

## PROPOSED DEVELOPMENT CONDITIONS

SEA 79-V-073-3

November 15, 2001

If it is the intent of the Board of Supervisors to approve SEA 79-V-073-3, previously approved for a public benefit association, located at 7931 East Boulevard Drive (Tax Map 102-2 ((1)) 20, Pt. 22) to allow modification of development conditions, building addition, site modifications, and the addition and deletion of land area pursuant to Sect. 3-204 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions. These development conditions incorporate and supersede all previous development conditions. Previously approved conditions or those slightly modified are marked with an asterisk (\*).

- \*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 this application, as qualified by these development conditions.
- \*3. A copy of this Special Exception and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
- \*4. This Special Exception Amendment is granted for the buildings and uses indicated on the plat submitted with this application only. This Special Exception Amendment is granted to the American Horticultural Society (AHS) only, and is not transferable without another action by appropriate County authorities. 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 Amendment plat **entitled The American Horticultural Society and prepared by Huntley, Nyce, & Associates, Ltd. which is dated May 25, 2001 and revised through October 10, 2001** 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.
- \*5. Upon the issuance of a new Non-RUP for this SEA, the maximum hours of operation for the American Horticultural Society (AHS) shall be 8:00 am to 6:00 pm Monday through Friday, and 9:00 am to 4:00 pm Saturday and Sunday, which does not include the hours permitted for special events. The maximum hours of operation for special events of the AHS, including the house and

grounds, shall be limited to 8:30 am to 10:00 pm Sunday-Thursday, and 8:30 am to 11:00 pm Friday and Saturday.

6. All vehicle parking shall occur on-site. At no time shall vehicles be parked on East Boulevard Drive. A maximum of fifteen (15) times per year, but no more than two (2) times per month, as referenced in Development Conditions 8, 9, and 12-14, vehicles may be parked on designated grassed areas of the site. At all other times, vehicles shall be parked on the paved parking surfaces, as shown on the SEA Plat.

Future access to the site shall occur at a new entrance on East Boulevard Drive as identified on the SEA Plat, which will replace the existing entrance, and said entrance shall be constructed in accordance with the improvements noted on Exhibit A, attached to these conditions. In the event that construction of said access is denied by either VDOT or the National Park Service, the existing entrance on East Boulevard Drive shall remain, and shall be modified in accordance with the improvements identified on Exhibit B, attached to these conditions.

- \*7. As it applies to this Special Exception Amendment, the term "attendance" shall be interpreted to mean the total number of persons who attend any particular event from its beginning to end, not the total number of persons in attendance at any one time. A single event shall not exceed one twenty-four (24) hour time period.
- \*8. Upon the issuance of a new Non-RUP for this SEA, the AHS shall be permitted to have outdoor special event functions, provided they are directly related to the advancement of horticulture, on a maximum of four (4) days per calendar year during the normal hours of operation, but in no event shall such functions be permitted to be located any closer to the house on Tax Map Parcel 102-1 ((1)) 22 (immediately to the south) than the main house of the American Horticultural Society. If parking overflows onto grassed areas of the site, the event shall be counted as one of the fifteen (15) times per year off-pavement parking is permitted, as referenced in Development Condition 6.
- \*9. Upon the issuance of a new Non-RUP for this SEA, social functions which are directly related to the advancement of horticulture may be held on the property, provided total attendance at any such function does not exceed 250 persons, and provided such functions are concluded by 10:00 pm Sunday through Thursday, and by 11:00 pm Friday and Saturday. During these functions all vehicle parking shall be on paved parking surfaces. If parking overflows onto grassed areas of the site, the event shall be counted as one of the fifteen (15) times per year off-pavement parking is permitted, as referenced in Development Condition 6.
10. Upon the issuance of a new Non-RUP for this SEA, social functions which are non-horticulture or related events may be held on the property between the

hours of 11:00 am to 2:00 pm, provided total attendance at any such function does not exceed fifty (50) persons. During these functions all vehicle parking shall be on paved parking surfaces.

- \*11. The AHS shall be permitted to rent the facility, including the house and grounds, for non-horticulture or related events with a maximum attendance of sixty (60) during the normal hours of operation, seven days per week. During these events all vehicle parking shall be on paved surfaces.
- \*12. Upon the issuance of a new Non-RUP for this SEA, the AHS shall be permitted to rent the facility, including the house and grounds, for non-horticulture or related events with attendance of between sixty (60) and two-hundred fifty (250) persons during the normal operating hours on Friday, Saturday, and Sunday as long as all vehicle parking is confined to paved parking areas. Contracts between the AHS and lessees for these events shall specify the restrictions on attendance, parking, and noise contained in these conditions. If parking overflows onto grassed areas of the site, the event shall be counted as one of the fifteen (15) times per year off-pavement parking is permitted, as referenced in Development Condition 6.
- \*13. Upon the issuance of a new Non-RUP for this SEA, the AHS shall be permitted to rent the facility, including the house and grounds, for non-horticulture or related events with attendance between two-hundred fifty (250) and five-hundred (500) during the hours of 5:00 pm to 11:00 pm Friday, from 12:00 noon until 11:00 pm Saturday, and from 12:00 noon until 10:00 pm Sunday. Contracts between the AHS and lessees for these events shall specify the restrictions on attendance, parking, and noise contained in these conditions. If parking overflows onto grassed areas of the site, the event shall be counted as one of the fifteen (15) times per year off-pavement parking is permitted, as referenced in Development Condition 6.
- \*14. The AHS shall be permitted to rent the facility, including the house and grounds, to a civic or charitable organization for two (2) special event functions per year with a maximum attendance of eight-hundred (800) persons during the normal hours of operation on Saturday or Sunday. For these events maximum attendance shall be controlled by a ticketing system which permits no more than 800 tickets to be sold for admission. Persons without tickets, with the exception of staff, shall not be admitted to the grounds during these events. Contracts between the AHS and lessees for these events shall specify the restrictions on attendance, parking, and noise contained in these conditions. During these events vehicles may be parked on designated grassy areas of the site, as referenced in Development Condition 6.
- \*15. Outdoor rental events shall not occur any closer to the house located on Tax Map Parcel 102-2 ((1)) 22 than the main house of the AHS.

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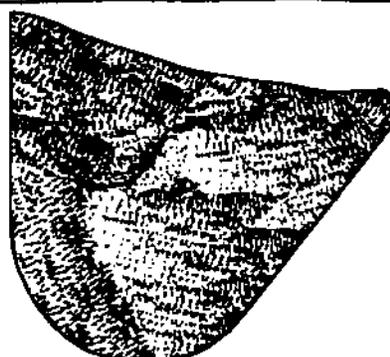
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- \*15. Outdoor rental events shall not occur any closer to the house located on Tax Map Parcel 102-2 ((1)) 22 than the main house of the AHS.

- \*16. A minimum of two (2) hours shall be allowed between any two scheduled events to avoid any overlapping of vehicles needing to park and to reduce vehicle conflict at the site entrance and on East Boulevard Drive. No events shall be scheduled so that they overlap.
- \*17. The AHS shall be permitted to prepare, serve, and/or sell food and/or beverages for only its own functions. During rental events all food and beverages shall be provided by outside caterers and all food preparation, with the exception of coffee and tea service, shall be done off-site.
- \*18. Signs shall be limited to those of a colonial character and should direct traffic to the entrance of the facility.
19. The use of loudspeakers or electronic or amplified music during outdoor events shall not be permitted. Further, during all outdoor events, AHS shall have a representative available on the grounds who can be reached via telephone and/or pager to ensure that this condition is enforced. The name and number for this contact person shall be provided to the Mount Vernon District Supervisor's office and to the Wellington Civic Association.
20. Clean-up after all outdoor events held on-site must be completed within one hour of the scheduled conclusion of the event, if such time is the conclusion of the hours of operation of the facility.
21. Any new outdoor lighting fixtures shall be fully shielded and directed downward and/or inward to prevent glare and light spillover onto the surrounding residential properties. Any parking lot lighting, with the exception of necessary security lighting, shall be turned off within one hour of the last scheduled evening event.
22. This Special Exception Amendment (SEA 79-V-073-3) shall be valid from the date of issuance of the Non-RUP for the expanded events and hours, which must be obtained prior to the current expiration date of SEA 79-V-073-2 in February, 2002. Relocation of the entrance as permitted by development condition number 6, construction of the greenhouse, and the land swap are not required prior to the issuance of the Non-RUP for the expanded events and hours; however, a second Non-RUP must be issued for these items, which must be established or construction commenced within thirty (30) months of the approval of this SEA.
23. Any violation of the conditions of this Special Exception Amendment that has not been resolved satisfactorily may be cause for revocation of this Special Exception approval by the Board pursuant to Par. 2 of Sect. 9-016.

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. Separate Non-Residential Use Permits (Non-RUPs) shall be required to implement this special exception amendment approval for the expansion of

the events and hours, and for construction of the proposed uses as set forth below, if such are not done simultaneously. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permits through established procedures, and this Special Exception shall not be valid until this has been accomplished.

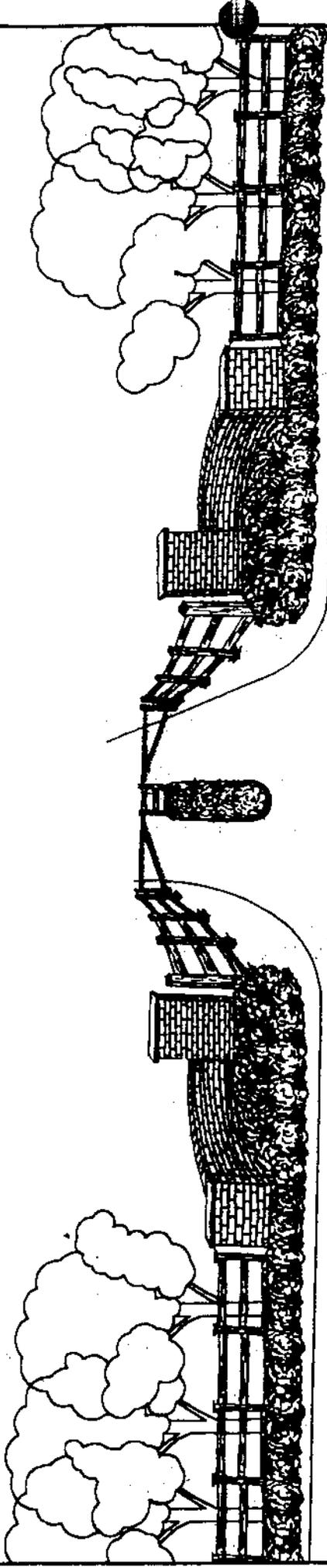
Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception amendment shall automatically expire, without notice, at the time of expiration of the current special exception amendment in February, 2002, if the expanded events and hours have not been established by obtaining a new Non-RUP. In addition, approval for construction of the greenhouse and/or entrance drive shall expire, without notice, thirty (30) months after the date of approval of this SEA unless those uses have been established or construction of the greenhouse and/or entrance drive has commenced and been diligently prosecuted. 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.



AMERICAN HORTICULTURAL SOCIETY  
DISTRICT - MT. VERNON  
FAIRFAX COUNTY, VIRGINIA  
DATE: 8-30-01  
PROPOSED RELOCATED AMERICAN HORTICULTURAL  
SOCIETY ENTRANCE

EXHIBIT A

Planting, Erosion & Associates, LLC  
10000 ...  
...  

Burdick, Ryan & Associates, LLC  
ARCHITECTS  
LANDSCAPE ARCHITECTS

EXHIBIT B

AMERICAN HORTICULTURAL SOCIETY  
DISTRICT—MT KERNON  
FAIRFAX COUNTY, VIRGINIA  
UPGRADED AMERICAN HORTICULTURAL SOCIETY  
ENTRANCE  
DATE: 10-28-01