



**PLANNING COMMISSION  
STAFF REPORT**

**Prepared by:** Kevin Small, Director  
Dept. of Planning & Community Development  
**Date:** February 22, 2024  
**Meeting Date:** March 7, 2024

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**General Information**

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***Applicant:*** ChickFilA

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***Owner/Operator:*** Wilimar, LLC.

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***Status of Applicant:*** Operator of establishment

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***Location:*** 408 Baltimore Pike (US Route 1 – Business)

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***Lot/Building Size:*** The site consists of 1.288 acres (existing building consists of 4,802 square feet).

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***Requested Action:*** Modify the existing Special Development for a Drive-Thru service use to include two drive lanes.

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***Zoning:*** B-3, General Business

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***Existing Land Use:*** Restaurant with Drive-Thru Facility and Outdoor Dining

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***Surrounding Land  
Use & Zoning:***

The adjoining Town properties are zoned B-3 to the northeast, southeast and southwest of the site. The adjoining Harford County property to the northwest is zoned B-3 (General Business). The adjoining Town property to the northwest is zoned R-1 (Low Density Residential). The properties to the northwest are developed as single family residential. The property to the northeast is developed as a bank with drive-thru facility. The properties to the southeast are developed with a mix of retail, and service uses. The properties to the southwest currently developed with a mix of retail uses and service uses in the Bel Air Town Center shopping center.

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***Comprehensive Plan:***

The Bel Air Land Use Plan shows the development site and the surrounding land, to the northeast, southeast and southwest, designated as *Commercial*.

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***Zoning History:***

A Drive-Thru Facility use is permitted as a Special Development in the B-3 General Business district. The Site was approved for a restaurant with drive-thru service and outdoor dining in 2017 in Case No. 06P-17-01-SP-SD. A canopy was added to the drive-thru use in 2021 as Case No. 09P-21-01-SD. Both approvals are attached to this staff report.

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***Applicable Regulations:***

Applicable sections of Chapter 165 Development Regulations are as follows:

- Article III (Sect. 165-32. B-3 District);
  - Article VII (Sect. 165-53 Performance Standards and Development Guidelines);
  - Article XI Permits and Procedures (Sect. 165-82 Building Permit)
  - Article XII Appeals; Variances; Special Exceptions; Special developments (Sect. 165-94 Special Developments); and,
  - Permitted Use Tables, Table 3-7, Service Uses.
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**Public Utilities & Services:** Public utilities are currently provided to site.

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**Transportation:** Baltimore Pike (U.S. Rte. 1 Business) is classified as a Principal Urban Arterial. South Kelly Avenue is classified as a Local Street.

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**Environmental Assessment/Physical Characteristics:** The property has no environmentally sensitive features and is comprised of a generally level area along Baltimore Pike while gently sloping from the northern side of the site to the southeast corner.

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**Landscaping, Lighting & Amenities:** Residential properties on the northwest side of the Site are screened by a solid vinyl fence augmented with landscape.

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**Performance Standards:** The general performance standards in Section 165-53.B apply. The performance standards specifically for Drive-thru service use, Section 165-53.I(2)(c) apply.

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**Architectural Review:** Not applicable.

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**Analysis:**

The Applicant is requesting approval to expand the existing drive-thru lanes from a hybrid of one/two lanes to two lanes. It is difficult to ascertain the extent of the expansion to the canopy from what was approved in 2021. The applicant must provide a highlighted Site Plan showing the existing approved canopy and the proposed canopy.

**SITE & LANDSCAPE**

The Drive-Thru Facility associated with the Restaurant use exists. The proposed (and previously approved) canopies are flat horizontal metallic planes supported by metallic columns wrapped in

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brick. The brick must match the brick on the existing building. The canopy must match the scale and color of the overhangs attached to the building over the doors and windows.

- The changes to the site remove and replace several landscape elements around the disturbed area of the drive-thru with no net loss of vegetation.
- The shrub screen along both roads is proposed for replacement since the existing plant material is deficient due to decay. One street tree appears to be missing from the frontage along Kelly Avenue.
- The exit from the drive-thru uses pavement striping to direct vehicles to one exit lane. The Town staff feel this is not enough to aid drivers exiting the drive-thru. To avoid conflict with both pedestrians and vehicles, it is recommended ChickFilA extend the concrete curb or provide textured paving as an added safety measure.

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### **Recommendations:**

The Planning Commission must provide a 2022 Comprehensive Plan consistency determination for the proposed development as required by Town Code § 165-19.

### **Special Development**

Approval of the Special Development for Drive-Thru service use must be based upon the following findings of fact that the applicant has adequately demonstrated the proposed Drive-Thru service use continues to meet the performance standards of Section 165-53.I(2)(c) addressing the following performance standards:

1. The use is designed so that pedestrian safety is maintained, and vehicular circulation is improved with the addition of another lane which will lower potential impact of adjacent properties based upon the February 7, 2024, traffic letter from Traffic Concepts.
2. Drive-thru lanes are marked with distinctive pavement markings and/or special striping and the proposed improvement will add measures which addresses the blocking of exit or entry to off-street parking spaces required on the site.
3. Adequate spaces for stacking at drive-thru facilities are provided.
4. Noise from speaker systems is regulated to meet State of Maryland standards for control of noise pollution.
5. Drive-thru windows and vehicle queuing lanes are located along the side and rear facades and not between the building and primary public right-of-way.

### Site Plan

At a minimum, approval of the modification of the Drive-Thru service use is conditioned on the following:

Prior to Building Permit Application, submission of a Final Site Plan for signature incorporating comments from this staff report, and comments from:

1. Bel Air Dept. of Public Works dated February 20, 2024
2. Bel Air Dept. Planning & Community Development comments:
  - a. Adjust curb or paving at the drive-thru exit to assist in directing vehicular traffic.
  - b. Add Planning Commission signature block.
  - c. Architectural elevations for the adjusted canopy are in harmony with the existing building design and material.

### Landscape Plan

Prior to Building Permit Application, submission of a Final Landscape Plan for signature incorporating comments from this staff report, and comments from:

1. Bel Air Dept. of Public Works dated February 20, 2024
2. Bel Air Dept. Planning & Community Development comments:
  - a. Replace missing street tree on Kelly Avenue.



Kevin L. Small, AICP, RLA  
Director of Planning & Community Development

**Attachments:** Application with description of Proposed Use  
Performance Standards Checklist for Drive-Thru Facility Use (annotated)  
Site Plan  
Landscape Plan  
Architectural Elevations  
Traffic Letter



# TOWN OF BEL AIR

DEPARTMENTS OF PLANNING AND PUBLIC WORKS  
705 E. CHURCHVILLE ROAD  
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## MEMORANDUM

To: Kevin Small, Director of Planning

From: Stephen Kline, Director of Public Works *A.D.K.*

Date: February 20, 2024

Subject: Site Plan Review – Chick-Fil-A.

A review has been made of the Site Plan provided by Bohler dated 12/08/23 for the above referenced project. The following comments are provided as a guide for revisions:

Sheet C-301

1. Show the Town Corporate line.
2. Show all utilities to the main.
3. Show soils chart.

Should you have any questions regarding this matter, please feel free to contact me directly.

Cc: DPW file



# TOWN OF BEL AIR

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June 2, 2017

John Martinez  
Chick-fil-A, Inc.  
5200 Buffington Road  
Atlanta, GA 30349

Re: 408 Baltimore Pike  
Site Plan, Landscape Plan & Special Development  
06P-17-01-SPSD

Dear Mr. Martinez:

The Bel Air Planning Commission reviewed your request at its June 1, 2017 meeting for Site Plan and Landscape Plan approval of a 4,793 square foot (122 seat) Restaurant with outdoor dining and Special Development review of drive-thru service to be located at 408 Baltimore Pike. The application was approved conditioned on the following:

### Special Development

The proposed Drive-Thru service Special Development was approved based upon the following findings of fact:

1. Pedestrian and vehicle circulation is coordinated with adjacent properties.
2. Drive-thru lanes are marked and do not block off-street parking or access.
3. Adequate vehicle stacking is provided.
4. Noise from the speaker systems meet applicable State Standards for Noise Pollution.
5. Vehicle queuing lanes are located along the rear and side yards and not between the primary road and building.

### Site Plan

The Site Plan was approved as conditioned on the following:

1. Submission of a final Site Plan for signature prior to building permit incorporating comments from the staff report and from:
  - a. Department of Public Works memo dated May 22, 2017.
  - b. Harford County Health Department letter dated May 15, 2017.
  - c. Harford Soil Conservation letter dated May 15, 2017.
  - d. Maryland State Highway letter dated May 18, 2017.

2. Address comments from the Town architectural consultant dated May 20, 2017 and add a railing along the drive-thru near the building access.
3. Reduction of area lighting height to 20 feet along the northern boundary.
4. Address Traffic Impact Analysis comments from the Town traffic consultant dated May 24, 2017 and from Maryland State Highway (pending).
5. Addition of an 8'-0" vinyl fence along the northern property boundary.
6. No restriction is to be placed on the times for loading and unloading.

Landscape Plan

The Landscape Plan was approved as conditioned on the following:

1. Submission of a final Landscape Plan for signature prior to building permit incorporating comments from this staff report.
2. Substitution of Littleleaf Linden for selected Swamp White Oak along US Business Route 1 and inclusion of spacing in plant schedule.

Sincerely,



Phil Raub, Chair  
Planning Commission

The signed original of this letter, indicating concurrence by the owner/developer with the conditions as stated herein and on referenced material, must be returned within sixty (60) calendar days of the date of this approval.

I hereby accept the conditions of this site plan approval.

\_\_\_\_\_  
Owner/Developer - Signature

\_\_\_\_\_  
Date

6-7-17

John Martinez, Development Manager  
Owner/Developer (Name & Title) - Print

Cc: Planning Commission  
Kevin Small, Director of Planning & Zoning  
Bel Air Town Commissioners  
Jesse Bane, Town Administrator  
Charles B. Keenan, Jr., Esquire, Town Counsel  
Bill Watters, Wilimar, LLC.  
Andrew Stine, Bohler Engineering  
File



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DIRECTOR OF PLANNING  
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DIRECTOR OF PUBLIC WORKS  
Stephen D. Kline

September 10, 2021

Chick-fil-A  
c/o Interplan LLC  
220 East Central Parkway, Suite 4010  
Altamonte Springs, FL 32701

Re: 408 Baltimore Pike  
Chick-fil-A  
09P-21-01-SD

Dear Ms. Lillie Malave:

The Bel Air Planning Commission reviewed your request at its September 9, 2021 meeting for a Modification to the current Special Development approval for a Drive-Through Facility by the proposed addition of two (2) canopies at the above referenced address.

## Special Development

Approval of the Special Development is based on the following findings of facts:  
The applicant adequately demonstrated that the proposed Drive-Through Facility Use continues to meet the following performance standards:

1. The use is designed so that pedestrian and vehicular circulation is coordinated with that of adjacent properties. There is no change to the traffic requiring an update to the study.
2. Drive-through lanes are marked with distinctive pavement markings and/or special striping and does not block exit or entry to off-street parking spaces otherwise required on the site.
3. Adequate spaces for stacking at drive-through facilities are provided. Specifically, five stacking spaces are provided from the first window or bay, plus two for each additional station (intercom).
4. Noise from speaker systems is regulated to meet State of Maryland standards for control of noise pollution.
5. Drive-through windows and vehicle queuing lanes are located along the side and rear facades and not between the building and primary public right-of-way.

Letter of Approval  
Special Development  
408 Baltimore Pike [09P-21-01-SD]  
Attn.: Ms. Lillie Malave (Interplan, LLC)

September 10, 2021  
page 2 of 3

Prior to Issuance of a Building Permit

Any incomplete development requirements, including but not limited to the missing trees and the SWM as-built plans, must be addressed to the satisfaction of the Director of Planning and the Director of Public Works, prior to issuance of any building permit.

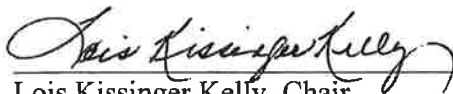
Special Development Use Request modification for addition of Canopies

Approval of the modification is conditioned on the following:

1. Prior to Building Permit Application, submission of a Final Site Plan for signature incorporating comments from this staff report, and comments from:
  - a. Bel Air Dept. of Public Works comments:
    - i. Obtain approval of all stormwater management as-builts.
  - b. Bel Air Dept. Planning & Community Development comments:
    - 1) Replace missing required trees.
    - 2) Revise the Site Plan.
      - a) Complete the Owner's Certification block.
      - b) Complete the Engineer's Certification block.

Should you have questions regarding this approval, please do not hesitate to call the Planning Department.

Sincerely,



Lois Kissinger Kelly, Chair  
Planning Commission

Letter of Approval  
Special Development  
408 Baltimore Pike [09P-21-01-SD]  
Attn.: Ms. Lillie Malave (Interplan, LLC)

September 10, 2021  
page 3 of 3

The signed original of this letter, indicating concurrence by the owner/developer with the conditions as stated herein and on referenced material, must be returned within sixty (60) calendar days of the date of this approval.

I hereby accept the conditions of this site plan approval.



Owner/Developer – Signature

12-9-2021

Date

Randy Eastep – Operator

Owner/Developer, (Name & Title) – Print

Cc: Planning Commission  
Kevin Small, Director of Planning & Zoning  
Rowan G. Glidden, Senior Planner  
Bel Air Town Commissioners  
Jesse Bane, Town Administrator  
Charles B. Keenan, Jr., Esquire, Town Counsel  
File



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February 7, 2024

received  
2/7/24

Kevin Small  
Planning Director  
Town of Bel Air  
705 E. Churchville Road  
Bel Air, MD 21014

RE: Chick-fil-A - Bel Air  
408 Baltimore Pike  
**TRAFFIC STATEMENT**  
Harford County, Maryland  
Our Job No.: 2024-0152

Dear Mr. Small:

The Traffic Group, Inc. has prepared this Traffic Statement to demonstrate that the proposed modifications to the existing Chick-fil-A restaurant within the Town of Bel Air will not increase trips to the site. Specifically, modifications are proposed to the drive-thru component of the restaurant, which will add a second lane and canopy space to the building. No changes are proposed to the square footage of the restaurant itself nor will any additional seating be offered.

**Site Information**

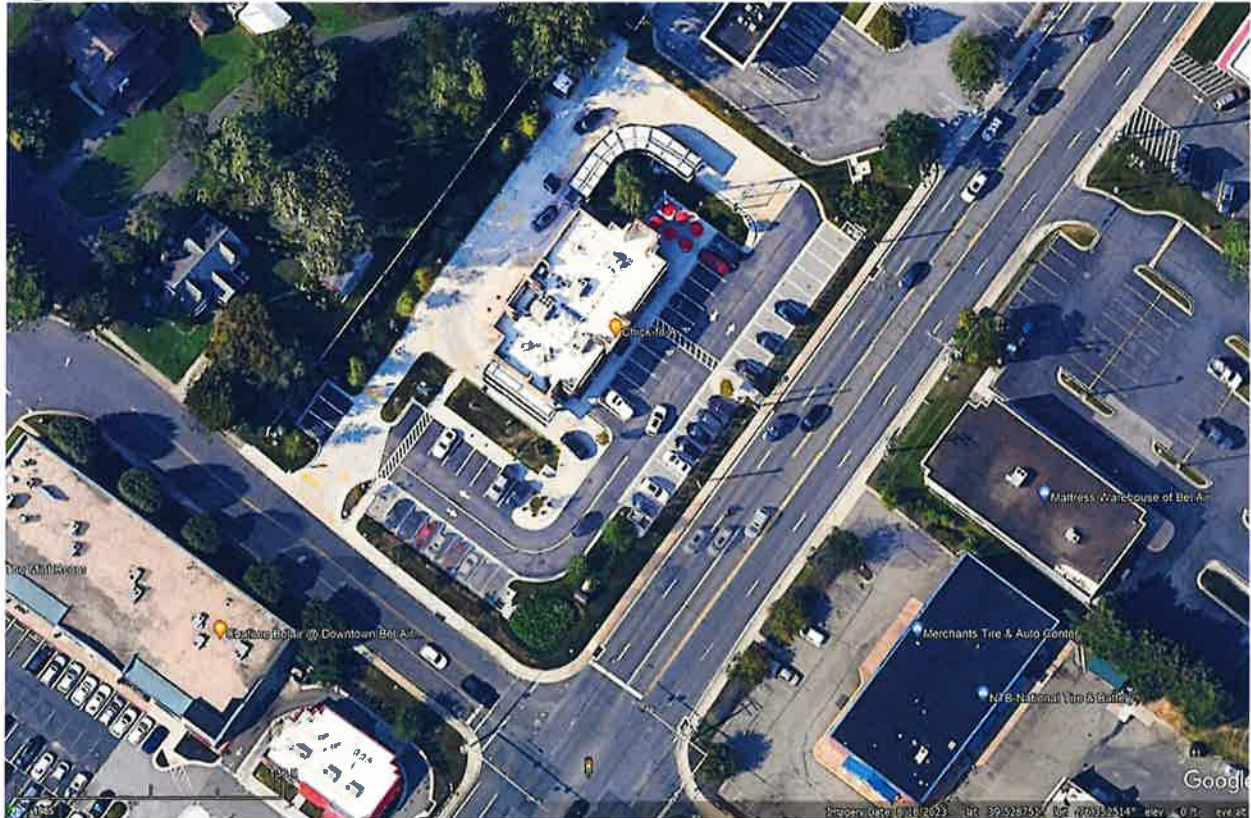
Chick-fil-A – Bel Air is located at 408 Baltimore Pike. More generally, the site is situated on the west side of the roadway north of Kelly Avenue and north of the Bel Air Town Center Shopping Center. A map showing the general area can be found in Figure 1.

**Figure 1. Site Map**



Access to the property is available via one point along Kelly Avenue, which operates under stop control. The access point is situated approximately 135 ft west of US 1 Business. As traffic accesses the Chick-fil-A – Bel Air site, it turns to the right to access the parking stalls or drive-thru lane. Aside from the drive-thru itself, all traffic within the site is two-way. An aerial photograph showing the property can be found in Figure 2.

**Figure 2. Aerial Photo**



The existing restaurant consists of a 4,802-sq ft structure. It contains a two-lane drive-thru that merges to a single pickup window.

### **Proposed Modification to Chick-fil-A**

To better serve existing customers, Chick-fil-A is proposing to add a full second drive-thru lane and order pickup point to the existing restaurant. There will not be an interior expansion or modifications proposed in conjunction with this change. The existing footprint of the restaurant will remain at 4,802 sq ft. No additional seating will be provided. Figure 3 shows the proposed modification.

The Institute of Transportation Engineers (ITE) Trip Generation (11<sup>th</sup> Edition) is typically utilized to project trips associated with new developments. The document provides trip rates and equations based on different parameters and land uses. In this case, Land Use Code 934 (Fast Food Restaurant with Drive-Thru Window) is most appropriate. The variable that has the most data is vehicle trip ends per 1,000 sq ft of gross floor area. Since the gross floor area of the existing restaurant remains unchanged, no additional trips will be generated.



Similarly, representatives from Chick-fil-A do not anticipate an increase in trips as the restaurant is existing and customers will not notice any changes to the interior of the site. The addition of the second drive-thru lane will simply enhance operations for existing customers.

Site circulation for vehicles and pedestrians will be maintained as they currently exist. Improvements are limited to widening the drive-thru lane and modifying the location of the trash enclosure. All circulation for the site will remain internal. Adequate space is provided within the drive-thru lane as required by the Town of Bel Air.

**Summary and Conclusions**

Since no additional trips will be generated by the proposed drive-thru modification to Chick-fil-A – Bel Air, it is our opinion that no additional traffic analysis is needed to support the proposed drive-thru modification. All requirements with regard to the Town of Bel Air’s request are satisfied.

If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely,



Professional Certification – I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No: 20931 Expiration Date: 1/1/2026

Carl R. Wilson, Jr., P.E., PTOE, RSP  
Vice President

CRW:amr

(M:\Proposals\2024\2024-0152\_Chick-fil-A - Town of Bel Air\DOCS\CORRESP\ANALYST\Traffic Statement\_Small.docx)