



June 26, 2025

SENT BY FIRST CLASS & CERTIFIED MAIL

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Mall at Potomac Mills LLC
c/o Simon Property Group
P.O. Box 6120
Indianapolis, IN 46206-6120

Re: Proffer and Zoning Determination Case: #ZNR2025-00154

Determination of Rezoning cases #REZ1984-0019 and #REZ1995-0020

Property Address: 2700 Potomac Mills Circle, Unit 707, Woodbridge, VA 22192 (the "Property")

Acreage: 22.2958 (part of); **GPIN:** 8291-79-1954 (Unit 707); **Zoning District:** B-1, General Business

To Whom It May Concern:

This is in response to the application submission that was received on April 18, 2025, requesting a proffer and zoning determination for the above referenced Property on behalf of a proposed tenant, Embarq Group. More specifically, you have requested confirmation that an indoor ACE Pickleball facility would be a permitted by-right use of the Property.

Background

The Property is zoned B-1, General Business, and is subject to the proffered conditions of Rezoning #REZ1984-0019, as approved by the Prince William County Board of Supervisors on October 25, 1985, and Rezoning #REZ1995-0020, approved by the Board of Supervisors on June 9, 1995. The development and use of the Property are regulated by the proffered conditions approved with the above referenced cases, as well as all applicable county regulations, including but not limited to zoning regulations of the Prince William County Zoning Ordinance.

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).

Accessory use shall mean a use incidental to, and customarily associated with, the principal use of the lot.

Quick service food store shall mean any building that contains 10,000 square feet or less of net floor area, or any portion of such a building, and which is used principally for the retail sale of food and other items; provided that this definition shall not be deemed to include such retail sale of food and other items in any building that contains more than 10,000 square feet of net floor area, or any portion of such a building; and provided further that this definition shall not include restaurants, drive-through restaurants, carry-out restaurants or food delivery service businesses, or specialty food stores.

Recreation facility, commercial shall mean a sports or activity facility either open to the general public for a fee or for members and their guests. These include, but are not limited to, the following:

- *Indoor* shall mean roller or ice skating rink, bowling alley, billiard hall, dart pavilion, amusement arcade (video, pinball or other), bingo parlors, swimming pools, slot cars, hard and soft courts, miniature golf, squash, racquetball or tennis courts, health spa or club, weightlifting, exercise.

Retail store shall mean any establishment where the primary activity is the sale of merchandise in small quantities, in broken lots or parcels, not in bulk, or for the rendering of personal services, for use or consumption by the immediate purchaser.

Part 401 – Commercial Districts

Proposed Use

You have stated in your application that a potential tenant, Ace Pickleball, is seeking confirmation that an indoor pickleball facility with 10 indoor courts is a permitted by-right use of the Property. In addition, the Proposed Use includes incidental retail sales of prepackaged snacks and beverages, and Ace Pickleball merchandise.

Proffer Conditions Analysis

Rezoning #REZ1984-0019 and Rezoning #REZ1995-0020: Based on the submitted Proposed Use narrative, an indoor pickleball facility (recreation facility, commercial (indoor)) is not prohibited by the approved proffered documents of Rezoning #REZ1984-0019 or Rezoning #REZ1995-0020. However, please be advised that development of the Property must adhere to all applicable proffered conditions, as set forth in the referenced approved rezoning cases.

Use Determination

Based on the review of the application submission, the proffered documents of the above referenced rezoning cases, background information, and analysis of the relevant sections of the Zoning Ordinance, the Proposed Use of an indoor pickleball facility is determined to be a "Recreation Facility, Commercial (Indoor)". Such use, which will include a small area of the tenant space for incidental retail sales of prepackaged snacks and beverages, and pickleball merchandise, would be a permitted by-right use of the Property, pursuant to the determination that:

1. The Proposed Use is deemed to be a "Commercial Recreation Facility (Indoor)" with accessory uses of Quick Service Food Store and Retail Store (less than 80,000 square feet); and

2. The Property is zoned B-1, General Business, and Commercial Recreation Facility (Indoor), Quick Service Food Store, and Retail Store (less than 80,000 square feet) are permitted by-right uses in the B-1 district; and
3. The Property is subject to site plan approval prior to commencement of the proposed use and compliance with all proffered conditions of approval associated with Rezoning #REZ1984-0019 and Rezoning #REZ1995-0020, as well as all applicable development regulations in the Zoning Ordinance and the Design and Construction Standards Manual.

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 "Lisa Fink-Butler" followed by a stylized initial "ft".

Lisa Fink-Butler, CZA, CTM
Zoning Administrator

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