

TJA

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 1415 North Caroline Street		

TO

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

DATE: July 31, 2013

**REQUEST**

The Department of Planning has received Michelle Young and Olutunde Clarke's Board of Municipal and Zoning Appeals (BMZA) conditional use application to use a portion of the property as a Head Start Program/ day care center. The Zoning Administrator has determined that this is a conditional use in a R-8 District. We understand that this appeal is scheduled for hearing on August 6, 2013.

**SITE**

1415 North Caroline Street is located on the southeast corner of the intersection with Oliver Street. This property measures approximately 215'6" along Caroline Street by 150' along Oliver Street and 147'6" along Dallas Street (its eastern boundary) and is currently improved with a group of religious institutional buildings. This site is zoned R-8 and is located within the Oliver Neighborhood Development Project (NDP) Urban Renewal Plan area and the Old East Baltimore National Register Historic District.

**ANALYSIS**

**Conditional Use:** In this zoning district, day nurseries and nursery schools are a conditional use, requiring approval by the Board (§4-1103). This property was last authorized for use as a community correctional center. In previous cases where a day care center seeks to locate in a residential neighborhood, Planning has supported reasonable initial capacities. This property would be appropriate to serve 70 children, as it is large and has street frontage on three sides.

**Urban Renewal Plan:** This property is located in the Oliver NDP Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

**Off-Street Parking:** The amount of off-street parking required for a day care center is one parking space per two staff members (§10-405.27.iii). In this case, the number of staff members was not specified in the application, and thus no comment can be made concerning adequacy of parking. While there is no off-street parking possible on this property, it is noted that across Dallas Street, under common ownership with this property, is an open air off-street parking lot known as 1511 East Oliver Street, which could be made available for use for staff parking as well as an off-street drop-off and pick-up area if an on-street passenger loading zone is not feasible (see below).

**Drop-off / Pick-up area:** There is not a location suitable for the drop-off or pick-up of children on this site. If 70 parents were to all drive to this site attempting to drop off or pick up their children within the same short timeframe, it could not likely be done in a safe and orderly manner without active assistance from staff of the Head Start Program. The applicant

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should obtain approval for at least one passenger loading zone to serve the needs of parents dropping off or picking up their children using motor vehicles, or dedicate an area in the open-air surface parking lot known as 1511 East Oliver Street to this purpose.

TransForm Baltimore: This property would remain part of the R-8 District (Proposed Zoning Map Area 7-B) in which day care centers would be conditional uses (Table 9-301). Parking requirements for day care centers would be 1 space per 4 employees on maximum shift (Table 16-406A).

### **RECOMMENDATION**

The Department of Planning recommends approval of this appeal, conditional upon designation of either an on-street or an off-street passenger loading zone to allow safe drop-off and pick-up of children at the center.

TJS/wya/mf

cc: Michelle Young and Olutunde Clarke, Appellants