


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 701 – 717 Washington Boulevard		

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

DATE: April 21, 2010

### REQUEST

The Department of Planning has received Malik Rehman's Board of Municipal and Zoning Appeals (BMZA) application to use a portion of the premises known as 701 Washington Boulevard as a variety store. We understand that this appeal is scheduled for a hearing on April 27, 2010.

### SITE

701 – 717 Washington Boulevard is a 1.82 acre property located on the south side of Washington Boulevard between Barre Street and Martin Luther King, Jr. Boulevard. This property measures approximately 270' by 277' and is currently improved with two one-story commercial buildings, one of which is designated 717 Washington Boulevard and the other 701, 707, 709, and 711 Washington Boulevard. This site is zoned B-2-3 and is located within the Washington Village Urban Renewal Plan area.

### ANALYSIS

Use: In this zoning district, variety stores are listed as a permitted use, and so are allowed (§6-306). In this case, the property was last authorized for use as a beauty shop, which is a permitted use in this B-2 Community Business District.

Renewal Plans: Ordinance #01-0165 was approved May 14, 2001 for the purpose of, among other things, clarifying the relationship between conditions or requirements imposed by an Urban Renewal Plan or Conservation Plan, such that the condition or requirement that is more restrictive will govern. Additionally, the ordinance prohibits the approval of a conditional use or a variance if that conditional use or variance is precluded by an applicable renewal plan or master plan.

Required Findings: The Board may not approve a conditional use unless, after public notice and hearing and on consideration of the standards prescribed in this title, it finds that: ... (2) the use is not in any way precluded by any other law, including an applicable urban renewal plan; (§14-204). For this reason, the Board must consider the requirements of the Washington Village Urban Renewal Plan, which does not allow this use in this district except as a Conditional Use with BMZA approval ("B. Land Use Plan. 2. Community Business").

Comprehensive Planning: The Washington Village Urban Renewal Plan's Exhibit 1, Land Use Plan, designates this property as "Community Business". Therefore, the proposed use is a Conditional Use for which Board approval is required.

Mr. David Tanner, BMZA  
Executive Director  
Page 2  
Re: 701-717 Washington Boulevard

**RECOMMENDATION**

The Department of Planning recommends approval of the appeal, conditioned upon the applicant complying with all requirements of the Washington Village Urban Renewal Plan, and particularly with its Appendix B, Design and Rehabilitation Standards.

TJS/ewt/mf

cc: Malik Rehman, Appellant