


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 / 3602 Mohawk Avenue		

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 Shajuan Forsey's Board of Municipal and Zoning Appeals (BMZA) application to use the first floor of the premises as a day care center for 30 children, and use the basement and second floor levels as administrative offices. We understand that this appeal is scheduled for hearing on October 12, 2010.

SITE

3602 Mohawk Avenue is located on the west side of the street, approximately 175' north of the intersection with Liberty Heights Avenue. This property measures approximately 50' by 193'6" and is currently improved with a two-story detached multiple-family residential building measuring approximately 34' by 56'. This site is zoned R-5 and is located within the Greater Northwest Community Coalition Strategic Neighborhood Action Plan area.

ANALYSIS

Conditional Use: In this zoning district, day nurseries and nursery schools are a conditional use, requiring approval by the Board (§4-803). The administrative offices mentioned in the application would be permissible as accessory to the day nursery or nursery school (day care center) only. The existing building is detached, with approximately 1,500 square feet per floor.

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 3 staff members, 2 parking spaces are required; one is provided by the driveway on the south side of the building.

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 the reduction proposed is 50%, which is within the variable amount the Board may authorize.

Drop-off / Pick-up area: There is not a location suitable for the drop-off or pick-up of children on this site. If 30 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. If an easement could be obtained from either the owner of Block 8251, Lot 10 (adjacent property designated as 3604 Mohawk Avenue) or the owner of Block 8251, Lot 2 (property adjacent at the rear of this property, designated as 4510 Liberty Heights Avenue) to allow use of approximately 5' in each direction of the adjoining corner of their lot, the

applicant would be able to connect the driveway off Mohawk Avenue to the 10' alley leading from the rear of the subject property to Hillsdale Road, thus creating a one-way drive-through which could be used for drop-off and pick-up of children on the property. If the applicant is unable to obtain such an easement, the only safe alternative is for the applicant to seek designation of a passenger loading zone on Mohawk Avenue in front of the subject property and extending along the Mohawk Avenue north or south of 3602 Mohawk Avenue. The applicant should contact the Parking Authority of Baltimore City in order to obtain designation of a passenger loading zone on Mohawk Avenue.

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be made conditional upon the applicant providing a safe area for drop-off and pick-up of children, either by connecting a driveway on the subject property to the 10' alley leading westward from 3602 Mohawk Avenue, or by obtaining designation of a passenger loading zone on Mohawk Avenue in front of the subject property and an adjoining property.

TJS/wya/mf

cc: Shajuan Forsey, Appellant