


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 / 184-188 West Ostend Street		

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

DATE: October 4, 2010

REQUEST

The Department of Planning has received Gable Signs and Graphics' Board of Municipal and Zoning Appeals (BMZA) application, on behalf of the Ostend Street Business Trust and the M. C. Dean Company, to install 7 wall-mounted business identification signs, three of them illuminated and four of them non-illuminated, each exceeding 36 square feet in area. We understand that this appeal is scheduled for hearing on October 12, 2010.

SITE

184-188 West Ostend Street is located on the northwest corner of the intersection with Leadenhall Street, and comprises an entire city block bounded by West Street on its north, Leadenhall Street on its east, Ostend Street on its south, and Peach Street on its west. This property measures approximately 155' by 331'6" and is currently improved with a grouping of three-story and two-story industrial buildings covering the entire lot. This site is zoned O-R-3 and is located within the Sharp-Leadenhall Urban Renewal Plan area.

ANALYSIS

Use: In this zoning district, offices: business, governmental, and professional – but not including sales and bulk storage of merchandise on the premises, are listed as a permitted use, and so are allowed (§5-201). In this case, the property was last authorized for use as a warehouse, which is a nonconforming use in this O-R-3 Office-Residence 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 Sharp-Leadenhall Urban Renewal Plan, which does allow this use in this district.

Signs – Extension above roof line: No sign may extend above the roof line of a building to which it is attached (§11-307). All building-mounted signs would be positioned so that the highest part of the sign would be no higher above grade than the portion of the structure to which the sign would be attached.

Signs – Identification signs: For non-residential buildings in R-9, R-10, and O-R Districts, 1 non-illuminated or indirectly illuminated identification sign is allowed for each street frontage. These signs may not exceed 36 square feet; or if directly illuminated, 24 square feet; ... if attached to a building, extend above the roof line; or project more than 8 inches across a street line (§11-320.b). The vertically-oriented sign proposed for the corner of the building at Ostend and Leadenhall Streets would project approximately 3' over the street line, and so would require a minor privilege permit from the City of Baltimore.

Computing area: The area of a sign is determined by measuring the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, flag, device, or other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. Necessary supports or uprights on which the sign is placed are not included in the computation (§11-203). The proposed signs are of a modern, multi-panel design featuring the letters and logo on overlapping panels to create an illusion of depth. For this reason, the sign area should be determined by the extreme limits of the writing representing the M. C. Dean Company.

Parking access signs: 1 non-illuminated or indirectly illuminated sign, indicating the entrance to or exit from an open off-street parking area or off-street parking garage, is allowed for each street frontage of the lot. The sign may not exceed 4 square feet; be more than 20 feet high; or project more than 18 inches across a street line (§11-317). The proposed parking garage exit sign would be flush-mounted on the building wall but would comprise approximately 9 square feet.

Comprehensive Planning and Land Use and Urban Design: The sign company and developer have worked with the Department of Planning and the Sharp-Leadenhall Planning Committee which represents the neighborhood to develop this proposal.

RECOMMENDATION

The Department of Planning recommends approval of the appeal.

TJS/wya/mf

cc: Gable Signs and Graphics and Ostend Street Business Trust, Appellants