


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 / 2001 East North Avenue		

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

DATE: February 21, 2014

REQUEST

The Department of Planning has received Terry Booker's Board of Municipal and Zoning Appeals (BMZA) conditional use application to use the first floor of the premises as a day care center for up to 15 children. The Zoning Administrator has determined that this is a conditional use in a R-7 District. We understand that this appeal is scheduled for hearing on February 25, 2014.

SITE

2001 East North Avenue is located on the southeast corner of the intersection with Washington Street. This property measures approximately 16' by 80' and is currently improved with a two-story semi-detached residential mixed-use building measuring approximately 16' by 68'. This site is zoned R-7 and is located within the Broadway East Urban Renewal Plan area and the Baltimore East/ South Clifton Park 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 (§4-1003). In this case, the property was last authorized for use as a single-family attached dwelling, a permitted use, and a beauty shop, which is a nonconforming use in this R-7 General Residence District. In previous cases where a day care center seeks to locate in a residential neighborhood, especially one that is comprised of attached structures, Planning has supported modest initial capacities. Approval of this application would have the effect of allowing a conditional use to replace a nonconforming use of the property, and the modest initial capacity should have little impact on the area.

Urban Renewal Plan: This property is located in the Broadway East 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, for one staff member, one parking space is required; one can be provided, accessible from the 15' wide alley beside the property.

Drop-off / Pick-up area: There is not a location suitable for the drop-off or pick-up of children on this site, which is on the southeast corner of a busy intersection. However, if 15 parents were to all drive to this site attempting to drop off or pick up their children within the same short time-frame, it could be done in a safe and orderly manner with assistance from the day care center staff. The applicant should contact the Parking Authority of Baltimore City

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and the Department of Transportation concerning a possible passenger loading zone designation on the Washington Street side of the property.

TransForm Baltimore: This property would become part of the R-8 District (Proposed Zoning Map Area 7-B) in which day-care centers would be conditional uses (Table 9-301). Day-care centers would have performance requirements, including required on-site drop-off zones (§14-309).

RECOMMENDATION

The Department of Planning recommends approval of this appeal, conditional upon the applicant obtaining a determination from the Parking Authority of Baltimore City and the Department of Transportation concerning a passenger loading zone for the property (on its Washington Street side).

TJS/wya/mf

cc: Terry Booker, Appellant