



May 8, 2020

Arlington County Board
2100 Clarendon Boulevard, #300
Arlington, VA 22201



Dear Chair Garvey, County Board, & County Management,

Prior to the publication of the [Columbia Pike Commercial Market Study](#), the Columbia Pike Revitalization Organization (CPRO) began convening key property owners, developers, and managers on the pike to discuss challenges, needs, and recommendations. Now that the market study is public and [initial priorities](#) have been communicated, we would like to formally support priorities discussed at the [County Board Work Session](#), as well as make additional recommendations.

The group represented in this letter has identified the Columbia Pike Form Based Code (FBC) as an important asset and tool for the development, private investment, and revitalization of Columbia Pike. Although the recent amendments to the FBC have been helpful, there is an opportunity to take a step back, revisit, and modernize aspects of the code. This exercise becomes even more essential as we look to live, adapt, and evolve in a world with COVID-19.

The attached position paper discusses and makes initial recommendations in five key areas: 1) Retail Equivalent & Ground Floor Use, 2) Zoning, 3) Signage, 4) Architecture, & 5) Transit. This paper and its recommendations have been discussed with County Leadership. CPRO and those represented here recognize the County may need to address these recommendations in phases. Our first priority is to align the Columbia Pike FBC retail requirements with the County's Retail Plan.

We thank you for your time, expertise, and consideration, and look forward to furthering this conversation.

Sincerely,

John Snyder, CPRO President

A handwritten signature in black ink, appearing to read 'John Snyder'.

Kim Klingler, CPRO Executive Director

A handwritten signature in black ink, appearing to read 'Kim Klingler'.



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COLUMBIA PIKE - FORM BASED CODE (FBC) POSITION PAPER

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I. Background

In response to demand from the Columbia Pike business community, property owner/developers, and residents concerned about the difficulty of opening useful and desired businesses under the Form Based Code (FBC), this document outlines some of the issues hampering the development of successful new mixed-use buildings and businesses on the Pike and suggests potential remedies. Although the Neighborhood Plans should be revisited in the future, this document primarily focuses on the Columbia Pike Commercial Form Based Code, which includes ground-floor retail space.

The FBC was passed with the goal of encouraging development (within limits prescribed by the code) within commercial areas along the Pike. New and improved businesses along with thriving legacy businesses were envisioned as revitalizing and improving the quality of life for the Pike community. The regulatory regime for buildings was streamlined, applying specific rules, but also mandating that compliance with the rules would lead to approval, without the negotiations, uncertainties and delays of the Site Plan process. True to its name, the Form Based Code regulates the form of the building, and more subtly its use. However, as it pertains to ground floor retail on the Pike, the FBC overtly regulates use.

Today, more than 16 years after the FBC's implementation, we note the ongoing difficulties of creating a thriving environment for ground floor businesses on the Pike and expanding their scope beyond neighborhood-serving uses. As highlighted in the [Columbia Pike Commercial Market Study](#) issued in October 2019 and then discussed during a [County Board Work Session](#) in December 2019, some of the systemic contributing factors include a lack of a dedicated and connected public transportation solution along the corridor, a dearth of daytime traffic generated by hotel/office uses that are few and far between as well as a significant evolution in how retail spaces are used and are going to be used moving forward. The FBC, as currently written and administered, does not provide sufficient flexibility to overcome these systemic challenges to the retail uses.

The Pike is a work in progress, a revitalization district that continues to develop from suburban into urban, and that needs some tools and time to help it grow into the future contemplated by the FBC. Specifically, at this time, we believe the FBC over-regulates the types uses allowed in retail spaces, making it difficult to open certain businesses or contemplate other uses of the space, and then only after a lengthy approval process.

Furthermore, as we see existential changes in how retail is used and how much is really needed, we are concerned that the definitions of and requirements for retail in the FBC are backward-looking rather than forward-looking. While we applaud the goal of engaging business storefronts to help activate the streetscape, the goal is not well served by long-vacant storefronts as prospective businesses and landlords struggle with the delays and uncertainty imposed by the current regulatory environment. We need a bridge to the future; we cannot simply mandate the future use without recognizing the challenges faced during this period of transition.

II. Goals

There is a strong and widely-held desire for the county to consider FBC amendments that would allow more flexibility of ground floor retail space (without necessity of special exemptions or use permits). Examples of uses could include:

- Storefront professional and public engagement offices (like CPRO itself, which cannot move into a storefront in a new FBC building) without a special use permit from the county.
- Storefront business center/office sharing spaces
- Daycare (also involves building code issues)
- Religious worship and meeting spaces
- Educational uses
- Start-up shared kitchens
- And many more authors of this paper have not thought of, but upstart businesses will.

In order for Columbia Pike to truly revitalize and realize its future, like any revitalization district, it should be given more flexibility e.g. – zoning, signage, and architecture in order to promote creativity, resourcefulness, and growth vs. stifle it. In addition, supporting transit must be a priority for the Pike, whether it be the 16M, a circulator, autonomous vehicles, or other.

III. Recommendations

1.) Retail Equivalent & Ground Floor Uses

It is critically important that the county i) remove restrictions on ground floor uses and ii) instead, prohibit or closely regulate unwanted uses rather than creating a list of desired uses. Having a list of desired ground floor uses has become a restriction. The market, not the county government, should govern what kind of businesses will be successful on the Pike. Thus, the ordinance should address potential noxious uses (producing either noise or odors or other nuisances to the outside) rather than making a list of allowed uses. Although there is a desire among Pike residents to limit exploitive businesses (check cashing, etc.), that policy may be beyond the purview of zoning.

In addition, the county should consider iii) reducing side-street retail frontage requirements, iv) allow non-retail uses (by current definition) with future conversion to retail as the market changes or improves, v) increase flexibility to allow pop-up art installations and similar uses in un-occupied spaces, and vi) improve the speed and predictability of building permit process for tenant fit out.

2.) Zoning

Restrictions on “light industrial” uses are also hampering revitalization. Additional flexibility should be applied to regulation of industrial uses in the same non-restrictive manner, restricting uses based on their physical impacts, not on some governmental sense of what businesses “belong” in a certain area, and updated for 21st century technology. For example, printing is a different process than it was 40 years ago. 3D printing was unknown at the time many zoning ordinances were written. Breweries would be a welcome addition on the Pike, and pet boarding/daycare or other such services are also desired. Again, limitations should be based on adverse impacts, not on tweaking definitions of “industrial” to allow a few new uses.

3.) Signage

The current signage ordinance is strictly prohibitive and has been said to especially penalize small businesses. Therefore, we ask that more prominent signage be allowed, including signage on street fronts for retail etc. behind the plazas, ex: Penrose Square. In addition, the county should allow (and install) more prominent and potentially larger signage, including, but not limited to way-finding signage. The recent opening of CENTRO has reminded us and highlighted the need for enhancements in our current parking and other signage. Wayfinding signage is essential to any successful retail strategy.

4.) Retail Focused Architecture & Design Suggestions

Revisions to the Form Based Code have been made to try to improve, (or at least not inhibit) the quality of architecture along the Pike. Additional flexibility on the sizes and quantities of signage could help achieve this goal by adding interest and diversity to frontages on the ground floor. Note for instance that the foremost among iconic images of the Pike is the marquee (signage) for the Cinema and Drafthouse.

At this time, we would recommend revisiting and reviewing the effectiveness of some of the following architectural standards in whether/how they enhance the architectural quality of the buildings being designed under the form-based code and allowing for more flexibility in the structure and façade of the buildings.

a.) Building & Façade Materials:

Allow for more flexibility on materials allowed to be used along ground plane to allow for more differentiated and engaging storefront. For instance, currently, tile is excluded as an allowable material. The use of ceramic and porcelain tile as an exterior sheathing material is becoming an attractive and green option for many of today’s building.

There needs to be an understanding and an acceptance that building materials are constantly improving and evolving. Materials such as stucco and terracotta may not have been preferred. However, these and other new materials may offer more innovative, higher quality, and energy friendly cladding options.

Provide more flexibility in fenestration patterns to allow for a more contemporary look, e.g. – allowing a window to span more than 1 floor.

In alignment with the overarching theme of this paper, the County and Columbia Pike could benefit from the tone and guidance being inclusivity vs. exclusivity.

b.) Façade Composition:

Consider whether requirement of a changing vertical façade composition every 60 feet really helps to achieve excellent architecture. The objective is to create an engaging streetscape that promotes pedestrian interaction with the building – to help “make the street active and interesting”. Create some more flexibility in how this can be achieved.

We also question whether in defining the “simple plane, the maximum façade jog should have flexibility to expand beyond the current 24”.

In addition, in conditions with topography changes along the frontage of any building, the ideal door location would be where the building elevation meets existing grade (accessibility), this location may conflict with the average and maximum distance requirements. Exceptions to the door distance requirements in cases such as the examples above would be beneficial.

c.) Ground Story Height & Maximum Floor Plate:

Now that multiple properties have been developed based on the Columbia Pike Commercial Form Based Code, there are some design and engineering realities and lessons learned. There should be ground-story height flexibility/differentials based on the topography/grade.

Although 30,000 Sq. Ft. Maximum building floor-plate is reasonable and certainly viable for Office use, and “special exception” options are available for floor plates beyond such limit; the 30,000 Sq. ft. limit restricts other uses such as residential-multifamily, where viable investments in today’s market suggest floor plates between 50,000 to 60,000 Sq. Ft. for 5 to 6 story buildings.

d.) Design that Facilitates Pick up & Drop Off Uses of e-commerce:

It appears that pick up and drop off in retail uses, whether by pedestrian, car, robot or drone will likely become more and more prevalent. If we want retail uses along the Pike to be successful, we will need to provide more flexibility in design to allow for this.

5.) Transit Focus & Commitment

Development on Columbia Pike continues to be proposed, planned, and executed based on the current [Development Summary Map](#). These developments need to be supported by transit options. With Amazon HQ2 coming online, there is a significant opportunity for the Pike to be the “one-seat connector” between Fairfax County, Arlington County, and National Landing. CPRO is currently partnering with the community, businesses, the County, and other stakeholders to place an emphasis on and expedite the completion of the [Columbia Pike Transit Network](#) and the [16M](#). in a timely and opportunistic manner.

Allowing these initiatives to drag on puts Columbia Pike, Arlington, and the region at a disadvantage. We must get in front, so that new Amazon employees and spin-off businesses realize Columbia Pike is a valuable neighbor, a neighbor that is diverse, unique, has an inventory of housing that is still affordable, and is one ride, one seat away.

The Columbia Pike Transit Network should also be complimented by other modes of transit, whether it be a circulator, giving Amazon employees the opportunity to enjoy the ethnic cuisine of the Pike for lunch, autonomous vehicles, or other.

IV. Next Steps

There are quite a few activities currently underway (listed below). Using this position paper as a lens, these materials should be further reviewed, analyzed, and priorities should be set, along with accompanying timelines.

- 1.) Recommendations (Tool Kit) from the [Columbia Pike Commercial Market Study](#)
- 2.) Backlog of Form Based Code Amendments (Approved & Pending) - [Projected Columbia Pike Work Plan](#)

In addition, the County should consider conducting test cases, where the Form Based Code restrictions are lessened, in order to test the market, and allow development to align with the needs of the community.