

George Mason Expansion Plans:
Staff Analysis

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parking lot. It is in this area the University plans to build the law school and expand its Metro campus.

DISCUSSION

The "Public" designation of the GMU site is intended to allow the University to expand its educational facilities on the site and reflects the public nature of its current and future use. Redevelopment under the existing "C-3" zoning on the site could be expected to yield building heights of 75 feet across the entire site. The "C-3" District does not regulate density, but a site of this size built-out to the maximum building height could generate a density between 3.0 and 4.0 F.A.R. Upon completion of the proposed Master Plan, the University's expansion plans would result in a total gross floor area (g.f.a.) of approximately 750,000 square feet and an F.A.R. of 3.3. The University's Master Plan is within the parameters for redevelopment provided by the existing zoning on the site.

Site Plan Considerations: Streetscape and Urban Design Standards

Urban Design standards for the George Mason University site are contained in two County Board approved documents: The Virginia Square Sector Plan and Rosslyn-Ballston Mid-Course Review: Threshold of Opportunities.

Streetscape

One of the most important urban design objectives of The Virginia Square Sector Plan is the achievement of the Fairfax Drive Boulevard Concept. The intent of this Concept is to achieve a unified streetscape running the length of Fairfax Drive from Highway 66 in the west at Ballston through Virginia Square and then Clarendon along 10th Street North. The Boulevard will strengthen the image of the Ballston-Virginia Square area and provide an attractive pedestrian environment through the creation of wide, brick paver sidewalks, street trees and decorative street lights. Along the frontage of the George Mason University site, the Fairfax Drive sidewalk will be 24 feet wide and be paved with brick pavers. Willow Oaks will be planted as street trees 30 feet apart. The double-globe decorative street lights used in Clarendon and Ballston will also be installed. As part of their expansion plans, George Mason University has agreed to implement the Fairfax Drive Boulevard Concept on this site.

Streetscape standards for the North Kirkwood Road frontage of this site call for a 20 foot wide brick paver sidewalk with street trees and double-globe street lights. George Mason

MEMORANDUM OF UNDERSTANDING

This agreement is made as of August 29, 1994, by and between George Mason University ("GMU") and the County Board of Arlington County, Virginia ("the County").

Recitals

After many years of planning, GMU is prepared to begin the expansion of its Arlington Campus. The project is planned to be eventually as large as 750,000 square feet of gross floor area, with 1,100 parking spaces. Phase I will consist of approximately 150,000 square feet of gross floor area and 142 new parking spaces, designed to accommodate the Law School and elements of other programs. Some renovations of the existing building will also occur to allow expansion of the Continuing Education programs and to house other university programs. This project is unique and has characteristics not shared by other properties in the County.

Studies in the region and nationally have noted the contribution made by higher education to the economic welfare of the communities where it is located. In some cases the benefits are direct, through the contribution made by construction, salary, and purchasing expenditures. Other benefits are indirect, through the decisions of businesses to locate near a learning institution. This project will benefit the educational needs of residents and businesses in Arlington and nearby areas, and is being developed in a spirit of collaboration between GMU and Arlington County.

George Mason University, as a State University exempt from the County's customary land use approval procedures, has participated in a community review process in lieu of the normal site plan review process, which would have included a County Board review resulting in either denial or site plan approval with conditions. This process has paralleled, and in some cases expanded upon, the customary process.

It is the purpose of this memorandum to memorialize the understandings of the County and GMU with respect to the development of the site and the designation and eventual allocation of funds under bond issues already approved by the voters of Arlington County, as well as those that might be approved in the future.

The immediate action to which this Memorandum of Understanding relates is the designation of \$3,000,000 in the County's bond authorization available from the 1992 higher education bond issue to George Mason University to aid the development of Phase I of the GMU Arlington Campus project. Execution of this Memorandum of Understanding and satisfaction of the conditions in this memorandum by GMU and the County are prerequisites to actual disbursement of funds designated for Phase I of the project, which is anticipated to be on or before January 1, 1995.

In consideration of the premises, the County and GMU agree as follows:

1. The documents prepared by the University at various stages of this process are

incorporated by reference into this Memorandum of Understanding and all statements and representations made therein, collectively, are deemed to constitute the "GMU proposal". These documents include:

- a. George Mason University - Arlington Campus Master Plan & Phase One-Law School, subtitled "Review Submission to Site Plan Review Subcommittee", prepared by George Mason University/Skidmore, Owings and Merrill (undated), which was reviewed by the Planning Commission on May 25, 1994 and forwarded to the County Board for its meeting of June 4, 1994, as well as those renderings of the Phase I building and information on facade material for the Phase I building presented to the County Board at its meeting of June 4, 1994, and oral representations at the meeting which are incorporated in the public record.
 - b. GMU - Arlington Campus Parking and Traffic Briefing Materials, prepared by JHK & Associates, dated May 19, 1994.
 - c. GMU - Arlington Campus Interim Parking Strategies, prepared by Parking Services Office, George Mason University and dated 18 May 1994.
 - d. Statement of Community Benefit, not directly attributed to but prepared by the Office of Institutional Planning and Research of George Mason University.
 - e. Statement of Randall Edwards, Executive Vice President for Administration at George Mason University, to the Arlington County Board on June 4, 1994.
2. The County recognizes the general consistency of the GMU proposal with the County's General Land Use Plan and other planning policies.
 3. The County and GMU acknowledge the community benefits conferred by a well-planned presence in Arlington of a major university, as well as the specific elements of community benefit identified in the GMU proposal.
 4. GMU has proposed, and the County will cooperate in, the formation of an ongoing Joint GMU/Arlington County Advisory Board (the Joint Advisory Board) with broad County-wide representation, including representation from the immediate neighborhoods comprising one third of the total membership, to assist GMU and the County in meeting jointly-held objectives for the campus.
 5. The County will undertake actions recommended for the County in the proposal, including implementation under applicable law of a permit parking system when requested by affected neighborhoods. The County will also make reasonable efforts to assist GMU in the identification of potential sources of off-site parking, and to give consideration in its development review of future projects to ways that the project might

be configured to address area-wide parking needs, including those of GMU.

6. GMU will continue, in the current facility, the level of those activities and programs currently provided to the community, and will augment the Statement of Community benefit by developing a plan which addresses more comprehensively how and when the community uses will be accommodated and what interim improvements will be made.
7. The County has designated GMU as the recipient of \$3,000,000 in bond authorization available from the 1992 higher education bond issue to aid the development of Phase I of the GMU Arlington Campus project. The funds are anticipated to be transferred to GMU on or before January 1, 1995, subject to full compliance with the conditions of this agreement.
8. GMU agrees to obtain all legally-required permits and approvals as determined by state and federal law. Further, GMU and the County agree to expend the \$3,000,000 in tax-exempt bond funds in a manner consistent with the legal requirements of the 1992 Higher Education Bond Referendum and in compliance with the requirements of federal and state law regarding use of bond proceeds, and GMU and the County agree to execute, prior to disbursement of bond funds, additional documentation that may be needed to clarify or carry out the terms of this compliance.
9. Prior to disbursement of the County funds designated for Phase I of the project, GMU agrees to provide to the County more detailed parking and transportation demand management strategies, the Letters of Intent and contracts for off-site parking, and any other formal arrangements that implement the parking and traffic plans identified in GMU - Arlington Campus Interim Parking Strategies, for both the construction and operational aspects of Phase I. The County Manager shall verify that the actions documented thereby are adequate to implement the parking and traffic management plans.
10. GMU agrees to refer any "material changes" in the proposal to the Planning Commission and the County Board for review and comment. Material changes are any changes that, if proposed for privately-owned property, would qualify as a Major Site Plan Amendment under the zoning ordinance of Arlington County.

If any material changes in the GMU proposal prior to the disbursement of funds remain unacceptable because they are inconsistent with county planning policies or the community benefits noted in the proposal, the County reserves the right to modify or delay any funding commitment it has made.
11. The County Board acknowledges its intent that County financial support for Phases II and III will be provided to GMU, contingent on any required voter approval, if to the satisfaction of the County Board:
 - a. The parking and traffic plans for all previous phases are functioning properly and

plans are in place to meet the demands to be created by subsequent phases.

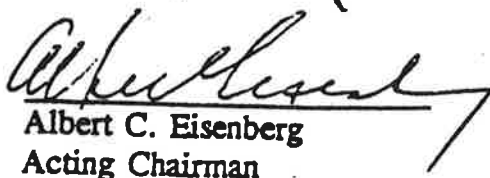
- b. Adequate plans for compliance with Arlington County utility undergrounding and utility service policies are included in Phases II and III.
 - c. Firm commitments are made on the community benefits identified in the proposal for Phases II and III, and how those and any other community facilities are planned to be included or accommodated. Plans for community benefits in future phases will be made as Phases II and III are developed, using the Joint Advisory Board as the forum in which those issues are discussed.
 - d. Firm arrangements or, in recognition of the lead time required for legislative or voter approval, a plan for securing such firm arrangements for financing Phases II and III have been agreed to by GMU and the County.
 - e. GMU and the County have agreed on a review process that examines community concerns for final site and building design for Phases II and III.
 - f. GMU has proceeded in all previous phases within the master plan framework approved by the County Board, without material changes, unless, to the satisfaction of the County Board, these material changes were either submitted for review and comment as described in Paragraph 10 or addressed and approved in the process of review and approval developed pursuant to Paragraph 11e.
12. GMU and the County will work together to pursue further mutually agreeable and appropriate funding, including but not limited to State funding, for construction of Phases II and III, contingent upon satisfactory fulfillment of the conditions of this agreement.
13. Although Arlington agrees to designate County bond funds to the project, GMU acknowledges and agrees, to the extent permitted by the laws of the Commonwealth of Virginia, that the County assumes no liability relating to the project.

This Memorandum contains the understandings between GMU and the County with respect to the development of the Arlington Campus.

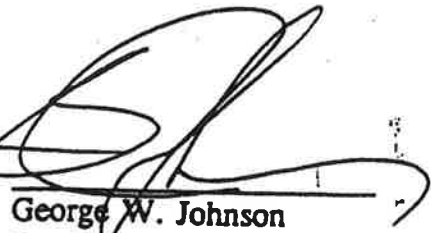
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**DRAFT RESOLUTION GOVERNING GEORGE MASON UNIVERSITY'S
ARLINGTON CAMPUS EXPANSION PLANS**

October 13, 2007

WHEREAS, the George Mason University ("Mason") Arlington campus was created in 1979 when the Commonwealth of Virginia General Assembly authorized George Mason University to establish a law school in the building formerly known as the Kann's department store in the Virginia Square Metro Station area, and.

WHEREAS, Mason's Arlington campus is home to the Mason Law School as well as the principal programs in Public Policy including the Masters programs in International Commerce and Trade Policy; Transportation Policy, Operations, and Logistics (M.A.); and Peace Operations. The campus also houses a variety of research and policy centers including the Mercatus Center; the Center for Conflict Analysis and Resolution; the Center for Humane Studies; and the Council for Community and Economic Research among others, and

WHEREAS, some 2,500 students, faculty and staff will be part of the Mason community in Arlington, and

WHEREAS, Mason, as a State University, is not subject to Arlington County's customary land use approval procedures, and

WHEREAS, an August 29, 1994 Memorandum of Understanding (MOU) between Arlington County and Mason (Attachment A) outlined the community review process that would be used for its campus expansion in lieu of the normal site plan review process, and

WHEREAS, The Mason Arlington Campus Master Plan and the County's Virginia Square Sector Plan guide development on the subject site, and

WHEREAS, Mason's Arlington campus has evolved, beginning with the renovation of the former department store, to the current proposed construction of a fourth campus building via Phase II of the campus expansion, and

WHEREAS, the County Board finds that a campus located in one of Arlington's transit-oriented urban villages, provides a significant benefit to the economic development and cultural climate of the community, serves as a major public space offering educational, recreational, meeting, and cultural opportunities to the County, and would further benefit the educational needs of residents and businesses in Arlington County and nearby areas, and

WHEREAS, Arlington County has supported and provided funding for both Phase I (\$3 million) and Phase II (\$5 million) of the Mason Arlington Campus expansion.

THEREFORE, the Arlington County Board hereby resolves to request that Mason undertake the following actions:

1. Provide the community benefits, as agreed to in the 1994 MOU (see Item #11c in Attachment A), and as further detailed in the Community Benefits document dated 10/10/07 presented to the CB on October 13, 2007 (recessed meeting is on October 22, 2007).
2. Achieve LEED Certification for the Phase II building and a minimum of LEED Silver for the future Phase III.
3. Develop and implement mitigation measures to ensure that vehicle, bicycle, and pedestrian movement along Fairfax Dr. are not hindered during the Phase II construction process.
4. Provide the infrastructure necessary to support the current plaza design, e.g., tent tie-down anchors, electronic/audio-visual connections, and to support the potential additions to the plaza after Phase 2 is built, e.g., water fountain.
5. Implement a high quality design and functional public plaza that incorporates opportunities outlined in the PPS Group's August 2007 Plaza Design and Operations report, which explains the Plaza Design and Operations Task Force's recommendations from meetings held August 20-22, 2007.
6. Ensure that Phase II meets all Americans with Disabilities Act (ADA) requirements, and that Mason effectively incorporates Universal Design best practices into the future Phase III building's design. Specifically, ensure that the Fairfax Drive sidewalk is built with a cross-slope with a maximum of 2% in front of the Phase II project, and that the entire plaza is ADA-accessible, i.e., with a maximum slope at all points of less than 5%.
7. Ensure that Phase II is built as it was designed and presented to the County Board at the October 13, 2007 meeting (recessed meeting is on October 22, 2007), including the revisions per the recommendations provided by the Plaza Design and Operations Task Force.
8. In coordination with the County Manager, establish an ongoing Plaza Operations Group that will create protocols for the plaza's programming and use and coordinate activities.
9. Present to the County Board, by no later than June 2008, an operations, maintenance and community use MOU that explains how the Mason Arlington Campus facilities and public plaza will be operated, maintained, and used by all stakeholders.
10. Present to Arlington County, by no later than December 31, 2007, detailed landscaping plans of the plaza showing landscaping and paving details, locations of electrical outlets and indicating that plumbing is provided for a future fountain to be built in the plaza. Coordinate with Arlington County staff to finalize the choice of trees to be planted on the plaza and on the west side of Kirkwood Drive.
11. Prior to building occupancy, install temporary artwork on the south face of the auditorium wall that faces Fairfax Dr.

12. Implement all of the recommendations agreed to by Mason as described in the staff report dated October 1, 2007.
13. Conduct and submit to the County an updated transportation and parking study for review and comment prior to the design phase for Phase III. The parking study shall review the parking requirements identified in the MOU based on Mason's program needs and the ability of the transportation demand management (TDM) plan to reduce the demand for parking associated with the site. The parking study should also review the overall campus' use of a mixture of on-site and shared parking to determine if it is appropriate to reduce on-site parking with a corresponding increase in shared parking.
14. Ensure that discussions between Mason and Arlington County staff for the Phase III portion of the Arlington Campus expansion begin at the conceptual phase of plan development. Agree to participate on a review process at the conceptual planning stage that examines community concerns and building design, as outlined in the 1994 MOU between the County and Mason, similar to the existing site plan review process.
15. Prior to submitting any plans to the State, submit to Arlington County preliminary design concepts for Phase III and subsequent site plan drawings per the current Site Plan Submittal Checklist items including #3 (Certified Survey Plat), #4 (Current aerial photograph), #7 (Plot and location plan), #10 (Striping and marking plan), #11 (Existing and proposed street cross-sections), #12 (Architectural plans), and #14 (All tabular information).