



City of Annapolis

Planning Commission
Department of Planning & Zoning
145 Gorman Street, 3rd Floor
Annapolis, MD 21401-2535

410-263-7961 • Fax 410-263-1129 • www.annapolis.gov
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September 27, 2017

To: Annapolis City Council
From: Planning Commission
Re: Findings for O-38-17: Allowing Indoor Theaters in the Professional Office Zoning District

SUMMARY

The purpose of Ordinance O-38-17 is to amend City Code Section 21.48.030 - Table of Uses—Office and Mixed Use Zoning Districts so that the use “Indoor Theater” is permitted in the Professional Office Zoning District. This change would allow an additional use in this zone; however, it is a use that is similar to other permitted uses, such as religious institutions and commercial, trade, vocational, music, dance, or art schools.

BACKGROUND AND ANALYSIS

Currently, Indoor Theaters are permitted in the BCE District (Upper West Street) and are allowed via Special Exception in B2, B3, B3-CD, C2, and C2A. In the MX District (Inner West Street), they are permitted subject to standards. The standard reads, per Section 21.64.610, “[i]f surface parking is located on the zoning lot, it shall be located at the rear of the zoning lot and shall be screened from adjacent uses. If surface parking located on the zoning lot is adjacent to single-family residential use, dense plantings shall be installed and maintained to provide an effective screen.” This standard was established to protect the residentially-zoned properties adjacent to properties in the MX Zone.

The parking standard for this use, if approved for the P Zone, would be, “one space per six seats up to 400 seats, plus one space for each four seats above 400” (Section 21.66.130). As proposed, the bulk regulations for an Indoor Theater would be determined through site design plan review.

RECOMMENDATION

Because some of the properties zoned Professional Office abut residential property, the Planning Commission recommends two amendments to mitigate the impact of a potential theater. First, it recommends that “Theaters, indoor, with less than 100 seats” be separated from “Theaters, indoor, with 100 or more seats” Both would be subject to standards, but the second category would require a special exception. See table below:

Uses	District P	District MX	District PM	District C2P
Theaters, indoor		P-Std		
THEATERS, INDOOR, WITH LESS THAN 100 SEATS	P-STD	P-STD		
THEATERS, INDOOR, WITH 100 OR MORE SEATS	SE-STD	P-STD		

This amendment would also require that a "P-STD" be added in the MX column for both types of indoor theaters and the existing "Theaters, indoor" row be deleted.

The same standard that is required in the MX Zoning District would also be required in the P Zoning District. The standard would be that of Section 21.64.610 (existing):

If surface parking is located on the zoning lot, it shall be located at the rear of the zoning lot and shall be screened from adjacent uses. If surface parking located on the zoning lot is adjacent to single-family residential use, dense plantings shall be installed and maintained to provide an effective screen.

On September 7, 2017, the Planning Commission held a public hearing on O-38-17 and subsequently moved to recommend that the City Council adopt ordinance O-38-17 with amendments. The recommendation was approved with a vote of 5 to 0.

Adopted this 27th day of September, 2017



 David Iams, Chair