

TOWN OF BLUFFTON



STAFF REPORT

Growth Management Department

MEETING DATE:	December 14, 2022
PROJECT:	New Riverside Village, Parcel 7 (Solomon Dentist Office Building): Landscaping, Lighting and Architecture Certificate of Appropriateness-Highway Corridor Overlay (COFA-HCO) 255 New Riverside Village Way
PROJECT MANAGER:	Charlotte Moore, AICP Principal Planner

APPLICATION REQUEST: The Applicant, Court Atkins Group, on behalf of the parcel owner Jeffery Solomon, requests that the Planning Commission approve the following application:

COFA-11-22-017422. A Certificate of Appropriateness-Highway Corridor Overlay (COFA-HCO) to permit the landscape, lighting, and architecture for a 15,000 square foot office building within the New Riverside Village development. The subject property consists of approximately 1.56 acres identified as Parcel 7, located at the southeast corner of the SC Highway 170 and SC Highway 46 intersection, and is zoned PUD within the New Riverside PUD and New Riverside Village Master Plan (Attachment 1).

INTRODUCTION: The conceptual plan for the New Riverside PUD was approved by Bluffton Town Council in June of 2004. The Concept Plan and associated Development Agreement identify the allowed land uses in the various areas of the New Riverside Planning Area. The documents also prescribe the standards that govern all development within the Concept Plan, including Parcel 7. Such land uses and development standards are binding upon the Town and the Applicant.

The New Riverside Village Master Plan was approved with conditions in February 2020 by the Town of Bluffton Council. A Preliminary Development Plan (DP-07-22-017024) for Parcel 7 was approved by the Planning Commission on November 16, 2022. The Final Development Plan has not been submitted as of the time of preparation of this report. Consistency between the COFA-HCO and Final Development Plan is required.

The Applicant is requesting approval of a Certificate of Appropriateness – Highway Corridor Overlay (COFA-HCO) application for a proposed 15,000 square foot building that will include a dentist office and six tenant spaces (Attachment 2). The COFA-HCO application is subject to review by the Planning Commission providing authority over the architectural, landscaping, and lighting elements only.

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 COFA-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 Unified Development Ordinance 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. The design standards to be applied in the review were 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 and modified June 2000. Therefore, the design criteria of Article 5 of the Unified Development Ordinance (UDO) does not apply to this proposal with the exception of Section 5.3.3 (Tree Conservation) as a result of changes adopted by Town Council to UDO Section 5.10 (Stormwater) that affect existing PUDs.
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 a Commercial Village. 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 which contains landscaping, lighting and architectural 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 (ZDSO) and The Town of Bluffton Zoning and Development Standards Ordinance (BZDSO) Highway Corridor Overlay District (HCOD) for development standards. The application complies with the New Riverside PUD/PUD Concept Plan with the exception of the below items, which also includes applicable Unified Development Ordinance (UDO) requirements.

Landscape (See Attachment 3 for Landscape Plan)

- 1) ***Finding – Wheel Stops.*** Per Section 5.15.8(D)(5)(a) of the BZDSO, wheel stops shall be placed within all parking spaces at the standard distance from every landscaped peninsula and landscaped medians to protect plantings. Wheel stops must be shown on a revised Landscape Plan.
- 2) ***Finding – Connection to Adjacent Property.*** In the northwestern portion of the property, adjacent to the drive aisle, an area is shown that appears to be a possible connection to the adjacent property to the west (open space that includes a trail and pond). The intent of this area is unclear. As a pedestrian and vehicular connection are not necessary, the landscaped buffer should be extended to include this area.
- 3) ***Finding – Preservation of Trees.*** Eight trees are proposed to be preserved; however, it appears possible that these trees will have to be removed when the property is graded. A Grading Plan must be provided to make this determination.

- 4) **Finding – Tree Conservation and Related Requirements.** As of April 19, 2022, compliance with Section 5.3.3. (Tree Conservation) of the UDO is required for COFA-HCO applications submitted after this date. This application must comply with the following:
- a. Per UDO Section 5.3.3.G.2., show that 15 hardwood trees per acre are provided and that are not located within a required buffer. Twenty-three (23) trees are required and 19 are provided. Four (4) additional trees are required to be planted, or a fee in-lieu of planting can be requested of the UDO Administrator per UDO Section 5.3.8.
- 5) **Finding – Highway Corridor Buffer.** Per Section 5.15.8(C)(2) of the BZDSO, “[f]or every 100 linear feet (or portion thereof) of frontage on the highway, a minimum of six (6) broad-leaved overstory trees, seven (7) understory trees, and thirty (30) shrubs are required in the buffer. The plant materials shall be generally distributed along and throughout the buffer in order that there not be significant gaps without plantings (except as required at sight triangles and road intersections).” Permissible tree species and minimum size requirements are indicated in Section 5.15.8(C) of the BDZSO.

Lighting (See Attachment 4 for Lighting Plan)

- 1) **Finding – Light Source (Lamp).** 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 same type must be used for the same or similar type of lighting on any site. The Applicant proposes the use of LED luminaires in the parking area and LED under-canopy luminaires in the rear of 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. of the BZDSO.
- 2) **Finding – Illumination Level.** Per Section 5.15.11(E)(4)(b) of the BZDSO, site lighting must be designed so that level of illumination, measured in footcandles at any one point, meets the requirements of the BZDSO. The below chart identifies permitted footcandle levels by area and footcandles proposed by the Applicant for the overall site.

Location or Type of Lighting	Minimum Level (fc)	Average Level (fc)	Maximum Level (fc)
Required			
Commercial Parking	0.60	2.40	10.00
Walkways & Streets	0.20	1.00	10.00
Landscape & Decorative	0.00	0.50	5.00
Provided			
“Site Summary”	0.00	5.12	22.3

The photometric plan for the site shows portions of the parking area where the 10 footcandle maximum permitted by the BZDSO is exceeded. A revised Lighting Plan must show compliance with the BDZSO.

- 3) ***Finding – Light Post Height.*** For approved developments in the New Riverside PUD, light posts are pedestrian-scale or no taller than 12-16 feet in height. The proposed Lighting Plan detail on Sheet C17 shows light posts that have an overall height of 26 feet (plus two feet for the post foundation), and the Luminaire Schedule on Sheet C9 shows light posts 24 feet in height. Stylistically, the light posts should be the same or similar to other light posts used within New Riverside Village Master Planned area. Fixtures must have a cutoff luminaire with a concealed source located within an opaque housing unit not visible from any street, per Section 5.15.11(E)(1) of the BZDSO. The fixtures should be revised to be more in line with those throughout the development and the detail and Luminaire Schedule must be revised to be consistent. Finally, the OSQ Series light must be revised to indicate that it will be a full cut-off fixture.

Architecture (See Attachment 5 for Architectural Plan)

- 1) ***Finding – Screening of Service Areas.*** Per Section 4.16.2(A)(2) of the BZDSO, heating, ventilating, and air conditioning equipment, duct work, air compressors, and other fixed operating machinery shall be either screened from view or located so that such items are not visible from the highway. Trash receptacles, dumpsters, utility meters, above-ground tanks, etc. shall be similarly treated. Section 5.15.12(A) of the BZDSO restates the requirement for dumpsters and all other items mentioned in the previous sentence be screened from view or be located so that they are not visible from a highway. Additionally, such items must be located at least 10 feet from side and rear property lines.
- a. The mechanical locations are not shown on the Site Plan, Roof Plan, and/or Landscape Plan. To ensure compliance with the above-mentioned section, locations of the mechanicals must be provided. It should be noted that the parapets on many of the flat roofs are approximately two (2) feet tall. Roof equipment locations must be screened entirely from view.
 - b. The site plan for the dumpster shows a man door on the north elevation which is not reflected on the Landscape Plan. The door must be removed or be relocated to the south side of the dumpster enclosure to retain full screening from the Highway Corridor and additional plantings must be installed to screen the top portion of the enclosure.

Other Items

- 1) ***Finding – Mislabelled Items.*** The following must be relabeled on applicable plans:
- a. Sheet A3.0S includes some mislabeled or unclear elevations. The “Front” elevation should also be noted as the East elevation (“Front/East”). The “Right Side” elevation should also be noted as the North elevation (“Right Side/North”). The “East” elevation should be noted as the “Left Side/South” elevation. The Rear elevation should also be noted as the “West” elevation (“Rear/West”).

- b. The grade shown in the architecture plans (“23’-0” AMSL”) is incorrect on multiple sheets (A3.0S, A4.0S and A5.0S) and must be revised to show the correct grade.
 - c. On the northern portion of the property (SC Hwy 46 side), two property lines are shown on the Landscape Plan. The “property line” closest to the building is actually the limit of the 60-foot buffer from the property line adjacent to SC Hwy 46 established by the Master Plan. The “property line” label must be removed.
- 3. **Finding – Dumpster Enclosure Size and Access.** The size of the dumpster enclosure shown on the Landscape Plan is inconsistent with the size shown on the Lighting Plan and must be corrected. As proposed, access to the enclosure requires use of the drive aisle of the adjacent gas station. Access to the enclosure should be provided from the internal parking area of the proposed building and should be an appropriate surface and width to allow for receptacles to be wheeled to the dumpster.
 - 4. **Finding – Handrails.** Handrails will be required by Building Safety. As the addition of handrails has an architectural relationship, handrails on the monumental stairs must be shown on the Architectural Plan.
 - 5. **Finding – Placement of Light Posts in Landscape Islands.** The Lighting Plan shows six light posts proposed to be installed in approximately the same location as six proposed live oak trees in the required landscaped islands or landscaped areas adjacent to the parking lot. Placement of the light posts should consider future implications of tree growth, including potential degradation of light. If light post locations are modified, a revised Lighting Plan must be submitted; light post locations should also be shown on a revised Landscape Plan.
 - 6. **Finding – Pedestrian Accessibility to Site.** A sidewalk should be provided between New Riverside Way to the internal site sidewalk in front of the building, thus creating a shorter, safer route from the street that is publicly accessible for persons of all abilities.
 - 7. **Finding – Signage.** Signage is reviewed through a separate Sign Permit process for review and approval by the Town of Bluffton.

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.** The application is in compliance with the New Riverside Village Master Plan.

C. **DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&Rs)**

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

- 1) ***Finding – Declaration of CC&Rs.*** A letter from the Declarant for New Riverside Village must be provided indicating that the application is in compliance with the Covenants, Conditions and Restrictions for New Riverside Village.

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.

RECOMMENDATION: Should the Planning Commission chose to approve the application with conditions, Town staff finds that the following conditions should be met prior to final development plan approval to be in accordance with the requirements of Section 3.10.3.A:

1. **Landscape**

- a. Per Section 5.15.8(D)(5)(a) of the BZDSO, provide wheel stops within all parking spaces at the standard distance from every landscaped peninsula and landscaped medians to protect plantings. Wheel stops must be shown on a revised Landscape Plan.
- b. Remove what appears to be a future pedestrian or vehicular connection from the drive aisle to the adjacent property and extend the buffer area.
- c. Provide a Grading Plan and indicate whether the eight (8) trees proposed to be preserved are able to remain or whether they must be removed as the result of grading.
- d. Per UDO Section 5.3.3.G.2. 23 hardwood trees are required, and 19 trees will be provided. Provide four (4) additional hardwood trees to comply, or request approval of a fee in-lieu of planting from the UDO Administrator.
- e. Within the highway corridor buffer, provide trees and shrubs for every 100 linear feet as required by Section 5.15.8(C)(2) of the BZDSO. Trees and shrubs to be planted must comply with Section 5.15.8(C) of the BDZSO.

2. **Lighting**

- a. Planning Commission Determination Needed: Per Section 5.15.11(E)(2) of the BZDSO, the Planning Commission must determine the appropriateness of the use of LED lighting as a substitute for those types listed in Section 5.15.11. of the BZDSO.
- b. Per Section 5.15.11(E)(4)(b) of the BZDSO, site lighting must be designed so that level of illumination, measured in footcandles at any one point, meets the requirements of the BZDSO. Revise light levels to shown compliance with this section.

- c. Revise light post heights to be pedestrian-scale or no taller than 12-16 feet in height and stylistically the same or consistent without other light posts within New River Village. Fixtures must have a cutoff luminaire with a concealed source located within an opaque housing unit not visible from any street, per Section BZDSO 5.15.11(E)(1). The fixtures must be revised to be more in line with those throughout the development and the detail and Luminaire Schedule must be revised to be consistent. Additionally, the OSQ Series light must be revised to indicate that it will be a full cut-off fixture.

3. Architecture

- a. Per Section 5.15.9.(C)(3), elevations must be provided for the screening wall and dumpster enclosure to be reviewed for compliance with the Design Standards and compatibility with the primary structures.
- b. Identify how roof-top, ground, and other exterior building equipment and service areas will be screened per BZDSO Section 4.16.2(A)(2). As parapets on many of the flat roof locations are approximately two (2) feet tall, they will need to be adjusted to screen any roof top equipment.
- c. Remove or relocate the man door at the dumpster enclosure from the north side to the south side to allow for full screening of the enclosure from the Highway Corridor and provide additional plantings along the north side of the enclosure to screen the top portion of the enclosure from view.

4. Other Items

- a. Correct the following mis-labeled items: (1) On Sheet A3.0S the “Front” elevation must be labeled as the East elevation (“Front/East”). The “Right Side” elevation must be labeled as the North elevation (“Right Side/North”). The “East” elevation must be labeled as the “Left Side/South” elevation. The Rear elevation must be labeled as the “West” elevation (“Rear/West”); (2) Revise the grade shown in the architecture plans (“23’-0” AMSL”) on multiple sheets (A3.0S, A4.0S and A5.0S) to show the correct grade; and, (3) Remove the “property line” label closest to the building shown in the Landscape Plan.
- b. Correct the dimensions of the dumpster enclosure to provide consistency on the Landscape Plan and Lighting Plan.
- c. Provide pedestrian access to the dumpster enclosure from the internal parking area and provide an appropriate surface to allow for receptacles to be wheeled to the dumpster.
- d. For the monumental stairs, provide handrails that comply with building code and show on Architectural Plan.
- e. Show light post locations on the Landscape Plan. If light post locations are to change on the Lighting Plan, provide a revised Lighting Plan.
- f. Provide a sidewalk from the New Riverside Way sidewalk to the internal site sidewalk in front of the building.

- g. Provide a letter from the Declarant for New Riverside Village indicating that the application complies with the Covenants, Conditions and Restrictions for New Riverside Village.
- h. Submit signage via the Sign Permit process.

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.

ATTACHMENTS:

1. Application and Narrative
2. Location Map
3. Landscape Plan
4. Lighting Plan
5. Architectural Plan