


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 / 1331 West Baltimore Street		

TO

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

DATE: March 14, 2012

### REQUEST

The Department of Planning has received Raymond Flythe's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of R & S Express Driving Services, to use the first floor of the premises as a driving school. We understand that this appeal is scheduled for hearing on March 20, 2012.

### SITE

1331 West Baltimore Street is located on the south side of the street, approximately 68'4" east of the intersection with Calhoun Street. This property measures approximately 16' by 122'9" and is currently improved with a three-story attached commercial building covering the entire lot. This site is zoned B-2-3 and is located within the Franklin Square Urban Renewal Plan area and the Union Square Historic District.

### ANALYSIS

Conditional Use: In this zoning district, schools: commercial, are a conditional use, requiring approval by the Board (§6-308). The prior authorized uses of this property were a department store and furniture store.

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

Historic District: The subject property is located within the Union Square District, a locally and Federally designated Baltimore City historic district. All exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). It is recommended that the applicant contact CHAP to determine the review process applicable to their project.

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.a). If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). The amount of off-street parking required for a commercial school is one parking space per 4 teachers and employees, plus 1 per 24 students (based on the greatest number of students on the premises at any one time (§10-405.27.ii)). In this case, the number of teachers, employees and students is not stated by the applicant, so the number of required parking spaces cannot be determined. None can be provided on this property.

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**RECOMMENDATION**

The Department of Planning has no objection to approval of this appeal, provided that the applicant provides additional information that demonstrates how off-street parking would be provided to satisfy Zoning Code requirements.

TJS/wya/mf

cc: Raymond Flythe, Appellant