

Town of Lexington
BOARD OF APPEARANCE
Minutes

April 12, 2022

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

Staff members in attendance were Director of Planning, Building, and Technology John Hanson, Assistant Zoning Administrator Jessica Lybrand, Director of Parks and Sanitation Dan Walker, I.T. Manager Bea Daniels, Digital Media Coordinator Michael Tolbert and Municipal Clerk Becky Hildebrand.

Two (2) citizens were present and no news media were present.

Chair Wilund read an introduction to the Board of Appearance meeting and called the meeting to order at 5:30 p.m.

ADDITIONS/DELETIONS: None.

APPROVAL OF MINUTES

A motion was made by Board Member MacLean and seconded by Board Member Oswald to approve the minutes from the Board of Appearance meeting held on March 8, 2022 as submitted. Chair Wilund requested one title correction on page one. The motion to approve the minutes with one correction carried by a vote of four (4) in favor and one (1) recused (Britts was not present for the 3/8/22 meeting).

NEW BUSINESS

1. **Second Review of a Proposal from Storage Units Lexington, LLC to a Climate Controlled Storage Facility at 5150 Sunset Boulevard:** Director of Planning, Building and Technology Hanson presented the item. He stated that he did not have a lot to add. The new submittal reduced the square footage to 105,000 square feet; the location was still 86 feet from the road; and there is still an issue with the mass of the building. He added that under SG5 there is still a conflict regarding building materials and they had discussed screening for the utility equipment and the dumpster corral. Director Hanson stated that the Staff Committee indicated that enhancements needed to be made to screening as it did not blend well and may have maintenance issues. Chair Wilund confirmed that screening was needed at both ends.

The Board's package included the following Sections from the Town of Lexington's Architectural and Appearance Design Manual.

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, pedestrian routes and amenities and public facilities in the design by keeping the existing building height orientation and architectural styles of the community.”* This project will be centrally located along Sunset Boulevard. Buildings in the immediate area such as Lidl, Aldi, Walgreens, Doctor's Care, Bojangles and all three shopping centers are generally one or two stories and are primarily constructed of brick, stone and stucco. This project is a three-story building that utilizes brick, stone, and two colors of efis on the exterior. The bright red roll-up doors on the previous submittal have been removed.

Section SG2 states to: *“Ensure that the structure is not of such mass that it dominates its surroundings or adjacent development. Use architectural form and detailing to reduce the appearance of the mass of the structure Design upper areas of taller structures to minimize their visual appearance. Larger structures will require a greater degree of sensitivity to site location and inclusion of larger forms of landscaping.”* The new submittal places the building in the same location as the previous submittal, eighty-six (86) feet from Sunset Boulevard. Additionally, a compliant landscape plan that also addresses this section of the manual has not been submitted.

Section SG3 states to: *“Create a transition in the scale and density of the built form on the site when located next to lower density neighborhoods to mitigate any potential impact.”* This section of the manual was a topic of discussion during the Board's previous review. It appears that the applicants have attempted to address this concern with design enhancements and a twelve percent (12%) reduction in the size of the building.

Section SG4 states to: *“Provide significant architectural features to emphasize the public streets and enhance the streetscape.”*

Section SG5 states to: *“Coordinate architectural detail and character within an overall design concept for all sides and components.”* The proposed use of multiple façade materials seems to conflict with this section.

Section SG15 states to: *“Enclose all utility equipment within buildings or screen it from both the public street and other public areas.”* The applicants have attempted to address this issue with wooden fencing to screen exterior mechanical equipment. This proposed solution does not appear to blend well with the building and may create maintenance concerns.

Section SG17 states to: *“Design garbage enclosures that are external to the building with the same materials as the building and ensure that the wall height is sufficient to completely conceal garbage dumpsters.”* A dumpster pad with a

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screen wall is shown on the site plan. A note has been added to the plan that says the pad and gate will match the appearance of the building but no details were provided.

Chapter 4 of the manual addresses landscaping and site design and recommends:

- *“landscape features to emphasize the public streets and enhance the streetscape”*
- *“landscaping that is of a scope and size that is in proportion to the scale of the development”*
- *“landscaping the areas in front of blank walls that face public streets or other public areas”*

A new landscape plan has not been provided. The previous submitted plan did not meet the requirements of the Landscape Ordinance or the Appearance Manual.

Chapter 6 of the manual addresses sign related items. Signage is permitted under a separate permit, but the resubmitted elevation and site plan show signage that exceeds the allowable number of signs for the site. This is due to the existence of two billboards currently located on the property.

The Board was asked to review the new proposal to determine whether it meets the Town’s appearance standards. Mr. Hanson stated that there were several people here representing Storage Units Lexington to answer any questions and Director Walker was present to address landscaping.

Chair Wilund called on Director Walker.

Director of Parks and Sanitation Walker addressed landscaping concerns, as defined in the Town’s Landscape Ordinance, following his review of the applicant’s landscape plan which was submitted after the Board’s package was sent. He used a tree survey layout of the property to show areas of concerns which were marked with different colors to indicate trees that were to be removed (orange) and trees that were not marked to come out (yellow), but with the amount of grading needed these trees will not survive. He added that several trees were not labeled as to type of tree. Mr. Walker stated that 616 inches of hardwood trees, which are protected, were to be removed from the property, not counting the pine trees and pecan trees, and the applicant was going to replace them with 40 inches of trees. He stated those trees to be removed included two 42 inch oaks, one 40 inch oak, thirteen 39 inch oaks and one 30 inch magnolia near the front that is to come out and is probably 80 to 90 feet tall. Director Walker directed the Board to a landscape drawing that he received last Friday and addressed the following landscape concerns:

- (1) At the right corner of the building three palm trees are to be removed or transplanted and Director Walker only saw one that is replaced. He added that

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the property next door is non-compliant and with the palms removed it makes it worse.

- (2) On the right side of the building the parking lot shows screening with 3 to 5 foot tall evergreens. The rest of the parking lot around the building, which includes drive ways, is not screened. The parking lot requires screening, not just the parking spaces.
- (3) A three story building with no softening effects from landscaping. The building is a long stretch, not counting the back of the building which faces the woods and with the elevation you can see two sides of the property. He added that those two walls do not have anything but sidewalks.
- (4) The total project removes 616 inches of trees. The applicant is only replacing it with 40 inches using 16 large canopy trees consisting of two and one-half inch caliber trees that are 12 feet tall. Director Walker stated that there are 14 trees across the front where there is 470 feet of street frontage and the proposed trees would grow into 40 to 80 foot trees but not for a long time.

Director Walker concluded that using the scale of the drawing, it looks like a lot of landscaping, but based on the size of the property it is actually minuscule. He added that he would get raked over the coals for all the oak trees being removed from this property. He stated that they need more trees and more screening.

Chair Wilund thanked Director Walker and called on the applicant.

Mr. Steve Patel, 1022 West Georgia Road, Simpsonville, SC, stated that he is part owner and developer of the property. He provided the Board with additional landscape drawings and indicated that they had added more landscaping. (Four copies were provided to the Board.) Mr. Patel added that the idea of leaving some of the large trees was to help hide the large building as much as possible, but unfortunately some of the trees have to come out. He stated that their Landscape Architect is already working with Mr. Walker. Mr. Patel stated that the property is 7 acres and they are only disturbing 2.9 acres for the project. He asked the Board to please take all this into consideration when making their decision and they planned to pay more attention to all the details. Mr. Patel stated that they had made many changes since the last meeting including:

- (1) The dumpster pad and the heating and air conditioner unit screening will match the building and it would not be wood. Mr. Patel added that they are willing to make any changes, but the drawing should give the Board some idea of what the wall would look like.
- (2) They made changes to the back where the concern was about the doors and they have removed the doors from the plan which is replaced with stucco and brick.
- (3) They reshaped the building as much as they could and tapered the corners by 40 feet on each side bringing the 280 feet exposure down to 180 feet with the pop out in the front which adds a 3D effect to the building. Mr. Patel stated that they had already cut the square footage

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once and this is the second time so there is not anymore square footage to cut. They hoped to come to a conclusion and determine what is comfortable for the Board.

Chair Wilund stated that the applicant had made some good steps in stepping the building back, but more needs to be done. He referred to the Appearance Manual and wished to read Section SG2 again which states: *“Ensure that the structure is not of such mass that it dominates its surroundings or adjacent development. Use architectural form and detailing to reduce the appearance of the mass of the structure....Design upper areas of taller structures to minimize their visual appearance. Larger structures will require a greater degree of sensitivity to site location and inclusion of larger forms of landscaping.”* Chair Wilund stated that this section is why he is still struggling with the building design because it is such a mass. He added that it also has so many styles of materials and too little windows even though it is not conducive to windows, they can be incorporated more so than what is shown. Chair Wilund stated that his general comments were to include more windows especially on the ground elevation and on the corners of the building. He added that the previous submittal had a wall that turned the corner and that is not on this submittal. He had hoped that would be added to, not taken out, because it would help take down some of the mass. Chair Wilund stated that one of his items was on the first step back which appears to be six (6) feet back and he thought it should be at least ten (10) more feet back in order to have adequate landscaping. Chair Wilund stated that another item was discussed by Board Member Rogers at the last meeting and it has to do with height variations, especially on the ends of the building, not just step backs. He added if there were some step downs in the front and make it two stories before it is stepped up which would dramatically bring the building down in scale. He stated that they had already mentioned screening requirements, a compliant landscape plan as well as compliant signage and lighting. Chair Wilund concluded that was his list of issues and these items need to happen in order to be compliant with the Town’s appearance standards.

Mr. Patel asked if the step back referred to was vertical. Chair Wilund demonstrated by using one of the building photograph and stated that if near the corners were two story instead of three stories then that would be the step back vertical. He added that he was not saying to bring it all the way back to the full 102 foot depth of the building. Chair Wilund stated again that the height variation was also important. Mr. Patel stated that is a concern to bring the mass down in size and as far as the architecture, there’s no other way than cutting the square footage even further. He added that the problem with bringing it down one story is there would be a lot of blasting and that did not make sense to them. Mr. Patel asked if they could improve the landscape further and see how Mr. Walker feels about it. He stated that from what he understands they need to hide the building and make some changes. Chair Wilund stated that they still need to incorporate the points that he made with even more setback to allow for landscaping even if it is minimal on the vertical part that you get some step back to the building from a three story to a two story. Mr. Patel stated that he understood what Chair Wilund was saying but he did not think it was possible at this point. He added that the

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changes regarding step backs would have to go below the ground and that would be tough. Chair Wilund stated that you are filling as you go further which would allow you to dig without hitting dirt because you would be above it.

Board Member Addy asked if it was possible, based on the grade of the property, to lower the front of the building then the front landscaping would look bigger in relation to the building. Mr. Patel responded that he would have to look at that. He added that one problem they had by cutting square footage at the front was the internal layout of the building so far as how the units are formed. Board Member Addy stated that any effort to cut down the front of the building would reduce the height which is one of the main issues. Mr. Patel responded that he agreed, but they were trying to figure out how. He stated that other than what they see here, the only option they have is blasting and bringing it forward. He added that most of the requested changes could be worked out with the architect.

Chair Wilund stated that he would encourage the architect to go down on the back of the building because you are dropping off that much. Mr. Patel stated that there is a major drop off in the back which is why they have a retaining wall.

Mr. Tom Britt, Civil Engineer, stated that they have rock at four to five feet below in the front. He added that the rock follows the slope in the back and he was not sure they could achieve an 11 foot difference without any more rock, but they could look into it.

Chair Wilund stated that they would not resolve all the issues tonight. Mr. Patel stated that he understood what the Board was saying. He asked them what type of business they thought would be the best and highest use of this property based on zoning. Chair Wilund stated that he could not answer that because he was not in that business. Mr. Patel stated that zoning allows their project so far as height and width, so how could they work together to mitigate the exposure that they have. He added that the only conclusion after what they have done here, without losing all the square footage which is compromising the overall cost and revenues, is to increase the landscape which is not an issue and it can include tall trees.

Mr. Patel stated that Mr. Brad Brodie, partner with Storage Units Lexington, LLC, attended the last meeting but could be present tonight. He and Mr. Brodie did look at moving the building back after the last meeting and making the building two stories, but they ran into problems on both. Mr. Patel asked where do they go from here. Chair Wilund responded that he understood Mr. Patel's points, however, there is still a big gap between what was submitted and what is set as standards in the Appearance Manual that the Board has to review versus what is allowed by zoning. He recommended that the applicant take these items, figure out how to make the revisions and resubmit their proposal back to Staff. Mr. Hanson recommended to the applicant that he bring his architect back next time so they could talk architect to architect. Mr. Patel responded that he could do that but his architect is from Orlando. Mr. Patel asked if it is possible to email their initial revised plans to Mr. Hanson, much like they are doing with landscape to Mr. Walker, instead of coming back to another meeting. He added that he and

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Mr. Brodie do not mind coming to a meeting and getting their opinions, but in the process they are losing a lot of time. He added that they are trying to get to what the Board wants, but somehow they are not getting there. Mr. Patel asked how do they stay in communication so that in another month when they are standing here that the Board feels confident about the project. He stated that within that month, can they go back and forth with emails to see if ideas will work so they can get something to the Board as quickly as possible. Mr. Hanson responded that he has no problem forwarding emails with different elevations to the Board to get their comments, but the request will still have to come back to a meeting for a final, on the record, approval. Mr. Patel agreed and stated that he thought it would save time for everyone. He added that they originally had a restaurant that wanted to go on this property, but they were concerned about the traffic on Highway 378, plus the numbers did not work so it did not happen. Mr. Patel thought they were half way there and he would look for the Board's comments as they forward emails to Mr. Hanson.

Board Member Oswald stated that the applicant would still need to work with Mr. Mr. Walker and the Board regarding landscaping because it appears to still be an issue. Mr. Hanson responded that the applicant's landscape architect and Mr. Walker are already in communication with each other. Mr. Walker stated that when the applicant agrees with the changes they will still present them to the Board and he and their landscape architect can work out the softening of the landscape at the building, especially since he now has a rendering. Mr. Hanson stated that they can only present items to the Board when they are received. Board Member Oswald wished to confirm that the landscaping issues would be handled by Mr. Walker and that Mr. Hanson did not have a problem forwarding emails to the Board from Mr. Patel. Mr. Hanson responded that he did not have an issue forwarding emails, plus he and Mr. Patel would discuss deadlines associated with getting the items to Staff in time to present them to the Board before the next meeting. Mr. Patel thanked the Board and confirmed that the next meeting would be May 10, 2022.

Chair Wilund asked the Board if they had any additional questions. There being none, Chair Wilund made a motion to deny the second proposal for Storage Units Lexington, LLC as submitted and recommend revisions as previously discussed and forward a resubmittal to Mr. Hanson prior to a deadline set for next meeting. The motion was seconded by Board Member Oswald. The motion was unanimously carried by all those present.

ADJOURNMENT: There being no further business, comments or questions, Chair Wilund adjourned the meeting. The motion was unanimously carried by all those present. The Board of Appearance meeting adjourned at 6:11 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.