


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 / 2834 Loch Raven Road		

TO

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

DATE: November 16, 2015

REQUEST

The Department of Planning has received Janine and Victor Fleming's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as a school for holistic massage training. The Zoning Administrator has determined that this is a conditional use in a M-1 zoning district. We understand that this appeal is scheduled for hearing on November 17, 2015.

SITE

2834 Loch Raven Road is located on the southwest corner of the intersection with 30th Street. This property measures approximately 120' by 186' and contains approximately 0.512 acre, and is currently improved with a one-story detached commercial building measuring approximately 71' by 153'. This site is zoned M-1-2.

ANALYSIS

Conditional Use: In this zoning district, schools: industrial trade, are a conditional use, requiring approval by the Board (§7-207). In this case, the property was last authorized for use as warehousing, which is a permitted use in this M-1 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 required for a commercial or trade school is one parking space per 2 teachers and employees, plus one space per 12 students (based on the greatest number of students on the premises at any one time) (§10-405.27.ii). In this case, the application describes classes of 10 students as the current limit due to existing space constraints at the school's current location.

The applicant has advised Planning staff that although there are presently eight instructors and 26 enrolled students in the school, the maximum number expected on site at any given time would be about 10-12 students and four teachers and employees, yielding a requirement to provide three off-street parking spaces. The applicant noted that there are parking spaces in front of and behind the existing building that meet that requirement. Given that the proposed use would occupy approximately 6,800 square feet of an 11,700 square feet structure, leaving options for other uses to share the property, premises, and parking, the parking plan should be reviewed first by the Site Plan Review Committee.

Comprehensive Planning: The applicant has met with the community association and received approval for this appeal.

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TransForm Baltimore: This property is located in an area to be designated as I-1 Light Industrial (Proposed Zoning Map Area 7-A), in which Educational Facilities: Commercial-Vocational, would be conditional uses (Table 11-301). Off-street parking of 1 space per 20 teachers and employees + 1 space per 25 students based on greatest number of student enrollment permitted, would be required (Table 16-406A).

RECOMMENDATION

The Department of Planning recommends deferral of a complete hearing of this application, to allow the applicant time to prepare a site plan showing how much off-street parking would be provided to meet the needs of employees and students.

TJS/wya/mf

cc: Janine and Victor Fleming, Appellants