

1. Agenda

Documents:

[06-10-24_PC_MEETING_AGENDA.PDF](#)

2. Meeting Materials

Documents:

[2024-R-02 PROPOSED TEXT AMENDMENT \(NON-RESIDENTIAL SETBACKS AND PD ACREAGE\).PDF](#)
[DISCUSSION BACKGROUND HANDOUT.PDF](#)



CITY OF
Clemson
PLANNING &
DEVELOPMENT

AGENDA

City of Clemson Planning Commission Meeting

6:00 p.m., Monday, June 10, 2024

1250 Tiger Blvd., Suite 2

City Hall – Council Chambers

The public may attend City of Clemson meetings in person at this time.

You can also view these meetings on the City of Clemson's YouTube channel within 2-business days.

How to Submit Public Comments

1. In person during appropriate portions of meetings
2. On the City's MyCivic web platform no later than 5:00 p.m. the day before the meeting.

1. Call to Order

2. Public Session

3. Adoption of Minutes

- a. May 13, 2024 – Regular Meeting

4. Action Items

- a. 2024-R-02 - Proposed Text Amendment (Non-Residential Setbacks and PD Acreage)

5. Advisory Items

6. Discussion Items

- a. Bonding for Commercial Space in Mixed-Use Buildings
- b. Maximum Front Setbacks and Parking Location Requirements in CP-2 District

7. Staff Reports

8. Other Items

- a. Planning Commission Representation at Council Meetings
- b. Future Workshops and Other Events

9. Adjourn

At their meeting on April 15, 2024, City Council referred the following proposed amendments to current non-residential setbacks and planned development acreage requirements to the Planning Commission for discussion and consideration. The Commission took the matter up for discussion at their May 13, 2024 meeting, and instructed staff to include it as an action item on the June 10, 2024 meeting agenda.

CODE OF ORDINANCES

CHAPTER 19 ZONING

ARTICLE IV. NON-RESIDENTIAL DISTRICTS AND DISTRICT REGULATIONS

Sec. 19-404. Density, bulk, and dimensional requirements for principal and accessory uses and/or structures in the non-residential districts.

Table 19-404-1. Density, Bulk, and Dimensional Requirements for Principal and Accessory Uses and/or Structures in the Non-residential Districts

USE	Districts									
	C	CM	CP-1	CP-2	CP-3	OP	RIL	OR	M	
A. MINIMUM DIMENSIONAL AND/OR BULK STANDARDS FOR ALL NON-RESIDENTIAL DISTRICTS										
1. Front <u>setback</u> , max.	3'/15' ¹	15' ²	15' ¹⁴	35'	35'	25'	35'			See Section 19-404-1. Endnotes 1, 2, 14
2. Front setback, min.	0'	10'/12' ²	8'	8'	15'	8'	35'	25'	50' ³	See Section 19-404-1. Endnotes 2 & 3
3. Side setback, min.	0' 15'	0' 15'	0' 15'	0' 15'	0' 15'	0' 15'	25'	10'	50' ³	See Section 19-404-1. Endnote 3
4. Side setback, max.	0' ⁴	0' ⁴								See Section 19-404-1. Endnote 4
5. Rear setback, min.	10'	10' ⁵	25'	25' ⁶	25'	25'	35'	25'	100' ³	See Section 19-404-1. Endnotes 3, 5, 6

ARTICLE V. PLANNED DEVELOPMENT (PD) DISTRICT REGULATIONS

Sec. 19-503. District regulations.

The following regulations apply to designated uses and development in PD districts, other provisions in this article to the contrary notwithstanding:

- A. A PD shall encompass a minimum of ~~two~~ ~~four~~ contiguous acres; however, a PD must be a minimum of ~~four~~ ~~five~~ contiguous acres when adjoined solely by the R-20 or R-12 districts. Locations across a street or alley are considered to be adjoining.

FOR DISCUSSION PURPOSES ONLY

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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.

Suggested text:

FOR DISCUSSION PURPOSES ONLY

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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.