

## PROPOSED DEVELOPMENT CONDITIONS

SE 2004-PR-017

March 4, 2005

If it is the intent of the Board of Supervisors to approve SE 2004-PR-017 located at Tax Map 39-2 ((1)) 47 (7777 Leesburg Pike) for use as a university within the existing office building pursuant to Sect. 4-304 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions. Notwithstanding these conditions, other uses listed as "Permitted Uses" and "Special Permit Uses" in the C-3 District shall be allowed to be continued and to be established without amending this special exception provided that all Zoning Ordinance requirements have been met and parking is provided in accordance with the conditions associated with the Parking Reduction.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled Stratford University, prepared by Patton Harris Rust & Associates and dated April, 2004 and revised through January 27, 2005 and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Within twenty-four months of the approval of this special exception or upon demand of Fairfax County, whichever first occurs, the applicant shall dedicate in fee simple the area of the service drive and sidewalk that is not currently right-of-way to the Board of Supervisors. The area of dedication shall extend to one foot behind the portion of the sidewalk which is parallel to the service drive.
5. The amount of gross floor area devoted to the university use within the building shall be limited to 54,500 square feet.
6. The maximum total daily enrollment shall be limited to 500 students; in no event shall more than 164 university students shall be permitted to attend classes at any one time during the day before 6:00 p. m. This limitation shall

not affect the number of students at night so long as the maximum daily enrollment is not exceeded.

7. Prior to the issuance of the Non-RUP for the university, the parking lot in the rear shall be reconfigured to provide two loading spaces that meet the size requirements specified in Part 11, Parking and Loading, of the Zoning Ordinance. The loading spaces shall be located at the northern end of the landscaped island behind the building and the spaces shall be created by shifting the curb line of the island to provide the required length for a loading space.
8. A landscaping plan shall be prepared for review and approval of the Urban Forest Management Branch depicting the landscaping listed below. Prior to obtaining a Non-RUP for the university use subject to weather delays as determined by the Urban Forest Management Branch, the following landscaping shall be planted in accordance with the requirements of the Public Facilities Manual: a) four deciduous trees (Category III in the Public Facilities Manual) shall be planted in the central landscape island in the rear parking area; b) two flowering deciduous trees (Category II) shall be planted in the landscaped area in front of the building; and, c) three deciduous trees (Category IV) shall be planted around the periphery of the parking lot in the rear of the building. If a weather delay is approved by the Urban Forestry Management Branch, a Non-RUP may be issued if the landscaping has not been installed subject to the posting of a bond in an amount equivalent to the cost of purchasing and installing the landscaping as determined by the Department of Public Works and Environmental Services. All plants shall be maintained to ensure a healthy growing condition and to preserve their natural form and function. All plants shall be maintained with proper watering, mulching, pruning and other maintenance as specified in the Landscape Specification Guidelines and pruning as specified in the latest edition of American National Standard for Tree care Operations - Tree Shrub and Other Woody Plant Maintenance - Standard Practices, ANSI A-300. All plant material that is dead, dying, or damaged beyond repair shall be replaced.”
9. Transit use and carpooling among the students of the university shall be promoted as follows. Information related to the availability of public transportation services shall be made readily available to the students in the lobby or other prominent locations, and on the web site for the university. The transit information/literature shall include, at a minimum but not limited to, information related to Metrobus, Fairfax Connector, Metrorail and other transit options. Carpooling shall be promoted by methods such as a bulletin board, a matching effort supported by university staff and/or an electronic bulletin board.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, eighteen (18) months after the date of approval unless a Non-Residential Use Permit has been issued for the university use. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.