

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 / 4401-4425 Eastern Avenue		

TO

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

DATE: January 22, 2014

REQUEST

The Department of Planning has received Anas Abdulrazzaq's Board of Municipal and Zoning Appeals (BMZA) conditional use application to use the property for storage of scrap vehicles and junked cars to be sold for parts. The Zoning Administrator has determined that this is a conditional use in an M-3 District. We understand that this appeal is scheduled for hearing on January 28, 2014.

SITE

4401-4425 Eastern Avenue is located on the south side of the street, approximately 300' east of the intersection with Haven Street. This property measures approximately 650' by 1,500' and contains approximately 16.835 acres, and is currently improved with a group of one- to five-story industrial buildings covering approximately two-thirds of the property. This site is zoned M-3 and was used by the Crown Cork and Seal Company for manufacturing in the past.

ANALYSIS

Conditional Use: In this zoning district, junk or scrap storage and yards are a conditional use, requiring approval by the Board (§7-407). The property is currently used for warehousing. Although it is addressed on Eastern Avenue, there is no direct access to it from Eastern Avenue, which has been sunken below the railroad tracks which cross this property and which border this property on its eastern side. (An abandoned railway borders this property on its western side also.) Isolation of this property from vehicular access from any direction other than southeast or south would tend to make the proposed use less conspicuous from Eastern Avenue, which here links the two business urban renewal areas known as Highlandtown and East Highlandtown (the latter colloquially known as Greektown).

Land Use and Urban Design: This property is adjacent to the site of a planned Red Line Transit stop. Visibility of a junk yard from that stop, or from the redevelopment and re-use of this property that is anticipated to be generated or facilitated by opening of the Red Line, would be inconsistent with the City's efforts to encourage transit-oriented development in this area. Due to the size of this property, the number of structures already on it, and its limited accessibility for vehicles, the Department of Planning considers it imperative that the applicant work with the Department to develop a site plan that would provide the proposed use safe and adequate vehicular access for transportation of junked vehicles and scrap, and buffering to the maximum extent possible from incompatible future re-use of the property. The Department thus suggests a deferral of a complete hearing of this application, to provide time for development of an approvable site plan for the proposed use.

TransForm Baltimore: This property would become part of the I-MU (Industrial Mixed Use) District (Proposed Zoning Map Area 8-C) in which junk or scrap storage and yards would be prohibited uses (Table 11-301). Junk or scrap storage and yards would become nonconforming uses under the replacement zoning code.

RECOMMENDATION

The Department of Planning recommends deferral of a complete hearing of this application, to allow the applicant time to work with the Department to develop an approvable site plan for the proposed use. The Department further recommends that approval of this appeal, if and when granted, be subject to these conditions in addition to any conditions which the Board may establish:

- The approved use will be constructed, maintained, and operated according to plans approved by the Department of Planning;
- There will be no parking, staging, or storing of junked vehicles on public rights-of-way;
- All mechanical processing work must be performed indoors;
- The area used for storing of junked vehicles and scrap will be adequately screened by an opaque fence or wall and, where appropriate, landscaping as provided in the approved site plan.

TJS/wya/mf

cc: Anas Abdulrazzaq, Appellant