

City of Clemson
PLANNING COMMISSION MEETING
Monday, June 10, 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), John Crolley, Matthew Corontzes, Frederick Burton, and Jennifer Thackston.

Members Absent: Greg Rice (Vice-Chair) and 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 then took time to encourage citizens to fill out the ongoing comprehensive plan survey, and then introduced Commission members and City staff.

2. Public Session (0:2:47)

Mr. Tyler called for public comment on matters not on the agenda; no one chose to speak. He then asked staff for any comments submitted through the My Civic app or by email; there were none. The public session was closed.

3. Adoption of Minutes (0:3:32)

a. May 13, 2024 - Regular Meeting

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

Mr. Tyler called for a motion. Ms. Thackston made a motion to approve the minutes of the May 13, 2024 meeting as presented; Mr. Burton 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 5-0 vote.

4. Action Items (0:04:11)

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

Mr. Peabody provided an overview of the proposed amendments, noting that they had been referred to the Commission by City Council (See Attachment #1).

Mr. Tyler called for comments from the public.

Mr. Rick Ware, 100 Holiday West, Clemson, asked for clarification regarding properties fronted by multiple streets, specifically whether they would be subject to more than one front setback. Mr. Peabody stated that staff works with a developer to determine which frontage would be subject to what setbacks during pre-development, but that there is only one front setback imposed. Mr. Ware indicated that Holiday East had the potential for a future project possessing multiple frontages impacting it; Mr. Peabody agreed, and said that buffering would be the way to protect the street.

Mr. Tyler called for other public comments; there were none. He then asked commissioners for their comments on the proposed amendment; there were none.

Mr. Tyler then read comments submitted by Mr. Rice (See Attachment #2), following which he summarized the issues raised. These included:

- A setback of fifteen feet could be limiting on potential projects
- There could be negative impacts on walkability
- There are not many other jurisdictions that require a 15' commercial side setback
- Any concerns with emergency vehicle access can already be dealt with
- Requiring it in the downtown may impact existing nearby neighborhoods
- For PDs it may result in the assembly of more property and bigger projects
- It may leave development in the hands of larger national developers
- Could result in creating additional barriers to affordable housing

Mr. Tyler called for additional comments from the Commissioners. Mr. Crolley noted that as referred the proposal contained items that would be better presented separately. Mr. Corontzes agreed.

Mr. Tyler called for a motion. Ms. Thackston made a motion to not recommend the proposed text amendment to Council for adoption; Mr. Corontzes seconded the motion. There was no discussion. Mr. Tyler called for a vote by a show of hands; there was no opposition. The motion was unanimously approved by a 5-0 vote.

5. Advisory Items (0:24:50) None

6. Discussion Items (0:24:58)

a. 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 was putting

forward the idea of creating a conditional use standard requiring developers 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. He noted that when the build-out of the space for the first tenant is completed, the bond will be released, and that the bond could be released incrementally as portions of such space were completed. (See Attachment #3).

Discussion followed. Among the topics addressed were:

- Utilizing the issuance of a business license to determine if a tenant is considered commercially viable
- The type of bonds (surety versus cash) that might be acceptable
- At what point would the bond be fully released

Following the conclusion of discussion, Mr. Peabody said he would make edits based on the discussion and return for additional consideration.

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

Mr. Peabody provided the Commission an overview of the matters. He said that staff had become aware that the front setbacks of the CP-2 District, which had both minimum and maximum requirements, made the installation of drive-through lanes difficult. Additionally, he said that the parking location requirements of the district were problematic for structures situated near the waterfront. As currently written, with parking required to be in the rear of new buildings, businesses could not take advantage of the lake by orienting toward it. The possible use of conditional standards based on square footage was also noted.

Discussion followed. Among the topics addressed were:

- Issues with connecting parking lots to other parking lots
- Easements from the railroad
- Frontage road
- Possibly creating a different zoning districts for Highway 93 and Tiger Boulevard
- Establishing rules with flexibility
- Utilizing buffers for parking

At the end of discussion Mr. Peabody stated that staff would bring back a draft on the topics for additional consideration.

7. Staff Reports (1:03:38)

Mr. Woods informed the Commission that printed roll-cart hangers had been used to promote additional participation in the comprehensive plan survey, and that the response had been good.

8. Other Items (1:05:44)

- 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. Ms. Thackston made a motion to adjourn; Mr. Crolley seconded the motion. Mr. Tyler called for a vote by a show of hands; the motion passed unanimously by a 5-0 vote.

The meeting was adjourned at 7:06 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

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

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' ⁴ 15'	0' ⁴ 15'	0' ⁴ 15'	0' ⁴ 15'	0' ⁴ 15'	0' ⁴ 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 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.

Attachment #2

6/7/24, 2:52 PM

City of Clemson South Carolina Mail - My Thoughts on Action Items



Art Holbrooks <aholbrooks@cityofclemson.org>

My Thoughts on Action Items

1 message

Greg Rice <greg@robinsonfuneralhomes.com>

Fri, Jun 7, 2024 at 12:37 PM

To: Art Holbrooks <aholbrooks@cityofclemson.org>, Nathan Woods <nwoods@cityofclemson.org>, herbtlyercfa@gmail.com

Good Morning. I will not be in attendance at the Monday, June 10, 2024 Regular Planning Commission meeting. I had a few thoughts that can be shared or put into the record. Whichever Herb feels are warranted.

In regards to changing the Planned Development acreage amount from 2 acre to 4 acres, I feel this would hinder any future opportunities for creative development within our city. The planning commission looked into options for affordable housing types, such as tiny homes, pocket neighborhoods, ect. and I feel that changing the acreage amount would prevent such development from being financially feasible. I also feel that by changing the acreage amount we would be making it nearly financially impossible for small, local developers to participate in future development of our city. The only developers that would financially be able to make these investments would be national developers who will only want to focus on purpose built student housing.

My thoughts on requiring a 15 ft. set back in all C districts and OP district would be the negative impact it would have on buildings in our downtown area. After reviewing the property map of our downtown area there are several buildings that would not be able to build back on the exact footprint as they are now. Namely a few of our large churches in this area. It would also create alley's between the buildings in the downtown corridor that would not be beneficial for the businesses, the walkability of our area, and possibly create safety issues.

Feel free to contact me if you have any questions or concerns. If these items are covered by other commissioners during the meeting feel free to mention that I express the same concerns as mentioned by other commissioners.

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Greg Rice
Funeral Director
Duckett-Robinson Funeral Home
(864)639-2411

Attachment #3

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.