


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 / 224-228 North Gay Street		

TO

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

DATE: January 7, 2014

REQUEST

The Department of Planning has received Niel Constantine's Board of Municipal and Zoning Appeals (BMZA) conditional use application to use a portion of the premises as a community center. The Zoning Administrator has determined that this is a conditional use in a M-2 District. We understand that this appeal is scheduled for hearing on January 14, 2014.

SITE

224-228 North Gay Street is located on the northwest corner of the intersection with Front Street. This property measures approximately 52'6" by 74' and is currently improved with a combination of two three-story commercial buildings and an attached two-story commercial building covering nearly the entire lot. This site is zoned M-2-3 and is located within the Gay Street National Register Historic District.

ANALYSIS

Conditional Use: In this zoning district, recreation buildings and community centers are a conditional use, requiring approval by the Board (§7-307). In this case, the property was last authorized for use as a wood products (furniture) factory, a restaurant, and business offices, which are permitted or conditional uses in this M-2 Industrial District.

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 for a recreation building and community center will be as required by the Board after considering written recommendation by the Department of Public Works (§10-405.22.iii). The applicant would be unable to provide parking on site. The application indicates that visitors to the proposed center would be "families, homeless [persons], and youth[s]" but does not provide an indication of how many people would be visiting the property at any given time, the numbers of staff who would be present to provide the seminars and interactive workshops mentioned in the application, or the hours of operation of the proposed use. There is public transit available on Gay Street. The applicant should be requested to provide additional information in support of this request.

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

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TransForm Baltimore: This property would become part of the C-5-DC District (Proposed Zoning Map Area 14-B) in which community centers would be permitted uses (Table 10-301). The C-5-DC Districts would be exempt from off-street parking requirements (§10-503 (I)).

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Niel Constantine, Appellant