


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 / 3411 West Forest Park Avenue		

TO

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

DATE: August 22, 2012

### REQUEST

The Department of Planning has received Rebecca Laws' Board of Municipal and Zoning Appeals (BMZA) application to use the first floor of the premises as a day care center for 21 children. We understand that this appeal is scheduled for hearing on September 4, 2012.

### SITE

3411 West Forest Park Avenue is located on the south side of the street, approximately 103'6" east of the intersection with Edgewood Street. This property measures approximately 53'6" by 149'10" and is currently improved with a two-story-plus-attic detached residential building measuring approximately 34' by 65'. This site is zoned R-2 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 (§4-503). In this case, the property was last authorized for use as a multiple-family detached dwelling, which is a nonconforming use in this R-2 General Residence District. The applicant has not indicated if the use of the first floor as a day care center would supplant this nonconforming use of the property. In previous cases where a family day care center seeks to locate in a residential neighborhood, especially one that is located on a busy roadway, Planning has supported modest initial capacities. Due to the potential impacts of serving 21 children on this site, a lower initial capacity would be appropriate. For this reason, a lower capacity of 15 children is recommended.

Drop-off / Pick-up area: There is not a location suitable for the drop-off or pick-up of children on this site. If 21 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. The applicant should work with the Department of Transportation and the Parking Authority of Baltimore City to determine the size of a passenger loading zone to be designated in front of the property to provide a safe drop-off and pick-up area for children.

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 3 staff members, 2 parking spaces are required; at least 2 are provided on the paved parking area at the rear of the property.

### RECOMMENDATION

The Department of Planning recommends approval of an amended appeal for a child care center (day nursery and nursery school) for 15 children, conditional upon the applicant obtaining designation of a passenger loading zone in front of the property.

TJS/wya/mf

cc: Rebecca Laws, Appellant  
Outer West