



City of Clemson
PLANNING & CODES ADMINISTRATION

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BOARD OF ARCHITECTURAL REVIEW

March 4, 2014 – 6:00 P.M.

CITY COUNCIL CHAMBER

Members Present: Russ Hebert, Dave Moorhead, Wayne Leftwich, Gina McLellan, and Curtis Arnold

Members Absent: Jane Brown

Staff Present: Todd Steadman, Zoning and Codes Administrator and Beth Connor, Recording Secretary

1. **Call to order:** Chairman Russ Hebert called the meeting to order at 5:58 p.m.
2. **Adoption of Minutes:** Gina McLellan moved the minutes for the February 4th meeting be accepted with correction. Wayne Leftwich seconded the motion. Minutes adopted.
3. **Action Items**

b. Building and Site Review:

1) 2014-AR-4: Applicant Tom Winkopp is requesting final review of architectural plans and drawings for the proposed Dukes Centre at 386 College Avenue.

Russ Hebert explained the previous motion made at the February meeting which postponed discussion of the Dukes Centre project until the April 1st meeting. Mr. Hebert read the three conditions of the motion. Mr. Hebert addressed the issue of postponement. He pointed out that all three of the criteria of the February 4th motion had been met by the Applicant. Mr. Hebert pointed out to the Board that in order to discuss the Dukes Centre there would have to be a motion to rescind the motion from the February 4th meeting

Mr. Hebert informed the Board that by making a motion to rescind the motion to postpone they could entertain a motion to approve the request, approve conditionally, deny the request, table the request or take no action at all. The motion to rescind would just get the project back in front of the Board. Mr. Hebert said that if there was no motion made to rescind the previous motion that the meeting will be adjourned.

Gina McLellan expressed frustration with the confusion surrounding the ex parte communication. Ms. McLellan stated that Todd has communicated with the Board, as well as Jim Logan. Ms. McLellan feels that they are receiving conflicting information.

Mr. Hebert pointed out that he has been on the Board for 10 years and looks to staff to be sure that they are doing this right. Mr. Hebert also pointed out that they have the City Attorney to guide the Board. Both the staff and Attorney was providing information on the ex parte communication, as to what the Board can and cannot do. Mr. Hebert pointed out that they have never had public input at a BAR meeting. That is not part of the process.

Mr. Hebert again pointed out that in order to continue the conversation there will need to be a motion made to rescind the February motion.

Ms. McLellan said that she thought that this discussion should be done before the specific project discussion. She feels that it is such a large project surrounded by a lot of confusion that there should be some clarification before continuing.

Wayne Leftwich feels that maybe down the road there possibly should be consideration of public input at the BAR. Mr. Leftwich pointed out that advising against ex parte is common practice and Boards are not to speak with anyone.

Curtis Arnold moved to rescind the motion from the February 4th meeting which postponed the final review of the Dukes Centre project to April 1st 2014. Mr. Arnold moved that the final review of the Dukes Centre be put on the agenda for the March 4th meeting and move forward. Davis Moorhead seconded the motion. The motion approved unanimously.

Staff Report: Todd Steadman gave a brief report focusing on the aspects that are new and the items that the BAR asked the Applicant to address. The Applicant has responded to revisit the bufferyard, provided a revised landscape plan and the Applicant will speak to that, and the Applicant has re-configured the connection to Finley Street to allow for a larger bufferyard. The Applicant has also submitted a letter stating that they will commit the land in RM-3 to a Conservation Easement and that the easement will be a condition for the issuance of a Certificate of Occupancy. The Applicant also supplied a tree survey which indicates trees that are 8" or greater, which the BAR requested. Mr. Steadman also reminded the Board that those trees counted as credit are required to be protected and maintained per City Code. The Applicant has engaged a professional Arborist to guide them through the preservation of the trees during construction.

Mr. Steadman has pointed out that there is a very limited number of species indicated on the site plan and this has been discussed with Tom and his team. They recognize this fact and indicated that this is not the final plan. The final landscape plan will contain a broader number of species.

The Applicant has submitted drawings for the pool cabana.

The Applicant has changed the retaining wall to be a planted sloped bank on the north side in response to the preference of the neighbor.

Mr. Steadman also reported that the Applicant has eliminated a floor of the building which changes the number of bedrooms, 293, and the number of parking spaces, 393. Mr. Steadman reminded the Board that there are 440 parking spaces allowed.

Applicant Report: Tom Winkopp, his business is located at 391 College and his home address is 1250 Shackelburg Road in Anderson.

Mr. Winkopp informed the Board that they have hired Arbor Engineering out of Greenville as their landscape architect and their Arborist is Tree South Surveying. Mr. Winkopp said that their goal is to protect trees before, during and after the project. Anything that may die on the easement or the buffer will be replaced. Mr. Winkopp stated that he had just received a letter from his arborist indicating that he feels that there won't be any issue with maintaining a meaningful buffer. The arborist feels that some of the trees on the disturbance line should come down during site demolition for safety reasons but the buffer will remain intact.

Mr. Hebert asked Tom to clarify the buffer he is speaking of. Mr. Hebert asked if it was the RM-3 piece. Mr. Winkopp said yes as well as any area that is disturbed and basically the trees that are kept will be protected, not only on the conservation easement and property, but the neighbors as well. The arborist will be speaking with the neighbors that abut the property.

Mr. Winkopp has received some feedback from some local professionals. They will be putting a solid wall from the Finley Street side to the Mocko property. The wall will have brick on both sides.

Mr. Winkopp stated that the property will be irrigated to be sure the trees live. Mr. Winkopp pointed out that Finley Street is a 2-way street now. The neighbors would prefer to have it changed to 1-way with the exit at the light, but Mr. Winkopp said that this would have to be approved by the Fire Marshal.

Mr. Winkopp informed the Board that he had spoken with Tommye Hurst about public art in the plazas and other areas. It is his intent to make use of the public art available.

Mr. Winkopp reminded the Board that he met with the abutting property owners, both the commercial properties and the single family owners. He did increase the buffer from 25' to 60', eliminated the balconies and has reduced the size of the building twice.

Ms. McLellan asked if the irrigation is permanent. Mr. Winkopp said it is.

Mr. Leftwich asked if the wall was in lieu of the fence. Mr. Winkopp said it would be on part of the property and a solid wall would help diminish sound.

Ms. McLellan asked how he was doing the Conservation Easement. Mr. Winkopp said it would be legally drafted and will talk with an agency such as Nature Conservancy to see if they would be interested.

Ms. McLellan asked who would follow up on this condition. Mr. Steadman said that the staff would.

Ms. McLellan asked if the City has a preference on the Conservation Easement. Mr. Steadman stated that to his knowledge the City has never done this before so he couldn't answer that and asked for latitude on how to enforce this requirement but there would be a permanent easement.

Ms. McLellan expressed extreme concern for the neighbors. Mr. Winkopp again stated that he met with all 3 abutters. Ms. McLellan asked if Mr. Winkopp met with the neighbors individually. Mr. Winkopp said that Mocko's concern is shadows. Mr. Winkopp reiterated that the height of the building is allowed by code and the building is allowed by law.

Mr. Leftwich commented on the long list of concerns from the last meeting and thanked Mr. Winkopp for addressing those issues.

Ms. McLellan expressed concern on the possibility of no follow through on buffers. Mr. Winkopp said that he was getting input from Arborists.

Ms. McLellan asked if the BAR would see information relating to the buffers again. Mr. Steadman said yes, that he would share a final landscape plan which would include the buffers but it would be handled by staff.

Ms. McLellan asked who would verify whether or not it meets code when presented. Mr. Steadman said that when it is accomplished it would be brought back to the BAR not necessarily for approval but to verify compliance. Mr. Steadman said that it may not be the final plant selections.

Ms. McLellan again expressed concern about the size of the building and asked if they couldn't work with the Architect to soften the building. She described the building as huge, massive.

Mr. Winkopp said that he welcomed the input but they have changed the drawings 6 times. Mr. Winkopp commented that there will always be an influx of suggestions to make the building better and he has received input from professionals in the area.

Mr. Hebert responded that this is really a moot point. The Board cannot tell the developer to change styles from contemporary to traditional.

Mr. Leftwich asked if the Architectural team could speak to the changes that have been made to make the building inviting.

Steve Peckham, owner of Signature Architecture responded that they were allowed to build to the property line, but they chose to pull the building back. Mr. Peckham pointed out that they have articulated the face of the building. They have used different materials, such as glass, curtain wall, stucco, different shapes and bricking sizes. They have made the parcel pedestrian friendly with plazas and planting areas.

Ms. McLellan asked that with the restructuring of the size, will each tenant have a parking space. Mr. Peckham said that there would be commercial spaces, as there is not enough street parking and there would be spaces for guests. He also stated that the deck would be policed and cars would be towed if they are parked in assigned spaces.

Ms. McLellan asked if the parking deck would have direct access to the commercial portion. Mr. Peckham showed on the site plan how the deck was set up and stated that some commercial tenants may want direct access. Mr. Peckham also pointed out that there are strict restrictions in the International Mechanical Code for venting in the parking deck.

Mr. Leftwich expressed that this is a tough issue and there has been a lot of comments for and against. He also read to the Board the purpose of the AR-2 standards. Mr. Leftwich feels that this project meets all the criteria.

Wayne Leftwich moved that the project be approved as presented with condition that staff receives proof of Conservation Easement before the issuance of the CO and also under the conditions that a buffer plan is reviewed by staff, accepted by staff and made part of the official documents for this project, then also present, for BAR review as information.

Davis Moorhead seconded the motion

Mr. Hebert asked if there was any further discussion.

Ms. McLellan again stressed her dislike for the size of the building. She feels it is not the right way to transition from old downtown and feels that it is not the example we want to set. She stated that the neighbors are tremendously impacted. She is not saying that there shouldn't be development, but hopes the City learns from this and can develop a way to work with the Developers before the project hits the Board's or Council. She doesn't feel it's serving the City of Clemson and would like to see the community get involved.

Motion carries – 4 in favor and 1 not in favor.

4. Staff Reports: Todd Steadman handed out renderings of a new sign and possible paint design for a new business at 361 College Avenue. He asked the Board to look at the suggestions and he would send out an email seeking their comments. Discussion followed.

5. Adjourn – 6:50 p.m.

Respectfully submitted,

Beth Connor
Recording Secretary

Note: Proceedings of this meeting have been recorded on audio tape.