

**DEVELOPMENT CONDITIONS**

**SE 2013-HM-024**

**May 14, 2014**

The Board of Supervisors approved SE 2013-HM-024 located at Tax Map 29-3 ((20)) 9A pt. (8618 Westwood Center Drive), for use as a college/university within the existing office building pursuant to Sect. 5-404 of the Fairfax County Zoning Ordinance. The Board's approval was subject to 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 As-Built Site Plan prepared by Huntley, Hogan and Nyce, Westwood Building 9A, 3741-SP-04-1, approved on June 24, 1983, 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. Establishment of this use requires issuance of a Non-RUP after approval of this Special Exception, regardless of any which may have been issued previously.
5. Class sessions for the College/University use shall not exceed 9:30 a.m. to 10:00 p.m.
6. There shall be a minimum of 30 minutes between the conclusion of one class and the beginning of the next class session.
7. The total weekday maximum daily enrollment on site shall not exceed 500 students and 70 employees, and no more than 250 students or staff onsite at any one given time.
8. 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.
9. A Transportation Demand Management Plan (the "TDM Plan") shall be implemented by the Applicant to encourage the college/university to use transit (Metrorail and/or bus), other high-occupancy vehicle commuting modes, walking

and biking in order to reduce single-occupancy automobile trips generated by the college/university and comply with the proposed parking availability.

a. TDM Program Manager. Prior to the approval of the Non-Residential Use Permit (“Non-RUP”), the Applicant shall designate an individual to act as the TDM Program Manager (“TPM”) for the college/university, whose responsibility shall be to implement the TDM strategies. The TPM’s contact information shall be provided to Fairfax County Department of Transportation (FCDOT) staff within 30 days of the initial appointment and every time thereafter that there may be a change. The duties of the TPM may be part of other duties assigned to the individual(s). The TPM shall participate in available Tysons area wide TDM Programs, activities and transportation improvement endeavors provided by Fairfax County and the various stakeholders in the Tysons area, and shall join groups such as Tytran.

b. TDM Work Plan. Sixty (60) days after the appointment of the TPM, the TPM shall submit the TDM Work Plan to FCDOT for review. The TDM Work Plan and any amendments thereto shall include, but not be limited to, provisions for the following:

- i. Information Dissemination. The TPM shall make Metrorail and bus maps, schedules and forms, ridesharing and other relevant transit option information available to students, employees, and visitors in a common area such as the central lobby or admissions office. The TPM shall also publish links to internet sites to mass transit providers with multimodal transportation information, transit data, and the possibility of online transit pass sales or value loading. All incoming students, faculty and staff shall be provided with information concerning the use of SmarTrip cards, including an application.
- ii. Car Sharing/Pooling Information. The TPM shall make information available regarding the availability of car sharing program(s), such as ZipCar, to students, visitors and guests. In addition, but subject to student confidentiality and safety requirements, zip code rosters shall be made available to all students to facilitate car pool formation/usage.
- iii. Preferential Parking. The TPM shall provide signed preferential parking for carpools, as needed.
- iv. Bicycle Parking. Racks shall be provided to accommodate parking for at least 20 bicycles. The bike racks shall be inverted U-style racks or other design approved by FCDOT. Location of these racks will also be coordinated with FCDOT. The TPM shall begin the

implementation of bicycle parking within prior to Non-RUP. Bicycle parking racks shall be installed no later than a year after SE approval.

- v. Transit Incentives. Once the Metrorail Silver Line and Springhill Station becomes operational, the TPM shall institute transit incentives which may include, among other programs, the provision of pre-loaded smart trip cards to faculty, staff and new students and the establishment of a permit parking program.
  - vi. Coordination. The TPM shall work with FCDOT, and any other transportation management entities established in the local area of the development, to promote alternatives to single-occupant automobile commute trips.
- c. FCDOT Response. If FCDOT has not responded with any comments to the TPM within sixty (60) days of receipt of the TDM Work Plan, the TDM Work Plan shall be deemed to be approved and the TPM shall implement the TDM Work Plan.
- d. Vehicle Trip Objectives. The goal of the TDM Work Plan prior to the Metrorail Silver Line becoming operational shall be to reduce the number of vehicle trips generated by the college/university, students, employees, and visitors by twenty percent (20%) during the PM peak hour of the adjacent street as projected by using methods based on ITE's, 8<sup>th</sup> edition, Trip Generation rates and/or equations (the "ITE Trip Generation Rate") for Land Use Code 540 (Junior/Community College).
- Once the Metrorail Silver Line is operational for a period of 12 months, the goal of the TDM Plan shall be to reduce the number of vehicle trips generated by the college/university, students, employees, and visitors by thirty percent (30%) during the PM peak hour.
- e. Annual Surveys & Coordination with FCDOT. One (1) year following approval of the TDM Work Plan by FCDOT, the TPM shall conduct an annual survey (the "Annual Survey") to be completed the next following October, and in October of each year thereafter, and provided to FCDOT. The Annual Survey shall be conducted during a week without any holidays and when Fairfax County Public Schools are in session. The Annual Survey shall gather information on the effectiveness of the TDM Work Plan and shall be used by the TPM to determine whether changes to the TDM Work Plan are needed to ensure that the vehicle trips are within the Vehicle Trip Objectives targeted goal. If the Annual Survey reveals that changes to the TDM Work Plan are needed, the TPM shall coordinate such reasonable changes with FCDOT that are acceptable to the Applicant and the college/university, and implement and adjust the TDM Work Plan accordingly. The TPM shall coordinate the preparation of the Annual Survey materials and the methodology for validating survey results with FCDOT

at least thirty (30) days prior to completing each year's Annual Survey, and shall collect and analyze the results. Such analysis shall include at a minimum:

- i. A description of the TDM measures in effect for the survey period and a description of how such measures have been implemented;
- ii. The number of people surveyed and the number of people who responded;
- iii. The results of any surveys taken during the survey period;
- iv. The number of students and employees participating in the TDM programs displayed by category of participants and by mode of use; and
- v. An evaluation of the effectiveness of the TDM Work Plan and its program elements and, if necessary, proposed modifications to the plan and program elements.

Annual surveys shall be conducted until the TPM has demonstrated to FCDOT that the twenty percent (20%) or thirty percent (30%) trip reduction goal, whichever is applicable, is being met or exceeded. After the goal has been met for three (3) consecutive years, the TPM shall conduct the surveys bi-annually. If it is demonstrated that the goal has been met for two (2) consecutive bi-annual surveys, the TPM may terminate the surveys, although it shall continue the TDM Programs.

In the event the applicant has not meet the trip reduction goal after the Metrorail Silver Line has been operational for a period of 24 months, the applicant shall meet with FCDOT to develop a remedy plan and provide up to \$10,000 towards remedy initiatives.

10. The conditions relating to university operations shall only apply to university uses onsite, other uses (such as office) shall be governed by the Zoning Ordinance.

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, 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.