

FROM

NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
SUBJECT	CITY COUNCIL BILL #16-0730/ ZONING – CONDITIONAL USE – AMENDING ORDINANCE 01-236

CITY of
BALTIMORE
MEMO



TO

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

DATE: September 16, 2016

At its regular meeting of September 15, 2016, the Planning Commission considered City Council Bill #16-0730, for the purpose of amending Ordinance 01-236, to increase the maximum bed capacity of the residential substance abuse treatment facility and to clarify that, while no outpatient program may be conducted on the site to provide services to the general public, patients from the operator’s other facilities may be transported to and from this site to receive treatment as necessary; and conforming certain language to reflect current Zoning Code reference.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #16-0730, and adopted the following resolution, eight members being present (eight in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #16-0730 be passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Ms. Kaliopé Parthemos, Chief of Staff
- Mr. Colin Tarbert, Deputy Mayor for Economic and Neighborhood Development
- Mr. Leon Pinkett, Assistant Deputy Mayor for Economic and Neighborhood Development
- Ms. Angela Gibson, Mayor’s Office
- The Honorable Rochelle “Rikki” Spector, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Mr. Patrick Fleming, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Natawna Austin, Council Services
- Ms. Melissa Krafchik, PABC
- Ms. Caroline Hecker, esq.



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

September 15, 2016

REQUEST: City Council Bill #16-0730/ Zoning – Conditional Use – Amending Ordinance 01-236

For the purpose of amending Ordinance 01-236 to increase the maximum bed capacity of the residential substance abuse treatment facility and to clarify that, while no outpatient program may be conducted on the site to provide services to the general public, patients from the operator's other facilities may be transported to and from this site to receive treatment as necessary; and conforming certain language to reflect the current Zoning Code reference.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONER: Councilwoman Middleton, at the request of Gaudenzia Foundation, Inc.

OWNER: Gaudenzia Foundation, Inc.

SITE/GENERAL AREA

Site Conditions: 4615 Park Heights Avenue is located on the east side of the street, at the intersection with Henschels Lane. This R-6 residentially zoned property contains approximately 1.18 acres, and is currently improved with a two-story residential building that was previously used as a nursing home, which then became the Gaudenzia Foundation's men's residential substance abuse treatment facility following enactment of Ordinance 01-236. Linked to this property by a covered walkway is 4613 Park Heights Avenue, under common ownership and operated by Gaudenzia as a women's residential substance abuse treatment facility and conditional use convalescent, nursing, and rest home, approved by Ordinance 12-10 dated May 15, 2012.

General Area: This property is located within the Park Heights neighborhood in the northwestern portion of Baltimore City. The immediate area is residential in nature, with its housing stock predominantly a mix of townhomes, semi-detached dwellings, and apartment buildings. The area developed in the first half of the 20th Century and its commercial center just north of this property is a focus of redevelopment initiatives being pursued under terms of the Park Heights Urban Renewal Plan.

HISTORY

The Park Heights Urban Renewal Plan now in force was approved by Ordinance 08-93 dated December 11, 2008, which also repealed and replaced the earlier Plan under which this facility was originally developed, that was approved by Ordinance 304 dated April 16, 1973, as last amended by Ordinance 332 dated June 24, 1998. The current Urban Renewal Plan was last amended by Ordinance 14-297 dated October 1, 2014.

CONFORMITY TO PLANS

This project supports the Comprehensive Plan's LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 3: Maintain and Create Safe, Clean, & Healthy Neighborhoods, item #5: Increase Substance Abuse Treatment City-wide.

ANALYSIS

For 15 years at this location, Gaudenzia has offered a wide range of services from in-patient residential treatment for clients needing detox programs to treat addictions as they progress to other treatment programs, to placement in transitional housing as a step to full re-entry into communities. In this residential component, 124 beds are offered for male adults needing full-time treatment. This bill would authorize 32 additional beds for the residential program, beds that will be accommodated within the existing structure on the property. Staff in the facility includes nurses, psychiatrists, and licensed counselors, on a typical ratio of one staff member per four clients. All clients are picked up and then brought to this facility; no walk-ins are accepted. In support of this policy, this bill would re-affirm that any patients brought from other Gaudenzia facilities must be transported to and from the central treatment facility at 4615 Park Heights Avenue.

The conforming language in this bill would change "substance abuse treatment center" to "residential substance abuse treatment facility" which is the language now contained in the Zoning Code as a result of an amendment made by Ordinance 12-027 to section 4-1101 (7) of the Code. However, conforming this language does not alter the characterization and authorization of this facility under the zoning classification of a convalescent, nursing, and rest home, a use which must be approved by ordinance.

Conditional Use: Staff has reviewed this proposal, and finds that it meets the required findings of §14-204 in the Zoning Code, in that:

- (1) the establishment, location, construction, maintenance, and operation of the enlarged capacity of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
- (2) the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization is not otherwise in any way contrary to the public interest; and
- (4) the authorization is in harmony with the purpose and intent of this article.

Likewise, staff finds, among the several required considerations under §14-205 in the Zoning Code, that:

- The proposed site is sufficient in its size, shape, and capacity for the proposed use;
- The proposed use will not create a negative impact to existing traffic patterns and volumes, and that there is sufficient parking available on the site;
- It is unlikely that the proposed use will impair the present and future development of this property or the surrounding area;
- That there will not be any undue impacts resulting from its proximity to any dwellings, churches, schools, public structures, and other places of public gathering;
- That the site is adequately served by police and fire protection;
- That there accessibility of light and air to the premises and to the properties in the vicinity, as there are no proposed changes to the current property configuration.

Community Notification: The Park Heights Community Council and Park Heights Renaissance, Inc., have been notified of this action.



Thomas J. Stosur
Director