County of Fairfax, Virginia
Planning Commission Meeting
February 5, 2025
Planning Commission Action

RZ 2024-FR-00007 CONCURRENT WITH SE 2024-FR-00017- BURGUNDY FARM COUNTRY DAY SCHOOL, INCORPORATED
(Franconia District)

PLANNING COMMISSION RECOMMENDATIONS:
On February 5, 2025, the Planning Commission voted 10-0 (Commissioner Wang was not present for the vote) to recommend to the Board of Supervisors the following actions:

- Approval of RZ-2024-FR-00007, subject to the execution of proffers consistent with those dated January 22, 2025;

- Approval of SE-2024-FR-00017, subject to the proposed development conditions dated January 23, 2025;

- Approval of a modification of transitional screening and barrier requirements along the northern, eastern, and southern property lines to that shown on the GDP/SE Plat;

- Approval of a modification of the setback requirements for all structures, riding areas, and parking areas associated with the stable, riding, or boarding establishment to that shown on the GDP/SE Plat; and

- Approval of a modification to the setback requirements for light poles along the western boundary line to that shown on the GDP/SE Plat.

ATTACHED DOCUMENTS:
Proffers dated January 22, 2025
Development Conditions dated January 23, 2025

MJ

PROFFERS
BURGUNDY FARM COUNTRY DAY SCHOOL, INCORPORATED
RZ-2024-FR-00007

January 22, 2025

Pursuant to Section 15.2-2303(A) of the Code of Virginia, 1950, as amended, and Subsection 8100.2.D of the Zoning Ordinance of Fairfax County 1978, as amended and effective as of May 10, 2023 (hereinafter referred to as the "Zoning Ordinance"), Burgundy Farm Country Day School, Incorporated, for and on behalf of itself and its successors and/or assigns (hereinafter referred to as the "Applicant"), in RZ-2024-FR-00007 filed on property identified as Fairfax County Tax Map 82-2 ((5)) (D) 20A (hereinafter referred to as the "Application Property") hereby proffers the following, provided that the Board of Supervisors (the "Board") approves a rezoning of the Application Property from the R-3 District to the R-1 District. Upon approval of the rezoning, these proffers will replace and supersede any previously approved proffers on the Application Property. In the event this rezoning is denied by the Board, these proffers and conditions will immediately be null and void.

1. GENERALIZED DEVELOPMENT PLAN.

A. Development Plan. The Application Property will be developed in substantial conformance with the generalized development plan/special exception plat entitled "Burgundy Stables" prepared by Bowman Consulting Group, Ltd. and dated June 26, 2024 and revised through December 31, 2024 (the "GDP/SE Plat").

B. Minor Modifications. Pursuant to Subsection 8100.5 of the Zoning Ordinance, minor modifications to the GDP/SE Plat may be permitted as determined by the Zoning Administrator.

C. Minor Variations. Minor variations to these proffered conditions and the GDP/SE Plat may be approved in accordance with the provisions of Subsection 8100.5 of the Zoning Ordinance without the need for a public hearing or a proffered condition amendment ("PCA").

D. Fire Marshal Evaluation. Changes to the GDP/SE Plat may be permitted in response to the review of site plans by the Fire Marshal as necessary to allow for required emergency vehicle access, without requiring approval of a PCA, provided such modifications are approved by the Zoning Administrator in consultation with other applicable agencies as determined by the Zoning Administrator and are in substantial conformance with the GDP/SE Plat and these proffers.

E. VDOT Evaluation. Changes to the GDP/SE Plat may be permitted in response to the review of site plans by the Virginia Department of Transportation ("VDOT") as necessary without requiring approval of a PCA, provided such modifications are approved by the Zoning Administrator in consultation with other applicable agencies as determined by the Zoning Administrator and are in substantial conformance with the GDP/SE Plat and these proffers.

2. EXISTING DEVELOPMENT.

A. The Application Property is developed with a two and a half story, single family detached dwelling unit and associated accessory structures. These structures may remain in their current form and condition. In addition, the Application Property is developed with an existing stable, riding, or boarding establishment. To continue operation and prior to the issuance of the Non-Residential Use Permit ("Non-RUP") on the Application Property, the Applicant will improve the paddocks, stables, and outdoor riding areas of the stable, riding, or boarding establishment as shown on the GDP/SE Plat. Additional accessory improvements may be permitted on the Application Property to support any permitted uses, provided such improvements are in general conformance with the GDP/SE Plat.

B. The Applicant reserves the right to vacate one or more of the special exception uses as shown on the GDP/SE Plat, as determined and approved by the Zoning Administrator.

3. TRANSPORTATION IMPROVEMENTS.

A. Frontage Improvements. Prior to the issuance of the Non-RUP on the Application Property, and subject to VDOT and the Fairfax County Department of Transportation ("FCDOT") approval, the Applicant will construct frontage improvements along the Application Property's Sable Drive frontage, as shown on the GDP/SE Plat, in order to widen the existing entrance to a minimum of 18-feet to accommodate two-way traffic (inbound-outbound) movements. If VDOT or FCDOT do not grant approval of the frontage improvements, the Applicant may modify these improvements without the need for a PCA or special exception amendment ("SEA"), provided such modifications are in substantial conformance with the GDP/SE Plat. For purposes of this proffer, "construct" will mean such road improvement is open for use by the traveling public whether or not such improvement has been accepted by VDOT for maintenance.

B. Bicycle Parking. The Applicant will install bicycle parking on the Application Property in accordance with the requirements of Section 6102 of the Zoning Ordinance. The final location of the bicycle parking will be determined at time of site plan in coordination with FCDOT.

C. Reservation of Density. The Applicant reserves density credit as may be permitted by the provisions of Subsection 5100.2.E(5)(c) of the Zoning Ordinance for all eligible dedications described herein, or as may be required by Fairfax County or VDOT at the time of site plan approval.

4. SOIL AND WATER QUALITY CONSERVATION PLAN.

A. So long as a stable, riding, or boarding establishment is maintained on the Application Property, in coordination with Northern Virginia Soil and Water

Conservation District ("NVSWCD"), the Applicant will establish a Soil and Water Quality Conservation Plan (the "Conservation Plan") for the portions of the Application Property that are utilized for the equestrian use. The Conservation Plan, outlining Best Management Practices ("BMPs") for the equestrian operation, will be implemented prior to the approval of the Non-RUP. The Conservation Plan will include management techniques for the equestrian operation, including pasture management, animal waste management, as well as composting and nutrient management. No animal waste will be permitted to decay in place or to be washed into the natural drainage from the site.

B. In connection with the improvements to be made to the Application Property pursuant to the Conservation Plan, the Applicant will coordinate with NVSWCD to determine the final location and material of the division fencing located within Paddock #1 as identified on the GDP/SE Plat.

5. TREE PRESERVATION.

A. Tree Preservation Plan. For the purposes of maximizing the preservation of existing trees located on the Application Property, the Applicant will submit a Tree Preservation Plan and Narrative as part of the first and all subsequent site plan submissions. The Applicant will retain the services of a Certified Arborist or Registered Consulting Arborist ("Project Arborist"), who will prepare the Tree Preservation Plan and Narrative, which will include elements of Public Facilities Manual ("PFM") section 12-0309 deemed appropriate to the project site and coordinated with the Forest Conservation Branch ("FCON"). The Tree Preservation Plan will include the existing trees located in the "Tree Preservation Areas," transitional screening yards, and vegetated buffer areas along the western property line as depicted on the GDP/SE Plat.

B. Tree Protection and Preservation Measures. Tree protection and preservation measures will be clearly identified, labeled, and detailed on the Tree Preservation Plan. Tree protection and preservation measures may include, but are not limited to the following: root pruning, crown pruning, mulching, watering, tree protection fencing, etc. Specifications and details will be provided on the plan detailing how protection and preservation measures will be implemented.

6. LANDSCAPING.

A. Landscape Plan. A landscape plan will be submitted concurrently with the site plan for the Application Property that shows, at a minimum, landscaping in conformance with the landscaping shown on the GDP/SE Plat. The landscape plan will not include any invasive species and will incorporate native species to the greatest extent feasible; however, this limitation will not apply to seasonal plantings and ground cover. The Applicant will also implement natural landscaping techniques to the extent possible to minimize the use of fertilizers, pesticides, herbicides, and

mowing. Adjustments to the type and location of vegetation will be permitted as approved by FCON.

B. Landscape Planting Pre-installation Meeting. Prior to installation of any plants intended to meet the requirements of the approved landscape planting plan, the Applicant will coordinate a pre-installation meeting on the site with the landscape contractor, FCON staff, and any additional appropriate parties. Any proposed changes to planting locations, tree/shrub planting sizes, and species substitutions shown on the approved plan will be reviewed and must be approved by FCON staff prior to planting. The installation of plants not approved by FCON may require the submission of a revision to the landscape plan or removal and replacement with approved trees/shrubs prior to bond release.

C. Soil Remediation and Enhancement. Soil in planting areas that contain construction debris and rubble, are compacted, or are unsuitable for the establishment and long-term survival of landscape plants, will be the subject of remedial action to restore planting areas to satisfy cultural requirements of trees, shrubs and groundcovers specified in the landscape planting plan. The Applicant will provide notes and details specifying how the soil will be restored and enhanced for the establishment and long-term survival of landscape plants for review and approval by FCON.

D. Access to Vegetated Buffers. So long as a stable, riding, or boarding establishment is maintained on the Application Property and for proper maintenance purposes, the Applicant will provide access at all times to the vegetated buffer areas along the western property line as shown on the GDP/SE Plat.

7. SIGNS. Any proposed signs will be in conformance with the requirements of Article 7 of the Zoning Ordinance. In addition, the Applicant will not install any electronic display or changeable copy signs.

8. LIGHTING. All outdoor lighting will be in conformance with the submitted Sports Illumination Plan and the requirements of Section 5109 of the Zoning Ordinance, as applicable.

9. MISCELLANEOUS.

A. Timing of Completion. Upon demonstration by the Applicant that, despite diligent efforts or due to factors beyond the Applicant's control, construction of any of the required improvements described herein has been delayed beyond the timeframes specified, the Zoning Administrator may agree to a later date for completion of such improvement without the necessity of a PCA, SEA, or amendment to the GDP/SE Plat.

B. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to "Applicant" in this

proffer statement will include within its meaning and will be binding upon the Applicant's successor(s) in interest and/or the owner(s) from time to time of the Application Property during the period of their ownership.

C. Counterparts. These proffers may be executed in one or more counterparts, each of which when so executed and delivered will be deemed an original document and all of which taken together will constitute but one and the same instrument.

[SIGNATURE ON FOLLOWING PAGE]

APPLICANT/TITLE OWNER OF
TAX MAP 82-2 ((5)) (D) 20A

BURGUNDY FARM COUNTRY DAY SCHOOL,
INCORPORATED

_____

By: Jeffrey R. Sindler
Its: Head of School

[SIGNATURE ENDS]

PROPOSED DEVELOPMENT CONDITIONS

SE 2024-FR-00007

January 23, 2025

If it is the intent of the Board of Supervisors to approve SE 2024-FR-00007 located at Tax Map # 82-2 ((5D)) 20A, to permit a stable, riding, or boarding establishment; a residence hall; and a child care center pursuant to subsections 4102.2.D, 4102.3.H, and 4102.4.C of the Fairfax County Zoning Ordinance, staff recommends that the Board condition its 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 (SE) is granted only the purpose(s), structures(s), and/or uses indicated on the SE Plat as qualified by these development conditions.

3. Any plan submitted pursuant to this SE must be in substantial conformance with the approved SE plat entitled, “BURGUNDY STABLES”, prepared by Bowman Consulting Group, Ltd. dated June 26, 2024, and revised through December 31, 2024. Minor modifications may be permitted pursuant to Section 8100.5 of the Zoning Ordinance.

4. The child care center will have a maximum daily enrollment of 20 children.

5. The child care center will have maximum hours of 7 a.m. to 6:00 p.m., Monday through Friday.

6. Drop-off and pick-up of children must be staggered.

7. The maximum number of horses maintained on site must not exceed 8 horses.

8. The applicant must adhere to the recommendations in the approved Soil and Water Quality Conservation Plan dated May 28, 2024 and amended through September 6, 2024 including but not limited to the recommendations for manure management, nutrient management, erosion control, and integrated pest management.

9. The maximum number of riding club member daily users of the stable will be 20 members.

10. The stable programing associated with the Burgundy Country Day school including the stable summer Day camp programing will not exceed 15 students on site at anyone time.

11. The hours of operation for the stable, riding, or boarding establishment are limited to 9:00 a.m. to 8:00 p.m., seven days a week.

12. The stable use will not hold special events or competitive events

13. There will be no use loud of speakers.

14. To further minimize the impact of the lights on adjacent properties, the lights must be directed downward and must be shielded to prevent glare on adjacent properties. Lighting for the outdoor riding rings must be turned off by 8:00 p.m., daily. Prior to the issuance of the Non-RUP, the applicant must demonstrate that all outdoor lighting fixtures will meet the Zoning Ordinance requirements.

15. Pursuant to Sects. 4102.2.D.(5 and 6), the required 50-foot setback for off-street parking and loading spaces is modified to allow the existing stable parking area to remain in the location identified on the Special Exception plat.

16. Pursuant to Sect. 4102.2.D.(6), the required setbacks for all riding and boarding structures the riding ring, and riding arena are modified to permit locations as identified on the Special Exception plat.

17. The applicant must construct a covered manure bin as shown on the SE plat. All composting and storage of manure must occur in covered bins. No uncovered manure bins are permitted on site.

18. Shuttle service must be provided between the Burgundy Country Day School and the subject property for those travelling between the two sites. In addition, the applicant will facilitate carpooling, walking routes, or cycling for the people travelling between the two sites. If a pedestrian access easement is granted allowing people to legally traverse the McNicolas Property (Tax Map Parcel 82-2 ((1)) 3) from the subject property to the Burgundy Country Day School the applicant will no longer be required to maintain the shuttle service.

19. The maximum number of residents at the residence hall is 8 people. All residents must be employees, faculty, or staff of the Burgundy Country Day School or their families. The approval of the residence hall use is only valid as long as the Burgundy Country Day school is operational.

20. Any signs must be in conformance with Article 7 of the Zoning Ordinance.

21. Pursuant to the Zoning Ordinance, this SE will automatically expire, without notice, 36 months after the date of approval unless, at a minimum, the use has been established as evidenced by the issuance of a Non-RUP for the 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 SE. 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 above proposed development conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board of Supervisors.

This approval, contingent upon the above-noted conditions, does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.