



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

July 22, 2024

David Karceski, Esquire – dhkarceski@venable.com
Adam M. Rosenblatt, Esquire – amrosenblatt@venable.com
Venable, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: **CORRECTED OPINION AND ORDER**
Petitions for Special Exception & Variance
Case No. 2024-0119-XA
Property: 10111 10142 York Road

Dear Counsel:

Enclosed please find a copy of the Corrected Opinion and Order rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. M. Belt", is written over a horizontal line.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB;dln
Enclosure

c: Jack Suter jack.suter14@gmail.com
Michael Stoltz stoltz@mfirealty.com
Mickey Cornelius mcornelius@trafficgroup.com
Myers, Curtis N. cnmyers@venable.com
Mark expertassemblyteam@gmail.com

IN RE: PETITIONS FOR SPECIAL EXCEPTION *	BEFORE THE
AND VARIANCE	
(10100 – 10142 York Road) *	THE OFFICE
8 th Election District	
3rd Council District *	ADMINISTRATIVE HEARINGS
Industry Lane Associates, LLLP	
Legal Owner *	FOR BALTIMORE COUNTY
WLR Holding Co., Inc., & Chick-fil-A, Inc.*	
Contract Purchaser/Lessee *	
 Petitioners *	 Case No: 2024-0119-XA
* * * * *	* * * * *

CORRECTED
OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Exception and Variance filed on behalf of Industry Lane Associates, LLLP, legal owner and WLR Holding Company, Inc., and Chick-fil-A, Inc., contract lessee, (“Petitioners”) for the property known as 10100-10142 York Road. A Petition for Special Exception was filed from the Baltimore County Zoning Regulations (“BCZR”) §§ 233.3 and 253.2.D.4 to permit a full-service car wash. Variance relief was filed as follow:

1. BCZR, § 409.6.A.2, to allow a total of 164 off-street parking spaces in lieu of the required 218 off-street parking spaces.
2. BCZR, § 419.4.B.3, to allow a landscape transition area width in the front yard to be a minimum of 0 ft. abutting non-residentially zoned land in the lieu of the required 6 ft.
3. BCZR, § 450.4, Table of Sign Regulations (5)(a), to allow a total of 8 wall-mounted enterprise signs on a single tenant commercial building (Sign Nos. 1-8) with a maximum of 3 signs on any single facade in lieu of the permitted 3 signs with no more than 2 signs on any single facade.
4. BCZR, § 450.4.4, Table of Sign Regulations (5)(b), to allow a total of 7 freestanding enterprise signs with sign areas/faces of 75 sq. ft. (Sign No. 9), 27 sq. ft. (Sign Nos. 14A-14B),

and 8 sq. ft. (Sign Nos. 11, 12, 13, 20) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 sq. ft.

5. BCZR, § 450.5.B.4.a, to allow a freestanding sign to be installed as close as 8 ft. to another freestanding sign on the same premises having as area larger than 8 sq. ft. (between Sign Nos. 14A and 14B) in lieu of the required 100 ft. distance.

6. BCZR, § 450.4, Table of Sign Regulations (5)(a), to allow a total of 6 wall-mounted enterprise signs on a single tenant commercial building (Signs B, C) with a maximum of 2 signs on any single facade in lieu of the 3 signs permitted with no more than 2 signs on any single facade.

7. BCZR, § 450.4, Table of Sign Regulations(3)(a), to allow freestanding directional signs with a height of 9 ft. in lieu of the permitted 6 ft. (Signs D, E).

8. BCZR, § 450.4, Table of Sign Regulations (5)(b), to allow a freestanding enterprise sign with a sign area/face of 116 sq. ft. (Sign A) in lieu of the permitted sign area/face of 75 sq. ft.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on June 25, 2024 at 1:30 p.m. The Petitions were properly advertised and posted.

Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and Department of Environmental Protection and Sustainability (“DEPS”). They did not oppose the requested relief, subject to proposed conditions, which will be incorporated into the Order.¹

WLR Holding Co., representative Sandy Grandstaff, and Chick-fil-A representative, Doug Wolfe were present at the hearing. The Site Plan was prepared by Daniel Haney, P.E. of Bohler,

¹ The Department of Public Works and Transportation (“DPW&T”) had the following ZAC comment: “The proposed vacuum area is located in an existing drainage and utility easement as shown on Record Plat 35/22. The drainage and utility easement is in place for maintenance of existing public sewer and storm drain mains. The Special Exception or Variances must be denied until the vacuum area is relocated.” Counsel for the Petitioners have submitted an email dated June 20, 2024 from DPWT verifying that this issue has been resolved. (Pet. Ex. 15)

and was admitted as Petitioners' Exhibit 1. David Karceski, Esquire and Adam M. Rosenblatt, Esquire of Venable, LLP represented the Petitioners. Michael Stolz, representative of the property owner, Industry Lane Associates, LLLP, and experts Brandon Rowe, P.E. of Bohler, and Mickey Cornelius, P.T.O.E. of the Traffic Group also appeared. Nearby resident Jack Suter attended as an interested citizen.

Mr. Karceski and Mr. Rosenblatt were permitted to proffer the facts supporting the requested relief. They explained that the site is approximately 4.06 acres and is zoned BR-IM-ML-IM and is located at the southwest corner of the signalized intersection of York Road and Industry Lane in the Cockeysville area of Baltimore County. The site is currently improved with a Chick-fil-A, a two-story Ramada Motel and a one-story strip mall with six storefronts. (Pet. Exs. 2 & 6)

As noted in the site plan, (Pet. Ex. 1) the Petitioners intend to raze the existing Ramada Motel and construct a one story 5,106 sf. Auto Spa Express car wash located behind the Chick-fil-A, where the rear portion of the Ramada is currently located. Additionally, the Petitioners are proposing to raze the existing 4,811 sf Chick-fil-A and construct a new 5,331 sf Chick-fil-A in its place. The new Chick-fil-A is proposed to be located northeast of the existing Chick-fil-A in order to allow parking spaces to be shifted to the south of the building, rather than to the north and east of the building as currently situated. The double drive-thru lanes of the Chick-fil-A are proposed to be located along York Road and Industry Lane. As proffered by Mr. Rosenblatt and Mr. Karceski, with the assistance of Mr. Rowe and Mr. Cornelius, parking for the site is shared for all uses and proposed to be located east and south of the existing strip mall along York Road and the property line between the subject site and the neighboring site. The proposed new parking layout makes the parking more central for the uses and eliminated the need for Chick-fil-A patrons

crossing the drive-thru to access the restaurant. Ingress and egress for the subject site will occur on both York Road and Industry Lane.

In prior Case No. 2012-0123-A involving the subject site, a variance was granted from BCZR, § 409.6 to permit 228 off-street parking spaces in lieu of the required 250 parking spaces. The Administrative Law Judge (“ALJ”) in that matter reasoned that such a variance was warranted in that the Chick-fil-A business model envisioned a majority of its patrons to be using the drive-thru. In the instant case, Mr. Wolfe confirmed that 60% of the present location’s business is generated via drive-thru. Additionally, Mr. Wolfe explained that since COVID shutdowns, dine-in business has decreased, causing the rebuilt Chick-fil-A proposed for the subject site to have a dine-in capacity of 70 seats rather than the present 108 seats.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1, 11 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

The record evidence establishes that this is such a case. As noted above, the site is completely surrounded by commercial uses, i.e., an adjacent strip mall, car dealerships, a full-service car wash, and other retail. In regards to the requirements of BCZR, § 502.1 Mr. Rowe testified that the proposed Special Exception will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;

- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air;
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations.

Additionally, Mr. Rowe opined that that any adverse impacts of the car wash use at this particular location would not be above and beyond those inherently associated with the Special Exception use.

Mr. Rowe explained that the car wash site will allow for the stacking of 29 vehicles, greater than the required 19 vehicles. In supplement to Mr. Rowe's testimony, Mr. Cornelius provided expert testimony that there are no failing intersections in the vicinity of the subject site and that car wash use is usually most concentrated during non-traffic peak hours. Additionally, Mr. Cornelius prepared a Parking Occupancy Study for all uses at the subject site and concluded that the proposed 164 parking spaces was more than adequate in light of the present parking demands of the subject site. (Pet. Ex. 14) Based on the testimony outlined above, I find that the Petitioners request for Special Exception pursuant to BCZR, §§ 233.3 and 253.D.4 is granted.

VARIANCES

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The subject site is "unique" for a variety of reasons. In addition to the finding of "uniqueness" in prior Case No. 2012-0123-A, Mr. Wolfe, Mr. Rowe, and Mr. Haney all testified

that the subject site sits at the crest of a hill coming both, north and south on York Road. Consequently, corresponding signage is difficult to see by drivers approaching in both directions. Additionally, the subject site has an irregular “razor blade” type shape with 560 ft. of lineal frontage with access points from two different roads. The location of the proposed car wash being situated behind the Chick-fil-A creates additional unique challenges for the effective placement of signage.

In regards to the variance request from BCZR, § 419.4.B.3 requiring a 6 ft. landscape transition area abutting non-residentially zoned land, a drainage easement on the site near the proposed vacuum area for the proposed car wash makes the addition of a landscape transition area in this location impossible. (Pet. Exs. 7 & 8) To remedy this problem would require a complete reconfiguration of the site plan and would ultimately result in the need for additional variance relief. It is noteworthy that this is an internal variance that is not visible outside the subject site.

SIGN VARIANCES

The Petitioners have requested a variety of sign variances to meet the challenges of providing effective signage for a site with both a unique use and shape.

Sign Nos. 1-8

The Petition for Variance from BCZR, § 450.4 Table of Sign Regulations (5)(a) for Signs 1 through 8 are to allow a total of 8 wall-mounted enterprise signs on a single tenant commercial building, with a maximum of 3 signs on any single façade in lieu of the permitted 3 signs with no more than 2 signs on any single façade. These signs involve the proposed wall mounted signs for the proposed car wash building. (Pet. Ex. 1, p.2) These signs variance have been requested due to the location of the proposed car wash behind the Chick-Fil-A building which requires signage on

the building that can be seen from both York Road and Industry Lane and will facilitate better navigation by patrons attempting to enter the site.

Sign No. 9, Sign Nos. 14A-14B & Sign Nos. 11, 12, 13 & 20

The requested Petition for Variance from BCZR, § 450.4. Table of Sign Regulations (5)(b) for Sign No. 9 is to allow a total of 7 freestanding enterprise signs with sign areas/faces of 75 square feet, for signs Nos. 14A-14B are to allow 27 square feet, and for Sign Nos. 11, 12, 13, and 20 to allow 8 square feet in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet. (Pet. Ex 1, p.2) These variances also involve the proposed car wash. Six of these signs are internal to the site, and are in essence, free standing directional signs that inform patrons of potential washing options and pricing, but due to the fact that they also contain logos they are technically defined as enterprise pursuant to Code. The fact that the car wash use is 100 percent drive-thru in nature, requires the additional free-standing signage in both number and square footage to effectively inform patrons of service options and drive-thru procedure.

Sign Nos. 14A -14B

The requested Petition for Variance BCZR, § 450.5.B.4.a for Sign Nos. 14A and 14B is to allow a freestanding sign to be installed as close as 8 feet to another freestanding sign on the same premises having as area larger than 8 square feet in lieu of the required 100-foot distance. (Pet. Ex. 1, p.2) This variance, again, comes as a result for the need of informational signs in each drive aisle. Since these drive aisles are obviously less than 100 feet apart, variance relief is necessary. Having the car wash drive aisles 100 feet apart would be nonsensical in light of the purpose for the car wash drive-aisles themselves.

Signs B and C

The requested Petition for Variance from BCZR, § 450.4. Table of Sign Regulations (5)(a) for Signs B and C is to allow a total of 6 wall-mounted enterprise signs on a single tenant commercial building with a maximum of 2 signs on any single façade in lieu of the 3 signs permitted with no more than 2 signs on any single façade. (Pet. Ex. 1, p.2) This request involves the proposed Chick-fil-A, that like the proposed car wash, will be accessible from both York Road and Industry Lane, thus, creating the need for additional signage to make the building identifiable to patrons traveling from both streets.

Signs D and E

The requested Petition for Variance from BCZR, § 450.4 Table of Sign Regulations (3)(a) for Signs D and E is to allow freestanding directional signs with a height of 9 feet in lieu of the permitted 6 feet. (Pet. Ex. 1, p.2) These directional signs are the Chick-Fil-A drive-thru and are necessitated by the Chick-Fil-A location at the crest of a hill coming in both directions which presents the need for greater sign height for visibility of approaching drivers and allows the site to be seen in time for drivers to navigate to the appropriate turn lane.

Sign A

The final requested Petition for Variance from BCZR, § 450.4 Table of Sign Regulations (5)(b) for Sign A is to allow a freestanding enterprise sign with a sign area/face of 116 square feet in lieu of the permitted sign area/face of 75 square feet. (Pet. Ex. 1, p.2) This variance request involves the Chick-fil-A pole sign on York Road. Due to the fact that the words on this sign are separated, the “dead space” that separates the lines of text are required to be included in the sign’s square footage, thus, causing the circumstances for the requested relief.

In light of the “uniqueness” factors previously discussed, I additionally find that due to the reasons outlined above, the Petitioners would experience a practical difficulty if the requested variances were to be denied. Accordingly, all of the Petitioners previously noted requests for variance relief are granted.

THEREFORE, IT IS ORDERED this 15th day of **July 2024**, by this Administrative Law Judge, that the Petition for Special Exception filed pursuant to BCZR §§ 233.3 and 253.2.D.4 to permit a full-service car wash, be and is hereby **GRANTED** and pursuant to BCZR, § 502.3, the Special Exception is valid for a period of five (5) years from the date of this Order;

IT IS FURTHER, ORDERED that, pursuant to BCZR, § 502.3, the Special Exception is valid for a period of five (5) years from the date of this Order, and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that a Petition for Variance filed from the BCZR, § 409.6.A.2, to allow a total of 164 off-street parking spaces in lieu of the required 218 off-street parking spaces, be and is hereby **GRANTED**, and;

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR § 419.4.B.3, to allow a landscape transition area width in the front yard to be a minimum of 0 ft. abutting non-residentially zoned land in the lieu of the required 6 ft., be and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.4, Table of Sign Regulations (5)(a), to allow a total of 8 wall-mounted enterprise signs on a single tenant commercial building (Sign Nos. 1-8) with a maximum of 3 signs on any single facade in lieu of the permitted 3 signs with no more than 2 signs on any single façade, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.4.4, Table of Sign Regulations (5)(b), to allow a total of 7 freestanding enterprise signs with sign areas/faces of 75 sq. ft. (Sign No. 9), 27 sq. ft. (Sign Nos. 14A-14B), and 8 sq. ft. (Sign Nos. 11, 12, 13, & 20)

in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 sq. ft., be and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.5.B.4.a, to allow a freestanding sign to be installed as close as 8 ft. to another freestanding sign on the same premises having as area larger than 8 sq. ft. (between Sign Nos. 14A and 14B) in lieu of the required 100 ft. distance, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.4, Table of Sign Regulations (5)(a), to allow a total of 6 wall-mounted enterprise signs on a single tenant commercial building (Signs B, C) with a maximum of 2 signs on any single facade in lieu of the 3 signs permitted with no more than 2 signs on any single façade, be and is hereby **GRANTED**.

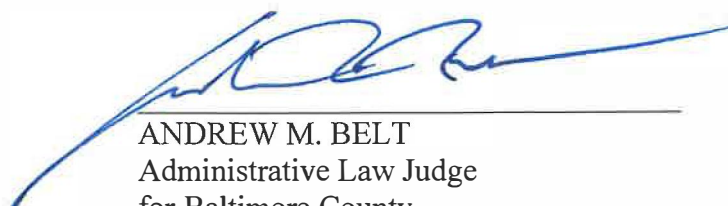
IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.4, Table of Sign Regulations(3)(a), to allow freestanding directional signs with a height of 9 ft. in lieu of the permitted 6 ft. (Signs D, E), be and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.4, Table of Sign Regulations (5)(b), to allow a freestanding enterprise sign with a sign area/face of 116 sq. ft. (Sign A) in lieu of the permitted sign area/face of 75 sq. ft., be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
- Petitioners must comply with the DOP comments, a copy of which is attached hereto and made a part hereof. However, Comment #2 regarding the suggested monument style signs is not required, and Petitioners are permitted to continue to use the proposed pole signs. (The previously noted DPW&T ZAC comment has been resolved and is no longer applicable.)

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 5/28/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0119-XA

INFORMATION:

Property Address: 10100-10142 York Road
Petitioner: Industry Lane Associates LLLP
Zoning: BR IM, ML IM
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for the following:

Special Exception -

1. To permit a full-service car wash, pursuant to Sections 233.3 and 253.2.D.4 of the Baltimore County Zoning Regulations (BCZR);

Variance -

2. From BCZR Section 409.6.A.2 to allow a total of 164 off-street parking spaces in lieu of the required 216 off-street parking spaces;
3. From BCZR Section 419.4.B.3 to allow a landscape transition area width in the front yard to be a minimum of 0 feet abutting non-residentially zoned land in lieu of the required 6 feet;
4. From BCZR Section 450.4.Table of Sign Regulations (5)(a) to allow a total of 8 wall-mounted enterprise signs on a single tenant commercial building (Sign Nos. 1-8) with a maximum of 3 signs on any single façade in lieu of the permitted 3 signs with no more than 2 signs on any single façade;
5. From BCZR Section 450.4.Table of Sign Regulations (5)(b) to allow a total of 7 freestanding enterprise signs with sign areas/faces of 75 square feet (Sign No. 9), 27 square feet (Sign Nos. 14A-14B), and 8 square feet (Sign Nos. 11, 12, 13, 20) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet;
6. From BCZR Section 450.5.B.4.a to allow a freestanding sign to be installed as close as 8 feet to another freestanding sign in the same premises having an area larger than 8 square feet (between Sign Nos. 14A and 14B) in lieu of the required 100 foot distance;
7. From BCZR Section 450.4.Table of Sign Regulations (5)(a) to allow a total of 6 wall mounted enterprise signs on a single tenant commercial building (Signs B, C) with a maximum of 2 signs on any single façade in lieu of the 3 signs permitted with no more than 2 signs on any single façade;
8. From BCZR Section 450.4.Table of Sign Regulations (3)(a) to allow freestanding directional signs with a height of 9 feet in lieu of the permitted 6 feet (Signs D, E); and

9. From BCZR Section 450.4. Table of Sign Regulations (5)(b) to allow a freestanding enterprise sign with a sign area/face of 116 square feet (Sign A) in lieu of the permitted sign area/face of 75 square feet.

The subject site is an approximately 4.06 acre parcel at the southwest corner of the signalized intersection of York Road and Industry Lane in the Cockeysville area. It is improved with a Chick-fil-A with a double drive-thru, a two-story Ramada Hotel/Motel, and a one-story strip mall with six storefronts. The Ramada is two buildings: one perpendicular to York Road between the strip mall and the Chick-fil-A and one parallel to York Road behind the other Ramada building, strip mall, and Chick-fil-A. The Chick-fil-A is located to the northeast portion of the site and has angled parking to its north and east, directly along York Road and Industry Lane.

Uses immediately surrounding the site include: an office building to the north across Industry Lane; a Flagship car wash, a Wawa gas station and associated convenience store, and a one-story strip mall to the east across York Road; commercial spaces and stores (an AutoZone Auto Parts store and a Hi Lo Auto Sale shop) to the south; and a car dealership service center (Bill Kidd's Toyota and Volvo Service Center) to the west.

The subject site is within the boundaries of the Hunt Valley/Timonium Master Plan, the Western Baltimore County Pedestrian and Bicycle Access Plan, and the Hunt Valley/Timonium Design Guidelines sub-section of the Comprehensive Manual of Development Policies (CMDP). The Hunt Valley/Timonium Design Guidelines provide design guidelines on building architecture, screening, pedestrian friendly development, landscaping, etc., within the area boundary. The Hunt Valley/Timonium Master Plan, adopted by the County Council October 19th, 1998, seeks to provide guidance on development of the employment and commercial areas. The plan highlights a number of issues within the plan area, including traffic congestion; the lack of pedestrian and bicycle circulation and connections; the need for improving the visual quality of the York Road corridor; the need for improving landscaping to bring existing commercial properties along the York Road corridor into conformance with the Landscape Manual; the existence of sign clutter; and more.

Per the site plan, the applicant wishes to demolish the two existing Ramada Hotel/Motel buildings and construct a one story 5,106 square foot Auto Spa Express car wash with associated parking. The car wash is proposed to be tucked to the rear of the site and parallel with York Road. In addition, the applicant wishes to demolish the existing 4,811 square foot Chick-fil-A and construct a new, 5,331 square foot Chick-fil-A. The new Chick-fil-A is proposed to be located northeast of the existing Chick-fil-A in order to allow the parking spaces to be shifted to the south of the building, rather than to the north and east of the building as currently existing. The double drive-thru lanes of the Chick-fil-A are proposed to be located along York Road and Industry Lane.

Parking for the site is shared for all uses and is proposed to be located east and south of the existing strip mall with six storefronts, along York Road and the property line between the subject site and the neighboring site, as parking currently exists; north of the proposed car wash; and south and west of the proposed new Chick-fil-A. The proposed new layout makes the parking more central for the uses and eliminates Chick-fil-A patrons from crossing the drive-thru to access the restaurant. Ingress and egress points for the subject site are provided on York Road and Industry Lane.

The site was the subject of a similar Zoning Case, Case 2023-0081-XA in April 2023. The Case included the demolition of the two Ramada Hotel/Motel buildings to construct an Auto Spa Express Car Wash and sought the same first six items of relief as currently requested. The primary difference between Case 2023-0081-XA and the Zoning Case currently at hand is the inclusion of the demolition and rebuild of the Chick-fil-A. The Department of Planning did not support the bulk of the requests in Case 2023-0081-XA,

citing overdevelopment of the site; circulation issues; a redundant use, since a car wash existed across the street; lack of landscaping going against the Hunt Valley/Timonium Master Plan and Hunt Valley/Timonium Design Guidelines sub-section of the CMDP; and sign clutter. Following the issuance of the Department's comments, dated April 26th, 2023, representatives of the Department of Planning met with the Petitioner on June 6th, 2023 for additional information on the petition and long-term plans for the property. During the meeting, the Petitioner explained that the proposed car wash was an "express" model, meaning vehicles were in and out of the car wash tunnel in under three minutes. Further, the Auto Spa Express would primarily operate under a membership model.

During the meeting, the Petitioner explained that the long-term plans for the property included demolishing and reconstructing the Chick-fil-A in order to address existing circulation and parking issues (i.e., patrons needing to cross the drive-thru to access the restaurant from the existing parking spaces along York Road and Industry Lane). A site plan showing the possible relocation of the Chick-fil-A, drive-thru, and parking was presented to the Department, which became the site plan for the Zoning Case at hand, Case 2024-0119-XA. The site plan included a fence between the drive-thru of the Chick-fil-A and York Road and Industry Lane in order to improve pedestrian safety. During the meeting, the Department expressed that they would be accepting of the complete proposal, subject to conditions, as it was an overall improvement of the site.

The Department of Planning met with representatives for the petition via WebEx on May 28th, 2024. During the meeting, representatives for the petition explained the petition and provided the following information:

- The information provided to the Department of Planning in June of 2023 is still accurate. The proposed car wash will be an "express" model, meaning vehicles are in and out of the car wash tunnel in under three minutes, and will primarily operate under a membership model. Auto Spa employees will not vacuum cars after they travel through the car wash tunnel; instead, patrons have the option to vacuum their car themselves after the car wash.
- Auto Spa has two other Auto Spa Express car washes in the County – one in Dundalk and one in Halethorpe.
- The Variance requested for the Landscape Transition Area is related to landscaping between the uses on the site. Landscaping is provided around/along the perimeter of the site. A Schematic Landscape Plan has been submitted to the County Landscape Architect.
- Relating to the requested parking Variance, a Parking Space Occupancy Study was done, and confirmed the requested number of parking spaces will be sufficient

The Department of Planning finds that the site plan submitted with Case 2024-0119-XA is an improvement to that which was submitted with Case 2023-0081-XA in April 2023. The updated site plan improves circulation for the site as a whole, while providing adequate space for each of the individual uses. As such, the Department of Planning has no objections to the requested Special Exception and Variance relief, subject to the following conditions:

1. Architecture for the proposed Auto Spa Express Car Wash and Chick-fil-A should be in keeping with the design guidelines outlined in the Hunt Valley/Timonium Master Plan and Hunt Valley/Timonium Design Guidelines sub-section of the CMDP.
2. In keeping with the Hunt Valley/Timonium Master Plan and efforts to reduce sign clutter and visual appearance along the York Road corridor, the proposed pylon signs should instead be monument style signs.
3. Landscaping shall be provided to the greatest extent possible, as recommended in the Hunt Valley/Timonium Master Plan and Hunt Valley/Timonium Design Guidelines sub-section of the CMDP. This includes landscaping along the perimeter of the site as possible, landscape islands,

and landscaping at the base of the Auto Spa Express Car Wash and Chick-fil-A signs. The Department encourages the Petitioner to consider adding planters outside of the Chick-fil-A and Auto Spa buildings to further beautify the site.

4. An outdoor patio/sitting area shall be proposed for the Chick-fil-A, as shown on the site plan submitted with Case 2024-0119-XA.
5. Quality fencing, like a black metal fence, as shown on the site plan, shall be proposed along the edge of the Chick-fil-A drive-thru in order to improve pedestrian safety within the site.
6. A circulation plan showing vehicular and pedestrian access shall be submitted to the Department of Planning prior to permitting.

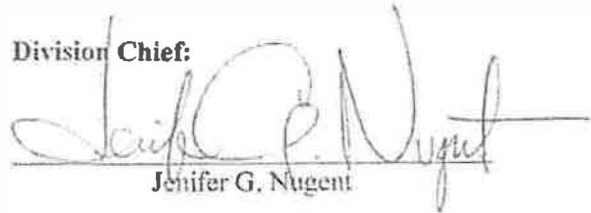
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

SL/JGN/KP

c: David Karceski
David Birkenthal, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

July 15, 2024

David Karceski, Esquire – dhkarceski@venable.com
Adam M. Rosenblatt, Esquire – amrosenblatt@venable.com
Venable, LLP
210 w. Pennsylvania Avenue
Towson, MD 21204

RE: Petitions for Special Exception & Variance
Case No. 2024-0119-XA
Property: 10111 10142 York Road

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to be "AMB", is written over a long, horizontal, slightly wavy line that serves as a signature guide.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB;dln
Enclosure

c: Jack Suter jack.suter14@gmail.com
Michael Stoltz stoltz@mfirealty.com
Mickey Cornelius mcornelius@trafficgroup.com
Myers, Curtis N. cnmyers@venable.com
Mark expertassemblyteam@gmail.com

IN RE: PETITIONS FOR SPECIAL EXCEPTION	*	BEFORE THE
AND VARIANCE		
(10100 – 10142 York Road)	*	THE OFFICE
8 th Election District		
3rd Council District	*	ADMINISTRATIVE HEARINGS
Industry Lane Associates, LLLP		
<i>Legal Owner</i>	*	FOR BALTIMORE COUNTY
WLR Holding Co., Inc., & Chick-fil-A, Inc.*		
<i>Contract Purchaser/Lessee</i>	*	
Petitioners	*	Case No: 2024-0119-XA
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Exception and Variance filed on behalf of Industry Lane Associates, LLLP, legal owner and WLR Holding Company, Inc., and Chick-fil-A, Inc., contract lessee, (“Petitioners”) for the property known as 10100-10142 York Road. A Petition for Special Exception was filed from the Baltimore County Zoning Regulations (“BCZR”) §§ 233.3 and 253.2.D.4 to permit a full-service car wash. Variance relief was filed as follow:

1. BCZR, § 409.6.A.2, to allow a total of 164 off-street parking spaces in lieu of the required 216 off-street parking spaces.
2. BCZR, § 419.4.B.3, to allow a landscape transition area width in the front yard to be a minimum of 0 ft. abutting non-residentially zoned land in the lieu of the required 6 ft.
3. BCZR, § 450.4, Table of Sign Regulations (5)(a), to allow a total of 8 wall-mounted enterprise signs on a single tenant commercial building (Sign Nos. 1-8) with a maximum of 3 signs on any single facade in lieu of the permitted 3 signs with no more than 2 signs on any single facade.
4. BCZR, § 450.4.4, Table of Sign Regulations (5)(b), to allow a total of 7 freestanding enterprise signs with sign areas/faces of 75 sq. ft. (Sign No. 9), 27 sq. ft. (Sign Nos. 14A-14B),

and 8 sq. ft. (Sign Nos. 11, 12, 13, 20) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 sq. ft.

5. BCZR, § 450.5.B.4.a, to allow a freestanding sign to be installed as close as 8 ft. to another freestanding sign on the same premises having as area larger than 8 sq. ft. (between Sign Nos. 14A and 14B) in lieu of the required 100 ft. distance.

6. BCZR, § 450.4, Table of Sign Regulations (5)(a), to allow a total of 6 wall-mounted enterprise signs on a single tenant commercial building (Signs B, C) with a maximum of 2 signs on any single facade in lieu of the 3 signs permitted with no more than 2 signs on any single facade.

7. BCZR, § 450.4, Table of Sign Regulations(3)(a), to allow freestanding directional signs with a height of 9 ft. in lieu of the permitted 6 ft. (Signs D, E).

8. BCZR, § 450.4, Table of Sign Regulations (5)(b), to allow a freestanding enterprise sign with a sign area/face of 116 sq. ft. (Sign A) in lieu of the permitted sign area/face of 75 sq. ft.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on June 25, 2024 at 1:30 p.m. The Petitions were properly advertised and posted.

Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and Department of Environmental Protection and Sustainability (“DEPS”). They did not oppose the requested relief, subject to proposed conditions, which will be incorporated into the Order.¹

WLR Holding Co., representative Sandy Grandstaff, and Chick-fil-A representative, Doug Wolfe were present at the hearing. The Site Plan was prepared by Daniel Haney, P.E. of Bohler,

¹ The Department of Public Works and Transportation (“DPW&T”) had the following ZAC comment: “The proposed vacuum area is located in an existing drainage and utility easement as shown on Record Plat 35/22. The drainage and utility easement is in place for maintenance of existing public sewer and storm drain mains. The Special Exception or Variances must be denied until the vacuum area is relocated.” Counsel for the Petitioners have submitted an email dated June 20, 2024 from DPWT verifying that this issue has been resolved. (Pet. Ex. 15)

and was admitted as Petitioners' Exhibit 1. David Karceski, Esquire and Adam M. Rosenblatt, Esquire of Venable, LLP represented the Petitioners. Michael Stolz, representative of the property owner, Industry Lane Associates, LLLP, and experts Brandon Rowe, P.E. of Bohler, and Mickey Cornelius, P.T.O.E. of the Traffic Group also appeared. Nearby resident Jack Suter attended as an interested citizen.

Mr. Karceski and Mr. Rosenblatt were permitted to proffer the facts supporting the requested relief. They explained that the site is approximately 4.06 acres and is zoned BR-IM-ML-IM and is located at the southwest corner of the signalized intersection of York Road and Industry Lane in the Cockeysville area of Baltimore County. The site is currently improved with a Chick-fil-A, a two-story Ramada Motel and a one-story strip mall with six storefronts. (Pet. Exs. 2 & 6)

As noted in the site plan, (Pet. Ex. 1) the Petitioners intend to raze the existing Ramada Motel and construct a one story 5,106 sf. Auto Spa Express car wash located behind the Chick-fil-A, where the rear portion of the Ramada is currently located. Additionally, the Petitioners are proposing to raze the existing 4,811 sf Chick-fil-A and construct a new 5,331 sf Chick-fil-A in its place. The new Chick-fil-A is proposed to be located northeast of the existing Chick-fil-A in order to allow parking spaces to be shifted to the south of the building, rather than to the north and east of the building as currently situated. The double drive-thru lanes of the Chick-fil-A are proposed to be located along York Road and Industry Lane. As proffered by Mr. Rosenblatt and Mr. Karceski, with the assistance of Mr. Rowe and Mr. Cornelius, parking for the site is shared for all uses and proposed to be located east and south of the existing strip mall along York Road and the property line between the subject site and the neighboring site. The proposed new parking layout makes the parking more central for the uses and eliminated the need for Chick-fil-A patrons

crossing the drive-thru to access the restaurant. Ingress and egress for the subject site will occur on both York Road and Industry Lane.

In prior Case No. 2012-0123-A involving the subject site, a variance was granted from BCZR, § 409.6 to permit 228 off-street parking spaces in lieu of the required 250 parking spaces. The Administrative Law Judge (“ALJ”) in that matter reasoned that such a variance was warranted in that the Chick-fil-A business model envisioned a majority of its patrons to be using the drive-thru. In the instant case, Mr. Wolfe confirmed that 60% of the present location’s business is generated via drive-thru. Additionally, Mr. Wolfe explained that since COVID shutdowns, dine-in business has decreased, causing the rebuilt Chick-fil-A proposed for the subject site to have a dine-in capacity of 70 seats rather than the present 108 seats.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1, 11 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

The record evidence establishes that this is such a case. As noted above, the site is completely surrounded by commercial uses, i.e., an adjacent strip mall, car dealerships, a full-service car wash, and other retail. In regards to the requirements of BCZR, § 502.1 Mr. Rowe testified that the proposed Special Exception will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;

- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air;
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations.

Additionally, Mr. Rowe opined that that any adverse impacts of the car wash use at this particular location would not be above and beyond those inherently associated with the Special Exception use.

Mr. Rowe explained that the car wash site will allow for the stacking of 29 vehicles, greater than the required 19 vehicles. In supplement to Mr. Rowe's testimony, Mr. Cornelius provided expert testimony that there are no failing intersections in the vicinity of the subject site and that car wash use is usually most concentrated during non-traffic peak hours. Additionally, Mr. Cornelius prepared a Parking Occupancy Study for all uses at the subject site and concluded that the proposed 164 parking spaces was more than adequate in light of the present parking demands of the subject site. (Pet. Ex. 14) Based on the testimony outlined above, I find that the Petitioners request for Special Exception pursuant to BCZR, §§ 233.3 and 253.D.4 is granted.

VARIANCES

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The subject site is "unique" for a variety of reasons. In addition to the finding of "uniqueness" in prior Case No. 2012-0123-A, Mr. Wolfe, Mr. Rowe, and Mr. Haney all testified

that the subject site sits at the crest of a hill coming both, north and south on York Road. Consequently, corresponding signage is difficult to see by drivers approaching in both directions. Additionally, the subject site has an irregular “razor blade” type shape with 560 ft. of lineal frontage with access points from two different roads. The location of the proposed car wash being situated behind the Chick-fil-A creates additional unique challenges for the effective placement of signage.

In regards to the variance request from BCZR, § 419.4.B.3 requiring a 6 ft. landscape transition area abutting non-residentially zoned land, a drainage easement on the site near the proposed vacuum area for the proposed car wash makes the addition of a landscape transition area in this location impossible. (Pet. Exs. 7 & 8) To remedy this problem would require a complete reconfiguration of the site plan and would ultimately result in the need for additional variance relief. It is noteworthy that this is an internal variance that is not visible outside the subject site.

SIGN VARIANCES

The Petitioners have requested a variety of sign variances to meet the challenges of providing effective signage for a site with both a unique use and shape.

Sign Nos. 1-8

The Petition for Variance from BCZR, § 450.4 Table of Sign Regulations (5)(a) for Signs 1 through 8 are to allow a total of 8 wall-mounted enterprise signs on a single tenant commercial building, with a maximum of 3 signs on any single façade in lieu of the permitted 3 signs with no more than 2 signs on any single façade. These signs involve the proposed wall mounted signs for the proposed car wash building. (Pet. Ex. 1, p.2) These signs variance have been requested due to the location of the proposed car wash behind the Chick-Fil-A building which requires signage on

the building that can be seen from both York Road and Industry Lane and will facilitate better navigation by patrons attempting to enter the site.

Sign No. 9, Sign Nos. 14A-14B & Sign Nos. 11, 12, 13 & 20

The requested Petition for Variance from BCZR, § 450.4. Table of Sign Regulations (5)(b) for Sign No. 9 is to allow a total of 7 freestanding enterprise signs with sign areas/faces of 75 square feet, for signs Nos. 14A-14B are to allow 27 square feet, and for Sign Nos. 11, 12, 13, and 20 to allow 8 square feet in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet. (Pet. Ex 1, p.2) These variances also involve the proposed car wash. Six of these signs are internal to the site, and are in essence, free standing directional signs that inform patrons of potential washing options and pricing, but due to the fact that they also contain logos they are technically defined as enterprise pursuant to Code. The fact that the car wash use is 100 percent drive-thru in nature, requires the additional free-standing signage in both number and square footage to effectively inform patrons of service options and drive-thru procedure.

Sign Nos. 14A -14B

The requested Petition for Variance BCZR, § 450.5.B.4.a for Sign Nos. 14A and 14B is to allow a freestanding sign to be installed as close as 8 feet to another freestanding sign on the same premises having as area larger than 8 square feet in lieu of the required 100-foot distance. (Pet. Ex. 1, p.2) This variance, again, comes as a result for the need of informational signs in each drive aisle. Since these drive aisles are obviously less than 100 feet apart, variance relief is necessary. Having the car wash drive aisles 100 feet apart would be nonsensical in light of the purpose for the car wash drive-aisles themselves.

Signs B and C

The requested Petition for Variance from BCZR, § 450.4. Table of Sign Regulations (5)(a) for Signs B and C is to allow a total of 6 wall-mounted enterprise signs on a single tenant commercial building with a maximum of 2 signs on any single façade in lieu of the 3 signs permitted with no more than 2 signs on any single façade. (Pet. Ex. 1, p.2) This request involves the proposed Chick-fil-A, that like the proposed car wash, will be accessible from both York Road and Industry Lane, thus, creating the need for additional signage to make the building identifiable to patrons traveling from both streets.

Signs D and E

The requested Petition for Variance from BCZR, § 450.4 Table of Sign Regulations (3)(a) for Signs D and E is to allow freestanding directional signs with a height of 9 feet in lieu of the permitted 6 feet. (Pet. Ex. 1, p.2) These directional signs are the Chick-Fil-A drive-thru and are necessitated by the Chick-Fil-A location at the crest of a hill coming in both directions which presents the need for greater sign height for visibility of approaching drivers and allows the site to be seen in time for drivers to navigate to the appropriate turn lane.

Sign A

The final requested Petition for Variance from BCZR, § 450.4 Table of Sign Regulations (5)(b) for Sign A is to allow a freestanding enterprise sign with a sign area/face of 116 square feet in lieu of the permitted sign area/face of 75 square feet. (Pet. Ex. 1, p.2) This variance request involves the Chick-fil-A pole sign on York Road. Due to the fact that the words on this sign are separated, the “dead space” that separates the lines of text are required to be included in the sign’s square footage, thus, causing the circumstances for the requested relief.

In light of the “uniqueness” factors previously discussed, I additionally find that due to the reasons outlined above, the Petitioners would experience a practical difficulty if the requested variances were to be denied. Accordingly, all of the Petitioners previously noted requests for variance relief are granted.

THEREFORE, IT IS ORDERED this 15th day of **July 2024**, by this Administrative Law Judge, that the Petition for Special Exception filed pursuant to BCZR §§ 233.3 and 253.2.D.4 to permit a full-service car wash, be and is hereby **GRANTED** and pursuant to BCZR, § 502.3, the Special Exception is valid for a period of five (5) years from the date of this Order;

IT IS FURTHER, ORDERED that, pursuant to BCZR, § 502.3, the Special Exception is valid for a period of five (5) years from the date of this Order, and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that a Petition for Variance filed from the BCZR, § 409.6.A.2, to allow a total of 164 off-street parking spaces in lieu of the required 216 off-street parking spaces, be and is hereby **GRANTED**, and;

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR § 419.4.B.3, to allow a landscape transition area width in the front yard to be a minimum of 0 ft. abutting non-residentially zoned land in the lieu of the required 6 ft., be and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.4, Table of Sign Regulations (5)(a), to allow a total of 8 wall-mounted enterprise signs on a single tenant commercial building (Sign Nos. 1-8) with a maximum of 3 signs on any single facade in lieu of the permitted 3 signs with no more than 2 signs on any single façade, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.4.4, Table of Sign Regulations (5)(b), to allow a total of 7 freestanding enterprise signs with sign areas/faces of 75 sq. ft. (Sign No. 9), 27 sq. ft. (Sign Nos. 14A-14B), and 8 sq. ft. (Sign Nos. 11, 12, 13, & 20)

in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 sq. ft., be and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.5.B.4.a, to allow a freestanding sign to be installed as close as 8 ft. to another freestanding sign on the same premises having as area larger than 8 sq. ft. (between Sign Nos. 14A and 14B) in lieu of the required 100 ft. distance, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.4, Table of Sign Regulations (5)(a), to allow a total of 6 wall-mounted enterprise signs on a single tenant commercial building (Signs B, C) with a maximum of 2 signs on any single facade in lieu of the 3 signs permitted with no more than 2 signs on any single façade, be and is hereby **GRANTED**.

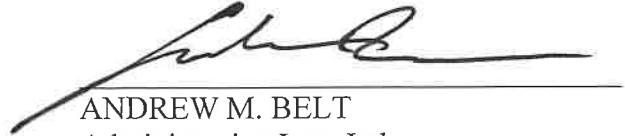
IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.4, Table of Sign Regulations(3)(a), to allow freestanding directional signs with a height of 9 ft. in lieu of the permitted 6 ft. (Signs D, E), be and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, § 450.4, Table of Sign Regulations (5)(b), to allow a freestanding enterprise sign with a sign area/face of 116 sq. ft. (Sign A) in lieu of the permitted sign area/face of 75 sq. ft., be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
- Petitioners must comply with the DOP comments, copies of which are attached hereto and made a part hereof. (The previously noted DPW&T Zac comment has been resolved and is no longer applicable.)

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 5/28/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0119-XA

INFORMATION:

Property Address: 10100-10142 York Road
Petitioner: Industry Lane Associates LLLP
Zoning: BR IM, ML IM
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for the following:

Special Exception -

1. To permit a full-service car wash, pursuant to Sections 233.3 and 253.2.D.4 of the Baltimore County Zoning Regulations (BCZR);

Variance -

2. From BCZR Section 409.6.A.2 to allow a total of 164 off-street parking spaces in lieu of the required 216 off-street parking spaces;
3. From BCZR Section 419.4.B.3 to allow a landscape transition area width in the front yard to be a minimum of 0 feet abutting non-residentially zoned land in lieu of the required 6 feet;
4. From BCZR Section 450.4.Table of Sign Regulations (5)(a) to allow a total of 8 wall-mounted enterprise signs on a single tenant commercial building (Sign Nos. 1-8) with a maximum of 3 signs on any single façade in lieu of the permitted 3 signs with no more than 2 signs on any single façade;
5. From BCZR Section 450.4.Table of Sign Regulations (5)(b) to allow a total of 7 freestanding enterprise signs with sign areas/faces of 75 square feet (Sign No. 9), 27 square feet (Sign Nos. 14A-14B), and 8 square feet (Sign Nos. 11, 12, 13, 20) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet;
6. From BCZR Section 450.5.B.4.a to allow a freestanding sign to be installed as close as 8 feet to another freestanding sign in the same premises having an area larger than 8 square feet (between Sign Nos. 14A and 14B) in lieu of the required 100 foot distance;
7. From BCZR Section 450.4.Table of Sign Regulations (5)(a) to allow a total of 6 wall mounted enterprise signs on a single tenant commercial building (Signs B, C) with a maximum of 2 signs on any single façade in lieu of the 3 signs permitted with no more than 2 signs on any single façade;
8. From BCZR Section 450.4.Table of Sign Regulations (3)(a) to allow freestanding directional signs with a height of 9 feet in lieu of the permitted 6 feet (Signs D, E); and

9. From BCZR Section 450.4. Table of Sign Regulations (5)(b) to allow a freestanding enterprise sign with a sign area/face of 116 square feet (Sign A) in lieu of the permitted sign area/face of 75 square feet.

The subject site is an approximately 4.06 acre parcel at the southwest corner of the signalized intersection of York Road and Industry Lane in the Cockeysville area. It is improved with a Chick-fil-A with a double drive-thru, a two-story Ramada Hotel/Motel, and a one-story strip mall with six storefronts. The Ramada is two buildings: one perpendicular to York Road between the strip mall and the Chick-fil-A and one parallel to York Road behind the other Ramada building, strip mall, and Chick-fil-A. The Chick-fil-A is located to the northeast portion of the site and has angled parking to its north and east, directly along York Road and Industry Lane.

Uses immediately surrounding the site include: an office building to the north across Industry Lane; a Flagship car wash, a Wawa gas station and associated convenience store, and a one-story strip mall to the east across York Road; commercial spaces and stores (an AutoZone Auto Parts store and a Hi Lo Auto Sale shop) to the south; and a car dealership service center (Bill Kidd's Toyota and Volvo Service Center) to the west.

The subject site is within the boundaries of the Hunt Valley/Timonium Master Plan, the Western Baltimore County Pedestrian and Bicycle Access Plan, and the Hunt Valley/Timonium Design Guidelines sub-section of the Comprehensive Manual of Development Policies (CMDP). The Hunt Valley/Timonium Design Guidelines provide design guidelines on building architecture, screening, pedestrian friendly development, landscaping, etc., within the area boundary. The Hunt Valley/Timonium Master Plan, adopted by the County Council October 19th, 1998, seeks to provide guidance on development of the employment and commercial areas. The plan highlights a number of issues within the plan area, including traffic congestion; the lack of pedestrian and bicycle circulation and connections; the need for improving the visual quality of the York Road corridor; the need for improving landscaping to bring existing commercial properties along the York Road corridor into conformance with the Landscape Manual; the existence of sign clutter; and more.

Per the site plan, the applicant wishes to demolish the two existing Ramada Hotel/Motel buildings and construct a one story 5,106 square foot Auto Spa Express car wash with associated parking. The car wash is proposed to be tucked to the rear of the site and parallel with York Road. In addition, the applicant wishes to demolish the existing 4,811 square foot Chick-fil-A and construct a new, 5,331 square foot Chick-fil-A. The new Chick-fil-A is proposed to be located northeast of the existing Chick-fil-A in order to allow the parking spaces to be shifted to the south of the building, rather than to the north and east of the building as currently existing. The double drive-thru lanes of the Chick-fil-A are proposed to be located along York Road and Industry Lane.

Parking for the site is shared for all uses and is proposed to be located east and south of the existing strip mall with six storefronts, along York Road and the property line between the subject site and the neighboring site, as parking currently exists; north of the proposed car wash; and south and west of the proposed new Chick-fil-A. The proposed new layout makes the parking more central for the uses and eliminates Chick-fil-A patrons from crossing the drive-thru to access the restaurant. Ingress and egress points for the subject site are provided on York Road and Industry Lane.

The site was the subject of a similar Zoning Case, Case 2023-0081-XA in April 2023. The Case included the demolition of the two Ramada Hotel/Motel buildings to construct an Auto Spa Express Car Wash and sought the same first six items of relief as currently requested. The primary difference between Case 2023-0081-XA and the Zoning Case currently at hand is the inclusion of the demolition and rebuild of the Chick-fil-A. The Department of Planning did not support the bulk of the requests in Case 2023-0081-XA,

citing overdevelopment of the site; circulation issues; a redundant use, since a car wash existed across the street; lack of landscaping going against the Hunt Valley/Timonium Master Plan and Hunt Valley/Timonium Design Guidelines sub-section of the CMDP; and sign clutter. Following the issuance of the Department's comments, dated April 26th, 2023, representatives of the Department of Planning met with the Petitioner on June 6th, 2023 for additional information on the petition and long-term plans for the property. During the meeting, the Petitioner explained that the proposed car wash was an "express" model, meaning vehicles were in and out of the car wash tunnel in under three minutes. Further, the Auto Spa Express would primarily operate under a membership model.

During the meeting, the Petitioner explained that the long-term plans for the property included demolishing and reconstructing the Chick-fil-A in order to address existing circulation and parking issues (i.e., patrons needing to cross the drive-thru to access the restaurant from the existing parking spaces along York Road and Industry Lane). A site plan showing the possible relocation of the Chick-fil-A, drive-thru, and parking was presented to the Department, which became the site plan for the Zoning Case at hand, Case 2024-0119-XA. The site plan included a fence between the drive-thru of the Chick-fil-A and York Road and Industry Lane in order to improve pedestrian safety. During the meeting, the Department expressed that they would be accepting of the complete proposal, subject to conditions, as it was an overall improvement of the site.

The Department of Planning met with representatives for the petition via WebEx on May 28th, 2024. During the meeting, representatives for the petition explained the petition and provided the following information:

- The information provided to the Department of Planning in June of 2023 is still accurate. The proposed car wash will be an "express" model, meaning vehicles are in and out of the car wash tunnel in under three minutes, and will primarily operate under a membership model. Auto Spa employees will not vacuum cars after they travel through the car wash tunnel; instead, patrons have the option to vacuum their car themselves after the car wash.
- Auto Spa has two other Auto Spa Express car washes in the County – one in Dundalk and one in Halethorpe.
- The Variance requested for the Landscape Transition Area is related to landscaping between the uses on the site. Landscaping is provided around/along the perimeter of the site. A Schematic Landscape Plan has been submitted to the County Landscape Architect.
- Relating to the requested parking Variance, a Parking Space Occupancy Study was done, and confirmed the requested number of parking spaces will be sufficient

The Department of Planning finds that the site plan submitted with Case 2024-0119-XA is an improvement to that which was submitted with Case 2023-0081-XA in April 2023. The updated site plan improves circulation for the site as a whole, while providing adequate space for each of the individual uses. As such, the Department of Planning has no objections to the requested Special Exception and Variance relief, subject to the following conditions:

1. Architecture for the proposed Auto Spa Express Car Wash and Chick-fil-A should be in keeping with the design guidelines outlined in the Hunt Valley/Timonium Master Plan and Hunt Valley/Timonium Design Guidelines sub-section of the CMDP.
2. In keeping with the Hunt Valley/Timonium Master Plan and efforts to reduce sign clutter and visual appearance along the York Road corridor, the proposed pylon signs should instead be monument style signs.
3. Landscaping shall be provided to the greatest extent possible, as recommended in the Hunt Valley/Timonium Master Plan and Hunt Valley/Timonium Design Guidelines sub-section of the CMDP. This includes landscaping along the perimeter of the site as possible, landscape islands,

and landscaping at the base of the Auto Spa Express Car Wash and Chick-fil-A signs. The Department encourages the Petitioner to consider adding planters outside of the Chick-fil-A and Auto Spa buildings to further beautify the site.

4. An outdoor patio/sitting area shall be proposed for the Chick-fil-A, as shown on the site plan submitted with Case 2024-0119-XA.
5. Quality fencing, like a black metal fence, as shown on the site plan, shall be proposed along the edge of the Chick-fil-A drive-thru in order to improve pedestrian safety within the site.
6. A circulation plan showing vehicular and pedestrian access shall be submitted to the Department of Planning prior to permitting.

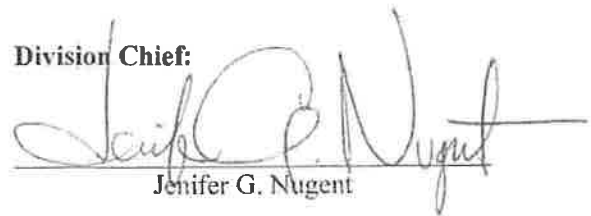
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: David Karceski
David Birkenthal, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 10100 – 10142 York Road which is presently zoned BR-IM, ML-IM
Deed References: 44360-356 10 Digit Tax Account # 1600005130
Property Owner(s) Printed Name(s) Industry Lane Associates LLLP

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. X a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
SEE ATTACHED SHEET

3. X a **Variance** from Section(s)

SEE ATTACHED SHEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

SEE ATTACHED SHEET

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 410-494-6285 dhkarceski@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED SHEET

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name – Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 410-494-6285 dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER

2024-0119-XA

Filing Date

5/8/2024

Do Not Schedule Dates:

Reviewer

REV. 10/4/11

10100 – 10142 YORK ROAD

ATTACHMENT TO PETITION FOR VARIANCE

1. Petition for Variance from B.C.Z.R. Section 409.6.A.2 to allow a total of 164 off-street parking spaces in lieu of the required 216 off-street parking spaces.
2. Petition for Variance from B.C.Z.R. Section 419.4.B.3 to allow a landscape transition area width in the front yard to be a minimum of 0 feet abutting non-residentially zoned land in lieu of the required 6 feet.
3. Petition for Variance from B.C.Z.R. Section 450.4.Table of Sign Regulations (5)(a) to allow a total of 8 wall-mounted enterprise signs on a single tenant commercial building (Sign Nos. 1 - 8) with a maximum of 3 signs on any single façade in lieu of the permitted 3 signs with no more than 2 signs on any single façade.
4. Petition for Variance from B.C.Z.R. Section 450.4.Table of Sign Regulations (5)(b) to allow a total of 7 freestanding enterprise signs with sign areas/faces of 75 square feet (Sign No. 9), 27 square feet (Sign Nos. 14A-14B), and 8 square feet (Sign Nos. 11, 12, 13, 20) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet.
5. Petition for Variance B.C.Z.R. Section 450.5.B.4.a to allow a freestanding sign to be installed as close as 8 feet to another freestanding sign on the same premises having as area larger than 8 square feet (between Sign Nos. 14A and 14B) in lieu of the required 100 foot distance.
6. Petition for Variance from B.C.Z.R. Section 450.4.Table of Sign Regulations (5)(a) to allow a total of 6 wall-mounted enterprise signs on a single tenant commercial building (Signs B, C) with a maximum of 2 signs on any single façade in lieu of the 3 signs permitted with no more than 2 signs on any single façade.
7. Petition for Variance from B.C.Z.R. Section 450.4 Table of Sign Regulations (3)(a) to allow freestanding directional signs with a height of 9 feet in lieu of the permitted 6 feet (Signs D, E).
8. Petition for Variance from B.C.Z.R. Section 450.4 Table of Sign Regulations (5)(b) to allow a freestanding enterprise sign with a sign area/face of 116 square feet (Sign A) in lieu of the permitted sign area/face of 75 square feet.

10100 – 10142 YORK ROAD

ATTACHMENT TO PETITION FOR SPECIAL EXCEPTION

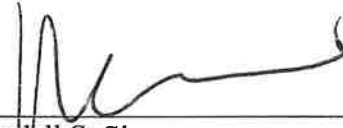
1. Petition for Special Exception to permit a full service car wash, pursuant to Sections 233.3 and 253.2.D.4 of the Baltimore County Zoning Regulations (“B.C.Z.R.”).

10100 – 10142 YORK ROAD

**ATTACHMENTS TO PETITIONS FOR SPECIAL EXCEPTION
AND FOR VARIANCE**

Contract Lessee:

WLR Holding Company, Inc.
1313 Orchard Way
Frederick, MD 21703

By: 

Randall S. Simpson

Title: President & CEO

Phone No.: (301) 668-1440

10100 – 10142 YORK ROAD

ATTACHMENT TO PETITION FOR VARIANCE

Contract Lessee:

Chick-fil-A, Inc., a Georgia corporation
5200 Buffington Road
Atlanta, Georgia 30349-2998

By: 
Whitni Kalman

Title: Director, Strategic Reinvestment

Phone No.: 404-765-8000

10100 – 10142 YORK ROAD

**ATTACHMENTS TO PETITIONS FOR SPECIAL EXCEPTION
AND FOR VARIANCE**

Property Owner:

Industry Lane Associates LLLP
2800 Quarry Lake Drive
Suite 340
Baltimore, MD 21209

By: Beverly Dobrochowski
Beverly Dobrochowski

Title: Vice President of Industry Lane GP, Inc., the general
partner of Industry Lane Associates LLLP

Phone No.: 410-308-0700

SPECIAL EXCEPTION AREA DESCRIPTION
AUTOSPA, YORK ROAD

BEING PART OF THE PROPERTY OF INDUSTRY LANE ASSOCIATES LLLP, A MARYLAND LIMITED LIABILITY LIMITED PARTNERSHIP, BY DEED DATED DECEMBER 31, 2020, AS RECORDED IN LIBER 44360 FOLIO 356, ALSO BEING PART OF CHURCH LANE SQUARE SHOPPING CENTER, AS RECORDED IN PLAT BOOK O.T.G. 35 FOLIO 22, ALL AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED NEAR THE SOUTHWEST CORNER OF INDUSTRY LANE AND YORK ROAD (MD RTE. 45), FOLLOWING A LINE RUNNING SOUTHEAST ALONG YORK ROAD (MD RTE. 45) ON THE SOUTHERN PROPERTY LINE OF CHURCH LANE SHOPPING CENTER (PLAT BOOK O.T.G. 35 FOLIO 22) RUNNING THENCE;

1. SOUTH 18° 56' 49" EAST, 252.42 FEET, THENCE DEPARTING SAID DIVISION LINE, AND WITH A LINE THROUGH SAID CHURCH LANE SQUARE SHOPPING CENTER, THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES;
2. SOUTH 18° 56' 49" EAST, 34.49 FEET, THENCE;
3. SOUTH 71° 16' 44" WEST, 171.01 FEET, THENCE;
4. SOUTH 18° 42' 58" EAST, 128.84 FEET, THENCE;
5. SOUTH 00° 00' 17" EAST, 6.19 FEET, THENCE;
6. SOUTH 89° 59' 43" WEST, 7.70 FEET, THENCE;
7. SOUTH 0° 29' 24" WEST, 31.98 FEET, THENCE;
8. SOUTH 6° 47' 04" WEST, 19.24 FEET, THENCE;
9. NORTH 83° 19' 46" WEST, 161.81 FEET, THENCE;
10. NORTH 18° 53' 02" WEST, 293.59 FEET, THENCE;
11. NORTH 71° 06' 58" EAST, 100.70 FEET, THENCE;
12. SOUTH 46° 09' 20" EAST, 60.59 FEET, THENCE;
13. SOUTH 18° 42' 58" EAST, 95.17 FEET, THENCE;
18. NORTH 71° 17' 02" EAST, 217.37 FEET TO THE POINT OF BEGINNING

CONTAINING 55,717 SQUARE FEET OR 1.28 ACRES.



2024-0119-XA

CERTIFICATE OF POSTING

2024-0119-XA

RE: Case No.: _____

Petitioner/Developer: _____

**WLR Holdings Co., Inc. & Chick-fil-A, Inc.
Industry Lane Associates, LLLP**

June 25, 2024

Date of Hearing/Closing: _____

**Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attn: Jeff Perlow:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

10100 10142 York Road ***SIGN 1A & 1B***

June 5, 2024

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

 June 5, 2024

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

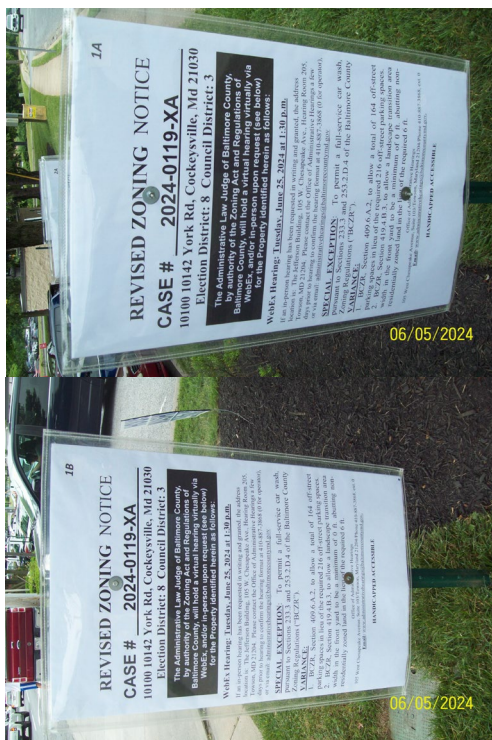
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 17, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0119
Address: 10100 – 10142 YORK RD
Legal Owner: Industry Lane Associates, LLLP

Zoning Advisory Committee Meeting of May 21, 2024.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Additional Comments:

Reviewer: Earl D Wrenn

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: May 15, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0119-XA

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: The proposed vacuum area is located in an existing drainage and utility easement as shown on Record Plat 35/22. The drainage and utility easement is in place for maintenance of existing public sewer and storm drain mains. The Special Exception or Variances must be denied until the vacuum area is relocated.

Landscaping: If Special Exception and Zoning relief is granted a Landscape Plan is required per the Baltimore County Landscape Manual and a Lighting Plan is also required.

Recreations & Parks: No comment LOS & No Greenways affected.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 5/28/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0119-XA

INFORMATION:

Property Address: 10100-10142 York Road
Petitioner: Industry Lane Associates LLLP
Zoning: BR IM, ML IM
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition for the following:

Special Exception -

1. To permit a full-service car wash, pursuant to Sections 233.3 and 253.2.D.4 of the Baltimore County Zoning Regulations (BCZR);

Variance -

2. From BCZR Section 409.6.A.2 to allow a total of 164 off-street parking spaces in lieu of the required 216 off-street parking spaces;
3. From BCZR Section 419.4.B.3 to allow a landscape transition area width in the front yard to be a minimum of 0 feet abutting non-residentially zoned land in lieu of the required 6 feet;
4. From BCZR Section 450.4.Table of Sign Regulations (5)(a) to allow a total of 8 wall-mounted enterprise signs on a single tenant commercial building (Sign Nos. 1-8) with a maximum of 3 signs on any single façade in lieu of the permitted 3 signs with no more than 2 signs on any single façade;
5. From BCZR Section 450.4.Table of Sign Regulations (5)(b) to allow a total of 7 freestanding enterprise signs with sign areas/faces of 75 square feet (Sign No. 9), 27 square feet (Sign Nos. 14A-14B), and 8 square feet (Sign Nos. 11, 12, 13, 20) in lieu of the one freestanding enterprise sign permitted with a sign area/face of 75 square feet;
6. From BCZR Section 450.5.B.4.a to allow a freestanding sign to be installed as close as 8 feet to another freestanding sign in the same premises having an area larger than 8 square feet (between Sign Nos. 14A and 14B) in lieu of the required 100 foot distance;
7. From BCZR Section 450.4.Table of Sign Regulations (5)(a) to allow a total of 6 wall mounted enterprise signs on a single tenant commercial building (Signs B, C) with a maximum of 2 signs on any single façade in lieu of the 3 signs permitted with no more than 2 signs on any single façade;
8. From BCZR Section 450.4.Table of Sign Regulations (3)(a) to allow freestanding directional signs with a height of 9 feet in lieu of the permitted 6 feet (Signs D, E); and

9. From BCZR Section 450.4. Table of Sign Regulations (5)(b) to allow a freestanding enterprise sign with a sign area/face of 116 square feet (Sign A) in lieu of the permitted sign area/face of 75 square feet.

The subject site is an approximately 4.06 acre parcel at the southwest corner of the signalized intersection of York Road and Industry Lane in the Cockeysville area. It is improved with a Chick-fil-A with a double drive-thru, a two-story Ramada Hotel/Motel, and a one-story strip mall with six storefronts. The Ramada is two buildings: one perpendicular to York Road between the strip mall and the Chick-fil-A and one parallel to York Road behind the other Ramada building, strip mall, and Chick-fil-A. The Chick-fil-A is located to the northeast portion of the site and has angled parking to its north and east, directly along York Road and Industry Lane.

Uses immediately surrounding the site include: an office building to the north across Industry Lane; a Flagship car wash, a Wawa gas station and associated convenience store, and a one-story strip mall to the east across York Road; commercial spaces and stores (an AutoZone Auto Parts store and a Hi Lo Auto Sale shop) to the south; and a car dealership service center (Bill Kidd's Toyota and Volvo Service Center) to the west.

The subject site is within the boundaries of the Hunt Valley/Timonium Master Plan, the Western Baltimore County Pedestrian and Bicycle Access Plan, and the Hunt Valley/Timonium Design Guidelines sub-section of the Comprehensive Manual of Development Policies (CMDP). The Hunt Valley/Timonium Design Guidelines provide design guidelines on building architecture, screening, pedestrian friendly development, landscaping, etc., within the area boundary. The Hunt Valley/Timonium Master Plan, adopted by the County Council October 19th, 1998, seeks to provide guidance on development of the employment and commercial areas. The plan highlights a number of issues within the plan area, including traffic congestion; the lack of pedestrian and bicycle circulation and connections; the need for improving the visual quality of the York Road corridor; the need for improving landscaping to bring existing commercial properties along the York Road corridor into conformance with the Landscape Manual; the existence of sign clutter; and more.

Per the site plan, the applicant wishes to demolish the two existing Ramada Hotel/Motel buildings and construct a one story 5,106 square foot Auto Spa Express car wash with associated parking. The car wash is proposed to be tucked to the rear of the site and parallel with York Road. In addition, the applicant wishes to demolish the existing 4,811 square foot Chick-fil-A and construct a new, 5,331 square foot Chick-fil-A. The new Chick-fil-A is proposed to be located northeast of the existing Chick-fil-A in order to allow the parking spaces to be shifted to the south of the building, rather than to the north and east of the building as currently existing. The double drive-thru lanes of the Chick-fil-A are proposed to be located along York Road and Industry Lane.

Parking for the site is shared for all uses and is proposed to be located east and south of the existing strip mall with six storefronts, along York Road and the property line between the subject site and the neighboring site, as parking currently exists; north of the proposed car wash; and south and west of the proposed new Chick-fil-A. The proposed new layout makes the parking more central for the uses and eliminates Chick-fil-A patrons from crossing the drive-thru to access the restaurant. Ingress and egress points for the subject site are provided on York Road and Industry Lane.

The site was the subject of a similar Zoning Case, Case 2023-0081-XA in April 2023. The Case included the demolition of the two Ramada Hotel/Motel buildings to construct an Auto Spa Express Car Wash and sought the same first six items of relief as currently requested. The primary difference between Case 2023-0081-XA and the Zoning Case currently at hand is the inclusion of the demolition and rebuild of the Chick-fil-A. The Department of Planning did not support the bulk of the requests in Case 2023-0081-XA,

citing overdevelopment of the site; circulation issues; a redundant use, since a car wash existed across the street; lack of landscaping going against the Hunt Valley/Timonium Master Plan and Hunt Valley/Timonium Design Guidelines sub-section of the CMDP; and sign clutter. Following the issuance of the Department's comments, dated April 26th, 2023, representatives of the Department of Planning met with the Petitioner on June 6th, 2023 for additional information on the petition and long-term plans for the property. During the meeting, the Petitioner explained that the proposed car wash was an "express" model, meaning vehicles were in and out of the car wash tunnel in under three minutes. Further, the Auto Spa Express would primarily operate under a membership model.

During the meeting, the Petitioner explained that the long-term plans for the property included demolishing and reconstructing the Chick-fil-A in order to address existing circulation and parking issues (i.e., patrons needing to cross the drive-thru to access the restaurant from the existing parking spaces along York Road and Industry Lane). A site plan showing the possible relocation of the Chick-fil-A, drive-thru, and parking was presented to the Department, which became the site plan for the Zoning Case at hand, Case 2024-0119-XA. The site plan included a fence between the drive-thru of the Chick-fil-A and York Road and Industry Lane in order to improve pedestrian safety. During the meeting, the Department expressed that they would be accepting of the complete proposal, subject to conditions, as it was an overall improvement of the site.

The Department of Planning met with representatives for the petition via WebEx on May 28th, 2024. During the meeting, representatives for the petition explained the petition and provided the following information:

- The information provided to the Department of Planning in June of 2023 is still accurate. The proposed car wash will be an "express" model, meaning vehicles are in and out of the car wash tunnel in under three minutes, and will primarily operate under a membership model. Auto Spa employees will not vacuum cars after they travel through the car wash tunnel; instead, patrons have the option to vacuum their car themselves after the car wash.
- Auto Spa has two other Auto Spa Express car washes in the County – one in Dundalk and one in Halethorpe.
- The Variance requested for the Landscape Transition Area is related to landscaping between the uses on the site. Landscaping is provided around/along the perimeter of the site. A Schematic Landscape Plan has been submitted to the County Landscape Architect.
- Relating to the requested parking Variance, a Parking Space Occupancy Study was done, and confirmed the requested number of parking spaces will be sufficient

The Department of Planning finds that the site plan submitted with Case 2024-0119-XA is an improvement to that which was submitted with Case 2023-0081-XA in April 2023. The updated site plan improves circulation for the site as a whole, while providing adequate space for each of the individual uses. As such, the Department of Planning has no objections to the requested Special Exception and Variance relief, subject to the following conditions:

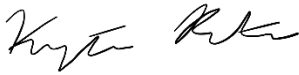
1. Architecture for the proposed Auto Spa Express Car Wash and Chick-fil-A should be in keeping with the design guidelines outlined in the Hunt Valley/Timonium Master Plan and Hunt Valley/Timonium Design Guidelines sub-section of the CMDP.
2. In keeping with the Hunt Valley/Timonium Master Plan and efforts to reduce sign clutter and visual appearance along the York Road corridor, the proposed pylon signs should instead be monument style signs.
3. Landscaping shall be provided to the greatest extent possible, as recommended in the Hunt Valley/Timonium Master Plan and Hunt Valley/Timonium Design Guidelines sub-section of the CMDP. This includes landscaping along the perimeter of the site as possible, landscape islands,

and landscaping at the base of the Auto Spa Express Car Wash and Chick-fil-A signs. The Department encourages the Petitioner to consider adding planters outside of the Chick-fil-A and Auto Spa buildings to further beautify the site.

4. An outdoor patio/sitting area shall be proposed for the Chick-fil-A, as shown on the site plan submitted with Case 2024-0119-XA.
5. Quality fencing, like a black metal fence, as shown on the site plan, shall be proposed along the edge of the Chick-fil-A drive-thru in order to improve pedestrian safety within the site.
6. A circulation plan showing vehicular and pedestrian access shall be submitted to the Department of Planning prior to permitting.

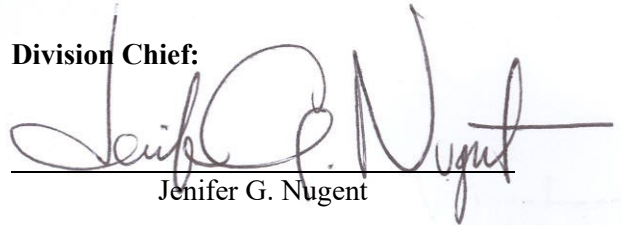
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

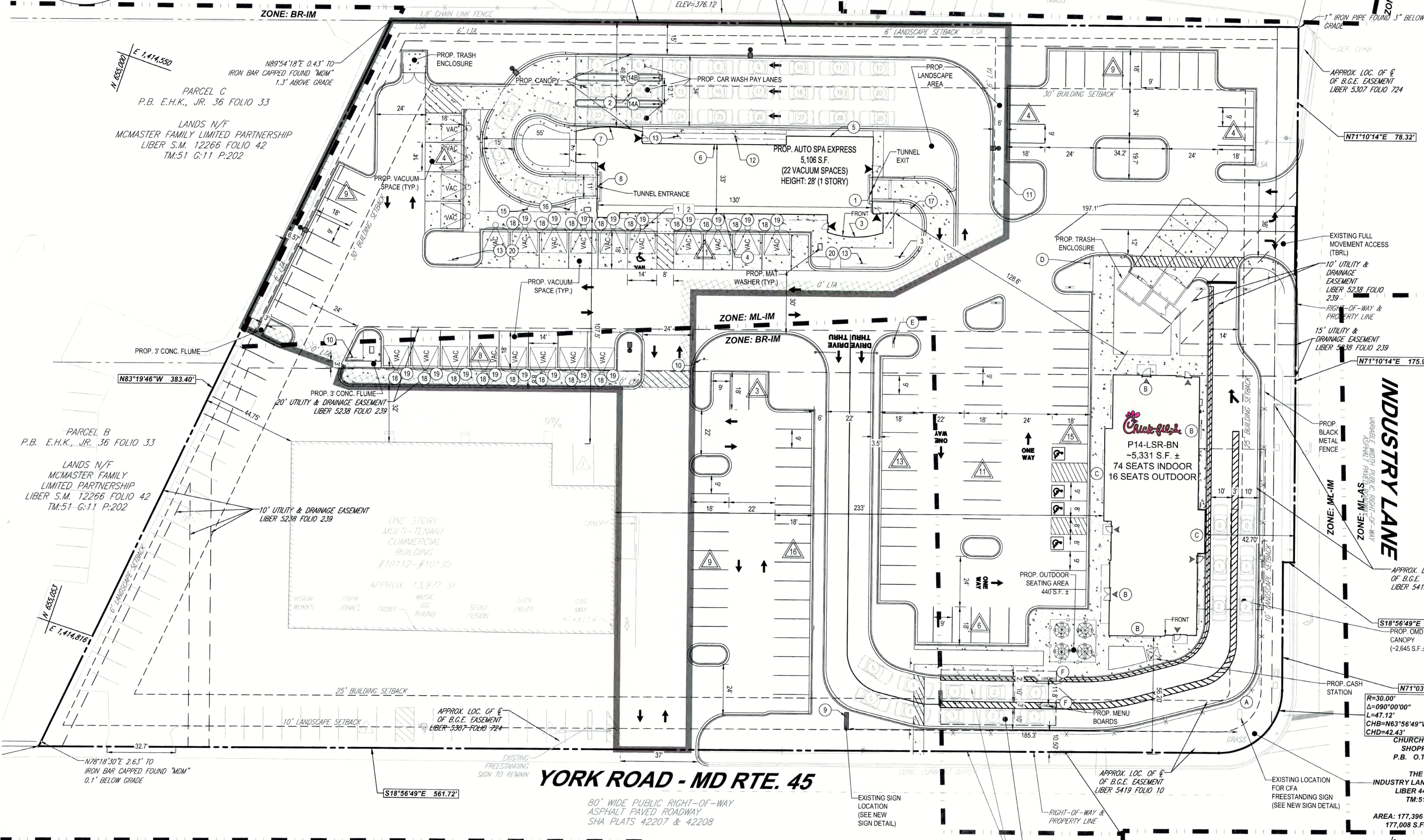
Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: David Karceski
David Birkenthal, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



1. LOCATION STANDARDS
 - a. ROLL-OVER CAR AND FULL-SERVICE CAR WASH BUILDINGS SHALL BE SET BACK AT LEAST 50 FEET FROM THE LOT LINE OF ANY RESIDENTIALLY ZONED PROPERTY, EXCEPT FOR THE LANDSCAPE BUFFERS. NO PART OF A SELF-SERVICE CAR WASH SHALL BE WITHIN 100 FEET OF A RESIDENTIALLY ZONED PROPERTY. THIS SITE DOES NOT ABUT ANY RESIDENTIALLY ZONED PROPERTY.
 - b. THE TUNNEL EXIT OF CAR WASH FACILITIES SHALL BE SET BACK AT LEAST 50 FEET FROM THE NEAREST EXIT DRIVE. 19" IS PROVIDED FROM THE PROPERTY LINE AT THE EXIT DRIVE.
2. GENERAL DESIGN
 - a. NO TUNNEL ENTRANCE OR EXIT OF A CAR WASH OPERATION SHALL FACE AN ADJACENT RESIDENTIAL ZONE NOT INCLUDING THOSE ACROSS A STREET. THE ENTRANCE OF THE TUNNEL FACES ML IM AND ML AS ZONED PROPERTY. THE EXIT FACES AN ADJACENT STREET (INDUSTRY LANE).
 - b. THE REAR AND SIDES OF BUILDINGS FACING RESIDENTIALLY ZONED PROPERTIES SHALL BE FINISHED WITH MATERIALS THAT IN TEXTURE AND COLOR RESEMBLE THE FRONT OF THE BUILDING. TYPE OF FACADE TREATMENT SHALL BE INDICATED ON THE SITE PLAN AND SHALL BE SUBJECT TO REVIEW BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING. WHO SHALL PROVIDE WRITTEN COMMENT TO THE APPROVAL AUTHORITY. THE FACADE MATERIALS COMPRISE OF PREFINISHED METAL PANELS, ALUMINUM FLAT STOCK, CORRUGATED METAL PANEL, MCN PANEL, GLAZING AND STONE VENEER REFER TO THE BUILDING ELEVATIONS FOR ADDITIONAL DETAIL. THE PROPOSED BUILDINGS DO NOT FACE RESIDENTIALLY ZONED PROPERTY IN ANY DIRECTION
3. EXCEPT FOR THE REQUIRED ACCESS DRIVES, A LANDSCAPED TRANSITION AREA SHALL BE PROVIDED ALONG THE PERIMETER OF ALL CAR WASH OPERATIONS. SUCH AREA SHALL HAVE A MINIMUM WIDTH OF TEN FEET WHEN THE CAR WASH FRONTS A PUBLIC RIGHT-OF-WAY AND SIX FEET IN ALL SIDE AND REAR YARDS ABUTTING NONRESIDENTIALLY ZONED LAND. CAR WASH OPERATIONS LOCATED WITHIN 50 FEET OF ANY RESIDENTIALLY ZONED PROPERTY (OTHER THAN A RESIDENTIAL ZONE LINE IN A PUBLIC RIGHT-OF-WAY) SHALL PROVIDE A BUFFER THAT MEASURES NO LESS THAN 15 FEET FROM THAT PROPERTY LINE. LANDSCAPE TRANSITION AREAS ARE PROVIDED; REFER TO THE GENERAL NOTES FOR ADDITIONAL INFORMATION.
4. THE LANDSCAPE TRANSITION AREA SHALL BE PLANTED AND SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR AUTOMOTIVE USES. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL, OR THE APPROPRIATE MODIFICATION OF STANDARDS WILL BE REQUESTED.
5. TO INCREASE COMPATIBILITY WITH SURROUNDING BUILDINGS OR TO ENHANCE THE ATTRACTIVENESS OF THE SITE, THE ZONING COMMISSIONER MAY REQUIRE CHANGES IN BUILDING OR SITE PLAN DESIGN OR HOURS OF OPERATION FOR CAR WASHES FOR WHICH A SPECIAL EXCEPTION IS REQUIRED. REFER TO SITE PLAN, SIGNAGE, AND BUILDING ELEVATIONS.

PROPERTY LINE

ADJACENT PROPERTY LINE

PROP. SPECIAL EXCEPTION AREA

ZONING LINE

SETBACK LINE

EASEMENT LINE

CONC. CURB AND GUTTER

CONC. PAVEMENT

LIMITS OF O' LTA

CASE NO. R-1947-0885: PETITION THAT THE ZONING STATUS OF THE PROPERTY BE RECLASSIFIED FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE. GRANTED APRIL 22, 1947.

CASE NO. R-1950-1903: PETITION THAT THE ZONING STATUS OF THE PROPERTY BE RECLASSIFIED FROM AN "A" RESIDENCE ZONE TO AN "F" LIGHT INDUSTRIAL ZONE. GRANTED APRIL 22, 1950.

CASE NO. 1951-1927: PETITION FOR A TEMPORARY USE PERMIT TO PERMIT THE USE OF THE PROPERTY DESCRIBED THEREIN FOR THE ERECTION OF ONE ADJUTANTING STRUCTURE AND IT APPEARING THAT BY REASON OF LOCATION, BEING IN A RESIDENTIAL ZONE, THE ERECTION OF WHICH WILL NOT BE DETRIMENTAL TO THE GENERAL WELFARE OF THE COMMUNITY. GRANTED MARCH 30, 1951.

CASE NO. R-1951-3281-X: PETITION FOR SPECIAL PERMIT TO USE THE LAND (AND IMPROVEMENTS NOW OR BE ERECTED THEREON) AS HEREINAFTER DESCRIBED FOR THE ERECTION OF AN ADVERTISING SIGN LUMINOUS IN THE NIGHT. GRANTED DECEMBER 8, 1951.

CASE NO. 1955-3405-X: PETITION FOR SPECIAL PERMIT TO USE THE LAND (AND IMPROVEMENTS NOW OR BE ERECTED THEREON) AS HEREINAFTER DESCRIBED FOR THE ERECTION OF AN ADVERTISING SIGN LUMINOUS IN THE NIGHT. GRANTED APRIL 26, 1955.

CASE NO. R-1956-1931: PETITION THAT THE ZONING STATUS OF THE PROPERTY BE RECLASSIFIED FROM A B-1 ZONE TO A B-2 ZONE AND FOR A SPECIAL PERMIT TO PERMIT THE PROPERTY FOR GATHING AND COMMERCIAL KILLING, DRESSING, AND STAGING OF POULTRY. GRANTED OCTOBER 9, 1955.

CASE NO. R-1956-2009: PETITION FOR A VARIANCE TO SECTION 238.2 OF THE REGULATIONS - SIDE YARD - TO PERMIT A SIDE YARD TO BE LESS THAN 10 FEET IN WIDTH. GRANTED APRIL 26, 1956.

CASE NO. R-1973-0009-X: PETITION REQUEST FOR A SPECIAL EXCEPTION FOR A USED MOTOR VEHICLE OUTDOOR SALES AREA ON A PROPERTY LOCATED ON THE WEST SIDE OF YORK ROAD, 458 FEET NORTH OF TEXAS LANE. GRANTED SEPTEMBER 15TH, 1972.

CASE NO. R-1973-0010: PETITION REQUEST FOR A SPECIAL EXCEPTION FOR A GARAGE SERVICE IN A MANUFACTURING, LIGHT ZONE, LOCATED ON THE WEST SIDE OF YORK ROAD, 458 FEET NORTH OF TEXAS LANE. GRANTED SEPTEMBER 15TH, 1972.

CASE NO. 1973-0109-A: PETITION REQUEST FOR VARIANCE TO PERMIT A ZERO FOOT SIDE YARD SETBACK INSTEAD OF THE REQUIRED 25 FEET. GRANTED APRIL 26, 1973.

CASE NO. R-1973-0110: PETITION REQUEST FOR VARIANCE TO PERMIT A ZERO FOOT FRONT YARD SETBACK INSTEAD OF THE REQUIRED 25 FEET, ON A PARCEL OF THE GROUND LOCATED ON THE WEST SIDE OF YORK ROAD, 458 FEET NORTH OF TEXAS LANE. GRANTED APRIL 26, 1973.

CASE NO. 2012-0123-A: PETITION REQUEST FOR VARIANCE TO SECTION 400.6 TO PERMIT 228' OF STREET PARKING SPACES IN LIEU OF THE OFF-STREET PARKING SPACES TO BE PROVIDED IN THE SECTION 400.6 TO ALLOW DRIVE THRU LOTS TO CROSS PEDESTRIAN ACCESS FOR

1. THIS CONCEPT WAS PREPARED BASED UPON SURVEY DRAWINGS TITLED, "ALTA/NSPS LAND TITLE SURVEY CHICK-FIL-A, INC. 10142 YORK ROAD 8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND". DATED 11/20/23, AND BALTIMORE COUNTY GIS.

THESE PLANS ARE FOR SPECIAL
EXCEPTION AND ARE NOT TO BE
UTILIZED FOR CONSTRUCTION.

DESIGN & DRAWING BASED ON
MARYLAND COORDINATE SYSTEM:
HORIZONTAL NAD 83/(1991) VERTICAL
NAVD 88

CASE NO. B971679: INSTALLATION OF NEW OVERHEAD SHADE CANOPIES OVER EXISTING DRIVE-THRU FOR EMPLOYEE AND VEHICLE SHADE.

CASE NO. B921638: INSTALLATION OF AWWINGS ON EXISTING RESTAURANT. (2) 2X6' AND (11) 2X6' FABRIC. (1) 5X11' AND (3) 3X10' METAL. CASE NO. B970287: ERECTION OF (3) TEMPORARY 30'X20' = 600 SF TENTS OVER DRIVE THRU AREA ONLY.

CASE NO. B911947: INTERIOR ALTERATIONS TO INCLUDE: DEMO AND CONSTRUCTION OF MULTIPLE STUDYDRYWALL PARTITIONS, REMOVES WALLS AND FLOORING IN KITCHEN, REPAIRS AND FINISHES FLOORS, PARTITIONS AND CEILING FIXTURES PER PLAN (4220) SF.

CASE NO. B718282: CONSTRUCT 1 STORY ADDITION ON REAR OF EXISTING RESTAURANT FOR USE AS STORAGE AND FREEZER. 820X131.91 = 278 SF. REMOVE AND REPLACE CANOPY AT INTERIOR ALTERATIONS TO INCLUDE NEW PARTITIONS AND COUNTERS.

CASE NO. B877790: ERECT (2) MENU BOARD ORDER SIGNS AT DRIVE THRU. 5.62X24.16 = 24.75 SF EACH.

CASE NO. B832240: CONSTRUCT NEW RESTAURANT. 87'-3"x46'-10"x16.14" = 3622 SF. (SEE B75994 RA)

CASE NO. B846934: CONSTRUCT ONE-STORY ADDITION ON REAR OF EXISTING RESTAURANT FOR FOOD STORAGE (NO FOOD). 10'x17'-170 SF. INTERIOR ALTERATIONS TO INCLUDE: DEMO AND CONSTRUCT MULTIPLE STUDYDRYWALL PARTITIONS, CEILING TILE, REMODEL KITCHEN EQUIPMENT, HVAC, AND FINISHES (1994 SF).

CASE NO. B808098: CHANGE OF OCCUPANCY FROM MERCANTILE (GRANITE SHOWCASING BUILDING IMPROVEMENT) TO RESTAURANT. INTERIOR ALTERATIONS TO INSTALL KITCHEN EQUIPMENT (678 SF).

CASE NO. B903200: INSTALLATION OF (1) NON-ILLUMINATED WALL SIGN 2.6'X21.5' = 57.18 SF.

CASE NO. B745691: CHANGE OF OCCUPANCY FROM DRY CLEANERS TO YOGURT STORE WITH SEATING FOR 31 ALTERNATIONS TO INCLUDE: INSTALLATION OF DRYWALL AND METAL STUD PARTITIONS, ACoustICAL CEILING, DOORS, ADA RESTROOM, EXHAUST HOOD, KITCHEN EQUIPMENT, HVAC, AND FINISHES (1994 SF).

CASE NO. B968918: CHANGE OF OCCUPANCY FROM HAIR SALON TO OFFICE. INTERIOR ALTERATIONS TO INCLUDE: DEMO DRYWALL AND STUDS, 7'X10' DRYWALL TO CONVERT RESTROOM TO ADA ACCESSIBLE. REMOVE AND INSTALL CEILING TILE AND GRID, FIXTURES AND FINISHES (700 SF).

CASE NO. B787690: INSTALLATION OF (1) WALL SIGN 1.6'X10.0' = 16.08 SF.

CASE NO. B903434: INSTALLATION OF (1) ILLUMINATED WALL SIGN 3'X6.27' = 27.81 SF.

CASE NO. B905107: 4'X4' = 16 SF LANDING, 1 STEP AT REAR OF BUILDING. INTERIOR ALTERATIONS TO INCLUDE: CONSTRUCT METAL STUD/DRYWALL PARTITIONS, ADA RESTROOM, HANG DRYER, FINISHES AND FIXTURES (9108 SF).

CASE NO. B977038: IN-PLACE ABANDONMENT OF (1) 2.000 GALLON UNDERGROUND STORAGE TANK ESTIMATED TO BE LOCATED 3 FEET BELOW GROUND SURFACE IN PARKING LOT TO BE FILLED WITH CONCRETE SURELY.

CASE NO. B720270: INTERIOR ALTERATIONS TO EXISTING RESTAURANT TO ADD FRYER AND ADD TO EXISTING EXHAUST HOOD (20 SF).

CASE NO. B905107: INTERIOR ALTERATIONS TO INCLUDE: DEMO AND CONSTRUCT METAL STUD AND DRYWALL PARTITIONS, CEILING GRID AND TILE, HVAC, DOORS, COUNTERS, FIXTURES AND FINISHES (254 SF).

CASE NO. B432718: CONSTRUCT 4 EXTERIOR OPEN STAIRCASES. 5'X5' = 25 SF EACH

ELEVATIONS ARE BASED ON NAVD88
DETERMINED BY GPS OBSERVATIONS
AND TIED IN TO THE BALTIMORE COUNTY
SURVEY CONTROL STATION
MONUMENTS BM 883 WITH A PUBLISHED
ELEVATION OF 352.90 FEET AND BM 884
WITH A PUBLISHED ELEVATION OF 371.71
FEET.



COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602153-6
SCALE: 1" = 1,000'

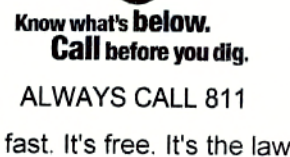
A. PROPERTY INFORMATION		SCALE: 1" = 1,000'			
B. PROPERTY ADDRESS	10112, 10116, 10118, 10128, 10130, 10100, 10142, YORK ROAD, COCKEYSVILLE, MD 21030				
C. TOTAL SITE AREA	177,396 S.F. OR 4.0725 ACRES				
D. ELECTION DISTRICT	8				
E. COUNCILMANIC DISTRICT	3				
F. CENSUS TRACT	4084				
G. TAX MAP	201				
H. PARCEL	1600005130				
I. TAX ACCOUNT NO.:					
2. ZONING:					
ML IM (MANUFACTURING, LIGHT - INDUSTRIAL, MAJOR)		BR IM (BUSINESS ROADSIDE - INDUSTRIAL, MAJOR)			
3. ZONING MAP REFERENCE:					
051C2					
4. FLOOR AREA RATIO:					
	<u>PERMITTED</u>	<u>PROVIDED</u>			
	2.0 MAX	(10,977 SF / 102,971 SF) = 0.11			
EXISTING LAND USE:	BR IM ZONE	2.0 MAX	(13,977 SF / 74,425 SF) = 0.19		
5. BUILDING SETBACKS:					
<u>PROPOSED LAND USE:</u>		HOTEL, STANDARD RESTAURANT, MULTI-TENANT COMMERCIAL BUILDING			
		FULL-SERVICE CAR WASH, STANDARD RESTAURANT, MULTI-TENANT COMMERCIAL BUILDING			
		<u>REQUIRED (ML IM)</u>	<u>REQUIRED (BR IM)</u> <u>PROVIDED</u>		
FRONT (EAST/YORK ROAD)	25'	25'	56.20'		
FRONT (NORTH/INDUSTRY LANE)	25'	25'	42.70'		
SIDE (SOUTH)	30'	30'	44.75'		
REAR (WEST)	30'	30'	49.84'		
6. LANDSCAPE SETBACKS:					
		<u>REQUIRED</u>	<u>PROVIDED</u>		
FRONT (EAST/YORK ROAD)	10'	10.50'			
FRONT (NORTH/INDUSTRY LANE)	10'	12.96'			
SIDE (SOUTH)	6'	6.57'			
REAR (WEST)	6'	15'			
LANDSCAPE TRANSITION AREA (LTA)					
		<u>REQUIRED</u>	<u>PROVIDED</u>		
(AUTOSPA EXPRESS)					
FRONT (EAST/YORK ROAD)	6'	0'			
FRONT (NORTH/INDUSTRY LANE)	6'	9.6'			
SIDE (SOUTH)	6'	6.57'			
REAR (WEST)	6'	15'			
A LANDSCAPE TRANSITION AREA (IN ACCORDANCE WITH THE SETBACKS LISTED ABOVE) IS TO BE PLANTED AND SCREENED IN ACCORDANCE WITH THE LANDSCAPE MANUAL REQUIREMENTS FOR AUTOMOTIVE USES.					
7. HEIGHT REQUIREMENTS IN ML-IM ZONE: NOT TO EXCEED 40' OR THREE STORIES IF ANY PART OF SAID BUILDING IS WITHIN 100 FEET OF THE BOUNDARY LINE OF A RESIDENCE OR BUSINESS ZONE.					
PROPOSED BUILDING HEIGHT					
CHICK-FILA: 28' +/-					

1. PER B.C.Z.R. SECTION 419.2.1, THE MANUFACTURER'S RATED HOURLY PRODUCTION CAPACITY (MAXIMUM NUMBER OF VEHICLES THAT BE WASHED IN ONE (1) HOUR) THROUGH THE CAR WASH IS 190 VEHICLES.
2. PER B.C.Z.R. SECTION 419.4 A.2, THE TUNNEL EXIT OF THIS FULL-SERVICE CAR WASH IS SET BACK AT LEAST 50 FEET FROM THE MAIN DRIVE.
3. THIS SITE WILL BE SERVICED BY PUBLIC WATER AND SEWER.
4. SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
5. THE PROPERTY IS LOCATED IN OTHER AREAS ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN MAP ENTITLED "FIRM FLOOD INSURANCE RATE MAP, BALTIMORE COUNTY, MARYLAND AND UNINCORPORATED AREAS, PANEL 325" MAP NUMBER 2400102035F, WITH A MAP REVISION DATE OF SEPTEMBER 26, 2008
6. THIS SITE IS NOT LOCATED IN FAILED BASIC SERVICE AREAS (WATER, SEWER, OR TRANSPORTATION).
7. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.
8. CHILL-FLAT, RESTROOM FACILITIES AND WATER SHALL BE PROVIDED FOR CUSTOMERS. AUTOSPAA, RESTROOM FACILITIES AND WATER SHALL BE PROVIDED FOR EMPLOYEES ONLY.
9. SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS. 450. VARIANCES ARE BEING REQUESTED FOR SIGNAGE WITH THIS PLAN.
10. THIS SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
11. THERE ARE NO KNOWN HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.
12. STACKING SPACES (PER B.C.Z.R. SECTION 419.3 AND 400.40):
 - CAR WASH
 - SPACES REQUIRED: 16 SPACES PER FULL-SERVICE CAR WASH TUNNEL
 - SPACES PROVIDED: 29 SPACES
 - RESTAURANT, FAST FOOD
 - SPACES REQUIRED: 7 PER STATION, 5 OF WHICH MUST BE BEHIND THE ORDER BOARD
 - SPACES PROVIDED: 7 PER STATION

USE	BUSINESS	REQUIREMENT	PARKING RATE	PARKING SPACES REQUIRED
CAR WASH	AUTO SPA EXPRESS	1 SPACE PER VACUUM UNIT + 6 SPACES PER CAR WASH TUNNEL + 4 ADDITIONAL SPACES	(1 SPACE X 22 VACUUM UNITS) + (6 SPACES X 1 CAR WASH TUNNEL) + 4 SPACES (22 + 6 + 4) = 30 SPACES	30.00 SPACES
	CHICK-FIL-A	16 SPACES PER 1,000 SF OF GFA	(\$.771 SF / 1,000 SF) * 16 SPACES	92.34 SPACES
RESTAURANT	SEOUL FUSION		(2.100 SF / 1,000 SF) * 16 SPACES	33.60 SPACES
RESTAURANT - CARRY OUT	PAPA JOHN'S	5 SPACES PER 1,000 SF	(1.758 / 1,000 SF) * 5 SPACES	8.79 SPACES
	TUFTI-FRUTTI		(1.979 / 1,000 SF) * 5 SPACES	9.90 SPACES
RETAIL - GENERAL	CAR MAX		(1.940 SF / 1,000 SF) * 5 SPACES	9.70 SPACES
	MUSIC GO ROUND	5 SPACES PER 1,000 SF OF GFA	(3.600 SF / 1,000 SF) * 5 SPACES	18.00 SPACES
	VISION WORKS		(2.600 SF / 1,000 SF) * 5 SPACES	13.00 SPACES
TOTAL PARKING REQUIRED (PER LATEST B.C.Z.R. REGULATIONS)				216 SPACES
TOTAL PARKING PROVIDED				164 SPACES

CHICK-FIL-A, INC. WLR INVESTMENT GROUP
5200 BUFFINGTON ROAD 1313 ORCHARD WAY
ATLANTA, GA 30349 FREDERICK, MD 21703
CONTACT: DOUG WOLFE ATTN: CHAD BOHN
PHONE: 717-817-5939 PHONE: 301-668-0021
EMAIL: DOUG.WOLFE@CFACORP.COM EMAIL: CBOHN@WLRINVESTMENTGROUP.COM

INDUSTRY LANE ASSOCIATES LLP
C/O INDUSTRY ASSOCIATES LLP
2800 QUARRY LAKE DR STE 340
BALTIMORE, MD 21209

[illegible]

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE

PROJECT No.: MDA220124.00
DRAWN BY: SF
CHECKED BY: DH
DATE: 3/27/2024
CAD I.D.: VAR-0

FOR

Chick-fil-A

THE
AUTO SPA
EXPRESS

10142 YORK ROAD
COCKEYSVILLE, MD 21030
MAP 51, GRID 11, PARCEL 201
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

D.S. HANEY

PROFESSIONAL ENGINEER
MARYLAND # 000000000000
PROFESSIONAL CERTIFICATION

I, DANIELS WINNEY HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR SUPERVISED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 54672, EXPIRATION DATE: 6/6/25

SHEET TITLE:

**PLAN TO
ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION
AND VARIANCE**

SHEET NUMBER:

1

ORG. DATE - 3/27/2024

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign, UL.

Auto Spa Express Cockeysville, Maryland South Elevation

8

7'-0" 28 Sq. Ft

4'-0"

51'-0" South Elevation

SOUTH ELEVATION

Auto Spa Express
10100 York Rd.
Cockeysville, MD 21030
Baltimore County

watchfire
AUTHORIZED DEALER

PS PASADENA SIGNS

Making the Sign Process Easy Since 1965.

client	Auto Spa Express Cockeysville	designer	Chris
sales exec.	Amy Zetting	scale	nto
date	21 October 2022	revision	rev
file	South Elevation.pdf	prod. time	mins

6300 Arundel Cove Ave, Baltimore, Maryland 21226 410-355-5400 **65th** www.pasadenasigns.com

Auto Spa Express Cockeysville, Maryland West Elevation

Auto Spa Express 10100 York Rd. Cockeysville, Md 21030 Baltimore County

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code

*REQUESTING VARIANCE*REQUESTING VARIANCE

(8)	7.00	4.00	28.00	51.00	150.00	102.00
-----	------	------	-------	-------	--------	--------



Entrance



Monday - Saturday
7am - 8pm
Sunday
8am - 6pm

[illegible]

**Wash
Once-A-Day
Every Day**

Become a
Monthly Member

Starting at

\$19.99
per month



⑭ Backlit Menu Sign – $3.29' \times 8' = 26.32$ SF

⑮ Responsibility – $2.33' \times 3.43' = 8 \text{ SF}$

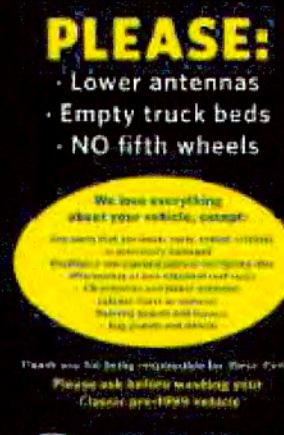
(16) Prepare to Enter Tunnel – $2.33' \times 3.43' = 8$ SF

(17) Free Vacuums – $2' \times 3.25' = 6.5$ SF

Moto 504 EXPRESS

SUPER 1700 cc. 4-cyl. engine 120 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed	\$19,999 *\$17,999 \$2,000 dealer fee
DELUXE 1700 cc. 4-cyl. engine 120 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed	\$22,999 *\$20,999 \$2,000 dealer fee
STANDARD 1700 cc. 4-cyl. engine 120 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed	\$27,999 *\$25,999 \$2,000 dealer fee
BASIC 1700 cc. 4-cyl. engine 120 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed 1200 cc. 4-cyl. engine 110 mph top speed	\$22,999 *\$20,999 \$2,000 dealer fee

*MSRP. Dealer sets actual price. Dealer fee extra. See dealer for details. ©1999 Harley-Davidson Inc.



PLEASE:

- Lower antennas
- Empty truck beds
- NO fifth wheels

We need everything
 about your school, except:

- Antennas that get in the way of radio communication
- Truck beds that are loaded with everything but the passengers of a safe classroom and road
- Excessives overloading
- Excessive loads or weight
- Excesses that are illegal
- Excesses that are unsafe
- Excesses that are expensive

There's more to being responsible for those kids.
 Please ask before making any
 Class or school vehicle

SAFETY
 FIRST

Prepare to Enter Tunnel

Place car in
NEUTRAL
when loading on the belt

OLDSMOBILE
AVALON



(18) Vacuum Stations – $0.46' \times 0.96' = 0.44$ SF

①⁹ Clean/Used Towels – $0.54' \times 1.04' = 0.56$ SF

② Benefits - $2.33' \times 3.43' = 8 \text{ SF}$



MONTHLY MEMBERSHIP
Benefits and Features

- Wash Once A Day, Every Day
- Month-to-Month Programs
- Express Pass Privileges
- Multi-Car Plans Available
- \$10 off Oil Changes at The Lube Center
- \$50 off any Service Repairs or 2 or more time at The Auto Repair

Diagram illustrating the dimensions and area calculations for a car wash entrance sign:

- Overall width: 15'-5"
- Overall height: 12"
- Section widths (from left to right):
 - 4'-10"
 - 8'-2"
 - 8'-2"
- Section areas (from left to right):
 - 1.62 Sq. Ft.
 - 6.12 Sq. Ft.
 - 6.12 Sq. Ft.
- Total area: 13.26 Sq. Ft.
- Sign text: "CAR WASH ENTRANCE" (top), "CASHIER" (left), "MONTHLY CLUB" (middle), "MONTHLY CLUB" (right)
- Diagram includes callouts for mounting brackets (21, 22) and a support post.

REVISIONS

ALWAYS CALL 811
It's fast. It's free. It's the law.

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION

DATE: 3/27/2015
CAD I.D.: VAR

PROJECT



BOHLER//

D.S. HANEY

[Signature] 4/19/24

PROFESSIONAL ENGINEER
(MARYLAND LICENSE NO. 54512)

PROFESSIONAL CERTIFICATION:

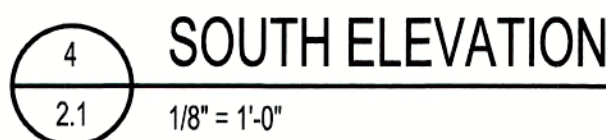
I, DANIEL S. HANEY, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 54512. EXPIRATION DATE: 6/6/25

SHEET NUMBER

2

ORG. DATE - 3/27/2024

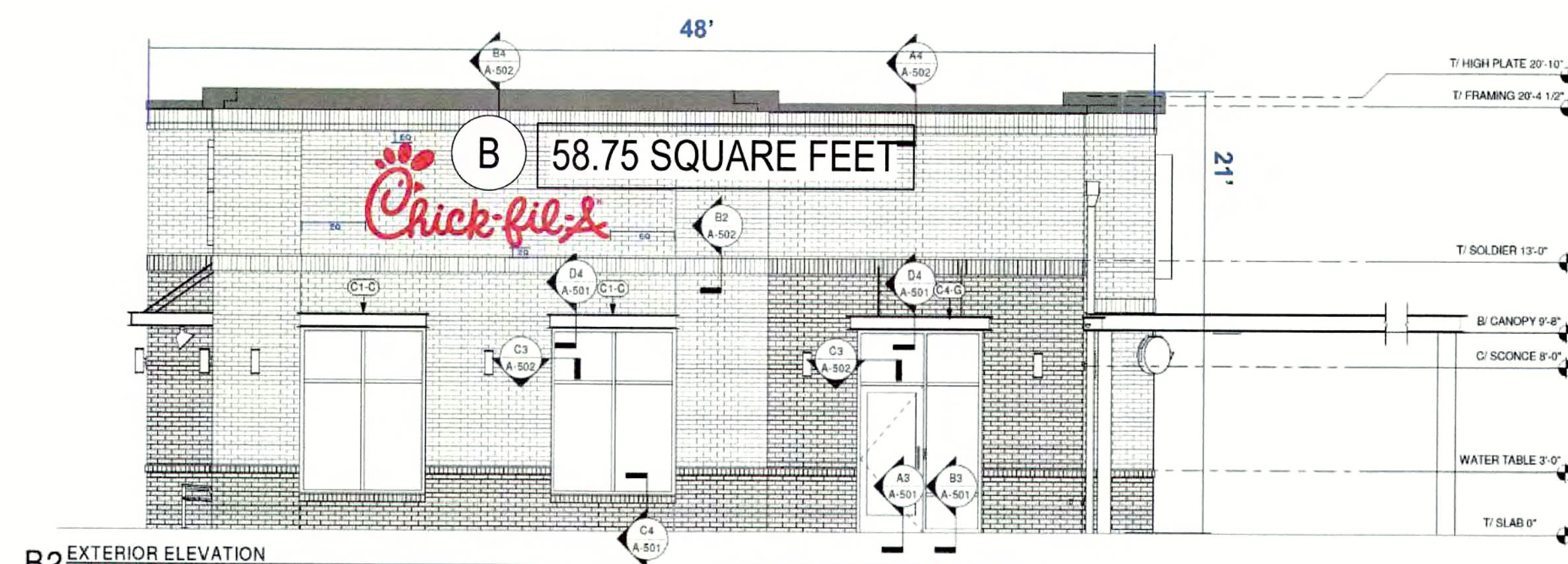
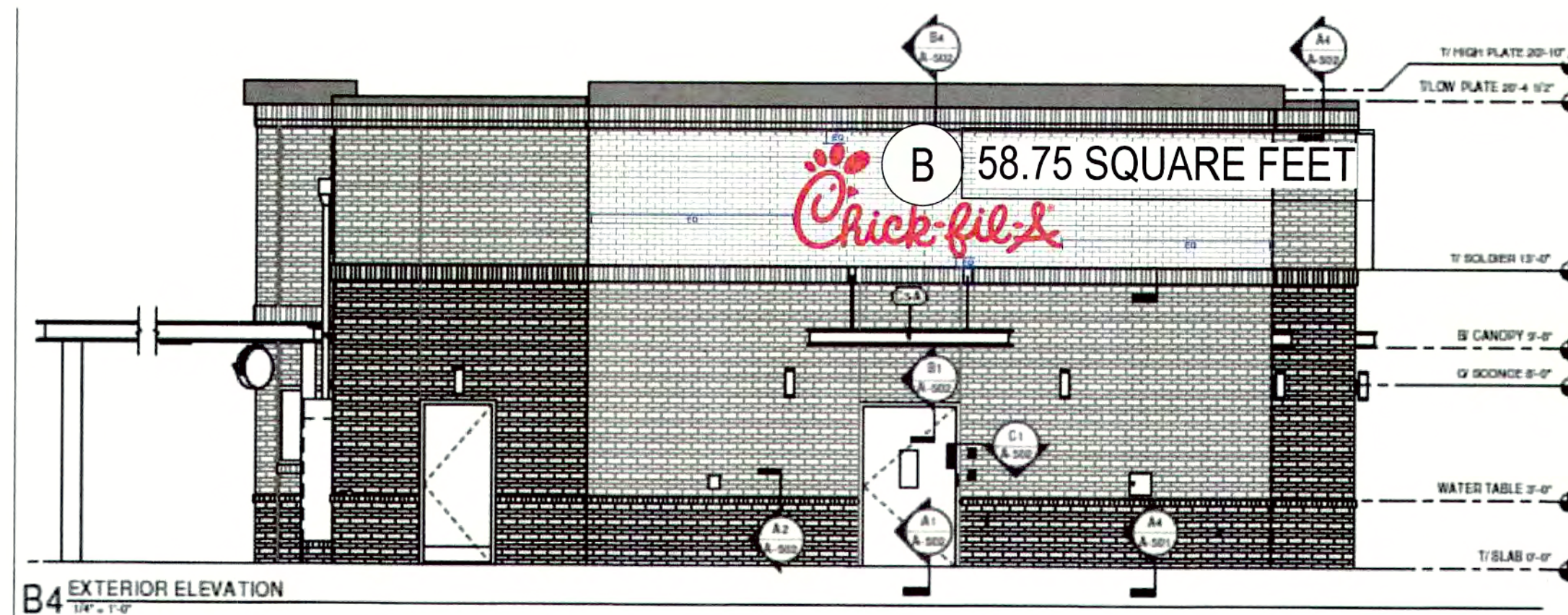
	PREFINISHED METAL PANELS
	PREFINISHED METAL COPING
	ALUM. FLAT STOCK (RAL 5010)
	CORRUGATED METAL PANEL
	MCM PANEL (BLACK)
	GLAZING
	STONE VENEER



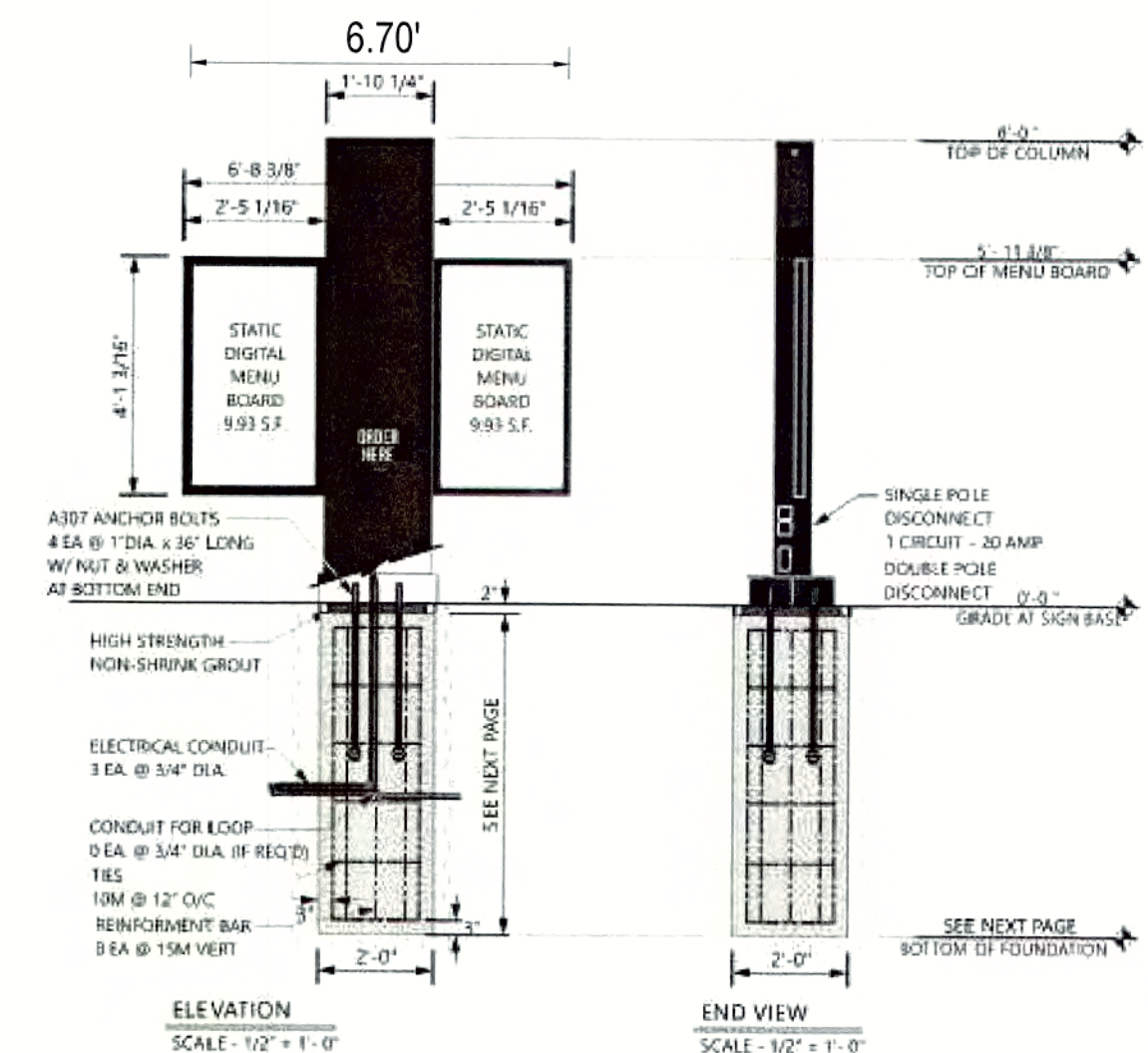
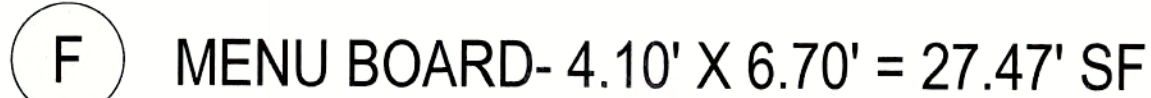
TAG	MATERIAL	MFR.	DESCRIPTION	COLOR
ST-1	STRUCTURAL STEEL	R.B.I.		RAL 5010
MP-1	PROFILED ALUMINUM METAL PANEL	ATAS	ATAS 7.2 BWR360 BELVEDERE	RAL 1018
MP-2	PREFINISHED METAL PANEL	DRI-DESIGN	30"x30" PANEL SIZE	CADET GREY
AB-1	PREFIN. ALUM. ACCENT BANDING	ATAS	ATAS FLAT SHEET	RAL 5010
PC-1	PREFIN. ALUM. PARAPET CORNICE	REYNOLUX		BRIGHT SILVER METALLIC
M-1	STONE VENEER	BORAL	PRO-FIT LEDGESTONE	SOUTHWEST BLEND
MC-1	PRECAST STONE SILL	ELDORADO	CHISELED EDGE WALL CAP	SMOKE
MP-3	PREFINISHED METAL PANEL	NICHHA	18"x72" PANEL SIZE	GRAY
MCM-1	PREFIN. ALUM. COMPOSITE PANELS	LAMINATORS	LAMINATORS OMEGA SERIES	RAL 5010
MCM-2	PREFIN. ALUM. COMPOSITE PANELS	CITADEL	GLAZE GUARD (SERIES F)	EBONY
AC-1	PREFIN. ALUM. CLOSURE CAPS	TUBELITE	TUBELITE 200 SERIES CURTAINWALL	CLEAR ANODIZED
SF01 SF02 SF03	INSULATED GLASS		1" INSULATED GLASS LOW-E	CLEAR
SF04 SF05	METAL PANEL INFILL		1" MCM PANEL INFILL	BLACK
DC-1	PREFINISHED ALUMINUM		DOWNSPOUT COVER	RAL 5010
LR-1	LICENSE PLATE READER	TOMMY	BOLLARD	STAINLESS STEEL

3 NORTH ELEVATION
2.1 1/8" = 1'-0"

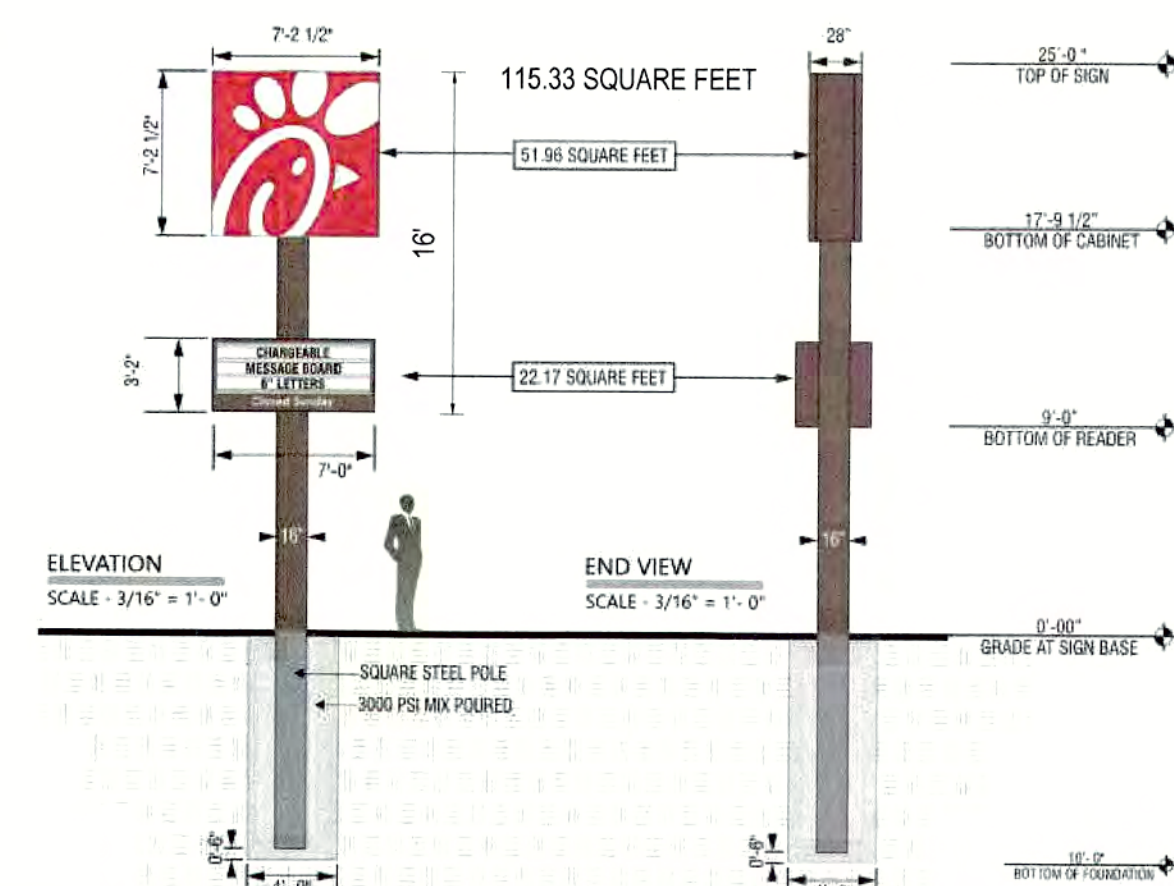


[illegible]

(E) DRIVE THRU- 2' X 1.5' = 3 SF



(A) PYLON- 16' X 7.2083" = 115.33' SF



SIGNAGE CHART <u>ENTERPRISE - FREESTANDING WALL</u> <u>MOUNTED; PROJECTING</u> <u>(BCZR 450.4 ATTACHMENT 1, 5(F))</u>						
ID	SIGNAGE			SIGN HEIGHT (FT.)	ALLOWABLE SIGNAGE HEIGHT PER CODE (FT.)	ALLOWABLE SIGNAGE AREA PER CODE (S.F.)
	SIGN PANEL WIDTH (FT.)	SIGN PANEL HEIGHT (FT.)	SIGN PANEL AREA (S.F.)			
Ⓕ	6.70	4.10	27.47	8.00	6.00	50.00
Ⓖ	6.70	4.10	27.47	8.00		
TOTAL AREA (ALL ENTERPRISE SIGNS)			54.94	TOTAL AREA ALLOWED:		100

SIGNAGE CHART						
<i>DIRECTIONAL</i>						
<i>(B.C.Z.R. 450.4 ATTACHMENT 1, 3(A))</i>						
ID	PROPOSED SIGNAGE			SIGN HEIGHT (FT.)	ALLOWABLE SIGNAGE HEIGHT PER CODE (FT.)	ALLOWABLE SIGNAGE AREA PER CODE (S.F.)
	SIGN PANEL WIDTH (FT.)	SIGN PANEL HEIGHT (FT.)	SIGN PANEL AREA (FT.)			
(D)	1.50	2.00	3.00	9.00	6.00	8.00
(E)	1.50	2.00	3.00			

SIGNAGE CHART						
<u>ENTERPRISE - WALL-MOUNTED</u> (B.C.Z.R..C.Z.R. 450.4 ATTACHMENT 1, 5(A))						
ID	PROPOSED SIGNAGE			STORE FRONT WIDTH (L.F.)	MAXIMUM AREA PER SIGN (S.F.)	ALLOWABLE SIGNAGE AREA PER WALL LENGTH (S.F.)
	WIDTH (FT.)	HEIGHT (FT.)	AREA (S.F.)			
(B)	11.75	5.00	58.75	125.00	150.00	250.00
(C)	5.00	5.00	25.00	125.00	150.00	
TOTAL			83.75			250.00
(B)	11.75	5.00	58.75	125.00	150.00	250.00
(C)	5.00	5.00	25.00	125.00	150.00	
TOTAL			83.75			250.00
(B)	11.75	5.00	58.75	48.00	150.00	96.00
(B)	11.75	5.00	58.75	48.00	150.00	96.00

*REQUESTING VARIANCE

SIGNAGE CHART						
ENTERPRISE - FREESTANDING (BCZR 450.4 ATTACHMENT 1, 5(B))						
ID	SIGNAGE			SIGN HEIGHT (FT.)	ALLOWABLE SIGNAGE HEIGHT PER CODE (FT.)	ALLOWABLE SIGNAGE AREA PER CODE (S.F.)
	SIGN PANEL WIDTH (FT.)	SIGN PANEL HEIGHT (FT.)	SIGN PANEL AREA (S.F.)			
A	7.00	16.00	115.33	25.00	25.00	75.00
TOTAL AREA (ALL ENTERPRISE SIGNS)			115.33	TOTAL AREA ALLOWED:		75.00
REQUESTING VARIANCE						

[illegible]

**Know what's below.
Call before you dig.**
ALWAYS CALL 811
It's fast. It's free. It's the law.

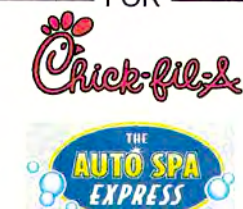
FOR CONCEPT
PURPOSES ONLY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:	MDA220124.00
DRAWN BY:	SF
CHECKED BY:	DH
DATE:	3/27/2024
CAD I.D.:	VAR-0

PROJECT:

**PLAN TO
ACCOMPANY
VARIANCE**



10142 YORK ROAD
COCKEYSVILLE, MD 21030
MAP 51, GRID 11, PARCEL 201
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

BOHLER //

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204

Phone: (410) 821-7900
Fax: (410) 821-7987

MD@BohlerEng.com

D.S. HANEY

[Signature] 4/14/24

PROFESSIONAL ENGINEER

MARYLAND LICENSE No. 54512

PROFESSIONAL CERTIFICATION

I, DANIEL S. HANEY, 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. 54512, EXPIRATION DATE: 6/6/25

SHEET TITLE:

**PLAN TO
ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION
AND VARIANCE**

SHEET NUMBER:

4

ORG. DATE - 3/27/2024