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VIA HAND DELIVERY AND EMAIL

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Albemarle County
Community Development
401 McIntire Road
Charlottesville VA 22902-4596

**Re: University of Virginia Research Park – Compliance with
the Comprehensive Plan (Va. Code §15.2-2232)**

Dear Bart and David:

The University of Virginia Foundation (the "Foundation") and the University of Virginia (the "University") request confirmation of Compliance with the Comprehensive Plan with regard to the proposed relocation of the UVA Encompass Health Rehabilitation Hospital (the "Rehabilitation Hospital") from the University of Virginia Fontaine Research Park in Albemarle County (the "Fontaine Research Park") to the University of Virginia Research Park (the "Research Park") which is also located in Albemarle County. As we have discussed in prior communications, the entity that would own the land upon which the Rehabilitation Hospital would be located is UVA Encompass Health Rehabilitation Hospital, LLC (the "Owner"), which is owned jointly by Encompass Health Corporation ("Encompass Health") and the University. The proposed Rehabilitation Hospital will operate just as it has operated in the name of UVA HealthSouth Rehabilitation Hospital at the Fontaine Research Park for nearly twenty years. The change in the entity's name is merely a result of HealthSouth changing its name. The current facility at the Fontaine Research Park now operates in the name of UVA Encompass Health.

Just as is the case at the current facility at the Fontaine Research Park, the medical director and rehabilitation physicians will be University of Virginia employees, and the nurses and medical technicians will be employees of UVA Encompass Health Rehabilitation Hospital, LLC. Encompass Health will manage the operation of the building and services that support the medical care, such as laundry, food service, janitorial services, and general property management, such as maintenance and grounds keeping.

The Rehabilitation Hospital will continue to provide a variety of rehabilitative medical services to its patients, including in the areas of brain injury, spinal cord injury, cardiac care, stroke recovery, and neurological disorders, among many others.

The UVA Encompass Health Rehabilitation Hospital is proposing to relocate to the Research Park so that the University can expand access to its inpatient medical rehabilitative services within the greater Charlottesville/Albemarle community and the greater central Virginia region, and by increasing the number of inpatient beds from 50 to 70 beds. Other ways in which the

larger community will benefit include that University medical students and medical residents will rotate through and conduct rounds at the Rehabilitation Hospital, and a very high percentage of the facility's patients will be eligible for Medicaid. A Certificate of Public Need for the facility was applied for in May 2018, and was approved by the Virginia Department of Health on April 8, 2019.

Property Information and Background:

The proposed Rehabilitation Hospital would be located within the Research Park near the existing Albemarle County Hollymead Fire Rescue Station, on current tax map parcel 32-18. The Fire Rescue Station is located on parcel 32-18B, and the boundary lines of that parcel will be adjusted once the Foundation extends public sewer services to the Station and connects the station to the public system. At that time a portion of parcel 32-18B that contains the Station's septic field will no longer be required, and that portion of 32-18B will be added to either parcel 32-18 or parcel 32-6R, which is also owned by the Foundation. Because the final boundaries of the parcel that the Owner will own have not yet been established, and that the parcel may include portions of current tax map parcels 32-18, 32-18B and 32-6R, for purposes of this Application, all three parcels shall be considered the property (the "Property"). The general location of the parcel where the Rehabilitation Hospital would be located is shown on the exhibit prepared by Timmons Group entitled "Lewis and Clark Drive Road Extension, UVA Research Park Loop Road Exhibit," dated December 10, 2018, and attached hereto as Exhibit A ("Exhibit A").

All three parcels that comprise the Property are owned by the Foundation and are zoned Planned Development Industrial Park ("PD-IP"). The Research Park was first approved by the County in 1996 pursuant to ZMA 1994-05, which was subsequently amended by ZMA 1998-27, ZMA 2005-002, and ZMA 2005-03, the latter of which was approved in 2010.

Although Section 29 of the County Zoning Ordinance, which pertains to the PD-IP zoning district was comprehensively amended in 2013, after approval of all rezoning applications affecting the Property, public uses continue to be a use that is permitted by right in the PD-IP district and thus at the Property.

The Zoning Ordinance defines public uses to include "public uses, buildings and structures including, but not limited to, schools, offices, parks, playgrounds and roads funded, owned or operated by local, state or federal agencies." As noted herein, the Rehabilitation Hospital will continue to be funded, owned and operated by an entity in which the University (a state entity) owns a fifty percent interest. As such, the Rehabilitation Hospital constitutes a public use that is permitted by right at the Property, as confirmed by LOD2009-14, dated July 30, 2019.

Analysis of Proposal:

General evaluation of the proposal's consistency with the Comprehensive Plan:

The Property is designated on the Future Land Use Plan of the Places 29 Master Plan for Office / R&D/ Flex / Light Industrial, which is entirely consistent with the PD-IP zoning district and the uses permitted by right at the Research Park. The Community Facilities Policies support the location of community facilities within the County's designated development areas. The Research Park is located within the Places 29 development area. The existing PD-IP zoning allows an intensity of development and creates a demand for services that the Comprehensive Plan's goals support, and that direct such development and facilities to the development areas.

While not owned or operated by the County, the Rehabilitation Hospital is a community facility given its provision of health care to the community. The use of the Property for the Rehabilitation Hospital is similar to the other uses permitted by right in the PD-IP zoning district, and other uses envisioned for the Research Park under the Approved Application Plan for the Research Park, and under the Places 29 Master Plan. The uses are similar in terms of locational impact, scale, traffic generation, number of employees, and economic development. In addition, the location of the facility at the Property will provide a convenient location for residents and other patients to obtain treatment, in that it is located in close proximity to Route 29 and other portions of the County's development areas. The location will enable the University Medical Center to expand access to rehabilitative medical services to members of the community who do not currently have convenient access to such care. This supports Objective 5 of the Community Facilities Plan. Furthermore, the fact that the Rehabilitation Hospital does not require funding from the County supports Objective 1 of the Community Facilities Plan - "Continue to provide public facilities and services in a fiscally responsible and equitable manner." The project is further supported by Strategy 1a of Object 1:

Strategy 1a: *Give priority to facilities and services that address emergency needs, Health and Safety concerns, and provide the greatest cost-benefit ratio to the population served.*

Emergency services, such as fire, rescue, and police address urgent needs. They are essential services for the community and, along with schools, should have the highest priority for funding. Provision of facilities to address emergency needs and health and safety concerns are a priority because they can provide the greatest cost-benefit ratio to County residents.

An evaluation of how the area proposed for development relates, in particular, to any approved Master Plans, Master Plans under review, Area B studies, etc.:

The Property is part of the Places 29 Master Plan, as discussed in more detail above.

Information on known infrastructure and service deficiencies or issues that exist in the area and how they might relate to this proposal:

In connection with the relocation of the Rehabilitation Hospital to the Research Park, the Foundation is updating the road network in this area of the Research Park as shown on Exhibit A. These road improvements will also support future projects within the Research Park and continue to support the Hollymead Fire Rescue Center. In addition, the Foundation is working closely with the County on plans to extend Innovation Drive further into the Research Park to make a connection with Town Center Drive and other buildings within the Research Park. The Foundation will also extend water and sewer service to the Property and this portion of the Research Park as part of the relocation of the Hospital.

Public improvements called for in this general area and how they might relate to this proposal (Community Facilities Plan, CHART and other MPO studies, Greenway, Bike and Pedestrian/ Sidewalks plans and studies, CIP, Six Year Road Plans):

The existence of the Hollymead Fire Rescue Station immediately adjacent to the Property helps support the proposed Rehabilitation Hospital. Similarly, the Foundation's work to extend Innovation Drive, and its associated bicycle and pedestrian infrastructure will support the recommendations of the Comprehensive Plan.

A general evaluation of the applicable neighborhood model principles (if in the Development Areas) and general direction of how they may need to be applied (such as general orientation of development, important interconnections to consider/provide):

The proposed Rehabilitation Hospital will meet all the goals of the neighborhood model principles. During the County's review and evaluation of the most recent amendment to the Research Park rezoning in 2010 by ZMA 2005-00003, the application was found to be consistent with all of the neighborhood model principals. The approved Application Plan and proffers that apply to the Research Park will ensure that any development therein will also satisfy those principals.

Nevertheless, an evaluation of the applicable neighborhood model principles specifically with regard to the proposed Rehabilitation Hospital at the Research Park reveals that the facility will further the principles in the following ways:

- 1. **Pedestrian Orientation:** The Rehabilitation Hospital will be accessed within the Research Park by sidewalks as required by the Pedestrian Circulation Plan and Streetscape and Sidewalk Sections components of the approved Application Plan and as generally shown on the selected pages of the Initial Site Plan application prepared by Timmons Group, attached hereto as Exhibit B.*
- 2. **Mixture of Uses:** The Rehabilitation Hospital will increase the mixture of uses at the Research Park, and the Hospital will be compatible and complementary to other existing and permitted uses at the Research Park.*
- 3. **Neighborhood Centers:** The Rehabilitation Hospital will strengthen the Research Park's status as a Neighborhood Center in the area.*
- 4. **Mixture of Housing Types and Affordability:** Not applicable.*
- 5. **Relegated Parking:** As shown on Exhibit B, the parking for the Rehabilitation Hospital is relegated to the side and rear of the structure.*
- 6. **Interconnected Streets and Transportation Networks:** As noted herein, the Research Park Application Plan requires a system of interconnected streets, and the Foundation's current work to extend Innovation Drive throughout the Research Park will substantially further that goal.*
- 7. **Multimodal Transportation Opportunities:** In addition to access by vehicle and sidewalks, the Research Park is accessible by patients and their families, and by all employees of, and visitors to the Rehabilitation Hospital by public transit via the University's partnership with JAUNT in the "Park Connect" free shuttle service that connects the Research Park with the University of Virginia Health System and the University's Central Grounds. A bicycle and pedestrian path will be provided along Innovation Drive, and an extensive publicly accessible trail system is to be located within the Research Park, both of which provide alternate means of transportation to the Rehabilitation Hospital. The continued construction of sidewalks and trails within the Research Park will support the pedestrian network both inside and outside of the Research Park.*

8. **Parks and Open Space:** *The Research Park as a whole contains significant open space and amenities. Open space and wetlands areas are located near the location for the Rehabilitation Hospital, and the Rehabilitation Hospital would not disturb those areas.*
9. **Buildings and Spaces of Human Scale:** *As a single-story building, the Rehabilitation Hospital will be of a human scale, and within the height limitations of the Research Park and zoning ordinance. In addition, the building and site design will follow the Research Park's design guidelines, and be subject to the approval of the Research Park's Design Review Committee to ensure compatibility with the design elements of other developed areas within the Research Park.*
10. **Redevelopment:** *Not applicable, as the property is currently undeveloped.*
11. **Respecting Terrain and Careful Grading and Re-grading of Terrain:** *The site design for the proposed Rehabilitation Hospital is respectful of the existing terrain and nearby sensitive environmental areas and features, and the proposed grading and re-grading will reduce conflicts with those areas. Finished grades will be smooth rather than abrupt, and slopes of 2:1 have been minimized*
12. **Clear Boundaries with the Rural Areas:** *Not applicable as the property does not adjoin the Rural Area.*

Identification of associated approvals that will be needed. For example, does the proposed use require special use permits in addition to a ZMA? Is the project in the Entrance Corridor or other Overlay Districts?

Because a portion of the Property is adjacent to an Entrance Corridor (Airport Road), the proposed Rehabilitation Hospital may require approval of the Architectural Review Board (the "ARB"), although the facility itself will be located more than 500 feet from the Entrance Corridor. The facility is also located within the Airport Overlay District. There are some preserved steep slopes on the Property, but they are located adjacent to the stream that runs along the western border of the parcel 32-18 and the project will not disturb those slopes in any way.

Relationship between the proposed development and natural resources on the site. For example, will the development (including grading that likely will be needed) impact resources shown on the Open Space Plan such as streams, stream buffers, floodplain, critical slopes, wetlands, and other features?

The proposed Rehabilitation Hospital will be located outside of the boundaries of the stream buffer on the Property, which are shown on Exhibit A. Thus, it will not impact the stream, the preserved steep slopes adjacent to the stream, or the stream buffer.

Identification of transportation issues that will need to be addressed with a rezoning, such as interparcel connections and future traffic impact studies:

As discussed herein, the Foundation is working to extend Innovation Drive to connect with other parcels and existing roads within the Research Park. The proposed Rehabilitation Hospital will likely generate a similar number of vehicle trips as would be generated by other uses that are

permitted by right within the Property and the Research Park, and perhaps even fewer trips. Regardless, the vehicle trips associated with the Hospital will likely be dispersed throughout the day more so than trips from other by-right uses that would likely concentrate trips during the peak hours. As such, the proposed Rehabilitation Hospital will likely have less of a traffic impact on the area than other permitted uses.

Identification of any on-site or nearby historical or archeologically important areas and their relative importance. Will additional studies be needed before decisions are made?

The Foundation is not aware of any on-site or nearby historical or archeologically important areas.

Identification of any impact important viewsheds which will need to be considered, such as the Monticello viewshed.

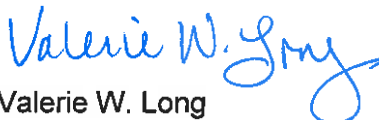
The Property is not within the Monticello viewshed.

Conclusion:

For all of these reasons, the proposed relocation of the Rehabilitation Hospital from the Fontaine Research Park to the Research Park is consistent with the goals and policies of the Comprehensive Plan, and with the land use plan for the Places 29 area. The proposal would allow for the Foundation and University to further its mission of providing health care to the Charlottesville and surrounding community at no cost to the County. We request that the County review the proposed Rehabilitation Hospital for consistency with the Comprehensive Plan.

Please do not hesitate to contact me should you have any questions or require anything further in connection with this application.

Sincerely,


Valerie W. Long

cc: University of Virginia Foundation

Enclosures:

Exhibit A: Timmons Group exhibit entitled "Lewis and Clark Drive Road Extension, UVA Research Park Loop Road Exhibit," dated December 10, 2018.

Exhibit B: Sheets C4.0, C4.1 and C4.2 of the Initial Site Plan Application, prepared by Timmons Group, dated May 6, 2019.