


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 / 2700 Rayner Avenue		

TO

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

DATE: April 17, 2015

**REQUEST**

The Department of Planning has received Gretchen Spell's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Coppin Heights Community Development Corporation, to use the premises as a medical clinic and dental clinic with accessory retail pharmacy for use by patients or clients of the clinic, to be operated as the Center for Health Care and Healthy Living. The Zoning Administrator has determined that this is a conditional use in an O-R Zoning District, and that a variance of required off-street parking spaces is needed for approval. We understand that this appeal is scheduled for hearing on April 21, 2015.

**SITE**

2700 Rayner Avenue is located on the northeast corner of the intersection with Dukeland Street, and extends along Dukeland Street to Lanvale Street, which forms the northern boundary of this property. This property measures approximately 175'6" along Rayner Avenue by 268' and contains approximately 1.144 acre, and is currently improved with a historic three- and four-story building known by its original name, the Hebrew Orphan Asylum. This site was zoned R-6 when this application was filed, but is now zoned O-R-2 according to Ordinance 15-3340 enacted March 27, 2015, effective 30 days later and contingent upon transfer of the property from the State of Maryland to the Coppin Heights Community Development Corporation (the applicant).

**ANALYSIS**

Conditional Use: In this zoning district, clinics: health care, are a conditional use, requiring approval by the Board (§5-203). This property has been vacant for decades but was last used as part of Lutheran Hospital (now gone).

Land Use and Urban Design: The Planning Commission unanimously supported approval of the City Council bill which became Ordinance 15-340, by its vote on June 19, 2014. The Department of Planning therefore urges approval of this application provided that the ordinance becomes effective.

Historic Landmark: The subject property is the site of a designated National Register Historic Landmark. All exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). It is recommended that the applicant remain in contact with CHAP to complete the review and approval process applicable to their project.

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

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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). In this zoning district, health care clinics require one off-street parking space per 200 square feet of floor area (§10-405.11.i). The applicant has calculated that 130 spaces are required based upon the usable floor area to be rehabilitated. The approved site plan provides 37 spaces, with due accommodation for storm water management features.

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 77%, which is greater than the variable amount the Board ordinarily may authorize. Prior use as part of a hospital provides credit toward the off-street parking requirement, on the basis of 1 space per 5 hospital beds plus 1 space per 3 employees including staff doctors.

TransForm Baltimore: This property would become part of the C-1 District (Proposed Zoning Map Area 6-C) in which medical/dental/health care clinics would be permitted uses (Table 10-301).

#### **RECOMMENDATION**

The Department of Planning recommends approval of this appeal conditioned upon pending effectiveness of Ordinance 15-340.

TJS/wya/mf

cc: Gretchen Spell, Appellant