



Division of Development Administration and 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: May 8, 2025

Date of Decision: June 13, 2025

Zone Case: 45 of 2025

Address: 1621 Broadway Avenue

Lot and Block: 35-G-12

Zoning Districts: LNC

Ward: 19

Neighborhood: Beechview

Request: Renovation of existing structure for grocery store

Application: BDA-2025-02172

Original Request for Special Exception	Section 911.02	Grocery Store (General) is a special exception in LNC Districts
Revised request for approval		Retail Sales and Services (General); permitted by right in LNC Districts

Appearances:

Applicant: Gabriel Berumen, Javier Berumen, Alejandro Segura, Ricardo Perez

Findings of Fact:

1. The Subject Property is located at 1621 Broadway Avenue in a LNC (Local Neighborhood Commercial) District in Beechview.
2. The one-story building on the property was formerly used as a church.
3. The gross floor area of the building is approximately 6,200 sf.
4. The structure extends to all property lines, with limited setbacks, and no off-street parking is available on the parcel.
5. The Applicant submitted BDA-2025-02172 in March, 2025, for the “conversion of the existing church building into a market.”

6. The Department of City Planning initially determined that the market would be consistent with the Grocery Store (General) use, as defined in Section 911.02 of the Code. That use is permitted as a special exception in LNC Districts.

7. At the hearing, the Applicant explained that the market would primarily sell handicrafts and other home goods, and that food sales would be limited to prepacked snacks and beverages.

8. In response to the information presented at the hearing, the Department of City Planning determined that the appropriate classification of the use is Retail Sales and Services (General). That use is allowed by right in LNC Districts.

9. When used for the Religious Assembly use, no off-street parking spaces were available for the use. The absence of on-site parking spaces is a legally nonconforming condition associated with the property.

10. Because the Code requires fewer off-street parking spaces for the Retail Sales and Service (General) use, as compared to the previous religious assembly use, the Department of City Planning determined that no additional parking spaces are required for the market.

11. Peter Wagner, the owner of property in the proximate area of the Subject Property, submitted a letter to the Board expressing concerns about the impact of the proposed market on the availability of on-street parking in the neighborhood.

12. No one appeared at the hearing to oppose the request.

Conclusions of Law:

1. The Code defines Grocery Store as "... a retail store, the primary function of which is the sale of staple goods and other basic services."

2. The Code defines Retail Sales and Services as "... an establishment engaged in the sale or rental of goods and services, excluding those uses defined more specifically in the Use Table."

3. The market use, as described by the Applicant, is consistent with the Code's definition of Retail Sales and Services, and can be approved by-right.

4. Section 914.01.B.3 provides that, for a change in the occupancy of a property, additional parking spaces are required only to the extent that the Code requires more spaces for the new use, as compared to the prior use. The Code requires fewer parking spaces for the new Retail Sales and Service use than required for the prior religious assembly use and the absence of on-site parking was a nonconforming condition of the religious assembly use. For these reasons, no new parking spaces are required for the Retail Sales and Services use, as described to the Board.

Decision: The proposed retail sales and services use is allowed by-right in the LNC District, with no additional parking spaces, and no additional relief is required from the Board.

s/Alice B. Mitinger
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.