


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 / 1209 South Charles Street		

TO

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

DATE:

June 27, 2014

REQUEST

The Department of Planning has received Mel Kodenski's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Ropewalk Properties LLC, to use the premises as a tavern – including live entertainment and dancing. 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

1209 South Charles Street is located on the northeast corner of the intersection with Ropewalk Lane. This property measures approximately 56'6" along Charles Street by 86' along Ropewalk Lane and contains approximately 0.108 acre, and is currently improved with a three-story semi-detached commercial building covering the entire lot. This property 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, taverns – including live entertainment and dancing, are a conditional use, requiring approval by the Board (§6-308).

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.

Required Findings - Live Entertainment or Dancing: For a restaurant or tavern operating with live entertainment or dancing as an accessory use, the Board must consider imposing conditions, as appropriate, concerning:

- (1) days and hours of operation;
- (2) use of amplification, noise levels, and need for noise proofing;
- (3) limits on the size of the establishment or on the size, location, or configuration of the entertainment or dancing venue within the establishment;
- (4) number of live entertainers;
- (5) number of seats proposed for outdoor table service;
- (6) exterior lighting;
- (7) whether to limit the accessory use to live entertainment only or dancing only; and
- (8) the establishment and maintenance of:
 - (i) a traffic and parking management plan; and
 - (ii) an indoor and outdoor security plan. (§14-309)

The application states that live entertainment would be limited to Thursdays through Sundays, with specific ending times for differing forms of live entertainment that would not exceed 1:00 a.m. The application states that sound levels inside the establishment would not exceed 97 decibels, but does not specify the sound level outside the establishment. The Department of Planning recommends that the sound level be limited to 80 decibels measured at a distance of ten feet from the premises. While the application included statements concerning the number of security personnel who would be on duty during live entertainment events, there was no description of those personnel. The application indicates that off-street parking would be provided in a parking garage located 150' away. As the rated capacity of the premises is 425 persons, the applicant should provide information concerning how many parking spaces would be secured for use by patrons of the Ropewalk Tavern during live entertainment events.

TransForm Baltimore: This property would become part of the C-1 District (Proposed Zoning Map Area 11-A) in which taverns and live entertainment secondary to a tavern would be conditional uses (Table 10-301).

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to these conditions in addition to any conditions which the Board may establish:

- Sound levels of live entertainment will be limited to 80 decibels measured at ten feet distant from the premises;
- A copy of the use and occupancy permit for the premises must be kept on the premises and available for inspection by representatives of Baltimore City at all times;
- A copy of the written approval by the Board of Municipal and Zoning Appeals of the live entertainment provided on the premises, including details of any restrictions or limitations on the live entertainment provided, must be kept on the premises and available for inspection by representatives of Baltimore City at all times;
- A copy of all other permits and licenses required pursuant to the written approval of the Board of Municipal and Zoning Appeals must be kept on the premises and available for inspection by representatives of Baltimore City at all times.

TJS/wya/mf

cc: Mel Kodenski, Appellant