

# TOWN OF BLUFFTON



## STAFF REPORT Department of Growth Management

<b>MEETING DATE:</b>	December 20, 2023
<b>PROJECT:</b>	Compass Commons: Landscaping, Lighting and Architecture Certificate of Appropriateness Highway Corridor Overlay
<b>PROJECT MANAGER:</b>	Katie Peterson, AICP, Senior Planner

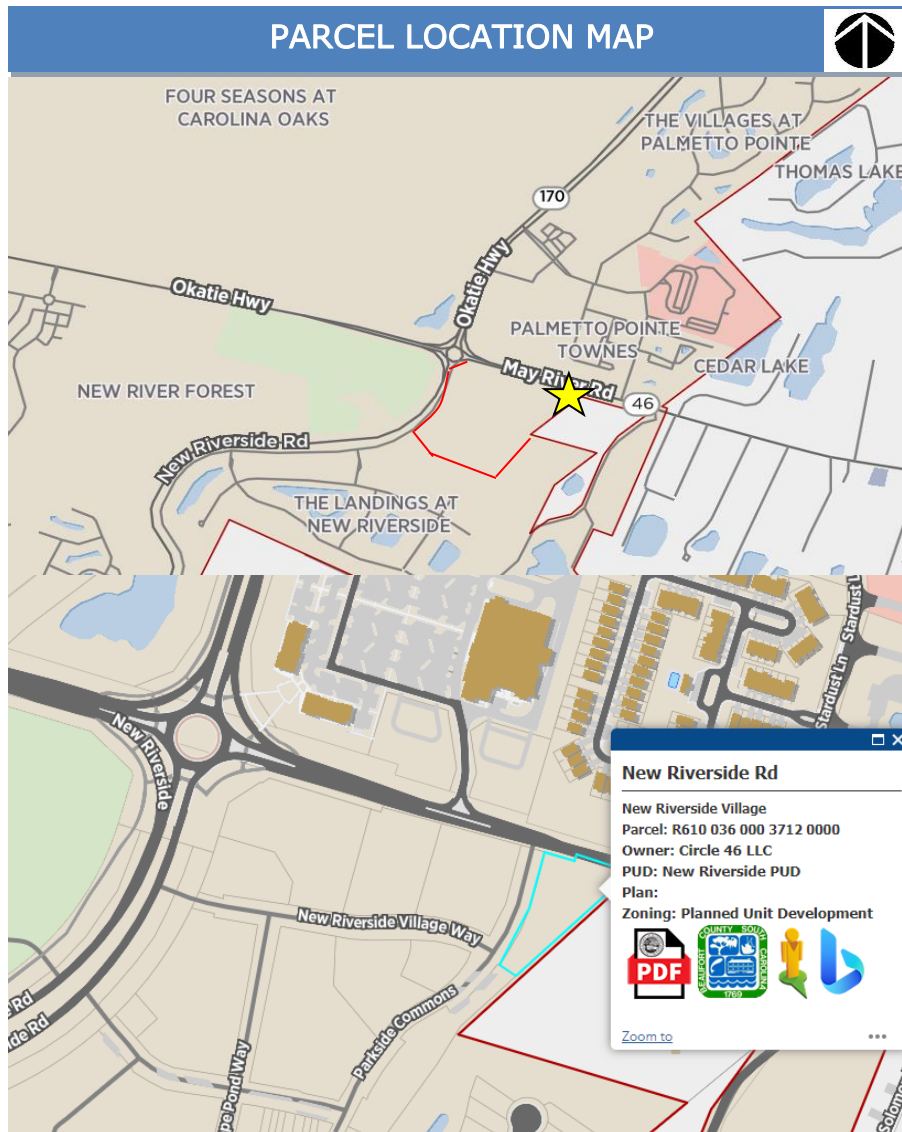
**APPLICATION REQUEST:** The Applicant, Steven G. Stowers, AIA on behalf of James R. Richardson (Circle 46, LLC), requests that the Planning Commission approve the following application:

1. **COFA-08-23-018438.** A Certificate of Appropriateness to permit the construction of 2 restaurant buildings, totaling approximately 5,125 SF, with approximately 875 SF of outdoor dining space and supporting infrastructure. The properties are zoned New Riverside Planned Unit Development and consists of approximately 1.32 acres identified by tax map number R610 036 000 3712 0000 located along Parkside Commons within the New Riverside Village Master Plan.

**INTRODUCTION:** The conceptual plan for the New Riverside PUD was approved by Bluffton Town Council in June of 2004. The Concept Plan and Development Agreement define the allowed land uses in the various areas of the New Riverside Planning Area. The documents also define the development standards, which govern all development activity within the Concept Plan, including the parcel which is the subject of this application. These negotiated land uses, and development standards are binding upon the Town and this Applicant.

The New Riverside Village Master Plan was approved with conditions in February 2020 by the Town of Bluffton Council. A Preliminary Development Plan for Compass Commons (DP-05-23-018058) was approved by the Planning Commission at the July 27, 2022 meeting. A Final Development Plan application was heard at the November 21, 2023 Development Review Committee meeting where comments were provided to the Applicant. Staff has received a resubmittal and is working with the Applicant to review revised drawings and ensure all conditions have been met and outside approvals have been received.

The Applicant has requested the approval of a Certificate of Appropriateness – Highway Corridor Overlay application which is subject to review by the Planning Commission providing authority over the architectural, landscaping, and lighting design only. The conceptual application was reviewed by the Development Review Committee at their October 4, 2023 meeting (Attachment 5).



**PLANNING COMMISSION ACTIONS:** As granted by the powers and duties set forth in Section 2.2.6.C.6. of the Unified Development Ordinance, the Planning Commission has the authority to take the following actions with respect to this application:

1. Approve the application as submitted by the Applicant;
2. Approve the application with conditions; or
3. Deny the application as submitted by the Applicant.

**REVIEW CRITERIA & ANALYSIS:** Town Staff and the Planning Commission are required to consider the criteria set forth in Section 3.17.3 of the Unified Development Ordinance in assessing an application for a Certificate of Appropriateness- HCO. These criteria are provided below followed by a Staff Finding based upon review of the application submittals to date.

1. Section 3.17.3.A. The proposed development must be in conformance with applicable landscaping, lighting, and architectural provisions provided in Article 5, Design Standards.
  - a) *Finding.* The project is located in the New Riverside PUD and is part of the New Riverside Village Master Plan. There are specific design standards established by the PUD via the Beaufort County 1990/3 Zoning and Highway Corridor Overlay District (HCOD) within of the Town of Bluffton Zoning and Development Standards Ordinance (BZDSO), approved September 1999, modified June 2000, (Attachment 6) which are attached to the PUD through Appendix 1.3 of the Concept Plan. In addition to these standards, as a result of the adoption the Town of Bluffton's Stormwater Design Manual (SWDM) in September of 2021, the landscaping design criteria of Article 5 of the current Unified Development Ordinance are applicable to review of this application.
2. Section 3.17.3.B. The proposed development shall be in conformance with any approved Development Agreement, PUD Concept Plan, PUD Master Plan, Subdivision Plan, or any other agreements or plans that are applicable.

The property is in the New Riverside PUD and is identified on the New Riverside Village Master Plan as Commercial/Planned Shopping. As a result, the property is subject to the Beaufort County 1990/3 Zoning and Highway Corridor Overlay District (HCOD) within of the Town of Bluffton Zoning and Development Standards Ordinance (BZDSO) Zoning and Development Standards Ordinance and Design Guidelines contain architectural, landscaping, and lighting design standards for properties located in the Highway Corridor Overlay District (HCOD).

#### **A. New Riverside PUD/PUD CONCEPT PLAN**

The New Riverside PUD refers to the Beaufort County 1990/3 Zoning and Development Standards Ordinance (HCOD) and The Town of Bluffton Zoning and Development Standards Ordinance (BZDSO) Highway Corridor Overlay District (HCOD) for development standards.

#### **Landscape**

- 1) *Finding – Foundation Buffer.* Per Section 5.15.6.(D)(2) of the BZDSO a minimum distance of eight (8') feet will be maintained between any building, including any walkway immediately adjacent thereto, and the parking area. This space is to be reserved for plant material, either existing or planted. No such space is required at the rear of the buildings but is encouraged. As the front of the lot is SC HWY 46, the east side of the building requires the eight (8') foot planting area. It is proposed at five (5') feet (Attachment 3). The planting area on the east side of Building A must be increased by three (3') feet to meet this requirement.

## Lighting

- 2) *Finding – Illumination Levels.* Per Section 5.15.11.(E)(4)(b) of the BZDSO the Illumination Levels for Parking and Streets are as follows:

Type of Lighting	Minimum Level (fc)	Average Level (fc)	Maximum Level (fc)
Commercial Parking	0.60	2.40	10.00
Walkways and Streets	0.20	1.00	10.00

Due to the configuration of the lot, the Applicant has broken the parking areas into separate sections, which are labeled on the Site Lighting Plan. The site does not exceed the maximum illumination levels in any area, however, the average level for the right parking exceeds the average level by .4 fc and rear roadway exceeds the average level by .1 fc. Both the rear parking area and rear roadway are under the minimum levels by 0.1 fc.

STATISTICS						
DESCRIPTION	SYMBOL	AVG	MAX	MIN	MAX/MIN	AVG/MIN
FRONT PARKING	+	2.1 fc	4.8 fc	0.7 fc	6.9:1	3.0:1
PARKING RIGHT	+	2.8 fc	4.3 fc	0.7 fc	6.1:1	4.0:1
REAR PARKING	+	2.2 fc	5.5 fc	0.4 fc	13.8:1	5.5:1
REAR ROADWAY	+	0.3 fc	1.3 fc	0.0 fc	N/A	N/A

To meet the requirements of BZDSO, the minimums would need to be increased for the two highlighted areas for the averages and minimums would need to be met. The Applicant has requested these areas be permitted to deviate from the levels indicated in the BZDSO to keep maximum.

- 3) *Finding –* Per Section 5.15.11(E)(2) of the BZDSO, only incandescent, fluorescent, metal halide, mercury vapor or color corrected high-pressure sodium light may be used. The Applicant has proposed the use of solar LED lights, which are not permitted by the ordinance. As has been past practice, a determination on the appropriateness of the use of LED lights as a substitute for those identified in the BZDSO is requested.

## Architecture

- 4) *Finding –* Appropriate Exterior Materials. Per Section 5.15.9.(D)(2) pitched roofs are defined as 4:12 pitch or greater. The roof plan indicates the shed roof facing SC 46 as [no slope], and the elevations only provide an isometric view. Provide detail showing the shed roof pitch meets the minimum 4:12 requirement, and if not, revise the roof pitch to meet the minimum requirement.

## B. PUD MASTER PLAN

The New Riverside Village Master Plan document refers to the New Riverside PUD for design standards.

- 1) *Finding. New Riverside Village Master Plan.* As there are no design guidelines established in the New Riverside Village Master Plan for the site, no additional design review was performed.

## C. DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

The Declaration of Covenants, Conditions, and Restrictions for the New Riverside Village Master Plan.

- 1) *Finding. Declaration of Covenants, Conditions, and Restrictions for New Riverside Village.* The applicant must provide a letter of approval from the Declarant for the covenants and restriction which are recorded with the New Riverside Village Master Plan.
3. Section 3.17.3.C. The application must comply with applicable requirements in the Application Manual.
  - a. *Finding.* The application has been reviewed by Town Staff and has been determined to be complete and that it meets all requirements of the Applications Manual. As the Final Development Plan has not yet received it's final approval as staff is still reviewing resubmittal documents and ensuring outside approvals have been received, the Development Plan must be issued prior to issuance of this Certificate of Appropriateness. It should be noted that any proposed signage is reviewed through a Sign Permit process separate from this review. Any proposed signage will need to submit Sign Permits for review and approval prior to installation.

**TOWN STAFF RECOMMENDATION:** Town Staff finds that with the conditions noted below, the requirements of Section 3.17.3 of the Unified Development Ordinance will be met and recommends that the Planning Commission approve the application with the following conditions:

### Landscape.

1. Per Section 5.15.6.(D)(2) of the BZDSO, the site must be updated to meet the eight (8) foundation buffer requirement along the east side.

### Lighting

1. Per Section 5.15.11.(E)(4)(b) of the BZDSO, the average for the right parking area and rear roadway needs to be reduced, and the rear parking area and rear roadway increased to meet the illumination levels. The Applicant has requested that a deviation be permitted to allow the illumination levels as submitted.
2. As has been past practice, a determination on the appropriateness of the use of LED lights as a substitute for those identified in the BZDSO Section 5.15.11(E)(2) is requested.

**Architecture**

3. Per Section 5.15.9.(D)(2), the shed roof showing [no pitch], facing SC HWY 46 must meet the 4:12 pitch requirement. Provide detail showing pitch and/or increase the roof pitch to meet the minimum requirement.

**Additional Requirements**

4. A letter of approval from the Declarant for the covenants and restriction which are recorded with the New Riverside Village Master Plan.
5. All comments must be addressed, and a Final Development Plan must be approved prior to issuance of the Certificate of Appropriateness – HCO.
6. Signage Permits must be submitted to the Town of Bluffton for review and approval for the signage proposed at each site in the proposed development.

**ATTACHMENTS:**

1. Application and Narrative
2. Site Plan, Elevations and Materials
3. Landscape Plans
4. Lighting Plan and Details
5. COFA DRC Comments, October 4, 2023
6. BZDSO Highway Corridor Section