



Division of Zoning and Development Review

City of Pittsburgh, Department of City Planning

412 Boulevard of the Allies, Second Floor

Pittsburgh, Pennsylvania 15219

ZONING BOARD OF ADJUSTMENT

Date of Hearing: July 9, 2026
Date of Decision: August 19, 2026

Zone Case: 64 of 2026
Address: 2000 Mary Street
Lot and Block: 12-P-27
Zoning Districts: UI
Neighborhood: South Side Flats

Request: Construction of parking garage

Application: BDA-2026-03152

Special Exception	Section 911.02	Parking Structure (General)
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Appearances:

Applicant: Jon Kamin

Observing: Duane Hovanec

Findings of Fact:

1. The Subject Property is located at 2000 Mary Street in a UI (Urban Industrial) District in the South Side Flats.
2. The Subject Property is 1.7 acres in area and occupies an entire block, with frontage on South 19th Street, South 21st Street, Mary Street and Edwards Alley.
3. In Zone Case 22 of 2024, The Board approved the redevelopment of the site for a four-story apartment building with 200 dwelling units and a 290 space multi-level parking garage.
4. The Applicant now proposes to construct a four-story apartment building with 200 dwelling units and a 199 space 2-story parking garage.
5. The Applicant explained that the parking garage would be primarily used by residents of the apartment building, but that excess spaces could be available to lease by the general public. This effectively splits the use into both an accessory use (parking for the residents) and a primary use (general parking for the public), which is a special exception in the UI district.

6. The Applicant submitted a transportation demand management plan that has been developed for the proposed development.
7. The Applicant generally asserted that the limited number of spaces within the parking garage that would be available to the public would not impose any detrimental impacts on the surrounding neighborhood.
8. Duane Hovanec appeared at the hearing to ask the Applicant about how emergency vehicles and garbage trucks would access the site.
9. No one appeared at the hearing to oppose the request.

Conclusions of Law:

1. Section 911.02 defines “Parking Structure” as “a structure used or intended to be used for off-street parking of operable motor vehicles on a temporary basis, other than as accessory parking to a principal use.”
2. The parking structure (general) use is a parking structure with 50 or more spaces is permitted as a special exception in the UI District.
3. When considering a request for a special exception, the Board is to consider the general review criteria set forth in Section 922.07.D, which include consideration of whether a proposed use will have detrimental impacts on the surrounding neighborhood, with specific consideration to be given to residential neighborhoods.
4. A special exception is a form of a permitted use. A use that is permitted as a special exception “evidences a legislative decision that the particular type of use is consistent with the zoning plan and presumptively consistent with the health, safety and welfare of the community.” *Allegheny Tower Assoc’s., LLC v. City of Scranton Zoning Hearing Bd.*, 152 A.3d 1118, 1123 (Pa. Commw. Ct. 2017), citing *Greth Dev. Grp., Inc. v. Zoning Hearing Bd. of L. Heidelberg Twp.*, 918 A.2d 181 (Pa. Comm. Ct. 2007); see also *Cogan Properties, LLC v. East Union Twp. Zoning Hearing Bd.*, 318 A.2d 981 (Pa. Commw. Ct. 2024) and *Bray v. Zoning Bd. of Adj.*, 410 A.2d 909 (Pa. Commw. Ct. 1980). By designating a use as a “special exception,” the governing body has determined that the use is one that is appropriate in the zoning district, subject to the criteria that the governing body has established for the use. *Cogan*, 318 A.3d at 986, quoting *Siya Real Est., LLC v. Allentown City Zoning Hearing Bd.*, 210 A.2d 1152, 1157 (Pa. Commw. 2019).
5. The Applicant provided credible evidence and testimony that the use of the Subject Property for the proposed parking structure (general) use would not have a significant impact on the surrounding neighborhood, and would be generally consistent with the use of the Subject Property approved by the Board in 2024.
6. Consistent with the evidence and testimony presented, and the applicable legal standards governing special exceptions, the Board concludes that approval of the request is appropriate.

Decision: The Applicant's request for a special exception pursuant to Section 911.02 to allow the use of the parking garage on the Subject Property for a Parking Structure (general) use is hereby APPROVED.

RECUSED

Alice B. Mitinger, *Chair*

s/Lashawn Burton-Faulk
LaShawn Burton-Faulk

s/ John J Richardson
John J. Richardson

Note: Decision issued with electronic signatures, with the Board members' review and approval.