

**Albemarle County Planning Commission
Final Regular Meeting Minutes
September 10, 2024**

The Albemarle County Planning Commission held a public hearing on Tuesday, September 10, 2024, at 6:00 p.m.

Members attending were: Fred Missel, Chair; Luis Carrazana, Vice-Chair; Corey Clayborne; Karen Firehock; Julian Bivins; Lonnie Murray; and Nathan Moore.

Members absent: none

Other officials present were: Michael Barnes, Director of Planning; Andy Herrick, County Attorney's Office; Syd Shoaf, Cameron Langille, Bart Svoboda, and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Public Hearing

SP202400009 Our Lady of Peace

Cameron Langille, Principal Planner, said that the special use permit affected two properties. He said that the first property measured 6.95 acres and was currently occupied by the Our Lady of Peace Assisted Living Facility. He said that it had an entrance directly off Hillsdale Drive. He said that the site included several parking areas. He said that the building housing the assisted living units had several wings.

Mr. Langille said that the adjacent property measured 12.51 acres. He said that this property was home to the Church of the Incarnation Catholic Church. He said that it also had a building and an entrance off Hillsdale Drive, with parking available. He said that there was a vehicular interconnection between these two sites. He said that the church had another driveway off Hillsdale Drive. He said that these properties were part of the planned unit development known as Branchlands. He said that almost every surrounding parcel visible was within the same zoning district, as they all belonged to Branchlands.

Mr. Langille said that to the north, the Jefferson Area Board for the Aging offices were located there, which was adjacent to a Courtyard by Marriott Hotel. He said that the former Big Lots was located nearby. He said that the structure to the south housed various offices and other assisted living facilities. He said that moving north, the Cobalt Ridge neighborhood, zoned R15, was situated outside of Branchlands.

Mr. Langille said that it featured attached residential multifamily dwellings. He said that Fashion Square Mall was located to the north, separated by a vegetated buffer, with its parking lot and building visible. He said that the Chapel Hills subdivision, zoned R1, was located to the south and east. He said that these properties were large lots with single-family detached residential uses.

Mr. Langille said that the request pertained to the Our Lady of Peace facility, which currently held a special use permit. He said that the proposal was to amend this permit to construct a new wing onto the existing building. He said that this new wing would border the church's parking area, located to the southwest of the properties. He said that the new wing would comprise 54 total new units, which would be part of the Our Lady of Peace facility if the special use permit was approved.

Mr. Langille said that currently, Our Lady of Peace had 163 beds, and this approval would increase the total to 217. He said that the new wing of the building would be three stories high, with habitable space on the first two stories. He said that this wing would be built above a parking garage that was accessed at ground level. He said that the parking area on the church property would be reconfigured to meet engineering design standards and zoning ordinance regulations.

Mr. Langille said that there would be a reconfiguration which would involve adjusting the boundary line between the two parcels to take some acreage from the church property and give it to the Our Lady of Peace parcel. He said that he wanted to raise this point because it had been demonstrated that the proposed development would be able to meet all building and parking setback requirements based on their current uses.

Mr. Langille said that there were no unfavorable factors identified with this proposal. He said that one of the favorable factors was that it was consistent with all the review criteria required by the zoning ordinance. He said that this proposal aligned with the future land use recommendations contained in the Places 29 Master Plan, which was the development area where it was located.

Mr. Langille said that this proposal was fully consistent with all twelve principles of the comprehensive plan neighborhood model guidelines, which staff was required to consider with any special use permit or rezoning application. He said that staff was recommending approval of this proposal, with the condition that any development following special use permit approval would be consistent with the key elements noted in the bulleted list shown on the concept plan.

Mr. Bivins said that if he understood correctly, the ownership of both parcels was held by the Diocese of Richmond. He said that it was the owner who was shifting the boundary on the property they owned.

Mr. Langille said that he believed that was correct. He said that the tax records he had access to indicated that the church was owned by the Richmond Diocese, which was part of the Catholic Church. He said that the property owned by Our Lady of Peace Incorporated, despite having a mailing address in Roanoke, was a tax-exempt property.

Mr. Bivins said that they were discussing an entity that was moving its own boundary. He said that he had a question regarding whether the boundary adjustment, if it occurred, would affect the number of parking spaces at the religious entity.

Mr. Langille said no. He said that they would have enough parking as-is.

Mr. Bivins asked if the additional parking proposed under the new wing was required.

Mr. Langille said that with the maximum number of beds that could be built, additional parking would need to be constructed on the Our Lady of Peace site.

Mr. Bivins said that when they looked at their recent census, which was released a couple of years ago, they found that the fastest-growing population in their community was over 55. He said that this demographic shift brought with it the need for various services. He said that he hoped that there had been some discussion about this. He said that if there was a need for more capacity, he suggested starting to think about it now, so they would not have to revisit this issue in five years. He said that this way, they could create a footprint that allowed them to grow and provide more facilities without having to go through this process in the near future.

Mr. Carrazana said that a side of the property in question was quite steep, and he assumed that it was managed slopes. He asked how stormwater was being managed.

Mr. Langille said that there were areas of both managed and preserved steep slopes on both properties. He said that any grading or construction activity required for the new wing's construction would only affect managed slopes. He said that preserved slopes were located on the far southern and eastern property boundaries of both properties and would not be affected by this. He said that the concept plan presented several options for stormwater management that could be implemented at the site development review stage.

Mr. Barnes said that he would like to point out that the property with the stormwater pound was publicly owned by the County. He said that the Parks Department was currently investigating the possibility of utilizing it as a pocket park.

Mr. Missel asked for clarification about the setback requirements for buildings and parking along the property boundary.

Mr. Langille said that in this case, there was a 10-foot setback. He said that this applied to both the side and rear areas. He said that if he mentioned a parking setback, then that was a mistake. He said that HUD did not have a parking setback, and he was not aware of one that pertained to that part of Branchlands. He said that staff would have noted any concerns during review.

Mr. Missel opened the public hearing.

Laurie Schweller, attorney with Williams Mullen and representing the applicant, said that she would like to introduce executive director of Our Lady of Peace, Rachel Lindbergh, and John Albert, who was the representative for the project. She said that Jonathan Showalter from Timmons Group and Ilze Jones from Jones and Jones Architects were also present. She said that the proposed special use permit amendment would enable Our Lady of Peace to offer more assisted living and skilled nursing home services. She said that this senior residential community provided independent living, assisted living, and long-term nursing care.

Ms. Schweller said that it was a multifaceted senior living facility. She said that the location of the proposed wing was indicated by a star on the map. She said that Mr. Langille had already covered this extensively. She said that the map showed the two parcels and their zoning as Urban Density Residential, as per the comprehensive plan. She said that the map also displayed the actual Branchlands PUD approval from the 1980s and ACWA. She said that it illustrated how these

parcels fit into that plan.

Ms. Schweller said that the existing building was in the center of the screen, with the church building to the left. She said that the map showed how they interrelated today. She said that to give them a better orientation, the map showed the existing entrance off Hillsdale, leading to Our Lady of Peace. She said that the entrance to the church off Hillsdale was also shown, with Our Lady of Peace to the left and the church to the right. She said that the access illustrated the route when heading back toward the site with a stand of trees. She said that currently, there was no sidewalk in this area, and they proposed a new sidewalk.

Ms. Schweller said that the area where the proposed addition would be was in the parking lot tree area. She said that these trees were not in good condition, and one had already fallen down since the photo was taken, according to Mr. Albert. She said that these trees would be removed to accommodate the new addition. She said that the existing conditions showed steep slopes between the church property and the existing building. She said that the new addition would allow Our Lady of Peace to provide an additional 20 new assisted living memory care units and 34 new private skilled nursing home beds with 88 bathrooms.

Ms. Schweller said that they had obtained a certificate of public need, and the licenses were shifted from southwest Virginia to Albemarle County. She said that the new wing would feature private rooms, which was an excellent opportunity provided by the SUP amendment. She said that the new wing would include a parking garage with a pedestrian passage. She said that the new sidewalk would extend from Hillsdale. She said that a crosswalk to the church property for pedestrians would also be included.

Ms. Schweller said that the existing natural area would be preserved as much as possible, providing a nice view through the windows of the building. She said that the proposed development would enhance the pedestrian access routes and provide additional facilities for cyclists. She said that the proposed development would be situated below grade, so it would not be visible from Hillsdale Drive. She said that above this, there would be two new floors. She said that the addition of these units would not result in any significant traffic impact, so no proposed changes to the roadways were necessary. She said that there were numerous transit stops in the vicinity, which was beneficial to both employees and visitors to Our Lady of Peace.

Ms. Schweller said that the steep slopes, indicated in green, would not be impacted by the construction. She said that the managed slopes, shown in yellow, would be handled in accordance with County design standards. She said that trees on the hillside between the church and Our Lady of Peace would be removed, and plantings would be done pursuant to landscape recommendations.

Ms. Schweller said that regarding stormwater management, the one-year storm would see a reduction of 20% to 50%. She said that the ten-year storm must maintain pre-construction conditions, with the specific methods to be determined during site planning. She said that the project's drainage contributed less than 2% of the inflow into the Branchlands Pond, which was a point of interest as it had been raised during the community meeting. She said that the drainage area to the Branchlands Pond was 91.38 acres, and the Our Lady of Peace project contributed less than two percent of that.

Ms. Schweller said that she wanted to discuss Our Lady of Peace's stream restoration project, which took place about five years ago. She said that there was significant erosion near the retaining wall next to the current memory care wing. She said that the pre-restoration photos from 2018 showed this issue. She said that after the restoration in 2019, the erosion was significantly mitigated, as seen in the current photographs. She said that the stream had been stabilized, and they did not anticipate any silt contributing to downstream areas.

Ms. Schweller said that special exceptions were being requested to modify the 1988 ZMA, which would revise the acreage and uses of areas A and B within the Branchlands PUD. She said that area A was Our Lady of Peace, and area B was the church. She said that this modification would involve a roughly one-acre boundary line adjustment, changing the size and use on each parcel. She said that this project aligned with the neighborhood model principles, offering a variety of uses from commercial to residential.

Ms. Schweller said that the PUD included a mix of housing types, affordability options, and interconnected streets and transportation networks. She said that there were two entrances to the project from Hillsdale, with existing pedestrian access from the church remaining. She said that a new sidewalk from Hillsdale to the parking garage and through to the existing building was proposed, along with existing pedestrian and bike facilities and a new bike rack.

Ms. Schweller said that this development was interior to the parcel. She said that the existing Our Lady of Peace already had numerous recreational areas, both outdoor and indoor, so they were not proposing any new additions. She said that the courtyard area, created by enclosing the existing building with a new wing, featured a steep slope with trees. She said that this was not intended to be a new recreational area.

Ms. Firehock asked if the ownership of both parcels was the same.

Ms. Schweller said that technically, no, but yes, in essence. She said that as Mr. Langille pointed out, the subject parcel was owned by Our Lady of Peace, which was an affiliate of the Catholic Diocese of Richmond.

Ms. Firehock said that after the boundary line adjustment, that land would become part of the other parcel.

Ms. Schweller said that they were very much in cooperation on this project.

Mr. Carrazana asked if the applicant did not anticipate any issues with the stream and the buffer.

Ms. Schweller said that was right.

Mr. Missel said that he assumed there would be no more stream crossings.

Jonathan Showalter, Timmons Group, said that was correct.

Mr. Clayborne asked for a demonstration of the traffic circulation onsite.

Ms. Schweller said that upon entering, one could either take the elevator to access the new wing or walk through an area to reach the existing building.

Mr. Clayborne said that if someone died in a room, the ambulance could be accessed through the garage.

Ms. Schweller said that Mr. Jones was shaking his head yes.

Mr. Murray asked whether the amount of parking on the site would exceed the required amount or if it would meet the necessary requirements once the new parking garage was built.

Ms. Schweller said that it would be a little over. She said that both the church and Our Lady of Peace would continue to have sufficient parking. She said that the church, despite its size, would continue to have sufficient parking. She said that the same applied to Our Lady of Peace.

Mr. Murray asked if they had considered removing any of the existing surface parking once the new structure was built. He said that there was an incentive program in Albemarle County to remove impervious surfaces. He said that they could potentially receive funding to remove the unnecessary parking.

Ms. Schweller said that there had been no discussion of removing parking.

Mr. Murray said that when viewed from space, the entire area appeared as one large sea of asphalt, with a significant portion of it being unused parking. He said that this was particularly evident in the vicinity of Fashion Square Mall, which was not far away. He said that anything they could do to reduce the amount of asphalt, especially if it was unlikely to be fully utilized, would be beneficial. He said that even if they needed to obtain an exception from the County, he supported the idea of reducing parking requirements if the County mandated more parking than was actually necessary.

Ms. Schweller said that for the Our Lady of Peace addition, they only required 30 spaces, and so they were adding what they needed, 38 spaces in the parking garage. She said that these spaces were particularly valuable to seniors because they and their guests could drive directly into the parking lot and access the building without having to walk far from the parking lot. She said that it was particularly warranted in this case to provide it beneath the building. She said that it just seemed like an important amenity in this case. She said that most of the parking was actually on the church property, and they had 219 spaces.

Mr. Bivins said that his only suggestion was that if they anticipated a need for more capacity, which aligned with the demographics of their region, it would be beneficial to accommodate this here. He said that there was potential for growth in this area. He said that he believed it would be advantageous to avoid the situation where, in the future, they would need to request additional spaces, especially when the site could easily accommodate a larger addition.

Mr. Bivins said that religious institutions required parking at certain times, and he had observed that during these periods, it could be challenging to find parking spaces due to the influx of families and vehicles. He said that he was hopeful that with the recent purchase and the new P3 partnership with Home Depot, they would witness substantial development at Fashion Square.

Mr. Bivins said that this area had been a topic of discussion, and he believed that with the County's involvement and the majority owner's vision, they might see positive changes there as well. He said that he acknowledged that the spaces were being placed under the building, which may be a necessary design choice. He said that by doing so, they were addressing their own needs, not

the church's.

Mr. Missel closed the public hearing.

Ms. Firehock said that she believed this project was excellent. She said that she was pleased that they were parking under the building, and she anticipated that they would require significantly more capacity.

Mr. Murray said that he was pleased to see that applicants were considering the construction of parking garages. He said that it was a much better use of space than surface parking. He said that he was glad to hear the assessment that all the parking would likely be utilized. He said that it was true that they had an aging population, and this was a need that must be addressed.

Mr. Bivins said that he would like to comment on the Branchlands Pond, which was a green space that, if one wanted to walk to it, might be looked upon with a bit of skepticism due to its location in an aging community. He said that it had been well-maintained and rehabilitated, making it a pleasant feature. He said that there were four water features in the area, including ponds at the southwest corner of the church, two across the street from Food Lion, and at the intersection where the County was investing significant effort to mitigate flooding. He said that all of these were to manage stormwater runoff from the hill. He said that straightening the road through Fashion Square Mall was expected to further alter the water management in the area.

Mr. Murray said that while reviewing the water protection ordinance buffer, he noticed that the streams in those areas were not included within an ordinance buffer. He said that based on the images, these appeared to be perennial streams. He said that staff should consider including those buffers.

Mr. Moore said that it appeared that this facility met a need and was consistent with the plan they had in place.

Mr. Missel said that he wanted to highlight the pedestrian connection to Hillsdale Drive, which was beneficial for any of the two facilities. He said that there were special exception requests for the acreage as well.

Mr. Moore motioned for the Planning Commission to recommend approval of SP202400009 Our Lady of Peace with conditions stated in the staff report. Mr. Clayborne seconded the motion, which carried unanimously (7-0).

Adjournment

At 7:50 p.m., the Commission adjourned to October 8, 2024, Albemarle County Planning Commission meeting, 6:00 p.m.



Michael Barnes, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 10/07/2024
Initials: CSS