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BOARD OF ZONING APPEALS MEETING

VIRTUAL PUBLIC HEARING

Thursday, July 15, 2021

7:30 p.m.

1. CALL TO ORDER

MR. BARTLETT: Okay. This is Keith Bartlett.

I will call to order the Board of Zoning Appeals meeting for Thursday, July 15, 2021.

At this point I will ask Akida to start a roll call of members of the Board of Zoning Appeals.

2. ROLL CALL

RECORDING SECRETARY: Mr. Bartlett.

MR. BARTLETT: Here.

RECORDING SECRETARY: Mr. Calabrese.

(No response.)

RECORDING SECRETARY: Mr. Misleh.

MR. MISLEH: Here.

RECORDING SECRETARY: Mr. Kien.

MR. KIEN: Here.

RECORDING SECRETARY: Mr. Eppler.

MR. EPPLER: Here.

RECORDING SECRETARY: Ms. Ward.

MS. WARD: Here.

26 RECORDING SECRETARY: Thank you.

27 Mr. Bartlett, I actually just got a text
28 message from Mr. Calabrese. He's having some Internet
29 issues but he is trying to join.

30 MR. BARTLETT: Okay. Thank you very much.

31 I would like to introduce Christine Ward, the
32 new member of the Board of Zoning Appeals. She is
33 serving in the alternate capacity at this time. So when
34 we don't have a full Board, she can participate as a
35 voting member of the Board of Zoning Appeals.

36 So, welcome, Christine.

37 MS. WARD: Thank you.

38 MR. BARTLETT: So just to clarify, so if Dave
39 doesn't get in and can't participate, then you would
40 serve as the fifth member of the Board today. If he
41 does join, you can still participate and ask questions
42 but you would not be a voting member for appeals or
43 variances.

44 MS. WARD: Understood. Thanks.

45

46 3. PETITIONS

47 MR. BARTLETT: At this point I'm going to ask
48 if there are any new Petitions in front of the BZA
49 tonight?

50 MR. BOYLE: No, sir.

51

52 MR. BARTLETT: I'm going to propose that we
53 switch the order of the Agenda around. And I'd like to
54 address New Business first and then return to Old
55 Business.

56 If there is any objection, please let me know.

57 (No response.)

58 MR. BARTLETT: Without objection, we will move
59 on.

60 Akida, are you required to provide a statement
61 on virtual meetings?

62 MS. ROUZI: Yes, I am. I'm still trying to
63 get Mr. Calabrese on the meeting but I'll try that after
64 I read this.

65 This meeting will be held pursuant to and in
66 compliance with the Virginia Freedom of Information Act,
67 Section 2.2-3708.2 and state and local legislation
68 adopted to allow for continued government operation
69 during the COVID-19 declared emergency. All
70 participating members will be present at this meeting
71 through electronic means. All members of the public may
72 view this electronic meeting via the meeting link listed
73 above and in the City's website calendar. Thank you.

74 MR. BARTLETT: Thank you, Akida.

75 At this point I'm going to swear in members of
76 the public who will be providing information or
77 testimony today.

78 But before I do that, I would like to ask to
79 find out who is actually here. We have three petitions
80 to the BZA today and I'm going to go through each of
81 them to see who is here representing the applicant.

82 The first one I'd like to find out who's here
83 for Variance application V16321, the Fulton Avenue
84 variance request?

85 MS. ISHERWOOD: Hi. I'm Antonette Isherwood
86 with Walter L. Phillips. I will be speaking to that
87 project today.

88 MR. BARTLETT: Okay. Thank you.

89 Is anyone else here for that? Eric?

90 MR. WILLIAMS: Eric Williams is here.

91 MR. BARTLETT: Will you be speaking as well?

92 MR. WILLIAMS: If you have questions for me,
93 I'll be glad to answer them.

94 MR. BARTLETT: Great. Thank you.

95 Who's here for the Federal Realty Trust
96 application?

97 MR. BRINSON: Jay Brinson with Federal Realty.
98 We've also got Andrew Painter with Walsh Colucci is here

99 with us tonight and Samantha Bennett with Cooper Carey
100 Architects.

101 MR. BARTLETT: Thank you very much.

102 And, Lisa Wills, are you here with yourself or
103 with others?

104 MS. WILLS: Yes, I'm here.

105 MR. BARTLETT: Great. So what I'm going to do
106 is swear you all in at the same time and you can just
107 affirmatively say yes, you will tell the truth, the
108 whole truth and nothing but the truth during your
109 presentation today.

110 (Witnesses sworn.)

111

112 5. NEW BUSINESS

113 a. Variance application V1623-21 by Eric
114 Williams, agent, for a variance to Section 48-238(3)a,
115 to allow a front setback of 16 feet instead of 25 feet
116 along the Fulton Avenue frontage, for the purpose of
117 constructing a new house on premises known as 300 North
118 Oak Street, RPC#51-125-108 of the Falls Church Real
119 Property Records, zoned R-1B, Medium Density
120 Residential.

121

122 MR. BARTLETT: So what I would like to do is I
123 would like without objection to proceed with the

124 variance application for the variance on Fulton Avenue,
125 Variance application, V1623-21.

126 I believe, Antonette, you are going to present
127 today.

128 Before I ask you to provide information, I'm
129 going to ask staff from the City to provide a quick
130 background statement on this property and why it needs a
131 variance and then we'll talk to you.

132 MR. BOYLE: Thank you, Mr. Chair.

133 I think in the spirit of reading this item
134 into the record, this is a variance application V1623-21
135 by Eric Williams, for a variance to Section 48-238(3)a,
136 to allow a front setback of 16 feet instead of 25 feet
137 along the Fulton Avenue frontage, for the purpose of
138 constructing a new house on the premises known as
139 300 North Oak Street, RPC#51-125-108 of the Falls Church
140 Real Property Records, zoned R-1B, Medium Density
141 Residential.

142 The Board should have in its information a
143 pretty detailed collection of documents from the
144 applicant that shows the current conditions and what is
145 proposed.

146 The Board may recognize that this is probably
147 one of our most common variances which is a corner lot

148 that doesn't quite meet current dimensions and was
149 constructed at a time when the setbacks were different.

150 To go into that a little bit, this lot's area
151 is 6250 square feet. In R-1B the minimum is 7500 square
152 feet so it's deficient in lot area. And the minimum
153 width for a lot in the R-1B lot is 60 feet and this one
154 is 50 feet wide. So it lacks both area and width.

155 This house no doubt was constructed at a time
156 when the Code defined one front yard and then along the
157 narrow street frontage which would have been North Oak
158 Street and then the Fulton Avenue frontage would have
159 been considered at that time what was known as a street
160 side yard whose setback was determined by the half of
161 the front setback of the abutting property along the
162 street. It's a little different than how we do things
163 today.

164 Today both street frontages are considered
165 front yard setbacks and then the interior sides are side
166 yard setbacks and there is no rear yard.

167 So, again, very commonly seen by this Board.
168 We have a house built under Code that had one front, two
169 sides and a rear, and today we have two fronts and two
170 sides. And quite often the position of the house
171 doesn't work with those setbacks any longer.

172 What the applicant is hoping to do is seek
173 relief from that substandard area and substandard width
174 and ask for a modest correction in the setbacks.

175 I believe what you'll hear then proposed is
176 that they're actually going to correct one of the
177 setback intrusions of the current house which is
178 standing in the street looking from North Oak would be
179 the left hand side, instead of a 10 foot required
180 setback, the current house is at 6.7. They're proposing
181 to correct that to 10 feet. And then they're asking for
182 relief just from the one street frontage side of Fulton
183 Avenue.

184 So with that, I think we'll defer to the
185 applicant's presentation and I hope I've characterized
186 that sufficiently, Eric and Antonette.

187 MS. ISHERWOOD: Thank you, John.

188 This is Antonette Isherwood again with Walter
189 Phillips. I was just going to walk through the
190 application here.

191 Akida, are you running the screen?

192 MS. ROUZI: I am. Just tell me, do you want
193 me to start from the letter?

194 MS. ISHERWOOD: We can just go through the
195 application materials and I'll kind of summarize the
196 information that's provided in the letter.

197 So the first PDF here is just an existing
198 condition survey of the existing building on the lot
199 today. John had mentioned the existing front yard on
200 Fulton Avenue is actually substandard as well as the
201 side yard setback adjacent to the property owner to the
202 northeast.

203 And then if you can go to the next page, it's
204 just a couple of photos of the existing house on this
205 site. It might be a little bit difficult to see, but
206 the house isn't in the greatest condition, so also just
207 kind of renovating the house at its current location
208 would be a little more difficult structurally based on
209 just the condition of the house.

210 And if you can go to the next page please.

211 So this exhibit here shows our proposed
212 footprint in the bottom left corner and what we are
213 requesting is a 16 foot front yard setback on Fulton
214 Avenue instead of required 25 foot in this R-1B zone.

215 And you'll see that the remaining setbacks on
216 this property are going to be met. So we are providing
217 the 10 foot side yard setback opposite Fulton Avenue as
218 John had mentioned which is further away from the
219 adjacent property than what exists today from that
220 existing house.

221 And then we are also going to be meeting the,
222 quote, unquote, rear/side yard setback opposite North
223 Oak Street which is 10 feet but you'll see our proposed
224 house is about 29 feet from that rear property line.
225 And then along North Oak Street we are going to meet the
226 25 foot front yard setback required.

227 Also on this exhibit to the right is the
228 by-right buildable area which demonstrates the need for
229 the variance. You'll see that with a 25 foot setback on
230 Fulton Avenue we would only have a 15 foot width of
231 buildable area.

232 If you can go to the next page please.

233 And this is just an enlargement of the
234 proposed house footprint. One other thing I wanted to
235 note is that the existing house has a 22.4 foot width
236 even with the nonconforming setbacks and so we are
237 requesting the front yard setback on Fulton Avenue in
238 order to provide a home that has a 24 foot width so it's
239 only 1.6 feet larger than what's there today.

240 And we are going to be meeting the other
241 zoning requirements in terms of building height and lot
242 coverage and building coverage on this site.

243 So in terms of requesting the variance, we do
244 believe that the variance is reasonable and the proposed

245 house is going to be modest in size and won't impact the
246 adjacent properties negatively.

247 And then the second to last page is just
248 another enlargement as well as the buildable area that
249 remains on the lot if we were to meet all of the
250 required setbacks for the property.

251 And then the last page is just a color
252 elevation of the proposed house.

253 Sorry, the one other document that was
254 submitted were signatures from a lot of the surrounding
255 neighbors, especially the immediate neighbors that the
256 owner had spoken with who were agreeable to the variance
257 that we're requesting.

258 That is all I have. And I don't know if,
259 Eric, you wanted to add anything or if anybody has any
260 questions.

261 MR. WILLIAMS: I think you did a good job in
262 presenting the case.

263 MR. BARTLETT: At this point, thank you very
264 much. What I'll do is I'll see if there's any questions
265 from members of the Board for you.

266 MR. CALABRESE: Mr. Chairman, if I could
267 start. This is Dave Calabrese.

268 MR. BARTLETT: Welcome, Dave. Hi.

269 MR. CALABRESE: Sorry for being late. I had a
270 computer problem.

271 So can we just confirm and maybe you can do it
272 from this view, the neighbors that signed the consent or
273 the support letter, can you just point out where they
274 are in terms of them being immediate neighbors. Or I
275 guess the question would be on the right and the bottom,
276 those would be neighbors that would be the most
277 relevant.

278 MR. WILLIAMS: 302 North Oak Street, if you're
279 on Oak Street, the house on the left where the 6.7
280 setback is.

281 MR. CALABRESE: It's very hard to see, but
282 where the hand is right there, that side?

283 MR. WILLIAMS: This side right here.

284 MS. ISHERWOOD: Yeah, yeah, where the mouse is
285 pointing, correct.

286 MR. WILLIAMS: And 706 Fulton Avenue would be
287 the neighbor on this side on Fulton Avenue.

288 MR. CALABRESE: Okay.

289 MR. WILLIAMS: I'll tell you where they all
290 are if you want.

291 MR. CALABRESE: No, I'm just more concerned
292 about the immediate neighbors.

293 And then you had, I think it's superimposed on
294 this map, but if you were to build it according to the
295 setbacks, is that the dotted line? I think I can see it
296 on this map, again what would be superimposed on this.
297 If you had to abide by the setbacks, how that compares
298 with this?

299 MR. WILLIAMS: Well, the other one, 15 foot
300 wide with a very long building envelope this way, so it
301 would be a long, narrow house, taking up --

302 MS. ISHERWOOD: And it is that dashed line
303 that cuts to --

304 MR. CALABRESE: That's what I'm asking. I
305 understand the numbers. I'm just asking on that map,
306 everything is so tiny. The previous one, it looks like
307 you can see it underneath.

308 MS. ISHERWOOD: Yes, it is that dashed line
309 that is about 9 feet from the left of the left side of
310 the house.

311 MR. CALABRESE: Okay. Thank you.

312 That's all, Mr. Chairman, from me.

313 MR. BARTLETT: Thank you, Mr. Calabrese.

314 Is this house already designated as a Fulton
315 Avenue house or is it a North Oak Street house?

316 MS. ISHERWOOD: It is addressed North Oak
317 Street.

318 MR. BARTLETT: I could ask this to John as
319 well and I don't think this is necessarily relevant to
320 the variance but the driveway change, is that by right
321 acceptable, John, in address change?

322 MR. BOYLE: Yes. When we've had requests for
323 addresses, it's a matter of routine through the building
324 official's office who has a method of notifying law
325 enforcement and the postal service and what have you.

326 Location of the driveway is optional and it is
327 still subject to some engineering for storm water
328 management and what have you.

329 Typically our engineers, if there's an
330 existing driveway and it's being replaced by something
331 else, they will require the original driveway to be
332 closed. I don't think that's necessarily a matter here,
333 but both of those, I'd consider those optional.

334 MR. BARTLETT: Thank you.

335 MR. MISLEH: This is John Misleh.

336 Mr. Williams, are you currently the owner of
337 this property?

338 MR. WILLIAMS: Yes, I am.

339 MR. MISLEH: Thank you.

340 MR. BARTLETT: Do any members of the Board
341 have any comments or questions for the applicants?

342 (No response.)

343 MR. BARTLETT: Do the applicants have any
344 further comments for the Board at this point?

345 MS. ISHERWOOD: We do not.

346 MR. BARTLETT: At this time we're going to do
347 some open deliberation amongst the Board, share some
348 perspectives and comments. I will start.

349 I saw this application and I saw the very
350 narrow lot and the difficulty of trying to either
351 renovate or build a house on this property and I
352 recognize the difficulty you face. I appreciate you
353 reaching out to the neighbors and getting consent and
354 support from them. It's very important to the City and
355 our consideration. I'm glad you're not trying to build
356 as large a house as you possibly could. It seems very
357 reasonable. I don't really have any concerns.

358 I do have concerns generally about front yard
359 setbacks but this is a very reasonable request. The
360 space that you're asking for doesn't seem to be much
361 different than what's already there. You're actually
362 improving one side to the detriment of the other but it
363 makes for a more reasonable use of the property as well.

364 I'll just leave it to other members to make
365 comments at this time.

366 MR. EPPLER: This is Dale Eppler.

367 I would agree with you. I think this is a
368 very reasonable proposal. And I like the fact that
369 they've met as many as the setback requirements as they
370 possibly could given the nonconforming shape and size of
371 the lot. I think they've done a very good job of
372 putting this together.

373 MR. CALABRESE: Normally in one of these
374 cases, we'd ask the applicants to explain why there
375 aren't other options to build the house. That's why I
376 was really interested in the dotted line there because I
377 think that answers the question more than anything that
378 there aren't really alternative ways to build the house
379 because it's kind of an extreme situation there in terms
380 of the size.

381 So I would agree with all the comments. It
382 seems like a reasonable approach to build on a lot that
383 has those kind of extreme constraints.

384 MS. WARD: This is Christine Ward. I just
385 wanted to say I agree as well. I walked the property
386 today, by it, and I think this will be a big improvement
387 for the neighborhood as well and I think it's a very
388 reasonable request.

389 MR. BARTLETT: Thank you very much for your
390 comments.

391 At this time I would seek a motion from a
392 member of the BZA to proceed.

393 MR. CALABRESE: I'll make a motion to approve
394 variance application V1623-21.

395 MR. EPPLER: I will second the motion to
396 approve that. Unfortunately I don't have the number in
397 front of me, so I can't repeat it.

398 MR. BARTLETT: That's sufficient, Mr. Eppler.
399 Thank you.

400 Akida, can you do a roll call vote.

401 RECORDING SECRETARY: Sure.

402 Mr. Bartlett.

403 MR. BARTLETT: Yes.

404 RECORDING SECRETARY: Mr. Calabrese.

405 MR. CALABRESE: Yes.

406 RECORDING SECRETARY: Mr. Misleh.

407 MR. MISLEH: Yes.

408 RECORDING SECRETARY: Mr. Kien.

409 MR. KIEN: Yes.

410 RECORDING SECRETARY: Mr. Eppler.

411 MR. EPPLER: Yes.

412 RECORDING SECRETARY: Thank you.

413 MR. BARTLETT: Congratulations. Thank you
414 very much for your presentation.

415 MS. ISHERWOOD: Thank you.

416 b. Variance application V1624-21 by Federal
417 Realty Trust, applicant and owner, for the following
418 variances to Section 48-1265:
419 i. To allow six freestanding signs instead of
420 four;
421 ii. To allow five business names instead of
422 three for freestanding Signs D and E;
423 iii. To allow Sign B to be located in a
424 location other than the frontage that used for
425 calculating the sign's area;
426 iv. To allow increase of height for Sign B,
427 sign C, and Sign E;
428 v. To allow maximum wall sign area of 259
429 square feet instead of 120 square feet for Signs F.1 and
430 G.

431 MR. BARTLETT: We'll move on to variance
432 application V1624-21 by Federal Realty Trust, applicant
433 and owner, for the following variances to Section
434 48-1265:

435 i. To allow six freestanding signs instead of
436 four;
437 ii. To allow five business names instead of
438 three for freestanding Signs D and E;

439 iii. To allow Sign B to be located in a
440 location other than the frontage that is used for
441 calculating the sign's area;

442 iv. To allow increase of height for Sign B,
443 C, and Sign E.

444 At this point I would like a short
445 presentation or summary from the City, for these -- I
446 think there are five specific variances in the actual
447 application, but a short summary from staff about this
448 application.

449 MR. BOYLE: Thank you, Mr. Chair.

450 This involves, as you stated, a number of
451 variances for one of the larger commercial centers
452 within the City, retail centers.

453 And for those of you who have been on the
454 Board for a period and for the information of new
455 members, we've identified over the years that our sign
456 code does not anticipate these large developments.
457 We've seen it most recently in the high rises, the
458 Harris Teeter building, 301 West Broad, Spectrum, and
459 Pearson.

460 We're going through in the City a very
461 significant redevelopment of our commercial space and
462 we're finding that our Code, from the 1950s and what

463 have you, did not anticipate structures of this size or
464 dimensions and what have you.

465 So while at first impact the number of
466 variances might raise an eyebrow, these are commercial
467 districts that have multiple, multiple uses that each
468 require signs and they all come with their own burdens
469 of trying to be seen from where vehicles are and where
470 pedestrians are.

471 They're not your typical narrow shop that's
472 right up on the sidewalk that is easy to see. They come
473 with their own challenges.

474 So what you'll hear in the applicant's
475 presentation tonight is a combination of trying to seek
476 relief from that Code that maybe didn't anticipate these
477 structures, but also requesting some relief to do what's
478 necessary for a makeover of the site. There's a
479 significant facelift that's anticipated for these
480 spaces.

481 One thing our Code did anticipate was in the
482 event of a variance for a sign, it did change the burden
483 from once upon a time a hardship, which would be
484 difficult to describe in a sign, to a much lower
485 threshold, being if the signs can be made compatible
486 with the intent of the Zoning Code which is minimal
487 impact and coordination with the abutting properties and

488 if that can be achieved through the setting of some
489 conditions, then the variances can be approved.

490 That's a very different burden than what we
491 just entertained with the residential property there.

492 So, the Code did anticipate at least that if
493 what's proposed is compatible with the district in which
494 the signs are going to be placed and any concerns can be
495 mitigated through the setting of conditions, then it can
496 be approved as a conditional variance. That's unusual
497 and it's separate and apart from other variance this
498 Board hears. Signs have their own burden.

499 Keeping with that, the Board should have
500 received the recommendation of the Architectural
501 Advisory Board on this which met just last night and
502 thanks to Akida and Jeff Holloran, our staff, for the
503 Architectural Advisory Board, they were able to turn
504 around a statement to present to this Board.

505 So the Board should have the AAB's
506 recommendation on how to proceed and what they felt
507 their concerns were, you should have that in hand as you
508 deliberate this evening.

509 Staff always likes to point out how sign
510 variances they have their own burden to please and
511 satisfy and anyone who's been on the Board has seen that
512 with the larger buildings. But this I think is the

513 first makeover of a large commercial shopping center and
514 I think some of the same things apply to this and the
515 Board, I would suggest, consider that different
516 standard.

517 With that, I'll defer to the applicant's
518 presentation. They've got quite a bit of information
519 that the Board should have and they'll walk through
520 that.

521 MR. BARTLETT: Thank you very much, John.

522 MR. PAINTER: Vice Chair Bartlett, my name is
523 Andrew Painter. I'm a zoning attorney at the law firm
524 of Walsh Colucci.

525 We do have a brief presentation and I don't
526 know if it might be possible to share our screen and,
527 Sam or Jay, if it's possible to bring up the
528 presentation.

529 MR. BOYLE: Andrew, if I could correct you,
530 John Boyle, actually Keith is the chair.

531 MR. PAINTER: Very good. Thank you. Sorry
532 about that, Mr. Bartlett.

533 I guess I can sort of launch right in. Again,
534 Andrew Painter with the law firm of Walsh Colucci.

535 We are working with Federal Realty Investment
536 Trust which is the owner of the Birch and Broad Shopping
537 Center which all of us know formerly as Falls Plaza.

538 And as Mr. Boyle said, we're here this evening to
539 request approval for a conditional sign variance to
540 permit Federal Realty to implement its new sign package
541 at the shopping center.

542 As most of us know, this is a 10 plus acre
543 shopping center and it was previously two shopping
544 centers but was rebranded as one center and called Falls
545 Plaza following extensive upgrades in the mid 1990s.
546 Federal Realty has owned the shopping center since 1967,
547 both sides of it actually, and the modernization efforts
548 in the mid 90s actually converted Falls Plaza into one
549 of the City's largest and most prominent commercial
550 activity centers with the community serving retail.

551 Over the past couple of years the company's
552 evaluated the property's future as a single use retail
553 center and has sort of critically thought about how to
554 refresh the center in the wake of new or mixed use
555 centers in the region.

556 And as Mr. Boyle said, it's in the process of
557 undertaking a substantial two phase reinvestment in the
558 property.

559 The first phase if you go out there or you go
560 to the Giant or Road Runner, you can see it there, it's
561 in progress. They have worked to rebrand the center to
562 the Birch and Broad name and focusing on positioning

563 North Birch Street which bisects the shopping center as
564 a connecting element that creates a more modern and
565 unified center.

566 But the work that's going on there includes
567 sod upgrades, new amenity zones, modern lighting, and
568 safer pedestrian crossings. And the whole purpose of
569 this really is to improve the existing center and help
570 drive its merchandising and retail sales per square foot
571 which in turn will hopefully allow Federal Realty to
572 enhance the center's retail mix.

573 There's a second phase too which is the longer
574 term phase that Mr. Boyle hinted at and that would
575 include the long term redevelopment of the property over
576 a period of years depending on market conditions.

577 But the first phase is what the company is
578 focused on right now, sort of shore up the center and
579 again establish it as a prominent place in the west end
580 of Falls Church and sort of help put that center on the
581 map and make it regionally competitive.

582 New signage, of course, is a critical part of
583 the first phase of these improvements, especially for a
584 shopping center of this size.

585 We did submit a comprehensive sign package
586 that consists of a series of refreshed signs and murals
587 of various sizes and locations. A majority of the

588 revamped signage is unified by color and font and
589 materials and the Birch and Broad logo that we've
590 created as well to provide really a coordinated and
591 complimentary identity for the new development.

592 And there's also a series of new wayfinding
593 and directional signage as well for patrons and
594 visitors.

595 There are a couple of signs that have been
596 flagged by staff that require a variance. But again,
597 this is also part of the overall vision of the center in
598 distinguishing this center as a key part of the west end
599 of Falls Church.

600 So there's technically five variance requests,
601 Mr. Bartlett had mentioned, but it is part of one larger
602 unified plan and our justification to set forth in the
603 statement of support that we submitted with our
604 application.

605 As Mr. Boyle had mentioned, our review and I
606 think staff's review of the relevant Code language never
607 contemplated a single large unified shopping center and
608 retail buildings of this size. This is the second
609 largest center in the City behind Edens Center.

610 But the Code does provide some relaxation for
611 signage through the additional variances.

612 As Mr. Boyle mentioned, residential is not
613 impacted at all by this. All the signs are on the
614 Haycock Road frontage or on the West Broad Street
615 frontage.

616 We did appear before the Architectural
617 Advisory Board last evening. We had very strong support
618 from the AAB. They appreciated the design and they felt
619 that the signage was appropriate.

620 They did call out a question of two specific
621 signs which we can go into during the presentation, but
622 signs F and G, one sign would sit on a new chimney
623 that's being built, the top of a fireplace, and another
624 sign would sit on the back of a wall, a much larger
625 sign.

626 And the question is whether or not it's too
627 cluttered and it's redundant. But I hope that our
628 architect and Mr. Brinson from Federal Realty will be
629 able to show you they're not redundant, in fact they're
630 complimentary.

631 So with that I'd like to turn it over to Jay
632 Brinson with Federal Realty to walk you through the sign
633 package and then after that our team is available to
634 answer any questions.

635 MR. BRINSON: Thank you, Andrew. Appreciate
636 the intro.

637 As Andrew mentioned, we are in the midst of
638 undertaking a comprehensive renovation of the center
639 which I'm sure many of you are already well aware of.
640 You can see the progress out there day to day. We are
641 anticipating the work being completed before
642 Thanksgiving but you can already see progress with the
643 new roofing, the new standing seam metal roofing that's
644 out there on the center today and the new brick staining
645 that's already taken place.

646 The approach to this architectural upgrade is
647 really to move it to a modern farmhouse style which
648 plays again architecturally to a similar scale of what
649 was out there previously but really trying to modernize
650 it and refresh the look of the center and bring in new
651 modern materials at the same time.

652 So you can just see below what it was and
653 above, what we are moving toward.

654 I'm showing this for context as we go through
655 the signs that are being particularly impacted by the
656 variance requests.

657 As we move east across the center this is the
658 intersection at Birch Street, where on the left-hand
659 side you have the Starbucks and the Plaka Grill out
660 there now and on the right the CVS, and you can see in
661 addition to doing the changes to the building facade,

662 we're actually adding quite a bit in terms of outdoor
663 spaces and increasing the ability for pedestrians to get
664 through the center quickly as part of the overall plans
665 for the renovation.

666 As we move to the east further along CVS, one
667 of the big moves we're making there is adding a new
668 canopy, steel canopy, and opening up the alleyway. You
669 can see that's removing that rotunda that was blocking
670 that alley, opening that up, adding lighting and
671 graphics and landscaping throughout that alleyway to
672 draw attention to tenants who have entrances in that
673 alleyway and trying to get some visibility for tenants
674 who are trying to occupy the former boxing center, with
675 the entrance at the rear of the center.

676 MR. BARTLETT: James, two quick questions.
677 This is Mr. Bartlett.

678 Did you say as you're going through these you
679 will note which signs are requesting a variance for our
680 perspectives?

681 MR. BRINSON: I will, I will.

682 MR. BARTLETT: Thank you.

683 MR. BRINSON: I'm going to do that when I get
684 to the comp site plan. I'm showing you this so you can
685 hopefully get an understanding of when we go through the

686 individual signs you'll see how they relate to the
687 architectural upgrades.

688 So this is just a brief overview. And as we
689 move further to the east, this is the stretch where you
690 would have Road Runner on the left side, Staples on the
691 right side of this center. This particular rendering is
692 not showing the new fireplace that's going to go in the
693 center of this section here. That's just so you can see
694 what's happening with the storefront improvements and
695 the architectural changes to the building.

696 But bringing in new wood, staining the brick,
697 completely changing, which has already happened, the
698 parapets and the elevation of the building, really
699 changing the style of it and making this feel like a
700 better place to occupy because this area out in front of
701 this section in particular is going to have a large
702 outdoor public gathering area.

703 And then just moving to the overview. Today
704 these are the perimeter signs that exist and they're
705 visible from the road today. That's fairly sparse and
706 as Andrew noted we're really working, trying to build
707 off of all the activity that's going to be happening at
708 the west end over the next, we think, several decades
709 and branding this as Birch and Broad and playing to the
710 intersection obviously of Birch and Broad where it's

711 located, not wanting this place to just be known as the
712 Giant shopping center anymore.

713 We're really trying to give it an identity
714 that we can build off over time as we work to infill the
715 development and transition the center to a mixed use
716 development over time. That really needs to start now
717 with the rebranding and really solidifying and anchoring
718 this project.

719 So this is an excerpt from our comprehensive
720 sign plan submission. We've circled on this the signs,
721 the locations which will have the variance request
722 applied to them. And I'll go through each of those
723 signs to let you see what they look like and then we can
724 speak to any questions you might have about them as we
725 go through.

726 But basically we have signs out at the corner,
727 A.1, right here. That's currently a single sign that
728 sits kind of buried behind a traffic light pole so we
729 are splitting that into two signs. A variance is
730 requested there because of the quantity of signs. But
731 this is what each of those signs will look like.

732 Again, speaking to the materiality that you
733 saw in the architecture of the building, and with the
734 wood, the metals that are happening, so those two signs

735 are going to be at that corner, at Haycock and Broad,
736 right here, one on each side there.

737 The next variance sign is at the opposite
738 corner, the east side of the center and it's a very
739 similar style sign. As you come up Broad, you'll see
740 that on the right side obviously and that's a very --

741 MR. MISLEH: Jay, this is John Misleh. I'd
742 like to interrupt you for a second.

743 Would you mind with each of the signs that
744 you're requesting a variance, would you explain why it
745 requires a variance, just so that we can go sign by
746 sign.

747 MR. BRINSON: Sure. Andrew, I might need you
748 to tag team with me on that one because I'm going to
749 pull up the statement of justification in front of me.
750 But I think you got the A.1.

751 Do you have that in front of you, Andrew?
752 Would you be able to piggyback on that with me?

753 MR. PAINTER: Yeah, let me just pull it up
754 here.

755 MR. BRINSON: I don't want to cite the wrong
756 thing but I believe this one is due to the quantity.

757 MR. PAINTER: It is the quantity, that's
758 right.

759 Mr. Misleh, these two signs, the one A.1, A.2,
760 or A.3 at the bottom, this is purely a sheer number of
761 signs. The Code allows for four freestanding signs and
762 we are over by I believe one freestanding sign. So this
763 is just a pure number issue.

764 MR. MISLEH: Thank you.

765 MR. BRINSON: The next one on the list, this
766 is the pylon sign, the main pylon sign that sits here in
767 front, on the Staples of the center, the east side of
768 the center. This is in the same location as the current
769 pylon sign. We're replacing it with a sign that is
770 taller than I believe -- that's the one variance is a
771 height variance that's being requested; is that correct,
772 Andrew?

773 MR. PAINTER: Well, the real issue is that the
774 Code allows for a freestanding sign to be located along
775 the street frontage that's used for calculating the sign
776 area. And this particular sign is located more than 12
777 feet from the West Broad Street right-of-way line.

778 So this sign here is not 12 feet, it's
779 actually 60 feet off, so obviously it exceeds the Code.
780 But as Mr. Brinson had said, this is to be placed in the
781 exact same location as the freestanding sign that's been
782 there for eons.

783 MR. BRINSON: That's the request for that one.
784 I will move onto the next sign which is the other pylon
785 sign which again is also being placed in the same exact
786 location as the current sign. In fact, we're going to
787 be using the existing piers and then add brick to them
788 and really again, just updating and modernizing the sign
789 with the new branding and the new material types.

790 And that, just as a reminder for everyone, is
791 located here, as you move up Broad just past the BBT and
792 this entry to the Giant up here on the side.

793 And the issue with this one, this is a height
794 issue. This one is a height issue. So the maximum
795 height for the sign is 10 feet in height. The new sign
796 is 17 feet. So this would be a net increase of 7 feet
797 in height and it evokes a similar design to the other
798 sign. This is shorter and it's intended to display the
799 shopping center name and the primary anchor.

800 MR. PAINTER: We do believe that additional
801 height is warranted, just given the foliage that's been
802 planted, was planted back in 1991 is now a mature canopy
803 so just being able to see the sign. I think a lot of
804 people when we drive by don't even know it's there but
805 that's the reason. It's height.

806 MR. BRINSON: And this is Sign D. This is a
807 vehicular orientation sign. As you drive up Birch

808 Street into the center, with the variance on this one
809 was due to the number of tenant names that are allowed
810 on a sign. We're requesting a variance just because of
811 the quantity of tenants in the center. As you pull in
812 here, again, giving people orientation so they know
813 which way to turn as they come in.

814 MR. PAINTER: That's correct. Just to
815 elaborate on this one. The Code allows up for three --
816 the names of businesses on these signs. So these are
817 wayfinding signs and so we are requesting to increase
818 the number of tenants from three to five.

819 MR. BRINSON: The next one is a pedestrian
820 development sign. These ones, we have not yet
821 identified exact locations for these on the comp sign
822 plan but the variance I believe on this was similarly
823 related to the quantity of tenants.

824 Right now the current plan would be to put
825 these probably one right here in this location. But we
826 are not sure if we need this sign yet. This may be one
827 as the center grows over time and as we start to convert
828 it over time, this may be one that we start to add as
829 the center changes over time.

830 But we think this one would be one if you're
831 going to add would be this location here.

832 MR. BOYLE: Andrew, John Boyle. I have a
833 question.

834 How easily in the event that tenants change,
835 how easily can these wayfinding signs be changed? We
836 see that quite a bit at other locations. How permanent
837 are these? Are they intended, are they designed to be
838 swapped out as tenants change?

839 MR. BRINSON: Yeah, it's relative easy and Sam
840 can give more detail if need be. But these are aluminum
841 panels that can literally be swapped out. And then the
842 new tenant when they come in, that's usually part of the
843 lease negotiation, is to have them replace the sign
844 panel for themselves, as part of that new lease that's
845 signed. It's quite easy.

846 MR. BOYLE: Thank you.

847 MR. BRINSON: And that's the same idea here.

848 The next one again is similarly, it's another
849 directory-type sign. This is one that we currently,
850 it's either going to be one of these or one of these.
851 So this, I'm not sure what the variance request was on
852 this one. I'm not sure if it applied to this one or
853 not.

854 Andrew, did we --

855 MR. PAINTER: No, this one is permitted.

856 MR. BRINSON: Moving on, Sign F, this one is
857 really almost more of a mural. The precedent idea is
858 this faded graphic that you see down on some of these
859 historic buildings that we're using as a precedent
860 example. But we have an artist that we're bringing down
861 out of Baltimore who's really great at recreating this
862 look. So we want to recreate that look, that faded
863 graphic onto the new brick stain that we're putting up
864 there. We really think this sign is going to add a lot
865 of authenticity to the center while still providing good
866 visibility from the road and for the rebranding of the
867 center and repositioning of the center.

868 But this one I believe is a size issue, is
869 that right, Andrew?

870 MR. PAINTER: That's correct. Yeah, that's
871 right.

872 There are two signs on walls signs. So
873 there's two mural signs. This is one of them and then
874 there is another one on Haycock Road at the back of the
875 Giant Shopping Center.

876 MR. BRINSON: Right here.

877 MR. PAINTER: Right there, yes. So the Code
878 allows for up to a maximum wall sign area of 120 square
879 feet. So with the two murals it comes up to 259 square
880 feet, so it's a net increase of 139 square feet for

881 these two murals. So that's the reason for the variance
882 request.

883 MR. BRINSON: And the reason for the sizing,
884 and Sam can give maybe a little bit more detail, but it
885 really is about the appropriate scale for visibility and
886 to be able to see that on the size of the walls that
887 they're on and visibility from the street.

888 So I think the way we're doing that is painted
889 graphics. These are not back-lit box signs or something
890 like that. This is really being done with a really
891 delicate touch in an artistic way. It's painted
892 graphics. We think that's really going to add some nice
893 artistry or artisanship to the center.

894 And I think the final one is this. It's more
895 of a medallion but it is back-lit. It's going to add
896 some light at night to this sign.

897 Is this a quantity issue, Andrew, with this
898 one?

899 MR. PAINTER: It is also a quantity issue,
900 that's right.

901 MR. BRINSON: So, again, this is on the new
902 fireplace outside the public area.

903 Sam, maybe you can just speak to the strategy
904 for this sign relative to the sign behind. Because this

905 was the concern that was raised last night at the AAB,
906 was the relationship from this sign to this sign.

907 MS. BENNETT: Thank you, guys, for having us
908 here tonight.

909 This did get brought up last night as a
910 concern as Jay mentioned and Andrew as well. There was
911 some concern it was redundant. In our mind we see it
912 less as redundant and more as separate and
913 complimentary.

914 The sign on the chimney is a logo that's
915 backlit that kind of has more representation of a beacon
916 and really brings a focal point to the east side of the
917 center whereas the graphic sign, the ghost sign on the
918 previous page, is a larger full merchant broad sign,
919 really as he mentioned harkens back to the authenticity
920 of the design.

921 And really both of these signs pair, we're
922 upgrading and modernizing the shopping center with the B
923 and B logo, you can see that. It's a more contemporary
924 fixture, it's backlit on this more prominent structure
925 out front. And then with the Birch and Broad painted on
926 the brick in the background, it's more vintage, more
927 historical. Really kind of trying to harken back to not
928 just the history of the center but the history of Falls
929 Church as well.

930 Another issue that we have here is a lot of
931 the visibility from Broad, and as you're driving down,
932 as you guys know this center is set back. Not only is
933 it set back but it's also on a higher elevation. And
934 there's a lot of existing trees and vegetation.

935 So we want to elevate the visibility here and
936 having both of these signs that kind of act as different
937 but also in the same really helps provide that
938 visibility and provide that presence of this new
939 upgraded center.

940 Another thing that we wanted to touch on, was
941 the idea that not only is it from bringing people in
942 from Broad, but when you're on the site, and I don't
943 know if it's okay but I have an exhibit where I pulled
944 some images, because I think when you're seeing it from
945 this perspective, you're seeing the two signs relating
946 to each other. So when you're on Broad, you'll see a
947 little bit of the Birch and Broad behind and then the
948 medallion on the chimney. But when you're on site you
949 kind of lose that medallion and you really need that
950 Birch and Broad to kind of center where you are and also
951 give that texture and that textural.

952 So I can bring up those views, if needed, but
953 we really feel strongly that both of those paired
954 together really reinforces the design intent that we're

955 going for with the modernization but also really
956 harkening back to the history and the neighborhood and
957 the feel of Falls Church and the center itself.

958 MR. BRINSON: So that covers all of the signs
959 that are applicable to the variance request. That
960 really is the end of our formal presentation so we're
961 really at your disposal for questions.

962 MR. BARTLETT: Thank you very much for that
963 clear and extensive presentation about the various signs
964 and appreciate you addressing our comments and questions
965 along the way, to make it easier for us to understand
966 what's actually being requested on site.

967 And I'll also up to the Board for comments and
968 questions. But for John Boyle and Akida, and maybe for
969 Dave and John Misleh, I have a question for you.

970 I don't have the Code in front of me
971 unfortunately but my understanding is that painted walls
972 are not signs; am I wrong?

973 MR. BOYLE: They can be interpreted, Mr.
974 Chair, as artwork, but I believe as an exempt sign
975 there's a limit to the square footage. So I'd still
976 consider this as far as its impact and compatibility
977 with the intent of the Code.

978 MR. BARTLETT: If these two painted murals
979 were not included in that interpretation, would they be

980 in conformance with the numbers at this point? Or are
981 they still over?

982 MS. ROUZI: So these two signs, they're
983 considered wall signs from the perspective of -- under
984 the sign ordinance we've actually considered these two
985 signs as wall signs and that's why they're seeking a
986 variance for square footage.

987 But the F.2 sign, the logo on the chimney is
988 actually an exempt sign under the logo Code.

989 So the logo is the exempt sign but the two
990 that you're talking about, F.1 -- sorry, I'm scrolling
991 down to the titles of the signs.

992 F.1 and G signs are actually wall signs even
993 though they're painted on the walls per the Code.

994 MR. MISLEH: Akida, aren't these two separate
995 tax parcels?

996 MS. ROUZI: They are.

997 MR. MISLEH: So why are they combining that
998 square footage into one?

999 MR. BOYLE: When they're under common
1000 ownership and particularly if they're under common site
1001 plan, they're treated together, and I believe it's true
1002 in both cases here, common ownership and site plan.

1003 MR. MISLEH: Thank you.

1004 I have a question for the applicant. I'd like
1005 to go back to Sign B.2. So we glazed over that one,
1006 over what the specific request is there. But from what
1007 I can ascertain it's we're looking to put a 20 foot
1008 pylon versus -- in an area where it's a 10 foot maximum,
1009 that in addition to the placement, it's actually a two
1010 part variance; is that correct?

1011 MR. PAINTER: That is correct. That's right.

1012 MR. MISLEH: And when the AAB commented on the
1013 redundancy, I can see that those three signs, the logo,
1014 that double height pylon as well as the wall sign are
1015 all under one coin.

1016 Is that part of their comment?

1017 MR. PAINTER: No, Mr. Misleh. Their comment
1018 was related to the same B and B decorative element
1019 that's on the chimney and how the chimney sits proud of
1020 the larger Falls Church ghost sign where the curser is.

1021 The pylon sign was not an issue. And you're
1022 right, they're almost all in the same plane. I wish we
1023 had an aerial image -- there we go -- they're all kind
1024 of in the same plane.

1025 What's not shown on here is the landscaping
1026 though. And in the median there, there are a series of
1027 mature trees that kind of block, at least for eight
1028 months of the year, that area in the back. So it's

1029 really just the chimney, the competing images of the
1030 chimney and the larger Birch and Broad sign on the wall
1031 behind it. Not the pylon signs. There were no comments
1032 last night about the pylon signs.

1033 MR. MISLEH: Understood. So what I'm hearing
1034 you say, Mr. Painter, is the 20 foot is required in
1035 order to be seen over the trees.

1036 MR. PAINTER: That's correct. That's a net
1037 increase from 16 feet to 20 feet, so an increase of 4
1038 feet.

1039 MR. MISLEH: Thank you.

1040 MR. CALABRESE: If I can ask, so one question
1041 on the signs themselves, I assume these are lit,
1042 internally lit?

1043 MR. BRINSON: Sam, do you want to answer that?
1044 Some are and some are not.

1045 MS. BARRETT: Yes, so this one is internally
1046 lit. As is this one. Keep going. And then I believe
1047 the Birch and Broad portion of this is but the tenant
1048 signs themselves are not.

1049 MR. CALABRESE: One issue we faced in previous
1050 sign applications is that the brightness had impacts on
1051 neighboring properties or businesses. I don't know if
1052 that was an issue that came up at the Architectural or
1053 Planning Committee. At one point there was some very

1054 tall and bright signs that impacted companies,
1055 businesses across the street or next to it.

1056 So next to, the west side is the road and then
1057 on the east side I believe would be the funeral home.
1058 Were there any issues raised by any neighbors or
1059 businesses across the street or next door or behind, I
1060 don't know if the apartments behind are impacted. I'm
1061 thinking more of the lighting is what I'm focusing on.

1062 MR. PAINTER: Mr. Calabrese, Andrew again with
1063 Walsh Colucci, and I'll let Sam and Jay chime in.

1064 No, we have not heard any opposition from the
1065 funeral home or the homes on Offut Drive behind or the
1066 apartments largely because any signs that would be lit
1067 and frankly all of our signs are on the south side of
1068 the shopping center in the parking lot area. The only
1069 sign that is near a home is the mural wall sign on
1070 Haycock Road which is not lit.

1071 MR. CALABRESE: Following up on the comment
1072 from Mr. Misleh, in reading the Architectural Board, at
1073 first I was a little confused, I thought they were only
1074 approving the F.1, F.2 signs; after reading it again,
1075 they're approving the comprehensive package with the
1076 comment.

1077 So I think you said this, but their concern
1078 about the F.1, F.2 signs was the redundancy and clutter.
1079 What were they concerned about those two?

1080 MS. BARRETT: Correct, it was the redundancy.
1081 They felt like that we either can have B and B or Birch
1082 and Broad.

1083 MR. PAINTER: And, Sam, just to pick up on
1084 that, I don't even know if anyone was there last
1085 evening, but I don't even know if they were concerned
1086 about it. This was raised by one member of the AAB who
1087 had raised it as an issue and at the end of her comments
1088 and back and forth with the applicant, voted in favor of
1089 the application but made a friendly amendment to ask the
1090 BZA to just look at this as an issue just to make sure
1091 it's okay, if that makes sense.

1092 So I don't want to gloss over it at all. It
1093 started off as a concern that it was redundant but at
1094 the end of the day the motion I guess is the language
1095 that's in the letters of the BZA this evening, which was
1096 not quite a concern, it was just, please have the BZA
1097 look at this and just make sure it's okay.

1098 MR. CALABRESE: And without getting into too
1099 much of it, what is the reason or need to have two of
1100 them there? Is it because one is blocked by the chimney
1101 or why do you need two right next to each other?

1102 MS. BENNETT: So, I think they serve different
1103 purposes and they both compliment each other. So the
1104 one on the chimney is a more modern, contemporary sign
1105 that's backlit, that in the evening times it will serve
1106 as a beacon as a locator for the west, east side of this
1107 site.

1108 And then the backdrop of the Broad and Birch,
1109 the ghost sign, is more of something that would be seen
1110 throughout the day. It's larger so then you would also
1111 have visibility from Broad Street to pull people in and
1112 it just touches on that historical nature and really
1113 ties very well in with what our aesthetic is for the
1114 entire site.

1115 Not only that, as you can see, if we were to
1116 go back to the first few pages, we really focused on the
1117 architecture here in this location more so than any
1118 other. We removed the existing roof line completely and
1119 went in with these more modern parapet walls with the
1120 intent to do something on them. Something that was
1121 artistic and thoughtful and that would give this site
1122 its identity.

1123 So we really feel that having Birch and Broad
1124 and the B and B logo is really important and integral to
1125 the success of this site and the site identity and the
1126 brand that we've worked so hard for.

1127 MR. CALABRESE: Thank you. Just one last
1128 question.

1129 There does appear to be many signs. At least
1130 on the corner I suppose the volume is because you're
1131 breaking the signs up. But the reason for so many of
1132 these signs is your strategy to brand the shopping
1133 center?

1134 MS. BENNETT: Correct.

1135 MR. CALABRESE: Rather than being the Giant
1136 Shopping Center it's now this. So you or your
1137 consultant's opinion is that by having these signs
1138 that's serving that purpose, am I correct?

1139 MS. BENNETT: That is correct.

1140 MR. BRINSON: Right. And there's many
1141 different approaches to the center so, right, as you
1142 come from Haycock or coming from the west, this
1143 interaction from here, these two signs, that was
1144 critical there. But as you're coming from the other
1145 direction, there's really nothing that gives you a sense
1146 of arrival unless you know, hey, this center is here.
1147 So that's the onus for this sign.

1148 MS. BENNETT: I think we're also competing
1149 with existing vegetation, existing trees. So where when
1150 you're driving down or pulling into the shopping center,
1151 where one sign, maybe it looks like there's a lot of

1152 dislocation and redundancy here, but if you were to
1153 actually pull into the site with it being at a higher
1154 elevation and with all the existing trees, a lot of
1155 these signs, until you're in the right place at the
1156 right time, you don't see them all together.

1157 So we really feel it's important to have all
1158 them where they have been located.

1159 MR. CALABRESE: Okay. Thank you.

1160 MR. MISLEH: I also want to just comment,
1161 I think you guys are leaving out one other item which is
1162 the out parcel buildings and how they impact the
1163 visibility as well.

1164 MR. BRINSON: That's actually correct. These
1165 are tall buildings here.

1166 MS. ROUZI: This is Akida.

1167 Mr. Misleh, in addition to that comment
1168 actually, their street setback exceeds the 70 feet that
1169 Code mentions. Actually for anything that exceeds 70
1170 feet, the Code talks about flexibility, so that's
1171 another visibility issue as well.

1172 MR. BOYLE: One thing for the Board to
1173 consider is you're being asked to review number of
1174 signs, dimensions, placement but not things like
1175 illumination and impacts on the neighbors. Staff will
1176 retain the ability to rein in any, once this site is

1177 developed if some unforeseen circumstances occur such as
1178 spilling over of a light, what have you, we can still
1179 correct that after the fact.

1180 So in terms of number of signs, placement,
1181 dimensions, that's the purpose I think of this
1182 application. But we will not in any case allow abutting
1183 property owners to be harmed. We have Code, resources,
1184 and options to employ at that point and I think the
1185 applicant would say that they do not intend obviously to
1186 be a bad neighbor and what have you.

1187 But staff has some resources if the Board has
1188 some concerns about the impact on the neighbors.

1189 MS. WARD: This is Christine Ward. I'm pretty
1190 sure I know the answer but you guys don't have an image
1191 from West Broad and Haycock, kind of a horizontal view
1192 where you can see all the elevation of signs in relation
1193 to buildings? It looks like the other images you had
1194 didn't include all the signs, is that correct?

1195 MR. BRINSON: A view from out of this location
1196 about here toward the center, something like that, is
1197 that what you're --

1198 MS. WARD: Yeah, or from the middle of West
1199 Broad of Haycock, just to see sort of the elevations.

1200 MR. BRINSON: Sam, do you have some?

1201 MS. BENNETT: No, I don't have anything that
1202 actually is representative of the signs that we're
1203 proposing as far as the design and height. We did not
1204 produce those drawings. I think we did one for C as we
1205 were kind of determining and working through that but
1206 other than that I don't think we have anything that
1207 illustrates the A.1s or the Bs or the A.2s.

1208 MR. PAINTER: Jay, I don't know if you want to
1209 mention this, but I believe that the reason for
1210 splitting the signs, even though they are connected at
1211 the base, was to preserve an existing tree as well as
1212 there's a new mast arm or mast arm that's been placed
1213 right at that corner as well.

1214 MR. BRINSON: Here, yes, this location,
1215 exactly right. So that's why we'll be splitting those
1216 into two separate locations.

1217 I can pull up Google maps if people would like
1218 to see what that looks like.

1219 MR. MISLEH: There's a picture in your package
1220 that shows the mast arm that's blocking the existing
1221 signs.

1222 MR. BRINSON: That's right.

1223 MR. BARTLETT: Well, thank you very much for
1224 your presentation. At this point I will just let the

1225 Board of Zoning Appeals deliberate and share any
1226 perspectives or comments.

1227 Thank you.

1228 MR. MISLEH: Mr. Bartlett, I'll go first. I
1229 think what's been presented this evening is very well
1230 thought out and that supports the renovation and
1231 placement of this prominent center which is the gateway
1232 from the west end of Falls Church and I think it's
1233 important for our City to be well represented.

1234 I have no objection to what's been presented
1235 this evening.

1236 Thank you.

1237 MR. CALABRESE: Yeah, I think generally I'm
1238 comfortable.

1239 I did want to ask a clarifying question, Mr.
1240 Boyle. So when we started off, the standard by which we
1241 are to judge this, Mr. Boyle, was that it would minimize
1242 the impact and no contrary impact on abutting
1243 properties.

1244 But you were just talking though, you said but
1245 we shouldn't be considering lighting and other factors
1246 because those are things that will be handled later.

1247 So I just wanted to be clear, what are the
1248 impacts then that we should be looking at in terms of
1249 our decision?

1250 MR. BOYLE: Lighting is one of them but with a
1251 site like this, I think lighting is less an issue as
1252 position of the signs blocking other businesses.

1253 What I was trying to get at was in other
1254 conditions businesses have proposed signs that actually
1255 obscure the signs of other businesses or create vision
1256 obstructions to abutting properties.

1257 So it's unique to each site and it's something
1258 the Board should consider, whether an approval would
1259 negatively impact. I don't think we've received any
1260 negative comment from the abutting property owners for
1261 this. But what I wanted to convey was in the event an
1262 approval, once implemented, resulted in some negative
1263 impacts, staff still does have some resources to correct
1264 that.

1265 MR. CALABRESE: Okay. Thank you.

1266 MR. BARTLETT: I'll just share that I
1267 appreciate your presentation. I appreciate the proposed
1268 layout. I think it's going to be a great addition to
1269 the City. I'm looking forward to the final product.

1270 And I know you could have asked for more and I
1271 appreciate you doing your best to stay within the bounds
1272 of the Code as it stands and I appreciate that. Thank
1273 you.

1274 Hearing no further comments or questions, I
1275 will make a motion to approve variance application
1276 V1624-21 by Federal Realty Trust, applicant and owner,
1277 for the following variances to Section 48-1265:

1278 i. To allow six freestanding signs instead of
1279 four;

1280 ii. To allow five business names instead of
1281 three for freestanding Signs D and E;

1282 iii. To allow Sign B to be located in a
1283 location other than the frontage that's used for
1284 calculating the sign's area;

1285 iv. To allow increase of height for Sign B,
1286 C, and Sign E.

1287

1288 MR. MISLEH: Mr. Bartlett, I'd like to second
1289 but I'd like to amend the motion to include that the
1290 applicant continue to take into consideration the
1291 comments provided by the AAB while implementing this
1292 package.

1293 MR. BARTLETT: I'm comfortable with that.

1294 MR. MISLEH: Akida, how do we --

1295 MS. ROUZI: Yup. Roll call.

1296 RECORDING SECRETARY: Mr. Eppler.

1297 MR. EPPLER: Agreed. Support the motion.

1298 RECORDING SECRETARY: Mr. Kien.

1299 MR. KIEN: Support, agree.

1300 RECORDING SECRETARY: Mr. Misleh.

1301 MR. MISLEH: Yes.

1302 RECORDING SECRETARY: Mr. Calabrese.

1303 MR. CALABRESE: Yes.

1304 RECORDING SECRETARY: Mr. Bartlett.

1305 MR. BARTLETT: Yes.

1306 RECORDING SECRETARY: Thank you.

1307 MR. BARTLETT: Akida, just to clarify, I

1308 believe Mr. Misleh was also going to make sure that when

1309 the variance is drafted that it will include his

1310 additional comment. And I think that as you draft the

1311 variance language from the meeting notes, you'll do

1312 that.

1313 MS. ROUZI: Yes, I'll add it to the

1314 resolution.

1315 Thank you.

1316 MR. BARTLETT: Thank you and good luck.

1317

1318 4. OLD BUSINESS

1319 a. Special Use Permit application U1623-21 by

1320 Lisa Wills, applicant, to allow a daycare use otherwise

1321 not permitted by right, on premises known as 128 South

1322 Spring Street, RPC#52-203-037 of the Falls Church Real

1323 Property Records, zoned R-1A (Low Density Residential).

1324

1325 MR. BARTLETT: Moving on to Old Business,
1326 moving on to Special Use Permit application U1623-21 by
1327 Lisa Wills, applicant, to allow a daycare use otherwise
1328 not permitted by right, on premises known as 128 South
1329 Spring Street, RPC#52-203-037 of the Falls Church Real
1330 Property Records, zoned R-1A.

1331 Lisa, thank you for coming back and doing some
1332 more due diligence based on the meeting we had in May
1333 when you appeared before the BZA for the first time and
1334 gathering more information for us.

1335 At this point I would like for the benefit of
1336 some of the members of the BZA that were not present in
1337 May for both staff from the City to provide a short
1338 summary of the application for a special use permit and
1339 also then have you basically start from the beginning of
1340 your presentation for why you're requesting a special
1341 use permit.

1342 MR. BOYLE: Thank you, Mr. Chair, and actually
1343 that was the first question I had: Was it the Board's
1344 intention to rehear this from the beginning based on new
1345 information received which would then have the effect of
1346 allowing members who were not present originally to
1347 participate? Are we going to restart basically?

1348 MS. WILLS: Hi, Board. My name is Lisa Wills
1349 and I want to thank you for this opportunity and your
1350 time to work with me to make this nature-focused
1351 children's program available to the community.

1352 MR. BOYLE: Lisa, first let me establish first
1353 with the Chair, are we rehearing this or accepting new
1354 information?

1355 MR. BARTLETT: I think it's in the best
1356 interest of everyone if you're considering this to be a
1357 rehearing for members of the Board.

1358 MR. BOYLE: Okay. Thank you.

1359 Lisa, stand by for just a moment.

1360 For purposes of the agenda, this is a special
1361 use permit for a daycare at the location, as the agenda
1362 specifies. This is a second party coming in and
1363 proposing a use for property owned by others.

1364 The Code for a daycare in these circumstances
1365 requires a special use permit which is a process that
1366 involves a hearing by the Planning Commission with a
1367 recommendation from them to the Board of Zoning Appeals
1368 and the Board should have that recommendation.

1369 This matter was heard, I think it came up
1370 twice before the Board and the Board was interested in
1371 hearing more from the property owner to insure that they

1372 were in support of the application as well as some
1373 details about the application itself.

1374 And special use permits, speaking towards the
1375 Board's authority, the Code is interesting in that it
1376 says, Special use permits which are not specifically
1377 provided for in the Code can be approved by the Board,
1378 provided that they don't negatively impact other uses in
1379 the vicinity. And further, If those impacts can be
1380 mitigated by the imposition of conditions, then the use
1381 shall be approved.

1382 So the Board should have for its review some
1383 conditions from the Planning Commission and some
1384 conditions that the Board itself has considered at the
1385 previous hearings of this matter: How to fit this into
1386 this particular location in this neighborhood with the
1387 numbers and traffic that the applicant intends to
1388 generate.

1389 So again, speaking towards the authority of
1390 the Board on this issue, this is not something staff can
1391 approve by right. It's a matter for the Board's
1392 approval.

1393 While you deliberate, keep in mind, can
1394 conditions mitigate any negative impacts that this use
1395 may have on the neighborhood and also what the Planning
1396 Commission recommended for approval.

1397 I think the sticking point from the last time
1398 this matter came before the Board, was whether the
1399 actual property owner was unified in support of the use
1400 of the property or not and there's some other issues as
1401 well.

1402 So with that, I think that brings the Board
1403 members who were not present up to speed with the issues
1404 that the Board was considering and we'll defer to the
1405 applicant for her presentation.

1406 MR. CALABRESE: This is Dave and I thank you
1407 because I wasn't present. That was helpful.

1408 So I would be interested, I'm not sure I fully
1409 understand the situation with the Scout House owners not
1410 having a lease or an agreement and it doesn't appear in
1411 this packet that that has happened either. So maybe the
1412 applicant could mention what's happening with an
1413 agreement between the parties in your presentation. I'm
1414 not saying specific but if you could mention in your
1415 presentation.

1416 MS. WILLS: Well, actually this request is for
1417 child care nature program to be called Nature Academy
1418 that is located at 128 South Spring Street in Falls
1419 Church.

1420 And I think the approved hours for these
1421 programs are from 7 a.m. until 6:30 p.m. In the

1422 meantime we did get a signed user agreement that I
1423 provided the City, so the Scout House Board and I have a
1424 signed agreement to use this space for our business.
1425 They have worked very hard on this. I included the
1426 agreement with the material I submitted for today.

1427 Also it was submitted, a complete building
1428 evaluation inspection, maximum occupancy 49. Also
1429 permission, second was obtained, was permission to use
1430 Berman Park, I got approval from Danny Schlitz by email.
1431 We also went through fire inspection, we passed fire
1432 inspection at this location on June 11, 2021.

1433 We also obtained many letters of support from
1434 the neighbors.

1435 And the next step is for this business, after
1436 your approval is approval from the Commonwealth of
1437 Virginia Child Care Office. I have already been in
1438 contact with them and I am working on that paperwork and
1439 actually with staff also they advised me actually what I
1440 should request from the City about the number of
1441 children and work hours.

1442 I'm also personally committed to this project
1443 as a pre-school teacher, child care provider and child
1444 care business operator; and my skill in business and
1445 understanding of child care programs and child care
1446 needs and also the ability to manage community needs and

1447 keep good relations for things like neighborhood traffic
1448 and parking.

1449 With our focus on nature, we will strongly
1450 encourage environmental alternatives, like walk, bike,
1451 car pool, public transit, and we will have our policies
1452 during the enrollment that we will introduce our
1453 clients, our staff, we will review parking and
1454 transportation policies including pickup/dropoffs and
1455 agree to them as a condition of enrollment.

1456 I think you know it will be the Scout House, I
1457 consider it to be a good partnership and we are all
1458 committed to making it work. We are starting small and
1459 will grow and that will help us to address any
1460 unforeseen challenges that could come up.

1461 So my last thing was really to submit a user
1462 agreement and that was the only missing point actually I
1463 didn't have for the last meeting.

1464 MR. CALABRESE: Yes, thank you. I will ask
1465 one more question.

1466 On the issues dealing, you mention your
1467 summary in the front, the number of students, the
1468 timing, and the parking and drop-off, I'm going through
1469 the agreement, is that included in the agreement or is
1470 that somewhere else where you outline those terms?

1471 MS. WILLS: Well, that actually is going to be
1472 -- I mean, there are some things that they will change
1473 but I was approved by them, I will give you like the
1474 information.

1475 So I believe by the City we are approved for
1476 39 and then Scout House Board approved 25 to extend to
1477 30 children for 6 months and then they will see how it
1478 goes. But I believe child care office will get to their
1479 final decision actually, what it will be the number of
1480 children allowed to be at the property at any time. And
1481 by their advice, I did request the maximum number. I
1482 think it was like 49 and then it was suggested to go to
1483 39. But by my experience, the approved number and the
1484 enrolled number are rarely exactly the same.

1485 And I think the Virginia Child Care Office
1486 will actually make their final decision, what it will be
1487 the number of children being enrolled at any time and
1488 make sure we are not out of compliance at any time, but
1489 we will still be able to cover all expenses.

1490 So, about the other question that you asked,
1491 it was also I believe questions about the hours. So far
1492 they said I can have from 7 to 4 and then we will stay
1493 until 5 to clean and put everything away and get ready
1494 for the next business day or evening users. And if we
1495 have late pick up or something like that.

1496 But while I'm asking you actually if we can
1497 retain the hours I believe they were already
1498 pre-approved, because if we are allowed to stay maybe
1499 only one day longer, so if that day is longer, if they
1500 change anything, if that day is longer and it can stay
1501 until 6:00, then I don't need to go back to the City and
1502 ask for their permission.

1503 MR. CALABRESE: So, Mr. Boyle, we have to
1504 approve this based on the impact on the neighboring
1505 community; that's the standard by which we have to
1506 evaluate this as you have noted, correct?

1507 MR. BOYLE: That's correct. This is a use
1508 that's not otherwise by right, however there is the
1509 stipulation in the Code that if it can be acceptable to
1510 the other uses by the imposition of conditions, then it
1511 shall be approved by those conditions.

1512 So, that's kind of the Board's challenge here,
1513 can this use be approved with mitigating conditions.

1514 MS. WILLS: For members who don't know
1515 actually, it was a previous daycare center there until
1516 2017. Unfortunately the teacher who was operating got
1517 sick so she wasn't able to continue anymore and she
1518 asked me to continue her tradition.

1519 So all neighbors are kind of familiar that
1520 children were using that space for a very long time
1521 since 2003 to 2017.

1522 MR. CALABRESE: I don't want to dominate all
1523 of this conversation, Mr. Chairman, but I'm trying to
1524 get a handle on what it is we're approving.

1525 Nothing in front of us outlines the issues of
1526 the numbers of children, the parking and drop-off
1527 requirements. So if we were to approve this, we would
1528 set those conditions is what I think you're saying, Mr.
1529 Boyle, correct?

1530 MR. BOYLE: That's correct. Each one of these
1531 is kind of a work of art or a unique circumstance. This
1532 one happens to be solidly within a single family
1533 neighborhood. The property itself, Scout House, has
1534 been used in a way that could be viewed as similar to
1535 how she's approving it, people come and go from this
1536 property.

1537 You should have comments from the neighbors,
1538 their concerns, but what conditions you set are unique
1539 to this property. We don't have -- the Board usually
1540 sees variances that look like 10 or 15 other examples.
1541 This is unique to this neighborhood. So the concerns of
1542 the neighbors should be paramount with the intent being
1543 minimizing the impact.

1544 This is a single family residential
1545 neighborhood so we don't want a large disruption. And
1546 how you achieve that, I would defer to the Board and the
1547 comments from the neighbors.

1548 MR. CALABRESE: What is the number of children
1549 that has been approved by the -- there was a comment
1550 made that "they" have approved. Who is "they"? Who
1551 has approved 39 or 49, who has approved that?

1552 MR. BARTLETT: Dave, I think it was the actual
1553 Scout House that said they would approve 25 to start.
1554 And the Fire Department allowed 49 for total occupancy,
1555 and the City, she was waiting for the Virginia
1556 Department of Child Care or whomever make that decision,
1557 come up with a different number.

1558 But I think the issue is the lower number is
1559 the controlling number because that's what the property
1560 owner will currently allow.

1561 So if we were to impose a condition, my
1562 contention would be that we impose a condition that
1563 states that the number of children is limited to those
1564 that are allowed by the property owner. If it's 25 for
1565 now, so be it. But if it's raised, then it's between
1566 the property owner and the tenant.

1567 MS. WILLS: Right. But they stated in their
1568 agreement that they will allow in six months, 30

1569 children. So if they go to 30 or if they approve even
1570 35, what that means, do I need to go back to you?
1571 Because the child care office said I need to get
1572 permission for a bigger number of children from you.

1573 MR. CALABRESE: Where is that in the
1574 agreement? I don't see that in the agreement. I'm
1575 looking at the agreement on the last page, where does it
1576 say 30?

1577 MS. WILLS: Yes, I do have that. I'll read to
1578 you, it says Attachment. I mean, it's not a part of --
1579 I need to find that. I can provide you with that but I
1580 mean that's what it says in the agreement.

1581 MR. CALABRESE: I mean the agreement that you
1582 have, that you signed on July 8th, I'm trying to skim
1583 it, I may have missed it, I don't see any number in here
1584 for the number of occupancy. But I could be missing it.

1585 MS. WILLS: Well, it's under Exhibit 1. And
1586 it says, The number of clients in the facility shall not
1587 exceed 25 at any given time, however the association
1588 will consider increasing the number of clients to 30
1589 after the initial six months of operation after the
1590 association assesses the impact on the facility and its
1591 operation.

1592 So they kind of want to see first before they
1593 increase the number and then they increase the number.
1594 And I do understand that.

1595 MR. CALABRESE: I'm sorry, can you point to
1596 that in this agreement? I'm looking at Attachment 1,
1597 where do you see the --

1598 MS. WILLS: Can I send you a picture of this
1599 and email to you? Is that okay, Akida?

1600 MS. ROUZI: Sure, but is this part of the
1601 packet, I guess the question is. I'm scrolling up and
1602 down and I don't see it.

1603 MS. WILLS: I'm taking a picture. It says
1604 Exhibit 1 and --

1605 MR. CALABRESE: Exhibit 1 to what?

1606 MS. WILLS: I will email to Akida right now.

1607 MR. CALABRESE: Exhibit 1 to what? Because it
1608 would be an attachment to the agreement that you signed
1609 but --

1610 MR. MISLEH: Dave, I think the agreement, on
1611 page 2 of the agreement, it references, See Exhibit 1,
1612 but there is no Exhibit 1.

1613 MS. WILLS: I just sent to Akida. Maybe it
1614 didn't go through that.

1615 But under "exhibit" there is also about the
1616 keys, about kitchen, about the refrigerator, I didn't

1617 know that you maybe need that. But I just email to
1618 Akida Exhibit 1 and it's under 2B I believe.

1619 Akida should have that. I just emailed to
1620 her.

1621 MS. ROUZI: I'm pulling up the email now.

1622 MS. WILLS: They want to see how it goes and I
1623 completely understand that but I'm just kind of trying
1624 to go for every small thing back to the process and
1625 that's what I was advised by the child care specialist,
1626 she was telling me, easy to change with them but do not
1627 really go for every small thing through the City.

1628 MR. BOYLE: Do we know what the fire marshal
1629 set as a cap? I think regardless of the applicant or
1630 even the property owner, if the fire marshal set a
1631 ceiling on the number of children, that would probably
1632 guide the discussion.

1633 MR. CALABRESE: Yeah, that's a very good
1634 point.

1635 While you're looking for that, I have some
1636 experience with the Scout House. My sons used to be in
1637 the Boy Scouts so I know what that house is like in
1638 size. With a large number of children, it's very
1639 crowded, very, very crowded. And when there's lots of
1640 cars, it overflows into the neighborhood.

1641 The reason I'm focusing on this number, my own
1642 personal experience, it's very impactful on the
1643 neighborhood, the number of people.

1644 MS. WILLS: Yes, I do appreciate that comment
1645 and that's the reason we will have pick-up and drop-off
1646 will be prearranged and scattered schedule.

1647 By my experience that I worked in a preschool
1648 with over 170 children, we will do pick-up and drop-off
1649 in ten minutes. So it can be arranged and have a
1650 scattered schedule.

1651 MR. CALABRESE: So it says 25 here.

1652 MS. WILLS: It says, Shall not exceed 25. And
1653 then it says, Increasing the number of clients to 30
1654 after initial six months of operation.

1655 MR. CALABRESE: They'll consider it but
1656 they're not agreeing to it.

1657 MS. WILLS: Right, but it seems to me that if
1658 they want to change, even if they decide -- this is how
1659 it goes. Even if they decide, for example, to go with
1660 25, if child care office says it's 20, 20 is going to
1661 stay. It's just an example.

1662 If you approve 39, if the child care office
1663 says it's 25, that's the number that I need to go with.
1664 Of course, if the Scout House agrees to that.

1665 So I kind of need to really follow the final
1666 decision that child care office will set, and if they
1667 set 28, because they told me they can easily adjust the
1668 agreement if they decide to do so.

1669 So but then if it's a few number of children
1670 that I need to change, my license, I need to go back to
1671 you and then go back to the child care office, so that's
1672 actually the reason the child care office is trying to
1673 avoid that.

1674 MR. BOYLE: Well, the child care office may
1675 not be aware of this particular facility though.

1676 MS. WILLS: Actually -- I'm sorry. Go ahead.

1677 MR. BOYLE: I think we need to rely on what
1678 the fire marshal who's inspected it would determine
1679 would be the top ceiling.

1680 MS. WILLS: Actually, the fire marshal, he
1681 comes and then he checks back entrance, front entrance,
1682 safety measures.

1683 The child care office will come and they will
1684 measure the space. So they will make sure, for example,
1685 that sleeping mats and space between the sleeping mats
1686 are enough to accommodate the number of children, that
1687 they can go by the standard.

1688 So even if the fire marshal says it's 50, if
1689 the child care office says it's 30, it's going to stay
1690 30. I cannot go with the decision of the fire marshal.

1691 MR. BOYLE: Well, what this Board is going to
1692 have to consider in just speaking to Lisa here, is what
1693 the potential impact on this single family residential
1694 neighborhood is.

1695 Do you know or can the Scout House provide
1696 information about how large past programs were? Do you
1697 know previous programs were in terms of numbers of kids?

1698 MS. WILLS: Yeah, we were trying to find some
1699 paperwork but it was declining. But whenever I talked
1700 to every neighbor, they told me, Oh, yeah, we know. Sue
1701 used to have children there.

1702 So, you know, I talked to other neighbors and
1703 they told me, yeah, cars will be a little bit around
1704 but, you know, just for a little bit of time. So they
1705 kind of know the children program was there for over 15
1706 years so they are very familiar with everything. That's
1707 when I talked to them, that's when they signed the
1708 support letters. I didn't hear any negative comments.

1709 I mean, you are welcome to explore more but as
1710 I said, I think the child care office gets the final
1711 decision and they are very strict about that.

1712 MR. BOYLE: Well, both speaking for staff and
1713 I know the Board has a concern, we don't want to approve
1714 something and staff doesn't want to manage something
1715 that is beyond what this neighborhood can absorb.

1716 Do you know or can the property owner provide
1717 what numbers we were talking about in the past?

1718 MS. WILLS: Yeah, I think we provided that it
1719 was maybe around 25 children. I'm really not sure.

1720 Because she used to have younger ones, that
1721 they were like getting ready for preschool children, and
1722 also she will have elementary children for early release
1723 or aftercare. So she was more flexible with the hours
1724 and with everything else.

1725 Unfortunately I cannot talk to her anymore
1726 because she is not alive. But anyway, I was very
1727 welcome whenever I talked to any neighbor. I talked to
1728 the neighbors on Irving Street and I talked to the
1729 neighbor on South Spring Street and I talked to the
1730 neighbors on the left and right side of Scout House.

1731 I do understand that they are very familiar
1732 that there are events there during the evening and
1733 during the weekend. I believe it gets crowded, I don't
1734 know. But this is what I have --

1735 MR. BOYLE: Speaking for staff which would
1736 administer this moving forward if the Board decided to

1737 approve this, do you anticipate any parking on street or
1738 can you absorb all of the traffic flow on the property?
1739 That wouldn't speak to how you plan to pick up and drop
1740 off children there.

1741 Do you anticipate any on-street parking?

1742 MS. WILLS: Yeah, we covered that in our
1743 previous meeting. The staff, actually I already have
1744 two staff members who are from the area, so they are not
1745 going to need to park.

1746 Also, there is alternative also on Irving
1747 Street and on South Spring Street, for any walk through
1748 or to bike or for the strollers, although I do expect
1749 parents will also use strollers to come to our location.
1750 And I do not really expect any impact to the neighbors
1751 in the area because by my experience that I also helped
1752 other businesses to start in Arlington, Clarendon area
1753 which is much more congested, they didn't have any
1754 parking available at all, they will just use street
1755 parking in the neighborhood area.

1756 So when I talked to the neighbor across the
1757 street, she would say, Yeah, it was just for a short
1758 period of time when Sue used to work, the previous
1759 teacher there, and it didn't really bother them and it
1760 will just be for a pick up and drop off.

1761 MR. CALABRESE: John, you mentioned the fire
1762 marshal. Do we have a certification or report from
1763 them, like the occupancy of the building?

1764 MR. BOYLE: I mentioned it because I thought I
1765 heard that listed previously and maybe we need to dig
1766 into the documents to confirm that.

1767 But, yeah, I think that's critical here. That
1768 should be an impartial ceiling on --

1769 MR. CALABRESE: Yeah. I would say again, this
1770 is anecdotal, my own experience, so when I would attend
1771 there, we used to have meetings on Tuesday nights and I
1772 would go help set up. And it was obvious it had been a
1773 daycare center and there were desks and things on the
1774 walls, but it was obvious it wasn't a lot of children I
1775 could tell, because the number of desks, there weren't
1776 that many children. I don't recall.

1777 This occupancy really would be of concern for
1778 me. 49, that would be dangerous in that small --

1779 MS. WILLS: No. Yeah --

1780 MR. CALABRESE: So we could only approve, 25
1781 to me, because that's what the Scout House says, but I'm
1782 very interested in seeing what the authorities says
1783 that's safe.

1784 MR. BOYLE: That's a good point, Mr.
1785 Calabrese. And I think in the spirit of moving forward,

1786 I don't think this Board could approve something that
1787 exceeds what the fire marshal would allow.

1788 MR. CALABRESE: Right.

1789 MR. BOYLE: Perhaps that could be a
1790 conditional approval.

1791 Parallel with that conversation, staff had a
1792 concern about overflow into the neighborhood for
1793 parking. We have a number of ongoing issues with other
1794 occupancies where they use the public right of way to
1795 host their parking.

1796 I would ask on behalf of staff's interest, to
1797 set a condition that all parking occur on site.

1798 So those two things, if we did not exceed the
1799 fire marshal's recommendation, and building official has
1800 a comment on that too, they've taken into consideration
1801 adult and children, so that's A. And B, that all
1802 parking be hosted on site, I think that would go a long
1803 way towards mitigating the impact on the single family
1804 residential here.

1805 MR. CALABRESE: I thought I saw somewhere, the
1806 one kind of peculiarity about the parking lot is that
1807 part of it's paved, part of it's gravel, and I remember
1808 when that first was done there was a reason for it.

1809 And I seem to recall seeing somewhere in these
1810 materials that the Scout House does not want people

1811 parking on the gravel part. And that impacts the number
1812 of cars that can park there.

1813 When you look at that, the drop-off, you see
1814 the gravel portion there. I could be wrong, I thought I
1815 saw somewhere in these materials that they didn't want
1816 people parking on the gravel part, but I could be wrong.

1817 MS. WILLS: I don't think that we need to park
1818 on the gravel area. I think it will be used for pick-up
1819 and drop-off. And then that gravel area could be used
1820 for a music teacher, for parents who are going to visit
1821 us. But that's between drop-off and pick-up hours.

1822 So, I mean that gravel area is really big. I
1823 did measure it. And with my teachers, we practiced
1824 actually drop-off and pick-up. That's really, by my
1825 experience and my opinion, the area is really big.

1826 MR. BOYLE: Lisa, how many vehicles will be
1827 parked on site, meaning staff, assuming everyone else
1828 would be rotating through with drop-offs, how many would
1829 be on site?

1830 MS. WILLS: I think we will use that like for
1831 yoga teacher, music teacher, and parents' visits. I
1832 think from previous meetings, it was a suggestion that
1833 actually because I will have staff members working from
1834 the area that it's actually so-called walking distance.
1835 But we will not use to park. But honestly when I go to

1836 park, I park on Irving Street so I can just walk through
1837 the grass area. So that's what I was thinking.

1838 MR. BARTLETT: I read on page 33 of this staff
1839 report and attachment in Condition No. 3 where it talks
1840 about hours of operation, you state that you have
1841 confirmed with the Scout House that the gravel area of
1842 the property has the capacity to comfortably fit ten
1843 cars plus the two dedicated handicap parking spots and
1844 that this area is regularly and commonly used to that
1845 capacity.

1846 MS. WILLS: Right. I saw the cars parked
1847 there for the events and actually I asked them, I will
1848 go there so I can count the cars that are parked there.

1849 But I think one of your City Board member said
1850 that they don't all park on the gravel area. Some cars
1851 I notice they are parked on the gravel area when they
1852 have events, some of them, they are parked on the
1853 street.

1854 So that's what I notice because I will go
1855 there during the events just to see how many cars can be
1856 there.

1857 And also the reason also I was seeking to keep
1858 that area available, handicap area is available, you
1859 know, for parking, if we have an event to use that area.
1860 But just to use really for pick-up and drop-off.

1861 MR. BARTLETT: So I'm looking at a variety of
1862 things and then in Image 3 you have 13 cars in that
1863 little round-about, drop-off, pick-up. And then on page
1864 39 you say that for the purpose of pick-up and drop-off
1865 and traffic flow, the parking area can accommodate 13
1866 cars in that parking lot dropping off children or
1867 picking up children.

1868 I am concerned about the reality of that 4
1869 cars sitting within 45 feet. I don't know if that's an
1870 accurate map there.

1871 MR. CALABRESE: It's not drawn to scale I
1872 don't think.

1873 MR. BARTLETT: No, no.

1874 And I don't see anything in the exhibits for
1875 the attachments about parking. But we can include
1876 conditions if we chose to in this.

1877 And just for purposes of process, my
1878 understanding is that the BZA has the authority to issue
1879 a conditional permit time-wise. And so we could issue a
1880 special use permit that's valid for a year to be
1881 verified and you have to come back and demonstrate that
1882 it's meeting the conditions and we might have staff
1883 reports or citizen concerns at that point that would
1884 indicate whether it's working well, etcetera.

1885 MS. WILLS: Yeah, I understand that.

1886 MR. MISLEH: Mr. Bartlett, shouldn't we allow
1887 the applicant to send in the entire agreement so it can
1888 be cross-referenced by staff with what is being asked
1889 for?

1890 MR. BARTLETT: Mr. Misleh, that is my biggest
1891 concern, yes.

1892 MR. MISLEH: I feel like the failure to submit
1893 the entire agreement where there's material information
1894 on the limitations of the use of the property and how
1895 they interact with what's being asked for in this
1896 application, is something staff really needs to dig into
1897 before we can act.

1898 I don't know if everybody else feels the same
1899 way.

1900 MR. BARTLETT: Mr. Misleh, I completely agree
1901 with you. And this is the concern we had two months
1902 ago.

1903 I do recall a few years, we have approved a
1904 special use permit in the City for the use of a home
1905 daycare and I believe that applicant came to us with
1906 numbers, hours, time, parking plans, pick-up and
1907 drop-off. It was a complete package. Whereas that was
1908 a owner/occupied home daycare, this is a lease/tenant
1909 agreement, I think we should hold Ms. Wills to the same

1910 standard of have a complete package to determine whether
1911 or not it's appropriate.

1912 MR. CALABRESE: If I could ask, I'm just
1913 looking at the sketch of the cars, and this is
1914 unscientific, you look at the one side, you have
1915 essentially six cars on the left side, 68 feet. An
1916 average sedan, just looking up on the Internet, is about
1917 14 feet long. The math doesn't add up. 14 feet times
1918 6, that would mean if they were bumper to bumper. So I
1919 don't see that as really accurate.

1920 I'm a little concerned that the parking plan
1921 is not really accurate. I don't know if you could fit
1922 that many cars in there.

1923 MS. WILLS: Well, that's just if we have so
1924 many cars. We may not have so many cars, especially if
1925 we're going to have staggered drop-off and pick-up.

1926 But I did measure it with somebody else with
1927 better measuring, and I measured like approximately 68
1928 feet as it says over there on that sketch, 40 feet wide
1929 with a 30 foot entrance from South Spring Street. Then
1930 I really took all from the Internet how long are the
1931 cars.

1932 MR. CALABRESE: It's narrow. I mean to make a
1933 flow like that, I don't think that it's wide enough for
1934 a flow like that. It's very, very tight.

1935 Anyway, I do feel like we need a better plan.

1936 MS. WILLS: I did circle with the car, like
1937 how it shows on the sketch and I was able to do it with
1938 my Kia, 7 feet. That's a big enough car. It wasn't
1939 like the small car that I was driving.

1940 MR. CALABRESE: Last point is I agree with Mr.
1941 Misleh and Bartlett. We need a complete application and
1942 this is now the second meeting.

1943 MS. WILLS: Right. I did send you right now,
1944 what I sent to you, I sent to you what I signed. The
1945 exhibit was after that. So I didn't know that you need,
1946 you know.

1947 MR. CALABRESE: So the exhibit is not part of
1948 the agreement then?

1949 MS. WILLS: I don't know. I mean, I sign and
1950 then I send back. But I sent you everything right now.
1951 I sent to Akida Exhibit 1.

1952 MR. CALABRESE: Well, if it's not a part of
1953 the agreement, then that's even another issue.

1954 MS. WILLS: I don't know --

1955 MR. MISLEH: It's referenced as part of the
1956 agreement in the agreement.

1957 MS. WILLS: Well, I sent to you. I sent to
1958 Akida email right now so you can have so you can decide

1959 if it's something really necessary for you or not. You
1960 are welcome to read.

1961 MR. CALABRESE: It's the most important part.
1962 It says what their limit is.

1963 MS. WILLS: Well, I send it to you.

1964 MR. CALABRESE: It also says everybody should
1965 be licensed. Are all your people properly licensed?

1966 MS. WILLS: Oh, yeah, definitely we need to be
1967 licensed. We cannot even operate without being, you
1968 know, I have everybody doing background checks. There
1969 is no way that we can get a license without that.

1970 MR. CALABRESE: Okay.

1971 MS. WILLS: I mean that's the first thing that
1972 child care office check and make sure we get
1973 fingerprint, we have background check, we have first aid
1974 and CPR training, references, everything. I mean,
1975 fingerprint and background check, that says a lot. We
1976 have TB test. I mean we go through really so many
1977 things to be able to work with children. And child care
1978 office is going to have all our documentation.

1979 MR. MISLEH: It also references the age of the
1980 child as different than what's in the application.

1981 MS. WILLS: Yes, you're right about that. And
1982 I was asking them before they send this out, I was
1983 seeing if we can do some aftercare for early release or

1984 something like that. They couldn't get the Board again
1985 together so they will work on those things.

1986 MR. CALABRESE: This is very frustrating.
1987 There appears to be many missing parts to your
1988 application. You're not following what was agreed to by
1989 the Scout House, if this is, in fact, what they said.
1990 It's not matching up with the application.

1991 This is very important. These are children
1992 we're talking about. We're making an approval that will
1993 impact small children and the neighborhood. Just say,
1994 this is very frustrating. It appears that this has not
1995 really been very well prepared. Second time we've
1996 looked at it. And we're, very --

1997 MS. WILLS: I do apologize about that. But,
1998 you know, only my point is if anything is changed, I
1999 don't know how you want me to handle that, I mean in the
2000 near future or something like that.

2001 MR. MISLEH: I think we, during the last
2002 meeting, instructed you to work with staff to make sure
2003 the application was complete prior to coming to the
2004 Board.

2005 MS. WILLS: Okay. Well, this is the User
2006 Agreement that I got it and if you want to go by this,
2007 you know, and it is the recommendation that they will

2008 start with 25 children and they will see about 30 and if
2009 you think 25 is what they approved, I'm okay with that.

2010 If they change anything, then we can work at
2011 that time if they change anything.

2012 MR. CALABRESE: Your application doesn't say
2013 that. Your application says 39. The ages are wrong.
2014 This is unacceptable. Plus we need information from the
2015 fire marshal.

2016 MS. WILLS: Do you want me to adjust my
2017 application to the number of children from the Scout
2018 House? What if they change anything --

2019 MR. CALABRESE: Well, how can you ask for more
2020 than what the Scout House is allowing you?

2021 MS. WILLS: Because I sent my application a
2022 long time ago. This was from February. The reason for
2023 that, because the building, maximum occupancy building
2024 is 49.

2025 MR. CALABRESE: That's not what they've agreed
2026 to.

2027 MS. WILLS: Do you want me to request 25 and
2028 adjust my application now, you know?

2029 MR. CALABRESE: Our job is not to make your
2030 application. You're supposed to present this to us.

2031 MS. WILLS: Right. And that's the reason I
2032 was thinking if -- because you will get a different

2033 number of children, Scout House will get a different
2034 number of children and child care office will get a
2035 different number of children.

2036 MR. BARTLETT: Ms. Wills, as we discussed at
2037 the May meeting, we do feel like this is going to be
2038 beneficial to the community. We do feel you're
2039 operating in the best interest for yourself and this
2040 company and the children themselves. But we don't have
2041 information to make an informed decision on your
2042 application for a special use permit to operate this
2043 daycare.

2044 When we don't have all that information, we
2045 can't make a decision. So we're trying, I believe, to
2046 help you realize that what you've presented to us is
2047 inconsistent and not complete. And until you have
2048 information from the variety of governmental entities
2049 that you need to interact with, including, I mean you
2050 went and worked with the City, you went and worked with
2051 the Parks Department, and you went and have a written
2052 agreement with the Scout House. But the information you
2053 are presenting to us are not all aligned to be accurate
2054 based on all of those variety of sources.

2055 And up and until you have an approval or
2056 consent, I'm not sure what the actual terminology is,
2057 from those that regulate child care centers, I think we

2058 need that information before we can make an informed
2059 decision to approve this special use permit.

2060 MS. WILLS: Okay. So then I will adjust the
2061 number of children to 25 and go with that.

2062 MR. BARTLETT: I don't think that's accurate.
2063 I think you need to find out what either Fairfax County
2064 or the State of Virginia will allow you to do.

2065 We are not going to approve or issue a special
2066 use permit that is inconsistent with government
2067 agencies' approval of use.

2068 MS. WILLS: Well, I can get that information
2069 only after I go through process with you. Then they
2070 will come. They don't want to come before that.

2071 MR. BARTLETT: I don't think that's accurate.

2072 MR. CALABRESE: The fire marshal may have
2073 already evaluated the house. I imagine they already
2074 have.

2075 MS. WILLS: The fire marshal was there, yes.
2076 Do you want me to request something from fire marshal,
2077 go back to him and ask him to confirm 25 number of
2078 children? Is that something that you will approve, that
2079 I go to the fire marshal and request something in
2080 writing?

2081 MR. CALABRESE: Mr. Boyle, are there people,
2082 consultants or lawyers, that can help this applicant

2083 with determining what it is they need to do to make a
2084 proper application?

2085 MR. BOYLE: I think generally no, but in this
2086 particular circumstance it's heavily controlled by
2087 building code and fire marshal. And then zoning
2088 parallels that with on street parking restrictions and
2089 what have you.

2090 So I think if she got a statement from the
2091 building official and fire marshal about what the cap
2092 was and then zoning would add to that, you have to host
2093 all of your parking on site, that would frame the
2094 discussion very well.

2095 MR. CALABRESE: Okay.

2096 MS. WILLS: Okay. So would you like me to go
2097 back to fire marshal and --

2098 MR. CALABRESE: Our job is not to guide you
2099 into the process.

2100 MS. WILLS: Okay. I will provide you then
2101 with fire marshal statement so you have more information
2102 about this location.

2103 MR. EPPLER: And, Ms. Wills, if I could, if
2104 you can speak with the daycare licensing group, I'm not
2105 sure what the official name of it is, that you said did
2106 not want to do their inspection until we issue a special

2107 use permit, can you ask them if there is some written
2108 rule that says that that is the procedure they want.

2109 MS. WILLS: I think --

2110 MR. EPPLER: See, it seems out of order to us
2111 and that's why we're confused.

2112 MS. WILLS: Right. And then I can explain to
2113 you, I can try to explain. The reason for that is
2114 because they need certificate of occupancy. But
2115 certificate of occupancy I can get after this meeting
2116 when you approve. And what I will do to make it easier
2117 for you, what I will do, I will send to them -- I will
2118 send to them, they will accept it because I already
2119 talked to them, they will accept completed building
2120 evaluation.

2121 So I will give them completed building
2122 evaluation and schedule them to come so they can measure
2123 and everything and then I can present that to you.

2124 I can try to do that way. So you have more
2125 information and then you feel more comfortable going
2126 through this process with me.

2127 Would you consider that? That is something I
2128 can try to do.

2129 MR. BOYLE: Mr. Chair, I think the building
2130 official's code requirements and fire marshal plus the
2131 zoning are the hurdles that we have to clear and firm up

2132 here. Even if the property owner allowed more, we
2133 couldn't because of the fire marshal.

2134 It would be interesting to consider if the
2135 property owner required less, I think we'd have to
2136 respect that.

2137 But I think what we don't know for sure is,
2138 what's the building official, what's the fire marshal,
2139 and do we need any on-street parking for this use.
2140 Those should be cleared up for the next hearing.

2141 MR. BARTLETT: I agree with that, Mr. Boyle.
2142 My only other confusion is getting a permit from,
2143 whether it's the State of Virginia or Fairfax County --
2144 I know we're not in Fairfax County, but Fairfax County
2145 oversees a lot of health issues and childcare issues,
2146 whether or not they need this permit from us before they
2147 can approve that or we need that permit from them to
2148 approve her special use permit in Falls Church.

2149 That information probably should come from the
2150 City of Falls Church staff to verify what comes first.
2151 I think we need that information as well.

2152 MR. BOYLE: I think so. In my experience, the
2153 State defers to local code, especially in a situation
2154 where we have our own town and city code, the State will
2155 defer to that. So I think our building official and
2156 fire marshal will be the guidance that we need here.

2157 MR. CALABRESE: I'll just echo a point made
2158 earlier, was that the other times that we've approved
2159 these, it was very seamless, these questions weren't
2160 raised. I'm not sure I understand why, it's almost
2161 like a mystery how we're supposed to do this. I'm not
2162 sure what's different between this case and the others.
2163 We were basically presented with information and we
2164 approved it.

2165 But this one, it appears there's all these
2166 questions about the process and I'm not an expert on
2167 this process. So I'm confused why it's so difficult
2168 this time.

2169 MR. BARTLETT: Dave, one of the issues that I
2170 think is present is there was a previously existing
2171 child care facility at the Scout House and I think
2172 because of that there was this presumption that that
2173 facility had a special use permit and was permitted to
2174 operate as a daycare center. But there's no record of
2175 the prior occupant having a special use permit to
2176 operate a daycare.

2177 So I think there was just like, Oh, yeah,
2178 we'll just move forward.

2179 And so there's a lot of questions that still
2180 need to be answered because of that.

2181 MR. CALABRESE: Okay. Thank you.

2182 MR. BOYLE: Mr. Chair, just for housekeeping
2183 purposes, I think it would be helpful to give the
2184 applicant some homework and also address if we continue
2185 this to another date whether that includes August, a
2186 special hearing, or September, first September date.

2187 I think what staff needs to advertise this is
2188 what does the building official and the fire marshal set
2189 as a cap, what does the property owner set as a cap.
2190 The State, I'm almost positive, will accept all of that
2191 and that will frame our advertising for the next
2192 hearing.

2193 So, caps from fire marshal and building
2194 official and then do you want to vote on this item
2195 tonight or continue it and what would that date be.

2196 MR. CALABRESE: One other question, Mr. Boyle,
2197 was when I look at the letters from the neighbors they
2198 endorse the general proposition of a daycare center but
2199 they don't appear to be addressing numbers of cars and
2200 parking or anything else. So I'm not sure they
2201 understand what the impacts would be. It just appears
2202 that they agree a daycare center would be a good idea
2203 but no indication of the impact on volume.

2204 MR. BOYLE: I think you're correct. The
2205 safeguard moving forward I think is simply to require
2206 that all parking be hosted on the property and that's a

2207 routine requirement, we have that everywhere throughout
2208 our commercial district. So that's not an unreasonable
2209 requirement.

2210 MR. BARTLETT: I will just point out, I'm
2211 doing some background research here for you. The
2212 Virginia Department of Education has licensure
2213 requirements for any child care center that has over 13
2214 children. It includes a variety of checklists of
2215 information that you need to go through to get licensed,
2216 site design, functional design, all sorts of information
2217 in here.

2218 So what I would like to see, John, as chair, I
2219 would like staff to coordinate with the applicant to
2220 make sure all the boxes are checked before the applicant
2221 comes to us for, as a continuance, for a special use
2222 permit.

2223 And I don't want to put a timing frame on it
2224 as to when that application will be complete. So I'm
2225 not saying at this point we should continue to August or
2226 September, it should just be when this application is
2227 complete.

2228 And maybe the applicant reaches out to some
2229 small business assistance programs or the local Chamber
2230 of Commerce that could help facilitate some of this or
2231 provide some guidance or some mentoring to make sure

2232 that they have the proper information before they come
2233 back to us.

2234 MR. BOYLE: I think that's a reasonable way
2235 forward. Don't schedule a meeting, let's not schedule
2236 something that's incomplete, let's wait until we have
2237 more information.

2238 And staff, between the fire marshal and
2239 building official, will definitely be good resources for
2240 this applicant.

2241 So next time the Board hears this matter we
2242 will have some additional information on those items.

2243 MR. BARTLETT: My understanding, John, is this
2244 is not the only privately run child care facility in the
2245 City of Falls Church, and so we should reference those
2246 scenarios to make sure that this application is
2247 consistent with other applications for the use of or
2248 operation of child care facilities in Falls Church.

2249 MR. BOYLE: That's correct. Most of the
2250 churches in town operate child care and what have you.
2251 Schools operate after-hours latchkey programs.

2252 So, yeah, we'll definitely assist the
2253 applicant moving forward. Next time the Board hears
2254 this I think you'll have more information to consider
2255 this application.

2256 MR. BARTLETT: Thank you, John. We appreciate
2257 that.

2258 MS. WILLS: Yeah, I also want to thank you to
2259 be pointed in the right direction, to work with the fire
2260 marshal more about this location. And I will also see
2261 what I can do my best, you know, I'm in touch with my
2262 child care specialist to help you maybe to get some
2263 exact number. Maybe it will not be even 25. But, you
2264 know, if I can do something about that, that will help
2265 this process be approved.

2266 MR. BARTLETT: Thank you very much, Ms. Wills.
2267 We look forward to hearing from you again soon.

2268 MS. WILLS: Yes. Thank you.

2269

2270 6. APPROVAL OF MINUTES

2271 a. Approval of the May 13, 2021, Meeting Minutes

2272 MR. BARTLETT: Moving on to the Agenda, I
2273 would just like to review the approval of minutes from
2274 the May 13, 2021, meeting.

2275 So if you will pull those up and take a look.
2276 Let me know if you have any comments or concerns.

2277 MR. BARTLETT: I would just point out that the
2278 minutes from the May meeting are solely dedicated to the
2279 discussion of this special use permit.

2280 (Minutes reviewed.)

2281 MR. MISLEH: Mr. Bartlett, I'll move to
2282 approve the meeting minutes from the May 13, 2021,
2283 meeting of the Board of Zoning Appeals.

2284 MR. BARTLETT: I'll second that motion. And I
2285 believe we have a quorum to approve them because Mr.
2286 Misleh, Mr. Eppler, and myself were the only members
2287 present for the last meeting.

2288 So, roll call, Akida.

2289 RECORDING SECRETARY: Mr. Bartlett.

2290 MR. BARTLETT: Yes, I approve.

2291 RECORDING SECRETARY: Mr. Calabrese.

2292 MR. CALABRESE: Well, I guess I'll abstain
2293 since I wasn't there. Hopefully that won't cause a
2294 problem with the vote.

2295 RECORDING SECRETARY: Mr. Misleh.

2296 MR. MISLEH: Yes.

2297 RECORDING SECRETARY: Mr. Kien.

2298 MR. KIEN: I will abstain because I was not
2299 there.

2300 RECORDING SECRETARY: Mr. Eppler.

2301 MR. EPPLER: Yes, approve.

2302 RECORDING SECRETARY: Thank you.

2303

2304 7. OTHER BUSINESS

2305 MR. BARTLETT: And at this time is there any
2306 Other Business from members of the BZA or from staff?

2307 MR. BOYLE: Mr. Chair, if I could, we learned
2308 this week of the passing of my predecessor, David Rock,
2309 zoning administrator for the City of Falls Church from I
2310 believe 1985 until 2005. And in my almost 20 years of
2311 experience, his guidance has really framed how I have
2312 approached my interpretation of the Code and how I go
2313 about my interaction with the public, what have you.

2314 I can say next to my father, David Rock was
2315 the finest man I ever met. And I don't know if any
2316 members of the Board had the pleasure and honor of
2317 working with him, but he really created zoning and how
2318 this Board I think functions. He established how this
2319 Board functions from his many years of service to the
2320 community.

2321 He was a Pennsylvania farm boy. He arrived in
2322 D.C. Union Station with literally a cardboard suitcase
2323 and nothing more than a high school education and landed
2324 in Falls Church and before he knew it he's battling
2325 massage parlors and broken neon signs and he helped
2326 guide Falls Church from the 1940s to what you see today.

2327 And when I arrived in Falls Church thinking I
2328 was going to be a zoning inspector, Dave Rock, the first

2329 thing he did was send me to Virginia Beach for training
2330 as a zoning official and literally the rest is history.

2331 So, I would be remiss if I didn't mention that
2332 we've lost a real pillar of the community. And he died
2333 at the age of 80, he had a good run, and he was a lay
2334 preacher, he was surrounded by great grandchildren,
2335 grandchildren. He had a wonderful life that we could
2336 all do well to emulate.

2337 So I would like simply added to the record
2338 that, Mr. David Rock, you're remembered and I appreciate
2339 everything that you've done to help me and this
2340 community benefits from your many years of service.

2341 MR. BARTLETT: John, thank you for sharing
2342 that with us and I'm first sorry for your loss, a mentor
2343 and a friend of yours, but also for what he did for this
2344 community. It seems like we're eternally grateful.

2345 MR. MISLEH: Thank you.

2346 MR. BARTLETT: Is there is any Other Business
2347 to share?

2348

2349 8. ADJOURNMENT

2350 MR. BARTLETT: I will call a motion to adjourn
2351 the meeting of the Board of Zoning Appeals for July 15,
2352 2021.

2353 MR. EPPLER: Second that motion.

2354 MR. BARTLETT: Meeting is adjourned. Thank
2355 you very much.

2356

2357

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