


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 / 6-8 West Cross Street		

TO

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

DATE: May 4, 2012

**REQUEST**

The Department of Planning has received Anna Leventis' Board of Municipal and Zoning Appeals (BMZA) application to continue to use the premises as a restaurant and add accessory outdoor table service. We understand that this appeal is scheduled for hearing on May 15, 2012.

**SITE**

6-8 West Cross Street is located on the northeast corner of the intersection with Olive Street. This property measures approximately 33' by 70' and is currently improved with a three-story semi-detached building measuring approximately 33' by 55'. This site is zoned B-2-3 and is located within the South Baltimore Business Area Urban Renewal Plan area and the Federal Hill National Register Historic District.

**ANALYSIS**

Conditional Use: In this zoning district, restaurants – including accessory outdoor table service, are a conditional use, requiring approval by the Board (§6-308). The existing restaurant is a permitted use.

Definition: "Outdoor table service", as an accessory to a restaurant, means an outdoor service area at which patrons are seated at tables for service of food and drinks (§1-168.1). The applicant is proposing to use a portion of the sidewalk in front of the building for three tables and related seating. The applicant's sidewalk site plan shows a seating area 4'7" deep by 18'5" along the façade of the building, leaving sufficient space for both the regular and emergency doorways of the restaurant. However, the plan shows the remaining unobstructed width of the sidewalk as 5' and this includes an obstruction, a signpost near the curb. Hence, the sidewalk site plan should be revised to show the exact location of the signpost and to reduce the seating area accordingly in order to provide 6' minimum clear and unobstructed pedestrian passage in front of the seating area.

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

**RECOMMENDATION**

The Department of Planning recommends approval of the appeal, subject to these conditions:

- A minimum of six feet of the sidewalk must remain clear and unobstructed for pedestrian use;
- The capacity of the outdoor seating area will not be more than 3 tables and 10 patrons;

Mr. David Tanner, BMZA  
Executive Director  
Page 2  
Re: 6-8 West Cross Street

- The tables will be limited to those that can seat 4 patrons, and are to be kept against the wall of the building;
- There will be no outdoor bar;
- There will be no outdoor music, a jukebox, or other form of entertainment; and
- All patrons must be seated for dining, and served by wait staff.

TJS/wya/mf

cc: Anna Leventis, Appellant