



PLANNING COMMISSION

Prepared by: Kevin L. Small, AICP, RLA

Date: April 24, 2025

Meeting Date: May 1, 2025

Case No. 5P-25-01-SD/SP/LP

General Information

Applicant: J. Nguyen Lam, LLC.

Owner/Operator: J. Nguyen Lam LLC.

Status of Applicant: Owner / Developer

Location: 102 N. Bond Street

Lot/Building Size: The development site is 15,000 square feet with no structures

Requested Action: The Applicant requests approval for Site Plan and Landscape Plan for a one story 3,300 sf building for a restaurant and nail salon. The applicant also requests approval of a Special Development for Outdoor Dining. The applicant is proposing a waiver to provide stacked parking.

Zoning: B-3A, General Business Gateway District

Existing Land Use: Vacant property

Existing Land Use: 102 N. Bond is undeveloped

Surrounding Land

Use & Zoning:

Surrounding properties are zoned B-3A General Business Gateway District to the north/south of the site, B2 Central Business District to the east across Bond Street, and B2A Central Business Gateway to the west and southwest. There are also R2 Medium Density Residential and R1 Low Density Residential zones to the west and northwest of the site. Uses include commercial along Bond Street both south, east and north of the site, a house of worship is located directly west and abutting the property and residential to the west and northwest of the site. 108 N Bond Street abuts the north property line and is historically designated as the Norris House (HA-1349). There are other historically inventoried properties west of the project along Alice Anne Street.

Comprehensive Plan:

2022 Comprehensive Plan designates subject property as Commercial

Zoning History:

102 N. Bond Street had a private residential home which was demolished in 2013.

Applicable Regulations:

Chapter 165, Article III (B3A Zoning), Article VII (Outdoor Dining performance standards), Article XII (Special Development) Specific Sections – 165-33.C(4) (Building Height and Setbacks), 165-51.F(1)(e) (Stacked Parking); 165-94 (Special Development criteria), and Table of Lot Requirements 165-33 (B3A District). Development adjacent to a Historically designated property found in Sections 165-24.E, 165-41.A(6), and 165-51.B(1)(i),

Public Utilities & Services:

The property is served by Maryland American Water Company and Town of Bel Air sewer. Bel Air Police and Bel Air Volunteer Fire Company also provide emergency services to this property.

Transportation: This property has frontage on North Bond Street (State Road) and Alice Anne Street (Town Road). Alice Anne Street has two existing access points to the site.

Environmental Assessment/Physical Characteristics: The Site has no existing development and has several large trees. The applicant has submitted Forest Conservation documents indicating no requirement for forest replacement, however, it appears Section 165-45.B(2) applies since the site is less than 40,000 sf and contains specimen trees.

Landscaping, Lighting & Amenities: A Landscape Plan and Photometric Plan have been submitted for review.

Architectural Review: Architectural elevations have been submitted for review. Comments from the Town Architectural Consultant are pending and will be provided under separate cover.

Analysis:

The Applicant is requesting Site Plan and Landscape Plan approval for a 3,300 square foot one-story commercial building to be constructed on a 15,000 square foot vacant lot in the B3A (General Business Gateway) zoning district for a restaurant and nail salon. Associated with the restaurant use, a special development for outdoor dining is proposed. A waiver for stacked parking is also requested.

SITE & ARCHITECTURE

The proposed building will contain a 2,200 square foot restaurant and a 1,100 square foot nail salon which both are permitted in the B-3A zone per Table 3-7, Service Uses are subject to applicable code requirements. These requirements are addressed in the performance standards attached to the application. Together, these uses require 22 parking spaces. Twelve (12) spaces are required for the 36 seat restaurant and ten (10) spaces are required for the five (5) station nail salon. The developer is proposing 23 spaces accessed from Alice Anne Street.

Sixteen (16) of these spaces are proposed to be tandem or stacked spaces. Section 165-51.F(1)(e) allows the Planning Commission to approve stacked parking provided there is no adverse impact on the use or circulation. While a letter was provided to address an exemption from a traffic study, no statement has been provided by the applicant regarding the justification for this parking arrangement and it is assumed this will be addressed at the hearing. Past developments have been approved for proposals that consist entirely or in-part of residential uses. It is the opinion of staff that residential, or office uses have more control of parking operation than service uses where walk-in patrons are monitored to a lesser degree. The concern is that vehicle overflow may impact the on-street parking along Alice Anne Street to a greater degree when spaces are less available on-site. The applicant is encouraged to explain how this proposed parking organization would work at the hearing. While the location of the refuse/recycling enclosure meets code, it is suggested the enclosure be 3'-0" from the property line.

The building footprint extends to the N Bond Street right-of-way which is permitted by the B3A zoning design standards. However, the adjacent historically designated property is setback approximately seven (7) feet from the right-of-way and may be impacted by the location of the larger proposed building. It appears there is room between the proposed building and parking to move away from the right-of-way and provide some consistency in the architectural relationship to the road along N Bond Street. Four (4) parallel metered spaces are proposed for removal by the new site entrance as shown on the plan. The applicant is encouraged to describe how the proposed site access is coordinated with the existing on-street parking and whether the two existing curb cuts along Alice Anne Street that will be removed with this development. The applicant must work with the Department of Public Works during engineering review to determine the most efficient method of site access that would eliminate the least number of on-street spaces. A pedestrian connection from the proposed parking lot to Alice Anne Street should be provided to maintain connectivity.

The applicant has provided several colored elevations of the development that indicate the proposed architecture. These renderings have been provided to the Town architectural consultant for review and comments are pending. Staff has also reviewed the elevations and offers the following:

1. The proposed building consists of red brick veneer, gray hardie panel, cream colored hardie plank siding, and a flat roof along with extensive storefront glass.
2. The adjacent Historically Designated property (108 N Bond Street, HA-1349 – Norris House) has cream-colored siding with a copper standing seam gable roof (photos attached).
3. Development Regulations Section 165-24.E, Section 165-41.A(6) and Section 165-53.B(1)(i) all require that proposed development adjacent to historically designated properties be compatible in color, size, material, and mass with the historic property.

4. With the exception of the cream-colored siding covering approximately 15% of the façade, the proposed architecture does not reflect the same colors or materials of the adjacent historic building.
5. Section 165-33.B(4) requires a minimum of 60% of the façade be occupied by glass as demonstrated by Figure 165.30.VI. The Planning Commission may approve an alternative proposal with input from the Town architectural consultant.

SPECIAL DEVELOPMENT

Outdoor Dining is proposed at the corner of N Bond Street and Alice Anne Street associated with the restaurant use. The exterior dining capacity cannot exceed 27 seats (75% of the interior seats) without additional parking. This area is considered seasonal and cannot be enclosed without additional parking provided. Performance Standards found in Section 165-53.I(2)(i) that restrict amplified music, public address, live entertainment and recreational games are provided by the applicant. The Planning Commission may place conditions on other aspects of the operation of the dining area if desired.

LANDSCAPE

The development is extensively landscaped with a substantial buffer along the north property line and along Alice Anne Street. Parking lot buffering and interior landscape are adequately provided. It is recommended that one additional tree (or relocated tree) be placed in the island east of the site entrance. Consideration should be given to providing a vegetative buffer to the adjacent house of worship. Any proposed installation or removal of trees in the State right-of-way requires MDOT approval.

Forest Conservation analysis has been provided. However, it is the assessment of the Planning & Community Development Department that Section 165-45.B(2) Woodland Areas and Unique Vegetation, applies to this property and additional trees are required to satisfy the code with regard to the removal of specimen trees.

The Photometric Plan provided by the applicant does not appear to direct light off-site and adheres to the requirements of the Town code.

Recommendations:

It is the recommendation of staff that the project be tabled to allow the applicant to revise the proposal based on the comments outlined below.

Comprehensive Plan

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

Site Plan

At a minimum, approval of the Site Plan 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. Harford County Health Department comments pending
 - b. Harford County Soil Conservation District comments dated April 21, 2025
 - c. Bel Air Public Works comments dated April 22, 2025
 - d. Bel Air architectural consultant comments pending
 - e. Maryland Department of Transportation comments pending
2. Revision to the Architectural Elevations to reflect the design, color, materials, and relationship to the street of 108 N. Bond Street consistent with 165-24.E, Section 165-41.A(6) and Section 165-53.B(1)(i) of the Town of Bel Air Development Regulations by applying comments in this staff report and those from the Town architectural consultant.
3. Revise the parking layout to eliminate the stacked parking spaces and allow access to all parking spaces as required by the Town code.
4. Coordination with the Bel Air Department of Public Works regarding the site access to address the removal and relocation of on-street spaces impacted by the development during engineering phase of review.
5. Provide a Pedestrian Connection to Alice Anne Street from the development parking area.
6. Adjust the location of the refuse/recycling enclosure to meet the typical minimum for accessory structures, 3'-0" from the property line.

Landscape Plan

At a minimum, approval of the Landscape Plan is conditioned on the following:

1. Prior to Building Permit issuance, submission, and approval of the Final Landscape Plan incorporating comments from the staff report.
 - a. Submission of revised Woodland Area calculations based on Section 165-45.B(2) of the Bel Air Development Regulations along with a notation on the Landscape Plan of the size of the existing trees.
 - b. Addition or relocation of one street tree adjacent to the site entrance from Alice Anne Street.

Special Development

Approval of a Special Development for an Outdoor Dining/Bar service use is based upon the following findings of fact that the applicant has adequately demonstrated the proposed dining area meets the following performance standards as provided in Section 165-53.I(2)(i):

- a. Amplified music or public address are not permitted between 9pm and 9am
- b. Live entertainment and recreational games are not permitted between 9pm and 9am
- c. Outdoor dining/bar will adhere to the requirements of Chapter 345 of the Town Code
- d. The exterior area is limited to 75% of the capacity of the principal permitted use. Any temporary enclosure must meet the provisions of Section 165-71.C
- e. No physical bar for the service of alcohol is proposed. Alcohol consumption or service in the outdoor area must be approved by the Harford County Liquor Board.



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

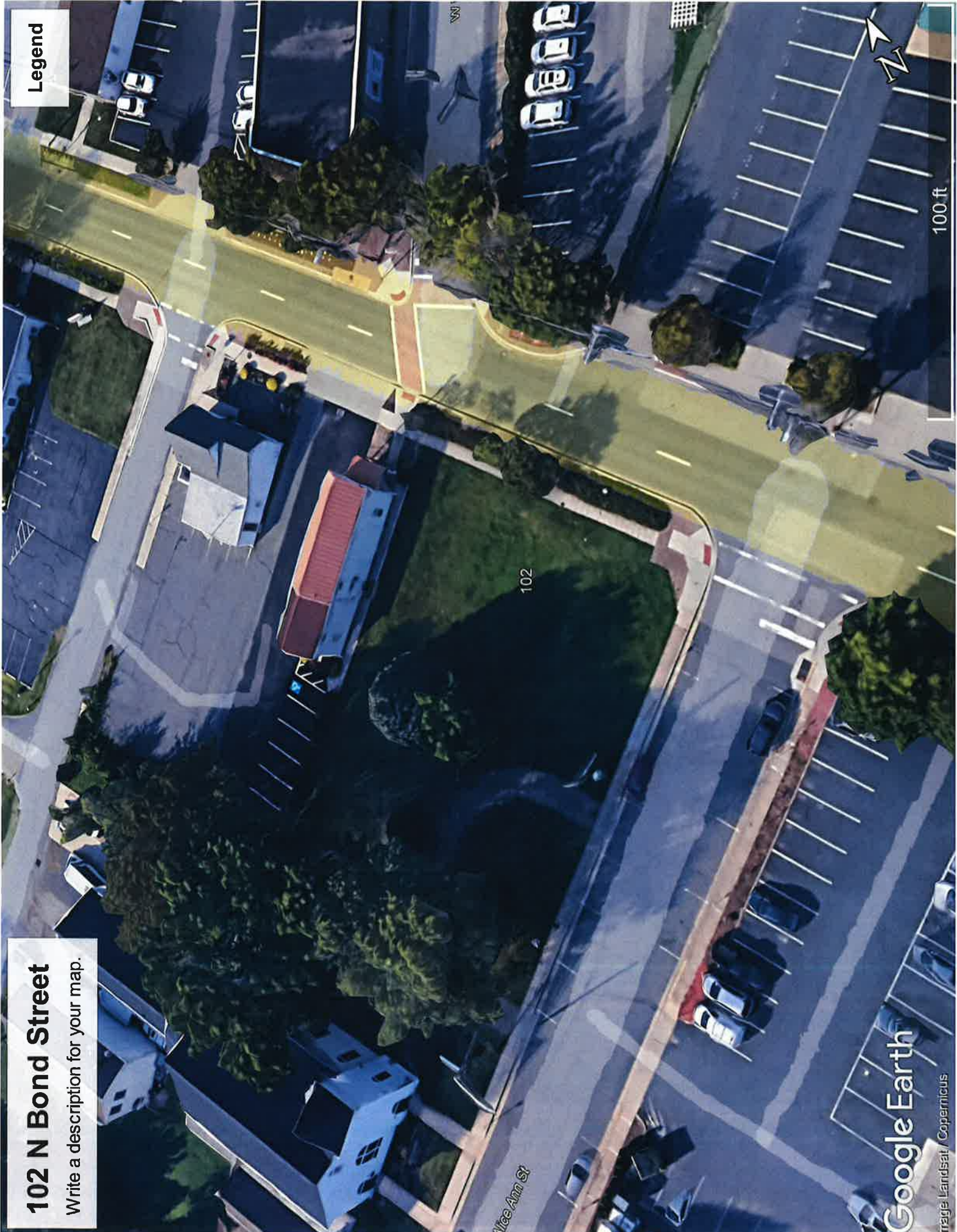
Attachments

- Application
- Performance Standards
- Site Plan
- Landscape Plan
- Aerial and photos
- Traffic exemption letter
- Architectural consultant letter
- Elevations
- Photometrics Lighting Exhibit
- Allied agency comments

102 N Bond Street

Write a description for your map.

Legend



Google Earth

Image Landsat / Copernicus

Alice Ann St

102

100 ft

102 N Bond



108 N Bond Street







TOWN OF BEL AIR

DEPARTMENTS OF PLANNING AND PUBLIC WORKS

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MEMORANDUM

To: Kevin Small, Director of Planning

From: Buddy Haight, Associate Engineer

Date: April 22, 2025

Subject: Site Plan Review – 102 North Bond St.

A review has been made of the Site Plan provided by Fredrick Ward and Associates dated 4/03/2025 for the above referenced project. The following comments are provided as a guide for revisions:

1. Provide spot elevations in the proposed parking lot
2. Show proposed handicap ramps at the entrance in the existing sidewalk.

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

Cc: DPW file



Harford Soil Conservation District

3525 Conowingo Road ♦ Suite 500 ♦ Street, Maryland 21154
(410) 638-4828 ♦ www.harfordscd.org

Date: April 21, 2025

To: Mr. Kevin L. Small, AICP, R.L.A.
Director of Planning & Community Development
Town of Bel Air Department of Planning and Public Works

From: Clarence W. Cullum Jr. PE
Harford Soil Conservation District

Subject: Site Plan – 102 North Bond Street

The following remarks are intended for the developer/owner/consultant:

The proposed construction will require an adequate sediment and erosion control plan. Either in the form of a Standard Plan or a full engineered plan, depending upon your final limit of disturbance and grading volumes. In either case the erosion control plan must meet the minimum standards per the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

The sediment and erosion control plan must be integrated with the SWM strategy during the design phases.

The site appears to be located within a Maryland Tier II High Quality Watershed. Tier II buffers should be noted and shown on the plans.

Sites located within a Tier II High Quality Watershed may need an additional level of sediment control. Please contact Angel Valdez of the Maryland Department of the Environment (MDE) @ 410-537-3606 or Angel.Valdez@maryland.gov for more information and recommendations.

If you have any questions, please feel free to contact me at extension 5223.

Cc: file

Section 165-51>F(1)(e) Stacked Parking

Parking lot/driveway design, construction and maintenance.

(1) General requirements.

- (e)** Access to parking areas shall be designed so as not to obstruct free flow of traffic. Parking lot grade shall not exceed a five-percent slope and grade for all driveways and access shall not exceed 10% subject to review of the Director of Public Works. There shall be adequate provision for ingress to and egress from all parking spaces to ensure ease of mobility, ample clearance and safety of vehicles and pedestrians. The stacking of parking spaces may be approved in certain circumstances by the Planning Commission if the applicant can demonstrate that there will be no adverse impact on the use and circulation pattern of the parking area.

Town of Bel Air, MD
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Chapter 165. Comprehensive Plan and Development Regulations

Part 2. Zoning

Article III. Establishment and Regulation of Zoning Districts

§ 165-24. General regulations.

- A. Delineation of zoning district boundaries shall be in accordance with the following rules:
- (1) Boundaries shown as following or approximately following the Town corporate limits shall be construed as following such limits.
 - (2) Boundaries shown as following or approximately following streets shall be construed to follow the center lines of such streets.
 - (3) Boundaries shown as following or approximately following platted lot lines or other property lines as shown on the current Tax Maps shall be construed as following such lines.
 - (4) Boundaries shown as separated from, and parallel or approximately parallel to, any of the above-listed features shall be construed to be parallel to such features and at such distances therefrom as scaled from the Zoning Map.
 - (5) Whenever any road, alley or other public way is abandoned by official action as provided by law, the zoning districts adjoining the side of such right-of-way shall be automatically extended, depending on the side or sides to which such lands revert, to include the right-of-way of the public way thus abandoned, which shall thenceforth be subject to all regulations of the extended district.
 - (6) In all cases where property has not been specifically included within a district, such property shall automatically be classified as R-1 District until otherwise classified.
 - (7) In cases of annexation of territory where the annexation proceeding provides a zoning classification for the territory to be annexed, such territory shall be so classified upon incorporation into the Town of Bel Air.
 - (8) Zoning district boundaries are discouraged from bisecting lots or structures. If split zoning cannot be avoided and the application of development regulations is unclear, the more restrictive requirements will be applied.
[Added 7-17-2023 by Ord. No. 813-23]
- B. Junkyards, as defined in Article **XIV**, are prohibited in all districts.
- C. Sustainable building methodology shall be incorporated in new construction, renovation and restoration projects to the maximum extent practicable. Sustainable building methodology may include, but is not limited to, such items as green roofs, capture and reuse of rainwater, high-efficiency lighting, recycled building components, the use of environmentally friendly building materials, reuse of historic buildings and building components, infill development and pedestrian-

oriented design. Emphasis shall be placed on reducing the carbon footprint for new and existing development.

- D. Proposed retail/service/industrial development projects in excess of 7,500 square feet shall be subject to the special development process specified in Article **XII**, Appeals, Variances, Special Exceptions and Special Developments, and to the architectural review process specified in Article **XVI**, Subdivision and Site Plan Review.
[Amended 11-25-2011 by Ord. No. 744-11]
- E. Infill development shall be designed to ensure sensitive integration of new development with historic structures and the architectural context in the neighborhood.
- F. Accessory buildings and uses customarily incidental to the property principal use may be permitted by right or as a special exception.
[Added 4-3-2017 by Ord. No. 780-17]
- G. Family child-care facilities may be permitted in accordance with all state and local requirements.
[Added 4-3-2017 by Ord. No. 780-17]
- H. Electric, communications antennae (in accordance with performance standards set forth in Article **VII**), water, sewer, gas and fuel lines, but not including transmission lines carrying 50,000 volts or more, are permitted. Transmission lines in excess of 50,000 volts require special exception approval.
[Added 4-3-2017 by Ord. No. 780-17]
- I. Satellite receiving dishes may be permitted subject to the provisions of Articles **VII** and **X**.
[Added 4-3-2017 by Ord. No. 780-17]
- J. Cemeteries may be permitted when accessory to a house of worship, provided that no graves or burial plots are located in the front yard.
[Added 4-3-2017 by Ord. No. 780-17]
- K. Temporary structures for uses incidental to construction work shall be removed upon the completion or abandonment of work. Construction/sales trailers may be permitted for no more than 18 months. If longer duration is necessary, approval from the Director of Public Works is required.
[Added 4-3-2017 by Ord. No. 780-17; amended 7-17-2023 by Ord. No. 813-23]
- L. A building height bonus of 10% or less may be approved by the Planning Commission provided that structured parking equal to or exceeding 75% of the building footprint is incorporated as part of a proposed development.
[Added 4-3-2017 by Ord. No. 780-17; amended 7-17-2023 by Ord. No. 813-23]
- M. Requirements associated with the use of outdoor space, service of refuse and recycling, loading and unloading and exterior lighting in Article **VII** are applicable to all referenced uses.
[Added 4-3-2017 by Ord. No. 780-17]

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Chapter 165. Comprehensive Plan and Development Regulations

Part 2. Zoning

Article V. Historic Resource Conservation Regulations

§ 165-41. Special regulations.

A. Designated historic districts/sites.

- (1) No permit for any change may be granted until the Commission has acted thereon as provided in the officially adopted Town of Bel Air "Historic Preservation Commission Powers and Duties."
- (2) Every attempt shall be made to retain existing architectural character.
- (3) Every attempt shall be made to retain the structure's compatibility with the surrounding neighborhood.
- (4) Materials for exterior alterations shall be sensitive to those with materials used in the original method of construction.
- (5) Proposed construction shall be in harmony with approved plans for the surrounding area, so that existing and future land values within the area will not be depreciated.
- (6) Demolition of historic structures should be avoided. If no other option is available, the property owner should try to relocate the building. Any new construction should be compatible in color, size, materials and mass with any adjacent historic structures.
- (7) Additionally, the Town of Bel Air Design Guidelines for Rehabilitation, Maintenance and New Construction, Chapter **246**, Historic Preservation, of the Bel Air Town Code and the Historic Preservation Commission Powers and Duties should be consulted prior to exterior construction, renovation or rehabilitation.

B. Exemptions. Exemptions from permit requirements are listed in the Historic Preservation Commission Powers and Duties and are incorporated herein by reference.

C. Appeal process.

- (1) In the event that any party is aggrieved by a decision of the Board of Town Commissioners to designate a property as an historic site or part of an historic district, the party has the right to appeal to the Circuit Court of Harford County as authorized by the Land Use Article of the Annotated Code of Maryland. Such appeal shall be petitioned in the same manner as a rezoning decision as specified in Article **XIII**, § **165-101B(8)**, of this Part 2. An appeal to the Circuit Court shall be taken in accordance with Rules 7-201 through 7-211 of Title 7, Chapter 200, of the Maryland Rules of Procedure.
[Amended 4-3-2017 by Ord. No. 780-17]

- (2) Following designation, should a party be aggrieved by a decision of the Historic Preservation Commission during its review process, the party may appeal to the Circuit Court of Harford County in accordance with the Land Use Article of the Annotated Code of Maryland.
[Amended 4-3-2017 by Ord. No. 780-17; 5-6-2024 by Ord. No. 829-24]
- (3) All appeals must be filed within 30 days of the Board of Town Commissioners or Historic Preservation Commission's decision.

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Chapter 165. Comprehensive Plan and Development Regulations

Part 2. Zoning

Article VII. Development and Performance Standards

§ 165-53. Performance standards and development guidelines by use.

A. Purpose.

[Amended 7-17-2023 by Ord. No. 813-23]

- (1) The following standards and guidelines are intended to implement the purpose of the Town's zoning districts as noted in Article III of this Part 2, to promote quality development, to add consistency and predictability to the permit review process, and to reinforce the Town Comprehensive Plan land use goals and objectives. This section not only specifies the performance standards required for the specific uses but also includes guidelines intended to articulate the community's goals and objectives for new development and redevelopment.
- (2) All performance standards and guidelines must be addressed by an applicant. The performance standards are mandatory for special exception uses and offer relatively little flexibility, unless choices are provided within the statement itself. A variance may be obtained for a special development performance standard, but not for special exception uses. The guidelines are meant to be applied, but with some flexibility. The Town will consider design or development features that are equal to or better than that stated, so long as the intent is satisfied. The applicant assumes the burden of proof to demonstrate how a proposal meets this test, and determination will be made by the reviewing body.
- (3) Any use not found within this Part 2 or cannot be reasonably included under another use definition is considered prohibited in the Town.

B. General performance standards and development guidelines by use.

- (1) The following performance standards and guidelines apply in all districts:

[Amended 4-3-2017 by Ord. No. 780-17]

- (a) Where not explicitly addressed as a condition of use approval, the integration of pedestrian sidewalks and pedestrian-friendly design shall be required in any application for development.
- (b) The applicant shall provide written confirmation that the proposed use will conform to all requirements of applicable federal, state and local reviewing agencies and will be operated in strict compliance with laws and regulations applicable to the use.
- (c) The proposed site shall be of sufficient size to accommodate the use without adversely affecting adjacent land uses.

- (d) Pedestrian areas shall be protected with landscaping and curbs that are integrated into the overall site design.
- (e) Building entrances shall be linked to sidewalks and parking areas by means of a safe and convenient well-lit walkway system.
- (f) The applicant shall demonstrate that the use will be safe and will not create a nuisance due to traffic, noise, etc., or create adverse impacts on the use or development of the surrounding properties due to noise, odor, traffic or lights. The use shall not adversely affect the use of other property in the immediate neighborhood.
- (g) The applicant shall identify all proposed noise-generating uses or design elements and specify how noise levels will be mitigated.
- (h) The subject property shall have frontage on, and direct vehicular access to, an existing street with sufficient capacity to accommodate the type and amount of traffic generated by the requested use. Vehicular access shall not be by means of streets internal to residential subdivisions. The reviewing agency may require a traffic impact study.
- (i) Proposed development adjoining historic structures or sites shall be compatible in color, size, material and mass with such historic properties.
- (j) Buildings shall be architecturally compatible in quality, texture, finish, size, shape, style, rooflines and like materials. All sides of the use shall have the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.
- (k) Rooftop mechanical equipment shall be screened from public view.
- (l) Fences and retaining walls shall be designed to be consistent in materials and quality to that of the building and the adjacent properties.
- (m) All districts are subject to noise restrictions specified in Chapter 345 of the Town Code.
- (n) Any part of a lot not used for buildings, other structures or paved for off-street parking, drive aisles, loading, maneuvering, and pedestrian walks or permitted outside storage shall be landscaped and properly maintained.
[Added 7-17-2023 by Ord. No. 813-23]
- (o) All use setbacks and separations are from property line to property line unless otherwise specified.
[Added 7-17-2023 by Ord. No. 813-23]

(2) Guidelines.

- (a) New buildings are encouraged to include green building standards during construction to minimize impacts on public water, sewer and stormwater facilities.
- (b) Buildings should be designed to compliment and contribute to the neighborhood in terms of shape, style, roofline, color and materials.

C. Use category performance standards and guidelines: amusement/entertainment. All amusement/entertainment uses are subject to performance standards and guidelines. These shall be addressed as specified in Subsections **A** and **B** of this section and as listed below:

(1) Performance standards.

- (a) The applicant shall identify any hazardous materials or explosive materials that may be stored on site and describe measures to be taken to ensure public safety.

(2) In addition, specific amusement/entertainment uses listed below shall be subject to the following: