



# City of Clemson

## PLANNING & CODES ADMINISTRATION

365 College Avenue • Clemson, SC 29631 • (864) 653-2050 • Fax (864) 653-2057 • www.cityofclemson.org

### CLEMSON PLANNING COMMISSION SPECIAL CALLED MEETING

**Monday, March 29, 2007  
Morrison Annex – 6:00 P.M.  
MINUTES**

**Members present:** Spencer Bryan, Vice-chair, Harold Cheatham, Bob Smith, and Elaine Richardson.

**Members absent:** David Hamilton, Chairman, Julie Craig, John Peters.

**Staff present:** Sharon Richardson, Director of Planning and Codes Administration, Arzu Yilmaz, City Planner, Bob Vecchio, Zoning Administrator and Pat Collins, Recording Secretary

1. **Call to Order:** Meeting was called to order by Mr. Bryan at 6:08 p.m.

2. **Advisory Actions**

- a. **R 06-08 Rezoning request for the proposed Village at Berkeley planned residential development on Berkeley Drive consisting of 18 townhouses on 3.66 acres. Applicant Tiger Management & Investments, LLC. (PIN: 4054-12-97-1065)**

**Staff Comments:**

Arzu Yilmaz stated that this project is a planned development rezoning request on a 3.66 acre property which is zoned R-20, Single-household residential. The applicant would like to construct 18 townhouses similar in style to those in the Village Walk development, another development by the applicant, also on Berkeley Drive.

**Applicant Comments:**

Eric Newton, 501 Village Walk Lane representing Tiger Management & Investments, LLC stated he hopes his presentation will put the Commission and the community at ease.

He stated the 3.66 acre site has a total of 4 lots that back up to 2 parcels of property. His proposal calls for 18 town homes with a new cul-de-sac. He stated 52% of the area will be improved, 39% will be green space and there will be a 15 foot type C buffer. Setbacks are 25 feet which means no dwelling will be closer than 40 feet to the adjacent property.

Mr. Newton presented the architectural plans showing a traditional neighborhood with a rear alley. The front of the houses will be set close to the tree-lined cul-de-sac with additional front landscaping creating a pedestrian friendly neighborhood. He presented the site plan and discussed the types of town homes, parking, landscaping, and all other aspects of the project.

Elaine Richardson said it looks like you are going to take out all the big trees. Mr. Newton stated yes they had tried to keep the existing trees in other developments and they feel it is better to plant new ones.

Ms. Richardson stated that the Land Use Goals encourage keeping existing trees. Mr. Newton said he would try to keep the trees around the perimeter.

Bob Smith stated he has a number of concerns. Has there been a particular change to the building layout with the revised plans? It looks like there has been no change to the plans.

Harold Cheatham asked if there could not be a road on this property and the lots divided into 7 single family lots.

Mr. Newton stated you would have all the road costs and only gain maybe one more house. He stated he feels if it was divided into more lots the project would not come out as nice.

Mr. Bryan stated there are two key questions to consider:

1. Do we think this is a good way to go with rezoning?
2. Would we be looking at a different density?

**Public Comments:**

Mr. Bryan opened the floor to public comments. He stated there will be a time limit of three minutes per person.

Ron Van Bergen, 202 Monaco stated he was an Architect and Planner and he feels the heart of the matter is that this is one of the few residential communities and there are concerns about the density.

Jane Van Bergen, 202 Monaco stated the presentation shows little views of the back where the 8 foot fence is to be located. She stated she is concerned about looking into someone else's window, and there will be trash cans outside on the back side. All she will be seeing is the wooden fence that will be left up to the homeowners to maintain. She feels the fence should be brick or vinyl. She stated she also feels the builder could fit five (5) very nice homes in this area and make more money than he will with the town homes.

Jim Carey, 317 Princess Grace asked if there is precedence already established where a residential site has been changed to a Planned Development?

Bob Vecchio showed the Board on the map where there have been several.

1. Issaqueena Trail R-20 to PD
2. Berkeley Place Mixed Use PD to Mixed Use Residential and Commercial
3. West Lane - RM-3 to a PD for The Retreat.
4. The Height at Calhoun – RM-1 to PD
5. Sunset at Valley Walk – RM-3 to PD
6. Morrison Annex – RM-4 to PD
7. Woodlands of Clemson – RM-1 to PD

Mr. Vecchio explained that each request does not use precedence as a factor; they are weighed on their own merits.

Mr. Carey stated he was still not clear. Which ones were R-20 to PD.? Answer Issaqueena Trail.

Marsha Key, 317 Princess Grace asked when the last Zoning Ordinance was adopted?

Harold Cheatham stated in 2004. He said it is not the responsibility of the Commission to evaluate the zoning for the City. He also stated that this is a high end area and the City cannot stop parents from buying one of these town homes and putting their children in them.

The audience turned the floor over to Peter Skewes, 103 Prince Albert and gave him each of their 3 minute allotments of time.

Mr. Skewes stated Bill Mostertz, 103 Monaco, the President of the Homeowners Association was not able to attend this meeting. He does support the community in their efforts to stop this. Mr. Skewes presented the Board with a copy of a Property Owner's Petition Opposing the Zoning Change from R-20 to Planned Development at 141 Berkeley Drive, Clemson, South Carolina. It was signed by 50 property owners; it is attached and will become part of these minutes.

He stated the neighborhood has concerns with the proposed project; its incompatibility with a Planned Development, its incompatibility with the Comprehensive Plan and its inconsistencies presented in the proposal. He discussed the State Law as it pertains to a Planned Development District, The City's Comprehensive Plan 2014 Housing Element and reviewed some of the staff's original comments and new comments and the response from the developer. He does not feel the developer has changed anything. He talked about the remaining 11.4 acres in Village Walk/Berkeley Place Planned Development with the remaining open sites in Village Walk. He also discussed the proposed "Digital Tract" development and does not see the need for another project of this kind. He stated there have only been two justifications presented in support of this request to change the zoning:

1. It would not be profitable to build 7 houses on the property
2. There is a need for a different type of housing

Mr. Skews and the community feel neither of these reasons are valid for the dramatic change in zoning that has been proposed.

He stated the Planning Commission is not solely responsible for ensuring a safe, enjoyable, high quality life in the City of Clemson. Some of the responsibility falls on the shoulders of the citizens. He feels the citizens of this community have done their part by purchasing property protected by R-20 zoning and voicing their opposition to this proposal. The community asks the Commission to do your part and make the correct decision for all of us.

Mr. Cheatham asked for clarification of the summary slide. Mr. Skewes stated there should be cause, purpose and benefit for changing the zoning. Mr. Cheatham asked if Mr. Skewes was saying the applicant's presentation does not present any of these benefits. Mr. Skewes answered yes. He stated he sees no benefit that 5 -7 houses would not give.

Mr. Bryan asked if Airport Road was in the calculation of the current zoning slide (3). Mr. Skewes answered he used only the contiguous adjoining properties.

Mr. Bryan stated that more than likely the surrounding areas are going to be either Commercial or Multi family. He invited Mr. Newton to respond to the comments from the community.

Mr. Newton stated they had discussed the need to address the height issue and the structures are all under 38 feet. The fence will be similar to the original one that was presented however there could be brick columns incorporated into the fence. The occupancy will be limited to one family or not more than two unrelated persons.

Mr. Bryan asked what size the landscaping materials and trees would be. Mr. Newton stated the size is shown on the landscape plan. Mr. Bryan feels there is a need to strengthen the language for the existing trees that will be kept and an arborist should be retained to look at the trees and counsel the applicant on how to make sure as many as possible will be kept. He asked Mr. Newton how the retention pond will be designed. Mr. Newton stated the intentions are to make this as nice as possible, however it is hard to know exactly until DHEC makes their recommendation.

Ms. E. Richardson asked what percentage of the open space will the pond occupy. Mr. Newton stated he estimates about 1.5 acre.

Mr. Smith stated this is a two fold charge. One to make a recommendation to the City Council and the other to act on a technical basis with the Comprehensive Plan. The Goal of the Comprehensive Plan is to preserve and improve the quality of life in residential neighborhoods. This proposal does not do this.

Ms. E. Richardson made a motion to recommend to the City Council to not approve this request for a Zoning change. Mr. Smith seconded the motion. Ms. Richardson, Mr. Smith, and Mr. Bryan were in favor, Mr. Cheatham opposed.

**b. R-07-07 Increase building height for Hotel/Motels in CP-2, Community Business District and to Revise Parking Requirements for Hotels/Motels with conference facilities and/or restaurants.**

Ms. Yilmaz presented the changes that were made based on the discussion at the last meeting.

Mr. Cheatham moved to accept the proposed changes to the heights and parking requirements. Mr. Smith seconded the motion. The vote was unanimous.

**Adjournment:** With no further discussion or questions, Mr. Bryan declared the meeting adjourned. Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Pat Collins, Recording Secretary

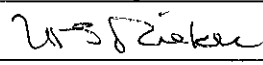
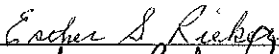


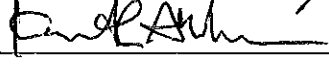



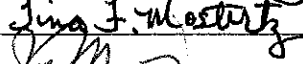
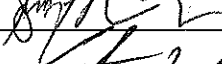
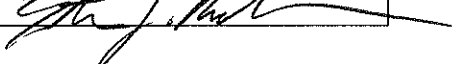
**Note:** The proceedings of this meeting have been recorded on audiotape.

**Property Owner's Petition Opposing the Zoning Change from R-20 to Planned Development at 141 Berkeley Drive, Clemson, South Carolina**

File #: R-06-08

We, the undersigned owners of property in the Monaco Estates Subdivision oppose the requested zoning change from R-20 to a Planned Development for the following reasons:

- 1) The size, height, and close proximity to the property lines of the proposed structures will significantly reduce the aesthetic quality of the existing neighborhood, thereby reducing property values.
- 2) The increased density of the proposed development will reduce the quality of life in the existing neighborhood by increasing light pollution, noise pollution, and traffic.
- 3) The multifamily nature of the development as condominiums creates a transient ownership situation which destabilizes the security of the long-term property owners in the existing low density, single-family neighborhood.
- 4) The use of a Planned Development for this proposal violates State Law and City of Clemson District Regulations. This is not a mixed use and it does not improve the design, character, and quality of the neighborhood or preserve natural and scenic features of open spaces.
- 5) Changing to a Planned Development district from the current R-20 designation violates the City of Clemson Comprehensive Plan 2014 which indicates that the area is and should remain Low Density Residential.

Property Owner's Name (printed)	Property Owner's Address	Property Owner's Signature
WALTER E. RIEKER	200 MONACO CIRCLE	
ESTHER S. RIEKER	200 MONACO CIRCLE	
Mary Beth Peurifoy	208 MONACO CIRCLE	
Charles R. Peurifoy	208 MONACO CIRCLE	
KENNETH A. WEAVER	305 MONACO CIRCLE	
Carolyn C. Baird	104 Monaco Circle	
Vance Baird	104 Monaco Circle	
William C. Mostert, Jr	103 Monaco Circle	
Tina F. Mostert	103 Monaco Circle	
GARRY + CATHY POIRIER JR	215 MONACO CIRCLE	
STEVEN + VICKI MIESBAUER	114 MONACO CIRCLE	

Property Owner's Name (printed)	Property Owner's Address	Property Owner's Signature
Bill + Kaye Carraway	309 Monaco CR	William H Carraway
Barbara E. Weaver	305 Monaco Cir	Barbara E Weaver
Ron English	108 Princess Grace Ave	Ronald English
Kathryn English	108 Princess Grace Ave	Kathryn English
Ron Van Bergen	202 Monaco CR	Ron Van Bergen
Jane Van Berden	202 Monaco Cir.	Jane Van Berden
Allen + Linda McHadden	312 PRINCESS GRACE AVE	Allen F. McHadden
Jim + Marsha Carey	317 Princess Grace Ave.	Jim C. Carey
Linda Knudsen	1 Monte Carlo Circle	Linda S. Knudsen
Don Garrett	306 Monaco Circle	Don Garrett, Jr.
Cathy Garrett	306 Monaco Circle	Cathy Garrett
Mitch Merritt	110 Monaco Circle	Mitch Merritt
Mary Ellen Merritt	110 Monaco Circle	Mary Ell. Merritt
Tom Faithful	102 Prince Albert St	Tom Faithful
Tricia Faithful	102 Prince Albert St	Tricia Faithful
Maal Saffery	111 MONACO CIRCLE	Maal Saffery
BETTY SAFFERY	111 MONACO CIR	Bethanne Saffery
Jim McFarlane	200 PRINCESS GRACE AVE	Jim McFarlane
Beth McFarlane	200 PRINCESS GRACE	Bethanne Saffery
Don Ph	301 Princess Grace	Don Ph
Ellen Zielinski	301 Princess Grace Ave	Ellen Zielinski
Kay Harkins	322 Princess Grace Ave	Kay Harkins
Teresa Skews	103 Prince Albert St	Teresa Skews
Peter Skews	103 Prince Albert St	Peter Skews
Bob Williamson	303 Princess Grace Ave	Bob Williamson
Eva Williamson	303 Princess Grace Ave.	Eva Williamson
Ron Rash	320 Princess Grace Ave	Ron Rash
Ann Rash	320 Princess Grace Ave	Ann Rash



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Property Owner's Name (printed)	Property Owner's Address	Property Owner's Signature
MARK ROE	204 MONACO CIRCLE	<i>[Signature: M. Roe]</i>
Kelley Ann Hughes	301 Monaco Circle	<i>[Signature: Kelley Ann Hughes]</i>
Stephen H Foulger	301 Monaco Circle	<i>[Signature: S.H. Foulger]</i>
<i>[Signature: J. J. ...]</i>	100 prince Albert	<i>[Signature: J. J. ...]</i>
Sheila Malmgren	100 Prince Albert	<i>[Signature: Sheila Malmgren]</i>