


FROM	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #24-0486 / BANQUET HALL – VARIANCE – 601 CHERRY HILL ROAD		

TO

The Honorable President and
 Members of the City Council
 City Hall, Room 400
 100 North Holliday Street

DATE: April 1, 2024

At its regular meeting of March 28, 2024, the Planning Commission considered City Council Bill #24-0486, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a banquet hall on the property known as 601 Cherry Hill Road (Block 7625, Lot 046), as outlined in red on the accompanying plat; granting a variance from off-street parking requirements; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #24-0486 and adopted the following resolutions, with six members being present (six in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #24-0486 be **approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office
 The Honorable Eric Costello, Council Rep. to Planning Commission
 Mr. Colin Tarbert, BDC
 Ms. Rebecca Witt, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Ms. Stephanie Murdock, DHCD
 Ms. Elena DiPietro, Law Dept.
 Mr. Francis Burnszynski, PABC
 Mr. Liam Davis, DOT
 Ms. Natawna Austin, Council Services



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

March 28, 2024

REQUEST: City Council Bill #24-0486/ Zoning – Conditional Use Banquet Hall – Variance – 601 Cherry Hill Road:

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a banquet hall on the property known as 601 Cherry Hill Road (Block 7625, Lot 046), as outlined in red on the accompanying plat; granting a variance from off-street parking requirements; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Jazmin Kimble

PETITIONER: Michael A. Brown

OWNER: Dumra Investment, LLC

SITE/GENERAL AREA

Site Conditions: 601 Cherry Hill Road is located on the southern corner of the intersection with Seabury Road. This property is zoned C-2, and is improved with a one-story commercial building measuring 100' by 115', as well as a surface parking lot.

General Area: This site is located in the Cherry Hill neighborhood, which is characterized by predominately residential uses with pockets of commercial uses located throughout and industrials uses aligning the southern and northwestern edge. The site is also located across the street from the Cherry Hill Town Center and former New Era Academy site.

HISTORY

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

CONFORMITY TO PLANS

The proposed action would not be inconsistent with any goal or objective of the Cherry Hill Transformation Plan that was adopted by the Planning Commission in 2019. The plan supports mixed-use development, town-center improvements, retail opportunities, and mixed-income housing. Other relevant plans include the South Baltimore Gateway Master Plan adopted by the Planning Commission in 2015 and the Reimagine Middle Branch Plan in 2023.

ANALYSIS

Background: The proposed variance for a conditional use banquet hall for this site is for the purposes of using this site as a rentable venue for small gatherings and events from Thursdays to Sundays. In addition, the owner plans to host a mentoring program for middle and high school youth and host activities for the seniors within Cherry Hill and surrounding communities during the week.

Conditional Use: Banquet halls are listed as a conditional use in the C-2 commercial district (Article 32 - *Zoning*, Table 10-301).

Below are the conditional use approval standards. The proposed conditional use won't pose any harm to the community under the approval standards. The site is a small space next to a barbershop and a beauty salon. Event sizes will be small and reasonable to the surrounding area. The site is within a retail building and across the street from the Cherry Hill Town-Center. The planned site use supports the community interests.

§ 5-406. Approval standards.

(a) *Evaluation criteria.*

As a guide to its decision on the facts of each case, the Board of Municipal and Zoning Appeals must consider the following, where appropriate:

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;
- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
- (5) accessibility of the premises for emergency vehicles;
- (6) accessibility of light and air to the premises and to the property in the vicinity;
- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;
- (8) the preservation of cultural and historic landmarks and structures;
- (9) the character of the neighborhood;
- (10) the provisions of the City's Comprehensive Master Plan;
- (11) the provisions of any applicable Urban Renewal Plan;
- (12) all applicable standards and requirements of this Code;
- (13) the intent and purpose of this Code; and
- (14) any other matters considered to be in the interest of the general welfare.

(b) *Limited criteria for denying.*

The Board of Municipal and Zoning Appeals or the City Council, may not approve a conditional use or sign unless, after public notice and hearing and on consideration of the standards required by this subtitle, the Board or Council finds that:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use or sign would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use or sign would not be precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization would not be contrary to the public interest; and
- (4) the authorization would be in harmony with the purpose and intent of this Code.

Parking: One off-street parking space per ten persons of fire-rated capacity are require (Article 32 – *Zoning*, Table 16-406). An off-street parking area is provided, but the required amount of parking must be determined by the Fire Department. If the number of parking spaces required exceeds the number of parking spaces provided on the property, a parking variance will need to be included in the bill. The owner is currently working on the fire capacity with the fire department.

Equity:

- Impact:
 - The proposed conditional use would support the surrounding community in the short and long term by providing a space for the community to gather, expanding healthy opportunities of mentorship and entrepreneurship for youth, and providing social programming for the seniors.
- Engagement:
 - The Cherry Hill community has been meaningfully engaged in the proposal of this project. The owner is heavily involved in the community and has met with community organizations and community leaders about his proposal and ideas to uplift the community.
- Internal Operations:
 - The proposed variance would not affect Planning Department workload.

Notification: The Cherry Hill Coalition, Cherry Hill Strong, Cherry Hill Development Corporation, and other community residents have been notified of this action.



Chris Ryer
Director