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### Arlington County Board Revisits the Retail Action Plan

#### By Lauren Keenan Rote



On January 20, during a special work session (open to the public) the County Board considered updates to the Arlington County Retail Action Plan (the "Retail Plan"). County Board members met with Arlington Economic Development staff, the Arlington Retail Task Force of the Economic Development Commission and members of the Planning Commission. Also in attendance as part of the audience were members of the

Arlington Chamber of Commerce and the local Business Improvement Districts.

The Retail Plan, as currently proposed, is an update to the 2001 Rosslyn-Ballston Corridor Retail Action Plan (the "2001 Plan"). This update expands the geography of the 2001 Plan, focusing on ground floor retail uses in three Major Planning Corridors, including: Rosslyn-Ballston Metro Corridor, Jefferson Davis Metro Corridor, and Columbia Pike Corridor.

The work session centered on the future role of the Retail Plan. Discussions touched upon the Plan's overall vision, key principals and policies, and implementation. The Vision for the Retail Plan, which was generally accepted by all participants, is as follows: "Arlington will be a place where retail is convenient, appealing, activating and sustainable; that provides interest and authenticity, entertainment and experiences, and goods and services to residents, employees and visitors; and where local, independent, regional and national businesses thrive."

A major focus of the discussion amongst Board Members was what role the Retail Plan should have in approving future development, and what level of comfort the Board has with incorporating greater flexibility within the Plan. The general consensus from the Board seemed to be erring on the side of greater flexibility, and a reluctance to be too prescriptive with the plan so as to limit development or inhibit the ability of the County to respond to changes in the economy that may affect retailers. That said, County Board member Jay Fisette liked the idea of using the Plan as a way to plan more active uses on ground floor retail sites and avoid "dead spaces" in areas where the community would prefer retail activity.

Other topics which were discussed included: the desire to "cluster" retail uses together on designated streets; to limit large, expansive lobbies on shopping

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streets, as they tend to be less active than other ground-floor retail; the difference between the "hybrid uses" and "personal, business & retail equivalent uses" as defined in the Plan; and whether or not it made sense to merge some categories, creating fewer categories overall.

The working group also discussed the perceived need to continue the "grocery store policy," which has historically offered bonus density to a developer proposing a grocery store use within a project. The consensus seemed to be that the policy should be looked at more closely and consideration should be given as to whether or not such a policy is still relevant within the County.

The Retail Plan generally would not apply retroactively to previously approved site plan projects, however, it could impact some plans with approvals specifically referencing the Retail Plan or future updates to the Retail Plan, as some approvals may do. It remains unsettled how the Retail Plan would interact with other planning documents like small area plans and sector plans (such as Envision Courthouse, Realize Rosslyn and WRAPS, etc.,).

The Board asked that the Task Force take the comments of the working group and incorporate them further into the final draft plan, which is intended to be considered by the Board at a future hearing. No hearing date has yet been set.

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# Arlington's New Take on Density Exclusions

**By Matthew Roberts** 



A new memorandum issued by Arlington County's Director of the Department of Community Planning, Housing and Development, Bob Brosnan, is proposing to change which areas in a building developers can expect to exclude from density calculations in a 4.1 Site Plan application.

In Arlington County's Site Plan Special Exception process, it is customary for developers to request that the County Board exclude certain areas of the proposed building from the overall calculation of the building's density. In the past, this has included vents and shafts that run through the

building, certain above and below grade mechanical areas, fitness areas and building storage areas, among others. Staff previously supported many of these exclusions on various policy grounds.

The memo, issued on February 9, 2015, would make the following basic change: if the area of the building is located above the garage level and does not fall within the definition of "gross parking area," staff will not support an applicant's request to exclude it from being calculated as "gross floor area." As the memo notes, this specifically affects requests to exclude above-grade areas, such as elevator shafts, vents, fire control rooms, above grade transformers, tenant storage and mechanical closets. Ultimately, this change would increase the building's GFA, which affects the amount of payments made for density bonuses and parking mitigation payments under the County's revised office parking policy.

Left unaffected are requests to exclude up to 1,000 square feet of below-grade fitness center facilities, non-occupied space in the garage and below-grade building storage, structural, engineering, and mechanical areas. County staff is currently requesting feedback on the proposed change.

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## Spotlight: Virginia Real Estate, Land Use & Construction Law Blog

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