



ALBEMARLE COUNTY PLANNING
STAFF REPORT SUMMARY

Project Name: SP2023-07: Home Depot Outdoor Storage, Display, and Sales	Staff: Margaret Maliszewski, Planning Manager
Planning Commission (PC) Hearing: Jan. 9, 2024	Board of Supervisors (BOS) Hearing: Feb. 21, 2024
Owner: Home Depot USA Inc.	Applicant: Home Depot USA Inc.
Acreage: Approx. 30.48 acres	Special Use Permit(s) for: Outdoor storage, display and sales serving or associated with a permitted use in accordance with Section 30.6.3.2(b) of the Zoning Ordinance on approximately 12.4 acres. No dwelling units proposed.
Tax Map Parcel (TMP): 06100-00-00-13100, 06100-00-00-13200 (portion)	Zoning/by-right use: Planned Development Shopping Center (PDSC), Entrance Corridor (EC) overlay
Magisterial District: Rio	Location: 1531-1638 Rio Road East
School Districts: Woodbrook – Elementary, Journey – Middle, and Albemarle – High	Conditions: Yes
Development Area: Neighborhood 2 – Places 29	Requested # of Dwelling Units/Lots: N/A
Proposal(s): Establish outdoor storage, display, and sales of merchandise.	Comp. Plan Designation: Rio29 Small Area Plan - Core and Flex
Character of Property: Vacant store and a portion of the north end of the Fashion Square Mall	Use of Surrounding Properties: Fashion Square Mall and a mix of commercial and office uses
Factors Favorable: <ol style="list-style-type: none"> 1. The proposed use is consistent with the Entrance Corridor Design Guidelines if the ARB's recommended conditions are upheld. 2. The revised proposal is generally consistent with the previous proposal. 	Factors Unfavorable: <ol style="list-style-type: none"> 1. None.
Recommendation: Staff recommends approval of SP20230007 with conditions.	



County of Albemarle
COMMUNITY DEVELOPMENT/PLANNING

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MEMORANDUM

TO: Albemarle County Planning Commission
FROM: Margaret Maliszewski, Planning Manager
RE: **SP-2023-07: The Home Depot Outdoor Storage Display Sales – revised proposal**
DATE: December 26, 2023

History

On September 26, 2023, the Planning Commission (PC) reviewed the original Home Depot Special Use Permit request (TMP 06100000013200) and voted 7:0 to recommend approval of the request with conditions. See Attachment A for the PC staff report and Attachment B for the PC Action Letter.

Changes to the Proposal

Following on-site inspections of the existing Sears and mall structures, the applicant determined that a portion of the mall structure would have to be demolished to accommodate the new construction. As a result, the proposal has been revised to a stand-alone Home Depot building with associated changes. The revised proposal extends onto parcel 06100000013100, located immediately south of the Sears building, resulting in the addition of that parcel to the application. (See Attachment C.) Because this parcel was not included in the previous legal advertisement, a new public hearing with the Planning Commission is required. Changes to the proposal include the following:

Proposed changes impacting the Garden Center and outdoor display:

- The Home Depot store is now proposed as a stand-alone building, with the store and Garden Center set back an additional 20' (approx.) from the Rt. 29 EC.
- The Garden Center has increased in size from 135' 4" x 255' to 153' 10" x 241' 7" for a total increase of 1,394 sf.
- The height of the fencing on the Rio side of the Garden Center has been raised minimally to match the height of the Garden Center entrance surround.
- Merchandise display areas remain distributed across the length of the front of the store and Garden Center (facing Rt. 29), with slight changes in configuration compared to the original proposal to accommodate the revised building footprint. The tool rental enclosure has shifted from the south end of the Rt. 29 elevation to the west end of the south elevation.

Proposed changes to the site and store architecture:

- A portion of the mall building would be removed (approximately 44,162 sf) and a travelway would be established between the new store and the mall building. The new north elevation of the mall would receive a new entrance and a sidewalk along the length of the elevation.
- The Home Depot store has increased in size from 270' x 385' 6" to 252' 6" x 425' 7" for a total increase of 844 sf.

- Proposed along the south side of the Home Depot (facing the mall building), from west to east, are the tool rental center materials storage area in a fenced enclosure; a transformer; a generator in a fenced enclosure; and 12 parking spaces.
- The sidewalk through the parking lot to the store would be relocated to align with the main store entrance.
- Two features have been added to the Rt. 29 elevation to help relieve blankness. They are composed of three piers supporting a horizontal element. Images of existing Home Depot stores show cart storage under and around these features.
- Parking and landscaping adjustments are proposed to accommodate the revised building footprint.

See Attachments D-G for the applicant’s revised plans and related documents.

Impact of Proposed Changes

Given the distance from the Rt. 29 EC and the view from the Rio Rd. EC, the changes proposed to the Garden Center and storage/display areas are not expected to increase the visual impact of the development on the corridors as compared to the original proposal. The change in building size is minimal, the type and distribution of storage/display areas is generally consistent with the previous proposal, and the Garden Center is expected to have substantially the same appearance.

Recommendations

The PC’s recommended conditions from the September meeting remain relevant to the current proposal, but two minor changes have been made to the wording.

1. The applicant has requested that the condition requiring landscaping along the Rt. 29 frontage (#6, below) be revised to acknowledge that VDOT approval of planting in this area is required. Staff has previously acknowledged that VDOT review and approval would occur with the final site plan, and the condition has been revised (see underlined text) for clarity.
2. Condition 8 has been merged with condition 1 for consistency.

At its meeting on December 4, 2023, the Architectural Review Board reviewed the revised proposal and voted unanimously to recommend approval of the Special Use Permit with conditions 1-7 listed below.

Based on the findings described in this memo, **staff recommends approval of special use permit application SP20230007 with the following conditions.**

1. Development must be in general accord with the Home Depot plans (the Plan) drawn by Kimley Horn dated 10/16/2023 and included as Attachment F, and MG2 Home Depot plan sheets DD50-08 and DD50-09 dated 11/16/23 and included as Attachment G. To be in general accord, development must reflect the following major elements essential to the design of the development:
 - a. Location of areas of storage, sale, and display; and
 - b. Location and design of fencing.
2. Products for storage, display and/or sale must not be stacked higher than the adjacent garden center fence.
3. The color temperature of garden center light fixtures must not exceed 3000K.
4. Outdoor illumination, including illumination of items for storage, display, and sale, must not exceed 30 footcandles at the display areas facing Rt. 29 and 20 footcandles elsewhere.
5. All outdoor illumination must be full-cutoff fixtures.
6. Large shade trees, 3½” caliper at planting, spaced 35’ on center, and interspersed ornamental trees are required along the Rt. 29 frontage of parcel 61-132. An alternative planting within the existing planting area located between the parking lot and the right-of-way may be approved by the ARB with the final site plan, subject to VDOT approval.
7. The Rio Rd. frontage of parcel 61-132 must be landscaped as shown on the Plan, except that the landscape plan must be revised to include more diverse species along Rio. Rd. Other changes to the landscape plan may be approved by the ARB with the final site plan.

POSSIBLE PLANNING COMMISSION MOTIONS – SP202300007: Home Depot Outdoor Storage, Display, and Sales

- A. Should the Planning Commission choose to recommend approval of this special use permit:
I move to recommend approval of SP202300007 for Home Depot Outdoor Storage, Display, and Sales with the conditions outlined in the staff memo.
- B. Should the Planning Commission choose to recommend denial of this special use permit:
I move to recommend denial of SP202300007 for Home Depot Outdoor Storage, Display, and Sales for (state reasons for denial).

ATTACHMENTS:

Attach A: [SP2023-07 Home Depot Outdoor Storage, Display, and Sales - PC Staff Report 09/26/2023](#)

Attach B: [SP2023-07 Home Depot Outdoor Storage, Display, and Sales - PC Action Letter 10/10/2023](#)

Attach C: [SP2023-07 Home Depot Outdoor Storage, Display, and Sales - Location Map](#)

Attach D: [SP2023-07 Home Depot Outdoor Storage, Display, and Sales - Application Materials: Home Depot changes memo](#)

Attach E: [SP2023-07 Home Depot Outdoor Storage, Display, and Sales - Application Materials: Home Depot site changes overlay](#)

Attach F: [SP2023-07 Home Depot Outdoor Storage, Display, and Sales - Application Materials: Home Depot revised Kimley Horn concept plan 10/16/2023](#)

Attach G: [SP2023-07 Home Depot Outdoor Storage, Display, and Sales - Application Materials: Home Depot revised MG2 architectural and display plans 11/16/2023](#)