


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 / 901-909 West Ostend Street		

TO

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

DATE: February 20, 2015

REQUEST

The Department of Planning has received Angela Johnston's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Kidz Stuff Child Care Center, to use the premises as a child care center for 125 children ages 2 – 12 that would be open 24 hours daily. The Zoning Administrator has determined that this is a conditional use in a M-2 Zoning District. We understand that this appeal is scheduled for hearing on February 24, 2015.

SITE

901-909 West Ostend Street is located on the northwest corner of the intersection with Wicomico Street. This property measures approximately 135'4" by 150' and is currently improved with a one-story semi-detached commercial building covering the entire lot. This site is zoned M-2-2 and is located within the Carroll Camden 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 (§7-307). In this case, the property was last authorized for use as a metal finishing factory, which is a permitted use in this M-2 Industrial District. The application indicates that the existing use of the premises is office space.

Urban Renewal Plan: This property is located in the Carroll Camden Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed 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). 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, for ten staff members, five parking spaces are required; none are provided. However, previous uses of the premises also did not have provision for off-street parking on site.

Drop-off / Pick-up area: There is not a location suitable for the drop-off or pick-up of children on this site. If 125 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. This safety issue is a serious concern for a day care center located in the midst of an industrial-commercial area with significant amounts of truck and delivery traffic. The applicant should work with the Baltimore Development Corporation and the Carroll Camden Business Association to devise a plan for hours of operation that would not conflict, in terms of heaviest times for pick-up or drop-off of children, with existing industrial and commercial uses in the area.

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Following this consultation, the applicant should contact the Parking Authority of Baltimore City concerning a possible passenger loading zone on either Ostend Street or Wicomico Street.

TransForm Baltimore: This property would become part of the I-1 District (Proposed Zoning Map Area 10-B) in which day care centers: adult or child, would be permitted uses only when secondary to developments of large office structures, research and development facilities, and/or manufacturing uses, and integrated into larger development to serve the employees (Table 11-301). Day-care centers would have off-street parking requirements of 1 space per 4 employees on maximum shift (Table 16-406A).

RECOMMENDATION

The Department of Planning recommends that approval of this appeal, if granted, be subject to the condition that hours of operation with respect to specified numbers of children be those agreed upon by the applicant and the Carroll Camden Business Association, and the condition that the applicant contact the Parking Authority to request consideration of a passenger loading zone outside the existing structure to be used as the day care center.

TJS/wya/mf

cc: Angela Johnston, Appellant