


FROM	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 / 1001-1007-1011-1013 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: September 3, 2015

### REQUEST

The Department of Planning has received Christina Holtsclaw's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of East Baltimore Deliverance Evangelistic Center, Inc., to consolidate the lots known as 1001 North Caroline Street, 1007-1009 North Caroline Street, 1011 North Caroline Street, and 1013 North Caroline Street, and use the premises as a multi-purpose neighborhood center in conjunction with the existing church. The Zoning Administrator has determined that this is a conditional use in a R-8 zoning district. The applicant also intends to open a school or academy on the site. We understand that this appeal is scheduled for hearing on September 8, 2015.

### SITE

1001 North Caroline Street is located on the northeast corner of the intersection with Eager Street. This property measures approximately 50'11" by 93' and is currently improved with a two-story religious institutional building covering approximately 95% of the lot. 1007 North Caroline Street is located on the east side of the street, approximately 52' north of the intersection with Eager Street. This property measures approximately 38' by 93' and is currently improved with a three-story attached vacant building measuring approximately 32' by 62'. 1011 North Caroline Street is located on the east side of the street, approximately 90' north of the intersection with Eager Street. This property measures approximately 14' by 80' and is currently improved with a three-story attached vacant residential building measuring approximately 14' by 62'. 1013 North Caroline Street is located on the east side of the street, approximately 105' north of the intersection with Eager Street. This property measures approximately 14' by 80' and is currently improved with a three-story attached vacant residential building measuring approximately 14' by 40'. This site to be assembled is zoned R-8 and is located within the Gay Street I Urban Renewal Plan area and the Old East Baltimore National Register Historic District.

### ANALYSIS

**Conditional Use:** In this zoning district, multi-purpose neighborhood centers are a conditional use, requiring approval by the Board (§4-1103). In this case, the property at 1001 North Caroline Street was last authorized for use as a philanthropic and charitable institution and a group day care center, which are conditional uses in this R-8 General Residence District.

In previous cases where a day care center is seeking to expand, Planning has supported a modest increase in capacity. The applicant has informed Planning staff that the intended expansion would be to 20 children (6 infants, 14 toddlers) attended by four staff. The property upon consolidation of lots would be able to accommodate this number.

**Urban Renewal Plan:** This property is located in the Gay Street I Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed uses in this district.

Lot Area: In this zoning district, multi-purpose neighborhood centers require 5,000 square feet of lot area (§4-1106.c.). The consolidated lot would enclose approximately 10,470 square feet, and so would meet this requirement.

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). If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). 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 proposed number of staff members is four; two spaces are or can be provided using the rear alley for access. There is also a requirement for parking spaces related to the proposed school which, according to information provided to Planning staff, would have 50 students and three teachers plus one secretary. Elementary and middle schools require one parking space per two teachers and employees, plus one space per 12 auditorium (or other public facility) seats (§10-405.27.i). Two more spaces can be provided using the rear alley for access, if the rear yard area is not required to satisfy day care center outdoor recreation area requirements.

Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). In this case any reduction would be related to the applicant's need to reserve rear yard area for outdoor recreation use.

Drop-off / Pick-up area: There is not a location suitable for the drop-off or pick-up of children at the front of this site. If all parents were to 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 unless the entrance and exit for children was made in the rear of the site. The applicant has informed Planning staff that reconstruction of the consolidated premises will include a gated rear entry that would meet this need.

### **RECOMMENDATION**

The Department of Planning recommends approval of this application, subject to the condition that the applicant provide the amount of off-street parking required by the Board.

TJS/wya/mf

cc: Christina Holtsclaw, Appellant