


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 5110 Linden Heights Avenue		

TO

Mr. David Tanner, Executive Director
Board of Municipal and Zoning Appeals
417 East Fayette Street, 14th Floor

DATE: March 6, 2014

REQUEST

The Department of Planning has received Kenley John's Board of Municipal and Zoning Appeals (BMZA) application to use the portion of the premises known as 5100 Linden Heights Avenue as a multi-purpose neighborhood center, which would include Caribbean-based educational, cultural, and sporting activities and events. The Zoning Administrator has determined that a variance of Zoning Code off-street parking requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on March 11, 2014.

SITE

5110 Linden Heights Avenue is located on the west side of the street, approximately 146'9" northwest of the intersection with Garrison Avenue. This property measures approximately 48'7" along Linden Heights Avenue by an average of 95' deep and is currently improved with a one-story detached commercial building measuring approximately 20' by 60'. This site is zoned B-3-2 and is located within the Park Heights Urban Renewal Plan area.

ANALYSIS

Use: In this zoning district, multi-purpose neighborhood centers are a permitted use, and so are allowed (§6-406). In this case, the property was last authorized for use as a restaurant, which is also a permitted use in this B-3 Community Commercial District. The applicant should describe the types of events, anticipated number of visitors, and days and hours of operation of the proposed multi-purpose center in order for a reasonable determination of the relationship of the center to the nearby residential neighborhood to be made.

Urban Renewal Plan: This property is located in the Park Heights Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.a). If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). The amount of off-street parking for a multi-purpose neighborhood center will be as required by the Board after considering written recommendation by the Department of Public Works (§10-405.22.iii). In this zoning district, restaurants require one off-street parking space per 400 square feet of floor area (§10-405.21.i). The previous use thus establishes a credit of 3 spaces. It is noted that this property and the adjoining property known as 4030 West Garrison Avenue appear to share an undivided paved area used by both for off-street parking. Details of number of visitors and days and hours of operation would facilitate determination of parking space requirements.

TransForm Baltimore: This property would become part of the C-2 District (Proposed Zoning Map Area 1-D) in which community centers would be permitted uses (Table 10-301). The community centers would have off-street parking requirements of 1 space per 10 persons of fire rated capacity (Table 16-406A).

RECOMMENDATION

The Department of Planning has no objection to this appeal provided that the use is served by an adequate amount of off-street parking and its days and hours of operation are compatible with the residential use of the opposite side of Linden Heights Avenue.

TJS/wya/mf

cc: Kenley John, Appellant