



## PLANNING AND ZONING COMMISSION

February 19, 2025

**TITLE:** Final Resubdivision Plat, Chick-fil-A

**APPLICANT REQUEST:**

To resubdivide two parcels (SDAT# 07-029233 and 07-029241) located in the southeast quadrant of the Baltimore Blvd. (MD Route 140)/Old Baltimore Blvd. intersection to create new Lot 1 and Lot 2, to develop new Lot 1 with a Chick-fil-A restaurant, pursuant to conditionally approved Site Development Plan S-23-0001.

**PROJECT INFORMATION:**

**ZONE:** B Business Zone  
**EXISTING USE:** Vacant  
**PROPOSED USE:** Lot 1, Restaurant (Z.O, Section 164-41(45)) & Lot 2, Vacant  
**SITE AREA:** 345,807 square feet or 7.84 acres

**APPLICANT/REPRESENTATIVES:**

**APPLICANT:** The Morgan Companies, c/o Scott Friedman  
4521 Sharon Road, Suite 275, Charlotte NC 28211  
**OWNER:** Baltimore Blvd Realty LLC, c/o Scott Friedman  
4521 Sharon Road, Suite 275, Charlotte NC 28211  
**ATTORNEY:** Kelly S. Miller, Shaffer and Shaffer LLP  
73 E Main Street, Westminster, MD 21157  
**ENGINEER:** Daniel Haney, Bohler  
901 Dulaney Valley Road, Suite 801, Towson, MD 21204

**STAFF:** Andrea Gerhard, Senior Planner  
Mark A. Depo, Director of Community Planning and Development

**RECOMMENDATION:** Approval

**ATTACHMENTS:**

1. Final Resubdivision Plat, Chick-fil-A
2. Market Street Right-of Way Carroll County Dedication Plat



## STAFF REPORT

Article XXIV, Subdivision Regulations, of the City of Westminster Zoning Ordinance (“Zoning Ordinance”) requires the Planning and Zoning Commission (“Commission”) and Planning Director to review and act on resubdivisions, and amendments thereto.

### VICINITY MAP/ LOCATION:

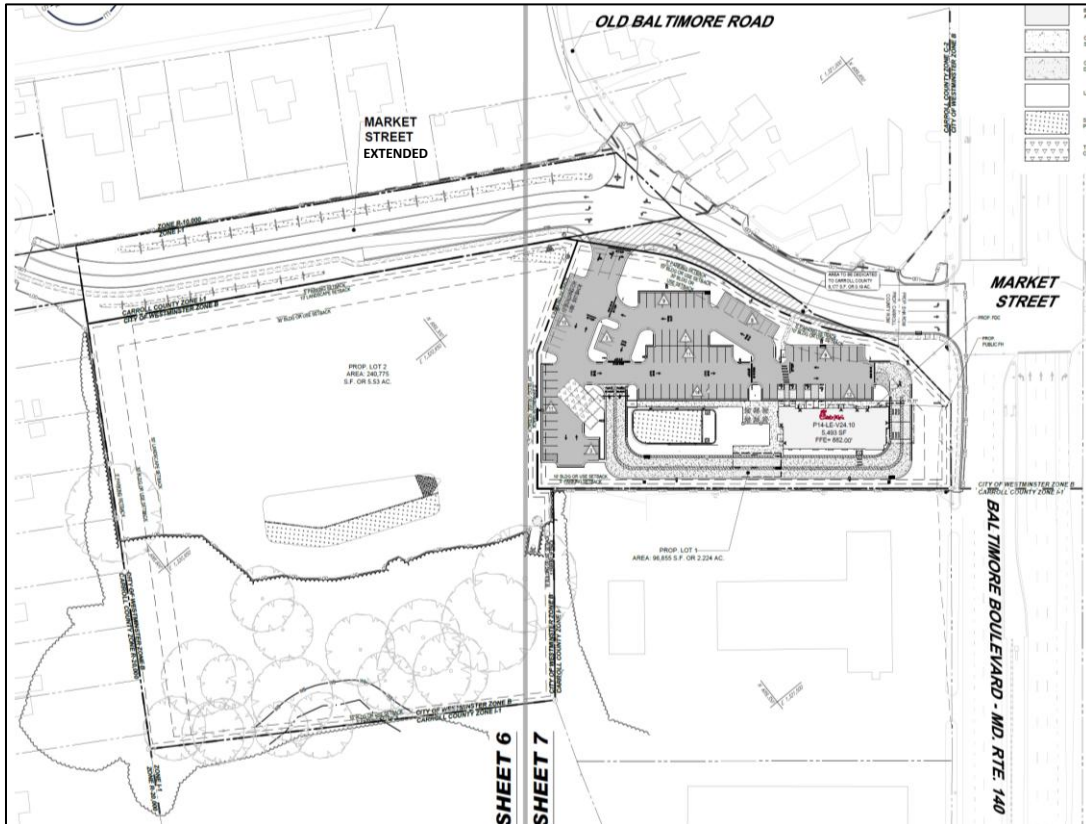
The subject property referred to as “Annexation 67 Schulte Property” is located in the southeast quadrant of the Baltimore Blvd. (MD Route 140) and Old Baltimore Blvd. intersection and further identified as tax account number SDAT #07-029233 and #07-029241 (the “Property”). The Property is 7.84 acres in size and zoned B Business Zone (Zoning Ordinance Article VIII) and subject to the Zoning Ordinance.



 = Property     = General Location of Chick-fil-A

## RESUBDIVISION INFORMATION:

The Morgan Companies (the “Applicant”), represented by Scott Friedman filed Site Development Plan S-23-0001, Chick-fil-A. S-23-0001 proposes to construct a 5,493 square feet Restaurant building and accompanying parking area and landscaping.

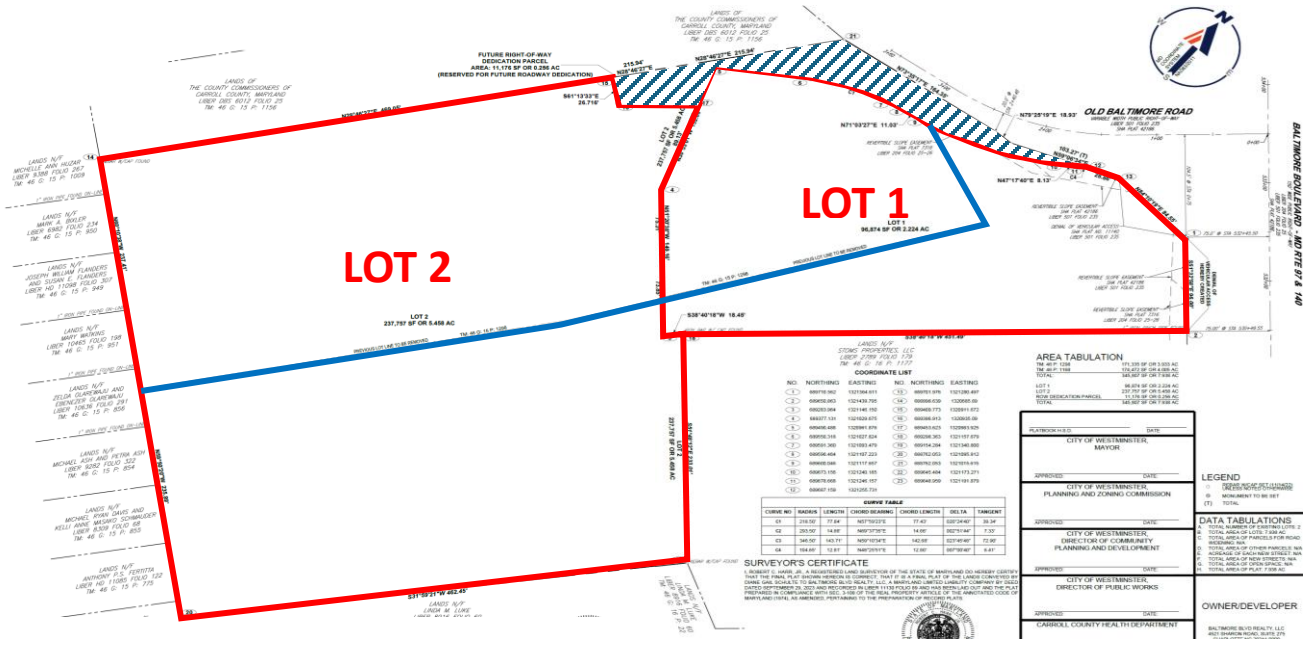


On August 21, 2025, the Commission conditionally approved Site Development Plan S-23-0001, Chick-fil-A, with the following conditions of approval:

1. Address all outstanding City and County comments prior to submission of signature set mylars.
2. Prior to final signature set approval of S-23-0001, Chick-fil-A, the resubdivision of the existing properties through a boundary line adjustment must be approved by the City and recorded among the Carroll County Land Records.
3. Construction of Market Street extended, beyond the stage of excavation or grading, must start prior to City of Westminster approval of building permits for S-23-0001 and construction of Market Street extended must be completed and accepted by the County Commissioners of Carroll County prior to City of Westminster approval of use and occupancy for S-23-0001.

The Applicant is proposing to resubdivide the two existing parcels (SDAT# 07-029233 and 07-029241) located in the southeast quadrant of the Baltimore Blvd. (MD Route 140)/Old Baltimore

Bldv. intersection to create new Lot 1 (2.224 acres) and new Lot 2 (5.458). [Attachment 1] Lot 1 will contain the Chick-fil-a development, pursuant to conditionally approved Site Development Plan S-23-0001, and Lot 2 will provide for additional future commercial/retail development and contain stormwater management for the development of both lots. The plat is also dedicating 0.256 acres to Carroll County for the development of Market Street extended.



- = New Lots
- = Removed Lot Line
- = Market Street R-O-W Dedication

**Market Street Extended**

Market Street Extended is a Carroll County roadway and Carroll County is responsible for the design, construction, or maintenance of the roadway. Market Street Extended’s intersection with Route 140 must be approved by SHA. As such, the City of Westminster has no control on the design and construction of Market Street Extended and can only make suggestions.

On June 26, 2025, Carroll County Public Works Director confirmed that Carroll County approved the final design of Market Street Extended and confirmed that all SHA comments related to the State’s right-of-way have been addressed. The Applicant is coordinating with Carroll County on the dedication are necessary to develop Market Street Extended. [Attachment 2]

**PROCESS:**

Pursuant to Zoning Ordinance Section 164-3, Definitions and word usage, SUBDIVISION is defined as “The division or redivision of any lot, tract or parcel of land into two or more lots, plats, parcels, sites or other divisions of land, whether for immediate or future sale, lease or building development. If a new street is involved, subdivision shall mean any division of a tract or parcel of land. The sale or exchange of parcels of land between owners of adjoining properties for the purpose of small adjustments in boundaries shall not be considered a subdivision, provided that additional lots are not thereby created and that the original lots are not reduced below the minimum sizes required by this chapter.”

Pursuant to Zoning Ordinance Section 164-3, Definitions and word usage, MINOR SUBDIVISION is defined as “A subdivision of fewer than three lots.”

Pursuant to Zoning Ordinance Section 164-201, Resubdivision or minor subdivision, “The procedure for the filing of a final plat for the resubdivision of a lot or parcel or for a minor subdivision shall be as indicated in this article for an original subdivision, except that the submission of a preliminary plan shall be at the option of the applicant.” The Commission shall approve, approve subject to conditions, or not approve the resubdivision, and amendments thereto.

**RECOMMENDATION:**

DCPD recommends that the Planning and Zoning Commission consider Conditional Approval of the proposed Final Resubdivision Plat, Chick-fil-A, with the following conditions of approval:

1. Address all outstanding City and County comments prior to submission of signature set mylars.

**DRAFT MOTIONS FOR RESUBDIVISION FINAL PLAT, CHICK-FIL-A:**

1. I move that the Planning and Zoning Commission conditionally approve Final Resubdivision Plat, Chick-fil-A, pursuant to City of Westminster Zoning Ordinance Article XXIV, and based on the February 19, 2025, Staff Report and conditions of approval.

OR

2. I move that the Planning and Zoning Commission deny Final Resubdivision Plat, Chick-fil-A.

OR

3. I move an alternate motion.