



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

February 29, 2012

William M. Baskin, Jr.
Baskin, Jackson & Duffett, PC
301 Park Avenue
Falls Church, VA 22046

RE: Special Exception Application SE 2011-HM-018

Dear Mr. Baskin:

At a regular meeting of the Board of Supervisors held on February 28, 2012, the Board held a public hearing on Special Exception Application SE 2011-HM-018 in the name of Corinthian Colleges, Inc., D/B/A Everest College. The subject property is located at 8620 Westwood Center Drive, on approximately 2.5 acres of land, zoned I-4 in the Hunter Mill District [Tax Map 29-3 ((20)) 9 and 9B pt.]. The Board's action permits a college/university, pursuant to Section 5-404 of the Fairfax County Zoning Ordinance, 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.
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 Minor Site Plan prepared by Newman Architecture, approved on November 1, 2011, 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.

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4. A plan showing the current parking configuration, driveways, walkways, travel aisles, and schedule showing the number of parking spaces provided shall be submitted to DPWES for review and approval, prior to the issuance of a Non-Residential Use Permit (Non-RUP) for the college/university use. This plan shall serve as the parking redesignation plan for the proposed use as required by the Zoning Ordinance.
5. All parking shall be provided on-site. The applicant shall provide on-site directional signage that identifies the location of parking spaces that serve the college/university use.
6. There shall be no dormitories or dedicated eating establishments associated with the use on the subject property. However, a quick service food store may be permitted as an accessory use within the building.
7. Class sessions for the College/University use shall not exceed 7:00 a.m. to 11:00 p.m. on weekdays and 7:00 a.m. to 5:00 p.m. on weekends.
8. There shall be a minimum of 30 minutes between the conclusion of one class session and the beginning of the next class session.
9. The total maximum daily enrollment on site at any one time shall not exceed 374 students and 56 employees. Classes held on site between 7:00 a.m. and 11:00 a.m. on Monday through Friday shall be limited to a maximum daily enrollment of 132 students and 44 employees.
10. The applicant shall implement and administer a Transportation Demand Management program (the "TDM Program") as described here. The objective of this TDM Program shall be to reduce the number of automobile trips generated by students and employees coming to the subject property by encouraging the use of transit (Metrorail and/or bus), other high-occupancy vehicle commuting modes, walking, and biking.
 - a. An individual shall be designated to act as the Program Manager ("PM") for the college/university, whose responsibility shall be to implement the TDM strategies. The duties of the PM may be part of other duties assigned to the individual(s). The PM shall participate in available Tysons area wide TDM program activities and transportation improvement endeavors provided by Fairfax County and the various stakeholders in the Tysons area.
 - b. Mass transit use and other non-single occupancy vehicle modes of travel such as carpooling and biking shall be promoted among students, faculty, and visitors as follows:

- i. Information Dissemination: Information related to the availability of public transportation services and biking shall be made readily available to the students and employees in a prominent location at the college/university and/or on the college/university's website. The transit information/literature shall include, at a minimum but not be limited to, information related to Metrobus, Fairfax Connector, Metrorail and other transit options. Biking literature shall include informational booklets and other materials available from Fairfax County Department of Transportation (FCDOT) and other sources.
 - ii. Bicycle Parking: Bicycle racks shall be provided on site to accommodate parking for bicycles. The type of bicycle racks installed shall be in accordance with the street furniture recommendations of the Tysons Corner Urban Center Urban Design guidelines.
 - iii. Car Sharing/Pooling and Bus Group Information: The formation of transit groups, carpools, vanpools, and ride shares shall be promoted by methods such as a bulletin board, website, or other methods.
 - iv. Transit Incentives: Once the Tysons West Metrorail Station becomes operational, the PM shall institute transit incentives which may include, among other programs, the provision of pre-loaded smart trip cards to employees and students and/or the establishment of a transit reimbursement program for employees.
11. The applicant shall ensure that the trail segment that traverses the western portion of the property is maintained free of any debris and overgrown vegetation.
 12. The applicant shall enclose the dumpster with a board on board fence or a chain link fence with slats a maximum of six feet in height.

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, thirty (30) months after the date of approval unless the use has been established as evidenced by the issuance of a Non-RUP for the college/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.

The Board also:

- Modified the transitional screening and barrier requirements along the western property line in favor of maintaining the existing conditions.
- Modified the interior and peripheral parking lot landscaping requirements in favor of maintaining the existing conditions.
- Waived the off-street loading space requirement.

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

Cc: Chairman Sharon Bulova
Supervisor Catherine Hudgins, Hunter Mill District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Angela K. Rodeheaver, Section Chief, Transportation Planning Division
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
District Planning Commissioner
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation