MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JULY 15, 2026

PRESENT: Phillip A. Niedzielski-Eichner, Chair, Commissioner At-Large
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
James Thomas, Springfield District

ABSENT: Evelyn S. Spain, Vice Chair, Sully District
Alis Wang, Mason District

OTHERS: Katelyn Quinn, Zoning Evaluation Division (ZED),
Department of Planning and Development (DPD)
Michael Wing, Planning Division (PD), DPD
Graham Owen, Branch Chief, PD, DPD
Danielle Barlow, Transportation Planning Division (TPD),
Fairfax County Department of Transportation (FCDOT),
Nicole Blackwell, Clerk 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 Chair 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

Chair Niedzielski-Eichner explained that the agenda for tonight's meeting included commission business followed by two public hearings and to be concluded with a closed session to discuss land use-related legal matters.

Before proceeding with Commission Business, Chair Niedzielski-Eichner recognized Deputy County Attorney David Stoner on his retirement after 24 years of service to Fairfax County and the community. He reflected on Mr. Stoner's contributions, noting that while public sector attorneys could either serve as rigid gatekeepers or facilitate solutions and opportunities, Mr. Stoner consistently demonstrated a collaborative and problem-solving approach. He commended Mr. Stoner for his work in economic and community development, his advocacy for the County's legal and regulatory interests before the Virginia General Assembly, and his service as lead land use attorney for the Planning Commission.

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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 SEPTEMBER 24, 2026.

Commissioner Bennett seconded the motion, which was carried by a vote of 10-0. Commissioners Spain and Wang were absent from the meeting.

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PCA 77-C-098-06 (RZPA-2025- DR-00046)/ RZ/FDP-2025- DR-00017 / PCA 80-C-028- 09 (RZPA-2025- DR-00049) – APB WOODLAND PARK JV LLC

Commissioner Batchelor-Causey MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR RZ-2025-DR-00017, FDP-2025-DR-00017, PCA-77-C-098-06, AND PCA-80-C-028-09 TO SEPTEMBER 23, 2026.

Commissioner Bennett seconded the motion, which was carried by a vote of 10-0. Commissioners Spain and Wang were absent from the meeting.

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Commissioner Hancock MOVED THAT THE PLANNING COMMISSION APPROVE THE FOLLOWING MEETING MINUTES:

- APRIL 8, 2026;
- APRIL 22, 2026; AND
- APRIL 29, 2026.

Commissioner Bennett seconded the motion, which was carried by a vote of 10-0. Commissioners Spain and Wang were absent from the meeting.

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Commissioner Hancock announced that Commissioners were emailed copies of the draft minutes for Planning Commission meetings held in May 2026. Commissioner Hancock announced his intent to move for approval of the February meeting minutes during the Planning Commission meeting on July 22, 2026.

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ORDER OF THE AGENDA

Secretary Hancock established the following order of the agenda:

1. PCA 84-L-020-29/CDPA 84-L-020-10/FDPA 84 - L-020-02-18 (RZPA 2025-FR-00035) - BP KINGSTOWNE OFFICE BUILDING T LLC
2. SSPA 2023-II-3F (PA-2023-00030) - CHURCH OF THE GOOD SHEPHERD

This order was accepted without objection.

Chair Niedzielski-Eichner recited the rules for public testimony.

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PCA 84-L-020-29/CDPA 84-L-020-10/FDPA 84-L-020-02-18 (RZPA 2025-FR-00035) - BP KINGSTOWNE OFFICE BUILDING T LLC- PCA, CDPA and FDPA Appl(s). to amend the proffers, conceptual development plan, and final development plan for RZ-84-L-020, previously approved for office, to permit residential and associated modifications to proffers and site design, with a floor area ratio (FAR) of 3.20 (inclusive of bonus for affordable housing). Located at the S. W. corner of the intersection of Kingstowne Village Pkwy. and Kingstowne Towne Center on approx. 2.26 ac. of land zoned PDC and NR. Comp. Plan Rec: Mixed Use. Franconia (formerly Lee) District. Tax Map 91-2 ((1)) 36C. FRANCONIA DISTRICT. PUBLIC HEARING.

Brian Winterhalter, Applicant's Agent, DLA Piper LLP, reaffirmed the affidavit dated June 30, 2026.

There were no disclosures by Commission members.

Katelyn Quinn, 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 staff recommended approval of PCA 84-L-020-29/CDPA 84-L-020-10/FDPA 84-L-020-02-18.

Mr. Winterhalter gave a brief presentation on the subject applications.

There was a discussion between Ms. Quinn; Mr. Winterhalter; Daniel B. VanPelt, Gorove/Slade Associates, Inc., Transportation Consultant; Danielle Barlow, Fairfax County Department of Transportation (FCDOT), Transportation Planning Division (TPD); and multiple Commissioners regarding the following:

- Explanation thar the concerns raised by the Franconia District Land Use Committee in February were addressed during the April meeting;
- Explanation that no additional comments were received after the committee reviewed the favorable staff report;
- Explanation that the proposed building would not exceed the height of the existing 130-foot office building;
- Explanation that the proposal provided a gradual transition in height to the previously approved M&N buildings across the street;
- Explanation that the stepped design addressed the height concerns raised during the review process;
- Explanation that the proposed residential use was expected to generate less traffic than the existing office use;
- Explanation that the Franconia District Land Use Committee's concern focused primarily on the timing and direction of traffic, with office traffic generally arriving at the site during peak hours and residential traffic generally departing;
- Explanation that the final park configuration would be determined during the final site plan review;
- Explanation that the applicant had worked to maximize park space and could come close to meeting the County's park space objective if an existing travel lane was removed;
- Explanation that the site design was intended to activate the public open space and created a functional gathering area;
- Explanation that the proposed pedestrian crossing was included at the request of Supervisor Lusk in response to community input;
- Explanation that the crossing was intended to improve pedestrian access to the Kingstowne Lake trail system and addressed concerns raised by the Franconia District Land Use Committee;
- Explanation that the phased approach allowed the existing office building to remain operational until the applicant was prepared to proceed with the adaptive reuse project and associated residential development;
- Explanation that Phase 1 represented the continuation of the existing office use;
- Explanation that Phase 2 consisted of the proposed adaptive reuse and new residential development, which would be constructed as a single development phase;
- Explanation that proffer 3 provided clarification that the existing office building may continue operating until redevelopment began, ensuring there was no interruption to the current office use before implementation of the proposed residential project;
- Explanation that Virginia Department of Transportation (VDOT) required a warrant study which determined whether the right-turn lane was necessary before approving its removal;

- Explanation that Fairfax County Department of Transportation (FCDOT) believed the lane would likely not be needed based on preliminary traffic analyses, including work completed for the adjacent M&N development;
- Explanation that the applicant was required to submit a warrant analysis, and if the study determined the lane was warranted, VDOT would not permit its removal;
- Explanation that there was no fee to submit a warrant study;
- Explanation that the primary effort involved preparing the traffic analysis and submitting it for review;
- Explanation that the preliminary traffic counts indicated that the right-turn lane was likely unnecessary;
- Clarification that a formal warrant study would still be completed;
- Explanation that completing the warrant study after approval of the proposed plan was more practical, as it avoided conducting analyses for a development scenario that may ultimately not be approved;
- Explanation that one of the primary factors evaluated in the warrant study was the traffic volume using the right-turn lane;
- Explanation that based on preliminary traffic counts, the volume was very low;
- Explanation that a right-turn lane was warranted when traffic volumes were high enough to create operational or safety concerns; and
- Explanation that the lane allowed turning vehicles to move out of the through travel lane while waiting to turn, improving traffic flow and safety.

Following the public hearing, Chair Niedzielski-Eichner called for speakers. Chair inquired of the Clerk, who confirmed that there were no callers.

With no speaker testimony presented, there being no further comments or questions from the Commission, and staff had no closing remarks; therefore, Chair Niedzielski-Eichner closed the public hearing and recognized Commissioner Landgraf to make a motion.

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Prior to the motion, Commissioner Landgraf thanked staff and the applicant for their work throughout the review process to address the concerns raised by Supervisor Lusk, himself, and the Franconia District Land Use Committee. Commissioner Landgraf stated that he supported the proposal, noting that the adaptive reuse of the existing office building represented a positive redevelopment opportunity and that the planned transition of the property would enhance the mixed-use character of the Kingstowne area. Commissioner Landgraf also expressed hope that the proposed right-turn lane could ultimately be removed, allowing the project additional park space and come closer to meeting the County's park space objectives.

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

- PCA-84-L-020-29, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JULY 7, 2026;
- CDPA-84-L-020-10; AND
- MODIFICATION OF SUBSECTION 5100.2(C)(5) OF THE ZONING ORDINANCE TO PERMIT THE EXISTING 4-FOOT-TALL PARAPET WALLS TO REMAIN WITHOUT COUNTING TOWARDS MAXIMUM BUILDING HEIGHT.

Chair Niedzielski-Eichner and Commissioners Cortina and Hancock seconded the motion.

Chair Niedzielski-Eichner expressed his support for the adaptive reuse, noting that it maintained the existing footprint without adding impervious surface and supported addressing parkland concerns through the urban park framework.

Commissioner Cortina acknowledged the issue with commercial office space and commended the applicant for relocating existing tenants. Noting that the approach addressed displacement concerns while acknowledging uncertainty regarding the availability of future office space.

The motion was carried by a vote of 10-0. Commissioners Spain and Wang were absent from the meeting.

IN A RELATED ACTION, THE PLANNING COMMISSION VOTED 10-0 (COMMISSIONERS SPAIN AND WANG WERE ABSENT FROM THE MEETING) TO APPROVE FDPA-84-L-020-02-18.

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SSPA 2023-II-3F (PA-2023-00030) - CHURCH OF THE GOOD SHEPHERD- SE Site Specific Plan Amendment # SSPA 2023-II-3F concerns approximately 3.12 ac. generally located at 9350 Braddock Road, Burke VA 22015 (Tax Map # 69-4 ((1)) 6A2) in the Braddock Supervisor District. The site is planned for residential use not to exceed one dwelling unit per acre. The amendment will consider residential use up to 2-3 dwelling units per acre. Recommendations relating to the transportation network may also be modified. BRADDOCK DISTRICT. PUBLIC HEARING.

Prior to the public hearing Commissioner Bennett clarified for the public record that she was employed by Good Shepherd Housing and Family Services, an independent 501(c)(3) nonprofit organization. She emphasized that the organization was not affiliated with the Church of the Good Shepherd and noted that the similarity in names had caused confusion. Commissioner Bennett stated that she wanted to ensure the distinction and lack of association were clearly reflected in the record.

Michael Wing, Planning Division (PD), Department of Planning and Development (DPD), presented the staff report, a copy is in the electronic date file. He stated that staff recommended adoption of SSPA 2023-II-3F.

Lynne J. Strobel, Nominator's Agent, Walsh, Colucci, Lubeley & Walsh, P.C., gave a brief presentation on the subject application.

There was a discussion between Mr. Wing; Ms. Strobel; Graham Owen, Branch Chief, PD, DPD; and multiple Commissioners regarding the following:

- Explanation that the site consisted of approximately 3.12 acres;
- Explanation that the County still needed to adopt an implementing ordinance where the Church could retain a by-right opportunity to develop affordable housing under recently adopted state legislation, potentially at a density of up to 12 dwelling units per acre;
- Explanation that based on the applicant's understanding of the legislation, the property could qualify for such an affordable housing development opportunity;
- Explanation that the proposal would amend the Comprehensive Plan;
- Clarification that the amendment involved changes to the Comprehensive Plan text;
- Clarification that the existing Comprehensive Plan language allowed residential development at approximately one dwelling unit per acre;
- Clarification that the proposed amendment would allow consideration of residential development at a density of approximately two to three dwelling units per acre;
- Explanation that the stormwater concerns involved both existing conditions and potential future impacts;
- Explanation that drainage issues currently existed near the adjoining subdivision;
- Explanation that homes within the neighboring subdivision were located relatively close to the existing stormwater outfall, which had contributed to residents' concerns;
- Explanation that more detailed stormwater analysis and mitigation measures would be addressed during a future rezoning application;
- Explanation that the County's existing Policy Plan contained environmental objectives that would apply during the rezoning review and provided a framework for evaluating potential off-site stormwater impacts;
- Explanation that the stormwater concerns raised by the community were specifically documented in the staff report;
- Explanation that the staff report connected those concerns to existing environmental policies that addressed stormwater management and prevention of off-site impacts resulting from development;

- Explanation that because a rezoning application had not yet been submitted, staff did not have enough information to identify the specific engineering solution that may ultimately be required;
- Explanation that documenting the concern in the staff report provided a record that could inform future review even if the issue was not repeated in the site-specific Comprehensive Plan text;
- Explanation that the community's primary transportation concern involved the original proposal for a separate access point, which could have created traffic conflicts between multiple entrances and Holly Lane;
- Explanation that the revised proposal consolidated access to the property, which helped address the community's concerns regarding traffic circulation and potential conflicts;
- Explanation that the relatively small increase in daily vehicle trips was therefore not considered a significant concern with the revised access configuration;
- Concerns that important site-specific issues could be overlooked if reviewers were required to rely solely on countywide Policy Plan provisions;
- Concerns that future reviewers, including staff involved with site development and inspections, might not necessarily review the original staff report and could therefore miss concerns identified during the SSPA process;
- Concerns with how close some of the existing stormwater outfalls were to neighboring residential foundations;
- Explanation that the area had historically been planned at approximately two to three dwelling units per acre before subsequent development and planning decisions changed portions of the area;
- Concerns about removing a single property from the existing planning recommendation through the SSPA process;
- Explanation that the property's somewhat isolated location and proximity to surrounding residential development at similar densities supported the proposed two-to-three-dwelling unit per acre recommendation;
- Explanation that the proposed density would not be automatic and would remain dependent upon satisfying the conditions and considerations identified through the SSPA;
- Explanation that providing affordable housing on the site would be difficult because the proposed density would not be sufficient to offset the costs associated with affordable units;
- Explanation that a contribution to the County's Housing Trust Fund would be a more practical way to address the affordable housing objective;
- Explanation that achieving affordable housing would likely require greater density, which would not be compatible with the surrounding neighborhood;
- Clarification that the statement that there were no environmental resources on the property referred specifically to the absence of formally designated environmental features, such as an Environmental Quality Corridor (EQC) or floodplain;
- Explanation that portions of the property contained mature trees and appeared to have experienced relatively little disturbance;
- Explanation that the Active Transportation and Trails Plan would be applied during the rezoning process;

- Explanation that some flexibility would be necessary to account for existing conditions, transitions to surrounding pedestrian facilities, and opportunities for tree preservation;
- Explanation that improvements would therefore be evaluated within the context of the site rather than without consideration of existing environmental conditions;
- Explanation that the language would not preclude future connections.
- Explanation that the existing informal trail did not currently provide a dependable connection and could be interrupted by private property improvements, potential neighborhood connections could still be evaluated during rezoning;
- Concerns about invasive species within the conservation easement and mature tree areas;
- Explanation that, because the property remained privately owned, the County currently had no direct mechanism to require invasive-species removal outside of the future development review process.

Following the public hearing, which included testimony from 1 speaker, Chair Niedzielski-Eichner. Chair inquired of the Clerk, who confirmed that there were no callers wishing to speak.

With no other speaker testimony presented, there being no further comments or questions from the Commission, and staff had no closing remarks; therefore, Chair Niedzielski-Eichner closed the public hearing and recognized Commissioner Cortina to make a motion.

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Prior to the motion Commissioner Cortina thanked the community members, the applicant, and staff for their continued participation throughout the review process. She provided background on the property. The Church of the Good Shepherd had previously purchased the property and received County approval for an expansion; however, those plans were not implemented. During the 2023 SSPA process, the church proposed selling the excess property and requested a Comprehensive Plan option allowing single-family residential development at two to three dwelling units per acre, generally consistent with the surrounding neighborhood. The nomination was subsequently placed in Tier 3 which allowed additional community outreach.

Commissioner Cortina explained that the Board of Zoning Appeals later approved an amendment reducing the church property and removing approximately 3.12 acres, which became the subject of the current Plan Amendment. Commissioner Cortina noted that stormwater outfall conditions remained an important concern but expressed confidence that the recently updated environmental policies in the Policy Plan would provide the appropriate framework for evaluating those issues during the subsequent rezoning process.

She also discussed the Braddock District Land Use and Environment Committee's resolution supporting the proposal, which was approved with no votes in opposition and three abstentions. The committee had requested greater consideration of a Housing Trust Fund contribution, expanded tree preservation near the conservation easement, recognition of the property's relationship to the nearby stream valley corridor, and flexibility in trail placement to preserve mature trees. She stated that staff had been responsive to these concerns by adding language addressing preservation and noted that other issues would be considered in greater detail during the rezoning process.

Commissioner Cortina MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF THE STAFF RECOMMENDATION FOR PLAN AMENDMENT SSPA 2023-II-3F, FOUND ON PAGES 16-17 OF THE STAFF REPORT DATED JUNE 24, 2026.

Commissioners Landgraf and Sargeant seconded the motion, which was carried by a vote of 10-0. Commissioners Spain and Wang were absent from the meeting.

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CLOSED SESSION MOTION

Secretary Hancock MOVED THAT THE PLANNING COMMISSION RECESS AND GO INTO CLOSED SESSION PURSUANT TO VIRGINIA CODE SECTION 2.2-3711(A)(8) FOR THE PURPOSE OF ENGAGING IN CONSULTATION WITH ITS LEGAL COUNSEL REGARDING SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY SUCH COUNSEL. THE SUBJECT MATTER OF THE LEGAL CONSULTATION CONCERNS THE DIGITAL GATEWAY OPINION FROM THE VIRGINIA COURT OF APPEALS.

Commissioner Bennett seconded the motion which was carried by a vote of 10-0. Commissioners Spain and Wang were absent from the meeting.

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The Planning Commission went into closed session at 8:48 p.m. and reconvened at 9:22 p.m.

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CLEANSING MOTION

Secretary Hancock MOVED THAT THE COMMISSION MEMBERS CERTIFY THAT, TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS UNDER THE VIRGINIA FREEDOM OF INFORMATION ACT AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION BY WHICH THE CLOSED MEETING WAS CONVENED, THAT IS CONSULTATION WITH LEGAL COUNSEL, WERE HEARD, DISCUSSED OR CONSIDERED IN THE CLOSED SESSION MEETING BY THE FAIRFAX COUNTY PLANNING COMMISSION.

Commissioner Bennett seconded the motion which was carried by a vote of 10-0. Commissioners Spain and Wang were absent from the meeting.

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The meeting was adjourned at 9:24 p.m.
Phillip A. Niedzielski-Eichner, Chair
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: November 4, 2026

Nicole Blackwell, Clerk to the
Fairfax County Planning Commission

County of Fairfax
Commonwealth of Virginia
The foregoing instrument was acknowledged before me this 9 day of November 26 by Nicole Blackwell

Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2028

Notary Seal