

City of Clemson
PLANNING COMMISSION MEETING
Monday, July 8, 2024
6:00 p.m.

MINUTES

The City of Clemson Planning Commission met in open session in the Council Chambers in City Hall, 1250 Tiger Boulevard, Clemson, SC.

Members present: Herb Tyler (Chair), Greg Rice (Vice-Chair), John Crolley, Matthew Corontzes, Frederick Burton, and Jennifer Thackston.

Members Absent: Tanya Hyatt

Staff present: Nathan Woods, Director of Planning and Development; Art Holbrooks, City Planner; Jacob Peabody, Zoning Administrator; Aaron O'Kelley, IT Department; Kelly Roach, Recording Secretary.

The meeting was livestreamed and recorded on YouTube.

1. Call to Order:

Mr. Tyler called the meeting to order at 6:00 p.m. He introduced the Commission members and City staff, and then spoke about the planning process and encouraged citizens to participate in the comprehensive plan survey.

2. Public Session (0:7:36)

Mr. Tyler called for Mr. Rice to conduct the Public Session.

Mr. Eric Newton, 107 Sloan Street, Suite 3E, Clemson, thanked the City for bringing back the fireworks for the Fourth of July celebration.

Ms. Elaine Richardson, 301 Edgewood Avenue, Clemson, expressed her concerns with the Comprehensive Plan workshops and survey, stating that they offered the public too little opportunity for input. She also asked for an update on how citizens might get involved; Mr. Woods replied that the link to the survey was on the banner of the City's website, and noted that blast emails and trash can hangers had also been used. He also said that he and Mr. Tyler were planning to conduct neighborhood meetings.

Mr. Robert Lee, 113 Pressley Drive, Clemson, expressed concerns about the City Council and City boards complying with state requirements.

Ms. Gay Ferree-Eitenmiller, 210 Strawberry Lane, Clemson, stated that she and her parents felt the City did not need more student housing, and that any additional should be located on campus.

Mr. Rice called for any comments submitted through the My Civic app or by email; there were none. The public session was closed.

3. Adoption of Minutes (0:19:30)

a. June 10, 2024 - Regular Meeting

Mr. Tyler called for proposed edits to the draft minutes; there were none.

Mr. Tyler called for a motion. Mr. Burton made a motion to approve the minutes of the May 13, 2024 meeting as presented; Mr. Corontzes seconded the motion. Mr. Tyler called for a vote by a show of hands; there was no opposition. The motion was unanimously approved by a 6-0 vote.

4. Action Items (0:04:11)

a. RZNE-000272-2024 Proposed Map Amendment (Cambridge Parcels)

Mr. Eric Newton, agent for the property owners, presented the requested amendment. As proposed, three parcels of land (TMP# 4064-09-07-3032, 4064-09-07-1065, 4064-09-07-0278) fronting on Cambridge Drive would be rezoned from R-20 Single Family Residential District to RM-3 Multi-family Residential District. Mr. Newton noted that if the rezoning was approved, the subject properties could be available to develop for a higher and better use. (See Attachment #1)

Mr. Tyler called for comments from members of the public.

Mr. Mike Nebesky, 201 Wescott Drive, Clemson, expressed concerns with existing infrastructure and the increase in traffic development of the parcels would add.

Mr. Robert Kendrick, 211 Monaco Circle, Clemson, addressed expected impacts that the increased density would have on quality of life. (See Attachment #2)

Mr. Jeremy Vinson, 205 Prince Reiner Drive, Clemson, said he disagreed with comments made by Mr. Newton regarding multi-family housing being the best option for the property, noting concerns with increased stormwater runoff and increased traffic.

Ms. Elaine Richardson, 301 Edgewood Avenue, Clemson, said the proposal threatened adjacent single-family neighborhoods, and requested the Planning Commission deny it.

Mr. Fran McGuire, 103 Rippleview Drive, Clemson, said the proposal failed to comply with the comprehensive plan, and said he believed it would be detrimental to neighborhood character, safety, and integrity.

Mr. Keith Rockow, 213 Wescott Drive, Clemson, said the proposal threatened the adjacent neighborhood.

Mr. Marty Gawlas, 300 Pershing Avenue, Clemson, stated worries about traffic and noise resulting from the future development of the properties if rezoned.

Mr. Brad Spink, 504 Southington Court, Greer, stated that he was the property owners' realtor, and said that if the property was not rezoned, it would be listed for sale.

Mr. Russ Rourk, 203 Prince Rainier Drive, Clemson, said he disagreed with Mr. Newton's statement that Cambridge Drive is a transition area from commercial to multi-family. He also asked for clarification regarding a non-owner of property being able to request a zoning change; Mr. Woods responded that it requires consent from the owner.

Mr. Frank Beacham, 302 Wescott Drive, Clemson, stated that he had sent a letter to the Commissioners requesting the proposal be denied.

Ms. Mary Morrison, 200 Wescott Drive, Clemson, expressed concerns with increased traffic and disruption of the community.

Mr. David Haile, 202 Prince Rainer Drive, Clemson, expressed concerns with runoff, increased traffic, setbacks, and the impact on the welfare of the community.

Mr. Robert Lee, 113 Pressley Drive, Clemson, stated he was not either in support or against the proposed rezoning, but encouraged long-range thinking.

Following the conclusion of the public comment session, Mr. Tyler recognized individuals that had submitted comments prior to the meeting. He then called again for additional comments.

Mr. David Haile was recognized again. He asked for clarification on whether the R-20 District zoning setbacks were the same throughout the City; Mr. Woods responded that the setbacks would be the same in every R-20 neighborhood.

Mr. Newton then addressed some of the concerns about engineering and stormwater issues, and noted the buffering and screening requirements in the RM-3 District. He also said that he favored the possibility of the installation of sidewalks along the length of Cambridge Drive.

Ms. Nanda Edgerton, 213 Charleston Street, Clemson, was recognized. She expressed concerns with Mr. Spink's statement about the property being sold to someone else; Mr. Tyler replied that he felt that the intent was to be sure the Commissioners were aware of the property owners' intention to sell.

Mr. Tyler closed the public session. He then called for comments from the Commission.

Mr. Burton stated that he had conducted a site visit and had a number observations and comments. He requested they be attached to the minutes for the record. (See Attachment #3)

Mr. Crolley asked Mr. Newton if he could justify the proposed rezoning for any reason other than supply and demand; Mr. Newton stated that failure to allow smaller projects by local developers creates a situation where national builders will be attracted to develop larger projects.

Mr. Rice stated that he felt he needed more information, and didn't feel comfortable voting. After brief discussion it was decided to schedule a work session on the matter.

Mr. Tyler called for a motion. Mr. Rice made a motion to table the matter until a workshop was held; Mr. Burton seconded the motion. Mr. Tyler called for a vote by show of hands; there was no opposition. The motion was unanimously approved by a 6-0 show of hands.

5. Advisory Items (2:04:53) None

6. Discussion Items (2:05:01)

a. Additional Discussion of Bonding for Commercial Space in Mixed-Use Buildings

Mr. Peabody briefed the Commission on the matter. He stated that in an effort to facilitate the occupancy of new commercial space in mixed-use project, staff recommended adding a conditional use standard requiring developers post a bond in an amount equal to 150% of the estimated cost of building out the unfinished commercial space remaining at the time of the issuance of the certificate of occupancy for the residential component of the project. (See Attachment #4).

Discussion followed. Among the topics addressed were:

- Clarifying the term 'certificate of occupancy'
- Verifying legal and technical issues of bond expiration

Following discussion, Mr. Peabody stated that staff would make the identified changes and bring it back as an action item at the next meeting.

b. Maximum Front Setbacks and Parking Location Requirements in CP-2 District

Mr. Peabody provided the Commission an overview of the matter (See Attachment #4). He said that staff had found that the front setback requirements of the CP-2 District left so little space available that drive-through lanes, required trees, and other items were often difficult to fit in. As a result, staff recommended removing the maximum setback for the district. Additionally, Mr. Peabody stated that district parking location

requirements made it impossible for those businesses situated adjacent to Lake Hartwell to be oriented to the lake.

Discussion followed. Among the topics addressed was the method of determining the front of a business. Following discussion, staff was instructed to bring the matter back at the next meeting as an action item.

c. Bufferyard and Screening Requirements

Mr. Peabody briefed the Commission on the matter, stating the he believed proper buffers are a major key to making commercial uses and townhomes work with single-family residences. He then provided an overview of edits he was proposing to make to the bufferyard requirements in City zoning requirements (See attachment #5)

Discussion followed. Among the topics addressed were:

- Impact of elevation changes on buffer size
- Buffer types
- Non-conforming commercial or residential uses

Following discussion, Mr. Peabody stated that he would next present the matter to the Board of Architectural Review to get their input, and then bring it back to the Commission for additional discussion and possible consideration.

7. Staff Reports (2:45:33)

Mr. Holbrooks informed the Commission of the administrative approval of a 3-lot Simple Lot Subdivision situated on Ridgeview Drive and Rock Creek Road.

Mr. Woods asked the Commissioners if they would be interested in receiving a briefing from the Stormwater Manager on the stormwater review and approval process. Commission members indicated their approval of a briefing.

Mr. Woods also stated that he would conduct a series of neighborhood meetings related to the ongoing re-write of the comprehensive plan, and asked commissioners to continue to get the word out about participating in the process.

8. Other Items (2:56:52)

- a. Planning Commission Representation at Council Meetings – none;
- b. Future Workshops and Other Events – none.

9. Adjourn (1:06:26)

Mr. Tyler called for a motion to adjourn. Mr. Rice made a motion to adjourn; Mr. Burton seconded the motion. Mr. Tyler called for a vote by a show of hands; the motion passed unanimously by a 6-0 vote.

The meeting was adjourned at 9:00 p.m.
Respectfully submitted,

Kelly Roach, Recording Secretary

These minutes are in draft format and subject to change until approval by the City of Clemson Planning Commission.

Attachment #1

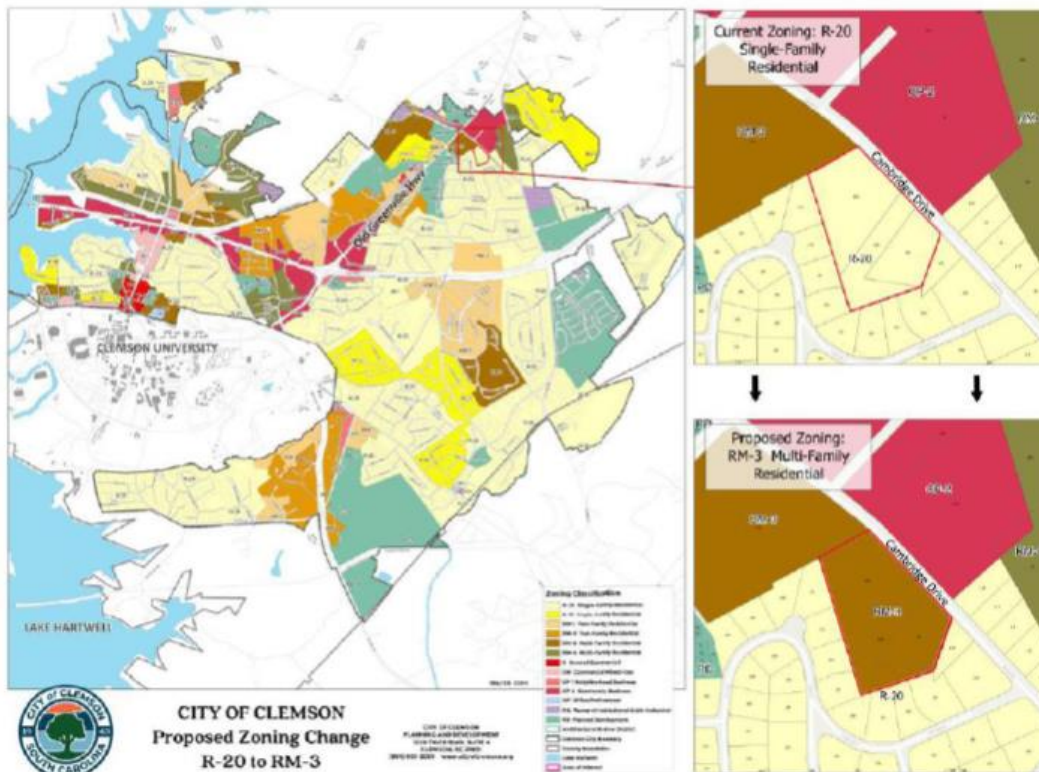
Report on RZNE-000272-2024 Proposed Map Amendment (Cambridge Drive Parcels)

Report on RZNE-000272-2024 Proposed Map Amendment Cambridge Drive Parcels

Planning Commission Meeting Date
July 08, 2024

As noted above the properties are currently zoned R-20 District, with an older single-family residence situated on each. Vehicular access for the properties is from Cambridge Drive by individual private drives; all other nearby single-family residential development on the south side of Cambridge Drive is accessed through the internal streets of Monaco Estates. Surrounding development varies in type, with student-

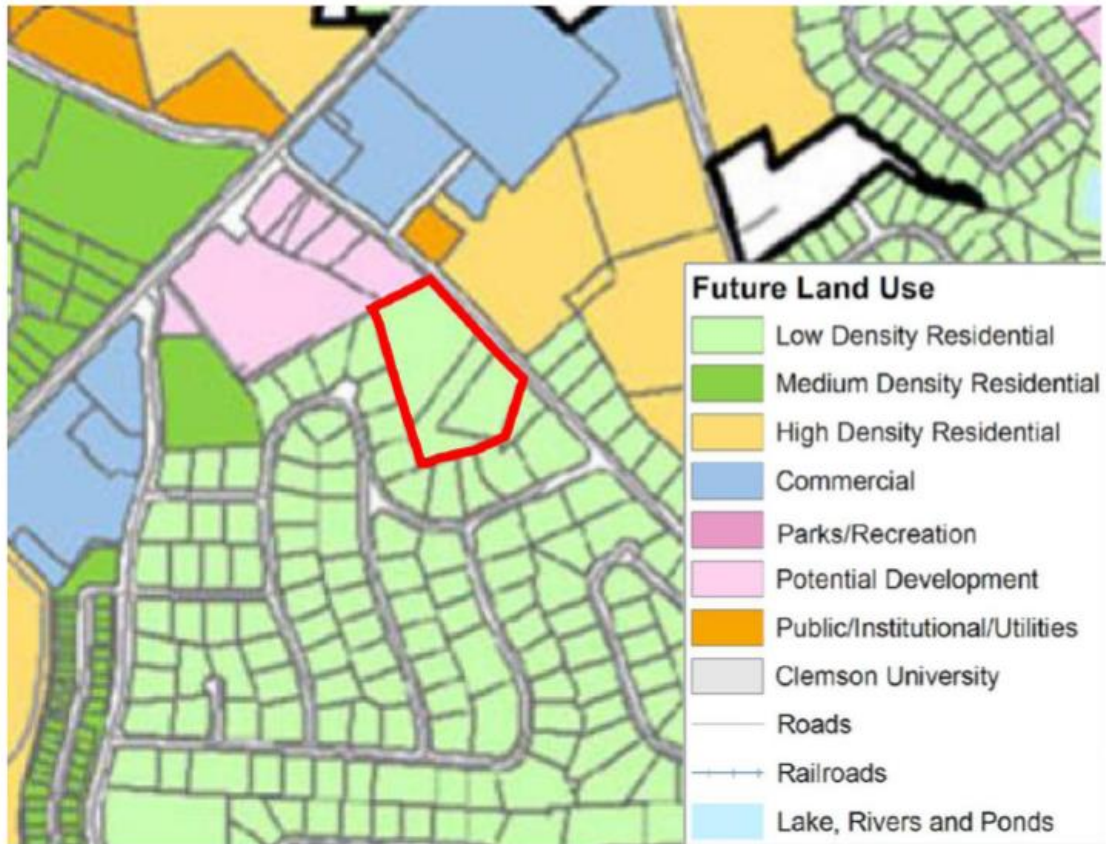
oriented townhomes to the northwest; single-family residential on the west and south; an assisted-living facility directly across Cambridge Drive on the north east; and undeveloped commercial property to the north. If the rezoning is approved as requested, future permitted development of the property could be consistent with that on the RM-3 District parcel situated to the northwest near the intersection of Old Greenville Highway and Cambridge Drive.



Comprehensive Plan

Although the Comprehensive Plan provides guidance on some of the nearby commercial properties, no specific reference is made to the subject properties beyond including them on the Future Land Use Map. As the map section shows below, the Plan includes them in the Low Density Residential area. It should be noted, however, that the properties abutted an area identified for potential development (and indeed subsequently developed as the Cambridge Creek townhomes), and the land directly

across Cambridge Drive (part of which was developed as Heritage Assisted Living) was identified for high density residential development.



Application Information

5

Report on RZNE-000272-2024 Proposed Map Amendment (Cambridge Drive Parcels)

dotloop signature verification: <http://dotloop.com/verify/4054-09-07-1065>



**CITY OF
Clemson**
PLANNING &
DEVELOPMENT

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(864) 653-2050
Fax (864) 653-2057
www.cityofclemson.org

PC

PLANNING COMMISSION ZONING AMENDMENT APPLICATION

Please complete in ink and return to the Planning and Codes Administration Department with required attachments, information, and filing fee. Zoning Map Amendment (Rezoning) applications require a filing fee of \$250, a current survey of the property, a copy of the deed, and a designation of agent if owner is not the applicant. **Both sides of this application must be completed; incomplete applications will not be accepted.**

- An amendment to the zoning ordinance text or the zoning map may be initiated by the city council, the planning commission, or the board of zoning appeals.
- An amendment to the zoning map for changing a zoning district designation of property may be initiated by the owner of the property affected or by an agent authorized by the owner in writing.

RZNE-000272-2024	PIN: 4054 - 09 - 07 - 1065	Date submitted: 05 / 23 / 24	Planning Commission meeting date: 07 / 08 / 24
Amendment type: ☒ Map amendment (Rezoning) ☐ Text amendment			
Initiated by: ☒ Owner/Agent ☐ City Council ☐ Planning Commission ☐ Board of Zoning Appeals			

OWNER(S) INFORMATION

Last name: Kale	First: Rhonda	Middle:	Interest ☒ Sole owner ☐ Co-owner
Mailing address: 123 Bluebird Lane	City: Central	State: SC	ZIP Code: 29630
Daytime phone no.: (864) 360-1316	Fax no.: ()	E-mail:	

APPLICANT INFORMATION

To be completed only if Owner is not Applicant:

Applicant's last name: Newton	First: Eric	Middle: B.	Interest ☒ Sole owner ☐ Co-owner
Mailing address: 107 Sloan Street, Ste 3E	City: Clemson	State: S.C.	ZIP Code: 29631
Daytime phone no.: (864) 505-5990	Fax no.: ()	E-mail: Eric@EricNewton.com	

PROPERTY INFORMATION

THE OWNER/APPLICANT HEREBY REQUESTS that the property described below be rezoned from **R-20** to **RM-3**

Property address: 203 Cambridge Drive	Property dimensions: 165x254x263x398	Property area: 7.46 acres 1.54
---------------------------------------	--------------------------------------	-----------------------------------

DESIGNATION OF AGENT

To be completed by Owner(s) only if Owner is not Applicant. All owners must sign.

I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this request for a zoning map amendment.

Rhonda Kale		05/21/2024
Owner name	Owner signature	Date

To be completed by Applicant:

I certify that the information in this request is correct.

Rutledge Development, LLC		05/17/24
Applicant name	Applicant signature	Date

Rev. 12-09-05; 05-15-07

Report on RZNE-000272-2024 Proposed Map Amendment (Cambridge Drive Parcels)

datatool signature verification: <http://sig716.403ph-w08q>



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PC

**PLANNING COMMISSION
ZONING AMENDMENT APPLICATION**

Please complete in ink and return to the Planning and Codes Administration Department with required attachments, information, and filing fee. Zoning Map Amendment (Rezoning) applications require a **filing fee of \$250**, a current survey of the property, a copy of the deed, and a designation of agent if owner is not the applicant. **Both sides of this application must be completed; incomplete applications will not be accepted.**

- An amendment to the zoning ordinance text or the zoning map may be initiated by the city council, the planning commission, or the board of zoning appeals.
- An amendment to the zoning map for changing a zoning district designation of property may be initiated by the owner of the property affected or by an agent authorized by the owner in writing.

RZNE-000272-2024		PIN: 4064-08-07-0278	Date submitted: 03/27/24	Planning Commission meeting date: 07/08/24
Amendment type: ☒ Map amendment (Rezoning) ☐ Text amendment				
Initiated by: ☒ Owner/Agent ☐ City Council ☐ Planning Commission ☐ Board of Zoning Appeals				
OWNER(S) INFORMATION				
Last name: Gibson	First: Don	Middle:	Interest: ☒ Sole owner ☐ Co-owner	
Mailing address: 30 Jackson Court	City: Piedmont	State: SC	ZIP Code: 29673	
Daytime phone no.: (864) 505-5142	Fax no.: ()	E-mail: dgibson@rockspringsbaptist.com		
APPLICANT INFORMATION				
<i>To be completed only if Owner is not Applicant:</i>				
Applicant's last name: Newton	First: Eric	Middle: B.		
Mailing address: 107 Sloan Street, Ste 3E	City: Clemson	State: S.C.	ZIP Code: 29631	
Daytime phone no.: (864) 505-5990	Fax no.: ()	E-mail: Eric@EricNewton.com		
PROPERTY INFORMATION				
THE OWNER/APPLICANT HEREBY REQUESTS that the property described below be rezoned from R-20 to RM-3				
Property address: 205 Cambridge Drive	Property dimensions: 165x154x263x398	Property area: 7.46 acres	3.0	
DESIGNATION OF AGENT				
<i>To be completed by Owner(s) only if Owner is not Applicant. All owners must sign.</i>				
I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this request for a zoning map amendment.				
Don Gibson		05/21/2024		
Owner name	Owner signature	Date		
<i>To be completed by Applicant:</i>				
I certify that the information in this request is correct.				
Rutledge Development, LLC			05/17/24	
Applicant name	Applicant signature	Date		

Rev. 12-09-05; 05-15-07

REQUIRED INFORMATION

REASONS FOR ZONING AMENDMENT REQUEST: I (we) request the rezoning for the following reasons:

Cambridge Drive is a transition area from Commercial to Multi-Family. The current zoning, R-20, is not the highest and best use for the property. Townhomes similar to what was built at Cambridge Creek would be a great transition area considering the property adjoins Cambridge Creek (RM-3) which adjoins PD + CP2 zoning areas. Cambridge Drive needs more sidewalks along the road in order to make it safer for pedestrians walking from other parts of the area. Allowing the rezoning request would make it more feasible for a higher density residential project, which would allow for improvements along the corridor.

Attachment #2

Robert Kendrick Comments

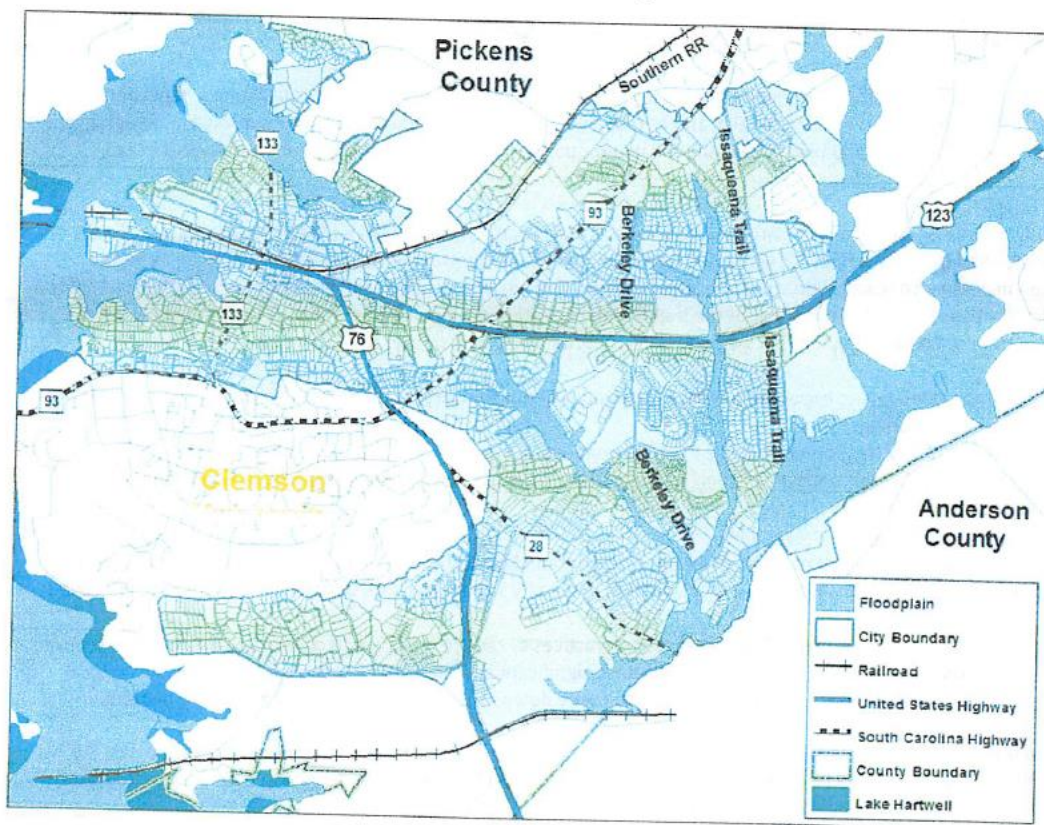
Subject:

FW: Concerns Regarding Increased Density on Cambridge Properties

The Natural Resources Element of the City of Clemson Comprehensive Plan (Natural Resources CP) suggests it would be a bad idea to the City to change the zoning allowing an increased residential density on the three identified lots. The current zoning allows for viable economic use of the land and, in light of their location, the current zoning allows for the highest and best use for the properties that does not dramatically interfere with the City's stated development plans and put the use and enjoyment of downstream property owners at major risk.

Specifically, all three are clearly within the flood zone and mark the headwater for one of the most significant waterways for Clemson, which flows through the heart of numerous single-family neighborhoods before connecting to Eighteen Mile Creek.

Here is what the Comprehensive Plan document shows (you can see the three lots at the top of one of the main flood plain areas right next to the beginning of Berley and the label for Hwy 93:



In Section VII.A.2 of the Natural Resources section it notes the significant impact precipitation has and is expected to have on Clemson in the future. It notes the impact of “rain bomb” events. The lots in question are clearly identified in existing flood areas and they actually form a wetlands area to help mitigate downstream flooding as the creek winds directly past hundreds of homes. Unless the developer is proposing to re-engineer flood and stormwater control for the entire length of the creek, there are no reasonable engineering solutions to replace the positive wetland effect of these three lots for this natural drainage channel for 8+ neighborhoods of single family residences. Other nearby properties outside of these natural wetlands lots would be more appropriate for higher density residential development, including the vacant land next to the 7-11 and the single line of residential properties on opposite side of Cambridge closer to Issaquena Trail.

Section VII.C.2 of the Comprehensive Plan notes the value of riparian buffers and the need to maintain tree coverage. The proposed zoning change and increase in density would be incompatible with maintaining tree cover and riparian buffers for this important tributary to Eighteen Mile Creek. Further Section VII.C.3 discusses the flood risk that exists within city limits and publishes the map included here, where it clear these three lots are part of an established flood risk zones for the City. A major density change and complete re-engineering of these properties would be unwise and would significantly increase flood risks for downstream properties, likely increasing rates and requiring additional homes to obtain flood insurance.

Section VII.C.4 of the Comprehensive Plan discusses overall water quality and runoff issues. An increase of residential density by more than 10 times its current level and a re-engineering the headwaters of one of Clemson’s most significant natural drainage pathways would unduly magnify the water quality risks for Eighteen Mile Creek and Lake Hartwell beyond.

Section VII.E.2 of the Comprehensive Plan discusses the value of urban forests. As we have seen with adjacent development, all of the tree canopy along this section of an important Clemson waterway will be removed to do the construction necessary to reach the requested density levels. Current zoning allows for residential occupation and likely reasonable increases to the size and value of the improvements without removing another major portion of Clemson’s natural tree canopy. Comprehensive Plan Strategy VII.2.1.5 proactively calls for the retention of existing trees.

Rezoning of the proposed lots to exponentially higher density will run contrary to multiple objectives stated within the Comprehensive Plan including:

Objective VII.3.1 of the Comprehensive Plan is to manage stormwater as a resource rather than a problem. Rezoning this critically located lots will do the opposite and require significant re-engineering of the current stormwater flow.

Objective VII.3.2. calls for preserving and enhancing the existing network of streams, ponds, and lake watersheds and their aquatic habitats. Again, rezoning these three lots at such a critical location in the city stream network would work against this objective rather than promoting it.

Objective VII.5.1. is to promote soil conservation practices to reduce erosion and control sediment. Dramatically re-engineering these critically located lots will have significant and ongoing effects on one of Clemson’s critical natural drainage pathways, potentially leading to costly downstream impacts on existing property owners.

Increases in density and zoning changes are likely needed to accommodate the growth of the City of Clemson and the expansion of Clemson University. However, the risk of doing that with these three lots is too high and inconsistent with other important City plans and adjacent property owners.

Attachment #3

Frederick Burton Observations/Comments

RZNE-000272-2024



Mr. Frederick E. Burton, III
150 Downs Blvd. Apt. D205
Clemson, SC 29631

Findings of 7/4/24 map assessment and visual on-site insp.

* Diversity of residential areas

10 Apartment properties in the vicinity
Retreat, Woodlands, Tiger Station, Crockwood,
Heritage Point, Ridgecrest, Issaquena Village,
Cambridge Creek, Rosewood, The Ridge

Protect
single family
neighborhoods?

4 Dense Single Family Neighborhoods
Village Walk, Fuller Estate, Cottages (gated)
One under construction on Old Shirley Rd

4 Single Family Neighborhoods (Traditional)

Monaco
Sedgefield
Ashley-Shaftsbury
Wescott

1 Senior Living Community - Clemson Heritage

∴ Imbalance of Diversity in favor of Multi-Unit Prop

- Traffic Concerns

Existing Congestion @ Cambridge & SC93

only access to Cambridge Creek is via Cambridge Rd

~~At~~ Traffic To/From Ingles & Clemson Heritage - minimal

Cambridge/Old Shirley and Issaquena Trail

4-way STOP complicated by acute angle at
intersection

Considerable increase in traffic from new
development on Old Shirley should be anticipated

* Fire station
#2

Fire & Rescue Station #2 (Issaquena) response

Time can be expected to increase during peak times

- Drainage

steep ~~side~~ grading on Cambridge Creek property may be
problematic. Parallel buildings are as much as
1 story different in elevation. Pavement ~~on~~ profile
and cross sections are undulating as in a
roller coaster.

In severe weather this could create torrents
rather than flow of storm water.

But reduced vegetation control along slopes, on flow
lines prevents unmanageable flows in most circumstances

* Potentially impacted locations

Entire midsection of Shaftsbury Dr (off Ashley)

Ashley ~~mid~~ midpoint culvert

→ 3'x3' ditch about 2' below
pavement

Prince Ranier Dr (Monaco)

Earl Alexander Park in the more extreme situations

(Ped Bridge & Downs Loop Culvert not expected to
be compromised due to elevation or grading)

* Properties on Southern Issaquena between Downs Loop
and Berkeley Dr have already been isolated for
several days due to washouts of private bridges
and culverts

Culvert at Berkeley Dr & adjacent park may be at risk in
the most severe circumstances
Unable to view creek in back yards

- OVER -

My View

Regarding the petitioner's reasons:

~~Transition~~ Multi-resident housing would create a great ~~Transition~~ — The apartments, large buildings, would face away from the road giving the impression of a barrier vs a transition. Fencing to their rear will enhance that image.

Increasing population density → will mean increasing traffic and public utility capacity, the burden to be born by the city.

~~Invalid~~ ~~presumption~~ Sidewalks for safety and mobility → unlikely students will walk to single family neighborhoods or other apartment complexes. Even if they walked to the church on Old Shirley, signalization with pedestrian call buttons, again the costs born by the city.

The petitioner invites the City to force itself to make infrastructure upgrades at its expense.

Attachment #4
Discussion Item Notes

FOR DISCUSSION PURPOSES ONLY

Planning Commission Meeting – July 8, 2024

(Note: This document was originally presented for background information for the discussion at the June 10, 2024 meeting – no changes to it have been made)

Agenda Item 6a.: Bonding for Commercial Space in Mixed-Use Buildings

One of the primary concerns often noted by members of the public regarding the development of mixed-use projects, other than the fact that they are typically student-oriented residential developments not always popular with some people, is the inability of developers to quickly fill the new commercial space that they bring. Although the reasons for this will vary somewhat from project to project, many people are quick to simply blame the vacancy on a lack of need for new commercial space. This perception, however, is countered by the City's overall low commercial vacancy rate. Instead of a lack of need, the new mixed-use projects, which tend to be located in some of the most visible locations in the City, already have the public's attention and for many are assumed to be representative for all commercial space. In short, if the brand new developments situated around hundreds of students contain vacant commercial space they can't fill, it must mean that more commercial space is not needed. The truth in most cases, however, lies not with the need for more space, but with the costs associated with getting it ready for tenants to occupy.

The City of Clemson is a rapidly growing small city located in one of the fastest growing regions in the country, which makes it a very desirable location. Few existing commercial spaces remain vacant for long; over the last several years, periodic surveys of commercial space have consistently shown that the City's vacancy rate tends to be about 7%, a number most other cities our size would be envious of. Still, there is no doubt that some recently completed mixed-use projects have been slow in filling their commercial suites. And though the reasons do vary, one of the main causes is related to the developer's hesitancy to spend the money needed to complete a commercial space until a particular tenant is identified and their specific needs established. As a result, it is common for most retail suites to be left incomplete in a 'shell' condition for future upfit. And, given the financially lucrative nature of student housing in today's market, well designed luxury developments are generally able to be profitable even with unfilled retail or office space. As a result, if the commercial component of a project is not needed to ensure success, the costs associated with completing retail or office space can be shifted, or at least a significant portion of it, onto the tenant. As a result, spaces can remain in a shell condition for an extended period with no major negative impact on the owners.

In an effort to address this issue, staff recommends consideration of a new conditional use standard that will require the developers of mixed-use projects in the City to post a bond equal to 150% of the estimated cost of the build-out of all commercial space left unfinished at the time of the issuance of a certificate of occupancy for the residential component. When build-out of the space for the first tenant is completed, the bond will be released.

FOR DISCUSSION PURPOSES ONLY

Planning Commission Meeting – July 8, 2024

(Note: This document was originally presented for background information for the discussion at the June 10, 2024 meeting – no changes to it have been made)

Suggested text:

A bond in an amount equal to 150% of the estimated cost for building out the unfinished commercial space in mixed-use structures shall be posted at the time of the issuance of the Certificate of Occupancy for the residential component of said project. The amount shall be based on the current average cost for commercial construction in the area as determined by the City. The bond, which shall be released upon completion of the initial upfit of the designated commercial space may, in the event the upfit is completed by units or phases, may be proportionately reduced.

Agenda Item 6b.: Maximum Front Setbacks and Parking Location Requirements in CP-2 District

This two-part item was put forth by staff in the hopes of gaining additional insight on how to approach possible changes to a commercial zoning district. Currently all existing CP-2 (Community Business) District properties are located in the highway commercial areas along Tiger Boulevard (US 76/123) and Old Greenville Highway (Hwy 93). This area, as is well known, includes a number of businesses with drive-throughs. In recent years, as many of these businesses have either been constructed or remodeled, staff has become aware that that the district's front setback requirements do not always easily accommodate the installation of drive-through lanes, and may even prohibit them. It is hoped that discussion of the matter will result in the identification of a workable remedy.

Also presented for discussion are the parking location requirements of the CP-2 District. As noted above, many of the CP-2 District properties are situated along Tiger Boulevard, with some of those adjoining Corps of Engineers property. Therefore, there is a real opportunity to enhance future commercial development in the area by requiring new structures near the waterfront to be oriented to the lake. This would, of course, mean that much of the parking would need to be placed behind the businesses, which is generally considered a best practice in planning and necessary for making an area more walkable. But, as this would result in parking lots along the highway, it may also result in limiting many of the benefits received from the reorientation, especially in the event of the development of a larger business such as a grocery store. The goal of initiating discussion of this matter is to weigh the potential benefits of the reorientation, and to identify options such as the creation of conditional use standards based on square footage or other steps that could account for individual site conditions and address issues associated with the nature of a proposed development.