



**PLANNING COMMISSION
STAFF REPORT**

Prepared by: Kevin Small
Date: September 24, 2025
Meeting Date: October 2, 2025 Case # 10P-25-01-SP/LP/SD

General Information

Applicant: Summerwood Corporation

Status of Applicant: Operator (owner of 504 Balt Pike – Bel Air Investors, LLC)

Location: 504 Baltimore Pike (within Bel Air Town Center)

Lot/Building Size: 8.30 acres (95,699 square feet) shopping center
0.5164 acres (2,420 sf existing structure to be replaced)

Requested Action: Site Plan and Landscape Plan approval for a 2,700 square foot, 31 seat restaurant.
Special Development approval for drive-thru service and 10 seat outdoor dining use.
Special Development modification for the existing Shopping Center.

Zoning: B-3 (General Business District)

Existing Land Use: Shopping Center

Surrounding Land

Use & Zoning

The property is surrounded by B-3 Zoning consisting of service and retail the exception of the rear (north side) where R-2 & R-3 zoning provides for multifamily and townhouse uses.

Comprehensive Plan: The 2022 Comprehensive Plan designates the property as Commercial.

Zoning History:

The B-3 zoning permits a Restaurant use and a shopping center use with Special Development approval. The property was last approved as a Shopping Center for an addition of a restaurant with drive-thru in 2017. On September 7, 2023, a Site and Landscape Plan for a 2,722 square foot restaurant, along with Special Development approvals for the drive-thru service, outdoor dining, and modification to the existing Shopping Center, was granted. This approval expired on September 7 of this year.

Applicable

Regulations:

Applicable Development Regulations are as follows: Article III (B-3 District); Article VII (Parking & Performance Standards); Article XI (Permits & Procedures); Article XII (Special Development for drive-thru, outdoor dining and shopping center use) and Article XVI (Site Plan Review).

Public Utilities and

Services:

Utilities are currently provided to the site. The property is serviced by Baltimore Gas and Electric for both electricity and gas, Maryland American Water Company for water, and the Town of Bel Air for sewer. Additionally, emergency services are provided by Bel Air Police and the Bel Air Volunteer Fire Company.

Transportation:

The property is accessed from Kelly Avenue with a full movement intersection and accessed from Baltimore Pike with a restricted intersection (no left turn into site). Both intersections are signalized. A Traffic Impact Analysis was not required for this proposed project.

Environmental
Assessment/Physical

Characteristics: The parcel is a paved lot with limited trees and shrubs along Baltimore Pike and within the shopping center. A similar Landscape Plan approved on September 7, 2023, has expired.

Architectural

Review: The applicant has submitted colored renderings of the proposed building. Comments from the Town Architectural Consultant are attached.

Analysis

The applicant is requesting Site Plan and Landscape Plan approval for a 2,700 square foot restaurant (31 patron seats). A Special Development approval is requested for a drive-thru service use and Outdoor Dining service. In addition, the proposed restaurant is within an existing Shopping Center (Bel Air Town Center) which requires modification of the existing Special Development approval. The Planning Commission reviewed a similar application at its September 7, 2023, meeting and provided an approval which has now expired.

Site Plan & Special Development

The new site configuration increases the number of nearby customer parking spaces for the restaurant from 23 to 25 spaces and expands the drive-thru queue capacity from five to ten vehicles. The total parking for the overall shopping center increases by two spaces for a total of 397 parking spaces. The gross floor area for the center increases by 280 square feet resulting in a total building area for the center of 95,979 square feet. Unloading of supplies to the establishment is unclear and the applicant is advised to address where/how/when the unloading is accomplished at the hearing.

The Shopping Center Special Development requires review of performance standards specific to the nature of a multi-tenant complex which shares architecture, access, parking and loading facilities. The proposed design appears to improve vehicle circulation by increasing queuing. Pedestrian circulation is challenged by the interruption of dedicated access to the restaurant from the main parking area within the center (the drive-thru is now located on the shopping center side of the restaurant). While this is not desirable, crosswalk pavement markings can be added to the drive-thru west of the pick-up window to indicate the preferred location to cross from the shopping center parking lot spaces and shown on the final plan.

The revised Drive-thru use eliminates the excessive stacking into the shopping center drive aisles. However, there may be impact from cars attempting to go the wrong way by taking right-hand U-turns to exit the drive thru and get back out to Baltimore Pike and the applicant is advised to address this at the hearing. Outdoor Dining of 10 seats is shown on the west side of the restaurant. This number is within the allowance provided for in the performance standards. Annotated checklists for both the Drive-thru service and Outdoor Dining use are provided in the submission package. The enlargement of the patio provided on Sheet A1.0 must be added to the Site Plan provide necessary detail for the special development requirements.

A Development Agreement has been executed with the Town which assures that all owners within the shopping center are bound by all Town code requirements. In addition, Architecture, site design, lighting, and signage must be consistent within the shopping center which will affect material choices and colors for the proposed architecture.

Architecture

The applicant has submitted architectural renderings in color with an indication of proposed materials. The revised restaurant design shows an overall building height of 20'-0". The applicant is advised to describe screening of HVAC units and other rooftop elements at the hearing. The exterior façade has been updated from red brick and stucco on the existing building to grey/black metal panels and faux brick on the proposed structure. Staff feels the elevations proposed are entirely inappropriate for the shopping center. The design and color are not in harmony with the center and inconsistent with the predominant materials found in the Town of Bel Air. Comments from the Town Architectural Consultant are attached. The following comments must be addressed at the hearing:

- Incorporate brick into the façade of the building that is more in keeping with the brick color prevalent in the Town.
- The steel siding color should also compliment the brick color as revised.
- Rooftop mechanical equipment should be explained at the hearing in reference to the architectural elevations.
- Sloped awnings are recommended by staff at window and door locations to further create consistency with the center and the neighborhood.
- The east elevation should be examined based on its exposure to the main entrance to the center.

Landscape

The existing vegetation buffering around the shopping center, including areas adjacent to public roadways and neighboring residential properties, appears to be in place and adequate. However,

two shade trees are missing within the shopping center parking lot and must be replaced. The refuse/recycling enclosure must match the predominant color of the building as revised. Ongoing maintenance is essential to ensure these buffers remain in satisfactory condition. The current pavement condition and striping is deficient throughout the center, most of the pavement markings are faded and need renewal to provide for efficient parking and circulation.

Recommendations

It is the recommendation of staff that the Special Development modification for the Shopping Center be tabled, and the Site Plan be conditioned on revised Architectural Elevations to be reviewed by the Planning Commission at a later date.

Comprehensive Plan

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

Special development – Shopping Center

Approval of the Special Development modification for the Shopping Center use is based on the following findings of fact:

- a. The project provides a unified arrangement of buildings, service areas, parking, and landscaped areas.
- b. The project architecture, site design, lighting, and signage is consistent within the center.
- c. Materials, massing, and facade design for the project are harmonious with the character of the neighborhood.
- d. The internal circulation system is designed to minimize through traffic and traffic conflicts within the project.
- e. Safe pedestrian movement and the provision of pedestrian walks within the parking lot and surrounding the building perimeter are considered in the vehicular plan.
- f. All establishments have vehicular service access either from an individual service drive or from a common service yard.
- g. All service areas, loading, trash removal, compaction or similar activities are segregated from public areas and screened from public view.
- h. The applicant has executed a recorded Development Agreement with the Town providing all owners agree to be bound by the shopping center performance standards including reciprocal easements to access any lot within the center for purposes of compliance with the code.
- i. All parking lots, loading areas and outdoor storage areas are separated with buffer yards of at least ten feet from any adjacent residential districts.
- j. Signs to identify the use of an occupant are designed as part of the architectural design of

the building and attached thereto.

- k. Directional and informational signs are adequately provided and design coordinated.
- l. Center management is responsible for providing on-site security service.
- m. A traffic study is not required for this application.
- n. Vehicular access to the subject property is not by means of any street internal to a subdivision for single-family dwellings.

Special Development – Drive-Thru

Approval of the Special Development of Drive-Thru service is based on the following findings of fact:

- a. The use is designed so that pedestrian and vehicular circulation is coordinated with that of adjacent properties and the public way. No traffic study was required.
- b. Drive-thru lanes are marked with distinctive pavement markings and/or special striping and do not block exit or entry to off-street parking spaces otherwise required on the site.
- c. Adequate spaces for queuing at drive-thru facilities is provided.
- d. Noise from speaker system will be regulated to meet State of Maryland standards for control of noise pollution.
- e. Drive-thru windows and ordering station is located away from the front (south) facade of the proposed building reducing the impact of drive-thru queuing.

Special Development – Outdoor Dining

Approval of the Special Development of Outdoor Dining Area is based on the following findings of fact:

- a. Amplified music or public address will end at 9:00 p.m.
- b. Live entertainment and recreational games will end at 9:00 p.m.
- c. Outdoor dining will adhere to the requirements of Chapter 345 of the Town Code.
- d. The exterior seating is limited to 75% of the capacity of the principal permitted use and any temporary enclosure will meet the provisions of Section 165-71. C.
- e. No outdoor bar, direct or self-service of alcohol is proposed.

Site Plan

At a minimum, it is recommended the Site Plan for the Shopping Center and proposed Restaurant address the following:

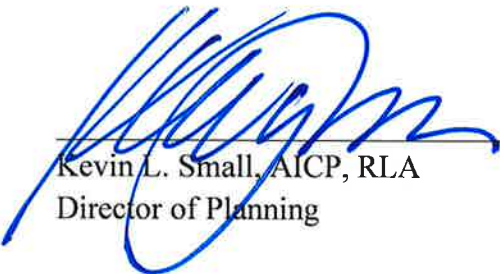
- 1. Submission of a Final Site Plan for signature prior to building permit incorporating comments from this staff report and include:
 - a. Department of Public Works memo pending.
 - b. Harford County Health Department letter dated September 15, 2025.
 - c. Harford Soil Conservation letter dated September 17, 2025.
 - d. Maryland State Highway comments dated September 18, 2025.
- 2. Addition of an Outdoor Dining area enlargement to the Site Plan

3. Correct notes and tabulation of building area.
4. Add additional crosswalk pavement markings at the drive-thru exit.
5. Resubmission of revised Architectural Elevations for Planning Commission review adhering to comments in this staff report and comments from the Town architectural consultant dated September 22, 2025.

Landscape Plan

At a minimum, it is recommended the Landscape Plan for the Shopping Center and proposed Restaurant address comments in the staff report and the following:

1. Submission of a final Landscape Plan for signature prior to building permit incorporating comments from this staff report and include:
 - a. Add a note referencing the color of the refuse/recycling enclosure to match the proposed architecture.
 - b. Planting of two shade trees within the shopping center parking lot to replace trees previously removed.
 - c. Department of Public Works memo pending.



Kevin L. Small, AICP, RLA
Director of Planning

Attachments

Application
Site Plans (Site and Overall)
Landscape Plan (Site)
Architectural Renderings
Previous approval letter
Annotated Performance Standards
Previous approved elevations and minutes from March 9, 2023

Paul D. Edmeades
ARCHITECT / PLANNER
AIA



Town of Bel Air
Department of Planning & Community Development
Mr. Kevin L. Small, Director
705 E. Churchville Road
Bel Air, Maryland 21014

September 22, 2025

RE: Design Review
Taco Bell
504 Baltimore Pike
Redevelopment of the Existing Taco Bell Restaurant at the Bel Air Town Center

Dear Mr. Small:

The following is a response to your request to review the design aspects of the submittal for the proposed redevelopment of the existing Taco Bell Restaurant at 504 Baltimore Pike. I received a site plan, renderings, and elevation drawings for the proposed development. The documents I received are as follows:

1. Site Plan: Bel Air Town Center Taco Bell Replacement; Sheet SP 1 of 1 prepared by Frederick Ward Associates and dated September 4, 2025
2. Taco Bell Project, Floor Plan: Sheet A1.0 prepared by Timothy Hogan of The Pettit Group, LLC and dated August 1, 2025
3. Taco Bell Project, Roof Plan: Sheet A3.0 prepared by Timothy Hogan of The Pettit Group, LLC and dated August 1, 2025
4. Taco Bell Project, Exterior Elevations: Sheet A4.0 prepared by Timothy Hogan of The Pettit Group, LLC and dated August 1, 2025
5. Taco Bell Project, Exterior Elevations with Notes: Sheet A4.0 prepared by Timothy Hogan of The Pettit Group, LLC and dated August 1, 2025
6. Taco Bell Project, Exterior Elevations with Notes Sheet A4.1 prepared by Timothy Hogan of The Pettit Group, LLC and dated August 1, 2025

The firm, The Pettit Group does not have a Firm Permit to practice architecture in the state of Maryland. Timothy Hogan, their principal architect in charge of the project, is a registered architect in Maryland. In my opinion, Bel Air can accept these preliminary architectural drawings based on the fact that Timothy Hogan from the firm is a registered architect in Maryland. To submit the construction documents in conformance with Maryland law, The Pettit Group, LLC needs to have a Firm Permit in Maryland or the submission should be done directly under Timothy Hogan's license practicing as a sole practitioner in Maryland.

The proposed design involves the demolition of the existing Taco Bell restaurant and replacing it with a larger building and a reconfigured parking lot and drive through. The existing building is 2,420 square feet in area. The proposed building is 2,722 square feet in area. A new façade treatment is proposed for the building. Two major materials are proposed for the building. The lower half of the building is a black brick and the upper half is a black Box Rib Steel Panel wall material. In my opinion, the building should incorporate brick into the façades that is more in keeping with the brick color prevalent in the Town of Bel Air. The color of the steel panel above the brick should also be of a color that complements the changed brick color.

The proposed project is located in a B3 General Business District and must comply with the Bel Air Development Regulations as follows:

1. Article III §165-32 B-3 General Business District: See item by item analysis below.
2. Article VII Performance Standards
 - a. §165-53 A & B General Performance Standards. See item by item analysis below
 - b. §165-53 I (1) Service Use Performance Standards. See Item by item analysis below.
 - c. §165-53 I (2) (c) Drive Through Facility Performance Standards. See item by item analysis below
 - d. §165-53 I (2) (i) Outdoor Dining Facility Performance Standards. See item by item analysis below
 - e. §165-53 I (2) (i) Restaurants Performance Standards. See item by item analysis below
3. Article XVI §165-118E Landscape and Amenity Design. Comments on this article are not a part of this visual architectural analysis.
4. Article VIII Landscaping. Comments on this article are not a part of this visual architectural analysis.
5. Article XI Permits. Comments on this article are not a part of this visual architectural analysis.
6. Article XV Signs. Comments on this article are not a part of this visual architectural analysis.
7. Article XVI Subdivision and Site Development. Comments on this article are not a part of this visual architectural analysis.

Article III §165-32 B3 General Business District.

A. Purpose

1 The proposed redevelopment of the existing Taco is in accordance with the Town of Bel Air Comprehensive Plan.

2. The development should be modified as noted above to ensure compatibility with the existing buildings in the area and the purpose of the B3 District in which it is located.

B. General Regulations

1. Special Regulations There are no home occupations in the development
2. With the incorporation of different colored brick elements and different colored metal wall panels the development will fit in with the visual approach to the Town
3. Comments on street trees is not a part of this visual architectural analysis
4. Comments on any sign plan are not a part of this visual review.

C. Site Design Standards

(1) Comments on the access permit are not a part of this visual Review.

(2) With the proposed changes the proposed architecture will complement the existing environment. The building appears to ensure visual privacy and sunlight for adjacent structures.

(3) There are no special street views in this complex. The proposed building is a simple mass. I encourage the developer to incorporate a different color brick in the building consistent with other buildings in the Town of Bel Air. Also the color of the metal wall panels should be changes to complement the revised brick color.

(4) Building Design, Height, and Massing

(a) The building is a simple mass which is consistent with the use and the existing building.

(b) If the materials are changed as suggested , the rear façade and all façades will of the same finished quality and will be consistent with the rest of the building.

(c) The simple mass of the building is appropriate for the site

(d) With the change of materials as suggested, the building will be articulated with several material changes along the façades. The building façades are not modulated but they are articulated in a way that, in my opinion, meet the 40 foot requirement.

(e) The flat roof forms are compatible with the predominant flat roofs of the roof structures in the area.

(f) The nature of the glass is not indicated on the submission. The architect should verify that the glass is not reflecting or mirrored. If the glass is tinted, the Zoning Administrator will need to review the glazing.

(g) If the material colors are changed the simple mass of the building will be effectively articulated.

(h) The site is not adjacent to a residential zoned district.

(5) Fencing and Screening

(a) Decorative fencing and screening are not included in the design at the perimeter of the site.

(b) In reference to the service areas, it appears that that the dumpster area is appropriately located and screened. The color of the screen wall should match the changed color of the building.

(c) Rooftop mechanical equipment is indicate on the Roof Plan but is not shown on the elevations so I cannot comment on any screening.

(6) Lighting and Security

- (a) Decorative lighting: Decorative lighting is not a part of this visual review.
- (b) Parking Lot Lighting: Parking lot lighting is not a part of this visual review.
- (c) Security Alarms: Security alarms are not a part of this visual review.

(7) Vehicular and Pedestrian Access: Vehicular and pedestrian access are not a part of this visual review

D. Special Regulations: Refer to Article VII § 165-53 Performance Standards (See item by item analysis below)

E. Analysis of density, lot area, width, height, and yard requirements are not a part of this visual review.

Article VII §165-53. Performance Standards

A. Purpose: The proposed development will comply with the requirements regarding the purpose of the Performance Standards

B. General Performance Standards

(1) Performance Standards for all Districts

- (a) Pedestrian sidewalks are not a part of the visual review
- (b) Applicant confirmation of code conformance is not a part of the visual review
- (c) The size of the site is not a part of the visual review
- (d) Protection of pedestrian areas is not a part of the visual review
- (e) The walkway system is not a part of the visual review
- (f) Demonstration that the proposed use will be safe and not create a nuisance is not a part of this visual review
- (g) Identification of noise generating uses is not a part of this visual review
- (h) Vehicular access to the site is not a part of this visual review
- (i) The proposed project does not adjoin a historic structure.
- (j) With the change in color of the brick and metal panel façade elements, the buildings are architecturally compatible and complement the existing development. With the color change of the façade elements, the complex is acceptable in quality, texture, finish, size, shape, style, rooflines, and materials
- (k) Rooftop mechanical equipment is indicated on the Roof Plan but is not shown on the elevations so I cannot comment regarding screening from public view.
- (l) With reference to fences and screen walls refer to the comments above.
- (m) Noise compliance with the regulations is not a part of this visual review
- (n) Comments on landscaped areas are not a part of this visual review.
- (o) Comments on use setbacks and separations are not a part of this visual review.

(2) Guidelines

- (a) Green building elements are not a part of this visual review
- (b) The proposed building will replace an existing building and will maintain the same relationship to the existing development if the façade material colors are changed.

Article VII §165-53

I. Performance Standards for Service Uses

(1) Performance Standards

- (a) The location of the property does not abut a residential zone.
- (b) There are no accessory uses.
- (c) The dumpster area is located appropriately and screened from public view.

Article VII §165-53

I. Performance Standards for Service Uses

(2.c) Drive-through facility for restaurant.

[1] Performance Standards

- (a) Vehicular and pedestrian circulation is not a part of this visual review.
- (b) Comments on the marking of the drive-through lanes is not a part of this visual review
- (c) Adequate stacking for drive-through lanes is not a part of this visual review.
- (d) Comments regarding noise from speakers are not a part of this visual review.
- (e) Drive-through windows are located on the rear façade of the building

[2] Guidelines

- (a) Comments on stacking requirements are not a part of this visual review
- (b) Comments on additional buffering are not a part of this visual review.

Article VII §165-53

I. Performance Standards for Service Uses

(2.i) Outdoor Dining.

[1] Performance Standards

- (a) Comments on amplified music or a public address system are not a part of this visual review.
- (b) Comments on live entertainment are not a part of this visual review
- (c) Comments on outdoor dining / bar operations are not a part of this visual review.
- (d) Comments on the exterior area are not a part of this visual review.
- (e) Comments on the dining areas are not a part of this visual review.

[2] Guidelines

- (a) Comments on bar service are not a part of this visual review
- (b) Comments on hours of food and alcohol service are not a part of this visual review.
- (c) Comments on the size of the bar, TV, and visual display are not a part of this visual review.

Article VII §165-53

I. Performance Standards for Service Uses

(2.l) Restaurants.

[1] Performance Standards

- (a) Comments on hours of operation are not a part of this visual review.
- (b) Comments on trash and debris are not a part of this visual review
- (c) Comments on outdoor dining / bar operations are addressed above.

Article XII §165-94

C. Special Development Conditions for Approval

Comments regarding the Special Development Conditions of Approval are the purview of the Planning Commission and are not a part of this visual review.

Based on my analysis, I feel that the proposed redevelopment of the Taco Bell Restaurant needs additional work and resubmission to Town of Bel Air Department of Planning and Community Development. The Planning Commission should verify the issues that are raised in this analysis as a part of their review.

Please note that these comments concern only the visual aspects of the design proposal submitted. Other requirements of the development regulations are not a part of this review. All building code analyses, life safety code analyses, other code analyses, and constructability analyses are specifically excluded from this visual review. In addition this review does not include structural, mechanical, electrical, plumbing or other engineering services.

If you have any questions please call me.

Sincerely,



Paul D. Edmeades, RA, AIA, NCARB



Wes Moore
Governor
Aruna Miller
Lieutenant Governor
Samantha J. Biddle
Acting Secretary
William Pines, P.E.
Administrator

September 18, 2025

Mr. Kevin Small
Department of Planning and Community Development
705 E. Churchville Rd
Bel Air, Maryland 21014

Dear Mr. Small:

Thank you for the opportunity to review the Site Plan for the reconstructed Taco Bell at 504 Baltimore Pike, US 1 in Bel Air, Harford County. The State Highway Administration (SHA) has completed their review of the plan submittal below and is pleased to respond.

Taco Bell
504 Baltimore Pike, US 1 Bus.
Case Number: 10P-25-01-SP/LP
Harford County

The SHA has reviewed the Site Plan for the reconstructed Taco Bell located on US 1 Bus. and determined that there are no impact within the SHA right of way. Therefore, SHA has no objection to this plan.

Should you have any questions regarding the submittal process feel free to contact Ms. Teresa Eller at 410-229-2424 or 1-866-998-0367 (in Maryland only) extension 2424, or by email at (teller@mdot.maryland.gov).

Sincerely,

Teresa Eller, for
Claudine Myers
Metropolitan District Engineer
State Highway Administration – District 4
Baltimore and Harford Counties

cc: FWA, Tom Miner



Harford County Health Department

Main Office: 120 S. Hays Street · P.O. Box 797 · Bel Air, Maryland 21014 · 410-838-1500

Public Health
Prevent. Promote. Protect.
Harford County
Health Department

Lauren Levy, JD, MPH Health Officer
Silvana Bowker, LCPC, ACRPS Deputy Health Officer of Operations
Jamie Sibel, MD, MPH Medical Deputy Health Office



410-877-2300
September 15, 2025

Kevin Small
Town of Bel Air, Director
Department of Planning & Community Development
705 Churchville Road
Bel Air, Maryland 21014

Re: TP25-14- 01-B
Taco Bell - 504 Baltimore Pike
Tax Map 304 Parcel 7
Tax ID: 03-401217

Dear Kevin Small,

The Harford County Health Department (HCHD) has extended its approval for the above referenced site plan. The site is located on the northeast side of Baltimore Pike (US Route 1), East of MD Route 24.

This plan proposes to replace the existing restaurant with a new 2,700 sq. ft. Taco Bell restaurant with a drive-thru. The site is serviced by Harford County public water and sewer.

The office has the following comments regarding the project:

- The owner/developer is reminded that during the development of this project when soil moisture conditions are low, measures must be implemented to prevent the generation of dust until a permanent vegetative cover is established and all paving is completed.
- Any food service operations planned for this site must be reviewed and approved by the HCHD prior to the issuance of any building permits. A separate plan review application must be submitted to the HCHD's Permits and Plan Review Division in order for this office to be able to review any Food Facility Plans.
- Any structures intended to be razed, will require a demolition permit that is secured through the Harford County Department of Planning and Zoning. All aspects of the demolition work must be reviewed, approved, and completed to the satisfaction of the HCHD. All documentation concerning the demolition work must be forwarded to this office for review. If the owner/developer has any questions concerning the demolition work, they may contact the HCHD at 410-877-2300.
- Additional comments from this office will be provided at the time of the building permit or certificate of occupancy permit. It is the responsibility of the owner/operator to be aware of any regulatory requirements for the proposed use and for obtaining appropriate permits.

If you have any questions or concerns, you may contact our office at your earliest convenience.

Sincerely,

James Weixel, LEHS Supervisor
Land and Water Resources Division
Bureau of Environmental Health
cc:Frederick Ward Associates
Kathy Pearce- Town of Bel Air

BEL AIR OFFICE
1 N. Main Street
Bel Air, MD 21014
410-838-3060

EDGEWOOD OFFICE
1321 Woodbridge Station Way
Edgewood, MD 21040
410-612-1779

EDGEWOOD OFFICE
2204 Hanson Road
Edgewood, MD 21040
443-922-7670

HAVRE DE GRACE OFFICE
2027 Pulaski Highway
Havre de Grace, MD 21078
410-939-6680

HAVRE DE GRACE OFFICE
2015 Pulaski Highway
Havre de Grace, MD 21078
410-942-7999



Harford Soil Conservation District

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

Date: September 17, 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 – Bel Air Town Center – Taco Bell Replacement

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

The site plan appears to be reflective of a previously approved Sediment and Erosion for project, approval date June 11, 2024.

The developer's engineer will need to affirm that the current proposed improvements are correctly shown on the previously approved Sediment Control Plan, then revise or update as needed, both the plan and permit.

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

Cc: file

REFERENCE TO MARCH 2023 MINUTE PAGES 1-10

MINUTES PLANNING COMMISSION March 9, 2023

The meeting of the Planning Commission began at 6:02 p.m. on Thursday, March 9, 2023 at the McFaul Activities Center, Meeting Room #4, 525 W. MacPhail Road, Bel Air, MD 21014.

MEMBERS PRESENT: Lois Kissinger-Kelly, Chair
Peter Schlehr, Vice Chair
Phil Raub
Donald Coates

NOT PRESENT: Keith Powell

IN ATTENDANCE: Kevin Small, Director of Planning
Paula Etting, Town Commissioner
Edward Hopkins, Town Administrator
Elizabeth Thompson, Stark & Keenan, P.A.
Catherine Butrim, Recording Secretary

ADMINISTRATIVE MATTERS:

Approval of Minutes – February 2, 2023

Mr. Raub moved and Mr. Schlehr seconded the motion to approve the minutes of the February 2, 2023 meeting.

Ayes: Mr. Coates, Mr. Raub, Mr. Schlehr and Ms. Kissinger-Kelly

Nays: none

The motion carried.

NEW BUSINESS:

Site Plan review for replacing an existing building within the Bel Air Town Center with a 2,334 +/- sf building to be located at 504 Baltimore Pike

Mr. Small advised that the applicant is requesting Site Plan and Landscape Plan approval for a 2,722 sf restaurant (50 seat) with drive-thru service. The drive-thru service use and outdoor dining area require Special Development approval. In addition, the proposed location of the restaurant is within an existing Shopping Center (Bel Air Town Center), which requires modification of the existing Special Development approval.

Mr. Small advised that the location of the refuse-recycling enclosure is currently nonconforming since it is located within the setback for accessory structures (3'-0"). Only a slight adjustment of the angle on the Final Plan should address this issue. The applicant is

REFERENCE TO MARCH 2023 MINUTE PAGES 1-10

advised to provide the material and color of the enclosure on the Final Plan. Since the plan does not show a loading/unloading area, the applicant also must address how/when this is accomplished at the hearing.

Mr. Small advised that the new configuration of the restaurant increases parking from 23 spaces to 25 spaces and increases the queuing in the drive-thru from six (6) vehicles to 11 vehicles. The total parking for the center is increased by two (2) spaces, and the gross square feet is increased by 356 square feet. This would result in a total square footage of the shopping center of 96,055 square feet and total parking of 397 spaces.

Mr. Small advised that the Shopping Center Special Development requires review of performance standards specific to the nature of a multi-tenant complex that shares architecture, access, parking and loading facilities. The proposed use addresses some impacts to the center, such as parking and vehicle circulation. Pedestrian circulation is impacted by the interruption of dedicated walks to and from the restaurant. While this is not desirable, the restaurant use is primarily accessed from vehicles with minimal internal connections.

Mr. Small advised that the revised drive-thru eliminates the excessive stacking into the shopping center drive aisles. However, there may be impacts from cars going the wrong way and attempting U-turns to exit the center. Outdoor dining is shown on the west side of the restaurant. The fence shown on the architectural elevations around the dining area must be incorporated on the Final Site Plan. It is recommended that the proposed shrubs along US Route 1 be extended along the parking on the east and west perimeters to expand the screen shown on the Landscape Plan.

Mr. Small advised that the applicant has submitted architectural elevations for review. These elevations must be corrected to match the Site Plan. Comments from the Town architectural consultant are attached in the Staff Report. Town staff has concerns with the elevations and would recommend the inclusion of stone or brick in the façade on all sides of the structure and the replacement of the metal overhangs with colorful awnings. It is recommended that the architectural elevations be revised and resubmitted.

Mr. Small advised that the shopping center has experienced complaints regarding views into the service area from both MD Route 24 and from the residential portion of Kelly Avenue. Staff informed the applicant, and they have proposed screening between the service area and Route 24/Kelly Avenue. The Final Plan should indicate the materials and color of the screen

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fence. In addition, pavement striping is inadequate for the center as most of the striping is faded and needs refreshing to provide for satisfactory parking and circulation.

Jerry Powell of Frederick Ward (5 S. Main Street) presented the Site Plan for the building replacement for the existing Taco Bell in Bel Air Town Center. Mr. Powell advised that the 0.5164-acre property has been the site for Taco Bell for approximately 28 years. He advised that Summerwood Corporation purchased the store in 2016. Mr. Powell advised that the Taco Bell was originally part of the shopping center, and this pad site was recorded as a lot in October 2020 when new ownership of the shopping center took over. He advised that the ownership of Taco Bell purchased the lot in October 2022.

Mr. Powell advised that the applicant is requesting support from the Town of Bel Air (TOBA) to replace the existing building and complete some site improvements. Mr. Powell presented the proposed Site Plan with shading representing the new parking area, which will be repaved. He advised that the building will increase by 330 square feet, and the drive-thru windows will face the shopping center. Stacking will face along the frontage of Route 1, and there is a second order panel to service customers with two (2) stacking lanes.

Mr. Powell advised that the existing building is approximately 2,400 square feet with 23 parking spaces provided and potentially six (6) stacked vehicles in the drive-thru. The new building will be approximately 2,700 square feet plus 300 square feet with some minor shifting placing the order window on the shopping center side, placing a second order board, with two (2) more parking spaces and potentially stacking up to 13 vehicles. Mr. Powell advised that additional amenities include a trash dumpster with a new manned door on the enclosure, pedestrian access from the shopping center will be maintained and new outdoor seating with an outdoor patio of approximately 330 square feet. He advised that customers will purchase their meals in the building and may walk out to dine on the patio.

Mr. Powell advised that quality stormwater management will be provided. The site currently drains to an existing underground stormwater management facility that has always served the shopping center. He advised that the redevelopment of the site provides the opportunity to develop a structured stormwater management with an inlet that captures the water with sand and media at the bottom of the inlet and a tree planted behind the inlet. The water would be filtered and make its way to the bottom of the underground stormwater management facility.

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Mr. Powell advised that the lot is zoned B-3 (General Business District), and the site is serviced by public utilities.

Mr. Powell advised that access to the facility will remain almost exactly the same with one way in, one way out and access from the shopping center from the center's access drive. Motion will continue in the existing counterclockwise direction.

Mr. Powell advised that MD State Highway Administration (SHA) has reviewed the proposed improvements and has determined that the new layout does not impact the SHA right-of-way.

Mr. Powell advised that the applicant has reviewed the TOBA Performance Standards for a Shopping Center, and there are no substantial changes to site regarding building, service areas, parking and landscaped areas. Topography is not changing.

Mr. Powell advised that material massing and façade design will be harmonious with the character of the surrounding buildings, and he provided a view of the building elevation depicting what Taco Bell corporate is asking all of their refurbished stores.

Mr. Powell advised that the internal circulation will not change. He advised that the applicant would like to provide No Right Turn signage to prevent drivers from making a right turn out against the traffic flow and keep traffic moving in a counterclockwise motion. Mr. Powell advised that all of the parking spaces will be angled to support that.

Mr. Powell advised that there will be safe pedestrian walks within the parking lot and around the building perimeter. The restaurant primarily uses access by vehicles. Vehicular service access is maintained as it exists today from a common internal access drive.

Mr. Powell advised that service areas, loading and trash removal will continue to operate as it does today. The trash dumpster will be screened from public view, and all green space will be landscaped and maintained. No adjacent residential streets are near the Taco Bell that would require buffer yards.

Mr. Powell advised that existing signage may be replaced with new signage but will remain the same in terms of size and type. Directional signs will be provided to promote counterclockwise traffic motion.

Mr. Powell advised that traffic is expected to remain the same; no study was required.

Mr. Powell advised that hours of operation will remain the same, Sunday-Thursday 8:00 a.m.-1:00 a.m. and Friday-Saturday 8:00 a.m.-3:00 a.m.

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Mr. Powell advised that trash and debris pick up will continue to be done during off hours. He advised that the dumpster is in the same location and will be rotated to meet the setback requirements.

Mr. Powell advised that marking of drive-thru lanes will be done. There will be adequate stacking with five (5) for the first window and two (2) for each order board.

Mr. Powell advised that noise is expected to remain the same as it is today.

Mr. Powell advised that no alcohol will be served at this location. Guests will be served internally. The patio is approximately 12% of the capacity of the restaurant. No visual displays or alcohol will be provided on the patio.

Mr. Powell advised that the applicant expects any requirements and conditions from the Town staff will be addressed either directly or through some variation. He advised that there is no loading/unloading area demarcated on the site. Loading/unloading will be performed as it is now with operators unloading in the parking area during off hours. He advised that there is not enough room on the site to demarcate a loading/unloading area. Mr. Small inquired if Mr. Powell should describe where in the parking area unloading would occur. Mr. Powell advised that loading/unloading will occur along the front door, which is the same as occurs today. Ms. Thompson inquired if the trucks will travel through the drive-thru lane during off hours to unload at the door. Mr. Powell advised that this is correct.

Mr. Powell advised that the parking required for the entire shopping center with the increase in square footage of Taco Bell is 384, and they have provided 397, which will exist after the store is remodeled with the two (2) additional spaces. Mr. Small advised that at Taco Bell parking is increasing by two (2) spaces, which means the shopping center parking is increasing from 395 to 397. Mr. Powell advised that this is correct.

Mr. Powell advised that the fence around the patio will be added to the Final Plan. He advised that the applicant will review the landscape shrubbery along Route 1 to see if can be extended as recommended.

Mr. Powell advised that at this stage the building elevations are usually meant to be prototypical of what one can expect the building to look like. Having them be the exact building on the specific site would add nothing to the ability of the Town to review and comment as it has done. He advised that the Site Plan fills in the rest of the detail. Mr. Powell advised that the

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applicant does not see any reason for offering a new elevation other than one to address any other issues that have been brought up.

Mr. Powell advised that the comments to add stone or brick to all sides of the structure and the replacement with colorful awnings will be reviewed or considered. He advised that the applicant requests some flexibility from the Town if these changes are in conflict with Taco Bell branding. Mr. Powell advised that the applicant will try to add brick and stone where it is appropriate, but it may be difficult to add brick and stone to all sides of the building. Mr. Raub inquired why it would be difficult to add brick and stone to all sides as opposed to one or two sides. Mr. Powell advised that it relates to branding, and Taco Bell corporate wants to keep all their stores uniform. Mr. Raub inquired if adding brick or stone to one side would be inconsistent with the branding. Mr. Powell advised that the applicant will go back to the architect, and they are hopeful that there will be some areas that will be appropriate to add brick or stone, but it may not be on all sides of the building. Mr. Powell advised that the recommendation for colored awnings may be difficult to achieve because the awnings are trademark features of the new Taco Bell stores. Mr. Powell advised that there is a colored banding where the awnings meet the building, which they think adds enough color relief; but the applicant will go back to the architect to see what can be done.

Mr. Schlehr inquired if there is a significant cost difference to adding brick and stone to the building. Joe DePascale of Summerwood Corporation advised that he does not know if the brick is cheaper or more expensive, but it is more about the look and the branding than the cost. He advised that the difficulty is where the brick and stone could be placed with the continuous panels of the prototype. He advised that he needs to consult with corporate to see what can be done. Mr. DePascale advised that the Town is not the first to request building modifications, but it needs to be reviewed by corporate every time.

Mr. Powell advised that the Town has recommended that the applicant provide additional enhanced screening at the rear of the shopping center from Route 24 and Kelly Avenue. He advised that the recommendation is to provide details to the Final Plan illustrating materials and colors of the screening fence and upgraded pavement striping. Mr. Powell advised that the applicant can provide an overall shopping center Site Plan illustrating the additional and upgraded screening with written recommendations to the new shopping center owner. However, because Taco Bell sits on its own lot as of October 2022, the applicant cannot speak for the

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shopping center owner as to whether they intend to carry out these recommendations. Mr. Powell advised that the applicant requests that TOBA consider separating the overall shopping center recommendations from any approval for the Taco Bell building replacement with the understanding that the Taco Bell ownership will do all they can to support these improvements with the shopping center ownership. Mr. Powell advised that Taco Bell cannot impose what is required here on the shopping center ownership. Mr. Raub inquired if that would also be the case if Taco Bell were still a tenant at the shopping center. Mr. Powell advised that Taco Bell would be paying rent as a tenant of the shopping center and would have some control; however, there is now no relationship. Mr. Small advised that there is a relationship between the shopping center and Taco Bell because they share stormwater, access and parking, and the total square footage of the buildings are based upon Shopping Center use. Mr. Powell advised that all of the buildings have to cooperate with the shopping center owner on the improvements that they share, but the Taco Bell site stands alone from the parking requirement; however he understands that Taco Bell will not be able to separate out totally from previous approvals. Mr. Powell advised that the applicant is asking for consideration that Taco Bell has no authority over the present shopping center ownership other than perhaps to withhold funding from fixing an underground stormwater management facility. He advised that Taco Bell has no control over screening around the overall shopping center.

Mr. Coates inquired where the patio will be placed and where the blank wall will be placed. Mr. Powell advised that the patio will be placed on the side of the building facing away from Chile's. Mr. DePascale advised that the blank wall is on the side facing Chile's. Mr. Coates inquired how the blank wall can be addressed to look more presentable and to look less void and to add color. Mr. DePascale advised that all of the recommended architectural features would need to be presented to the architect.

Mr. Coates inquired if the windows are roll-up garage doors. Mr. DePascale advised that they are not.

Ms. Thompson advised that she did not see any reply to the comments from DPW. Mr. Powell advised that the requests made by DPW will be added.

Mr. Raub commended the applicant for the upgrades to the building after 28 years, but he advised that the Town's architectural consultant has stated that the proposed fiber cement siding is not compatible with the existing development in the area. Mr. Raub inquired if the glass will

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be tinted. Mr. Powell advised that the glass will not be tinted. Mr. Raub advised that he would like to see the visual adjustments requested by the Town as preliminary to approval. Mr. Powell advised that the applicant would ask that the Town be flexible in that regard, and he noted that Popeye's is a national chain and made their position to the Town just as this applicant is doing. Mr. Small advised that Popeye's added awnings and changed its prototype based on comments from the Town. Mr. Powell advised that the applicant is going to go back to their architect to see what can be done. Mr. Raub advised that the part that concerns him the most is the side visible from Route 1.

Mr. Coates advised that the McDonald's at Bel Air Plaza has three (3) translucent glass windows in the back, which McDonald's did not want to add. Mr. Coates advised that something needs to happen to accent the back end on the proposed Taco Bell building. Mr. Small advised that the McDonald's also added stone to the building as well.

Ms. Thompson inquired how many times requests to modify the architecture have been rejected by Taco Bell corporate. Mr. DePascale advised that Taco Bell has changed the prototype for other municipalities, but he must have corporate create some plans and bring them back to the Town.

Ms. Kissinger-Kelly inquired about the fencing around the patio. Mr. DePascale advised that the fencing will be dark metal with composite slats. Ms. Kissinger-Kelly inquired if the fence is about 4 feet high. Mr. DePascale advised that it is about that height but is meant to be decorative and add dimension to the building.

Ms. Kissinger-Kelly inquired about the color and materials around the refuse and recycling. Mr. DePascale advised that they typically do a split base masonry enclosure with a color that matches the building. He advised that there will be a heavy metal gate with vertical slats. Mr. Powell advised that this will be shown on the Final Plan.

Ms. Kissinger-Kelly inquired how the complaints about the shopping center screening are being addressed. Mr. Powell advised that what has been recommended is 65-70 linear feet of board-on-board 6-foot-high fence that will screen the area along Route 24. Mr. Powell advised that there is chain link fence along the back with vinyl slats missing or broken. He advised that he feels there should be some maintenance to screen the back of the shopping center completely. Mr. Powell advised that there is about 110 feet of fence along Kelly Avenue before it diverts to

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the back of the center. The area on Kelly Avenue has no vinyl slats. The recommendation is to place slats in the fencing along Kelly Avenue.

Ms. Kissinger-Kelly inquired if replacing that screening will be the applicant's responsibility. Mr. Small advised that it is the applicant's responsibility because they are the applicants in front of the Planning Commission. Mr. Small advised that Robert Nasuti, president of Winterstar Corporation, signed the application as the owner. Mr. Small inquired if Mr. Nasuti is the owner of the shopping center. Mr. DePascale advised that Mr. Nasuti is the owner of the Taco Bell. Mr. Small advised that this is almost an invalid application as the applicant was informed before submitting the application that the shopping center owner must be made aware of this application. Mr. Small advised that the applicant has to take responsibility for doing this work or not. Mr. DePascale advised that he cannot go on someone else's property and build a fence. Mr. Small advised that the applicant needs to obtain that permission from the shopping center ownership. Mr. Small advised that the screening that was required as part of the shopping center's initial development is no longer in conformance.

Mr. Coates inquired why the Town does not inform the shopping center that it is in violation and require them to fix the screening or lose its U&O. Mr. Small advised that this goes against the way the Town has been reviewing Shopping Centers since he has been the Director of Planning. Mr. Coates inquired why the Town attorney cannot go to the shopping center ownership and inform them that they will lose their U&O unless they come back into conformance. Mr. Small advised that in the past the Town would not allow any property that wanted to subdivide to do that, and this is something the Town would need to pursue with another means.

Mr. Small advised that had he known the application was not signed by the shopping center owner, he would not have accepted it. Mr. Raub recommended that the application be revised to include the signature of the shopping center owner, which would also give the applicant time to make the project consistent with the architectural review. Mr. Small advised that the Planning Commission may choose to approve the Site Plan but table the Special Development for the Shopping Center. Mr. Raub advised that he does not know what he would be approving until the applicant can consult with Taco Bell corporate about what can be done with the architecture. Mr. Small advised that he envisions an approval with the condition to come back before the Planning Commission with the architecture.

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Ms. Kissinger-Kelly called for any public comments.

Steve Chizmar (321 E. Broadway) stated that he agrees that the Town should hold people who are in violation accountable. Mr. Chizmar advised that the entities in violation should be notified and explain what they plan to do to address the violation. He advised that if they refuse to address the violation, the U&O should be withheld.

Mr. Schlehr moved and Mr. Raub seconded the motion to table the Site Plan review for replacing the existing building in the Bel Air Town Center with a new building located at 504 Baltimore Pike until the architectural requests are addressed and the issue regarding the Bel Air Town Center improvements are resolved.

Ayes: Mr. Coates, Mr. Raub, Mr. Schlehr and Ms. Kissinger-Kelly

Nays: none

The motion carried.

OLD BUSINESS:

Review Harford Mall Sears Redevelopment, May 6, 2021 Site Plan approval to allow modification to outdoor dining for Modd Pizza to be located at 119 N. Tollgate

Mr. Small advised that the Shops at Harford Mall was approved several months ago showing some outdoor dining, and they have since gotten an occupant, Modd Pizza, that has changed how the outdoor dining is arranged. Mr. Small advised that the Town has no conditions or requirements for the modifications.

Mr. Raub moved and Mr. Schlehr seconded the motion to approve the modifications to the outdoor dining arrangement at the Shops at Harford Mall as submitted.

Ayes: Mr. Coates, Mr. Raub, Mr. Schlehr and Ms. Kissinger-Kelly

Nays: none

The motion carried.

Development Regulations Amendments

1. Recommendations of previously reviewed Part 3 and Part 4 (Articles XV and XVI)

Article XV Sign Regulations

Section 165-106 Standard by zoning district.

A.(5)(a) The members present agreed that this item should be amended as follows: Signs not exceeding six square feet may be placed on a residentially zoned lot without permit.

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B.(2)(b)[4][a] The members present agreed that this item should be amended as follows: Signs not exceeding eight square feet may be placed on a commercially zoned lot without permit.

Section 165-110 Prohibited Signs.

F. The members present agreed with proposed amendments to this item.

Mr. Raub moved and Mr. Coates seconded the motion to approve the recommended amendments to Article XV of the Development Regulations.

Ayes: Mr. Coates, Mr. Raub, Mr. Schlehr and Ms. Kissinger-Kelly

Nays: none

The motion carried.

Mr. Raub moved and Mr. Coates seconded the motion to approve the recommended amendments to Article XVI of the Development Regulations.

Ayes: Mr. Coates, Mr. Raub, Mr. Schlehr and Ms. Kissinger-Kelly

Nays: none

The motion carried.

CLOSE MEETING:

Mr. Coates moved and Mr. Schlehr seconded the motion to close the meeting to consult regarding pending litigation.

Ayes: Mr. Coates, Mr. Raub, Mr. Schlehr and Ms. Kissinger-Kelly

Nays: none

The motion carried.

The meeting was closed at 7:33 p.m.

REOPEN MEETING:

Mr. Raub moved and Mr. Coates seconded the motion to reopen the Planning Commission meeting.

Ayes: Mr. Coates, Mr. Raub, Mr. Schlehr and Ms. Kissinger-Kelly

Nays: none

The motion carried.

The meeting was reopened at 8:06 p.m.

ADJOURNMENT:

The meeting was adjourned at 8:07 p.m.



BEL AIR TOWN CENTER - TACO BELL
PLANNING COMMISSION SUBMISSION
08/16/2023



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