


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 / 6006 Park Heights Avenue		

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

DATE: October 30, 2015

REQUEST

The Department of Planning has received Lisa Junker's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Congregation Kahal Chassidim, Inc., to use the entire premises as a day nursery for 30 children. The Zoning Administrator has determined that this is a conditional use in a R-5 zoning district. We understand that this appeal is scheduled for hearing on November 3, 2015.

SITE

6006 Park Heights Avenue is located on the southwest corner of the intersection with Parkington Avenue. This property measures approximately 60' by 165' and is currently improved with a two-story detached building measuring approximately 42' by 60'. This site is zoned R-5 and is located within the Northwest Community Planning Forum 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). In this case, the property was last authorized for use as a multi-purpose neighborhood center with accessory use of the second floor as sleeping quarters, offices, and classrooms, which is also a conditional use in this R-5 General Residence District.

In previous cases where a day care center seeks to locate in a residential neighborhood, especially one that is comprised of residential structures on a narrow roadway, Planning has supported modest initial capacities. This site is capable of mitigating the potential impacts of serving 30 children on this site, as it has a detached structure with a large front yard and an off-street parking area in its rear yard, with access from Parkington Avenue, which is a side street to Park Heights Avenue.

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 twelve staff members, reflecting the number of infants included in the total number of children served on site, six parking spaces are required; four are provided in the paved portion of the rear yard.

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 33%, which is within the variable amount the Board may authorize.

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Drop-off / Pick-up area: There is a location suitable for the drop-off or pick-up of children on this site. If 30 parents were all to drive to this site attempting to drop off or pick up their children within the same short timeframe, it could likely be done in a safe and orderly manner.

TransForm Baltimore: This property would remain part of the R-5 District (Proposed Zoning Map Area 1-A) in which Day Care Centers: Adult or Child, would be conditional uses (Table 9-301).

RECOMMENDATION

The Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Lisa Junker, Appellant