Commercial Market Resiliency Initiative: Indoor Recreation, Audio-Visual & Broadcast, Research & Development

Presentation to ZOCO

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AGENDA



2 Indoor Recreation Ordinance

Audio-Visual Production & Broadcast Studio Ordinance

Research & Development Ordinance

Introduction:

- Continued application of the County Manager's strategy to ensure commercial market resiliency.
- Use of "quick" process for proposed zoning ordinance amendments.
- CB authorized advertisement for indoor recreation on Feb. 18, 2023, and authorization for R&D/AV is anticipated on Mar. 18, 2023.

Zoning Amendment or Policy Change Process



QUICK

3 - 5 months

Broader RTA

Targeted
engagement

CB Action



NIMBLE

6 – 9 months
Broader RTA
Targeted
engagement
CB Action



NUANCED

9+ months

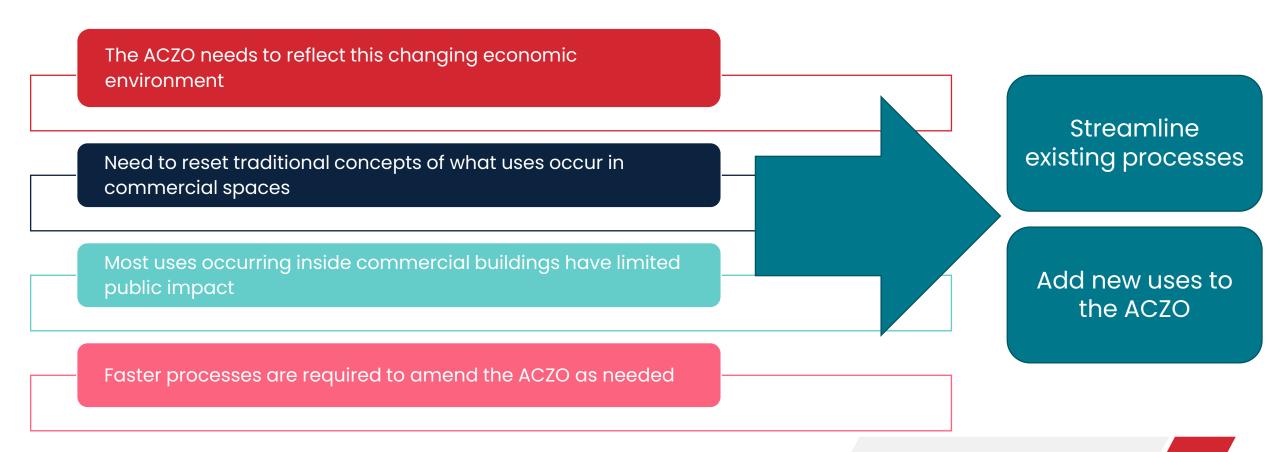
Enhanced engagement Refined RTA

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CB Action

The Process:

The Commercial Market Resiliency Initiative (CMRI) reflects the reality that rapid economic shifts have structurally altered the way that commercial office and retail spaces will be utilized in the future.



Commercial Market Resiliency & New Economy Uses

New Economy Uses

Medical, research and development, indoor recreation, brewpub, microbrewery, small distiller/winery, broadcasting studios, alternative energy, catering, artisan makerspaces and manufacturing.

Con Ado Micro Colle Urban Board

Completed & Adopted CMR Uses

Micro-fulfilment, Urban Colleges & Universities, Urban Agriculture, Animal Boarding, Artisan Beverage, Artisan Workshops.

On Base

Indoor Recreation, Audio-Visual & Broadcasting Studios, Research & Development.

Up Next

Commercial, Shared, Ghost Kitchens.

ACZO Challenges:

Ordinance misaligned zoning best practices; use table lengthy and complex

Staff, Planning
Commission & County
Board time spent on
things that should be
relatively minor issues

Ordinance
inflexible:
limited and
outdated uses,
examples

Denial of interested business applicants with new and emerging concepts Time consuming
approvals process can
jeopardize business
investment due to
uncertainty





Board Room (top), Bonds Escape Room (bottom)

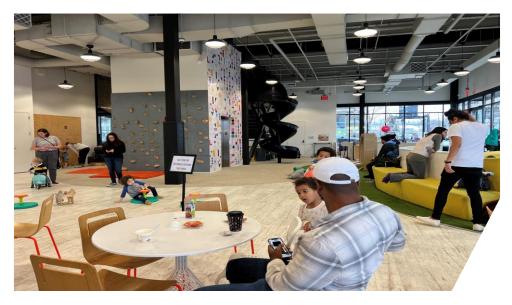
Indoor Recreation

RTA: Feb. 18 • Planning Commission: April 10 • County Board: April 22

Indoor Recreation Examples:

- Video arcades
- Axe throwing
- Bocce ball
- Curling
- Escape rooms
- Feather Bowling
- Fowling
- Indoor play areas

- Miniature golf
- Recreational crafting
- Table-top game rooms
- Virtual and augmented reality games
- Other similar activities.





The Lane (top) D.C., Muse (bottom), Ballston Quarter

Indoor Recreation: DMV & Beyond

Spin Ping Pong, D.C.



Planthouse Alexandria



Beat the Bomb, D.C.



Throw Social, D.C.



Fowling, Hamtramck, Ml.



Feather Bowling, Cadieux Café, Detroit, MI





Trends in Indoor Recreation:

- Evolving restaurant concepts that blend food and beverage with gaming centers
- Increasing demand for indoor recreation facilities in walkable areas, along with new and emerging activities and technology
- Greater need for 3rd places to bond & connect over shared interests/activities; competitive socializing

Hook Hall, Park View, D.C.





Case Study: The Puttery

- Modern restaurant concept which fuses hightech mini-golf with craft cocktails and curated cuisine, as well as gathering space for corporate & group events.
- Existing locations: D.C., Miami, Chicago,
 Minneapolis, Kansas City, NYC, Charlotte,
 Pittsburgh, Dallas & Houston.
- Revenue: Game Play= 38%;Food/Beverage/Events= 62%
- Applied for Zoning Determination for a location in Regency's Crossing at the southern end of the loop in Clarendon, replacing a portion of Barnes and Noble space.
- Application denied; location is zoning C-O-1.5 and miniature golf courses are not allowed.

Zoning Trends & Best Practices:

SITUATIONS:

- The zoning code provides a separate list of uses for each zoning district.
- The zoning code consolidates uses into a single use table, <u>but the table is extremely</u> lengthy and complex.

STRATEGIES:

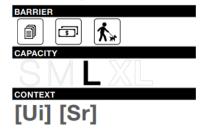
- Remove unnecessary distinctions between uses that have similar impacts.
- Consolidate zoning districts where the distinctions between districts are minor.
- Eliminate district-by-district lists of uses and replace them with a matrix that shows uses and zoning districts.
- Simplify overly complex matrices.

DISCUSSION:

Many zoning codes suffer from overly specific use designations that may unintentionally limit beneficial, unforeseen uses and add unnecessary complexity. Many also include a "prohibited if not permitted" clause, which can be detrimental to new development.

Uses should be described in the broadest categories possible, such as Residential, Office, Service, Retail, Manufacturing, Industrial, and Food Service. There are few meaningful differences between specific use sub-categories, so the code should have the fewest specific distinctions possible. Consolidate similar uses. A specific use does not require its own category unless it is to be excluded in more than one district. The building code also regulates some uses, and should not be contradicted or duplicated by the zoning code. This strategy enables easier changes of use, helps keep buildings occupied, and assists with a robust economy.

5.6 Reduce requirements for change of use



SITUATIONS:

Changes of use often result in nonconforming situations, significant impact fees, increased parking requirements, and older buildings remaining empty and suffering from disinvestment.

STRATEGIES:

 Simplify the process for change of use to avoid unnecessary financial and regulatory barriers.

DISCUSSION:

For mixed-use districts to remain vibrant, spaces must be able to change uses over time. As market demands shift, uses should be able to adapt. However, many codes and ordinances present significant financial and regulatory barriers to changing uses by the imposition of higher parking requirements, unattainable stormwater infrastructure in an infill condition, nonconforming conditions, and assessment of impact fees.

Imposing harsh concurrency standards for change of use hampers economic development. The costs of concurrency, new parking, and impact fees for a conversion to a coffee shop could add \$50,000 in some municipali-

2. Simplify uses.



When businesses change product lines, tenants or ownership, they should not be subject to new zoning requirements. Uses should be regulated by broad categories, such as commercial, office, lodging, residential, civic, institutional, and industrial -- not by specific product or services such as coffee

shop, ice cream parlor, o<u>r</u> barber shop. Instead of attempting to list all permitted uses, specific uses that are problematic, such as big boxes, fuel sales, or drive-throughs, should be specifically restricted. A broad variety of activities <u>ensures a vibrant</u> environment.

<u>Enabling Better Places: Commercial Corridors & Shopping Centers, 2020.</u> Redevelopment Ready Communities & Congress for New Urbanism

One Way to Reduce the Need to Classify Uses

- The traditional way in which uses have been classified in a particular zoning district has been to list in the district
 regulations the uses that are allowed by right and by special use permit. For example, a commercial zoning district's
 regulations might list dozens of retail sales shops with great specificity gifts shops, clothing shops, shoe shops,
 department stores, drug stores, stores selling musical instruments, stores selling photography equipment, and so on. If
 someone proposes to sell something not included in the list, the zoning administrator must determine whether it is
 allowed.
 - Consider replacing the traditional list with broad, defined, categories such as "retail sales."

<u>The Albemarle County Land Use Law Handbook, 2018</u>. Albemarle County Attorney's Office

Current Commercial/Mixed Use (C) Districts Principal Use Table

	COMMERCIAL/MIXED	USE	(C	() D	IST	RIC	TS	PRI	NC	IPA	<u>L U</u>	SE	TA	BL							
	Specific Use Types	RA4.8	R-C	RA-H		C-1-R	C-1	WU-VS	\sim	ن	ن	C-0-2.5	ن	C-0-A	C-O ROSSLYN		<u>C-7</u>	C-TH	C-3	C-R	Use Standard
	e permit and site plan approval; P = allowed b		t; U =	= req	uires	use	pern	nit ap	opro	val; S	S = r	equir	es s	ite pl	an a	ppro	val;	Blar	ık cel	I = not permitte	d
Retail, Service and Comme	rcial Use Categories (See §12.2.		С		<u> </u>		-11			0	0	0	0		0	0		U	-11		
Entertainment (See §12.2.5.A)	Game arcades		_		U		U	0		-	-	-									
	Movie or other theaters	S	S		S			Р		S	S	S	S	Р	S	S	Р	Р	Р	Р	
	Membership clubs and lodges	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U		U	U	§12.5.13
	All other indoor entertainment uses	S	s		S			Р		S	s	S	S	Р	S	S	Р	Р	Р	S	
Recreation, Indoor (See §12.2.5.F.2(a))	Billiard or pool halls							ш												П	
	Bowling alley	C	Ç		Ç					Ç	Ç	Ç	Ç	Ų	Ç	Ç	Ų	Ų	Ų	Č	
	Driving ranges	THE R																U			
	Miniature golf courses																	U			
	Skating rink	C	C	100	С			U		C	C	C	C	U	С	С	U	C	U	C	•
	Swimming pool	S	S		S			Р		S	S	S	S	Р	S	S	Р	Р	Р	Р	
	Tennis, racquet or handball courts	C	С		С		IJ	U		С	С	С	С	U	С	С	U	Ų	U	U	
Recreation, Outdoor (See §12.2.5.F.2(b)	Driving ranges		Н								Н							U			
	Miniature golf courses	С	С		С					С	С	С	С	U	С	С	U	U	U	U	
	Skating rinks	С	С		С			U		С	С	С		U		С		С		C	
	Tennis, racquet or handball courts.	С	С		С		U	U		С	С	С	С	U	С	С	U	С	U	U	
	Swimming pool	С	С		С					С	С	С	С	U	С	С	U	С	U	С	
	All other outdoor entertainment	С	С		С		U	U		С	С	С	С	U	С	С	U	U	U	U	

Current 12.2 Use Categories:

A. Entertainment

1.Characteristics

Generally commercial uses, varying in size, providing daily or regularly scheduled entertainment-oriented activities.

2. Examples

Examples of entertainment uses include adult entertainment establishment; game arcades; dance halls; movie or other theaters; and membership clubs and lodges.

3. Accessory uses

Associated offices; concessions; food preparation and dining areas; maintenance facilities; parking; and restaurants.

4. Uses not included

Botanical gardens; nature preserves; golf courses or country clubs (see Parks and Open Areas).

F. Recreation

1.Characteristics

Generally commercial uses, varying in size, providing daily or regularly scheduled recreation activities. Such activities may take place outdoors (outdoor recreation) or within a number of structures (indoor recreation).

2.Examples

(a) Indoor recreation

Examples of indoor recreation uses include indoor recreation activities such as billiard or pool halls, bowling alleys, driving ranges, tennis, handball and racquetball, and courts, skating rinks, miniature golf, and firing ranges conducted within an enclosed building

(a) Outdoor recreation

Examples of outdoor recreation uses include amusement parks; batting cages; dog or horse tracks; fairgrounds; golf driving ranges, miniature golf facilities; riding academies or boarding stables; stadiums and arenas; tennis, handball or racquetball courts, skating rinks; and water parks.

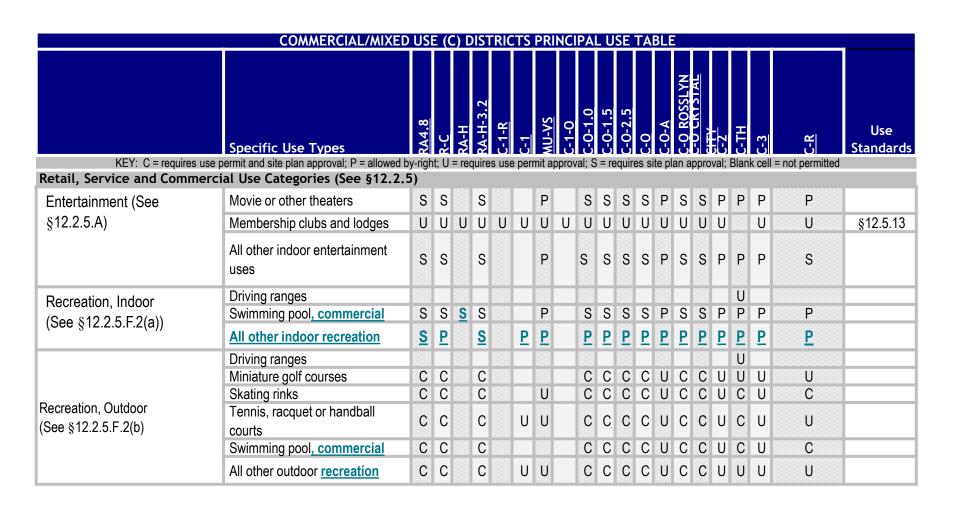
3.Accessory uses

Associated offices; concessions; food preparation and dining areas; maintenance facilities; parking; and restaurants.

4.Uses not included

Botanical gardens; nature preserves; golf courses or country clubs (see Parks and Open Areas).

Proposed Commercial/Mixed Use (C) Districts Principal Use Table



Proposed 12.2 Use Categories:

A. Entertainment

2. Examples

Examples of entertainment uses include adult entertainment establishment; dance halls; movie or other theaters; and membership clubs and lodges.

4. Uses not included

Botanical gardens; nature preserves; golf courses or country clubs (see Parks and Open <u>Space</u>).

F. Recreation

2.Examples

(a) Indoor recreation

Examples of indoor recreation uses include indoor recreation activities such as <u>amusement and video</u> <u>arcades</u>, <u>axe throwing</u>, billiard or pool halls, bowling alleys, <u>bocce ball</u>, driving ranges, <u>court game</u> <u>facilities</u>, <u>escape rooms</u>, <u>curling</u>, <u>indoor playgrounds/play areas</u>, <u>indoor skating facilities</u>, <u>feather bowling</u>, <u>fencing</u>, <u>fowling</u>, miniature golf, <u>laser tag</u>, <u>table-top game rooms</u>, <u>trampoline parks</u>, <u>indoor climbing gyms</u>, <u>recreational crafting activities</u>, <u>virtual and augmented reality gaming</u>, firing ranges, <u>and similar establishments</u> conducted within an enclosed building

4. Uses not included

Botanical gardens; nature preserves; golf courses or country clubs (see Parks and Open **Space**).

Zoning from around the Region:

Fairfax County

- Term: Commercial Recreation, Indoor
- Definition: An establishment providing recreational activities predominantly indoors.
- Uses Include: movie theaters, music venues, bowling alleys, indoor skating facilities, amusement arcades, indoor shooting and archery ranges, tennis and similar courts, recreational crafting activities, and similar establishments...
- Permitted Zones: Permitted by-right in the C-3 through C-7, also in many of the Planned Development Districts

Prince George's County

- Term: Recreation facility, indoor
- Definition: A commercial establishment that provides indoor or outdoor facilities for recreation or entertainment-oriented activities by patrons or members.
- Uses include: Amusement arcades, amusement centers, aquatic centers or natatoriums, archery or baseball batting ranges, health clubs, miniature golf courses, recreation courts, skating facilities, swimming pools, and similar uses.
- Permitted Zones: Most Nonresidential Base Zones & all Transit-Oriented/Activity Center Base Zones
- Regulated Separately: Shooting ranges, skating facilities

Alexandria

- Term: Recreation and entertainment use, indoor
- Definition: Commercial uses for indoor or outdoor participation in or observation of games, arts, culture, recreation or similar activities.
- Uses Include: Amusement parks; Athletic fields; Billiard halls; Bowling alleys; Children's play areas; Court game facilities; Game rooms; Golf courses, miniature or otherwise, and driving ranges; Skating rinks; Swimming pools; Theaters; Video arcades.
- Permitted Zones: Mixed-Use, Commercial, Office, and Industrial





Kraken Kourts: Hook Hall Owner Brings Pickleball Complex, D.C.'s Only Indoor Roller Rink To Northeast

- Hook Hall co-founder and Kraken Axes owner Anna Valera
- 70,000 sq. ft. space in Edgewood
- Re-use of former Forman Mills
- Features:
 - 16 Pickleball courts
 - Roller rink
 - Lounge seating
 - Courtside cabanas
 - Indoor lawn games
 - Beer garden
- Anticipated opening: early 2023

Anticipated Indoor Recreation Ordinance Update Outcomes:

- Fill vacant commercial space
- New spaces for corporate team building events
- Takes pressure off public and outdoor recreation spaces
- Year-round opportunities for exercise and healthy living
- Lowers barriers to entry and provides opportunities for entrepreneurship
- Keep dollars in Arlington!



Hook Hall, Park View, D.C.

Audio-Visual Production & Broadcast Studio

RTA: Mar. 18 • Planning Commission: May 1 • County Board: May 13

Proposed Article 18 Definitions:

Audio-visual production and broadcast studio. A space dedicated to the recording or production of audio and/or visual media, or the broadcast of media via the radio, television, or internet; or the combination of any of the above. The audio-visual production and broadcast studio use can include editing studios and services, special effects production, and associated offices.



7 Action News, Detroit









CASSANDRA SMITH AGENCY

Studio Rental Full Access To All 39 Exhibits (Bring Cell Phone or Own Photographer) Price for 3 people total

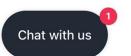
\$150.00 USD

4 interest-free installments or from \$13.54/mo with **shop** Pay installments powered by **Affirm** <u>View sample plans</u>

★★★★ 1 review

Duration

DURATION (60 minutes)





AV & Broadcast Market Trends:

- Podcasting industry growth: \$4 billion by 2024
- Rise of digital broadcast
- Locations: Office, Co-Working, Hotel, Retail spaces
- Small apartments mean people are turning to the market
- Growth of Influencer rooms/spaces

Cassandra Smith Agency, Atlanta, GA (left)

A Use with Many Names...

Recording Studio (Detroit) Media Studios (Washington D.C.) Office, arts and craft galleries, and studios (Atlanta)

Art,
photography,
music, dance,
yoga, Pilates, or
martial arts
studio or school
(PG County)

Radio or Television Studio (Cambridge & San Diego)





The Line Hotel, D.C. (top), Eaton Hotel, D.C. (bottom)

...and Categorizations

Detroit

PG County & D.C.

Cambridge

San Diego

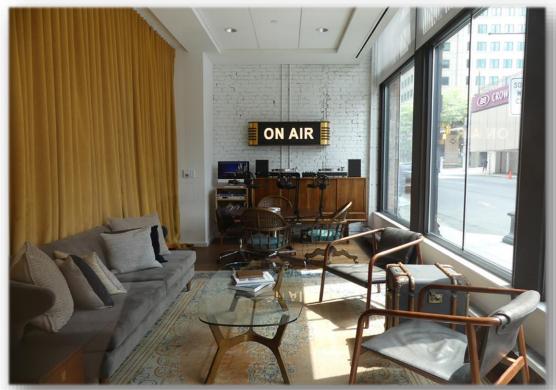
Atlanta

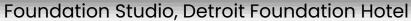
Office

Arts and Artisanal Products Transportation,
Communicatio
ns & Utility

Commercial Services

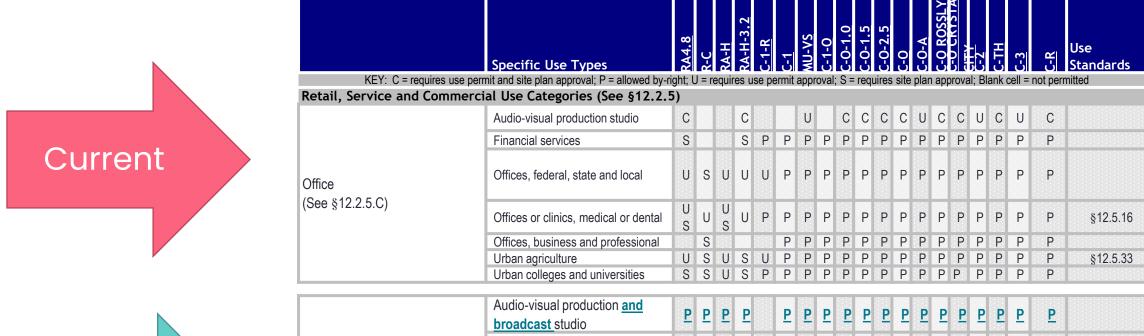
Categorized







Commercial/Mixed Use (C) Districts Principal Use Table





Financial services Offices, federal, state and local Offices or clinics, medical or §12.5.16 dental Office Offices, business and (See §12.2.5.C) professional Research and development, <u>P</u> flex Urban agriculture §12.5.33 PPPPPPPP Urban colleges and universities

COMMERCIAL/MIXED USE (C) DISTRICTS PRINCIPAL USE TABLE

Proposed Article 12.2 Use Category Changes:

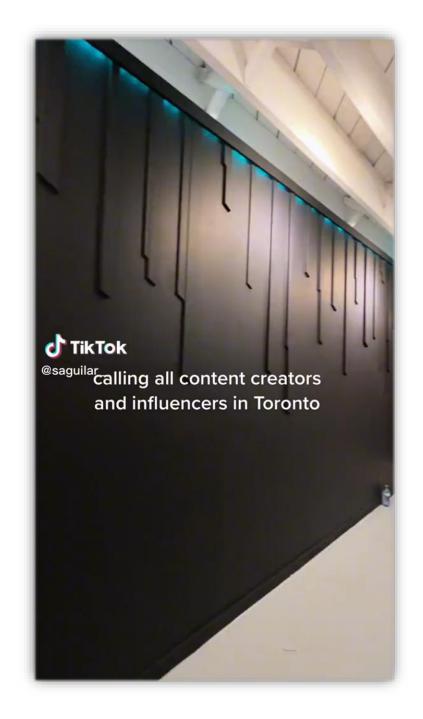
A. Office

2. Examples

Examples of offices include advertising offices; business management consulting; urban colleges and universities; counseling in an office setting; day labor; employment agency; financial services, such as lenders, investment or brokerage houses, collection agencies, or real estate and insurance agents; government; professional services such as lawyers, accountants, bookkeepers, engineers, data processing, or architects; medical or dental offices or clinics, including doctors, physicians, dentists, psychologists or similar practitioners of medical or healing arts for humans and licensed for such practice by the state; urban agriculture; sales office; travel agency; television and radio audio-visual production and broadcast studios; research and **development, flex**; and utility offices.



7 Action News, Detroit



Anticipated AV & Broadcast Ordinance Update Outcomes:

- Allow for co-location with other uses or fill vacant space
- Attractive amenity
- New building revenue streams
- Lower the barrier of entry
- Can create visually interesting streetscapes
- Space for creativity and skill building
- In-person use that brings people together

Research and Development

RTA: Mar. 18 • Planning Commission: May 1 • County Board: May 13

Proposed Article 18 Definitions:

Research and development, flex. Administrative offices plus research facilities generally engaged in technological, electronic, biological, scientific, or engineering research, as well as related product or process design, development, prototyping, or testing. This use may include laboratory, warehousing, and smallscale production functions, and may be associated with institutional or commercial uses, but may not include industrial scale production or manufacturing.



Research & Development Market Trends:















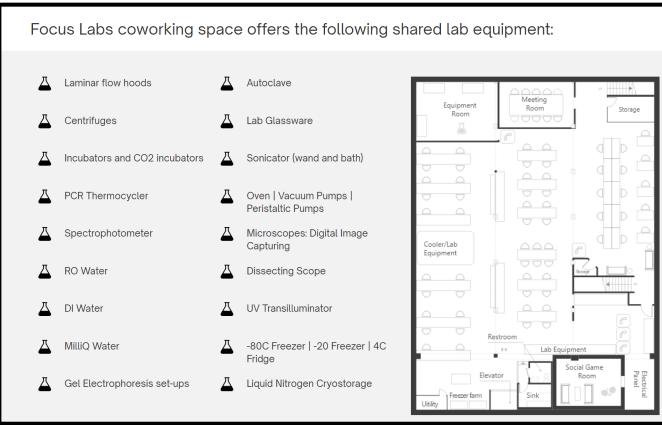




- Businesses and talent have been making a shift from suburban office parks to mixed-use urban environments, close to transportation, housing, and activities
- Rapid expansion of technology and life-science sectors in Arlington and the DMV area, and their desire for prime commercial real estate, which facilitates industry and university clustering, with a mix of flexible commercial spaces inclusive of office, along with research, development, and laboratory activities.
- Increase in Federal R&D funding

Research & Development Market Trends:

- Emergence of R&D lab coworking space; start ups locating near existing businesses
- The way commercial office buildings are being used is changing, R&D real estate supply has increased significantly since the beginning of 2020, primarily from office space conversions
- Engineering technology helps facilitate retrofit instead of teardowns, allowing buildings to extend their useful life, which can help lower the environmental impact of construction, bringing buildings back to useful quickly



Focus Labs, South of Market's district, San Francisco

Primary R&D Hubs

Boston-Cambridge

San Francisco - Berkeley

San Diego

1989: New Economy Uses, including R&D introduced

New South Station mixed-use district created

Goal: mix of office, retail, hotel, R&D, and biomedical to spur economic and industry growth downtown 1980's: R&D development begins

Classification: Office & Laboratory Use

Use Name: Technical office for R&D, lab & research facility

Allowed across all Office, Business, & Industrial Districts 2008: Laboratory use defined and added to zoning ordinance

Allowed in C-3
District

2023: Flexible zoning Downtown is kicked off to allow under utilized buildings to house new uses, including Research & Design spaces; speed up dev. process Early 2022: Ordinance update to redefine R&D

Late 2022: R&D
redefined,
permitted in
additional
commercial and
mixed-use districts,
purposes updated
to embrace R&D

Goal: keep & expand R&D, speed up city process, provide certainty

2000: R&D added to ordinance

Allowed in many base Commercial Zones

2019: update to create new mixeduse zones

Goal: provide locations for compatible industries, high-quality employment ops., add to tax base, reduce car dep.

Secondary R&D Hubs

Seattle

New York City

Washington D.C. -Baltimore

2006:Clearly defined use in the ordinance

Lab, R&D

ordinance adjusted to move from industrial to commercial

Permitted use in Neighborhood, Commercial, & Mixed-Use Zones R&D is permitted in all manufacturing zones and some Central Commercial w/ special permits

2022: Mayor Adam's announces Zoning for Economic Opportunity Ordinance Amendments

Goal: Tackle office vacancy; easier for R&D to expand and grow

Montgomery County

2014: ZO Update w/ definitions of R&D and Life Sciences

Included in Office & Professional Use Category

Permitted by right in Commercial/Reside ntial, Employment, Industrial Districts

Prince George's County

2022: ZO Overhaul; R&D clearly defined Included in the Industrial Service

Permitted by right in most Non-Single Fam. Residential and Transit Oriented/Activity Center base zones

Use Category

Fairfax County

2021: Zoning Ordinance Modernization Adopted "Office" redefined to include R&D: by right in

include R&D; by right in all Commercial and Industrial districts

Washington D.C.

Research, Laboratory based activities included in Office Use Category, permitted as Office

R&D, Flex Office Space VS. Industrial Manufacturing:





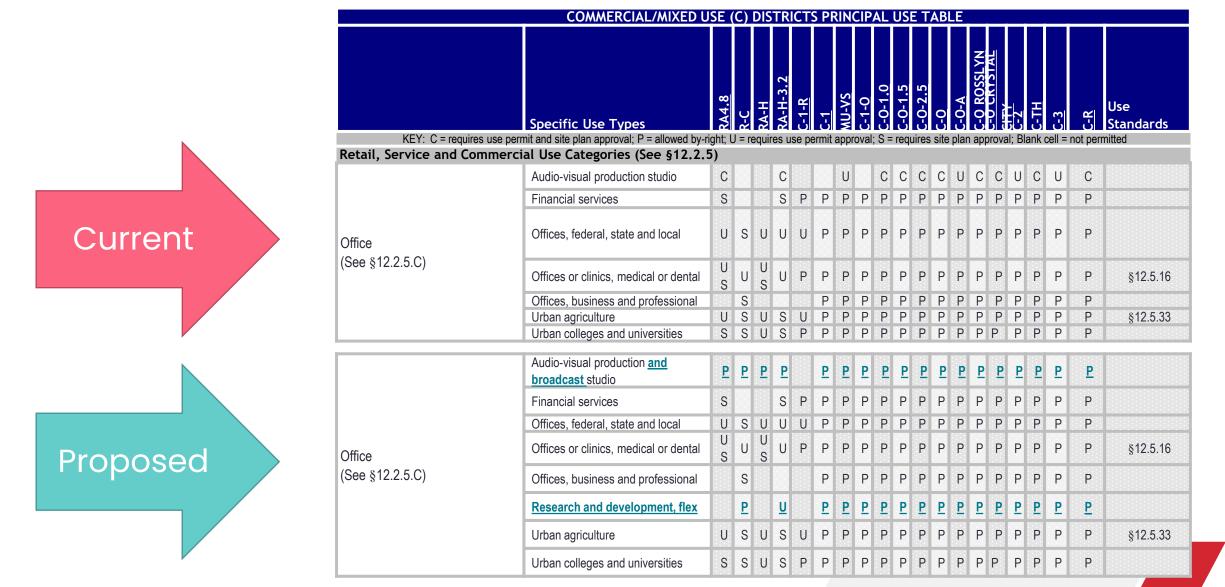
400 Dexter Biotech Office Building, 298,000 sqft, South Lake Union, Seattle, WA





Intellectual Ventures, 87,050 sqft office, lab, testing and development space, Bellevue, WA

Commercial/Mixed Use (C) Districts Principal Use Table



Proposed Article 12.2 Use Category Changes:

A. Office

2. Examples

Examples of offices include advertising offices; business management consulting; urban colleges and universities; counseling in an office setting; day labor; employment agency; financial services, such as lenders, investment or brokerage houses, collection agencies, or real estate and insurance agents; government; professional services such as lawyers, accountants, bookkeepers, engineers, data processing, or architects; medical or dental offices or clinics, including doctors, physicians, dentists, psychologists or similar practitioners of medical or healing arts for humans and licensed for such practice by the state; urban agriculture; sales office; travel agency; television and radio audio-visual production and broadcast studios; research and development, flex; and utility offices.



Anticipated Research and Development, Flex Ordinance Outcomes:

- Use that requires in-person work, brings people back into business districts; knock on effects for local businesses.
- Allows BIG team to recruit, attract, locate R&D businesses
- Allows businesses that need space to expand in more district
- Allows entrepreneurs to locate near Universities & Industry
- Streamlined process = certainty = faster investment
- Benefit of R&D Lab Space Build Out: the space is universal, so it has high reusability and low tenant improvement costs (makes the investment a long-term upgrade)



Next Steps

- Continued analysis of technical changes to ordinance with Planning, Zoning and CAO
- Meetings & Public Hearings
- Online Information
 - **Zoning Studies**
 - **Commercial Market** Resiliency



