


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 / 418 South Conkling Street		

TO

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

DATE: June 6, 2012

REQUEST

The Department of Planning has received Donald Rainey's Board of Municipal and Zoning Appeals (BMZA) application to add accessory outdoor table service to an existing restaurant and carry-out food shop. We understand that this appeal is scheduled for hearing on June 12, 2012.

SITE

418 South Conkling Street is located on the west side of the street, approximately 53'7" north of the intersection with Eastern Avenue. This property measures approximately 70' by 89' and is currently improved with a one-story commercial building covering nearly all of the lot. This site is zoned B-2-3 and is located within the Highlandtown Business Area Urban Renewal Plan area.

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 applicant has provided a sidewalk site plan showing use of the sidewalk along Conkling Street for a seating area for outdoor table service for 16 patrons.

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

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 sidewalk along Conkling Street, on the west side of the building, is approximately 14' wide and can readily accommodate the proposed outdoor seating area. The applicant is proposing to place 4 four-top tables in this area.

RECOMMENDATION

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

- A minimum of six feet of the sidewalk must remain clear and unobstructed for pedestrian use, in accordance with the site plan included with this application;
- The capacity of the outdoor seating area will not be more than 4 tables and 16 patrons;
- The tables will be limited to those that can seat 4 patrons, and are to be kept against the front 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

Southeast

cc: Donald Rainey, Appellant