


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>Stole for T.S.S.</i>	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 1032 Light Street		

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

DATE: June 14, 2010

### REQUEST

The Department of Planning has received Charles Atwood's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of McHenry Theater, LLC, to use a portion of the premises for accessory outdoor table service. We understand that part of the original application, a request for approval of live entertainment, has been deleted by the applicant. We understand that this appeal is scheduled for hearing on June 22, 2010.

### SITE

1032 Light Street is located on the west side of the street, approximately 68' south of the intersection with Poultney Street. This property measures approximately 35' by 276' and contains approximately 0.312 acre, and is currently improved with a two-story former movie theater building covering the entire lot. This site is zoned B-2-3 and is located within the South Baltimore Business Urban Renewal Plan area and the Federal Hill National Register Historic District.

### ANALYSIS

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). Because this property is 35' wide along Light Street, a limited area in front of the building is available for placement of outdoor tables and chairs.

### RECOMMENDATION

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

- A minimum of eight feet of the sidewalk must remain clear and unobstructed for pedestrian use;
- The capacity of the outdoor seating area will not be more than three tables and 6 patrons;
- The tables will be limited to those that can seat two patrons, and are to be kept against the 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

cc: Charles Atwood, Appellant