

<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 / 2812-2814 Reisterstown Road		

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

DATE: August 6, 2010

### REQUEST

The Department of Planning has received the Reverend Chandra Brown's Board of Municipal and Zoning Appeals (BMZA) application to use the lower level of the existing church on the property as a day care center for 60 children. We understand that this appeal is scheduled for hearing on August 17, 2010.

### SITE

2812-2814 Reisterstown Road is located on the southwest corner of the intersection with Ocala Avenue. This property measures approximately 150' by 145' and is currently improved with a church building covering most of the lot. This site is zoned R-9 and is located within the Mondawmin Transit Station Urban Renewal Plan area.

### ANALYSIS

Conditional Use: In this zoning district, day nurseries and nursery schools are a conditional use, requiring approval by the Board (§4-1203).

Renewal Plans: Ordinance #01-0165 was approved May 14, 2001 for the purpose of, among other things, clarifying the relationship between conditions or requirements imposed by an Urban Renewal Plan or Conservation Plan, such that the condition or requirement that is more restrictive will govern. Additionally, the ordinance prohibits the approval of a conditional use or a variance if that conditional use or variance is precluded by an applicable renewal plan or master plan.

Required Findings: The Board may not approve a conditional use unless, after public notice and hearing and on consideration of the standards prescribed in this title, it finds that: ... (2) the use is not in any way precluded by any other law, including an applicable urban renewal plan; (§14-204). For this reason, the Board must consider the requirements of the Mondawmin Transit Station Urban Renewal Plan, which does allow this 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, for 5 staff members, 3 parking spaces are required; 5 are provided at the rear of the church building.

Drop-off / Pick-up area: There is not a location suitable for the drop-off or pick-up of children on this site. If 60 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 supervision by day-care center staff. Due to the high volume of southbound traffic passing this property on Reisterstown Road, it may be appropriate for the

applicant to seek establishment of a drop-off/ pick-up area beside the church, along Ocala Avenue.

**RECOMMENDATION**

The Department of Planning recommends approval of the appeal conditional upon the applicant obtaining designation of a passenger loading zone (drop-off/ pick-up area) for the day care center. The Parking Authority of Baltimore City would need to determine if this should be along Ocala Avenue or along Reisterstown Road.

TJS/wya/mf

cc: Reverend Chandra Brown, Appellant