

**RESOLUTION TO APPROVE
SP202300007 HOME DEPOT
OUTDOOR STORAGE, DISPLAY, AND SALES**

WHEREAS, upon consideration of the staff reports prepared for SP202300007 Home Depot Outdoor Storage, Display, and Sales and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-30.6.3(a)(2)(b) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Planned Development Shopping Center zoning district, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan and the applicable design guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP202300007 Home Depot Outdoor Storage, Display, and Sales, subject to the conditions attached hereto.

* * *

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

| | <u>Aye</u> | <u>Nay</u> |
|---------------------|------------|------------|
| Mr. Andrews | _____ | _____ |
| Mr. Gallaway | _____ | _____ |
| Ms. LaPisto-Kirtley | _____ | _____ |
| Ms. Mallek | _____ | _____ |
| Ms. McKeel | _____ | _____ |
| Mr. Pruitt | _____ | _____ |

SP202300007 Home Depot Outdoor Storage, Display, and Sales Special Use Permit Conditions

1. Development must be in general accord with the Home Depot plans (the Plan) drawn by Kimley Horn dated 10/16/2023 (Attachment A6), and MG2 Home Depot plan sheets DD50-08 and DD50-09 dated 11/16/23 (Attachment A7). To be in general accord, development must reflect the following major elements essential to the design of the development:
 1. Location of areas of storage, sale, and display; and
 2. 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.