

**STAFF PERSON:** Lea Brumfield, Senior Planner  
**BOARD OF SUPERVISORS:** December 12, 2018  
**PROJECT:** Special Exception for Zoning Clearance #CLE201800220  
Decipher Brewing  
**PROPERTY OWNER:** VAS of Virginia, Inc.  
**APPLICANT:** Brad Burton  
**LOCATION:** 1740 Broadway Street  
**TAX MAP/PARCEL:** 07700-00-00-040K0

**PROPOSAL:**

This is a request to allow a subordinate retail sales use with a floor area exceeding 25% of the gross floor area of the primary industrial use. The total square footage of the industrial use would be approximately 4,800 square feet. The primary industrial use of the proposed brewery would be approximately 2,800 square feet. The subordinate retail sales use of a tasting room and sales area would be approximately 2,000 square feet.

The request includes the following special exception request to allow the subordinate retail sales use per regulations found in County Code § 18-26.2(a):

- 1) Increase subordinate retail sales from 25% of the gross floor area of the by-right primary industrial use (brewery) to 40% of the gross floor area of the brewery. (See Attachment B – Plans).

**CHARACTER OF THE AREA:**

This property is zoned Light Industry. The existing building is a finished 51,000 Industrial Light Manufacturing structure built in 1989, subdivided into multiple tenant spaces. The surrounding Albemarle County parcels are also zoned Light Industry. The rear of the parcel abuts the Buckingham Branch railroad line, which abuts residential parcels in the City of Charlottesville.

**PLANNING AND ZONING HISTORY:**

- **SDP198700018** – site plan for the Data Visible warehouse.
- **SDP199000098** – site plan amendment for the addition of gas tanks on the site.
- Recent zoning clearance approvals for the parcel include an HVAC installation and repair company, a light industrial building management company, multiple artisan's workshops, and a window installation and warehouse sales company.
- **SP201400013 Broadway Street Indoor Soccer** – Request to establish a 25,000 square foot athletic facility within the existing building. Approved in 2014. This use was never established.
- **SP201700014 Charlottesville Music Institute LLC** – Request to establish an 8,000 square foot music school within the existing facility. Approved in 2017. The use was never established.

**ANALYSIS OF THE SPECIAL EXCEPTION REQUEST:**

A request for modifications must be reviewed under the criteria established in County Code § 18-33.49(B), taking into consideration the factors, standards, criteria and findings for the request; however no specific finding is required in support of a decision.

This proposal includes a special exception request to allow a non-industrial use in support of a by-right industrial use. This site has a history of previous special use permit approvals for commercial uses which have considered the impact commercial uses would have on the character of the area on Broadway Street and deemed them appropriate.

The proposed brewery tasting room and sales area would support a by-right industrial use. The brewery tasting room would be the primary outlet for sale of the brewery's product. The space could easily be returned to a light industrial use, and the footprint of the supporting retail sales area would be a small percentage of the overall industrial square footage of the building. The approval of this space for commercial use would not remove any industrial square footage from the overall inventory available, as the square footage would otherwise be unused within the brewery.

**RECOMMENDATION:** Staff recommends that the Board adopt the attached Resolution (Attachment D) approving the special exception, subject to the condition attached thereto.