Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT

Thomas J. Stosur
Director

May 1, 2014

REQUEST: City Council Bill #14-0360/ Zoning – Conditional Use Banquet Hall and Dance Hall – 720 Mapleton Avenue
For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a banquet hall and dance hall on the property known as 720 Mapleton Avenue as outlined in red on the accompanying plat.

RECOMMENDATION: Amend, and Approve as amended

Recommended amendment:
Insert in Section 1 of City Council Bill #14-0360 from line 16 onward:

- The banquet hall and dance hall must close no later than 5:00 a.m. for events beginning on any night of the week.
- Adequate security personnel must be present in and around the banquet hall and dance hall during events.
- The banquet hall or dance hall operator or designee must immediately report any loitering on or about the property to the Baltimore City Police Department and must cooperate in any way possible to facilitate resolution of complaints.
- The banquet hall and dance hall must comply with all applicable federal, state, and local licensing and certification requirements.

STAFF: Martin French

PETITIONER(S): Councilmember Scott, at the request of GGC Investments LLC

OWNER: GGC Investments LLC

SITE/GENERAL AREA
Site Conditions: This property is located on the west side of Mapleton Avenue, approximately 22' south of its intersection with Pulaski Highway, and measures approximately 207'7" along Mapleton Avenue by 99'9". The lot is approximately 0.432 acre, currently improved with a detached one-story commercial building measuring approximately 80' by 50'. The rated capacity of this building is 125 persons. This site is zoned B-3-2, and was approved by the Board of Municipal and Zoning Appeals (BMZA) for use as a catering hall and after-hours

establishment with live entertainment and dancing at the Board's meeting on March 25, 2014. No variances of Zoning Code requirements were needed in connection with this approval.

General Area: This property is located in a commercial area adjacent to an interstate highway, and so the proposed uses and their hours of operation would have no effect upon a residential area nearby. After-hours operation, from 2:00 a.m. to 5:00 a.m., would not conflict with any businesses in the immediate area, and was therefore authorized by the BMZA.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, PLAY Goal 2: Improve nightlife, entertainment, and recreation experiences for residents and visitors, Objective 1: Expand access to nightlife.

ANALYSIS

The proposed action is required by the Zoning Code, §6-409, which lists banquet halls and dance halls as conditional uses for which an ordinance is required in a B-3 District. In the Zoning Code, §1-114.1.a. defines "banquet hall" as "an establishment:

(1) That is used regularly for serving food or beverages to groups that, before the day of the event, have reserved the facility for banquets or meetings;
(2) To which the general public is not admitted; and
(3) For which no admission charge is imposed at the door."

Banquet halls may provide live entertainment as an accessory use to their principal use. Banquet halls do not include restaurants or taverns.

The Zoning Code does not provide a separate definition for dance halls.

Conditional Use – Required findings: In accordance with §16-304 of the Zoning Code of Baltimore City, the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 14 {"Conditional Uses"} of the Zoning Code:

1. the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
2. the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization is not otherwise in any way contrary to the public interest; and
4. the authorization is in harmony with the purpose and intent of this article (§14-204).

This property is in a B-3 zone located on both sides of Pulaski Highway in this area, and the area to its south is zoned M-2. Mapleton Avenue runs from Pulaski Highway to Erdman Avenue, both major trucking routes in eastern Baltimore City, and bridges I-895 immediately south of this property. This site is approximately ¾ mile west of the highway interchange with

I-95, and its proposed use would not be disruptive to other land uses in this area. To the extent that there can be conflicts with residential or local business uses when banquet halls and dance halls seek to locate in other areas, this site could be considered one least likely to generate such conflicts.

The proposed amendment would mirror the condition for closing time established by the BMZA in its approval of this property for a catering hall and after-hours establishment with live entertainment, and would add conditions confirming the responsibility of the banquet hall and dance hall operator with regard to security on the property.

Notification: The following community organizations have been notified of this action: Armistead Homes Corporation, Brewer's Hill Community Association, Eastern Community Action Center, and the Southeast District Police-Community Relations Council.

Thomas J. Stosur
Director