


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 / 1 North Haven Street		

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

DATE: April 17, 2015

REQUEST

The Department of Planning has received Trish Troxell's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Metro Development LLC, to use the premises as a mixed industrial-manufacturing and office "flex" space. The Zoning Administrator has determined that this is a conditional use in a M-3 Zoning District. We understand that this appeal is scheduled for hearing on April 21, 2015.

SITE

1 North Haven Street is located on the east side of the street, opposite the intersection with Baltimore Street. This property measures approximately 401'8" along Haven Street by 173' and contains approximately 1.902 acre, and is currently improved with a combination one- and two-story detached commercial/ industrial building measuring approximately 400' by 165'. This site is zoned M-3.

ANALYSIS

Conditional Use: In this zoning district, offices: business and professional, are a conditional use, requiring approval by the Board (§7-407). In this case, the property was last authorized for use as warehousing, which is a permitted use in this M-3 Industrial District.

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.i.). As the existing structure contains approximately 66,000 square feet, the maximum amount of off-street parking that could be required for this application is 163 spaces. As the existing structure occupies approximately 95% of the depth of the property, leaving an approximately 8' wide strip of land behind the structure, this requirement does not appear to be capable of being accommodated on the property. Aerial photographs of the property show that portions of the property immediately to the east of this property have been graded and paved for parking. However, that adjoining property is under separate ownership, and the applicant has not provided evidence of a leasehold for the required parking spaces.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). The applicant has informally advised the Department of Planning that these spaces would be provided on adjoining property, according to a commercial lease.

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TransForm Baltimore: This property would become part of an I-2 District (Proposed Zoning Map Area 8-C) in which offices would be permitted only if secondary to principal industrial uses, or if established prior to the date of adoption of this new Code.

RECOMMENDATION

The Department of Planning recommends that approval of this appeal be conditioned upon written agreements for off-street parking spaces adequate to meet the requirements of the Zoning Code.

TJS/wya/mf

cc: Trish Troxell, Appellant