



COUNTY OF ALBEMARLE
Department of Community Development
401 McIntire Road, North Wing
Charlottesville, Virginia 22902-4596

Staff Person: William Fritz, AICP, Development Process Manager
Board of Supervisors: November 5, 2025
Project: SE-2025-00033 – Rivanna Futures Building Height and
SE-2025-00034 – Rivanna Futures Stepback
Property Owner: County of Albemarle Virginia
Location: Route 29 North at Boulders Road
Parcel ID: 03300-00-00-001D0, 03300-00-00-01000, 03300-00-00-00100
Magisterial District: Rivanna

Applicant's Proposal:

The applicant has requested (Attachment A1) special exceptions to modify the height requirement of *County Code* §18-26.4 to increase the height to 140 feet and modify the requirement of *County Code* §18-4.20 to waive the minimum setback requirements.

In Industrial Districts, the *County Code* limits the building height to 65 feet and requires that for each story that begins above 40 feet in height or for each story above the third story, whichever is less, the minimum setback is 15 feet.

County Code §18-26.4 allows the Board of Supervisors to grant a special exception to increase the building height. *County Code* §18-4.20(b)(3) allows the minimum 15-foot setback to be reduced by special exception. No criteria are specified for the granting of either special exception.

The applicant is requesting that the proposed building height be increased from 65 feet to 140 feet. The setback is proposed to be decreased from 15 feet to zero -0- feet.

Character of the Property and Area:

The property is a mixture of open and forested land. A portion of the land has been developed with a parking lot to serve Rivanna Station. A stream, with floodplain, runs parallel to Route 29. Access to the property is on Boulders Road.

Surrounding uses include the Rivanna Station federal complex to the south. Residential development, Briarwood, is located on the west side of Route 29. Properties to the north and east are rural with a mixture of open and wooded land with scattered residential development. A high-voltage power line defines the limits of the industrial zoning to the north and east. An aerial photo of the area is included as Attachment A2.

Planning and Zoning History:

Approvals and actions taken by the County are listed below. Staff has not listed the various subdivisions resulting in existing lot lines and easements.

ZMA 1977-19 Rivanna Estates LTD – Approved a rezoning to RPN, Residential Planned

Neighborhood for 350 residential units on October 19, 1977. During the 1980 comprehensive rezoning this designation was changed to PRD, Planned Residential Development.

ZMA 2007-03 NGIC Expansion – Approved a rezoning of 15 acres from RA, Rural Areas to CO, Commercial Office on August 1, 2007. This proposal also included SP 2007-31, a special use permit for a 120-unit apartment and SP 2007-32, a special use permit for 178,800 square feet of office space for research and development.

ZMA 2008-04 NGIC Expansion – Amendment of ZMA 2007-03 to allow an additional 22,100 square feet of basement storage area in Building #1 and an additional 44,200 square feet of basement storage area in Building #2 in two 4-story buildings of 89,400 square feet each. This proposal also included two concurrent special use permits SP 2008-45, an amendment to SP 2007-031, to allow relocation of the 120-unit apartment building and SP 2008-46, an amendment to SP 2007-032, to allow additional basement storage space in the proposed office buildings. These amendments were approved on November 12, 2008.

ACSA 2009-02 – On February 10, 2010 the Board of Supervisors amended the Albemarle County Service Authority Jurisdictional Area to include Tax Map 32, Parcels 5C, 5C1, 5C2; Tax Map 33, Parcels 1A, 1D, 1D1, 1G, and the separate western portion of Parcel 14 located within the Development Area for "Water and Sewer" service, and Tax Map 33, Parcel 1 for Water and Sewer service only for the portion of the property zoned PRD as of December 2, 2009.

SDP 2009-33 University Village Retirement Community Final Site Plan – Administrative approval of 15 attached condominium units on December 14, 2010.

ZMA202400002 and SP202400014 Rivanna Futures – On June 12, 2024 the Board of Supervisors approved a request to rezone a 172 acres from RA, Rural Areas and PRD, Planned Residential Development to LI, Light Industrial and a request for a special use permit to allow office use in accord with *County Code* § 18-26.2 (a) Independent offices; within structure not established or not vested until after April 3, 2014.

SDP 2025-68 Rivanna Futures Initial Site Plan – On July 1, 2025 a site plan was approved for a portion of the property to allow grading and installation of utility extensions and stormwater facilities.

SDP 2025-127 Rivanna Futures Land Bay 50 Initial Site Plan – Under Review. Proposed site plan to allow grading and installation of utility extensions and stormwater facilities.

Comprehensive Plan:

The current Comprehensive Plan includes multiple land uses for the project area:

Office/R&D/Flex/Light Industrial – commercial, professional office; research and development, design, testing of prototypes; manufacturing, assembly, packaging; residential is a secondary use (no maximum density).

Urban Density Residential – residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses.

AC44 identifies the area for:

Office/R&D/Flex/Light Industrial – Primarily employment-generating uses, 6-34 units/acre (secondary), Office, R&D, flex, light industrial, secondary retail/commercial.

Analysis of Special Exception Request:

Under *County Code* § 18-33.9(A), factors, standards, criteria, and findings, however denominated in the applicable sections of the Zoning Ordinance, are to be considered in special exception applications. The Board of Supervisors does not need to make specific findings to approve this special exception. *County Code* §§ 18-26.4 and 18-4.20 does not include factors, standards, criteria, or findings for either of the proposed special exceptions.

The County has processed several requests for modification of setback. In the absence of special exception factors, staff have evaluated these requests based on the Neighborhood Model Principles of the Comprehensive Plan. The proposed use is consistent with the land use designation in the Comprehensive Plan. Granting the setback allows for greater use of an industrial property in the Development Area.

Analysis relative to the Comprehensive Plan:

Development Areas Objective 2: Create a physical environment that supports healthy lifestyles through the application of the Neighborhood Model Principles.

Pedestrian Orientation

Waiver of the 15-foot setback would not disrupt pedestrian activity. This area is intended for intensive employment-generating development. Limited pedestrian traffic is expected in the area due to the anticipated large building sizes and limited services that would be accessed by pedestrians.

During the rezoning review of this area, ZMA202400002, it was noted that the Comprehensive Plan does denote a trail system in the area. A proposed pedestrian trail in the Comprehensive Plan is to the south of the area shown for the proposed building. During site plan review, the County will work with the developer to identify a location for this trail. The most suitable area for the trail, based on terrain, is sufficiently distant from any proposed development that an increase in building height and reduction in setback will have no impact on the trail.

Buildings and Space for Human Scale

The proposed building, as shown in Attachment A3, would be roughly 80 feet away from the right-of-way of Boulders Road extension. The experience for drivers, pedestrians, and cyclists would be similar to that found in highly urbanized locations. The nature of development directly to the west or on other adjacent properties is unknown. If development of the adjacent properties occurs using the maximum permitted height of 65 feet, this area will have an urban character. Staff notes that the property is within the Development Area and in an area designated for intensive development.

The area shown for the proposed building in Attachment A3 is approximately 1,700 feet (1/3 of a mile) from Route 29, an entrance corridor, and approximately 280 feet from adjacent property, zoned RA Rural Areas to the east. A dwelling on Tax Map 03300-00-00-004C0 is located approximately 600 feet from the proposed building. The exact height of the building, including any proposed setback, adjacent to the Rural Areas zoning is unknown. The Architectural Review Board has not reviewed the special exception request. No sight lines have been reviewed by County staff. Therefore, the exact impact on the Entrance Corridor cannot be determined. The terrain and distance from Route 29 will mitigate impact on Route 29. The area immediately adjacent to the proposed building to the east is a high-voltage power line. The distance between the power line and the adjacent property to the east is 100 feet or greater. This provides area for landscaping and screening to offset and mitigate the visual impact of the building.

No safety issues have been identified by staff with the increased building height or stepback reduction. The primary impact identified by staff is that it will result in an intense form of development not currently present in the County. Staff does not identify this as a negative factor. Urbanization of the Development Areas has been anticipated, and this area is recommended for intensive employment-generating uses.

Summary and Recommendation:

The special exceptions for increased height and waived stepback allow for intensive development of the property identified for employment generation consistent with the County's Comprehensive Plan and economic development goals.

Staff recommends that the Board adopt the attached Resolution (Attachment A4) to approve the special exception request for SE-2025-00033 to allow an increase in building height

Staff recommends that the Board adopt the attached Resolution (Attachment A5) to approve the special exception request for SE-2025-00034 to waive the requirement for stepbacks.

Attachments:

A1 – Applicant's request and justification

A2 – Aerial photo of the area

A3 – Portion of initial site plan showing proposed building envelope

A4 - Resolution to approve the special exception request for SE-2025-00033 to allow an increase in building height

A5 – Resolution to approve the special exception request for SE-2025-00034 to waive the requirement for stepbacks.