


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 / 3600 Clipper Mill Road		

TO

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

DATE: October 24, 2013

REQUEST

The Department of Planning has received AB Associates' Board of Municipal and Zoning Appeals (BMZA) conditional use application, on behalf of Eutaw Property Enterprise LLC, to use a 6,250 square foot portion of the premises as a restaurant with accessory outdoor table service. We understand that this appeal is scheduled for hearing on October 29, 2013.

SITE

3600 Clipper Mill Road is located to the west side of the street, approximately 175' west of the intersection with Union Avenue, and is accessible to Clipper Mill Road by way of a bridge over the Jones Falls. This property measures approximately 293' on its northern side along Union Avenue by 952' on its western side and contains approximately 6.458 acres, and is currently improved with a combination two- to five-story former industrial building measuring approximately 600' by 210'. This site is zoned M-2-1.

ANALYSIS

Use: In this zoning district, restaurants – including accessory outdoor table service, but not including live entertainment or dancing, are a permitted use, and so are allowed (§7-306). In this case, the property was last authorized for use as a warehouse, which is a permitted use in this M-2 Industrial District, and offices: business and professional, which is a conditional use. This appeal is before the Board as a modification of the previously-approved conditional 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 an inset open area on the western side of the structure for outdoor tables and seating. This area would be totally within the property and facing the Northern Central Railroad tracks now used by the Baltimore Light Rail line.

TransForm Baltimore: This property would become part of a TOD-2 District (Proposed Zoning Map Area 2-D) in which restaurants and outdoor dining would be permitted uses (Table 12-402). "Outdoor dining" means "an outdoor seating area that adjoins a restaurant or carry-out food shop and is used by patrons to consume food and drinks (§1-310 (Q)).

RECOMMENDATION

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

- 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: AB Associates, Appellant

Northern