

Town of Lexington
BOARD OF APPEARANCE
Minutes

April 11, 2023

BOARD MEMBERS PRESENT: Board Members Jeremy Addy, Bob Britts, Ian MacLean, Carlton “Cocky” Oswald and Wayne Rogers were present. Chair Larry Wilund was absent. The meeting was held at Town Hall in the Council Chambers at 5:30 p.m.

Others in attendance were Director of Planning, Building and Technology John Hanson, Assistant Zoning Administrator Jessica Lybrand, Digital Media Coordinator Michael Tolbert and Municipal Clerk Becky Hildebrand.

No citizens were present and no members of the news media were present.

Board Member Rogers read an introduction to the Board of Appearance meeting and called the meeting to order at 5:40 p.m.

ADDITIONS/DELETIONS: None.

APPROVAL OF MINUTES: A motion was made by Board Member Addy and seconded by Board Member Oswald to approve the minutes from the Board of Appearance meeting held on September 13, 2022 as submitted. The motion was unanimously carried by all those present.

NEW BUSINESS

1. **Review of a Proposal from 7 Brew Coffee to Construct a Coffee Shop at 519 North Lake Drive:** Director Hanson presented the item and commented that this project was originally submitted in September 2022 and is located approximately 1,300 feet from another new coffee shop. He advised the Board that the applicant was not present and Assistant Zoning Administrator Lybrand just got off the phone with Mr. Craig S. Winnall, Site Design, Inc., representing 7 Brew Coffee, who requested that the Board hear the item in their absence. Following the Board’s decision, Ms. Lybrand will email Mr. Winnall and let him know their decision.

Background: 7 Brew Coffee submitted a revised proposal to build a new drive-thru coffee shop at 519 North Lake Drive. The project is located at one of the most prominent intersections of the Town in the Downtown Historic Triangle. The proposed building is 550 square feet with a dual lane drive-thru with aluminum awnings on a one-acre parcel. No customer seating is provided. The Staff Committee reviewed this revised proposal and, while it is significantly improved, concerns remain with the project.

Section SG1 states to *“Design new development to be compatible with the general physical character of adjacent neighborhoods. Protect and respond to the positive elements of the existing community fabric by including significant buildings and keeping the building orientation and architectural styles of the community. Individual corporate image, trademark or marketing architectural design elements and colors shall be incorporated only as secondary design elements and not as dominant elements. These design elements shall be compatible with surrounding elements and shall not define the character or style of the building”*. The Staff Committee was concerned that the proposed building materials and colors combined with the design and orientation of the building would be inconsistent with the Historic Downtown Triangle area.

Section SG4 states to *“provide significant architectural features to emphasize the public streets and enhance the streetscape”*. A major concern of the Staff Committee was the orientation of the building. The building orientation places the rear service area directly adjacent to the intersection of Columbia Avenue and North Lake Drive.

Section SG10 states to *“Compose building facades with appropriate materials as determined by the general environment. Examples include brick, stone, stucco, wood, cementitious siding, wood shingles or other materials that give the appearance of the above”*. Recently approved buildings in this area have been constructed of brick or stucco. This building is proposed to have a foundation with simulated brick panels combined with board and batten or clapboard fiber walls.

Section SG14 states to *“Use outdoor lighting that is in accordance with the design style of the project and is compatible with the surrounding property lighting”*. No information on outdoor lighting was provided. Mr. Hanson added that this item was specifically mentioned by Chair Wilund at the last review of this project and it was to be included in the next submittal.

Section SG15 states to *“Enclose all utility equipment within buildings or screen it from both the public streets and other public areas. This equipment includes utility boxes, garbage and recycling container storage and rooftop mechanical equipment”*. A wood screen wall has been placed at the rear of the building to screen service equipment. It is unclear from the submitted building elevation if additional exterior mechanical equipment on the building will also need to be screened because Staff does not have the building plans.

Section SG17 states to *“Design garbage enclosures that are external to the building with the same materials as the building and ensure that all height is sufficient to completely conceal garbage dumpsters”*. A dumpster corral constructed of masonry walls with metal gates is shown on the site plan.

Section P10 states to *“locate drive-thru and stacking lanes at the side or rear of the buildings”*. **Section P11** states to *“locate drive-throughs and stacking lanes*

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away from adjacent sensitive uses and to use landscaping and fencing to help buffer potential impacts". The proposed location of the drive-through is problematic. The Staff Committee was concerned about the applicant's proposal to screen it with a four-foot slatted fence on top of a two-foot berm and how that would look from the street view.

Sections DT1 through DT7 constitutes the Chapter specifically dedicated to development in the downtown area. **Section DT1** states to *"Provide significant architectural features to emphasize the public streets and enhance the streetscape while maintaining the existing aesthetic environment and historic feel of the downtown"*. **Section DT2** states to *"respond to the positive elements of the existing historic design elements and context"*. **Section DT3** states *"design elements should be mindful of human scale and encourage pedestrian access and activity"*. Overall the Staff Committee remains concerned about this project's compatibility with the downtown area particularly as it relates to:

- (1) *"Maintaining the aesthetic environment and the historic feel of the downtown."*
- (2) *"Developing significant buildings"* and;
- (3) *"responding to the positive elements of the existing historic design elements and context."*

Mr. Hanson stated that these concerns are straight out of the manual and the Staff Committee felt that none of these concerns were addressed.

The Board was asked to review the proposal to determine whether it meets the Town's appearance standards.

Board Member Rogers called on the Board Members for any questions.

Board Member Addy stated that the biggest issue, which was noted last time and again not addressed, is the scale of the building relative to the size of the site. He added that it is a small building, a ton of pavement and a lot of drive-through. Board Member Addy stated that it seemed if they wanted to add a secondary building they could build a larger building to house the coffee on the end-cap which would eliminate a lot of their issues and would screen the drive-through better.

Board Member Oswald asked if the drawing that was submitted is how this coffee shop will look. Board Member Rogers stated that it appeared to just be a rendering of what it is supposed to look like.

Board Member Britts stated that the color drawing from February 6, 2023 did not look like brick or stucco. Mr. Hanson confirmed that the building is proposed to have a foundation with simulated brick panels combined with board and batten or clapboard fiber walls. He added that the Staff Committee had commented that it has more of a coastal feel than what fits into the downtown area of Lexington.

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Board Member Rogers stated that he liked Mr. Hanson's summary and it seemed to him that the scale of the building is the biggest problem because it is such an important piece of property, plus the amount of paving and the location of the drive-throughs. He added that they could talk about the architecture of the building but right now it is just a site planning problem. He agreed with Board Member Addy that they could have combined the second building, shown on the site plan, making it a more significant building and a better submittal. Board Member Rogers stated that they could have redesigned the drive-throughs so it was not what you see on a major corner. He agreed that the materials did have a coastal or temporary feel because it looks like a modular building. He added that if it had real brick it would feel more grounded and more like Lexington, but the lightweight materials give it the proportions of a modular building. Board Member Rogers agreed with the summary which quoted missing requirements right out of the manual and it explains why this is not a good submission. He added that it is not just about the architectural details and materials, but also the scale and site solution.

Board Member Britts asked if it would change the perspective if they moved it south toward the back of the parcel and not have those parking spaces and use more grass and less concrete. Board Member Rogers responded that buildings should occupy corners and this is an opportunity to do a corner correctly, but it is a temporary feeling building located in a prominent position and the drive-throughs are what we will see all the time of which the fence would not be adequate screening for that. He added, based on all these points, moving the building would not change his perspective. He thought Board Member Addy was correct that a different site solution would be to combine future buildings that they are showing with this building and reposition it, but that is not what they said they could do.

Board Member Rogers called for a motion if there were no further questions or comments from the Board. He added that any instructions for the applicant were in the summary presented by Mr. Hanson.

A motion was made by Board Member Addy and seconded by Board Member Oswald to reject (deny) the revised proposal for 7 Brew Coffee as submitted. The motion was unanimously carried by all those present.

Director of Planning, Building and Technology advised the Board that if 7 Brew Coffee resubmitted another plan the Board would not hear it until their June meeting as the deadline for the May meeting had already passed.

ADJOURNMENT: There being no further comments or questions, Board Member Rogers called for a motion to adjourn. A motion was made by Board Member Oswald and seconded by Board Member Addy to adjourn the meeting. The motion was unanimously carried by all those present. The Board of Appearance meeting adjourned at 5:53 p.m.

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Respectfully submitted by:

Becky P. Hildebrand, CMC
Municipal Clerk

APPROVED:

Larry Wilund
Chair

FOIA COMPLIANCE – Public notification of this meeting was published, posted and mailed in compliance with the Freedom of Information Act and the Town of Lexington requirements.