

TOWN OF BLUFFTON



STAFF REPORT

Department of Growth Management

MEETING DATE:	January 22, 2025
PROJECT:	CVS (Store 2745) at May River Crossing - Certificate of Appropriateness-Highway Corridor Overlay District (HCO)
PROJECT MANAGER:	Charlotte Moore, AICP Principal Planner

APPLICATION REQUEST: The Applicant, Shelbi D’Avignon (Boos Development Group, Inc.), on behalf of CVS 75651 SC, LLC, requests approval from the Planning Commission of the following application:

COFA-09-24-019355. A Certificate of Appropriateness-HCO for the construction of an 11,286 square foot retail building to include a clinic and pharmacy with a drive-through. The property is zoned Jones Estate PUD and consists of approximately 1.911 acres, identified by tax map number 6R610 036 000 0979 0000 located within the May River Crossing Master Plan and within the Town of Bluffton Highway Corridor Overlay District.

INTRODUCTION: The Applicant is requesting approval of a Certificate of Appropriateness – Highway Corridor Overlay application which is subject to review by the Planning Commission, for the review of architecture, landscaping and lighting design per the applicable regulations identified in the next section of this report.

A separate Preliminary Development Plan (DP-04-24-019111) was approved by the Planning Commission on August 28, 2024. A stormwater permit has not yet been issued for the project, and a Final Development Plan has not been submitted.

APPLICABLE REGULATIONS: The Conceptual Plan and Development Agreement for the Jones Estate PUD was initially approved by Bluffton Town Council on April 14, 2000. As approved, the plan organized the 4,400-acre Jones Estate into planning areas or tracts to provide for the arrangement and regulation of land uses, as well as the allocation of residential densities.

The subject parcel is located within the Church Point Planning Tract which was approved by Town Council on the same date. The subject parcel is also within the May River Crossing Master Plan, which was approved by Town Council on September 20, 2018. The May River Crossing Master Plan replaced Towne Centre at New Riverside Master Plan, which had been approved on September 18, 2007. This parcel is in the May River Crossing Master Plan and is located on Evan Way between SC Highway 170 to the west and May River Crossing to the east.



REVIEW CRITERIA & ANALYSIS: Town Staff and Planning Commission are required to consider the criteria set forth in Section 3.17.3 of the UDO 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 architectural, landscaping and lighting provisions provided in Article 5, Design Standards.
 - a) *Finding.* The project is located within the Jones Tract PUD, part of the Church Point Planning Area, and May River Crossing Master Plan. The PUD established specific design standards via the Beaufort County 1990/3 Zoning and Development Standards Ordinance and the Town of Bluffton Highway Corridor Overlay District (HCOD) within the Town of Bluffton Zoning and Development Standards Ordinance (ZDSO), which are attached to the PUD.
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.

- a) *Finding*. The property is identified a “Mixed-Use Community” in the Church Point Planning Tract for the Jones Tract PUD. Therefore, the property is subject to the Beaufort County 1990/3 Zoning and Development Standards Ordinance and the Town of Bluffton Zoning and Development Standards Ordinance and Design Guidelines, which contain architectural, landscaping, and lighting design standards for properties located in the Highway Corridor Overlay District (HCOD).

A. JONES ESTATE PUD/PUD CONCEPT PLAN

The Jones Estate PUD references the Beaufort County 1990/3 Zoning and Development Standards Ordinance (ZDSO) and The Town of Bluffton Zoning and Development Standards Ordinance Highway Corridor Overlay District (HCOD) for development standards. Compliance has been demonstrated except for the following findings:

1. Architecture (See Attachment 4 for Building Elevations Plan)

Applying Section 5.15.9. (Town of Bluffton Highway Corridor Overlay District, June 20, 2000, Architectural Design), architectural styles should be reflective of, or at least compatible with, architectural styles which exemplify the unique character of the Lowcountry region and conform to the general standards of architectural quality. Sub-section 5.15.9.(D) provides that materials and elements not specifically listed may be considered by the Planning Commission provided consistency with general principles for Lowcountry architecture is demonstrated.

The Applicant redesigned that building from the initial submittal to better reflect Lowcountry vernacular architecture and materials, which includes the use of fiber cementitious lap and board and batten siding, a brick base, and standing seam metal awnings.

Findings include:

- a. ***Finding – Roof***. A flat roof is proposed. Pitched roofs (4:12 pitch or greater) are more compatible and appropriate for the Lowcountry aesthetic as provided in Section 5.15.9(D)(2). Further, Sec. 5.15.9.(E)(2) identifies flat roofs without a pediment and long, unarticulated roofs as incompatible. Pitched roofs can be found on the Wendy’s and Parker’s business on Evan Way; and, flat roofs with more architectural treatment than proposed for CVS, exist on outparcel buildings located within May River Crossing. The Planning Commission must determine if the proposed roof form is appropriately representative of Lowcountry architecture and that all rooftop equipment is adequately screened. (See Attachment 5 for Roof Plan).

- b. **Finding- Accent Colors.** Black is the proposed color for parapet coping, decorative shutters, and window mullions. Sec. 5.15.9.(D)(5) allows black to be used as an accent color on a limited basis and at the discretion of the Planning Commission. Of particular concern is the use of a black parapet coping as the contrast against lighter colors appears to emphasize the lack of roofline variation.
- c. **Finding – Shutters.** Non-operational shutters are atypical of Bluffton’s architecture. If shutters are proposed to suggest a window where none exist (Front and Right elevations), an appropriately sized Bahama shutter would be a preferred treatment. Further, the awning over the shutters should be removed. The ornamental elements between the shutters are unclear as details were not provided.
- d. **Finding – Window/Panel Configuration.** The proposed fiber cement panels with an “X” pattern seem disproportionately large and evoke a barn-like appearance. On the “Left Side” (Evan Way) elevation, it would be preferable for the three windows over the “X” panels to have a similar treatment as the windows to the right of the main entrance. This treatment should also be considered for the other elevations where the same window/panel configuration is proposed.
- e. **Finding – Brick Base.** As the building is proposed to be 25 feet tall (approximately two stories), the brick base should be higher to provide the appearance of a more substantial foundation and to provide more visual interest.
- f. **Finding – Rear (SC Hwy 170) Elevation.** The elevation identified as “Rear” is visible from SC Hwy 170, which is a secondary frontage. While there is a 60-foot buffer in which existing trees will be preserved, any underbrush in the buffer that lacks sufficient density now or in the future, or that is lacking completely, will allow portions of this elevation to be visible. As such, architectural treatment should be reconsidered to have a similar elevation as the “Front Side,” which is visible from May River Crossing. Therefore, it is recommended for the Hwy 170 elevation to have similar treatment as the May River Crossing elevation.

2. Landscaping (See Attachment 6 for Landscaping Plan)

- a. **Finding – Trees.** The Landscape Plan has been revised to increase the size of the 13 Willow Oaks from 2-1/2-inch caliper to 4-inch caliper. The Landscape Plan meets the street tree, tree mitigation, and open space requirements of UDO Section 5.3. No additional tree mitigation is required.

- b. **Finding – Drive-through Landscape Strip.** Section 5.15.8.(D) requires a landscaped buffer of eight (8) feet between the structure and the parking area or driving area. While not required in the drive through area per this section, the conversion of the proposed stripped paved area along the “Rear” elevation into a narrow landscape bed could help the elevation appear less like a rear elevation and increase visual interest.

3. **Lighting** (See Attachment 7 for Lighting Plan)

Applying Section 5.15.11., (Highway Corridor Overlay District, Lighting), findings include:

- a. **Finding – Fixture (Luminaire).** Per Section 5.15.11(E)(1), all light fixtures must be a cutoff luminaire whose source is completely concealed within an opaque housing, and which shall not be visible from any street, and including lights mounted on poles, architectural display and decorative lighting. Lighting fixture details have not been provided with this submittal.
- b. **Finding – Light Source (Lamp).** Per Section 5.15.11(E)(2), only incandescent, fluorescent, metal halide, mercury vapor or color corrected high-pressure sodium light may be used. The same type must be used for the same or similar type of lighting on any one site. The Applicant proposes the use of LED luminaries in the parking area and for the wall pack lighting on the building. As such, the Planning Commission must determine the appropriateness of the use of LED lighting as a substitute for those listed in Section 5.15.11.

B. **PUD MASTER PLAN**

1. **Finding – May River Crossing Master Plan.** The Master Plan states that “[a]rchitectural guidelines are currently governed by the Declaration of Covenants, Conditions and Restrictions for Town Centre at New Riverside as found in Book 3706, Pages 3276-3290, in the Register of Deeds for Beaufort County. The property also falls within the Highway Corridor Overlay District (HCOD) and shall comply with these standards. The applicant intends to exercise the design functions entrusted to the applicant as the private developer under the Concept Plan and Development Agreement.”

C. **DEVELOPMENT PLAN**

The Preliminary Development Plan has been reviewed and Town Staff is awaiting the submission of a Final Development Plan

1. **Finding –** As the work proposed in the scope of this project do not modify the parking, landscaping or open space calculations for the site, the UDO Administrator has determined the work is in compliance with the approved Preliminary Development Plan (DP-04-24-019111).

D. DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

The Declaration of Covenants, Conditions, and Restrictions for the May River Crossing Master Plan.

1. ***Finding - Declaration of Covenants, Conditions, and Restrictions for Towne Centre at New Riverside.*** The applicant shall confirm conformance with the covenants, conditions and restrictions which are recorded with the Towne Centre at New Riverside Master Plan, Book 3706, Pages 3276-3290, Register of Deeds for Beaufort County. A letter from the Declarant is required prior to issuance of this Certificate of Approval.

E. APPLICATIONS MANUAL

The application must comply with applicable requirements in the Application Manual (Section 3.17.3.C).

1. ***Finding – Applications Manual.*** 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. Per the Town of Bluffton Applications Manual, a separate Sign Permit will be required for all signage that is being proposed in association with this development.

PLANNING COMMISSION ACTIONS: As granted by the powers and duties set forth in Section 2.2.6.C.6. of the Unified Development Ordinance (UDO), 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.

TOWN STAFF RECOMMENDATION: The requirements of Section 3.17.3 of the UDO will be met if the Planning Commission approves the application with the following conditions:

1. Demonstrate that all rooftop equipment will be screened from view.
2. Provide lighting details to show that all light fixtures will be cutoff luminaires to comply with ZDSO Sec. 5.15.11(E)(1).
3. Provide a letter of approval from the Master Plan Declarant responsible for the covenants and restrictions for the community.
4. Per the Applications Manual, a Town of Bluffton Sign Permit must be submitted for review and approval of any future signage.

Additionally, Town Staff finds that the Planning Commission must determine if certain architectural, landscaping and lighting elements satisfy the requirements of the ZDSO, including the following:

Architecture

5. Determine whether the proposed roof form is appropriately representative of Lowcountry architecture and complies with ZDSO Sec. 5.15.9.(E)(2).
6. Determine if the color black is appropriate for the parapet wall coping, decorative shutters, and window mullions per ZDSO Sec. 5.15.9.(D)(5).
7. Determine if non-operational shutters are appropriate on the Front and Right elevations, and whether the associated awnings should be removed.
8. Determine whether the fiber cement panels with an “X” pattern should remain on the Left (Evan Way) elevation, as well as other elevations with the same window/panel configuration.
9. Determine whether the brick base should be higher to provide the appearance of a more substantial foundation.
10. Determine if the Rear (SC Hwy 170) elevation should appear similar to the Front (May River Crossing) elevation as it is a secondary frontage.

Landscaping

11. In the drive through area along the Rear (SC Hwy 170) elevation, determine if the striped area should be converted into a landscape bed.

Lighting

12. Determine if the use of LED lighting is an appropriate substitute for those lighting types permitted by ZDSO Sec. 5.15.11.

ATTACHMENTS:

1. Application and Narrative
2. Location Map
3. Site Plan
4. Elevations & Dumpster
5. Roof & Floor Plan
6. Survey & Landscape Plan
7. Lighting Plan
8. Response to COFA-HCO Review