


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 / 6300 York Road		

TO

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

DATE:

June 26, 2015

REQUEST

The Department of Planning has received Tim Markwardt's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Gittings Marketplace, to add accessory outdoor table service to an existing restaurant. The Zoning Administrator has determined that this is a conditional use in a B-2 zoning district. We understand that this appeal is scheduled for hearing on June 30, 2015.

SITE

6300 York Road is located on the northwest corner of the intersection with Gittings Avenue. This property measures approximately 354' 11" along York Road by 411' along Gittings Avenue and contains approximately 3.313 acres, and is currently improved with two one-story detached commercial buildings fronted by parking lots. This site is zoned B-2-1 and is located within the York Road Community Strategic Neighborhood Action 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). In this case, the property was last authorized for use as a drug store (the southerly of the two buildings on the property) and a medical or dental clinic, which are permitted uses in this B-2 Community Business District. The applicant is proposing to place the outdoor seating area in and in front of the central portion of the northerly building on the property.

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 application included site plans and floor plans showing that most of the tables and seats would be in an area to be created by opening the front portion of one of the commercial bays and joining that with a 4' wide section of the existing private sidewalk in front of the entire building to create a dining patio. The remaining sidewalk would be at least 6' wide to provide unimpeded access for passers-by. A total of three 4-top tables and four 2-top tables would be placed there, with a total of 24 seats.

TransForm Baltimore: This property would become part of the C-3 District (Proposed Zoning Map Area 3-A) in which restaurants and outdoor dining would be permitted uses (Table 10-301).

RECOMMENDATION

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

Mr. David Tanner, BMZA
Executive Director
Page 2
Re: 6300 York Road

- 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 six 4-top tables, or their equivalent in 4-top and 2-top tables, and 24 patrons;
- The tables will be limited to those that can seat two or four patrons, and are to be kept within the patio area to be created at the front 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: Tim Markwardt, Appellant