MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 8, 2025

PRESENT: Phillip A. Niedzielski-Eichner, Chairman, Commissioner At-Large
Evelyn S. Spain, Vice Chairman, Sully District
Jeremy Hancock, Secretary, Providence District
Candice Bennett, Parliamentarian, Commissioner At-Large
Alyssa Batchelor-Causey, Dranesville District
John A. Carter, Hunter Mill District
Walter C. Clarke, Mount Vernon District
Mary D. Cortina, Braddock District
Chris Landgraf, Franconia District
Timothy J. Sargeant, Commissioner At-Large
Alis Wang, Mason District

ABSENT: James Thomas, Springfield District

OTHERS: Mary Ann Tsai, Branch Chief, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD)
St. Clair Williams, ZED, DPD
Jerry Stonefield, Site Development and Inspections Division (SDID), Land Development Services (LDS)
Bin Zhang, Assistant Director, SDID, LDS
Jill Cooper, Executive Director to the Planning Commission, Department of Clerk Services (DCS)
Michelle Jordan, Deputy Clerk, DCS
Jordyn Crane, Administration, DCS

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The meeting was called to order at 7:30 p.m., by Chairman Phillip A. Niedzielski-Eichner, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Chairman Niedzielski-Eichner requested that Vice Chairman Spain manage the following motion. Without objection, he relinquished the Chair to Vice Chairman Spain.

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Commissioner Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION APPROVE THE 2026 PLANNING COMMISSION MEETING DATES AS SET FORTH IN THE LIST CIRCULATED TO THE COMMISSION ON SEPTEMBER 16, 2025.

Commissioners Landgraf and Sargeant seconded the motion which was carried by a vote of 11-0 (Commissioner Thomas was absent from the meeting).

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Chairman Niedzielski-Eichner resumed duties of the Chair.

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Secretary Hancock MOVED THAT THE PLANNING COMMISSION APPROVE THE FOLOWING MEETING MINTUES:

- MAY 1, 2025;
- MAY 7, 2025;
- MAY 14, 2025;
- MAY 15, 2025;
- MAY 21, 2025; AND
- MAY 22, 2025

Commissioner Bennett seconded the motion, which was carried by a vote of 11-0 (Commissioner Thomas was absent from the meeting).

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Commissioner Hancock announced that on October 8, 2025, Commissioners were emailed copies of the draft minutes for Planning Commission meetings held in June 2025. Commissioner Hancock announced his intent to move for approval of the June meeting minutes during the Planning Commission meeting on October 15, 2025.

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SE 2023-DR-00036 - LAURA WINFIELD BERKEBILE AND JULIA HELENA EUGENIA BERKEBILE FAZIO

Commissioner Batchelor-Causey MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR SE 2023-DR-00036 TO A DATE CERTAIN OF DECEMBER 10, 2025.

Commissioner Bennett seconded the motion which was carried by a vote of 11-0. Commissioner Thomas was absent from the meeting.

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Chairman Niedzielski-Eichner announced that the Policy Plan Committee would meet on Thursday October 9, 2025, at 7:30 p.m. in Conference Room 11 of the Fairfax County Government Center. The Board of Supervisors directed that the Policy Plan of the Comprehensive Plan be updated, reviewed, and streamlined and the purpose of the committee

was to further this effort. He stated the focus of tomorrow's meeting would be to preview the staff-drafted rewrite of the Policy Plan section of the Comprehensive Plan in preparation for the upcoming public hearing scheduled for October 15, 2025. He noted his intention to defer Commission action for at least two weeks following the public hearing to allow time to consider and incorporate public feedback.

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Commissioner Cortina reported that Commissioner Spain and she attended a community meeting at Bonnie Brae Elementary School on the final construction phase. She commended Fairfax County Public Schools for strong community engagement and noted positive feedback from residents and students, describing the outreach effort as a successful pilot program continuing through 2026.

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ORDER OF THE AGENDA

Secretary Hancock established the following order of the agenda:

1. PCA 2005-LE-027 (RZPA-2025-FR-00022) CONCURRENT WITH SE 2025-FR-00032 - THE KOINONIA FOUNDATION INC.
2. SEA 2009-DR-008-002 - OAKCREST SCHOOL
3. PROPOSED AMENDMENTS TO CHAPTER 101 (SUBDIVISION ORDINANCE) AND CHAPTER 112.2 (ZONING ORDINANCE) OF THE CODE OF THE COUNTY OF FAIRFAX (CODE)

This order was accepted without objection.

Chairman Niedzielski-Eichner recited the rules for public testimony.

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PCA 2005-LE-027 (RZPA-2025-FR-00022) CONCURRENT WITH SE 2025-FR-00032 - THE KOINONIA FOUNDATION INC.- Appl. to amend the proffers for RZ 2005-LE-027 previously approved for a church and related facilities to permit modifications to proffers to permit a Club, Service Organization, or Community Center; and accessory uses on the subject property. Located on the S. side of Franconia Rd. and W. side of Beulah Rd. on approx. 2.19 ac. of land zoned C-2 and HC. Comp. Plan Rec: Public Facilities, Governmental and Institutional. Tax Map 81-3 ((5)) 1B. (Concurrent with SE 2025-FR-00032). FRANCONIA DISTRICT. PUBLIC HEARING

SE 2025-FR-00032 - THE KOINONIA FOUNDATION INC., SE Appl. to permit a club, service organization, or community center.

Located on approx. 2.19 ac. of land zoned C-2 and HC. Tax Map 81-3 ((5)) 1B. (Concurrent with PCA 2005-LE-027 (RZPA 2025-FR-00022)). FRANCONIA DISTRICT. PUBLIC HEARING

There were no disclosures by Commission members.

Judy Davis, Applicant's Agent, The Koinonia Foundation, Inc., reaffirmed the affidavits dated July 24, 2025 and September 16, 2025.

Commissioner Landgraf asked that Chairman Niedzielski-Eichner ascertain whether there were any speakers for these applications. There being none, he asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Chairman Niedzielski-Eichner closed the public hearing and recognized Commissioner Landgraf for action on these cases.

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Prior to the motion, Commissioner Landgraf requested that the applicant confirm for the record their agreement to the proposed development conditions dated September 25, 2025.

Ms. Davis affirmed agreement to the development conditions dated September 25, 2025.

Commissioner Landgraf MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING ACTIONS:

- PCA 2005-LE-027, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED JULY 31, 2025;

- SE-2025-FR-00032 SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED SEPTEMBER 25, 2025; AND

- WAIVER OF TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE SOUTHERN AND EASTERN PROPERTY LINES BE REAFFIRMED.

Commissioners Batchelor-Causey and Cortina seconded the motion which was carried by a vote of 11-0. Commissioner Thomas was absent from the meeting.

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SEA 2009-DR-008-002 - OAKCREST SCHOOL – Appl. to amend special exception SE 2009-DR-008, to modify development conditions from grades 6th-12th to K-12th with no change to the site or maximum student enrollment. Located on approx. 22.49 ac. of land zoned R-E. Tax Map 18-4 ((1)) 26C; 18-4 ((8)) A and 4. HUNTER MILL DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Lori R. Greenlief, Applicant's Agent, McGuire Woods LLP, reaffirmed the affidavit dated August 19, 2025.

Mary Ann Tsai, Branch Chief, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD) presented the staff report, a copy is in the electronic date file. She stated that the staff recommended approval of SEA 2009-DR-008-002.

Ms. Greenlief gave a brief presentation on the subject application.

Commissioner Carter deferred making preliminary comments on the application.

There was a discussion between Ms. Tsai; Ms. Greenlief; Matthew M. Buonocore, Chief Financial Officer, Oakcrest School; and multiple Commissioners regarding the following:

- Explanation that adding amenities would not require a new approval;
- Clarification that there were no current plans to add playground features; and
- Explanation that the purpose of the application was to secure approval for the potential establishment of a lower school pending completion of a feasibility study and final approval by the Board of Supervisors.

There being no listed speakers, further comments or questions from the Commission and staff had no closing remarks, Chairman Niedzielski-Eichner closed the public hearing and recognized Commissioner Carter for actions on this proposed application.

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Prior to the motion, Commissioner Carter requested that the applicant confirm for the record their agreement to the proposed development conditions dated September 24, 2025.

Ms. Greenlief affirmed agreement to the development conditions dated September 24, 2025.

Commissioner Carter MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING ACTIONS:

- SEA-2009-DR-008-002, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED SEPTEMBER 24, 2025;

- REAFFIRMATION OF THE PREVIOUSLY APPROVED MODIFICATIONS FOR:

    - THE TRANSITIONAL SCREENING REQUIREMENTS ON THE EAST AND SOUTH IN FAVOR OF EXISTING VEGETATION AND AS SHOWN ON THE SEA PLAT; AND

- THE REQUIRED BARRIER ALONG THE EASTERN AND SOUTHERN BOUNDARIES IN FAVOR OF THAT SHOWN ON THE SEA PLAT.

Commissioners Cortina and Landgraf seconded the motion which was carried by a vote of 11-0. Commissioner Thomas was absent from the meeting.

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PROPOSED AMENDMENTS TO CHAPTER 101 (SUBDIVISION ORDINANCE) AND CHAPTER 112.2 (ZONING ORDINANCE) OF THE CODE OF THE COUNTY OF FAIRFAX (CODE) – These amendments implement changes to the Code of Virginia §§15.2-2259 and 15.2-2260 made by Chapter 100 of the 2025 Virginia Acts of the Assembly (House Bill 2660) and Chapter 594 of the 2025 Virginia Acts of the Assembly (Senate Bill 974). The amendments reduce the time to distribute copies of submitted plans to state agencies from ten days to five days; reduce the review times that county staff has to review plats, site plans and subdivision plans from 60 days to 40 days for 1st submission, and from 45 days to 30 days for resubmissions. In addition, the amendments create a new requirement for the Director, or equivalent official having supervisory authority over the agent, to review the comments on 3rd or subsequent resubmissions within 14 days and determine if the plat or plan should be approved, allow the applicant to revise the plat or plan, or disapprove the plat or plan with the comments. The proposed amendment also includes other minor changes and editorial corrections. COUNTYWIDE. PUBLIC HEARING.

Jerry Stonefield, Site Development and Inspections Division (SDID), Land Development Services (LDS), presented the staff report, a copy is in the electronic date file. He stated that staff recommended adoption of the Zoning Ordinance Amendment.

There was a discussion between Mr. Stonefield; Bin Zhang, Site Development and Inspections Division (SDID), Land Development Services (LDS); and multiple Commissioners regarding the following:

- Explanation that the change was a statewide amendment to the Code of Virginia;
- Clarification that the change passed during the spring legislative session;
- Clarification that the change affected all jurisdictions that reviewed development plans;
- Explanation that the amendment established specific time limits for plan reviews by localities;
- Explanation that Fairfax County was updating its subdivision and zoning ordinances to align with the new state law, which took effect July 1, 2025;

- Explanation that internal procedures were updated to ensure compliance with the shortened review timeframes;
- Concerns with tailoring the amendment to one county when it applied statewide;
- Explanation that the purpose of the amendment was solely aligning county code language with state law to prevent confusion, and:
    - That the first submission review period was reduced from 60 days to 40 days; and
    - That the second submission review period was reduced from 45 days to 30 days;
- Explanation that the amendment included a change to the Zoning Ordinance, which specifies site plan processing timelines, and that this update reflects the 2024 state code changes;
- Concerns about:
    - The County's standards becoming inconsistent with design guidelines over time;
    - A lack of coordination when partial updates occured without comprehensive revisions; and
    - Unclear zoning boundaries for rights-of-way, making it difficult to determine FAR (Floor Area Ratio), urban park standards, and lot size during development plan review.
- Clarification that the zoning changes before site or subdivision plan submissions;
- Clarification that the current amendment was limited in scope, only updating timing provisions to match House Bill changes;
- Explanation that would fall under the Department of Planning and Development's Zoning Ordinance Work Program for potential future review;
- Explanation that staffing levels had not increased in response to the change and that future staffing or budgetary impacts were not yet known;
- Clarification that internal systems had been updated to reflect new due dates;
- Clarification that partner agencies were informed of the new timelines and the importance of meeting them;
- Explanation that the department remains committed to improving review efficiency and accountability;
- Clarification that State law provided two interpretations, one suggesting applications may be deemed approved, and another requiring applicants to petition the court for approval;
- Clarification that the process was not automatic and court action may be necessary to finalize an approval;
- Explanation that applicants must still meet all adopted county, state, and federal requirements;
- Explanation that staff had not directly spoken with the bill patrons to determine the original legislative intent;
- Explanation that the provision likely aimed to address recurring issues where applicants repeatedly receive the same comments after multiple submissions;
- Explanation that the intent appeared to be to break the logjam by escalating unresolved comment disputes to the Director level for review;

- Clarification that applicants could already contact branch chiefs or the Director to discuss unresolved comments through emails or meetings;
- Explanation that the new legislation formally codifies this existing practice into state law.
- Clarification that Fairfax County was amending its code aligning with the new state requirement, making only minor language adjustments;
- Concern about staffing levels in LDS in light of the new state-mandated review deadlines;
- Explanation that staffing levels had not increased, but workload volume had recently decreased;
- Explanation that the department would maintain thoroughness and technical integrity despite the shortened review periods;
- Clarification that efficiency improvements would not come at the expense of safety or diligence;
- Explanation that LDS uses Power BI dashboards to continuously track workload trends and staffing needs;
- Clarification that the department could report future updates to the Planning Commission or Board regarding review timelines and workload impacts.
- Clarification that the shortened timelines did not reduce the scope or thoroughness of reviews;
- Explanation that LDS had implemented checklists and standard operating procedures to help staff maintain effectiveness and consistency in plan review;
- Explanation that the County had not yet encountered such a case where the mandated review deadline was missed but based on the ordinance, the most recent submission would presumably be the version deemed approved;
- Clarification that both provisions seem to apply under current law;
- Explanation that while there was a presumption of approval, formal authorization to proceed would likely require court action;
- Staff would need to consult the Office of the County Attorney for precise legal interpretation;
- Explanation that the amendment did not alter the scope or substance of plan reviews;
- Clarification that the requirements and standards for plan content remain unchanged.
- Clarification that only the review timeframes were shortened;
- Clarification that staff may still disapprove plans and return comments to applicants for correction through multiple review cycles;
- Clarification that the shorter review windows may limit coordination opportunities but did not reduce the thoroughness of reviews;
- Explanation that training sessions were completed prior to the July 1 effective date;
- Explanation that staff and industry representatives were briefed to ensure awareness of the new deadlines;
- Explanation that the change affects county review timelines only, not applicants' resubmission timelines; and
- Explanation that the timelines were consistent across all jurisdictions in Virginia and could not be altered by individual counties.

Bret Leslie, 929 Woodrow Steet, Vienna, addressed concerns with the proposed amendment. A copy of Mr. Leslie's statement is in the date file.

There was a discussion between Mr. Leslie, and Chairman Niedzielski-Eichner on the following:

- Worked as an independent reviewer of complex scientific issues for over 30years;
- Previous work was cited where Mr. Leslie's independent review contributed to an application's rejection;
- Reference made to another case involving a nonprofit where he believed county actions led to unnecessary costs approximately $10,000, equivalent to a month's worth of food assistance for residents; and
- Clarification that that Mr. Leslie's concerns were centered on how LDS implements safety reviews;

There was a discussion between Mr. Stonefield, Ms. Zhang, and multiple Commissioners on the following:

- Explanation that an excessive focus on safety alone could inadvertently shift liability onto property owners;
- Clarification that the statewide code amendment had already taken effect;
- Explanation that LDS had coordinated with partner agencies and adjusted processes to ensure efficiency and that the change did not alter the scope of technical review;
- Explanation that efficiencies stemmed from streamlined procedures and tools;
- Explanation that staff would need time to review the two cases cited by Mr. Leslie;
- Concerns raised about staff liability in construction safety;
- Explanation that that the Board of Supervisors public hearing was scheduled for October 28 at 4:00 PM;
- Explanation that as of July 1, 2025, the new State Stormwater Management Handbook was now required for all new developments;
- Clarification that the handbook establishes updated standards and specifications for facilities such as rain gardens and infiltration trenches; and
- Explanation that while state-mandated requirements like review timeframes and stormwater standards must be followed, the County retains authority to implement additional internal improvements within those parameters.

There being no further comments or questions from the Commission and staff had no closing remarks, Chairman Niedzielski-Eichner closed the public hearing and recognized Commissioner Sargeant for action on this proposed amendment.

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Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF THE AMENDMENTS TO THE SUBDIVISION ORDINANCE AND ZONING ORDINANCE FOR PLAT, SITE PLAN AND SUBDIVISION REVIEW TIMES AND PROCESSING AS SET FORTH IN THE STAFF

REPORT DATED SEPTEMBER 9, 2025, AND THAT THE AMENDMENT BECOME EFFECTIVE AT 12:01 A.M. THE DAY FOLLOWING ADOPTION.

Commissioners Spain and Wang seconded the motion which was carried by a vote of 11-0. Commissioner Thomas was absent from the meeting.

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The meeting was adjourned at 8:35 p.m.
Phillip A. Niedzielski-Eichner, Chairman
Jeremy Hancock, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 552, Fairfax, Virginia 22035.

Minutes by: Michelle Jordan
Approved on: January 14, 2026

Nicole Blackwell, Clerk to the
Fairfax County Planning Commission

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 2nd day of February 26, by Nicole Blackwell.

Notary Seal

Signature of Notary

Notary registration number: 8050379

Commission expiration: 03/31/2027

JESSICA NATALIE FUENTES-MARTINEZ
NOTARY PUBLIC
REG. #8050379
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES MARCH 31, 2027