


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 / 1731 Llewelyn Avenue		

TO

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

DATE: February 20, 2015

REQUEST

The Department of Planning has received Gregory Heller's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of American Communities Trust, to construct a modular building to be used for "food incubator" space, with accessory office, classroom, and kitchen areas and a community meeting space. The Zoning Administrator has determined that this is a permitted use, except for community meeting space which is a conditional use, in a M-1 Zoning District that requires variances of yard setback and off-street parking requirements. We understand that this appeal is scheduled for hearing on February 24, 2015.

SITE

1731 Llewelyn Avenue is located on the south side of the street, where it dead-ends east of its intersection with Broadway. This property measures approximately 170' by 130'3" and contains approximately 0.510 acre, and is currently improved with a vacant one- and two-story commercial building measuring approximately 170' by 75'. This site is zoned M-1-2 and is located within the Broadway East Urban Renewal Plan area and the Broadway East/South Clifton Park National Register Historic District.

ANALYSIS

Use: In this zoning district, food products: manufacturing and processing, is a permitted use, and so is allowed (§7-206). In this case, the property was last authorized for use as warehousing, which is also a permitted use in this M-1 Industrial District. In this zoning district, community centers are a conditional use, requiring approval by the Board (§7-207).

Urban Renewal Plan: This property is located in the Broadway East Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district. This property was acquired by the Mayor and City Council pursuant to Appendix A of the Plan, "Properties for Acquisition and Disposition for Rehabilitation or Redevelopment" which included this property. American Communities Trust is contract purchaser of this site.

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). The proposed new structure would be approximately 100' by 125' and have an estimated 10 employees according to the application. Manufacturing, production, processing, and cleaning establishments require one parking space per 4 employees, plus one space per company or business vehicle maintained on the premises (§10-405.(16)). The applicant proposes to provide the required parking spaces on a nearby property known as 1801 East Oliver Street. That property adjoins this property to its east, and thus is within 300' of the subject property.

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 applicant is in the process of acquiring both 1731 Llewelyn Avenue and 1801 East Oliver Street from the City of Baltimore.

Office of Sustainability: The proposed use is part of a larger project known as Food Hub that would significantly increase access to fresh foods for, and offer employment opportunities to, residents of East Baltimore who presently are in an area classified as a “food desert”. The Department strongly supports this application.

TransForm Baltimore: This property would become part of a C-2 District (Proposed Zoning Map Area 7-B) in which Urban Agriculture and Food Processing: Light, would be conditional uses (Table 10-301). “Urban agriculture” would require a management plan that is subject to approval by the Director of Planning, and would permit greenhouses, hoop-houses, cold frames, and similar structures to extend the growing season (§14-337).

RECOMMENDATION

The Department of Planning recommends approval of this appeal.

TJS/wya/mf

cc: Gregory Heller, Appellant