
Zoning Committee of the Planning Commission (ZOCO)

Meeting Summary

September 13, 2022, 7:00pm

Bozman Government Center – Conference Room 715

In-Person & Virtual Microsoft Teams Meeting

Planning Commissioners in attendance¹:

Stephen Hughes (V – remote location in Arlington County to provide care for a family member)

Devanshi P. Patel (Co-Chair, ZOCO) (I)

Leonardo Sarli (Co-Chair, ZOCO) (I)

James Schroll (I)

Planning Commissioners absent:

Denyse “Nia” Bagley

Elizabeth Gearin

James Lantelme

Tenley Peterson

Sara Steinberger

Daniel Weir

Staff in attendance:

Jill Hunger, Assistant Director, CPHD (I)

Matt Mattauszek, Development Master Planner, CPHD – Planning (I)

Marc McCauley, Director, AED – Real Estate Development (V)

Nick Rogers, AICP, CZA, Principal Planner, CPHD – Planning (I)

Members of the public in attendance:

Yuri Blazar (I)

Chris Gordon (V)

Cathy Puskar (I)

Jonathan Zator (V)

Micro-fulfillment Centers

ZOCO Chair Leonardo Sarli opened the meeting at 7:02pm.

Ms. Jill Hunger provided an overview of a zoning ordinance amendment (ZOA) that would enable the establishment of micro-fulfillment centers in certain zoning districts. She explained that this was the first application of the County Manager’s Commercial Market Resiliency Initiative. The ZOA had been authorized for advertisement of public hearings at a future date by the County Board on July 16, 2022.

Ms. Hunger explained that micro-fulfillment centers are a type of warehouse that stores goods for rapid delivery to customers in a defined, discrete area at a small scale. Micro-fulfillment centers are typically used by operators who deliver such goods as fast as 30 minutes after the customer’s purchase. She also explained that the Arlington County Zoning Ordinance (ACZO)

¹ V = joined virtually | I = in-person attendee

did not currently define micro-fulfillment centers; the closest definition is “warehouse”, and warehouses are only permitted in Industrial zoning districts. Ms. Hunger noted that Arlington has a limited amount of industrially-zoned land which is not within close proximity to the customer bases for a micro-fulfillment center.

Ms. Hunger documented two primary attributes which supported the inclusion of micro-fulfillment centers as a permitted use in Arlington’s commercial/mixed use zoning districts. The first attribute centered on unlocking more leasing opportunities for commercial spaces which are challenging locations for conventional retail storefronts. The second attribute focused on Arlington’s competitive market positioning which has created a demand for the rapid delivery turnaround times and the convenience they offer to residents, workers and visitors.

Ms. Hunger shared staff’s approach of integrating micro-fulfillment centers as a type of retail sales use in the ACZO with a corresponding definition in Article 18. She presented a list of commercial/mixed-use zoning districts which would be appropriate for micro-fulfillment centers given that the identified zoning districts already permitted retail sales uses. She also discussed suggested use standards on maximum square footage and on limiting their establishment along streets with retail, dining, and similar commercial opportunities unless a retail area for walk-in customers was provided. The use standards specified minimum parking requirements and restrictions on the types of vehicles used for delivery activities.

Ms. Hunger stated that the anticipated schedule for the ZOA would be for the Planning Commission and County Board to hold public hearings on the ZOA during their October 2022 meetings.

Comm. Sarli facilitated ZOCO’s discussion of the item, which involved questions for staff about the proposed micro-fulfillment center use:

- The recommendation for a maximum square footage requirement of up to 10,000 square feet, which was based on an examination of existing micro-fulfillment centers in other jurisdictions showing that they typically range from 5,000-10,000 square feet in size
 - Ms. Hunger indicated that an operator interested in establishing a micro-fulfillment center in Arlington was seeking a commercial space of approximately 9,000 square feet
- The references to non-commercial vehicles in the draft zoning language, and whether such vehicles are defined in the ACZO or another section of the Arlington County Code
 - Commissioners mentioned that the Department of Motor Vehicles considers commercial vehicles to have a gross vehicle weight rating of at least 26,000 pounds, which would far exceed the size of several types of delivery vehicles commonly used for fulfillment purposes and appeared to be contrary to the intent of the proposed zoning language to require deliveries to be made in smaller vehicles
- The community groups and stakeholders, with particular emphasis on neighborhood-based organizations, which had been engaged with as part of this study, and the overview of any public feedback received on the proposed zoning changes
 - Ms. Hunger explained that since the potential impacts that a micro-fulfillment center could have on its immediate surroundings would be minimal, staff had relied upon the County Board’s request to advertise agenda item for their July 2022 meeting as one of the primary methods for providing information on the

proposed ZOA to the broader Arlington community. This approach aligned with the “Quick” process for certain initiatives under the Commercial Market Resiliency umbrella that were generally understood to be proportionally minor changes to existing policies and regulations. Mr. Nick Rogers mentioned a briefing earlier in the summer of NAIOP’s Arlington Government Relations Subcommittee that had also made mention of the study. Ms. Hunger mentioned other briefings including to the Economic Development Commission and the Chamber of Commerce.

- The proposal to not permit micro-fulfillment centers in the RA-H and C-1-O zoning districts, which was centered on enabling micro-fulfillment centers as a permitted use in zoning districts which already permitted retail sales
- The enforcement of use standards requiring a minimum of 10% of deliveries to be made either via bicycle or pedestrian delivery
 - Ms. Hunger explained that an additional use standard requiring operators to conduct a bi-annual audit upon the Zoning Administrator’s request would be utilized as verification to determine compliance with the delivery mode standard

Commercial Form Based Code Amendment: Town Center Regulating Plan (Bank of America Building)

Mr. Matt Mattauszek provided an overview of the proposed change to the Columbia Pike Commercial Form Based Code’s (FBC) regulating plan. He explained that the amendment was precipitated by a FBC development application that was in the early stages of review, and that staff’s standard practice was to facilitate public and Planning Commission reviews of the proposed change to the regulating plan ahead of a County Board authorization of advertisement for public hearings.

Mr. Mattauszek oriented the attendees to the subject property associated with the N-FBC amendment. The site’s address is 3401 Columbia Pike on the northwestern corner of Columbia Pike’s intersection with Glebe Road. The site has a four-story office building with a drive-through facility surrounded by surface parking. The adjacent Wendy’s restaurant is not associated with the application, but a separate, triangle-shaped property is associated with the application even though it is outside of the FBC Revitalization District.

Mr. Mattauszek’s presentation displayed aerial images of the subject property, identifying it to be within the Alcova Heights neighborhood. The northern property boundary is bordered by single detached dwellings, and mixed use FBC development is seen to the east (former Westmont Shopping Center), south (Pike 3400), and west (Gilliam Place) in addition to the immediately adjacent Wendy’s restaurant.

Mr. Mattauszek gave a brief overview of the Columbia Pike form-based codes, showing the district boundaries for the FBC and their relationship with the Neighborhoods Commercial Form Based Code (N-FBC) areas. He presented an inset image of the Town Center Regulating Plan, which identifies the subject property as having two distinct Building Envelope Standard (BES) frontage types – Urban Residential on the eastern and southern frontages, and Local along a portion of the western frontage along Lincoln Street. Although the two BES types have different height maximum thresholds, there are many other development requirements relating to street-level improvements that are required of both BES types.

Mr. Mattauszek gave a brief overview of the development proposal that was precipitating the requested change to the FBC's regulating plan. The proposal called for the demolition of the existing site features and the construction of a six-story, mixed use building with ground floor commercial space and residences above. He showed a depiction of the proposal that displayed a centrally-located courtyard with private open space for the building's residents as well as a rear alley along the northern property edge that would provide vehicular access to the building's parking garage and loading spaces.

Mr. Mattauszek focused on the subject property's frontage along Lincoln Street that has the Local BES type. The proposed regulating plan change would shift this designation from Local to Main Street. After evaluating the change within the context of similar sites along Columbia Pike, he explained that staff was generally supportive of the change. A Main Street designation along the entirety of the subject property's Lincoln Street frontage would enable a continuous street wall for the development and avoid inefficiencies in the building's massing and design solely to achieve lowered heights along a short length of Lincoln Street.

Mr. Mattauszek displayed proposed building renderings provided by the applicant that compared the massing of the proposed building in accordance with the Local BES and the Main Street BES designations. He presented additional renderings from a shade study analysis provided by the applicant which demonstrated negligible differences between construction under a Local BES and a Main Street BES for the Lincoln Street façade. He also compared the relationship between mixed-use development within the FBC Revitalization District and existing neighborhoods outside the district with the approvals for Gilliam Place and Pike 3400, and the development in those two approvals utilized similar façade treatments and building forms to taper the building's mass down next to the lower density neighborhoods.

Finally, Mr. Mattauszek described off-site improvements to the triangle-shaped property that was currently being used for vehicular access to the subject property. Although outside the FBC Revitalization District and not subject to FBC requirements, the applicant was proposing demolition of the existing paved surfaces and replacement with landscaping in response to feedback from the Form Based Code Advisory Working Group (FBC AWG).

Commissioner Stephen Hughes provided an overview of the FBC AWG's discussion on the proposed FBC regulating plan change. Commissioner Hughes mentioned that there was no opposition among the FBC AWG's membership to the proposal.

Commissioner Sarli then facilitated ZOCO's discussion on the following topics:

- Consistency in the FBC regulating plan by considering updates not just to the eastern half of Lincoln Street's BES designation but the entire street width
 - Mr. Mattauszek explained that consideration of the entire street width would necessitate a broader review that considered any remaining development opportunities on the western half of the street where Gilliam Place was located, and that such analysis would be somewhat speculative given that the property owner has not indicated a desire for new development along the western half of Lincoln Street in the near term.
- Concerns with the FBC moving away from the predictable, clear, and straightforward outcomes it is intended to provide for development and instead seeing more frequent site-by-site development reviews

Public Comments.

Commissioner Sarli invited members of the public in attendance to provide feedback and comment:

- Cathy Puskar described her background and involvement in several FBC projects, and she commented that the FBC regulating plan proposal was the first time she had worked with an applicant who had made such a request. She felt that the FBC provided some flexibility in the transition between BES designations given that the FBC allows for the Main Street designation to be extended 50 feet beyond the regulating plan's demarcation. Ms. Puskar outlined other responses to the applicant's design that had been made as a result of FBC AWG comments, including landscaping changes along the subject property's northern boundary.

The ZOCO meeting was adjourned at 8:04pm.