


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 / 509 Grundy Street		

TO

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

DATE: October 16, 2014

REQUEST

The Department of Planning has received Ivis Jessel's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of 509 Grundy LLC, to use the portion of the property known as 515-517 and 519 Grundy Street as garages for the storage, repair, and servicing of motor vehicles, not over 1½ tons capacity and not including body work, painting, or engine rebuilding, with accessory motor vehicle sales. The Zoning Administrator has determined that this is a conditional use in a B-2 Zoning District. We understand that this appeal is scheduled for hearing on October 21, 2014.

SITE

509 Grundy Street is located on the northeast corner of the intersection with Fleet Street. This property measures approximately 140' by 92'6" and contains approximately 0.297 acre, and is currently improved with two joined one-story commercial buildings, one measuring approximately 23' by 48' and the other, the subject of this appeal, measuring approximately 40' by 42'. This site is zoned B-2-2 and is located within the Highlandtown Business Area Urban Renewal Plan area.

ANALYSIS

Conditional Use: In this zoning district, garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1½ tons capacity – but not including body repair, painting, or engine rebuilding, are a conditional use, requiring approval by the Board (§6-308). In this case, the property was last authorized for use as a candy store, a permitted use, and an automobile service station, which is a conditional use in this B-2 Community Business District; and for two dwelling units and offices with 16 parking spaces, by the Board's approval of appeal no. 2013-166 on May 30, 2013. Inaction with regard to these last authorized uses suggests that the housing and offices will be replaced with the proposed uses. Motor vehicles sales is not a permitted use in a B-2 zoning district, and thus can only occur as accessory to the proposed principal use, a repair garage.

Urban Renewal Plan: This property is located in the Highlandtown Business Area Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district. However, the applicant would need to complete renovation of the existing structure in accordance with the Property Rehabilitation Standards of the Plan's part D.

TransForm Baltimore: This property would become part of the TOD-2 (Transit-Oriented Development) District (Proposed Zoning Map Area 8-C) in which motor vehicle service and repair and motor vehicle dealerships would be prohibited uses (Table 12-402).

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to the condition that the applicant complete all renovations of the structures on the property in accordance with the Property Rehabilitation Standards of the Highlandtown Business Area Urban Renewal Plan, and be subject to these conditions:

- There will be no parking, staging, or storing of vehicles on public rights-of-way;
- There will be no parking or storage of unlicensed vehicles on the property;
- All work must be performed indoors;
- All materials, parts and equipment related to this use will be stored indoors;
- The area used for temporary storing of vehicles will be adequately screened by an opaque fence or wall; and,
- If a dumpster is used to collect waste and trash related to this use, the dumpster will be placed either inside the existing building or within a masonry enclosure having a solid lockable wooden gate.

TJS/wya/mf

cc: Ivis Jessel, Appellant