board and the zoning administrator. The BOCS will schedule and advertise a public hearing to consider an appeal within 30 days unless there is no regular meeting scheduled, in which case the BOCS shall act at its next

regular meeting. 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 and the appeal application form is available on our web page at the following link:

<https://www.pwcva.gov/assets/2021-06/Application%20for%20an%20Appeal.pdf>

Sincerely,

A handwritten signature in blue ink that reads "Alexander Stanley" followed by a vertical line and the initials "JCS".

Alexander Stanley, CZA
Principal Planner Zoning Administration

Attachment

cc: Joyce Fadeley, Department of Development Services, Land Development Division Chief