



**ALBEMARLE COUNTY**  
**STAFF REPORT**

<b>Project Name:</b> CCP2019-3 UVA Encompass Health	<b>Staff:</b> Tori Kanellopoulos, Planner
<b>Planning Commission Work Session:</b> October 22, 2019	<b>Board of Supervisors Public Hearing:</b> n/a – PC finding forwarded for information only
<b>Owner:</b> University of Virginia Foundation (UVAF)	<b>Applicant:</b> Valerie Long (Williams Mullen)
<b>Acreage:</b> 25.92 acres (TMP 32-18)	<b>Comprehensive Plan Consistency for:</b> Proposal by the UVA Foundation and Encompass Health to establish an approximately 70-bed and 72,000 square foot Rehabilitation Hospital in the UVA Research Park.
<b>TMP:</b> 03200-00-00-01800 and potentially a future boundary line adjustment with 03200-00-00-018B0 and 03200-00-00-006R0	<b>Location:</b> TMP 32-18 fronts on Airport Road approximately 1,600 feet northwest of the intersection of Airport Road and Route 29. Its address is listed as 3640 Lonesome Pine Lane.
<b>School Districts:</b> Baker Butler E.S., Sutherland M.S., Albemarle H.S.	<b>By-right use:</b> PDIP Planned Development Industrial Park – industrial and ancillary commercial and service uses (no residential use). This proposal was determined to be a by-right public use by the Zoning Administrator in attached letter dated May 10, 2019.
<b>Magisterial District:</b> Rio	<b>Proffers:</b> Yes per ZMA2005-3 (UVA Research Park)
<b>Proposal:</b> The UVA Foundation and Encompass Health propose to relocate the Health Rehabilitation Hospital to the University of Virginia Research Park (Airport Road and Lewis and Clark Drive) from Fontaine Research Park. The proposed use is approximately 70 beds and approximately 72,000 square feet.	<b>Requested # of Dwelling Units:</b> None
<b>DA (Development Area):</b> Places29 - Hollymead	<b>Comp. Plan Designation:</b> 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). There are other designations on other portions of the property, however the proposed rehabilitation hospital is fully within the Office/R&D/Flex/LI designation.
<b>Character of Property:</b> This parcel contains a single-family house and several accessory structures. It is mostly wooded and undeveloped. There is an existing private road (Lonesome Pine Lane) which will be removed and replaced with a new private street.	<b>Use of Surrounding Properties:</b> The Hollymead Fire Rescue Station is adjacent to the east. The 'Airport Acres' single-family subdivision is also the east. West of the parcel are several commercial uses and a church. North of the parcel is the future UVA Research Park, which is partially developed.
<b>Factors Favorable:</b> <ol style="list-style-type: none"> <li>1. The proposed public facility is consistent with the Neighborhood Model principles for public facilities, as described in the Comprehensive Plan.</li> <li>2. The proposed use is consistent with the Growth Management policy in the Comprehensive Plan.</li> <li>3. The proposed use is considered a complementary target industry for economic development in the County in the Comprehensive Plan.</li> <li>4. The proposed use is consistent with the future land use designation of Office/Flex/R&amp;D/Light Industrial as described in the Places29 Master Plan.</li> </ol>	<b>Factors Unfavorable:</b> <ol style="list-style-type: none"> <li>1. None identified.</li> </ol>
<b>RECOMMENDATION:</b> <b>Consistency with the Comprehensive Plan:</b> Staff recommends that the Commission find the location, character, and extent of the proposed public facility and public use to be in substantial accord with the Comprehensive Plan.	

**STAFF PERSON:**  
**PLANNING COMMISSION:**  
**BOARD OF SUPERVISORS:**

Tori Kanellopoulos  
October 22, 2019  
N/A

## **BACKGROUND**

The UVA Encompass Health Rehabilitation Hospital is a rehabilitation hospital owned by UVA Encompass Health Rehabilitation Hospital, LLC. This hospital is currently located in the University of Virginia Fontaine Research Park on TMP 76-17B7, where it has operated for nearly twenty years. The UVA Foundation proposes to relocate the rehabilitation hospital to the UVA Research Park approved per ZMA2005-3 (originally approved as ZMA1995-4 and later amended). (Attachments G and H – ZMA2005-3 application plan and proffers)

The rehabilitation hospital will continue to provide a variety of medical services, such as rehabilitation services for brain injuries, spinal cord injuries, cardiac care, stroke recovery, and neurological disorders. The applicant is proposing to relocate the rehabilitation hospital to provide more inpatient medical rehabilitation services by increasing the number of beds from 50 to 70. The applicant states in their narrative that “a very high percentage of the facility’s patients will be eligible for Medicaid. A Certificate of Public Need for the facility was approved by the Virginia Department of Health on April 8, 2019.”

A Letter of Determination from the Zoning Administrator was sent to the applicant on May 10, 2019 (LOD2019-4, Attachment F). This letter determined that, based on the ownership of the rehabilitation hospital (UVA which is a public entity), the proposed use is a public use. Public uses are allowed by-right in the PDIP zoning district. The employees of the rehabilitation hospital will be UVA employees, and Encompass Health will manage the operation and services of the building, such as laundry, food service, janitorial services, and maintenance.

The applicant submitted an initial site plan for the rehabilitation hospital (SDP2019-23), which has been approved with conditions (Attachment I). The applicant has also submitted a final site plan (SDP2019-47), which can only be approved after the CCP application is reviewed by the Planning Commission.

The applicant notes that this subject location was chosen for the following reasons:

- The applicant has determined this is a preferred location for accessibility for patients and employees
- The proposal received a Certificate of Public Need from the Virginia Department of Health
- UVA medical students and residents will be able to have rotations
- This proposal is part of a larger planned research park with future supportive uses and infrastructure

Please reference the applicant’s project narrative for more information (Attachment C).

## **PURPOSE OF THE REVIEW**

A Compliance with the Comprehensive Plan Review (“CCP Review” or “2232 Review”, in reference to the Code of Virginia statute which necessitates this type of local review

process), considers whether the general location, character, and extent of a proposed public facility are in substantial accord with the adopted Comprehensive Plan. It is reviewed by the Planning Commission, and the Commission's findings are forwarded to the Board of Supervisors for their information; no additional action is required of the Board. The Commission's action is only related to the appropriateness of the site for the proposed public use and is not an action or recommendation on whether the facility should be constructed.

### **CHARACTER OF THE AREA**

The 25.92-acre property (TMP 32-18) fronts on Airport Road and is approximately 1,600 feet northwest of the intersection of Airport Road and Route 29. Currently the only access is from the private street Lonesome Pine Lane, which connects to the Hollymead Fire Rescue Station. With the future development of the UVA Research Park, there will be access provided with the future construction of Loop Road, eventually connecting to Lewis and Clark Drive. There is one existing single-family house and several accessory structures currently on the site. The property is mostly wooded and undeveloped. This property is part of 'Tract 1' on the approved application plan for ZMA2005-3, the most recent rezoning application for the UVA Research Park (Attachment G).

The adjacent properties to the west and north are currently undeveloped and are also part of the UVA Research Park. The Hollymead Fire Rescue Station is adjacent to the east. The Airport Acres subdivision is located nearby to the east, and is adjacent to the future UVA Research Park, although not adjacent to this subject property. Nearby there are other residential developments, as well as commercial and institutional uses. The airport is approximately a third of a mile to the west. (Attachment A – Vicinity Maps)

### **SPECIFICS OF THE PROPOSAL**

The proposed rehabilitation hospital consists of the following:

- 70 beds for inpatient rehabilitation services
- An outdoor courtyard area for physical therapy for patients
- A parking lot with 160 spaces, including 32 ADA-accessible spaces
- Approximately 100-125 employees during the day and 20-25 overnight, including UVA medical students completing rotations, with a total of about 165 FTE staff
- Access will be provided by future private street Loop Road

See Attachment I for the site plan submitted to the County for review, which shows more detail for the proposed rehabilitation hospital.

Staff does not anticipate significant impacts to infrastructure and surrounding properties, especially given that this proposal is part of the approved application plan and associated proffers with ZMA2005-3. Impacts to infrastructure, traffic, and nearby areas were addressed with the rezoning, which contains numerous required future improvements as the Research Park builds out.

Vehicles will access this site from future private road Loop Road. As the Research Park builds out, there will be a connection to Lewis and Clark Drive. This proposal estimates 1,768 daily trips, with 147 AM peak trips and 151 PM peak trips. In reviewing the site plan,

VDOT did not have any objection. The proffers per ZMA2005-3 contain provisions for the construction and extension of roads in the Research Park. Road improvements are to be completed or bonded prior to construction of each phase's maximum total build-out. The road plan for Loop Road will need to be approved prior to site plan approval for this proposal. There is also service provided by JAUNT and UVA that offers free shuttle service between the Research Park and the UVA Health System.

Impacts to other infrastructure, such as utilities, were reviewed with the rezoning application for the entire Research Park and reviewed with the site plan submittal for this proposal. There are proffers with ZMA2005-3 that address infrastructure impacts. Additionally, the applicant states in their application that: "...the Rehabilitation Hospital does not require funding from the County." Therefore, while this is a public use providing a community benefit, no County funding resources are needed. The applicant states in their application that "The [UVA] Foundation will also extend water and sewer service to the Property and this portion of the Research Park."

### **COMMUNITY MEETING**

The required community was held on September 19<sup>th</sup>, 2019, at 6:00 PM at the Hollymead Fire/Rescue Station, during the Places29 North CAC meeting. Staff gave an overview of the CCP review process and the legislative review process more generally.

Most of the questions were related to future build-out of the UVA Research Park, especially road extensions. The applicant confirmed that all road extensions will be located on property owned by the UVA Foundation. The applicant also showed on a map where Lewis and Clark Drive and Innovation Drive will extend to. The applicant clarified that Lewis and Clark Drive is starting as two lanes, but will eventually be four lanes, per the required transportation improvements per ZMA2005-3, as build-out occurs. Some community members expressed the desire for a stoplight at Airport Acres and Route 29. However, this intersection is adjacent to Route 29 and not to the UVA Research Park, and therefore is not part of their required improvements. Several community members also mentioned a preference for future JAUNT and other transit service to this area, which the applicant also hopes to work toward for this area.

There were also questions related to the number of staff that would be at the rehabilitation hospital. The applicant estimated there would be 100-125 staff members there during the day, and 25 overnight. Several community members also inquired about the hours when construction would occur, both for this proposal and for the UVA Research Park as it builds out. The applicant replied that construction would not occur 24/7 and would need to meet County noise ordinance requirements.

### **CONSISTENCY WITH THE COMPREHENSIVE PLAN**

Staff provide the following information for the Planning Commission to consider, regarding the compliance of this proposal relative to the County's Comprehensive Plan (which includes the Places29 Master Plan):

### **Comprehensive Plan:**

Albemarle County Growth Management Policy: Promote the efficient use of County resources through a combination of:

- A. Protecting the elements that define the Rural Area:...and
- B. Promoting the Development Areas as the place where a variety of land uses, facilities, and services exist and are planned to support the County's future growth, with emphasis placed on density and high quality design in new and infill development.

*Staff comment: This proposal is consistent with the County's Growth Management Policy by establishing a medical facility with rehabilitation services in the Development Area.*

Growth Management Goal: "Albemarle County's Development Areas will be attractive, vibrant areas for residents and businesses, supported by services, facilities, and infrastructure. Growth will be directed to the Development Areas..."

*Staff comment: This proposal would establish (by relocating and then expanding) a rehabilitation hospital with supportive services in the Development Area. It would provide training opportunities for UVA medical students and provide enhanced services for patients at the facility, many of which use Medicaid services.*

Development Areas Objective 7: "Create thriving, active employment and commercial areas."

*Staff comment: The UVA Research Park is intended to build out as an employment center, as described in the Places29 Master Plan. This Objective in the Comprehensive Plan discusses the importance of providing space and support for target industries and complementary target industries. Staff finds the proposed location of the rehabilitation hospital consistent with this Objective. The UVA Research Park is specifically called out in this section of the Comprehensive Plan.*

Development Areas Objective 8: "Preserve natural systems which are shown for preservation on Master Plan Land Use Plans."

*Staff comment: This proposal is consistent with the above Objective by identifying and preserving several environmental resources, including wetlands, streams, and preserved slopes.*

Economic Development Strategy 3a: Use the target industries as listed in the Comprehensive Plan to guide decisions for economic development.

*Staff comment: The Comprehensive Plan lists "Health Services" as a complementary target industry. Staff is of the opinion that the proposed rehabilitation hospital is a complementary target industry and is supportive of the future employment uses in the UVA Research Park.*

Community Facilities Strategy 1k: "Ensure that public buildings and spaces provided in the Development Areas conform to the principles of the Neighborhood Model."

*Staff comment: While this type of public facility is not specifically included in the Comprehensive Plan, this strategy is still applicable. The applicant provided a Neighborhood Model analysis, which staff concurs with (Attachment C). The rezoning ZMA2005-3 was also considered with Neighborhood Model Principles. This strategy specifically discusses the importance of pedestrian connectivity, accessible open space, and providing facilities as part of mixed-use areas. Staff finds this proposal consistent with this strategy and the relevant Neighborhood Model principles.*

Additionally, there are environmental features on this subject property and throughout the Research Park. The following comment for this application was provided by David Hannah, Natural Resources Manager:

*There is an intermittent stream along part of the western boundary of parcel 32-18, with some areas of steep topography near it. Much of the land near this stream and the impaired stream in the northwestern portion of the parcel is forested. Maintaining as much of the wooded riparian buffers on both streams as possible will be beneficial for water quality.*

There are wetlands, intermittent streams, and preserved steep slopes to the west of the proposed rehabilitation hospital. These environmental features are also present throughout the area included in the rezoning application for the Research Park. On this site, the applicant states that “open space and wetlands are located near the location for the Rehabilitation Hospital, and the Rehabilitation Hospital would not disturb those areas...it will not impact the stream [or] the preserved steep slopes adjacent to the stream.” Since the stream is intermittent and in the Development Areas, there is no WPO buffer around the stream.

#### **Places29 Master Plan:**

The Master Plan future land use designation for this portion of the property is ‘Office/R&D/Flex/Light Industrial’. The intent of this designation is to allow: “a range of employment-generating uses ...to create Employment Neighborhoods.” The rehabilitation is being expanded from 50 beds to 70, which creates additional employment needs. There will also be training opportunities for UVA medical students. The Master Plan recommends that community and public “facilities should be convenient and accessible to neighborhoods and employment centers”. While the rehabilitation hospital is not a traditional public facility (such as a school or library), it is providing a public benefit and should be accessible to residents. The applicant states that this location was chosen because of its accessibility to many potential patients and hospital staff members. Other portions of this property (TMP 32-18) are designated Uptown Center and Private Open Space. The Master Plan also describes the UVA Research Park as a “major employment center”.

The Master Plan discusses the importance of having multiple transportation options throughout the Places29 area to access neighborhoods, employment centers, public facilities, and amenities. The proposed rehabilitation hospital will be served by a free transit service (through JAUNT and UVA) connecting it with the UVA Health System. The Research Park and this proposal will have pedestrian and bicycle facilities.

The Master Plan specifically calls out the following employment opportunities in the Hollymead Development Area: “With significant residential and employment growth planned, Hollymead will also be an attractive location for medical, finance, insurance, and real estate office space.” Given the planned growth and future employment and service needs for this area, staff finds this proposal consistent with the Master Plan.

There is one portion of the Places29 Master Plan future land use designation that the application varies from, which is the recommendation that institutional uses in the Office/R&D/Flex/LI future land use designation have a maximum building footprint of 20,000 square-feet. Although the proposed rehabilitation hospital is approximately 72,000 square-feet, staff is of the opinion that exceeding the maximum building footprint recommendation is acceptable for the following reasons:

- The rehabilitation hospital is only one story, to provide easier and safer accessibility for recovering patients. The Master Plan recommends buildings up to four stories in areas outside of centers, which could theoretically allow an 80,000 square-foot building. The proposed rehabilitation hospital’s footprint is lower than this total.
- The rezoning application plan per ZMA2005-3 shows a building envelope in this location that is approximately three and a half times the size of the adjacent Fire Rescue Station, which equates to approximately 64,000 square feet. While three buildings were originally envisioned in this location, the proposed rehabilitation hospital encompasses approximately the same total square footage of building footprint area.
- There is a maximum total square footage permitted in the Research Park, per ZMA2005-3, of 3,700,000 square feet. This proposed use and facility have been determined to be consistent with the rezoning application plan by staff, and future build-out will be restricted to this total.
- The proposed rehabilitation hospital is not adjacent to any residential developments (although other portions of the Research Park are).
- There is precedent for larger institutional uses within this future land use designation, including the Albemarle County Public Schools ‘Center for Creativity and Invention’, which also went through the CCP process and was approximately 40,000 square feet.
- The Master Plan states the following intent of building footprint recommendations: “These limitations support the desired circulation network and block size in the Places29 area. Single buildings should not be so large that they become a barrier to pedestrian circulation, particularly within Centers.” This proposed development will have adequate pedestrian access and circulation, especially as this access is part of the broader UVA Research Park.
- The Master Plan states that: “Future development within the Research Park may continue to develop in a campus-style form and with building footprints that are consistent with the existing zoning.” There is no maximum footprint in the PDIP zoning district.

Based on the reasons and analysis above, staff finds the proposed location of the rehabilitation hospital consistent with the Comprehensive Plan and the Places29 Master Plan.



## **SUMMARY**

Staff has identified the following factors which are favorable to this request:

1. The proposed public facility is consistent with the Neighborhood Model principles for public facilities, as described in the Comprehensive Plan.
2. The proposed use is consistent with the Growth Management policy in the Comprehensive Plan.
3. The proposed use is considered a complementary target industry for economic development in the County in the Comprehensive Plan.
4. The proposed use is consistent with the future land use designation of Office/Flex/R&D/Light Industrial as described in the Places29 Master Plan.

Staff has identified the following factors which are unfavorable to this request:

1. None identified.

## **RECOMMENDATION**

Staff recommends that the Commission find the location, character, and extent of the “UVA Encompass Health Rehabilitation Hospital” public facility and public use thereof, as proposed, to be in substantial accord with the Comprehensive Plan, for the reasons identified as favorable factors in this staff report.

## **PLANNING COMMISSION POSSIBLE MOTIONS for CCP2019-3:**

- A. I move to find the location, character, and extent of the “UVA Encompass Health Rehabilitation Hospital” public facility and public use thereof, as proposed, to be in substantial accord with the Comprehensive Plan.
- B. I move to find the location, character, and extent of the “UVA Encompass Health Rehabilitation Hospital” public facility and public use therefore, as proposed, to not be in substantial accord with the Comprehensive Plan [*state reasons for non-compliance with the Comprehensive Plan*].

## **ATTACHMENTS:**

Attachment A: Vicinity Maps

Attachment B: Comprehensive Plan Designation Map and Description

Attachment C: Application: Project Narrative

Attachment D: Application: Exhibit A (existing conditions)

Attachment E: Application: Exhibit B (portion of approved initial site plan SDP201900023)

Attachment F: Letter of Determination from the Zoning Administrator, dated May 10, 2019

Attachment G: ZMA2005-3 Application Plan

Attachment H: ZMA2005-3 Proffers and Action Letter

Attachment I: SDP201900023 approved initial site plan