

**Home Depot
Final Architectural Review
ARB 2023-___**

Owner: Home Depot U.S.A., Inc.

Tax Map Parcel: 61-132; portion of 61-131

Current Zoning: Planned Development Shopping Center (PDSC)

Current Use: Vacant Sears and a portion of the Fashion Square Mall

Historic Use: Sears Department Store as part of the Fashion Square Mall and a portion of the north end of the Fashion Square Mall

Proposed Use: By-right Home Depot retail department store. A special use permit was also submitted for outdoor storage, display, and sales serving or associated with a permitted use; specifically, a partially-enclosed Garden Center and the outdoor storage, display, and sales of products associated with a Home Depot retail department store.

Comprehensive Plan Designation: Core and Flex Designations in the Rio Small Area Plan

Parcel Size: Approximately 13.95 acres

Adjacent Parcel Zoning: Planned Development Shopping Center (PDSC); Commercial Office (CO); and Commercial (C1)

Project Proposal:

Home Depot U.S.A., Inc. (the "Applicant") is the owner of County tax map parcels 61-132 and a portion of 61-131, containing in total approximately 13.95 acres, a portion of Fashion Square Mall with frontage on Rio Road East and Route 29/Seminole Trail (the "Property"). The Property is currently zoned Planned Development Shopping Center (PDSC) and is proposed to be redeveloped for a Home Depot retail store with a Garden Center. The Property has historically been a part of the Fashion Square Mall since the mall was originally constructed 44 years ago in 1979, and the location of the proposed Home Depot is proposed to be in the same area of the Sears portion of the mall which was also part of the original mall when it was constructed in 1979 but has been dormant since Sears closed the store in 2019, as well as the a portion of the north end of Fashion Square Mall that connected to the Sears. The redevelopment of the Property parcel to be used for a new Home Depot retail store will support the redevelopment of the Property for the benefit of the local economy, so that it no longer is vacant. This redevelopment will contribute substantially more revenue to the tax base without creating any adverse impacts, and the development of the Home Depot with the Garden Center will be a catalyst to the redevelopment of the entire Fashion Square Mall, the majority of which is owned by Home Depot.

The Applicant has received Initial Site Plan approval (SDP 2023-025) including ARB approval for the redevelopment of the Sears portion of Fashion Square Mall into a Home Depot retail store and Garden Center.

A special use permit for outdoor storage, display, and sales of products associated with the Home Depot and its Garden Center has been submitted and is under review (SP 2023-007). Please see special use permit narrative for further description of the proposed special use permit.

Consistency with the Surrounding Area and Entrance Corridor Overlay:

As stated above, the proposed Home Depot is proposed to be in the same area of the Sears and the northern portion of the Fashion Square mall. To the north of the Property across Rio Road is Albemarle Square Shopping Center, to the east across Route 29 are various commercial and retail businesses including a car repair, gas station, and tire retail store. Also to the northeast, immediately adjacent to the Property, is a Wells Fargo bank and a small shopping center. To the south of the Property is the existing Fashion Square Mall which currently has thirty-nine tenants, including Belk, as well as the recently approved Albemarle County Public Safety Operations Center within a portion of the former JC Penny store. To the west of the Property are existing multi-family apartments within Squire Hill and Abbington Crossing, Glenwood Station (offices, single family attached and multi-family residential dwelling units), and Aldersgate United Methodist Church. The proposed Home Depot is consistent with and complimentary to those uses adjacent to the Property and will substantially enhance the area.

The purpose and intent of the Entrance Corridor Overlay is to “implement the comprehensive plan's goal to preserve the county's scenic resources because they are essential to the county's character, economic vitality and quality of life.” The Comprehensive Plan designates this Property as Core and Flex within the Rio29 Small Area Plan, which is a component of the Comprehensive Plan. The location of the Home Depot is within the “Flex” area of the Rio29 Small Area Plan, which is described as “intended to have the highest amount of flexibility in building form and use.” As stated above, the proposed use will be a catalyst to the redevelopment of the Fashion Square Mall, the majority of which is owned by Home Depot.

The lighting plan has been designed to provide safe lighting within the parking area of Home Depot and the proposed fixtures meet the ARB Design Guidelines. Given that the Fashion Square Mall is made up of multiple parcels, the lighting does spill over into other parcels within the mall but meets the requirements for public roads in the entrance corridor and does not spill over into the adjacent residential parcels. The ordinance allows for spillover onto parcels zoned non-residential, and the project is meeting this requirement. While the ARB Design Guidelines are not met for spillover on adjacent parcels, given the project is enhancing safety lighting at Fashion Square Mall, the light poles and fixtures proposed meet the requirements of the ordinance and ARB design guidelines, and the existing lighting with the mall parking lot, a modification of this requirement is reasonable.

The landscaping has been designed to provide parking lot trees, street trees, and perimeter landscaping in accordance with the design guidelines where feasible. Given the infill nature of this project and site, utilities and existing infrastructure prevent full compliance with all the design guidelines. However, the landscaping proposed is a significant improvement from the existing conditions of pavement with minimal to no parking lot trees and perimeter landscaping.

Chapter 2 of the Comprehensive Plan (Natural Resources and Cultural Assets) establishes the goals for preserving the scenic resources that are essential to the County's character, economic vitality, and quality of life. The Entrance Corridor Overlay District is intended to support those goals by maintaining the visual integrity of the County's roadways. The Architectural Review Board addresses potential adverse aesthetic impacts along the Entrance Corridors by applying the County's Entrance Corridor Design Guidelines during the review of development proposals. The proposed Home Depot meets the Design Guidelines and will further the attractive redevelopment of land along two Entrance Corridors in a critically important economic development area of the County.