


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 / 1118 South Charles Street		

TO

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

DATE:

June 27, 2014

**REQUEST**

The Department of Planning has received Ian Sokoloski's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of 1018 South Charles Street LLC, to use the premises as a restaurant with accessory outdoor table service. 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 July 1, 2014.

**SITE**

1118 South Charles Street is located on the northwest corner of the intersection with Kaufman Court. This property measures approximately 64'2" along Charles Street by 150' and contains approximately 0.241 acre, and is currently improved with a three-story semi-detached residential mixed-use building covering the entire lot. This site is zoned B-2-3 and is located within the South Baltimore Business Area Urban Renewal Plan area and the Federal Hill South National Register Historic District.

**ANALYSIS**

Conditional Use: In this zoning district, restaurants – including accessory outdoor table service, are a conditional use, requiring approval by the Board (§6-308). This property was approved by the Board for use as a restaurant with live entertainment and dancing in its decision on appeal no. 2013-295 (heard August 6, 2013). That approval included conditions agreed upon by the applicant and the South Baltimore Neighborhood Association. The proposed additional use should be reviewed for compatibility with that MOU.

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

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 has provided a dimensioned sidewalk site plan showing placement of four 4-top tables with sixteen seats in a 24' long by 4' wide (deep) area. The plan would leave 8' of sidewalk in front of the property unimpeded for pedestrian use. The Department of Planning staff consider this plan a little crowded, as providing 6' of space per set of four seats and a table does not allow room for patrons to circulate to and from their seats, or for wait staff to have convenient access to places nearer the front wall. For this reason, a revised plan for three 4-top tables with a total of 12 seats would be more appropriate.

TransForm Baltimore: This property would become part of the C-1 District (Proposed Zoning Map Area 7-C) 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 in addition to other conditions which the Board may establish:

- 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 twelve patrons;
- The tables will be limited to those that can seat four 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: Ian Sokoloski, Appellant