

STAFF ANALYSIS

STAFF PERSON: Cameron Langille, Principal Planner
BOARD OF SUPERVISORS: August 4, 2021
PROJECT: Bonumose, Inc.
TAX MAP PARCELS: 07800-00-00-020F0

Special Exception to County Code § 18-23.2.1 (16)

Proposal

The applicant has requested a special exception to allow a Laboratories/Research and Development/Experimental Testing use on TMP 07800-00-00-020F0 with a gross floor area of 50,000 square feet. The property is zoned Commercial Office (CO). It is currently occupied by a structure measuring 355,911 square feet that has served as an office building/operations center for State Farm.

The subject property is bordered by the Commercial Office (CO) Zoning District on three sides: to the south/southeast, west, and north/northwest. To the north/northeast, the adjacent parcel is zoned Planned Development Mixed Commercial (PDMC) and is currently undeveloped.

The user of this space would be Bonumose, Inc. which is a bioscience company based in Albemarle County. The applicant's project narrative (Attachment A) contains a detailed history of the company and its operations.

Bonumose is seeking to obtain additional laboratory space in Albemarle County to install and operate equipment to advance its product development and processes. Bonumose would lease a portion of the existing building on TMP 07800-00-00-020F0 to conduct these new activities. This new research and development space would allow Bonumose to optimize its production processes, test equipment, produce product samples, and demonstrate the company's processes to investors and consumers. As stated in the applicant's narrative, these activities would serve as a pilot program that would allow Bonumose to operate commercial-scale production centers in the future.

The Zoning Administrator has verified that the experimental testing and laboratory components of Bonumose are classified as a "Laboratories/Research and Development/Experimental Testing" use as defined by County Code §18-3.1:

Laboratories/Research and Development/Experimental Testing. "Laboratories/research and development/experimental testing" means scientific research, testing, investigation or experimentation, the development of prototype products, and/or the assembly or manufacture of prototype products and including, but not limited to, bioscience and medical devices research, development and manufacturing, and information technology and defense security research, development and manufacturing; scientific or technical instruction.

County Code §18-23.2.1(16) permits Laboratories/Research and Development/Experimental Testing by-right in the Commercial Office district as follows:

Laboratories/Research and Development/Experimental Testing; gross floor area of the establishment does not exceed 4,000 square feet per site; **provided that the gross floor area of the establishment may exceed 4,000 square feet per site by special exception approved by the board of supervisors.**

ANALYSIS OF SPECIAL EXCEPTION REQUEST:

Requests for special exceptions must be reviewed in accordance with County Code § 18-33.5 and § 18-33.9. Under *County Code* § 18-33.9(A), "In acting upon a special exception, the Board of Supervisors will consider the factors, standards, criteria, and findings, however denominated, in the applicable sections of this chapter." However, no sections of the Zoning Ordinance specify any factors, standards, criteria, or findings to consider for expanded Laboratories/Research and Development/Experimental Testing uses

Therefore, in Attachment A, the applicant has provided an analysis of its proposal against the factors considered under *County Code* § 18-33.8(A) for Special Use Permits, which factors are typically stricter than for special exceptions. In the absence of applicable special exception factors, Planning and Zoning staff finds that the criteria for Special Use Permits would be appropriate in this case. The Board of Supervisors does not need to make specific findings in order to approve a special exception.

The applicant's justification is summarized as follows:

1. *No substantial detriment to adjacent parcels.*

The operations that would take place on TMP 07800-00-00-020F0 would not produce noise, light, smells, exhaust, or extraordinary liquid waste. The equipment to be used for research and development is refining equipment that does not emit exhaust, gases, or smoke. Any discharge water generated by the laboratory equipment would be treated through on-site wastewater treatment processes. The proposed use would meet the minimum performance standards for industrial uses related to noises, vibration, glare & heat, and electrical disturbances as specified by § 18-4.14 of the Zoning Ordinance.

Traffic generation related to these operations would be minimal. An average of three truck deliveries would be needed weekly. Bonumose anticipates that 20-25 staff would be present at the site during business hours between 9AM-5PM, with approximately five employees working swing-shifts in non-peak business hours. Thus, traffic generation would be minimal.

2. *Character of the nearby area is unchanged.*

All of the activities and equipment associated with this use would be contained within an existing commercial office building. Bonumose does not anticipate any exterior alterations to the building would be needed. Thus, the character of the area would be unchanged from its current state.

3. *Harmony.*

The subject parcel is located within the Pantops Development Area, and adjacent uses include large professional office buildings and the Sentara Martha Jefferson Hospital. Bonumose operations would not interfere or disrupt other businesses and uses nearby.

4. *Consistency with the Comprehensive Plan.*

Approval of the special exception request would be consistent with several recommendations from the County's Comprehensive Plan, including Objective 3 from the Economic Development chapter, which states that bioscience companies are a target industry that is sought in Albemarle County. Specifically, Strategy 3B states that the County "should continue to provide business assistance on available sites and other opportunities" for the bioscience target industry.

Additionally, the Pantops Master Plan identifies the subject property as one of the major sites within the Employment District (ED) of the Pantops Development Area. The recommended future land use for this parcel is "Office / R & D / Flex / Light Industrial." The proposed use by a bioscience company such as Bonumose is entirely consistent with the Master Plan's future land use recommendations.

Based on the information above, staff's opinion is that the request would not cause harm to the public health, safety, or welfare. The use requested is consistent with by-right uses permitted in the CO Zoning District. Furthermore, the use is consistent with all future land use recommendations from the Comprehensive Plan and Pantops Master Plan. Allowing Bonumose to use a portion of the building on TMP 07800-00-00-020F0 would help achieve several land use and economic development goals of the County.

Recommendation

Staff recommends that the Board adopt the attached Resolution (Attachment C) to approve the special exception specified by County Code § 18-5.1.60 (d) with the following condition:

1. The gross floor area of the Laboratories/Research and Development/Experimental Testing use is limited to 50,000 square feet.