


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 / 3414 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: October 13, 2009

**REQUEST**

The Department of Planning has received Eugenia McCormick's Board of Municipal and Zoning Appeals (BMZA) application to use the first floor of the property as a day care and learning center for up to 20 children ages 2 – 12 with three staff members. We understand that this appeal was scheduled for hearing on October 13, 2009, but was postponed.

**SITE**

3414 West Forest Park Avenue is located on the northeast corner of the intersection with North Edgewood Street. This property measures approximately 50' by 139' and is currently improved with a two-and-one-half-story building measuring approximately 40' by 60'. This site is zoned R-2 and is located within the Greater Northwest Community Coalition 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 (§4-203 and 4-503). In previous cases where a family day care center seeks to locate in a residential neighborhood, especially one that is comprised of detached structures on a narrow roadway, Planning has supported modest initial capacities. Due to the potential impacts of serving 20 children on this site, a lower initial capacity would be appropriate. For this reason, a lower capacity of 15 children is recommended.

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). In this case, three staff members are proposed for the day care and learning center, generating a need for off-street parking spaces on site. The applicant is proposing no on-site parking spaces. One parking space is required per 2 teachers and employees (§10-405 (27)(iii)). The Board may approve a variance of up to 75% of this requirement (§15-208). Reduction of required parking to zero, i.e. a 100% reduction, exceeds the variable amount the Board is authorized to approve.

The applicant has also not provided a plan for drop-off and pick-up areas for children at the proposed center.

**RECOMMENDATION**

The Department of Planning has no objection to approval of the appeal, subject to a limit of 15 children at one time on the premises, and Site Plan Review Committee approval of drop-off/ pick-up areas.

TJS/ewt/mf

cc: Eugenia McCormick, Appellant