


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 / 1601 North Calhoun Street		

TO

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

DATE:

October 4, 2010

REQUEST

The Department of Planning has received Renay Kelley's Board of Municipal and Zoning Appeals (BMZA) application to use a portion of the existing church as a day care center for 20 children. We understand that this appeal is scheduled for hearing on October 12, 2010.

SITE

1601 North Calhoun Street is located on the northeast corner of the intersection with Gold Street. This property measures approximately 73' by 130' and is currently improved with a two-story detached building measuring approximately 36' by 91' located at the corner of the lot nearest the intersection of Calhoun and Gold Streets. This site is zoned R-8 and is located within the Sandtown-Winchester Urban Renewal Plan area and the Old West 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).

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 Sandtown-Winchester Urban Renewal Plan, which does allow this use in this district.

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.a). 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 two staff members, two parking spaces are required; more than two are provided.

Drop-off / Pick-up area: There is already a location suitable for the drop-off or pick-up of children on this site. The church parking lot lying to the north of the building is already designed for vehicular circulation past the front door of the church, and a curb cut is in place on Calhoun Street.

RECOMMENDATION

The Department of Planning recommends approval of the appeal.

TJS/wya/mf

cc: Renay Kelley, Appellant