


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 / 1215 East Fort 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 Caroline Hecker's Board of Municipal and Zoning Appeals (BMZA) conditional use application, on behalf of MCS Fort Avenue LLC, to use a portion of the property known as Building #2 for professional offices. The Zoning Administrator has determined that this is a conditional use in a M-3 District, and that a variance of Zoning Code off-street parking requirements may be needed for approval of this application. We understand that this appeal is scheduled for hearing on January 28, 2014.

SITE

1215 East Fort Avenue is located on the south side of the street, approximately 330'2" east of the intersection with Woodall Street. This property measures approximately 409'3" along Fort Avenue by 884' and contains approximately 8.536 acres, and is currently improved with three one-story commercial and industrial buildings. This site is zoned M-3 and is located within the Locust Point Area Master Plan area.

ANALYSIS

Conditional Use: In this zoning district, offices: business and professional, other than accessory, are a conditional use, requiring approval by the Board (§7-407). In this case, the property was last authorized for use for beverage manufacturing, which is a permitted use in this M-3 Industrial District. The application notes that another of the structures on the property known as Building #1 is currently authorized for use as offices.

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 business, governmental or professional offices is one parking space per 400 square feet of office area in excess of 1,000 square feet (§10-405.17). Building #2 is stated by the applicant to contain approximately 80,000 square feet, so 198 off-street parking spaces would be required for the additional office space to be created. Previous industrial use of this structure would credit the applicant with 1 space per 4 employees plus 1 space for each business vehicle maintained on the premises (§10-405.16). The application does not state the number of employees associated with manufacturing use of Building #2.

Off-Street Parking: Required control of off-site facilities. ... (i) The off-site parking facilities must be on a lot possessed by the record title holder of the lot occupied by the structure or use to be served by the parking facilities. (ii) Possession of the facilities for purposes of this section may be: (A) by deed; or (B) by long-term lease, the term of which must be equal to or greater than the useful economic and physical life of the structure served (§10-304.b).

The application states that the applicant would provide 300 parking spaces “on the adjacent lots owned by the applicant” but does not identify these lots. The applicant should demonstrate that these lots meet or will meet Zoning Code §10-304.b requirements for off-street parking that is not on-site.

TransForm Baltimore: This property would become part of the OIC (Office-Industrial Campus) District (Proposed Zoning Map Area 11-B) in which offices would be permitted uses (Table 11-301). The OIC Districts would have off-street parking requirements of 1 space per 800 square feet of gross floor area (Table 16-406A).

RECOMMENDATION

The Department of Planning recommends approval of this appeal provided that the applicant satisfies the off-street parking requirements of the Zoning Code.

TJS/wya/mf

cc: Caroline Hecker, Appellant