

Mayor and Council Executive Session and Work Session June 7, 2022 Agenda

"The City of Hagerstown will inspire an inclusive, business-friendly, and sustainable community with clean, safe, and vibrant neighborhoods."

"The City of Hagerstown shall be a community focused municipality"

The agenda and meeting packet is available at www.hagerstownmd.org/government/agenda

"Try being informed instead of just opinionated." -Anonymous

1:00 PM "Everyone Wins" Mural Dedication ~ 300 block of West Washington Street

1:30 PM Tour of Washington County Museum of Fine Arts with Roger Fairborn

EXECUTIVE SESSION

3:15 PM 1. The Mayor and Council will meet in Open Session only for the purpose of voting to close its meeting to discuss matters that the Open Meetings Act permits it to discuss in Executive/Closed Session.

4:00 PM WORK SESSION

4:00 PM 1. Non-Union City-Wide Pay Scale Approval and Non-Union HPD Command Pay Scale Approval ~ *Don Francis, Director of Human Resources*

4:15 PM 2. Hagerstown Police Department Conversion of 2 Part-Time Positions to 1 Full-Time Position ~ *Paul Kifer, Chief of Police*

4:30 PM 3. Conversion District Overlay at 245 North Potomac Street ~ *Kathleen Maher, Director of Planning & Code Administration*

4:40 PM 4. Conversion District Overlay at 535 Summit Avenue (Surrey School) ~ *Stephen Bockmiller, Development Review Planner/Zoning Administrator*

4:50 PM 5. FY2023 DHCD Grant Applications - *Kathleen Maher, Director of Planning & Code Administration*

5:00 PM 6. Invest Hagerstown Proposed Guideline Changes & FY23 Funding Levels ~ *Chris Siemerling, Economic Development Specialist*

5:10 PM 7. Code Amendments to Chapters 238 and 240 ~ *Nancy Hausrath, Director of Utilities*

5:30 PM 8. Public Art Proposal for Remainder of the City-Owned Land Near Park Circle ~ *Rodney Tissue, City Engineer*

5:45 PM 9. Vending Machines in Street Right of Ways ~ *Rodney Tissue, City Engineer*

CITY ADMINISTRATOR'S COMMENTS

MAYOR AND COUNCIL COMMENTS

ADJOURN

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

"Everyone Wins" Mural Dedication ~ 300 block of West Washington Street

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Tour of Washington County Museum of Fine Arts with Roger Fairborn

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

The Mayor and Council will meet in Open Session only for the purpose of voting to close its meeting to discuss matters that the Open Meetings Act permits it to discuss in Executive/Closed Session.

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Non-Union City-Wide Pay Scale Approval and Non-Union HPD Command Pay Scale Approval ~
Don Francis, Director of Human Resources

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Non_Union_and_HPDP_Command.pdf

Description

Non Union and HPD
Command memo



CITY OF HAGERSTOWN, MARYLAND

Don Francis, SHRM-SCP, SPHR, IPMA-SCP
Director of Human Resources
dfrancis@hagerstownmd.org

DATE: June 7, 2022
TO: Scott Nicewarner, City Administrator
FROM: Don Francis, Director of Human Resources
RE: **Non-Union City-Wide Pay Scale Approval**

The attached City-wide non-union pay scale is attached (Attachment 1).

The City-wide scale has been increased across the board by 3.0% and covers all non-union personnel except those in the HPD Command Structure.

The total cost of these changes is \$340,715. \$242,860 is cost attributed to the General Fund.

Non-Union Employee Group
Annual Salaries - Effective July 4, 2022

Grade	Performance Steps													
	01	02	03	04	05	06	07	08	09	10	11	12	13	14
07	31,137.60	32,656.00	34,174.40	35,692.80	37,211.20	38,729.60	40,248.00	41,767.20	43,285.60	44,804.00	46,322.40	47,840.80	49,359.20	50,877.60
09	34,195.20	35,880.00	37,564.80	39,249.60	40,934.40	42,619.20	44,304.00	45,988.80	47,673.60	49,358.40	51,043.20	52,728.00	54,412.80	56,107.60
10	35,755.20	37,523.20	39,291.20	41,059.20	42,827.20	44,595.20	46,363.20	48,131.20	49,899.20	51,667.20	53,435.20	55,203.20	56,971.20	58,739.20
11	38,084.80	39,977.60	41,870.40	43,763.20	45,656.00	47,548.80	49,441.60	51,334.40	53,227.20	55,120.00	57,012.80	58,905.60	60,798.40	62,691.20
12	39,811.20	41,745.60	43,680.00	45,614.40	47,548.80	49,483.20	51,417.60	53,352.00	55,286.40	57,220.80	59,155.20	61,089.60	63,024.00	64,958.40
13	41,724.80	43,804.80	45,884.80	47,964.80	50,044.80	52,124.80	54,204.80	56,284.80	58,364.80	60,444.80	62,524.80	64,604.80	66,684.80	68,764.80
14	43,617.60	45,801.60	47,985.60	50,169.60	52,353.60	54,537.60	56,721.60	58,905.60	61,089.60	63,273.60	65,457.60	67,641.60	69,825.60	72,009.60
15	46,030.40	48,297.60	50,564.80	52,832.00	55,099.20	57,366.40	59,633.60	61,900.80	64,168.00	66,435.20	68,702.40	70,969.60	73,236.80	75,504.00
16	48,526.40	50,856.00	53,185.60	55,515.20	57,844.80	60,174.40	62,504.00	64,833.60	67,163.20	69,492.80	71,822.40	74,152.00	76,481.60	78,811.20
17	50,689.60	53,144.00	55,598.40	58,052.80	60,507.20	62,961.60	65,416.00	67,870.40	70,324.80	72,779.20	75,233.60	77,688.00	80,142.40	82,596.80
18	52,977.60	55,577.60	58,177.60	60,777.60	63,377.60	65,977.60	68,577.60	71,177.60	73,777.60	76,377.60	78,977.60	81,577.60	84,177.60	86,777.60
19	56,014.40	58,739.20	61,464.00	64,188.80	66,913.60	69,638.40	72,363.20	75,088.00	77,812.80	80,537.60	83,262.40	85,987.20	88,712.00	91,436.80
20	58,552.00	61,422.40	64,292.80	67,163.20	70,033.60	72,904.00	75,774.40	78,644.80	81,515.20	84,385.60	87,256.00	90,126.40	92,996.80	95,867.20
21	61,547.20	64,563.20	67,579.20	70,595.20	73,611.20	76,627.20	79,643.20	82,659.20	85,675.20	88,691.20	91,707.20	94,723.20	97,739.20	100,755.20
22	64,313.60	67,516.80	70,720.00	73,923.20	77,126.40	80,329.60	83,532.80	86,736.00	89,939.20	93,142.40	96,345.60	99,548.80	102,752.00	105,955.20
23	67,246.40	70,574.40	73,902.40	77,230.40	80,558.40	83,886.40	87,214.40	90,542.40	93,870.40	97,198.40	100,526.40	103,854.40	107,182.40	110,510.40
24	70,324.80	73,798.40	77,272.00	80,745.60	84,219.20	87,692.80	91,166.40	94,640.00	98,113.60	101,587.20	105,060.80	108,534.40	112,008.00	115,481.60
25	74,900.80	78,561.60	82,222.40	85,883.20	89,544.80	93,206.40	96,868.00	100,529.60	104,191.20	107,852.80	111,514.40	115,176.00	118,837.60	122,499.20
27	81,868.80	85,862.40	89,856.00	93,849.60	97,843.20	101,836.80	105,830.40	109,824.00	113,817.60	117,811.20	121,804.80	125,798.40	129,792.00	133,785.60
28	85,612.80	89,793.60	93,974.40	98,155.20	102,336.00	106,516.80	110,697.60	114,878.40	119,059.20	123,240.00	127,420.80	131,601.60	135,782.40	139,963.20
30	95,784.00	100,505.60	105,227.20	109,948.80	114,670.40	119,392.00	124,113.60	128,835.20	133,556.80	138,278.40	142,999.20	147,720.80	152,442.40	157,164.00



CITY OF HAGERSTOWN, MARYLAND

Don Francis, SHRM-SCP, SPHR, IPMA-SCP
Director of Human Resources
dfrancis@hagerstownmd.org

DATE: June 7, 2022
TO: Scott Nicewarner, City Administrator
FROM: Don Francis, Director of Human Resources
RE: **Non-Union HPD Command Pay Scale Approval**

As you know, the HPD non-union scale was created within HPD to assure that there was a standard increase when a police employee goes into the management structure. The difference between the union and non-union scales is 10%. (Attachment 1)

The total cost of these changes is \$148,834.

HAGERSTOWN CITY POLICE DEPARTMENT

SALARY SCHEDULE

Fiscal Year 2023

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
YEARS IN SERVICE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
SERGEANT			67,874.40	69,680.00	71,406.40	73,195.20	75,025.60	76,887.60	78,632.00	80,787.20	82,835.60	84,884.80	87,006.40	89,190.40	
LIEUTENANT				76,648.00	78,581.60	80,516.80	82,534.40	84,593.60	86,715.20	88,878.40	91,104.00	93,371.20	95,700.80	98,092.80	
CAPTAIN					88,403.20	88,588.40	90,792.00	93,059.20	95,398.00	97,760.00	100,214.40	102,710.40	105,268.80	107,810.40	
CHIEF					95,056.00	97,427.20	99,860.80	102,356.80	104,915.20	107,536.00	110,219.20	112,985.60	115,814.40	118,705.60	

Attachment 1

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Hagerstown Police Department Conversion of 2 Part-Time Positions to 1 Full-Time Position ~
Paul Kifer, Chief of Police

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Hagerstown_Police_Department_Conversion_of_2_Part-
Time_Positions_to_1_Full-Time_Position.pdf

Description

HPD Conversation of 2 PT
to 1 FT



CITY OF HAGERSTOWN
MARYLAND
21740 - 4696

DEPARTMENT OF POLICE
50 N. Burhans Blvd.

Non-Emergency 301-790-3700
Emergency 240-313-4345
Fax 301-733-5513

May 13, 2022

TO: Mayor & Council

THRU: Scott Nicewarner – City Administrator

From: Paul J. Kifer – Chief of Police

Subject: Convert two part-time positions to one full time position

Current Position(s): Job Class 7697 – Street Camera Operator (PT) (2X)

Work Week: 50 hours

Grade: N\A

Hourly Rate: \$15.00 (30hours) & \$13.00 (20 hours)

Benefits: 40 hours Sick\ Safe Leave (2X) - Benefits Eligible (1X)

New Position: Job Class 7697 – Street Camera Operator (FT)

Work Week: 40 hours

Grade: MG 09 Step 2

Hourly Rate: \$16.75 (FY22 MG Scale)

Benefits: Full Benefits Eligible

This grade is in line with other full time positions such as "Recreation Assistant" and "Administrative Secretary II" within the City of Hagerstown pay scale.

The effective operation of the Police Department requires lobby coverage and monitoring of our Street Crime Cameras. Currently, HPD has two (2) part-time positions (Thomas\Vacant) assigned to this task. Thomas works 30 hours a week (Benefits Eligible) and the vacant position works 20 hours a week (not benefits eligible).

We are seeking approval to convert the two (2) part-time positions into one (1) full-time position. We believe that this step is beneficial in assisting HPD with lobby coverage and street crime camera coverage and may result in a cost savings for the City of Hagerstown.



A Nationally Accredited Law Enforcement Agency

Estimated Cost Comparison

	Current – Part-Time (Thomas)	Current – Part-Time (Vacant)	Proposed Thomas Full Time
Salary	\$23,400 (\$15.00 X 30 HRS WK)	\$13,520 (\$13.00 X 20 HRS WK)	*\$34,840.00 (MG 09 -02)
Health Benefits	Eligible	Not Eligible	Eligible
Retirement (Estimated)	\$2,106.00	\$1,215.00	\$3,135.67
FICA \ Medical (Est)	\$1,790.10	\$1,034.28	\$2,665.32
Dental	Not Provided	Not Provided	Eligible
Vision	Not Provided	Not Provided	Eligible
Life	Not Provided	Not Provided	Eligible
Holidays	Not Provided	Not Provided	Provided 12 Days (Cost in Salary)
Personal Days	Not Provided	Not Provided	Provided 3 Days (Cost in Salary)
Vacation Days	Not Provided	Not Provided	Provided 10 Days (Cost in Salary)
Sick Days	Provided 40 hours annually	Provided 40 hours annually	Earns 12 Days annually
	\$27,296.10	\$15,769.28	\$40,641.79
	\$43,065.38		

If approved, Cole Thomas (employee 5536) would go from part-time to full time. The FY23 budget currently includes funding for two (2) part-time Street Camera Operators, so additional funding would not be necessary.

Thank you for your consideration in this matter.



Chief Paul J. Kifer

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Conversion District Overlay at 245 North Potomac Street ~ *Kathleen Maher, Director of Planning & Code Administration*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

LCD_Overlay_245_N_Potomac.pdf

Description

Local Conversion District
Overlay, 245 N. Potomac



City of Hagerstown, Maryland
Committed to Safety
Dedicated to Partnership and Progress

MEMORANDUM

TO: Scott Nicewarner, City Administrator

FROM: Megan Flick, Planner

DATE: June 1, 2022

SUBJECT: Local Conversion District Overlay, 245 N Potomac - ZM-2021-02

Action Requested

Review of input received to date and Planning Commission recommendation, and provide direction on action to be taken on the requested rezoning.

Update on Mayor and Council Public Hearing

The Mayor and Council held a public hearing on May 25 for case ZM-2021-02, a Local Conversion District Overlay at 245 North Potomac Street filed by O'Sick Family Trust. No new public input was received at the hearing or to date in the 10 days the record was left open. The only public input was received at the Planning Commission public review meeting which is reported later in this memo. The Planning Commission's recommendation is reported later in this memo, as well.

Background Information & Proposal

The property is an existing mixed-use building located on the corner of Potomac Street and Bethel Street. The zoning is Residential-Office (RO). It is currently occupied by 7 dwelling units and 1 office space with an additional commercial space that is vacant. The applicant wishes to expand the permitted commercial uses for that front facing commercial space to include the following uses per Land Management Code City of Hagerstown, Maryland, Article 4: Zoning Ordinance:

- Bank or credit union (521-522).
- Business Service Centers (56143) or Quick Printing Services (323114).
- Bed & breakfast inns (721191), including short-term rental with food service.
- Retail/wholesale trade (44-45) excluding auto, up to 5000 sqft in net floor area. May include retail bakeries (311811) and retail confectioneries (311320).

The applicant also proposes: removing the vinyl siding on the sides of the commercial front door as part of replacing the door with a commercial unit consistent with adjacent display windows; installing security cameras and ambient front lighting to front of building; and no other fencing, landscaping, parking, or exterior changes at this time.

During the consultation with the applicant, the Planning Commission discussed the condition of requiring the applicant to combine the 2 lots to ensure parking remains on site. There are no other specific requests or recommendations from the Commission aside from landscaping being dealt with at the site plan stage.

Public Input at Planning Commission Public Review Meeting

Staff received an email from Michael J. Amontree, 329 N. Potomac St. Hagerstown, MD 21740:

"I understand the predicament property owners in the city of Hagerstown have with filling vacant office space. Also the desire of local government to have more Walking Traffic destinations like storefronts in the Downtown Core. However, I am concerned with the approval of a Retail Establishment i.e., a Convenience Store, in that there could be unintended consequences for our neighborhood concerning bad elements that already exist. These elements include regular activity of; Trespassing, Littering, Open Drug Use, and Prostitution. Should the Council allow this Overlay District to be approved for a Retail Operation i.e., Convenience Store, the public needs to have a clear explanation of how our local Government plans to patrol the area, and how the businesses plans to abate potential adverse issues. This is a highly traveled thoroughfare, and one of three main entryways into the downtown of Hagerstown. So the visible conditions on this street are a direct reflection on Our City."

Planning Commission Recommendation

The Planning Commission recommends approval of the Local Conversion District Overlay at 245 N Potomac Street with the conditions that the applicant combines the building lot with the parking lot into one consolidated lot to ensure the parking stays with the building into the future. They also agreed with the recommendation from the Historic District Commission to require some type of landscaping that will be decided at the site plan stage.

Next Steps

Once direction is provided to staff on action to be taken on the rezoning request, the Mayor and Council will vote on introduction of the rezoning ordinance and findings of fact on June 28. If the ordinance is approved on July 26, the rezoning would become effective 30 days later on August 26.

Attachments: Attached is the full staff analysis on this case in addition to the application and exhibits submitted by the applicant.

City of Hagerstown
Local Conversion District Overlay Zoning Request
ZM-2021-02: 245 North Potomac Street
Staff Report

Applicant/Owner: O'Sick Family Trust
PO Box 324, Garrett Park, MD 20896

Request: Local Conversion District overlay on a mixed-use building for the purposes of the continued use of 7 dwelling units, 1 office space, and the expansion of permitted commercial uses for the potential reuse of the front facing commercial space.

Location: 245 North Potomac Street
Corner of Potomac St and Bethel St

Existing Use: Mixed-Use Building occupied by 7 dwelling units & 1 office space

Area: 4388 square feet (*plus parking lot to rear*)

Existing Zoning: RO (Residential – Office); Potomac-Broadway Historic District Overlay

Analysis

The purposes of this district are to stimulate the adaptive reuse of existing, nonresidential and mixed-use structures embedded within developed residential districts and communities, to maintain and increase the city's assessable tax base, and to expand business and employment opportunities. The Local Conversion Overlay District allows for alternate forms of use and development for buildings and/or spaces that are part of or very close to residential uses in residential districts. Allowing such uses to fit into existing commercial and mixed use structures re-establishes the historically mixed use nature of the City's 19th and early 20th Century residential communities.

The Local Conversion Overlay District provides an alternative development concept for underutilized structures while protecting the general health, safety, welfare, and aesthetics in the vicinity of the site through the commitment to an approved development concept plan. It is acknowledged that such uses will be outwardly commercial in nature and operation, but are reviewed individually to ensure the proposed use or uses and improvements are not an undue burden on the surrounding area.

Staff comments are in bold italics.

The Land Management Code lists four general requirements for the establishment of a Local Conversion Overlay District (Article IV, Section J.3.e. Page 4-61):

1. The area proposed for a conversion district shall be in one (1) ownership, or, if in several ownerships, the proposal shall be filed jointly by all the owners of property included in the development plan. ***The application has been filed by O'Sick Family Trust, which is the current owner of the property.***
2. The development shall be for an existing, nonresidential or mixed use structure, constructed before March 7, 1977. ***The building is currently mixed-use and is commonly known to have existed well before 1977, having been occupied by various commercial uses.***
... The building in which all proposed uses will be contained, except:
 - (a) outdoor dining areas and outdoor merchandise display, as regulated elsewhere in this provision; ***No outdoor dining areas are proposed.***
 - (b) additions, as permitted in Subsection i. below. ***No additions are proposed.***
3. The owners or developers must indicate that they plan to begin construction of the development within one (1) year after final approval. If construction does not begin within one (1) year, the zoning of the site shall revert to its previous classification unless a time extension is requested by the developer and agreed to by the Planning Commission. ***If no development occurs within one (1) year of final approval, and the applicant fails to request an extension, the local conversion overlay is no longer valid.***
4. This overlay district shall only be used for buildings or parts of buildings that are oriented in appearance and access to a public street. ***The structure is oriented toward Potomac Street.***

Special Design Requirements (Section J.3.i. Pages 4-62 & 4-63)

1. Additions shall be designed consistent with the architectural theme of the structure and shall be located in the space least visible to the general public. ***No additions are proposed for the site at this time. The property is located in the Potomac-Broadway Historic District and changes including signs are subject to review by the Historic District Commission.***
2. No outdoor vending machines shall be permitted. ***None proposed.***
3. No outdoor storage of any kind is permitted except display of merchandise at convenience and grocery stores if historically part of a use on the subject property. ***Not applicable. No outdoor storage area shall be permitted.***
4. No outdoor dining or seating area for a restaurant shall be permitted in any of the rear yard area between the building and rear property line or within ten (10) feet of a side property line unless historically part of the on-site use. ***Not applicable. No restaurant or dining use is proposed.***
5. Buildings of an industrial, warehouse or automotive service design shall be enhanced via architectural or cosmetic enhancement, site amenities, landscaping, and other strategies to achieve suitability for their new use(s) within a residential district and compatibility with the neighborhood. ***The building is a mixed-use building that has been well maintained. The applicant proposes to restore the commercial front entrance per the ordinance by removing the vinyl siding and filling gaps on either side of the main door to create a double door***

entrance more reminiscent of a storefront façade. In addition, the HDC and PC have recommended potential landscaping to break up the concrete pad in the front of the building, which will be reviewed by the PC at the site plan stage.

6. Storefronts previously modified or enclosed shall be rehabilitated to reintroduce a storefront window display design. ***This is a requirement of the Land Management Code; the applicant proposes to rehabilitate and reintroduce the storefront. This has been discussed with the Historic District Commission and they do not anticipate issues when an application is received for review.***

OTHER CONSIDERATIONS AND REQUIREMENTS:

Lot Area Requirements and Off-Street Parking (Section J.3.h – Page 4-62)

1. The maximum lot area for a Local Conversion District shall be 20,000 square feet. ***The property is approximately 4388 square feet in area (plus parking lot to the rear).***
2. Minimum parking requirements and lot size requirements shall not apply to this overlay district, however existing on-site parking shall not be reduced unless the remaining parking meets current Ordinance requirements. The Board of Zoning Appeals shall not grant a variance to this requirement. However, upon illustration in a rezoning exhibit, the Mayor and Council, as part of the petition for rezoning, may approve a site design that reduces the amount of existing parking if it finds that to do so is an acceptable step to ensure the adequate landscaping and screening of the use from adjacent properties. ***No parking is proposed; however, the Planning Commission will require the applicant to combine the lot in question with the adjacent parking lot to the rear under same ownership in order to lock in parking for the site.***

Suitability of the Proposed Zoning District.

A Local Conservation Overlay District is permitted use in the RMOD zoning district. ***The principal structure was built prior to March 7, 1977 and the principal structure has been used as a business prior to March 7, 1977. This proposal is consistent with the type of reuse envisioned by staff when they crafted the zoning ordinance that created the local conversion district process. Most importantly, it will lead to re-occupation of a vacant space.***

Compatibility of Existing and Proposed Development.

This proposal is for the continued use of an existing mixed-use building containing 7 dwelling units, 1 office space, and 1 commercial space. The applicant wishes to expand the permitted commercial uses in the front facing commercial artery to include: Bank or credit union (521-522); Business Service Centers (56143) or Quick Printing Services (323114); Bed & breakfast inns (721191), including short-term rental with food service; Catering kitchen for preparation of food for off-site delivery and associated office and storage use (722320); and Retail/wholesale trade (44-45) excluding auto, up to 5000 sq ft in net floor area. May include retail bakeries (311811) and retail confectioneries (311320). It is located along one of the city's major radial city streets in a mostly residential area (RO zoning). The nature of the proposed use, when considering the intended

rehabilitation of the building, and its location are such that the proposed use is compatible with the surrounding area.

Population Change

Not applicable.

Can the site be adequately served with public water and wastewater facilities?

Water and wastewater service currently exist.

The site shall be located adjacent to adequate highway facilities, capable of serving existing and anticipated traffic.

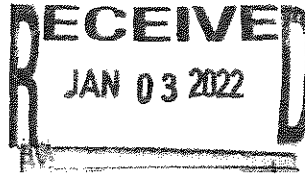
Potomac Street is one of the major arteries that radiates out from the center of the city. The location is two blocks from the downtown City Center with several commercial properties. The front facing commercial artery will change from being vacant to being occupied by a commercial use. There are no identified traffic capacity issues on Potomac Street; therefore, the site is capable of serving existing and anticipated traffic.

Relationship to the Comprehensive Plan.

The property is located just north of the downtown City Center, which has several mixed-use and commercial buildings. The surrounding area, though, is mostly residential in nature with some office uses (zoned Residential Office). Rehabilitating this site would improve the curb appeal in the main corridor that runs into the downtown from the northern edge of town. The 2018 Comprehensive Plan recommends maintaining residential land uses in this neighborhood; however, this local conversion zoning overlay would implement the Plan's recommendation to make buildings more attractive for adaptive reuse.

Site Plan Conditions Recommended by the Planning Commission

- 1. Modifications to the building should be in accordance with the proposal and shall obtain requisite approvals from the Historic District Commission;***
- 2. Combine the two lots in order to ensure parking exists at the site; and***
- 3. Landscaping to be determined at the site plan stage.***



**Local Conversion Overlay Rezoning Application:
245 North Potomac Ave, Hagerstown, MD 21740**

November 05, 2021

Table of Contents

1. Application requesting residential office (RO) space be used for retail operations
2. Survey of Existing (Exhibit A)
3. Site Plan of Proposed (No change to building footprint or exterior)
4. Exterior Rendering of Building (Exhibit B)
5. Photos of Existing (Exhibit C)
6. Specifications of New Commercial Entrance Door (Exhibit D)



CITY OF HAGERSTOWN, MARYLAND

Planning and Code Administration Department

LOCAL CONVERSION OVERLAY REZONING APPLICATION

Submittal Requirements:

- Original Application and 17 copies
- 18 copies of concept plan
- Filing fee (please consult current fee schedule)

Case No. ZM - 2021-02

Office Use Only

Munis # 20220067

APPLICANT INFORMATION: Application may only be made by property owner or his/her authorized agent, or any other person(s) with a 50 % or more contractual or proprietary interest in the area covered by the zoning map amendment application.

Applicant Name: O'Sick Family Trust

Contact Person: John O'Sick

Email: josick@gmail.com

Mailing Address: PO Box 324, Garrett Park, MD 20896

Telephone: 240-863-2407

Fax: _____

OWNER INFORMATION: Owner's Affidavit must be submitted with application, if not the same as applicant.

Property Owner Name: O'Sick Family Trust

Contact Person: John O'Sick

Email: josick@gmail.com

Mailing Address: PO Box 324, Garrett Park, MD 20896

Telephone: 240-863-2407

Fax: _____

All correspondence will be sent to applicant. If the owner also wishes to receive a copy, please check box. ☐

PROJECT INFORMATION:

Project Location (Street Address): 245 N Potomac St, Hagerstown, MD 21740

Tax Map Number: 25014383

Year Built: 1957

Size of Property: 4388 sq ft

Square Footage of Building: 10294 sq ft

Current Use of Building: Mixed - RO, 7 residential units and 2 office units

Proposed Use (Area and types of commercial uses, number of dwellings)

No change to existing office (lower rear of building), or 7 residential one bedroom units. Proposed new use of commercial space facing main artery shall be one of the following, per Land Management Code v3.6 City of Hagerstown, Maryland. Article 4: Zoning Ordinance

- Bank or credit union (521-522).
- Business Service Centers (56143) or Quick Printing Services (323114).
- Bed & breakfast inns (721191), including short-term rental with food service.
- Catering kitchen for preparation of food for off-site delivery and associated office and storage use (722320).
- Retail/wholesale trade (44-45) excluding auto, up to 5000 sqft in net floor area. May include retail bakeries (311811) and retail confectioneries (311320).

Are there existing or enclosed storefronts present? Approval of the Local Conversion Overlay District requires the reopening and reestablishing previously enclosed storefront windows. If construction is required, please provide concept drawings.

Refer to structural rendering showing proposed removal of vinyl siding and replacing with commercial front door consistent with original building.

Describe any proposed additions for outdoor dining and seating area, including fencing, pavers and furniture, and any proposed landscaping.

No exterior additions.

Describe any other proposed improvements to the site intended to improve its condition and appearance for compatibility with the surrounding area.

Security cameras and ambient front lighting added to front of building. No other fencing, landscaping, parking, or other exterior changes.

CONCEPT PLAN:

A concept plan shall be submitted with this application. The concept plan should include the following:

- ☒ A scaled drawing showing the building footprint, the street, and all property lines
- ☒ Any proposed additions (*subject to limitations in City's Land Management Code, Art. 4, Section J.3.1.*)
- ☒ Existing off-street parking spaces, if any
- ☒ Any proposed fencing and landscaping
- ☒ Illustrations showing the general size, location, illumination, and nature of signage
- ☒ Any new site lighting proposed
- ☒ Front elevations of the building, including what the storefront will look like

STATEMENTS:

I understand that zoning approval by the Mayor & City Council or site plan approval by the Planning Commission does not constitute permission to construct. Appropriate permits must be obtained from City of Hagerstown Planning & Code Administration Department before construction may commence. I hereby attest or affirm that all the information provided in this application is correct and true to the best of my knowledge and understanding. **Applicants that are not signed will not be accepted.**

OSICK.JOHN.FRANCIS.12642825
66

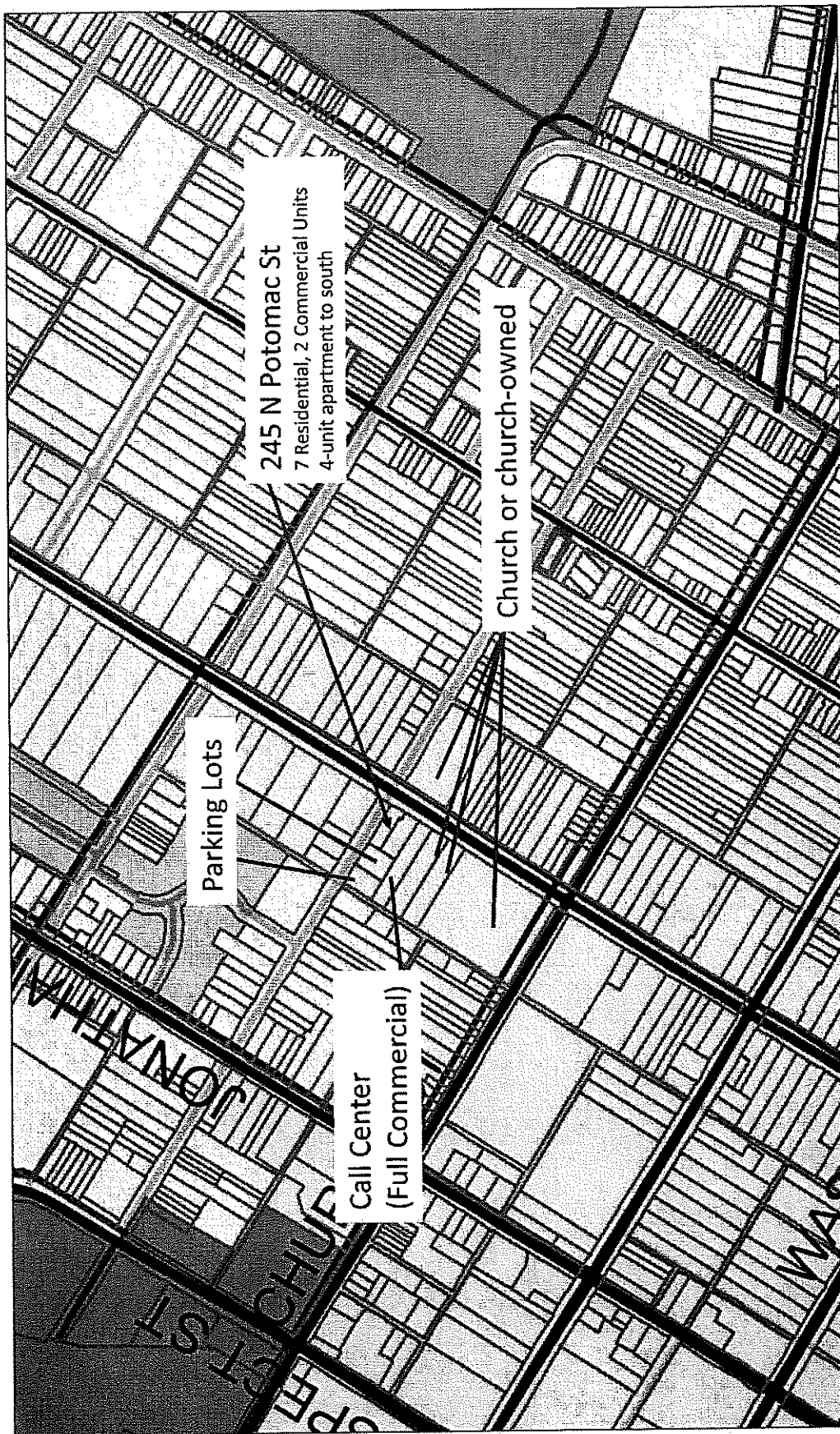
Digitally signed by
OSICK.JOHN.FRANCIS.1264282565
Date: 2021.11.04 16:31:40 -0400

11/04/2021

Applicant's Signature

Date

City of Hagerstown, Maryland
Planning and Code Administration Department
One East Franklin Street, Suite 300
Hagerstown, MD 21740
T | 301.739.8577, Ext. 138
F | 301.790.2650



245 N Potomac St

7 Residential, 2 Commercial Units
4-unit apartment to south

Church or church-owned

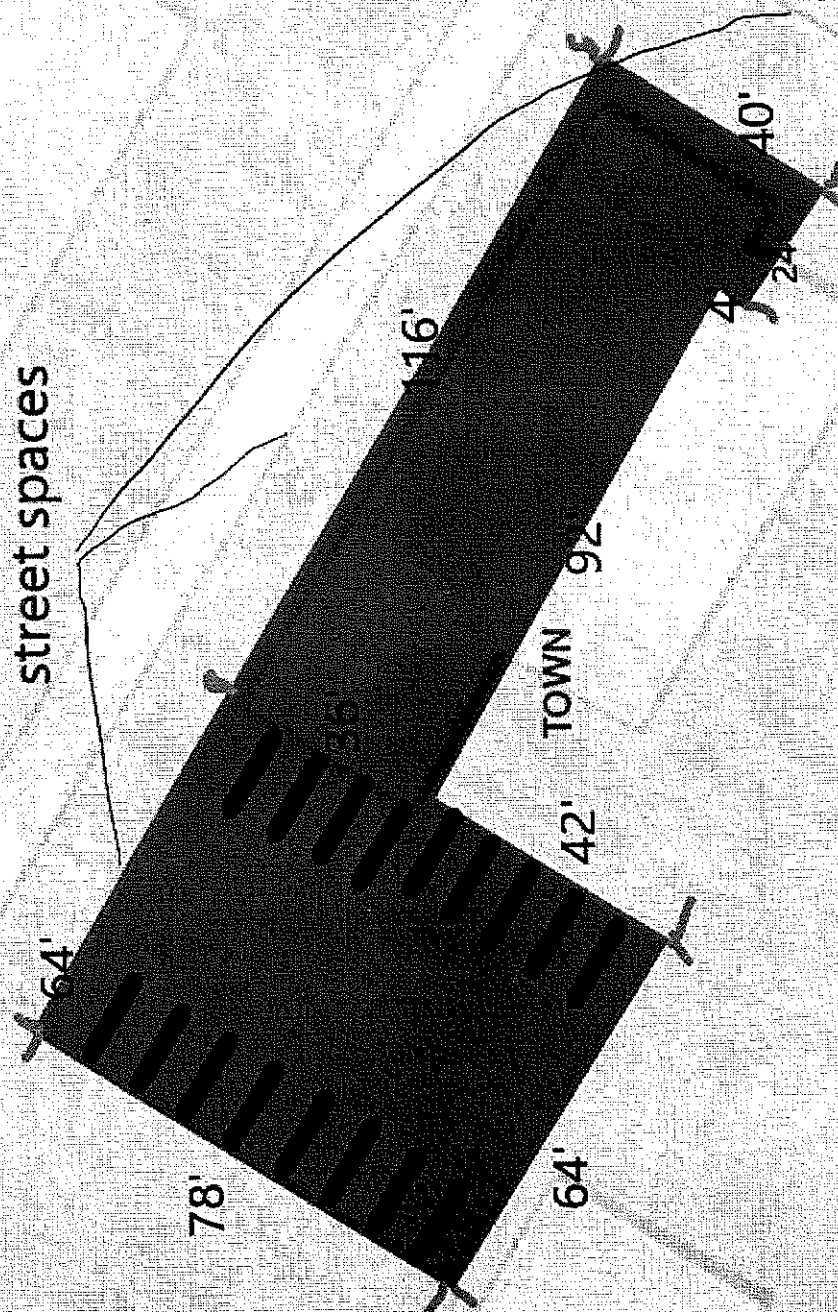
Parking Lots

Call Center
(Full Commercial)

**Affected area outlined red.
36x60'; ground floor only.
No structural changes, no
outdoor seating, no changes
to parking (in rear).**

TOWN

18 Lot Spaces + 8
street spaces



A-1

HOUSE LOCATION DRAWING 245 North Potomac Street, Hagerstown Md. for

The O'Sick Family Trust u/a/d February 1, 2019

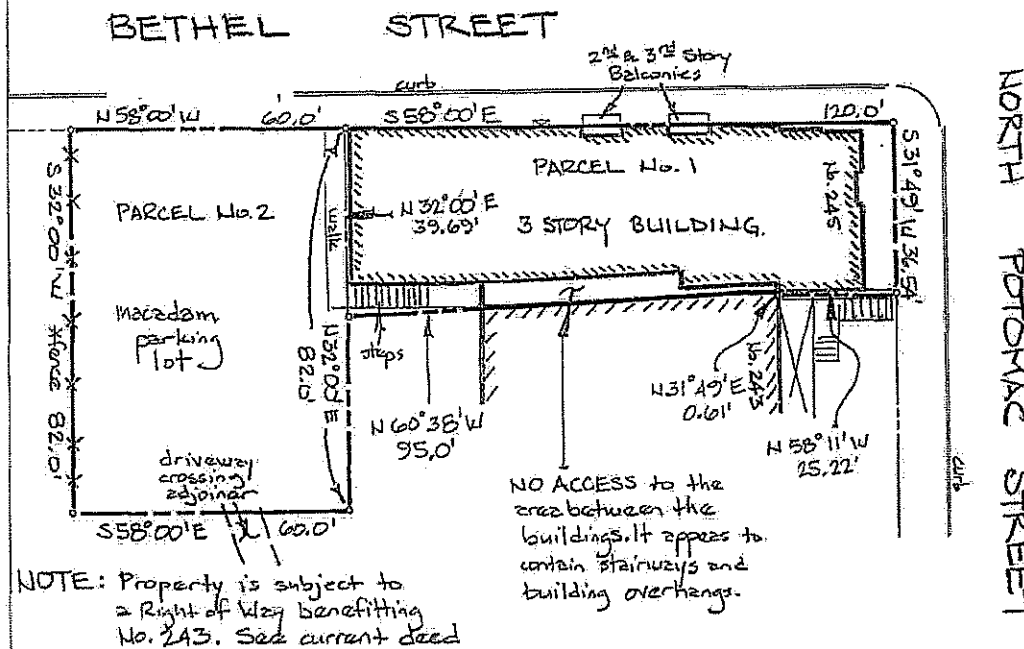
This parcel does not lie in the 100 year flood plain, FEMA Flood Insurance Rate Map,
Community Panel No. 24043C0139D, effective August 15, 2017, Flood Zone X.

SURVEYOR'S CERTIFICATION

I hereby certify that the dwelling and/or improvements shown hereon are within the metes and bounds of the lands conveyed by HAG LLC, to RSST Investments LLC, by deed dated August 14, 2018, recorded in the Land Records of Washington County, Maryland, in Liber 5825, Folio 486, and that the improvements shown hereon were located by accepted field practices and include permanent visible structures and surface encroachments if any that exist on the subject property at the date of survey, August 13, 2020. This drawing is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing, and is not to be relied upon for the establishment, or location of fences, garages, buildings, or other existing or future improvements, and does not provide for the accurate identification of property boundary lines, but this identification may not be required for the transfer of title or securing financing or refinancing, and as to them I warrant the accuracy of this plat. No title report furnished.

Professional Certification: I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed professional land surveyor under the laws of the State of Maryland, License No. 10731, Expiration Date, January 16, 2022.

Frederick Seibert



*The fence lines shown on this drawing may not coincide with the property lines.
If exact fence locations are needed a full boundary line survey will be required.

- THIS DRAWING CANNOT BE RELIED UPON BY ANYONE TO SHOW WHERE THE PROPERTY'S BOUNDARIES ARE. THE ONLY PURPOSE OF A LOCATION DRAWING IS TO PROVIDE SOME ASSURANCE THAT THE IMPROVEMENTS ARE LOCATED ON THE PROPERTY.
- THIS DOCUMENT IS FOR THE SOLE BENEFIT AND USE OF THE PARTIES NAMED HEREIN AND IS NOT TO BE PUBLISHED OR RECORDED WITHOUT THE EXPRESS WRITTEN CONSENT OF FREDERICK, SEIBERT AND ASSOCIATES, INC.

TAX MAP: 306 0 36	DISTRICT: 25
DRAWING NUMBER: 01 OF 01	
DRAWN BY: DHH/JTK	DATE: 8/18/2020
CHECKED BY: JTK	DATE: 8/18/2020
SCALE: 1" = 30'	

**FREDERICK
SEIBERT &
ASSOCIATES, INC.**



© 2020

CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS • ENVIRONMENTAL

128 SOUTH POTOMAC STREET, HAGERSTOWN, MARYLAND 21740
20 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225
101 NORTH HANOVER STREET, CARLISLE, PENNSYLVANIA 17013

(301) 791-3050

(301) 410-7478

www.fsa-inc.com

(717) 597-1007

(717) 701-8111

JOB NUMBER:
HL-21401.2

A-2

HOUSE LOCATION DRAWING
245 North Potomac Street, Hagerstown Md.
for

The O'Sick Family Trust u/a/d February 1, 2019

This parcel does not lie in the 100 year flood plain, FEMA Flood Insurance Rate Map,
Community Panel No. 24043C0139D, effective August 15, 2017, Flood Zone X.

SURVEYOR'S CERTIFICATION

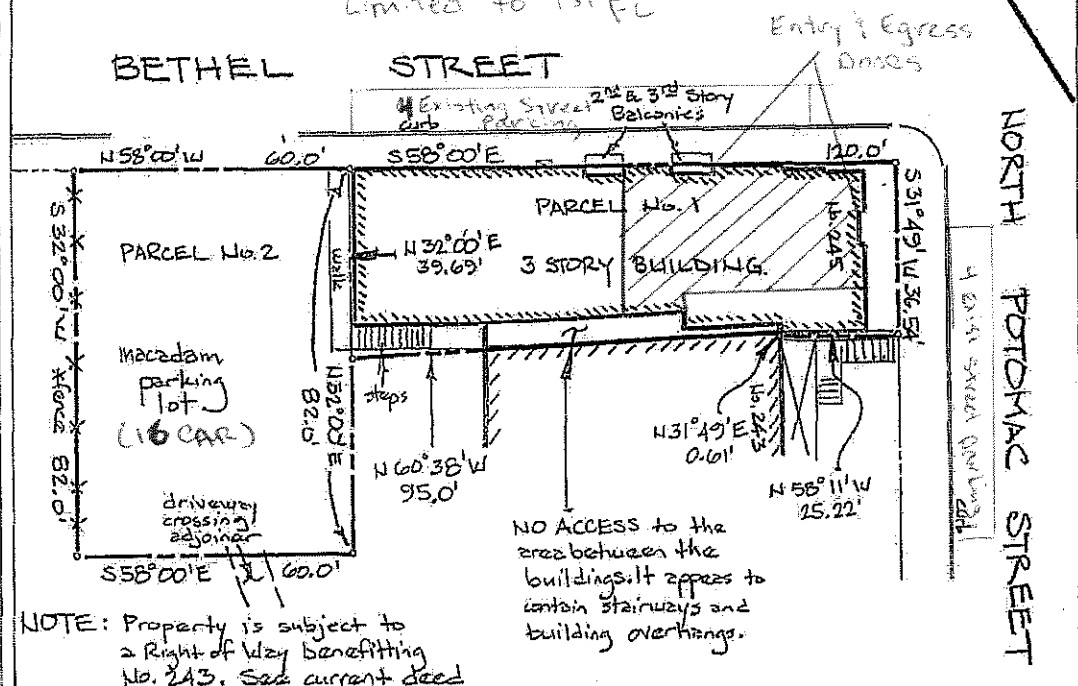
I hereby certify that the dwelling and/or improvements shown hereon are within the metes and bounds of the lands conveyed by HAG LLC, to RSST Investments LLC, by deed dated August 14, 2018, recorded in the Land Records of Washington County, Maryland, in Liber 5825, Folio 480; and that the improvements shown hereon were located by accepted field practices and include permanent visible structures and surface encroachments if any that exist on the subject property at the date of survey, August 13, 2020. This drawing is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing, and is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements; and does not provide for the accurate identification of property boundary lines, but this identification may not be required for the transfer of title or securing financing or refinancing, and as to them I warrant the accuracy of this plot. No title report furnished.

Professional Certification: I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed professional land surveyor under the laws of the State of Maryland, License No. 10731, Expiration Date, January 16, 2022.

Frederick Seibert



Scope of Change
Limited to 1st FL



NOTE: Property is subject to a Right of Way benefitting No. 243. See current deed

*The fence lines shown on this drawing may not coincide with the property lines. If exact fence locations are needed a full boundary line survey will be required.

THIS DRAWING CANNOT BE RELIED UPON BY ANYONE TO SHOW WHERE THE PROPERTY'S BOUNDARIES ARE. THE ONLY PURPOSE OF A LOCATION DRAWING IS TO PROVIDE SOME ASSURANCE THAT THE IMPROVEMENTS ARE LOCATED ON THE PROPERTY.
THIS DOCUMENT IS FOR THE SOLE BENEFIT AND USE OF THE PARTIES NAMED HEREIN AND IS NOT TO BE PUBLISHED OR RECORDED WITHOUT THE EXPRESS WRITTEN CONSENT OF FREDERICK, SEIBERT AND ASSOCIATES, INC.

TAX MAP: 306 0 36	DISTRICT: 25
DRAWING NUMBER: 01 OF 01	
DRAWN BY: DHM/JTK	DATE: 8/18/2020
CHECKED BY: JTK	DATE: 8/18/2020
SCALE: 1" = 30'	

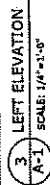
FREDERICK
SEIBERT &
ASSOCIATES, INC.



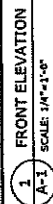
© 2020

CIVIL ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS • LAND PLANNERS • ENVIRONMENTAL
128 SOUTH POTOMAC STREET, HAGERSTOWN, MARYLAND 21740
20 WEST BALTIMORE STREET, GREENCASTLE, PENNSYLVANIA 17225
101 NORTH HANOVER STREET, CARLISLE, PENNSYLVANIA 17013
(717) 791-2550 (717) 416-2478 www.fsa-md.com (717) 993-1007 (717) 791-2111

JOB NUMBER:
HL-21401.2



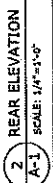
Signage in large windows. Not to protrude past building lines.




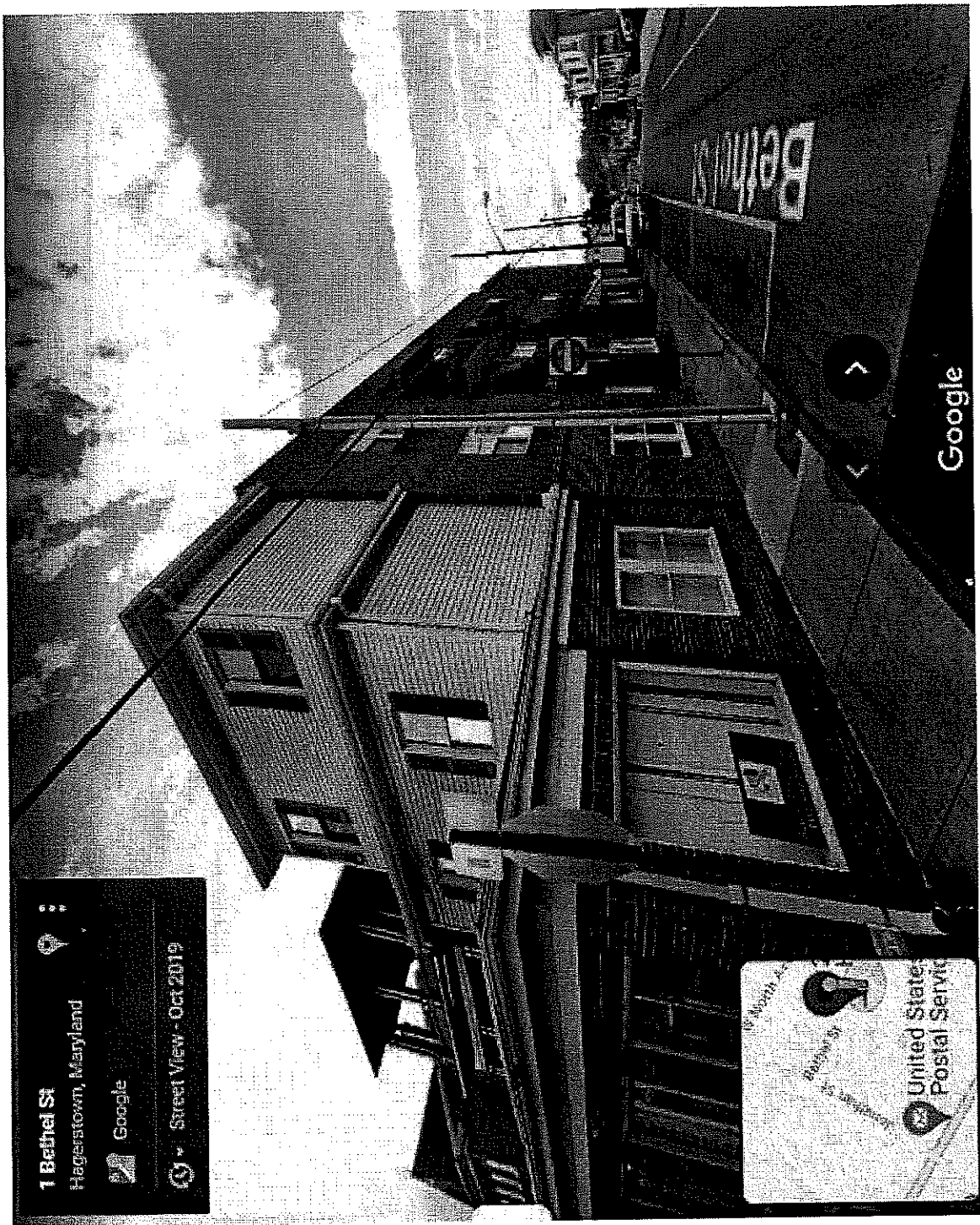
Scope of building changes:
Front Door Returned to original
commercial glass front.

2 front down lights added
above two front windows

Signage not to extend left or right of
front windows or beyond front roof eave



	
PROPERTY INFORMATION	
PROJECT LOCATION:	
245 NORTH KOTOMAC STREET, HAGERSTOWN, MD, 21740	
BLOCK	
LOT	
SECTION	
DRAWING ELEVATIONS	
DRAWING TITLE	
SHEET	1 OF 1 SHEETS
PAGE	
DATE	CADWALP & INC.
BY	CHUCK WY 1-7N
A-1	
DOCS AND PERMITS SECTION	



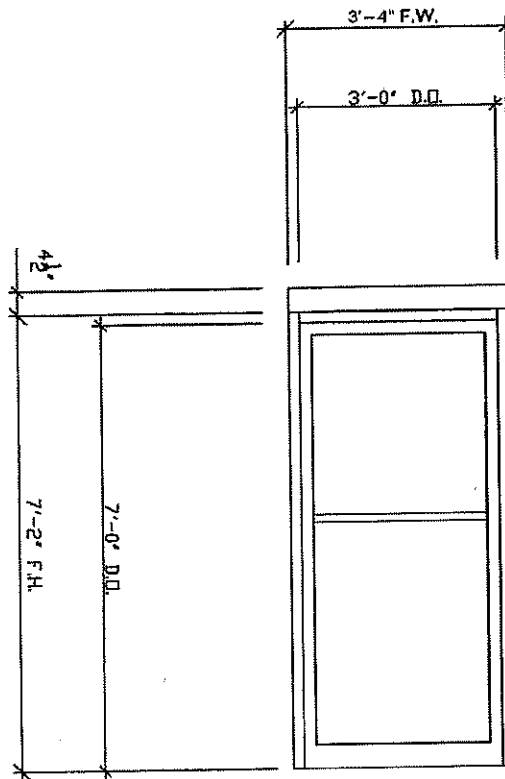
C-2



C-3



**PDL Building Products
3070 Standard Pre-assembled Storefront System**



3070 Standard Pre-assembled Storefronts Include The Following Components:

Vistawall Parts Included:

- 212 Narrow Stile Door
- 3000 Series Frame 2" x 4 1/2"
- Adams Rite 1850-A-505 Lock
- CY-1 Cylinder
- PH-10 Pull Handle
- PH-11 Push Bar
- Standard Offset Pivot Assembly
- Standard 1/2" x 4" Threshold

PDL Assembly Included:

Glazing Options:

- Glass Shall Either be 1" Insulated or 1/4" Tempered
- Clear or Tinted Glass in Either Option is Available
- Glazing Stop Sections shall have a .050" Wall Thickness
- All Units shall be Dry Glazed with Extruded Pressure Fitting Aluminum Glazing Stops and Rubber Gasket

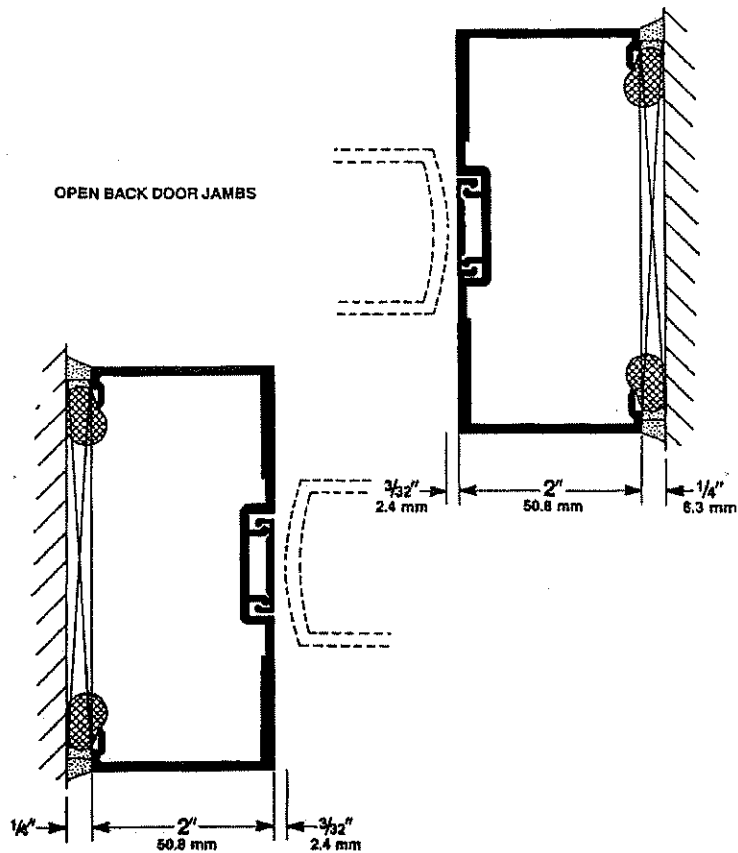
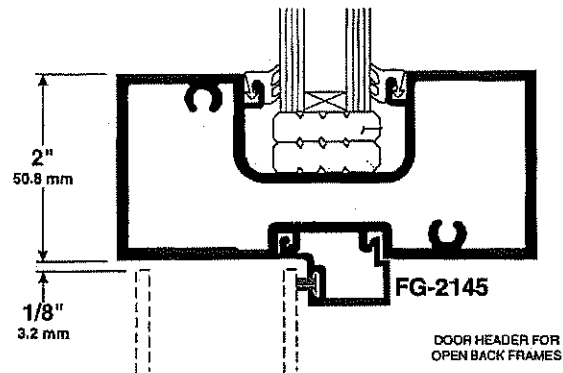
Hardware:

- Dorma 7400 Series Closer – Grade 1 with Standard Duty Parallel Arm
- Door Sweep with Drip Cap

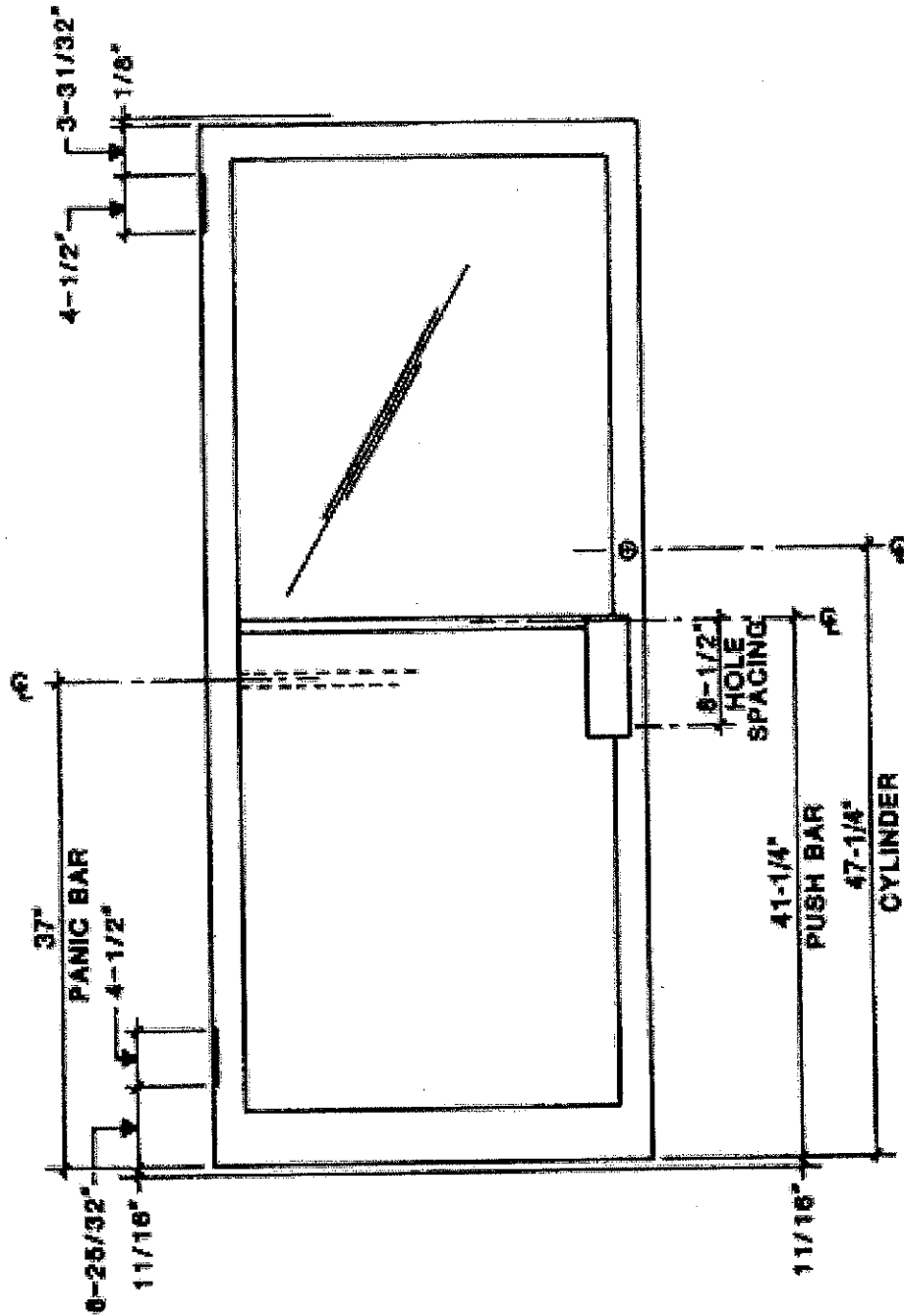
Packaging:

- The Entire Door Order is Packaged in a Heavy Duty Wooden Crate that has been Adapted for Fork Lift Handling
- All Fasteners and Anchors Included for Complete Installation

Storefront Frame Detail



Standard Hardware Locations





Dorma 7400 Series Closer – Grade 1 Heavy Duty

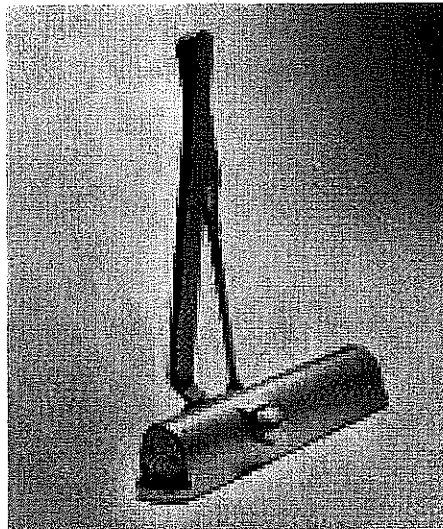
Certification: Listed by U.L. and C.U.L. under their reinspection programs. Meets the requirements for UL10C and UBC 7.2 (1997) for positive pressure.

Specification: All heavy-duty closers shall be hydraulic surface applied rack and pinion closers. The closer has two independent valves to separately control sweep and latch closing speeds and provide constant speeds when temperatures change. Standard with backcheck to provide cushioning effect in opening.

Standard placement allows opening to 110°, closer allows maximum opening to 180°. When ordering, must specify degree of opening if other than to a maximum of 110°.

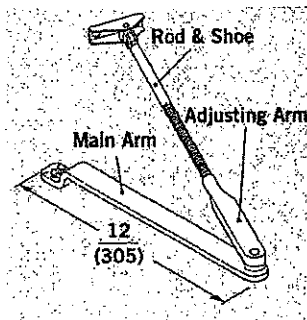
Finish: Sprayed aluminum (689)/AL

Warranty: 25 years



Standard Duty Arm Features:

Parallel arm, backcheck



PRE-ASSEMBLED GLASS STORE-FRONT DOOR SPECIFICATIONS

Door & Frame Material

All aluminum components shall be extruded and are a 6063-T5 alloy and temper. All exposed fasteners shall be either aluminum or stainless steel. Major portions of the door sections shall have a .125" wall thickness. Door stiles shall be no less than 2 1/8" wide (not including glass stops). Door stiles and rails shall have hairline joints at corners. Heavy concealed reinforcement brackets shall be secured with screws and shall be deep penetration and fillet welded.

All doors shall have an adjusting mechanism in the top rail to provide for minor clearance adjustments. Weatherstripping shall be wool pile and shall be installed in one stile of pairs of doors and in jamb stiles of center pivoted doors. Doorstops shall include wool pile weatherstripping.

Glazing

The glass shall either be 1" insulated tempered or 1/4" tempered monolithic.

Glazing stop sections shall have a .050" wall thickness. All units shall be dry glazed with extruded pressure fitting aluminum glazing stops and rubber gasket.

Anodized Finish

All exposed areas shall be finished with a Class 1 electrolytically deposited color either in clear anodized or dark bronze anodized.

Subframing

The SUBFRAMING creates a framed opening and consists of two galvanized steel, 16 gauge C-channels that matches the girt depth for the building. They are factory installed and can be prepared to meet most any application (curbs, wainscot).

Standard Hardware & Components

The THRESHOLD is factory installed, is 4" wide and is extruded aluminum. It is saddle shaped and does not exceed 1/2" in height which meets ADA requirements. The finish is mill.

The HINGES are a pair of "offset pivots" and are composed of cast aluminum. There is an oilite bronze bushing in the top frame portion. The spring-loaded pin in the top door



portion is case hardened. The bottom door portion utilizes a full race ball bearing. There is a case hardened stud in the floor/jamb portion that has a 1/8" vertical adjustment. This is a handed pivot set. The finish is either baked satin aluminum paint or baked storefront bronze paint.

The MORTISE LOCK CYLINDER is 1-5/32" in diameter and has five pins. It is furnished with a standard 3/16" cylinder ring and comes with a standard MS type cam. The standard cylinder is key operated from the outside. The cylinder face is in either anodized satin aluminum or bronze. The core face and key have a US26D finish.

The PUSH/PULL set is factory installed. The pull handle is 10" high x 3" wide and projects 1-9/16" from the face of the door. The push bar is 33" wide and 1" wide and projects 1" from the face of the door. The handle set is secured to the door with hex bolts and thru bolts. Fasteners are concealed, where possible. The finish is clear or bronze anodize.

The CLOSER is surface mounted and is a grade 1. It has adjustments for the closing and latch speeds as well as an adjustment for the backcheck. It comes in a dark duranodic bronze sprayed finish.

A standard pair of doors (6070) will include a top and bottom FLUSH BOLT in the inactive door leaf. This will provide two-point locking for that leaf in addition to the active leaf, which also locks into the inactive leaf. This flush bolt utilizes a positive U-joint actuator with a 5/8" throw. The top of the bolt has a square nylon tip with beveled corners that fits into a 1/2" square hole. The finish is either baked satin aluminum paint or baked storefront bronze paint.

All of the FASTENERS required for the installation of the pre-assembled door are included. The fasteners included are (4) 1/2" x 2 1/4" hex head sleeve anchors, (3) 1/4" x 2" flat head sleeve anchors and (18) #10 x 1" hex head tek screws.

Packaging

The entire door system is packaged in a heavy-duty wooden crate that has been adapted for forklift handling. A bubble packet on the door includes keys for the mortise lock cylinder, all fasteners required for installation and information on the closer.

Conformance Standards

With the door closed and locked, the unit has been tested in accordance with ASTM E 283 at a static air pressure difference of 1.57 psf. Air infiltration shall not exceed .50 cfm per foot of perimeter crack length for single doors.

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Conversion District Overlay at 535 Summit Avenue (Surrey School) ~ *Stephen Bockmiller, Development Review Planner/Zoning Administrator*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:


File Name

Description

Conversion_Overlay_District_at_535_Summit_Avenue_(Surrey_School).pdf	535 Summit Avenue
--	-------------------

MEMORANDUM

TO: Scott Nicewarner, City Administrator

FROM:  Stephen R. Bockmiller, AICP, Development Review Planner/Zoning Administrator

SUBJECT: Conversion Overlay District – 535 Summit Avenue (Surrey School), ZM-2022-01

DATE: June 2, 2022

The record has been kept open for 10 days following the May 24th meeting. Materials must be submitted by the end of June 3. Attached are the only comments received to date: 1) Email correspondence from project engineer Fred Frederick and 2) Supplemental memorandum from William Wantz, counsel for the applicants. Staff provides the following notes, analysis and clarifications for your consideration.

Parking Requirements:

It is not required for the concept plan for an overlay to show full compliance with current parking requirements. The rezoning exhibit is a generalized plan. The site plan to follow, which is the more detailed plan, must be in substantial conformance with the exhibit approved by the Mayor and Council, and compliant with the Zoning Ordinance. Compliance with the Zoning Ordinance could come in the form of 1) providing all parking on site for all uses, 2) providing a smaller amount of parking approved by the Planning Commission based on mixture and overlapping of uses, or 3) a smaller amount permitted per a parking variance approved by the Board of Zoning Appeals.

If a rezoning exhibit were required to show all parking as required for all uses, the provision in the Ordinance to allow for the Planning Commission to adjust the numbers would be pointless. It would also deprive the applicant the ability to apply for a variance from the Board of Zoning Appeals, if they find it necessary.

With that said, the Mayor and Council has the authority to place conditions on the rezoning (if it is approved) that addresses parking issues. For example, it may place a condition on the rezoning that requires all parking to be provided on site. But, if the elected body is going to wade into the details of this issue and not leave it to the process (Planning Commission or Board of Zoning Appeals) to work itself out, any language in a condition must be precise. To do otherwise invites confusion and delay. Mr. Wantz has provided some additional legal analysis of this issue in his supplement received today.

Based on the testimony provided by Ms. White, the applicant's traffic engineer, the data seems to suggest that 80 parking spaces would be "over-parking" this use, and reduction is in order. It is my analysis that, if presented to the Planning Commission, solid justification can be made for reducing the required amount of on-site parking based on overlapping uses. However, this is where the Planning Commission's authority ends. If the applicant finds they need more of an adjustment than can be justified by compensating for overlapping uses, they would need to apply to the Board of Zoning Appeals for a variance for further reduction. The same data could be presented to the Board of Zoning Appeals to bolster a variance request.

Ultimately, the Mayor and City Council will need to decide whether to let the relief mechanisms built into the Zoning Ordinance run their courses and address this issue separately, or decide for itself what constitutes a minimum appropriate amount of on-site parking for this use. If they choose the latter, any condition placed on the rezoning associated with this issue should be clearly and succinctly framed so as not to invite interpretation or confusion.

Regarding the use of on-street parking on Summit Avenue and Virginia Avenue, Ms. White's analysis shows that typical demand for parking in this facility at any given time would be about 50-60 cars. If 60 spaces are provided on-site, then it would appear that overflow parking onto the adjacent streets would be occasional when the hotel is at full occupancy and the accessory uses are being conducted.

Additional Traffic on Summit Avenue:

Additional traffic coming onto Summit Avenue seemed to be the primary concern of those who commented. No one has expressed opposition to the use in principle.

According to City-held data, average daily traffic on Summit Avenue in 2016, one block south of this site, was 1,110 trips per day. A "trip" is considered each time a vehicle passes a point. This means each visitor or employee entering and leaving a site will account for two trips (one arriving and one leaving).

According to data provided by the applicant's traffic engineer, the combination of uses would generate a total of 511 trips per day to/from the site using all three parking areas. The consultant expects the combination of uses and split parking facilities to generate 332 additional trips (or about 166 round trips) per day on Summit Avenue, for an increase of 30% percent over the 2016 traffic count, but would still be 57.7% of the amount of traffic that would have to be present in order for the City Engineer to question the street's status as a local street.

The highest peak hour figure is 35 trips to and from the site in the PM peak hour. This is spread across both Virginia Avenue and Summit Avenue, and accounts for, on average, one new trip about every two minutes during the highest peak hour for all entrances. As the name denotes, volume would be far less than one trip each two minutes during non-peak hours. Please see the adjoining graph depicting the expected daily traffic increase above the 2016 traffic count on Summit Avenue and remaining capacity for a designated local street.

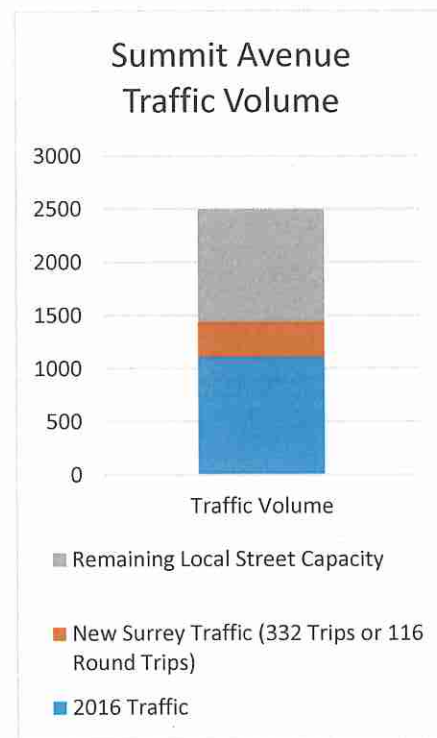
See attached data from Nicole White, the Applicant's Traffic Engineer.

Which Rezoning Exhibit Applies?

The exhibit as it appeared in the Mayor and City Council's packet is the official exhibit to be considered. At the public hearing on the 24th, the applicants provided multiple alternative concepts adjusting parking quantities in response to concerns raised from the neighborhood and City staff. They could be considered alternatives should the Mayor and Council determine that the plan, as originally proposed, is problematic regarding the potential for parking conflicts in the neighborhood. Staff did not see these additional concepts before your public hearing.

Text Amendments:

The text amendments generated by this proposal that clarified building additions could be occupied and outdoor uses other than parking can be considered that were adopted by the Mayor and City Council went into effect on April 24. There is no regulatory issue with outdoor uses or use of the additions.



Stephen Bockmiller

From: Nicole White <nwhite@symmetradesign.com>
Sent: Thursday, June 2, 2022 9:46 AM
To: Stephen Bockmiller
Cc: Fred M. Frederick; Kathleen Maher; Kelvin Robinson; Alexis McKinney; Valerie Sanderlin; William Wantz
Subject: RE: Surrey Hotel

ATTENTION! This message originated from an **external source**. Please use proper judgment and caution when opening **attachments, clicking links, or responding** to this email. Any claims of being a City official or employee **should be verified** and not assumed to be true. Please contact the IT department if you have any questions or concerns about this email or its contents.

Mr. Bockmiller,

Please see responses below to your questions regarding daily traffic associated with the proposed Surrey Hill Hotel:

1. What is the total trips generated per day for all the combinations of uses on site?

There are 511 total daily site trips (combined inbound and outbound) projected to be generated by the Surrey Hill Hotel. This includes a 30% internal trip capture reduction associated with the restaurant since some restaurant trips are expected to be generated from guests staying at the hotel (Source: Garrett Hotel Consultants). Daily trips are shown in the following table.

Vehicle Trips				
	Daily Trip Generation			
	Units/SF	IN	OUT	TOTAL
High-Turnover (Sit-Down) Restaurant - ITE LU 932	70 Seats	153	153	306
Spa – ITE LU 918	5,500 SF	40	40	80
Hotel – ITE LU 310	26 Rooms	109	108	217
Internal Trip Capture (Hotel/Restaurant) – 30%		-46	-46	-92
Total		256	255	511

2. How much would they attribute to coming and going from Virginia Avenue and coming and going from Summit Avenue as the plan currently is configured?

Approximately 65% of traffic is expected to use Summit Avenue, whereas 35% of traffic is expected to use Virginia Avenue. The distribution of traffic was based on the approximate distribution of parking spaces accessed from Summit Avenue (35 spaces[58%]) vs Virginia Avenue (25 spaces[42%]) and then adjusted slightly considering the

expected use of parking on site (i.e. Virginia Avenue: spa patrons + hotel/restaurant employees + service related trips; Summit Avenue: hotel + restaurant guests). This equates to the following additional daily traffic:

Summit Avenue: 332 daily trips

Virginia Avenue: 179 daily trips

Please let us know if you need anything else.

Regards,
Nicole

Nicole A. White, P.E., PTOE
Principal
Symmetra Design
727 15th Street, NW
12th Floor
Washington, DC 20005
202.370.6000
m. 240.375.4752

From: Nicole White
Sent: Wednesday, June 1, 2022 11:16 PM
To: Stephen Bockmiller <SBockmiller@hagerstownmd.org>
Cc: Fred M. Frederick <FFrederick@fsa-inc.com>; Kathleen Maher <KMaher@hagerstownmd.org>; Kelvin Robinson <krobinson@symmetradesign.com>
Subject: RE: Surrey Hotel

Hello Mr. Bockmiller,

I received your request from Fred last week. I thought you needed the information by Friday. Thank you for the clarification about the timeline.

We will get the numbers out to you in the morning.

Regards,
Nicole

From: Stephen Bockmiller <SBockmiller@hagerstownmd.org>
Sent: Wednesday, June 1, 2022 3:35 PM
To: Nicole White <nwhite@symmetradesign.com>
Cc: Fred M. Frederick <FFrederick@fsa-inc.com>; Kathleen Maher <KMaher@hagerstownmd.org>
Subject: Surrey Hotel

Hello Ms. White...

We at staff level have to have our materials for the next mayor and council meeting in their computer system by midday tomorrow (Thursday).

That is different for the applicant and any other parties, who have the full 10 days.

I am trying to boil some of this traffic issue down to the simplest terms. For this, I asked Fred Frederick last week for two data points:

1. total daily trips for this mix of uses to/from the site, and
2. a break down of what percentage of that would be Summit Avenue and via Virginia Avenue.

This is so we can come up with a number of what would be the new additional ADT this development, as configured, would add to Summit Avenue.

Peak hour figures are good from an engineer's perspective, but I think the neighbors and the elected body are asking themselves "how many additional trips will this put on Summit Avenue on any given 24 hour period?"

Given that I have about another half day of available time to put into the system what I intend to, could you get me those two data points by tomorrow AM, so I can incorporate them into my memo?

Thanks.
Steve

Stephen R. Bockmiller, AICP
Development Review Planner and Zoning Administrator
Planning and Code Administration Department
City of Hagerstown, Maryland
Room 300, City Hall
1 East Franklin Street
Hagerstown, MD 21740
Phone: 301-739-8577 x 139
Email: sbockmiller@hagerstownmd.org
Department Website: www.hagerstownplanning.org
General City Government Website: www.hagerstownmd.org



Planning and Code Administration Department
Committed to Safety, Dedicated to Partnership and Progress
Follow PCAD on Social Media!



DISCLAIMER: All City of Hagerstown email recipients are cautioned that messages sent and received via the City's email system may be considered public record pursuant to the Maryland Public Information Act, and may be subject to inspection and copying by the public.

MEMORANDUM

WILLIAM WANTZ, COUNSEL FOR APPLICANT

RECEIVED JUNE 2, 2022

Application of: * ZM 2022-01
*
SURREY, LLC *

Surrey, LLC submits this post-hearing Memorandum for inclusion in the hearing record. The purpose of this Memorandum is to address matters raised at the public hearing.

Summit Avenue is a two-way public street having a width from curb-face to curb-face of forty (40) feet. The portion adjacent to the school is wide, straight and level, with no visual obstructions. The entrance to the hotel along Summit can be effectively identified by appropriate signage.

The Applicant submitted expert testimony regarding traffic counts along Summit Avenue, demonstrating that traffic accessing the Subject property along Summit would not create or contribute to any unsafe vehicular or pedestrian traffic conditions. Based on low levels of existing and proposed traffic, the City Engineer advised that the project would not require a traffic study.¹

¹ Email from Rodney Tissue to Nicole White, April 21, 2022

Opponents elected not to offer the testimony of any traffic expert, provided no data, and instead presented only generalized and speculative concerns.

The insufficiency of reliance on generalized fears and concerns has been addressed in several Maryland appellate court zoning decisions:

"Thus, the testimony of the neighbors in this respect, which neither contradicts nor rebuts that of the experts in planning and zoning, amounts to nothing more than a generalized fear unsupported by facts or reasons. It does not constitute probative evidence on the question of adverse effect. ... Unsupported statements...amount to nothing more than the expression of vague and generalized fears."
Anderson v. Sawyer, 23 Md. App. 612, 622 (1974)

Maryland's zoning jurisprudence requires more than the expression of unsubstantiated concerns:

"As we have noted, there is no evidence that those feared conditions presently exist, nor indeed that there is more than a possibility (as opposed to probability) that they will ever exist. Under the circumstances such fears cannot be deemed substantial or probative evidence supporting the Board's denial of the special exception."
Montgomery County v. Merlands Club, 202 Md. 279, 291-292, 23 A.2d 353 (1953)."
Miller v. Kiwanis Club of Loch Raven, Inc., 29 Md.App. 285, 296 (1975)

To the same effect, Maryland Courts have observed:

"While zoning agency bodies then are not bound by strict rules of evidence, their decisions must be supported by substantial evidence on the record.
Rockville Fuel, supra. 'Zoning is not a plebiscite' and therefore testimony in opposition restricted solely to lay witnesses, petitions of objection to the proposal by residents, and testimony amounting to unsupported dislike and fear of (a) project, '... amounted to no evidence at all.' *Rockville*

Fuel, supra, (257 Md. pps. 192 and 193 (262 A.2d 499))." *Entzian v. Prince George's Cnty.*, 32 Md. App. 256, 262-63 (1976)

See also, *Dill v. Jobar Corp.*, 242 Md. 16, 22 (1966) (fear of increased traffic, rezoning case); *Miller v. Abrahams*, 239 Md. 263, 268 (1965) (rezoning case in which "the protestants' testimony consisted mostly of expressed fears as to what might happen in the future"); *Bd. of Zoning Appeals of Howard Cnty. v. Meyer*, 207 Md. 389, 399-400 (1955) (objections "largely suppositional"); *Moseman v. Cnty. Council of Prince George's Cnty.*, 99 Md.App. 258, 265 (1994) ("generalized fears"); *Mayor & City Council of Baltimore v. Foster & Kleiser*, 46 Md.App. 163, 171-72 (1980) ("unspecific and unsupported protestations and concerns").

The traffic concerns raised at the hearing are addressed by the data and analysis submitted.

Summit Avenue Entrance

During the public hearing, a resident at the corner of Reynolds and Summit Avenue expressed support for the Applicant's project, but objected to the use of Summit Avenue as the main entrance to the proposed hotel. The resident seeks to deny the Applicant access to Summit Avenue.

Under the prevailing law of Maryland, the requested accommodation would abridge property rights to which the Applicant is justly entitled:

"It is well settled that an abutting owner has a right of ingress and egress to a public street, of which he can only be deprived by action of the public authorities in the general public interest. See 10 McQuillan, *Municipal Corporations* (3d ed.), secs. 30.54 and 30.63; Tiffany, *Real Property* (3d ed.), §927; *Chesapeake & P. Tel. Co. of Baltimore v. Mackenzie*, 74 Md. 36, 49, 21 A. 690; *Donovan v. Pennsylvania Co.*, 199 U.S. 279, 302, 26 S.Ct. 91, 50 L.Ed. 192; *Anzalone v. Metropolitan District Commission*, 257 Mass. 32, 153 N.E. 325, 47 A.L.R. 897. Deprivation of access cannot be predicated upon a serving of the private interests of other abutters." *Alan Const. Co. v. Gerding*, 209 Md. 71, 75 (1956) (emphasis supplied)

Concurring with the holding in *Alan Const. Co. v. Gerding*, *supra*, the Maryland Court of Appeals further opined:

"The right of access is firmly established, *Webb v. Baltimore & Ohio R. Co.*, 114 Md. 216, 79 A. 193; *Huebschmann v. Grand Co.*, 166 Md. 615, 172 A. 227; and it may include the right to cut a curb. *Alan Construction Co. v. Gerding*, 209 Md. 71, 120 A.2d 353. See McQuillin on *Municipal Corporations*, 3d Ed., Vol. 10, paragraph 30.63, and *American Law of Property*, Vol. II, paragraph 9.54." *Hillyard v. Chevy Chase Village*, 215 Md. 243, 247 (1958) (emphasis supplied)

As noted above, the Maryland Court of Appeals found McQuillin's treatise instructive, in which the author explains the legal foundation of the right:

"In most jurisdictions this right of access is held to be a proprietary right, an easement in the street attached to the estate or ownership of property abutting on a street or alley. It is an incident of ownership of property adjoining a street, usually independent of the fee title to the bed of the street, although there is authority to the contrary, and not shared with the public at large. It is property which cannot be appropriated to the use of the public without compensation, unless a suitable alternative remains or is provided. The

right of access is said to appertain to the property of the abutting owner; it is the owner's right of free passage between his or her property and the street so that the owner may go upon it to exercise his or her public right of travel and then return. The right of access passes with a conveyance of the land. Furthermore, one who holds an easement running to a public street enjoys the same rights of access as an owner of land adjoining the street. Therefore, a city cannot deprive property holders of the right of access, nor may the right be unreasonably impaired." McQuillin, The Law of Municipal Corporations, § 30:64 (3d ed.) (footnotes omitted; emphasis supplied)

There has been no evidence provided at the public hearing to indicate that present or anticipated traffic levels along Summit Avenue would justify denial of access in the general public interest.

Off-Street Parking

A few witnesses at the recent public hearing expressed concerns about street parking. Although many of the homes in the neighborhood are served by off-street parking in driveways, garages, alleys and parking pads, some are not. A Summit Avenue resident was inconvenienced by not having access to an available parking space closer than one and one-half blocks from his residence.²

² Events in City Park may result in occasional parking inconvenience along nearby streets. Sunday evening band concerts have become very popular. By Sunday evening, most weekend hotel guests would have checked out, opening spaces at the hotel for Sunday evening diners. Rather than parking in City Park or along Virginia Avenue, some concert attendees may mitigate parking congestion along local streets by opting to dine at the restaurant, and then walking over to the bandshell after dinner, utilizing off-street restaurant and hotel parking spaces which do not exist today.

The evidence in the record of this rezoning quantifies the actual neighborhood parking space usage, indicating that between 74 and 77% of the on-street parking spaces remained consistently vacant during multiple weekday, evening and weekend counts.³

An integral component of the Conversion district process allows shared-use Conversion district projects to be granted a variation or waiver by the Planning Commission of full compliance with the off-street parking requirements in Section O of Part 4 of the Land Development Ordinance (the "Ordinance")

Section J of the Conversion district regulations provides:

"Off-street parking shall be as required under Section O, except that during review of the site plan, the Planning Commission may permit variation from the number of spaces required, provided such variation relates to the shared use of the parking spaces and is consistent with the approved conversion district concept plan and the special design requirements of this district."

Because the Surrey project involves shared use of off-street parking spaces by a co-existing hotel, restaurant and spa, a reduction in the number of required parking spaces under Section O of the Ordinance would be allowable in site plan review by a Section J variation.

Shared use parking is apt to occur among the uses proposed which would warrant the application of Section J. By way of illustration, a separate restaurant space would not be necessary for a hotel guest dining in the restaurant or using the spa,

³ Testimony of Nicole White and submitted parking data PowerPoint.

since it is expected that the guest's vehicle would already be occupying a parking space on site provided for hotel guests.

The appropriateness of delegation of development approvals to a planning commission in site plan review has been recognized by the Court of Special Appeals of Maryland in *Cremins v. County Commissioners of Washington County*, 164 Md. App. 426 (2005). There, the Court affirmed a deferral of consideration of certain aspects of a floating zone approval to be resolved as provided in the ordinance in subsequent site plan review, where the deferred approvals were not "highly unsolvable":

"Given the zoning scheme, the County Commissioners did not err when they decided that they did not 'have to address infrastructure issues' at the re-zoning approval stage of the PUD review and approval process, unless those infrastructure issues 'appear to be highly unsolvable.' The County Commissioners correctly recognized that development controls are in place in the zoning ordinance and APFO that permit the County Commissioners to make findings regarding adequacy of public facilities at the zoning approval stage, but leave to the Planning Commission the duty of handling the details related to the adequacy of those facilities, in accordance with the zoning ordinance and APFO." *Cremins v. County Commissioners of Washington County*, 164 Md.App. 426, 459 (2005) (emphasis supplied)

The City's Conversion district similarly provides that, where the proposed project involves shared use of parking spaces, the determination of the actual number of off-street parking spaces which will be required may be assigned to the Planning Commission in site plan review.

To establish that off-street parking does not constitute a "highly unsolvable" issue, the Applicant introduced alternate parking configurations at the public hearing. These alternate configurations demonstrate that, while the layout of the property can be designed and engineered to satisfy the unmodified 77-space requirement of the Ordinance, the objectives and purposes of the Conversion district may be better served through a parking variation authorized by the Planning Commission, taking into account other factors such as stormwater management, site access, topography, landscaping, appearance, limitations inherent in the existing structure, the availability of on-street parking on two sides along the property's existing street frontage, and best design practices.

Site plan parking variation is an integral part of the multi-step approval process created by the Mayor and City Council in establishing the Conversion district provisions of the Ordinance. In anticipation of a parking variation request, the Applicant submitted its original concept plan depicting 60 off-street parking spaces, which, combined with the 20 adjacent spaces along Summit and Virginia Avenues, would total 80 parking spaces required by the Ordinance without a Planning Commission variation.⁴

⁴ As the Applicant indicated during the public hearing, an architectural design change to the interior of the project has reduced the number of hotel guest rooms by 3, from 29 to 26, resulting in a corresponding reduction of the off-street parking requirements under Section O from 80 to 77.

The alternate layouts submitted through the testimony of landscape architect Danielle Alexander at the public hearing demonstrate parking configurations which may be addressed in site plan review and parking waiver consideration, along with other traditional analyses in site review. They are not intended to alter or amend the concept plan submitted with the rezoning application.

Concept Plan Consistency

At the recent public hearing, a Councilmember inquired as to a possible parking space count inconsistency among the Concept Plan drawings submitted.

The Applicant has reviewed the concept plan documents provided at the time of application and suggests that the apparent inconsistency may be resolved by adding the UA and UAV handicapped spaces identified in the color drawing to the adjacent parking space area counts.

Respectfully submitted,



William C. Wantz
123 West Washington Street
Hagerstown, MD 21740
(301)733-7972
wantz@mac.com

Attorney for Surrey, LLC,
Applicant

EMAIL COMMUNICATION

FREDERIC FREDERICK, P.E., LAND ENGINEER FOR APPLICANT

RECEIVED MAY 27, 2022

Kathleen Maher

From: Fred M. Frederick <FFrederick@fsa-inc.com>
Sent: Friday, May 27, 2022 1:40 PM
To: Stephen Bockmiller; Kathleen Maher; Rodney Tissue; Jim Bender
Subject: FW: PARKING NUMBERS / Surrey Hill Hotel
Attachments: 3066 ZONING CONVERSION-05-27-2022.pdf

ATTENTION! This message originated from an **external source**. Please use proper judgment and caution when opening **attachments, clicking links, or responding** to this email. Any claims of being a City official or employee **should be verified** and not assumed to be true. Please contact the IT department if you have any questions or concerns about this email or its contents.

Steve, Kathy, Rodney and Jim

Just wanted you to have this same info from Tuesday nights meeting when a council person said there was discrepancies between originally submitted plans. There was NOT any discrepancy in parking numbers but at a "quick glance" I can see where someone could miss the Universally Acceptable or Universally Acceptable Van (aka handicap) spaces.

Hope this clears this up and Mr Wantz will be submitting a letter to M&C on this along with other info.

Have a great and safe Memorial Day Weekend.

Fred Frederick RLS, PE
President

FREDERICK, SEIBERT & ASSOCIATES, INC.

CIVIL ENGINEERING | LAND SURVEYING | LANDSCAPE ARCHITECTURE
128 S. Potomac St, Hagerstown, MD 21740
O: [301.791.3650](tel:301.791.3650) F: [301.739.4956](tel:301.739.4956)
www.fsa-md.com

HAGERSTOWN, MD | CARLISLE, PA | GREENCASTLE, PA

From: Fred M. Frederick <FFrederick@fsa-inc.com>
Sent: Friday, May 27, 2022 1:22 PM
To: William Wantz <wantz@mac.com>
Cc: Alexis McKinney <alexis@surreyhospitality.com>; Valerie Sanderlin <valerie@surreyhospitality.com>; Danielle Alexander <dani@studio-aka.com>; Nicole White <nwhite@symmetradesign.com>; Jack Becker <jack@bld.us>; Fred M. Frederick <FFrederick@fsa-inc.com>
Subject: PARKING NUMBERS / Surrey Hill Hotel

Bill

These are 2 pages of the original application and I think the only two that had parking numbers on them.

Please include this in your rebuttal / clarification letter to show that there is NO discrepancy between plans on what was originally submitted.

Thank you

Fred Frederick RLS, PE

President

FREDERICK, SEIBERT & ASSOCIATES, INC.

CIVIL ENGINEERING | LAND SURVEYING | LANDSCAPE ARCHITECTURE

128 S. Potomac St, Hagerstown, MD 21740

O: 301.791.3650 F: 301.739.4956

www.fsa-md.com

HAGERSTOWN, MD | CARLISLE, PA | GREENCASTLE, PA





City of Hagerstown, Maryland
Committed to Safety
Dedicated to Partnership and Progress

MEMORANDUM

TO: Scott Nicewarner, City Administrator

FROM: Megan Flick, Planner

DATE: May 18, 2022

SUBJECT: Public Hearing: Conversion District Overlay at 535 Summit Avenue (Surrey School)

Action Requested

The Mayor and Council will host a public hearing for case ZM-2022-01 for a Conversion District Overlay at 535 Summit Avenue.

Property Background & Proposal

The property is an existing vacant building that was previously occupied by a day care center and before that a public school. It is located on Summit Avenue and also has frontage on Virginia Avenue facing City Park. The applicant wishes to create a boutique hotel with associated accessory uses including a restaurant with outdoor dining. The proposal includes additions on either side of the building and Virginia Avenue frontage. Parking would be created for guests in the Summit Avenue frontage and for staff behind the building (Virginia Avenue frontage).

Planning Commission members expressed enthusiasm over the applicant's proposal and have made a positive recommendation to the Mayor and Council. There are no other specific requests or recommendations from the Commission aside from the stipulation that outdoor dining will be permitted with the then pending 2021 LMC text amendments. The amendments have since gone into effect.

Next Steps

Typically the public record is left open for 10 days, and then staff will follow-up on the input received at a June work session. The Mayor and Council would then introduce the rezoning ordinance on June 28, approve the ordinance on July 26, and the rezoning will become effective 30 days later on August 26.

Attachments: Project Resumes, Traffic Analysis, Concept Plan, Staff Report, Rezoning Application

Frederic M. Frederick, PE, RLS
PRESIDENT



Education:

Bachelor of Science / Civil
Engineering, Pennsylvania State
University

Associates in Surveying
Technology, Pennsylvania State
University

Hagerstown Community College
Past Adjunct Instructor of Surveying
Technology

Penn State-Mont Alto Campus
Past Adjunct Instructor of Surveying
Technology

Registrations/Certifications:

Professional Engineer (Civil) – MD,
PA & WV #13081

Registered Land Surveyor – MD &
PA

Years' Experience:

36 + years with FSA
8 years with other firms

Professional Affiliations:

American Society of Civil Engineers

National Society of Professional
Engineers

Maryland Society of Surveyors

American Congress of Surveying
and Mapping

SELECTED WORKS

Hampton Inn - Dual Highway, Hagerstown, MD

Surveying, base mapping, site design, landscape planning, grading, storm
water management, drainage improvement design and agency approval.

Hampton Inn - Peake Circle, Hagerstown, MD

Surveying, base mapping, site design, landscape planning, grading, storm
water management, drainage improvement design and agency approval.

Mount St. Mary's University - Emmitsburg, MD

Surveying, base mapping, site design, landscape planning, grading, storm
water management, drainage improvement design and agency approval.

Shepherd University - Shepherdstown, WV

Surveying, base mapping, site design, landscape planning, grading, storm
water management, drainage improvement design and agency approval.

Hagerstown Community College - Hagerstown, MD

Surveying, base mapping, site design, landscape planning, grading, storm
water management, drainage improvement design and agency approval.

Meritus Medical Center - Washington County, MD

Complete site analysis and feasibility study for current hospital site in
Washington County. Master planning, road design, civil engineering of the
site which was planned and constructed over a 15 year period.

Yale Drive - Washington County

Engineering design of 5000 lf of roadway to include roundabout design,
water, sewer and water quality. Coordinate with all subcontractors and
government agencies as needed for ARC construction grant.

City of Hagerstown, North End Drainage Study - Hagerstown MD

Drainage pattern study and mapping, identify drainage deficiencies and
problem areas. Utilize hydraulic modeling and provide improvement
recommendations.

Dollar General - Emmitsburg, MD

Surveying, base mapping, site design, grading, storm water management,
drainage improvement design and agency approval.

Sheetz Convenience Store - Greencastle, PA

Surveying, base mapping, site design, grading, storm water management,
drainage improvement design and agency approval.

Harbor Freight Site Plan

Surveying, base mapping, site design, grading, storm water management,
drainage improvement design and agency approval.

Centre at Hagerstown - Hagerstown, MD

Designed shallow marsh wetland, BMP and combination
detention/stormwater wetland basin for new shopping center.

Hager's Crossing - Hagerstown, MD

Detailed civil engineering for 900 unit residential community including
roads, utilities, grading, storm water management.

Washington County Free Library - Hagerstown, MD

Site design, grading, storm water management, sediment and erosion
control plans, water, sewer, storm drains, LEED design.

Alexsis Blakely McKinney

EXPERIENCE

- Co-Founder & VP of Development**, ROSEWOOD STRATEGIES, *Washington, DC* 2018 – Present
- Help lead operations and assist with the development of firm best practices.
 - Conduct due diligence, monitor, and manage pre-development, construction, and stabilization activities for real estate development projects between 10,000 sf and 60,000 SF
 - Prepare proposals for procurement of new opportunities.
 - Develop, build, implement, and/or manage all systems for all internal communication and documentation, database management, information management, and back-office support.
 - Manage human resources and supervision of support staff.
- Principal**, AMB COMPANY, *Washington, DC* 2017 – 2018
- Lead consultant for communications and real estate development consulting projects.
 - Ensure compliance with all applicable corporate and regulatory requirements.
 - Lead business development efforts, develop marketing strategy, and manage execution.
- Assistant Director, Marketing & Communications**, MARTHA'S TABLE, *Washington, DC* 2017 – 2017
- Led the firm's relationship with the media to ensure appropriate coverage of the firm's efforts.
 - Supervised the Manager of Marketing and Online Engagement and Stakeholder Engagement Fellow.
 - Responsible for the development of a wide range of materials including: Annual Report, newsletters, direct mail, digital campaigns, website, talking points, marketing collateral and social media.
 - Worked with program leadership to keep critical partners, including parents, volunteers, and community members informed via clear communications.
 - Worked with internal stakeholders to support consistent messaging and branding across the organization.
- Public Relations Manager**, VERMONT ENERGY INVESTMENT CORP. (VEIC/DCSEU), *Washington, DC* 2015 – 2017
- Led firm's relationship with media and public, including proactive and reactive management of issues.
 - Participated on 4 out of 7 RFP project teams; assigned as Project Manager for 3 RFP teams.
 - Assisted with successfully crafting winning proposal for 5-year \$100 million contract for DCSEU RFP.
 - Represented the firm in a variety of public policy forums, as required.
 - Anticipated, analyzed, and interpreted public opinion and issues that might have impacted the firm.
 - Strategic advisor to all staff on communication with external and internal audiences.
- Regulatory Compliance Contractor**, GUGGENHEIM PARTNERS (via JSB Partners), *New York, NY* 2013 – 2015
- Trained employees on the firm's personal trading, outside activities and private investments policies.
 - Conducted employee personal trade surveillance.
 - Streamlined compliance workflows and assisted with migration from manual to automated systems.
 - Monitored and approved employee outside business, private investments, and political contributions.
 - Provided centralized compliance guidance to compliance officers of Guggenheim affiliates and subsidiaries.
- Principal**, PROGENY CONSTRUCTION SERVICES, *New York, NY* 2012 – 2015
- Business development, brand development, and marketing.
 - Raised over \$100K for working capital for over 15 residential projects.
 - Contract administration, back office supervision, certified payroll for NYC Build It Back program.
- Compliance Associate**, HARBINGER CAPITAL PARTNERS, *New York, NY* 2009 – 2012
- Reported directly to the Chief Compliance Officer, General Counsel & Co-Chief Operating Officer.
 - Participated in investor due diligence meetings, reporting on compliance matters.
 - Helped develop the firm's compliance program, which included conducting firm's risk assessment.
 - Member of both Compliance Committee & Valuation Committee. AUM \$4B - \$8B during tenure.

- Prepared regulatory filings and reports to the SEC and other regulatory agencies.
- Reviewed and approved investor communications prepared by Investor Relations team.
- Monitored firm-wide adherence to trading investment guidelines and employee Code of Ethics.

Construction Mngr. & Limited Partner, PRIVATE REAL ESTATE PARTNERSHIP, Philadelphia, PA 2009 – 2012

- Oversaw gut rehabilitation of multifamily residential property.
- Marketed vacancies, qualified tenants and drafted leases.
- Supervised on-site superintendent, hired contractors, tenant relations

Licensed Salesperson, HALSTEAD PROPERTY, New York, NY 2007 – 2009

Litigation Paralegal, GIBSON, DUNN & CRUTCHER, New York, NY 2006 – 2007

- Coordinated and supervised the tasks of 9 legal supporting personnel.
- Organized and maintained case documents, court filings and correspondences.
- Conducted research and assisted with the preparation of responses to document requests.
- Conducted research and drafted memoranda summarizing research.

Litigation Paralegal, FRIED, FRANK, HARRIS, SHRIVER & JACOBSON, LLP New York, NY 2004 – 2006

- Lead paralegal on a large securities litigation matter, working closing with two partners, five associates, and two contract attorneys.
- Reviewed and prepared documents for production, including analyzing content for responsiveness.
- Liaison with Client, vendors, and co-counsel.
- Researched and performed legal editing, including cite checking.
- Created and maintained production charts and indices of case documents.

EDUCATION

Wesleyan University, Middletown, CT - Bachelor of Arts

Universidad de Valparaíso, Viña del Mar, Chile – Study Abroad Spring semester of Junior Year

CAPACITY BUILDING

Georgetown University School of Continuing Studies, Washington, DC

Master's in Real Estate Program – Did not pursue the degree

Courses: Due Diligence for Real Estate Development, Transactions, and Finance (2016) & Ethics in Action (2016)

Compete to Win: NYC Construction Mentorship program (54 hrs.) 2014 – 2015

NYC Metropolitan Transit Authority (MTA) Small Business Mentoring Program (55 hrs.) 2014

Compete to Win: NYC Construction Mentorship program (54 hrs.)

New York University, Schack Institute of Real Estate, New York, NY

Courses: Principles of Project Management (2008) & Introduction to Construction Project Management (2008)

Pace University School of Law, Land Use Law Center, White Plains, NY (10/07)

Course: Land Use Leadership Alliance Training Program on Affordable Housing (LULA)

Real Estate Education Center (REEC), New York, NY

Courses: Introduction to Real Estate Appraisal & Valuation Principles and Procedures (2/07)

Baruch College, Zicklin School of Business, Newman Real Estate Institute, New York, NY

Courses: National Uniform Standard of Professional Appraisal Practice (USPAP) & Appraisal Qualification (11/06)

PROFESSIONAL EXPERIENCE

- 2018-P Studio AKA LLC, Cambridge, MA
Founding Partner
- 2021 Fairfax Village Solar, Washington, DC - Meadow Design
 - 2021 Cowboy Cafe, Arlington, VA - Outdoor Cafe Design
 - 2019-21 Shannon Flats in Anacostia, Washington, DC - Landscape Design for Co-living Development
 - 2018-21 1946/1948 2nd St NE, Washington, DC - Event Landscape Design
 - 2018-21 1825 Kendall St NE, Washington, DC - Landscape Design for Roof, Courtyards, and Exterior Spaces of Co-living Development
 - 2018-21 Over 30 Additional in the DMV - Planning, Design, and Construction, GAR & CFA Review
- 2014-18 Reed Hilderbrand LLC, Cambridge, MA
Landscape Designer
- 2015-18 American Museum of Natural History, NY - Concept through Documentation, City Approvals
 - 2017 Private Residences, NY & MA - Master Plan
 - 2016-17 Stone Acres Farm, CT - Master Plan Implementation Projects
 - 2014-16 Rena Path, Harvard University, MA - Concept through Construction Substantial Completion
 - 2015 Harvard University Allston Campus Expansion, MA - Various Projects, Life Cycle Costing
 - 2014-18 Houston Arboretum and Nature Center, TX - Schematic Design through Documentation
- 2014 Nelson Byrd Woltz Landscape Architects, New York, NY
Extern
- 2013 Verzone Woods Architects, Sarl, Rougemont, Switzerland
Designer
Research and design for the Food Urbanism Initiative, funded by the Swiss NSF
- 2012 Starr Whitehouse Landscape Architects and Planners, PLLC, New York, NY
Extern
- 2009-10 Michael Van Valkenburgh Associates, Inc., Cambridge, MA
Studio Assistant

ACADEMIC APPOINTMENTS

- 2019 University of Maryland School of Architecture, Planning, and Preservation, College Park, MD
Adjunct Faculty, Architectural Studios
- 2019 Junior Design Studio
- 2014-16 Boston Architectural College, Boston, MA
Adjunct Faculty, Advanced Architectural Studios
- 2016 ARC3308: Food Urbanism: ArtFarm
 - 2015 ARC3308/1108: Food Urbanism: Roxbury Food Networks
- Gateway Initiative Instructor
- 2015 DCR Nature and Discovery Center at the Massachusetts Pine Barrens, Semester 2
 - 2015 DCR Nature and Discovery Center at the Massachusetts Pine Barrens, Semester 1
 - 2014 The Urban Homestead at Waltham Community Farm
- 2012-14 University of Virginia School of Architecture, Charlottesville, VA
William R. Kenan Fellow
- 2012 Summer Design Institute, University of Virginia School of Architecture, Charlottesville, VA
ALAR 5010/20/30 - Introduction to Design, Design Graphics, Design Theory and Analysis

EDUCATION

- 2014 University of Virginia School of Architecture, Charlottesville, VA
Master of Landscape Architecture
- 2009 Harvard College, Cambridge, MA
Bachelor of Arts in East Asian Studies, Visual and Environmental Studies

CONFERENCES & PUBLICATIONS

- 2021 *Food Urbanism*, Verzone, C., Birkhauser Press
Editor and Contributor
- 2020 *Connective Tissues*, Waldman, P., ORO Press
Author, "Earth as a Tool for Revealing"
- 2018 *Urban Omnibus*, New York, NY
Author, "Freshkills: Reorientation"
- 2018 Boston Society of Landscape Architecture Fieldbook Magazine, Boston, MA
Author, "The Garden, Inundated"
- 2014 Environmental Design Research Association, New Orleans, LA
Poster, "To Agriculture By Design"
Poster, "The Urban Farm Park Competition and the Rise of the Urban Farm Park Typology"
- 2014 Council of Educators in Landscape Architecture, Baltimore, MD
Poster, "The Urban Farm Park Competition and the Rise of the Urban Farm Park Typology"
Poster, "Hydrological Cell Networks: Integrating Public Space in Wetlands with Parametric Modeling"
- 2013 European Schools of Planning Conference in Sustainable Food Planning, Montpelier, France
Presenter and Author, "Food Urbanism: Analysis of the Bernex Urban Farm Park Competition"
- 2011-14 LUNCH Design Journal, Charlottesville, VA
2011-14 Editor
LUNCH 9: In Excess
LUNCH 8: Futures for Sites Unknown
LUNCH 7: Conversations
SNACK 03: I am a Tree, featuring Frances Halle
SNACK 02: Research and Practice, featuring Adam Yarinsky
SNACK 01: Design and Activism, featuring Kate Orff

HONORS

- 2018 Urban Wild Writer in Residence at Freshkills Park
Associated publications for Freshkills Park Alliance and The Architectural League of New York
- 2017-18 The Climate Reality Project, Climate Reality Leader
- 2014 American Society of Landscape Architects National Student Award in Communications
For the development of several publication initiatives as Editor of LUNCH Design Journal
- 2014 Virginia Chapter - ASLA Award for Excellence in the Study of Landscape Architecture
- 2013 Virginia Chapter - ASLA Award of Merit in Student Design
For the design of SNACK 01: Design and Activism, featuring Kate Orff



Garrett Hotel Consultants

Garrett Hotel Consultants is one of the most experienced developers and managers of small boutique hotels in the world. A family company headquartered in Vermont, GHC has nearly 40 years of experience in creating exceptional hotels - both new structures, and the re-imagining of existing properties that need preservation and a new lease on life. GHC works closely with each client to determine the best use of their property, and to create something truly extraordinary.

GHC offers a wide variety of services customized to meet the needs of each project, and can take a property from initial concept to opening day and beyond - delivering a turn-key hotel if desired.

www.garretthotelconsultants.com

Selected Hotel Development:

The Ivy Hotel, Baltimore, MD: 2012 - present day

- GHC led The Ivy Hotel project from initial concept to successful hospitality establishment, taking two empty, adjacent brownstones through ideation, design development, construction, installation, and pre-opening to opening day. GHC has continued to manage and oversee all aspects of the hotel - operations, sales and marketing, restaurant, and financials
- Selected accolades:
 - Maryland's only Relais & Châteaux
 - #1 hotel in Maryland by Tripadvisor
 - *Travel & Leisure* Best Hotels on the Planet
 - *Condé Nast Traveler's* Gold List
 - *Wine Spectator's* Award of Excellence
- 17 guestrooms, a 3-room luxury spa, and acclaimed Magdalena, a Maryland Bistro
- The Ivy Hotel has had a significant positive impact on the residential Mount Vernon neighborhood, increasing property values, safety, and tourism
- ADR: \$825
- theivybaltimore.com

The Point Resort, Saranac Lake, NY

- The Garrett Hotel Group owned and operated the hotel for 21 years, when, in 2007, it was sold for the highest ever per-room price: \$3.1M/key
- During GHC's tenure, The Point was rated the #1 Hotel in the United States for a decade, and remained in America's Top Ten Hotels for more than twenty years. Forbes Five Star.
- It is the longest continually-operated Relais & Châteaux in North America
- ADR: \$2,900
- thepointresort.com

Lake Placid Lodge, Lake Placid, NY

- LPL was purchased, extensively renovated, and operated by The Garrett Hotel Group from 1994-2008. With 30 cabins and guest rooms in a lakeside setting, the extensive renovation of Placid Manor to The Lake Placid Lodge re-invigorated the local economy, and had a substantial impact on local real estate values
- Member of Relais & Chateaux
- Public restaurant and Pub, boating, swimming, hiking, in-room spa treatments, room service
- After a fire in 2005 destroyed the historic main building, GHG turned misfortune to opportunity and reinvisioned, redesigned, and upgraded the entire property
- Even pre-renovation, the property was ranked in the top 20 hotels in the US
- ADR: \$1,300
- lakeplacidlodge.com

The Inn of the Five Graces, Santa Fe, NM

- Transformed a modest B&B into the top-rated hotel in the Southwest
- Member of Relais & Châteaux
- Located in the historic Barrio de Analco in downtown Santa Fe, The Five Graces has 23 individually and richly decorated guest rooms and suites, a small luxury spa, room service, concierge service, multiple enclosed garden courtyards, and an adjacent restaurant and bar
- ADR: \$900
- fivegraces.com

The Willcox, Aiken, SC

- Reconceptualized, operated, and upgraded a down-at-the-heels property into the top hotel in the South
- Member of Relais & Châteaux
- This classic, elegant Southern hotel has 12 guest rooms and 10 suites, small luxury spa, renowned restaurant, billiards, garden, porch, and swimming pool
- ADR: \$300
- Thewillcox.com

The Pink Adobe, Santa Fe, NM

- Reconceptualized and expanded a beloved but underperforming local restaurant into a hugely popular bar and dining destination
- thepinkadobe.com

Twin Farms, Barnard, VT

- Conceptual development and design team management up to opening day
- Member of Relais & Châteaux, Forbes Five Star, #1 hotel in the United States
- ADR: \$2,800
- twinfarms.com

Oasis at Castle Hot Springs, AZ

- Conceptual development

Jack Becker, AIA

jack@bld.us | 202-735-3677 | 2126 15th Street SE

EDUCATION

- **2011 - 2013** *Harvard University* MArch in Urban Design with Distinction
- **2006 - 2011** *Cornell University* Bachelor of Architecture

EMPLOYMENT

- **2013 - Current** *bld.us, Washington DC* - Principal. Lead architect / designer of projects in DC, MD & VA, including NZE houses & apartment buildings
- **2020 - 2021** *R. McGhee & Associates, Washington DC* - Senior Project Manager on Congress Heights Recreation Center, Mary Church Terrell House at Howard University
- **2018 - 2020** *Urban Investment Partners, Washington DC* - Development and construction manager on projects in DC, MD & VA, including the Hungarian Embassy on Scott Circle
- **2014 - 2018** *Quinn Evans Architects, Washington DC* - Project architect on revitalizations for the National Air & Space Museum, the Marie H Reed Community & Learning Center, Kramer Elementary School, and Van Ness Elementary School; won an intra-office design competition for a tiny house in Detroit, MI
- **2013 - 2014** *SGA Companies, Washington DC* - Junior architect on projects ranging from single-family residential to mixed-use, including the Fahrenheit in Petworth

PUBLICATIONS

- **August 2019** *Washingtonian Magazine* "Top New Houses of the Year"
- **May 2019** *AN Interior Magazine* "Heart of Grass: bld.us designs a paean to sustainable materials in the seat of American democracy"
- **December 2018** *Washingtonian Magazine* "This Eco-Friendly Anacostia House is Built Almost Entirely Out of Bamboo"
- **Summer 2013** CLOG : Miami

HONORS

- **2021 (individual)** AIA Young Architect Award
- **2020 (with bld.us)** USGBC NCR Midsummer Night's Green: Responsible Design
- **2019 (with bld.us)** AN Young Architect Award & Best of Design: New Materials Award
- **2019 (with bld.us)** AIA DC Excellence Award
- **2019 (with bld.us)** Washingtonian Residential Design Award & People's Choice Award
- **2011 - 2013 (individual)** Harvard Dean's Merit Scholar; Graduated with Distinction
- **2006 - 2011 (individual)** Cornell Dean's List





NICOLE A. WHITE, P.E., PTOE

Symmetra Design - Principal

Transportation Planning and Traffic Engineering

Nicole has over 25 years of experience in transportation planning and traffic engineering projects. She brings extensive management skills and expertise ranging from intersection safety and operational studies to parking studies and Transportation Management Plans. Nicole specializes in Traffic Impact Studies, master planning and transportation management for educational facilities and redevelopment studies.

As a Certified Charrette Planner, Nicole has significant experience coordinating with project stakeholders and local officials. Nicole has been accepted as an expert witness by the Circuit Court of Prince George's County, Prince George's County Planning Board, District of Columbia Zoning Commission, District of Columbia Board of Zoning Adjustment and Montgomery County Hearing Examiner.

Nicole is an award recipient of the "*Leadership and Excellence Award*" from the Minority Enterprise Advocate Magazine and the "Top 100 Minority Business Enterprise Award" for minority and woman-owned businesses in the Mid-Atlantic region. She was also acknowledged by the U.S. Secretary of Transportation during National Small Business Week.

Nicole has extensive experience developing solutions that improve accessibility and mobility. Accessibility improvements include development of an enhanced transportation network with consideration for improved connections for vehicles, shorter walking distances for pedestrians, and recommendations for improved transit services. Nicole has also developed a substantial number of solutions that improve the quality of transportation including roadway and operational improvements that reduce traffic congestion. Accessibility and mobility plans have been included as part of overall redevelopment studies with economic development enhancements and consideration for access to key amenities and services for communities.

Project experience includes:

- Meadow Green Courts Master Plan & Map Amendment, Washington, DC
- MD 51 at Virginia Avenue Traffic Analysis, Cumberland, MD
- MD 64 at Eastern Blvd Traffic Analysis, Hagerstown, MD
- MD 64 at MD 66 Operational Analysis and Safety Assessment, Cavetown, MD
- Frederick Community College Facilities Master Plan, Frederick, MD
- Townes at Peerless, Upper Marlboro, MD
- Suitland Transportation and Streetscape Study, Suitland, MD
- Baltimore Convention Center Feasibility Study, Baltimore, MD
- Cady's Alley Vision Zero Pedestrian Pilot Program, Washington, DC
- Mid-City East Livability Study, Washington, DC
- Coppin State University Science & Technology Center, Baltimore, MD
- Rock Creek East I Livability Study, Washington, DC

EDUCATION

Master of Engineering
Civil Engineering –
Transportation, University
of Maryland

Bachelor of Science
Civil Engineering, University
of Maryland

PROFESSIONAL LICENSES

Professional Engineer – DC
& MD

Professional Traffic
Operations Engineer

PROFESSIONAL AFFILIATIONS

Institute of Transportation
Engineers

Lambda Alpha International



MEMORANDUM

TO: Megan Flick, City of Hagerstown

FROM: Nicole White, P.E., PTOE

DATE: April 21, 2022

Re: 535 Summit Avenue - Trip Generation

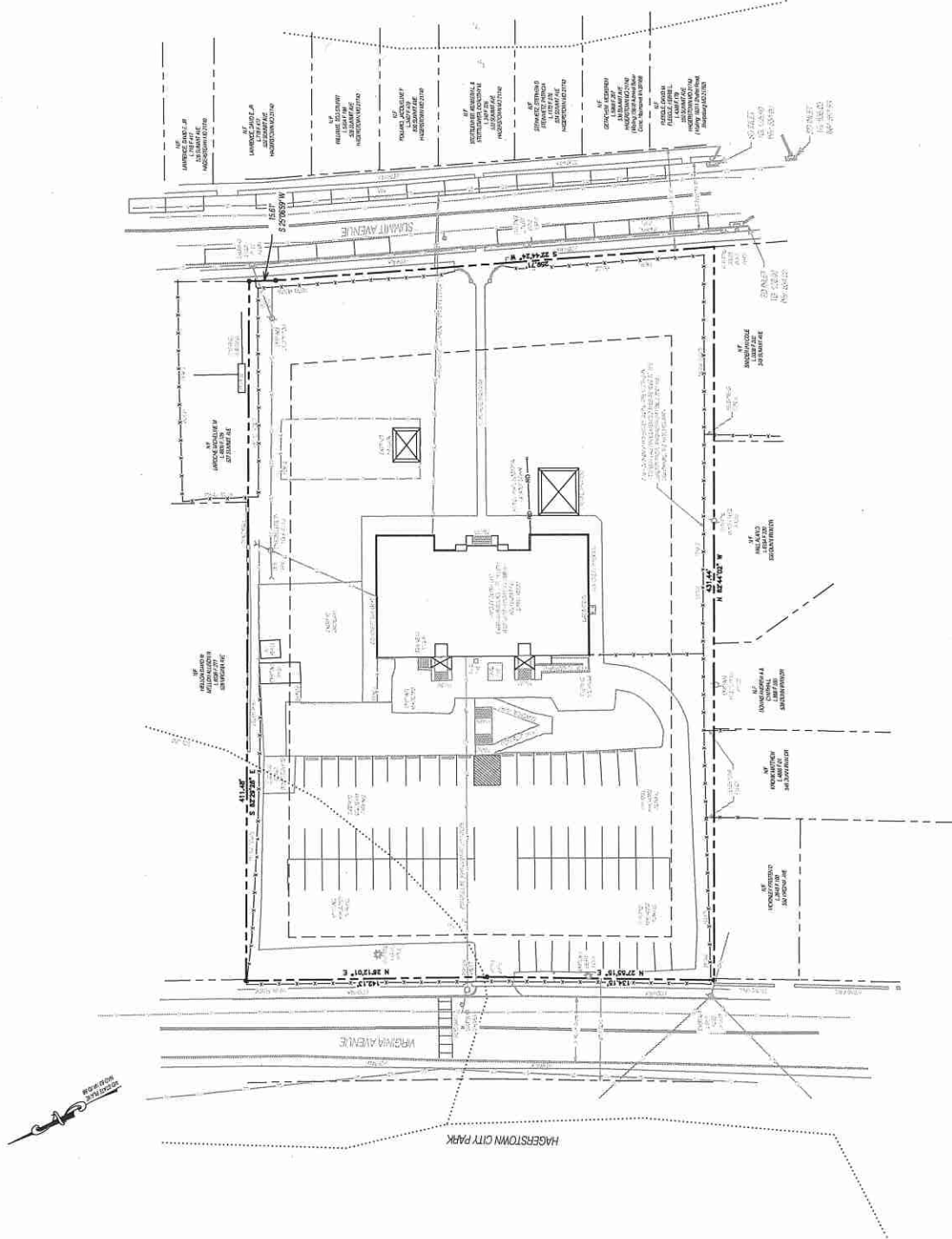
The following memorandum outlines the trip generation for the proposed 535 Summit Avenue project located in Hagerstown, Maryland. The project is planned to convert a former school to a boutique hotel, spa, and restaurant. The existing driveway on Virginia Avenue will be closed. New access is proposed via two new driveways on Virginia Avenue and a new point of access on Summit Avenue.

The Institute of Transportation Engineers (ITE) is the leading, nationally recognized standard on trip generation. The ITE Trip Generation Manual, 11th edition provides modernized data for various land uses. The project is best categorized by the ITE manual under Land Use Code 932 (High-Turnover Sit-Down Restaurant), 918 (Hair Salon), and 310 (Hotel). ITE provides rates for various time frames, including weekday peak hours of 7am-9am and 4pm-6pm. The ITE manual provides the average rate for trip generation as a function of number of units/square footage for weekday peak hours as outlined in Table 1 below.

Table 1: 535 Summit Avenue - Trip Generation

	AM Peak Hour				PM Peak Hour		
	Units/SF	IN	OUT	TOTAL	IN	OUT	TOTAL
High-Turnover (Sit-Down) Restaurant - ITE LU 932	1,300 SF	0	0	0	7	5	12
Spa – ITE LU 918	5,500 SF	4	3	7	1	7	8
Hotel – ITE LU 310	26 Rooms	7	5	12	8	7	15
Total		11	8	19	16	19	35

Per City of Hagerstown Traffic Impact Study Guidelines, a traffic impact study shall be submitted in support of a proposed non-residential development which has the potential to generate approximately 100 or more new peak hour trips. As displayed in Table 1, the proposed development at 535 Summit Avenue would generate 19 AM peak hour trips and 35 PM peak hour trips, well below the threshold for a traffic study.



Zoning Notes

Current Zoning: R-1000 (Residential - Moderate Density)
 Zoning District: R-1000, Suburban Corridor Overlay
 Election District #3

See the City of Hagerman Zoning Ordinance for setback information due to existing setbacks.

Special use, not applicable.

Height Regulations
 5 stories or 32 feet

The existing building was constructed in 1957 per a full before the creation of the Zoning Ordinance and the building is grandfathered in as the existing building height.

Floodplain Notes

This property does not lie within the limits of the mapped 100 year floodplain as shown on FEMA Flood Insurance Rate Map, Community Panel No. 24043C010D, dated August 15, 2017. Flood Zone X.

No detailed flood study was performed by Fretwell, Siebert and Associates, Inc.

LEGEND:

Utility Pole	_____	_____
Lighting	_____	_____
Electric Line (Overhead)	_____	_____
Sanitary Sewer	_____	_____
Water Line	_____	_____
Gas Line	_____	_____



CONVERSION OVERLAY CONCEPT

City of Hagerstown
Conversion District Overlay Zoning Request
ZM-2022-01: Surrey School
Staff Report

Applicant/Owner: Surrey Inc/Surrey LLC

Request: Conversion District overlay on a historic school building for the purposes of the creation of a boutique hotel and associated accessory uses.

Location: 535 Summit Avenue

Existing Use: Historic Public School Building that is currently vacant

Area: 2.67 acres

Existing Zoning: Residential Moderate Density (RMOD)

Analysis

The purposes of this district are to stimulate the adaptive reuse of existing, nonresidential, multistory and large one-story structures, to maintain and increase the City's assessable base, to expand business and employment opportunities, and to protect residential neighborhoods from excessive traffic, odors, fumes, noise, and light. The Conversion District provides an alternative development concept for underutilized structures while protecting the general health, safety, welfare, and aesthetics through the commitment to an approved development concept plan. Such structures must be in existence prior to March 7, 1977.

Staff comments are in bold italics.

The Land Management Code lists five general requirements for the establishment of a Conversion Overlay District (Article IV, Section J.2.e. Page 4-67):

1. The area proposed for a conversion district shall be in one ownership, or, if in several ownerships, the proposal shall be filed jointly by all the owners of property included in the development plan. ***The property is owned by Surrey, Inc. and the development company is named Surrey, LLC.***
2. The development shall be for an existing, nonresidential structure containing at least two floors within which all proposed uses, except parking, will be contained. ***The property is an existing 2-3 story structure that was previously occupied by Surrey School.***
3. The owners or developers must indicate that they plan to begin construction of the development within two years after final approval. If construction does not begin within two years, the zoning of the site shall revert to its previous classification unless a time extension is requested by the developer and agreed to by the Planning Commission. ***The applicant/developer plans to begin construction within 2 years after final approval.***
4. A site plan in accordance with Section S for entire area to be utilized shall be reviewed and approved by the Planning Commission prior to the use of the property. ***The applicant will submit a site plan following the approval of the Conversion District overlay.***
5. A concept plan, as required in Subsection f.(2), below, shall be submitted with the application for a conversion district. ***The concept plan is provided as an attachment to the application.***

Special Design Requirements (Section J.2.i. Pages 4-68)

1. In a residential district, commercial uses shall only be allowed when mixed with residential uses unless otherwise approved by the Mayor and City Council. The total floor area used by all commercial uses, whether principal permitted or by special exception, shall not exceed 50% of the existing structure's gross floor area, unless otherwise approved by the Mayor and City Council. In commercial and industrial districts, residential uses are only permitted when mixed with non-residential uses. ***The proposal includes the creation of a boutique hotel and associated accessory uses including an in-house restaurant, planned additions, and parking.***
2. Additions shall be designed consistent with the architectural theme of the structure and shall be located in the space least visible to the general public. ***The two additional "wings" on each side of the building will be distinctly different material than the original historic façade, but will be consistent with the overall image of the building. The sides of the building are the least visible areas from both Summit Avenue and Virginia Avenue. There will also be an addition on the Virginia Avenue side, again to fit in with the historic façade.***
3. The CL maximum square footage requirements for retail trade and restaurants shall only apply where the underlying zoning district is Residential or CL. ***The underlying zoning is RMOD; therefore the requirements apply.***

OTHER CONSIDERATIONS AND REQUIREMENTS:

Lot Area Requirements and Off-Street Parking (Section J.2.h,j – Page 4-68)

1. Off-street parking shall be as required under Section O, except that during review of the site plan, the Planning Commission may permit variation from the number of spaces required, provided such variation relates to the shared use of the parking spaces and is consistent

with the approved conversion district concept plan and the special design requirements of this district. ***80 total parking spaces are required and 60 total parking spaces are proposed.*** The Zoning Ordinance permits the Planning Commission, when reviewing the site plan, to approve a lesser number when the applicant demonstrates there will be overlapping demand (such as hotel occupants also using the restaurant or spa). The applicant is prepared to address this issue with the Planning Commission at the appropriate time; and given the extensive width of this property, there will be 10 on-street parking spaces along this property's frontage on both Virginia and Summit Avenues.

2. The minimum lot area for a Local Conversion District shall be 20,001 square feet. ***The property is approximately 116,305 square feet in area.***

Suitability of the Proposed Zoning District.

A Conservation Overlay District is permitted use in the RMOD zoning district. ***The principal structure was built prior to October 1, 1956 (primary structure built in 1907) and the principal structure has been used as a public school prior to October 1, 1956. This proposal is very consistent with the type of reuse envisioned by staff when they crafted the zoning ordinance that created the conversion district process.***

Compatibility of Existing and Proposed Development.

This proposal is for the adaptive reuse of an existing two story plus basement brick former school in the Hagerstown City Park Historic District. The building will undergo complete interior and exterior renovation with additions towards conversion to hotel and restaurant uses with incidental amenity program distributed throughout. Site work will include utility upgrades, landscaping, parking, and stormwater management improvements.

Population Change

Not applicable- no dwelling units will be removed or created.

Can the site be adequately served with public water and wastewater facilities?

Water and wastewater service currently exist.

The site shall be located adjacent to adequate highway facilities, capable of serving existing and anticipated traffic.

The property is served by a Major Collector roadway (Virginia Avenue) to the west, and a Local Street (Summit Avenue) to the east. The volume of traffic on both of these streets is well below their maximum capacity, and they operate at high levels of service. We do not anticipate that the proposed development will create any operational issues for the City's street network. Any reuse of the building or site would result in a net increase in traffic generated to and from this site, regardless if it is this use, and the conversion district use or demolition of the building and reuse of the site for a housing development.

Relationship to the Comprehensive Plan.

The property faces the award-winning City Park, so rehabilitating this site would improve the curb appeal in a significant section of town. The 2018 Comprehensive Plan recommends maintaining Medium Density Residential land uses in this neighborhood. However, this conversion zoning overlay would implement the Plan's recommendation to make buildings more attractive for adaptive reuse.

Site Plan Conditions Recommended by the Planning Commission

- 1. Modifications to the building should be in accordance with the proposal.*



CITY OF HAGERSTOWN, MARYLAND

Planning and Code Administration Department

REZONING APPLICATION & REVIEW CHECKLIST

Submittal Requirements:

- Original Application and 16 copies, including Checklist
- 17 complete sets of plan
- Filing fee (please consult [current fee schedule](#))

Case No. ZM - 2022-01
Office Use Only

Name of Project: SURREY HILL HOTEL
Location of Property: 535 Summit Avenue, Hagerstown, Maryland
(Please include street address, if known)
Deed Reference: Liber: 6700 Folio: 117 Zoning District: RMOD

Proposed Work (i.e. addition, accessory building, parking; please include size of addition and amount of disturbed area):
See attachments

Engineering/Survey Company Name: Frederick, Seibert & Associates, Inc.
Contact Person: Frederic M. Frederick Email: ffrederick@fsa.Com
Mailing Address: 128 South Potomac Street, Hagerstown, MD 21740
Telephone: (301) 791-3650 Fax: (301) 739-4956

Developer/Applicant Name: Surrey, LLC
Contact Person: c/o William C. Wantz Email: wantz@mac.com
Mailing Address: 123 West Washington Street
Hagerstown, MD 21740 Fax: (301) 416-7455

Property Owner Name: Surrey, Inc.
Contact Person: Alexsis Blakely McKinney; Valerie A. Sanderlin Email: alexis@ surreyhospitality.com
Mailing Address: 12138 Central Avenue, Suite 571, Bowie, MD 20721
Telephone: (646) 369-6171 Fax: _____

This Chart for Staff Use Only	1 st Review	2 nd Review
Date Accepted for Processing		
Review Date		
Returned to Design Firm		

Related Planning File References (Site Plans, Preliminary Plats, BZA Cases, HDC Cases); if none, state so:
None

Instructions to Engineer/Surveyor: In the column marked "Engineer/Surveyor," identify each page which the required item appears on the plan. For items that appear on each page of the plan, use "All." If the item is not applicable, address as not applicable in a note on the plan and reference the page of the plan on which the note appears in the column below. PCAD = Planning and Code Administration Department.

Application Requirements	Engineer/ Surveyor	1 st Review	2 nd Review	Review Key ✓ = OK 0 = Incomplete N/A = Not Applicable
Sheet size: 24" x 36"	all			
Scale shown and labeled	all			
North arrow	all			
Copy of deed or deeds and purchase option (if applicable)	deed			
Owner authorization, if different than applicant	n/a			
Vicinity map with scale of 1" = 2,000' or greater	2			
Vic. map shows municipal boundaries	n/a			
TITLE BLOCK	all			
Name and address of land owner				
Name, address and telephone number of engineer/surveyor	all			
City Unique ID Number	2			
Tax Map and Parcel Number	2			
Current zoning district	2			
Proposed zoning district	2			
Election district	1			
Original drawing date	all			
Subsequent revision dates	n/a			
Location (address, city, state)	all			
Tract area	2			
Area of parcels where multiple parcels comprise tract to be rezoned	n/a			
Plan shows remaining lands of tract	n/a			
Plan shows owners, their addresses of record, and zoning of adjoining lands (see end of checklist)	all,1			
Boundary of tract to be rezoned shown in heavy solid line	all			
All existing buildings within tract, with addresses and current use	1			
All existing easements on tract	n/a			
Width of ex. utility rights of way	1,2			
Location of ex. public rights of way	1,2			
Width of ex. public rights of way	1,2			

Application Requirements	Engineer/ Surveyor	1 st Review	2 nd Review	Review Key ✓ = OK 0 = Incomplete N/A = Not Applicable
Location of ex. railroad rights of way	n/a			
Width of ex. railroad rights of way	n/a			
Location of ex. drainage rights of way and 100-year floodplain	n/a			
Width of ex. drainage rights of way	n/a			
FOR PUD OR OTHER PROPOSAL-BASED REZONINGS, A CONCEPT PLAN SHOWING THE FOLLOWING FEATURES				
Proposed rights of way for public streets	n/a			
Proposed uses, showing maximum number of dwelling units (broken down by type), and/or square footage of industrial, office and retail space	2			
Conceptual lot or project layout	all			
Conceptual location of forest preservation/aforestation areas	n/a			
Location and list of proposed amenities (parks, recreation facilities, school sites, etc.)	n/a			
Proposed location of major regional stormwater management facilities	n/a			
Plans folded to be able to fit into an 11x9" file	all			
Map Amendment File Number (ex. ZM-2016-01) on bottom right hand corner of the first page.	NA	NA		Can only be added after plat has been submitted and case file number assigned. This will not be required if this addition will be the only change required after initial staff review.
Addressed Engineering comments?		NA		
Addressed Water Dept. comments?		NA		
Addressed Sewer Dept. comments?		NA		
Addressed Light Dept. comments?		NA		
Addressed all other Department comments?				DO NOT SUBMIT REVISED PLANS UNTIL COMMENTS FROM ALL REVIEW AGENCIES HAVE BEEN COLLECTED AND ADDRESSED.
Are all applicable fees paid in full?				
Three review copies for Planning Commission provided?				
Colored exhibit provided?				

Rezoning Narrative Addendum:

Note: Zoning change requests must be accompanied by documentation explaining the basis for change or mistake, boundaries of the neighborhood subject to change, and any other facts supporting the Applicant's position.

_____	Has the applicant provided an addendum with the application that addresses the legal justification for the rezoning and provides a definition of neighborhood?
_____	Change in Character of Neighborhood
_____	Mistake in Existing Zoning
_____	Both
<u> X </u>	Not Applicable (for overlays)
<u> Yes </u>	Has the applicant provided a separate list of adjacent property owners and addresses provided?

Instructions to Engineer/Surveyor:

This checklist is the format used by the Planning and Code Administration Department to review and comment on your plan. It will be/has been returned to you so you can address the issues raised throughout the checklist. **When you have completed the necessary revisions to this plan, submit the following number of copies along with this checklist to the Planning and Code Administration Department.**

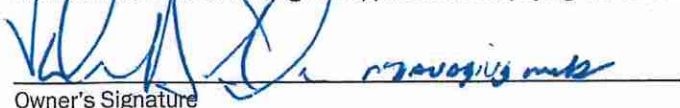
Planning and Code Administration Department	2 copies
Copies for Engineering, Electric Division, Water Division, Wastewater Division (Even if the plan has been reviewed and approved by these agencies)	4 copies
Copies for any other agency with outstanding comments	As Needed

Statements

I understand that rezoning approval by the City of Hagerstown does not constitute permission to construct. Appropriate plans and permits must be submitted to and approved by the City of Hagerstown before any construction may commence. **This statement must be signed before application will be accepted for processing.**

I understand that the rezoning must conform to the requirements of the City's Land Management Code (Chapter 140 of the City Code) and § 4-204 of the Maryland Land Use Article.

I understand that submitting this application and paying the review fees does not guarantee rezoning approval.


Owner's Signature

Applicant's Signature (if different from owner)

 1/26/2022
Date

City of Hagerstown, Maryland
Planning and Code Administration Department
One East Franklin Street, Suite 300
Hagerstown, MD 21740
T | 301.739.8577, Ext. 138
F | 301.790.2650

Form Created: 6/15/2016
Revised: 4/27/2017

ADJACENT OWNERS

Number	Street Address*	Name	Mailing Address
530	Dunn Irvin	Alan D. Hall	
538	Dunn Irvin	Andrew A. & Cynthia L. Downs	PO Box 383 Clear Spring MD 21722-0383
546	Dunn Irvin	Matthew Kronk	
527	Summit Avenue	Micheline M. Laroche	
549	Summit Avenue	Ian Cole Snyder	
528	Virginia Avenue	David W. & Allison Mellon	
550	Virginia Avenue	Kristen D. McKinley	10917 Rawley Road New Market MD 21774

CONFRONTING OWNERS

Number	Street Address	Name	Mailing Address
1	East Franklin	City of Hagerstown	
526	Summit Avenue	David E. Lawrence, Jr.	
528	Summit Avenue	Tod Stuart Williams	
530	Summit Avenue	Jacqueline F. Pollard	
532	Summit Avenue	Kenneth L. & Dorothy M. Stottlemeyer	
534	Summit Avenue	Stephen & Patricia Steinmetz	
538	Summit Avenue	Meskerem Getachew	15610 Admiral Baker Circle Haymarket VA 20169
550	Summit Avenue	David M. & Kerrie L. Fleegle	16311 Shaffer Road Sharpsburg MD 21782

* All street addresses are Hagerstown, MD 21740

ADJACENT OWNERS

Number	Street Address*	Name	Mailing Address
530	Dunn Irvin	Alan D. Hall	
538	Dunn Irvin	Andrew A. & Cynthia L. Downs	PO Box 383 Clear Spring MD 21722-0383
546	Dunn Irvin	Matthew Kronk	
527	Summit Avenue	Micheline M. Laroche	
549	Summit Avenue	Ian Cole Snyder	
528	Virginia Avenue	David W. & Allison Mellon	
550	Virginia Avenue	Kristen D. McKinley	10917 Rawley Road New Market MD 21774

CONFRONTING OWNERS

Number	Street Address	Name	Mailing Address
1	East Franklin	City of Hagerstown	
526	Summit Avenue	David E. Lawrence, Jr.	
528	Summit Avenue	Tod Stuart Williams	
530	Summit Avenue	Jacqueline F. Pollard	
532	Summit Avenue	Kenneth L. & Dorothy M. Stottlemeyer	
534	Summit Avenue	Stephen & Patricia Steinmetz	
538	Summit Avenue	Meskerem Getachew	15610 Admiral Baker Circle Haymarket VA 20169
550	Summit Avenue	David M. & Kerrie L. Fleegle	16311 Shaffer Road Sharpsburg MD 21782

* All street addresses are Hagerstown, MD 21740

The Atlantic Title Group
File No. 21-1020
Tax ID# 03-029735

Taxes Paid \$4,684.53
Todd L. Hershey, Treasurer
PW 07-21-2021

Washington Cty Cir Crt
IMP FD SURE \$40.00
RECORDING FEE \$20.00
TR TAX STATE \$3,975.00
CTY TR TAX \$3,725.00
CTY REC TAX \$6,042.00
TOTAL \$13,802.00
KRT RZ 08:36 am
Jul 21, 2021

This Deed, made this 16th day of July, 2021, by and between Meritus Medical Center, Inc., a Corporation, party of the first part, GRANTOR; and Surrey, LLC, a Limited Liability Company, party of the second part, GRANTEE.

- Witnesseth -

That in consideration of the sum of SEVEN HUNDRED NINETY FIVE THOUSAND AND 00/100 (\$795,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said GRANTOR does grant and convey to the said Surrey, LLC, a Limited Liability Company, its personal representatives and assigns, in fee simple, all that lot of ground situate in the County of Washington, State of Maryland, and described as follows, that is to say:

ALL THAT PARCEL situate on the East side of Virginia Avenue between Reynolds Avenue on the North and Garlinger Avenue on the South, in Election District No. 3, in the City of Hagerstown, Washington County, Maryland, more particularly described as follows: BEGINNING for the part hereby conveyed at a stone on the East margin of the Hagerstown and Williamsport Turnpike, said beginning being also at the southwest corner of J. Clarence Lane's lot, it being also the beginning of a deed from Alex J. McCrea and wife to Anna A. Brugh, dated July 3, 1897 and recorded in Liber 107 folio 38, one of the Land Records of Washington County, and running thence bounding on the J.C. Lane lot South 61 degrees East 177 feet to a stone, then South 61 3/4 degrees East 240 feet to a stone on the West margin of Summit Avenue, South 24 1/4 degrees West 280 feet to a stone, then leaving Summit Avenue, North 61 3/4 degrees West 435 feet to a stone on the East margin of the aforesaid Turnpike, then along the East margin of said Turnpike North 27 1/2 degrees East 280 feet to the place of beginning; containing 2 1/2 acres and 28 perches of land, more or less; being the same real property that was conveyed to the Board of County Commissioners of Washington County a body politic and corporate of the State of Maryland, from the Board of Education of Washington County, a body politic and corporate of the State of Maryland, by deed dated August 29, 1983 and recorded in Liber 750 folio 161 among the Land Records of Washington County, Maryland.

Being the same property which by deed dated October 30, 1984, and recorded among the Land Records of Washington County, Maryland on November 2, 1984, in Liber 773, in Folio 731, was granted and conveyed by BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY unto WASHINGTON COUNTY HOSPITAL ASSOCIATION. SEE Also Articles of Amendment for Name Change to Meritus Medical Center, Inc.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Surrey, LLC, a Limited Liability Company, in fee simple.

And the said party of the first part hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

Deed - Corporate

File No 21-1020

Page 1 of 2

WASHINGTON COUNTY CIRCUIT COURT (Land Records) KRT 6700, p. 0118, MSA_CE18_6552. Date available 07/23/2021. Printed 01/14/2022.

BOOK: 6700 PAGE: 118

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

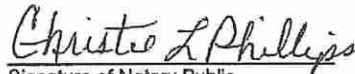
Meritus Medical Center, Inc., a Corporation

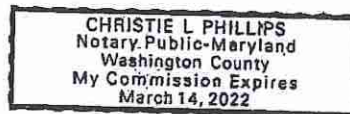
By:  (SEAL)
Thomas Chan, Chief Financial Officer

STATE OF MARYLAND
COUNTY OF Washington to wit:

I hereby certify that on the 16th day of July, 2021, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Thomas Chan, Chief Financial Officer, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and made oath in due form of law that the matters and facts set forth herein are true.

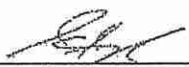
As witness, my hand and notarial seal.


Signature of Notary Public



My Commission Expires: March 14, 2022

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

 (SEAL)
James P. Yoke Esq.

AFTER RECORDING, PLEASE RETURN TO:
The Atlantic Title Group
605 Baltimore Annapolis Blvd.
Suite 2
Severna Park, MD 21146

Deed - Corporate

File No 21-1020

Page 2 of 2

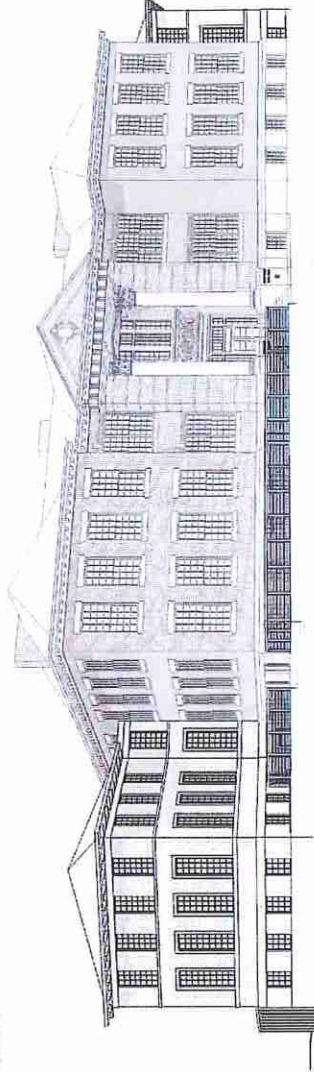


2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

PROJECT NARRATIVE

EXISTING TWO STORY PLUS BASEMENT BRICK FORMER SCHOOL IN THE HAGERSTOWN CITY PARK HISTORIC DISTRICT AND INVENTORIED BY MHT. BUILDING TO UNDERGO COMPLETE INTERIOR AND EXTERIOR RENOVATION W/ ADDITION TOWARDS CONVERSION TO HOTEL (R-2) & RESTAURANT (A-2) USES WITH INCIDENTAL AMENITY PROGRAMMING DISTRIBUTED THROUGHOUT. SITE WORK TO INCLUDE UTILITY UPGRADES, LANDSCAPING, PARKING & STORMWATER MNGMT IMPROVEMENTS.

VICINITY PLAN



SHEET INDEX

	01/12/22
P0	Cover Sheet
P6	Existing Front Perspective
P7	Proposed Front View
P8	Existing Rear Perspective
P9	Proposed Rear View
P10	Basement Demo Plan
P11	Basement Concept
P12	First Floor Demo Plan
P13	First Floor Concept
P14	Second Floor Demo Plan
P15	Second Floor Concept
P16	Roof Plan
P17	Suite Module A
P18	Suite Module B
P19	East (Summit Ave) Demo Elevation
P20	East (Summit Ave) Elevation
P21	West (Virginia Ave) Demo Elevation
P22	West (Virginia Ave) Elevation
P23	North Elevations
P24	South Elevations
P25	Enlarged Elevation
P29	Area Plans
P30	Birdseye Looking Northeast
P31	Birdseye Looking Southwest

PROPOSED VIEW AT FRONT



EXISTING VIEW AT FRONT

Cover Sheet

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: 1" = 100'-0"

Date: 01/12/22

Revision:

NO. DESCRIPTION

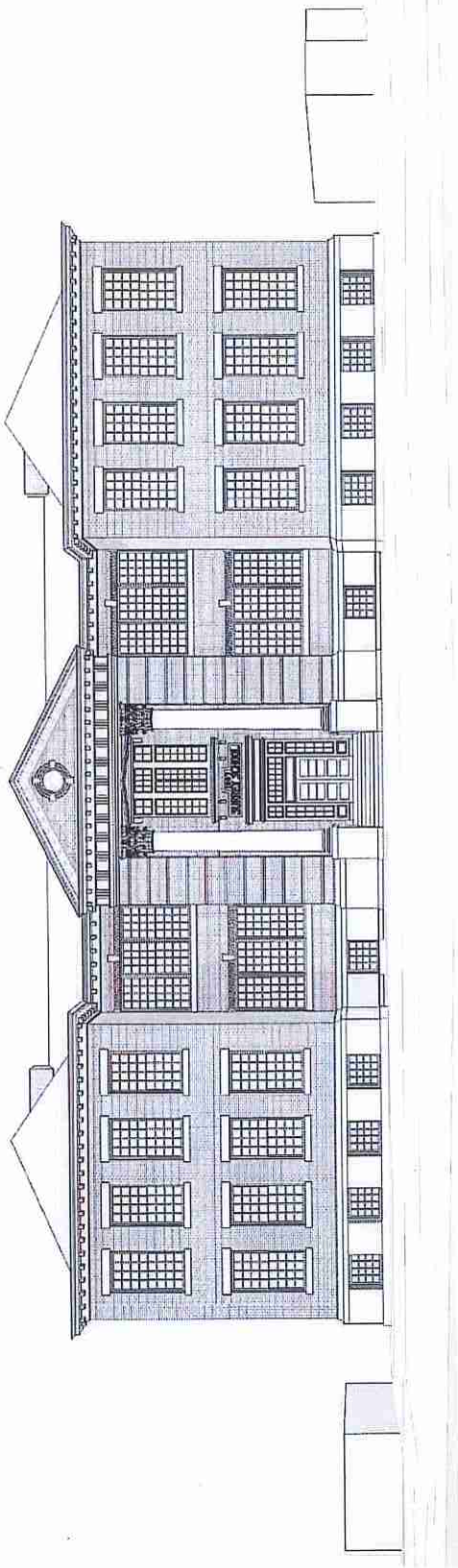
DATE

Sketch Number:

P0



2126 15TH ST SE
WASHINGTON DC 20002
(847) 997-0076



Existing Front Perspective

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale:

Date: 01/12/22

Revision:

NO. DESCRIPTION

DATE

Sketch Number:

p6



2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

Proposed Front View

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale:

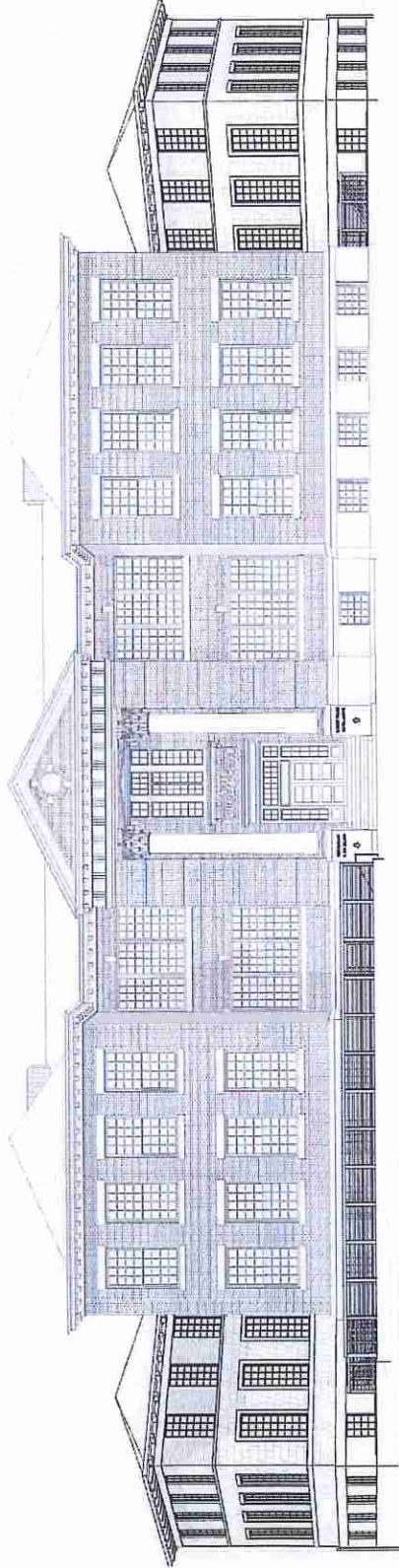
Date: 01/12/22

Revision:

NO.	DESCRIPTION	DATE

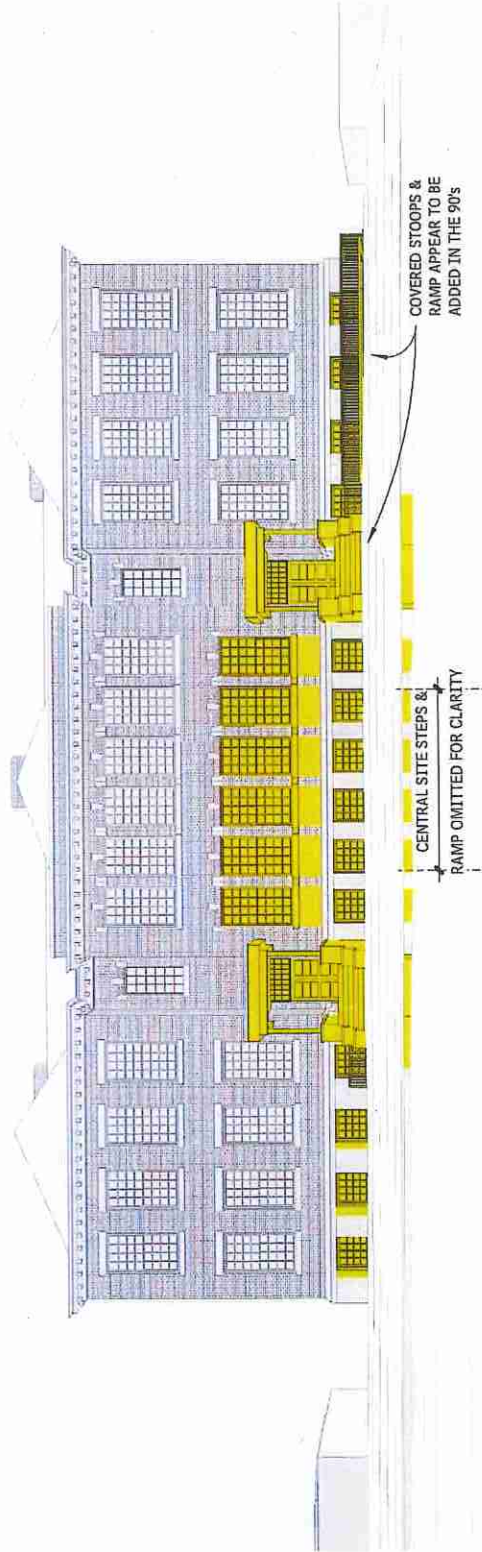
Sketch Number:

P7





2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076



Existing Rear Perspective

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale:

Date: 01/12/22

Revision:

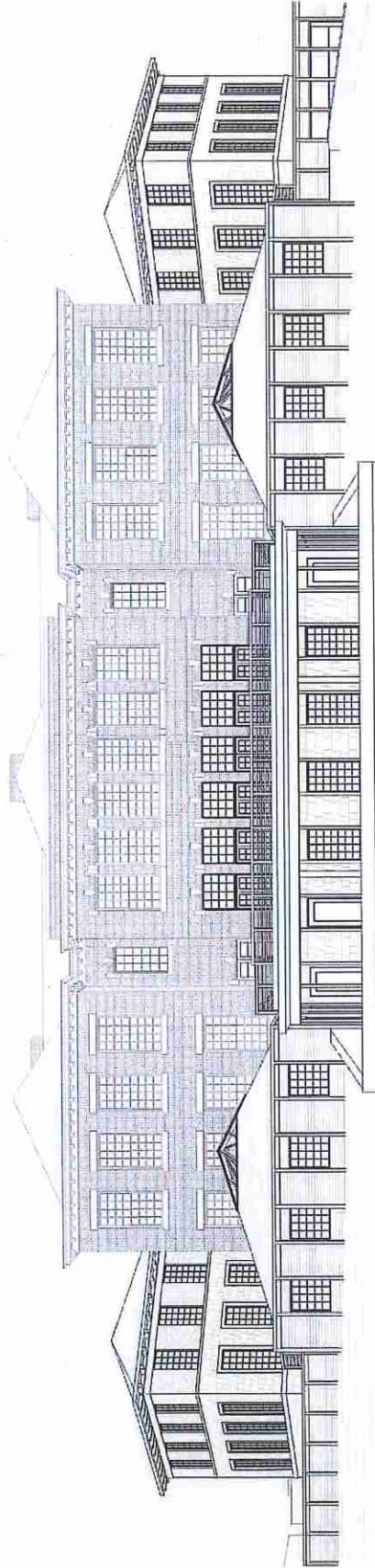
NO. DESCRIPTION DATE

Sketch Number:

01



2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076



Proposed Rear View

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale:

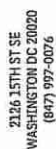
Date: 01/12/22

Revision:

NO.	DESCRIPTION	DATE

Sketch Number:

69



Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: As indicated

Date: 01/12/22

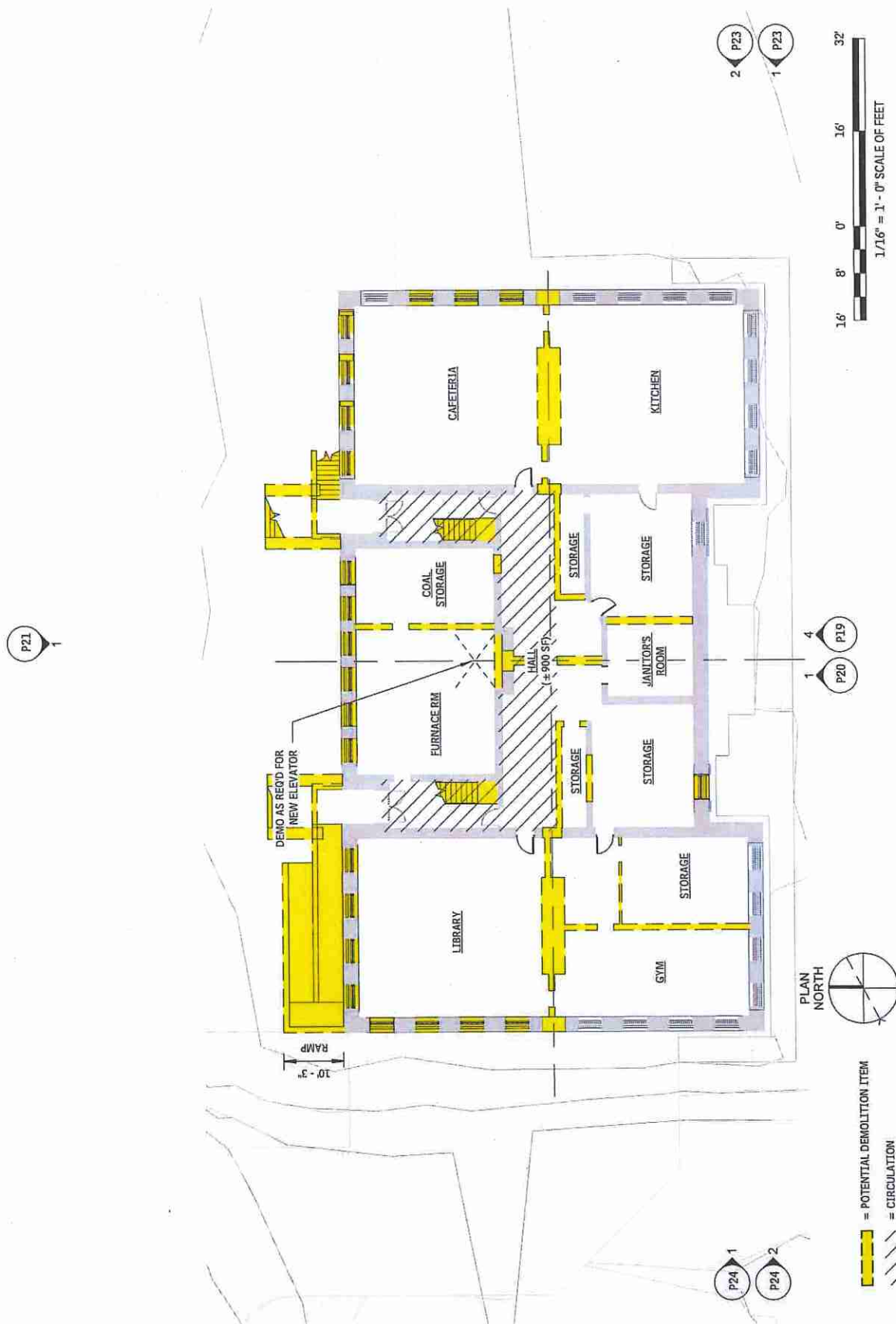
Revision:

NO.	DESCRIPTION	AMOUNT
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

DATE _____

Sketch Number:

101





2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

Basement Concept

Proposed Revitalization & Addition
335 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: As Indicated

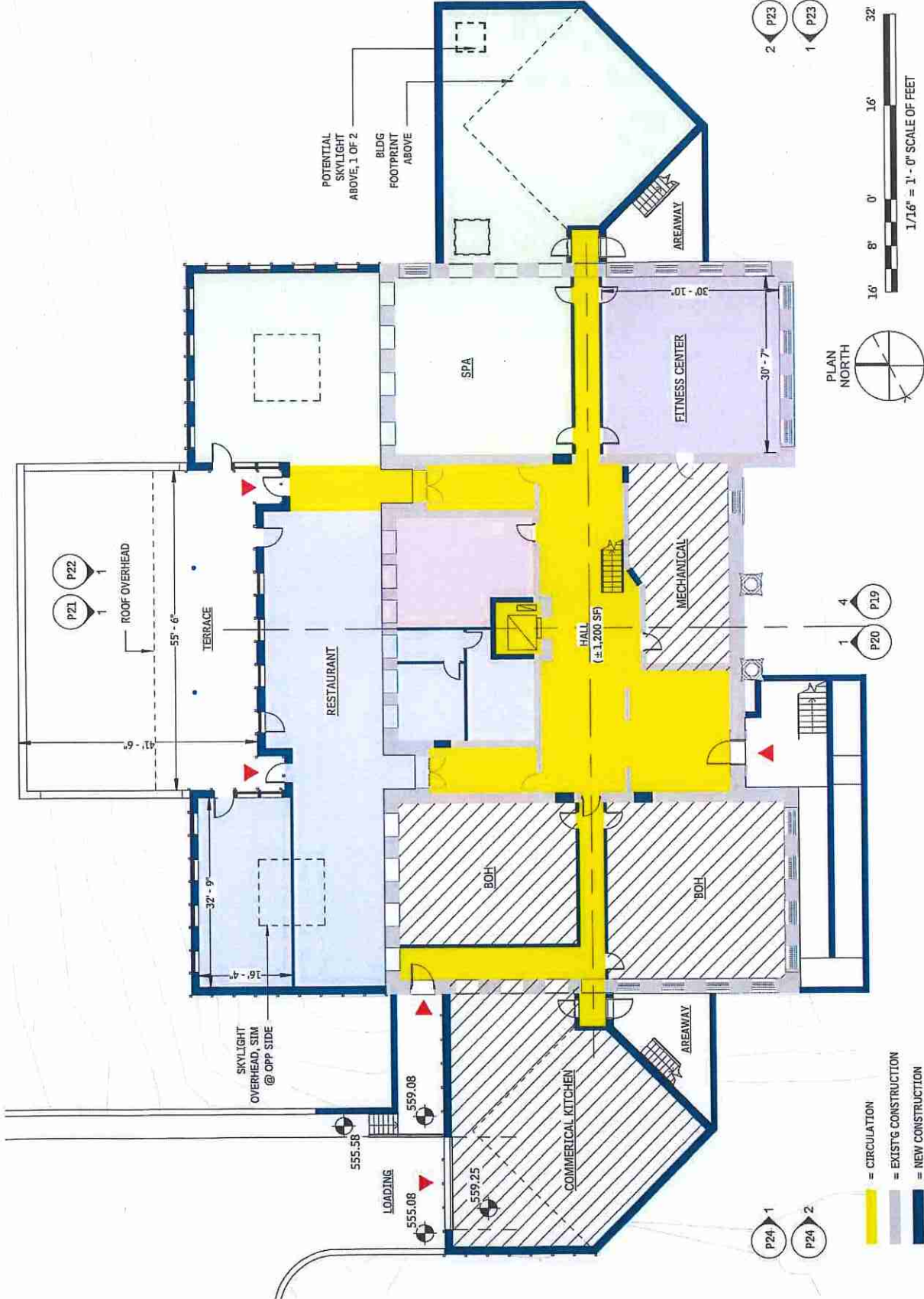
Date: 01/12/22

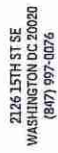
Revision:

NO. DESCRIPTION DATE

Sketch Number:

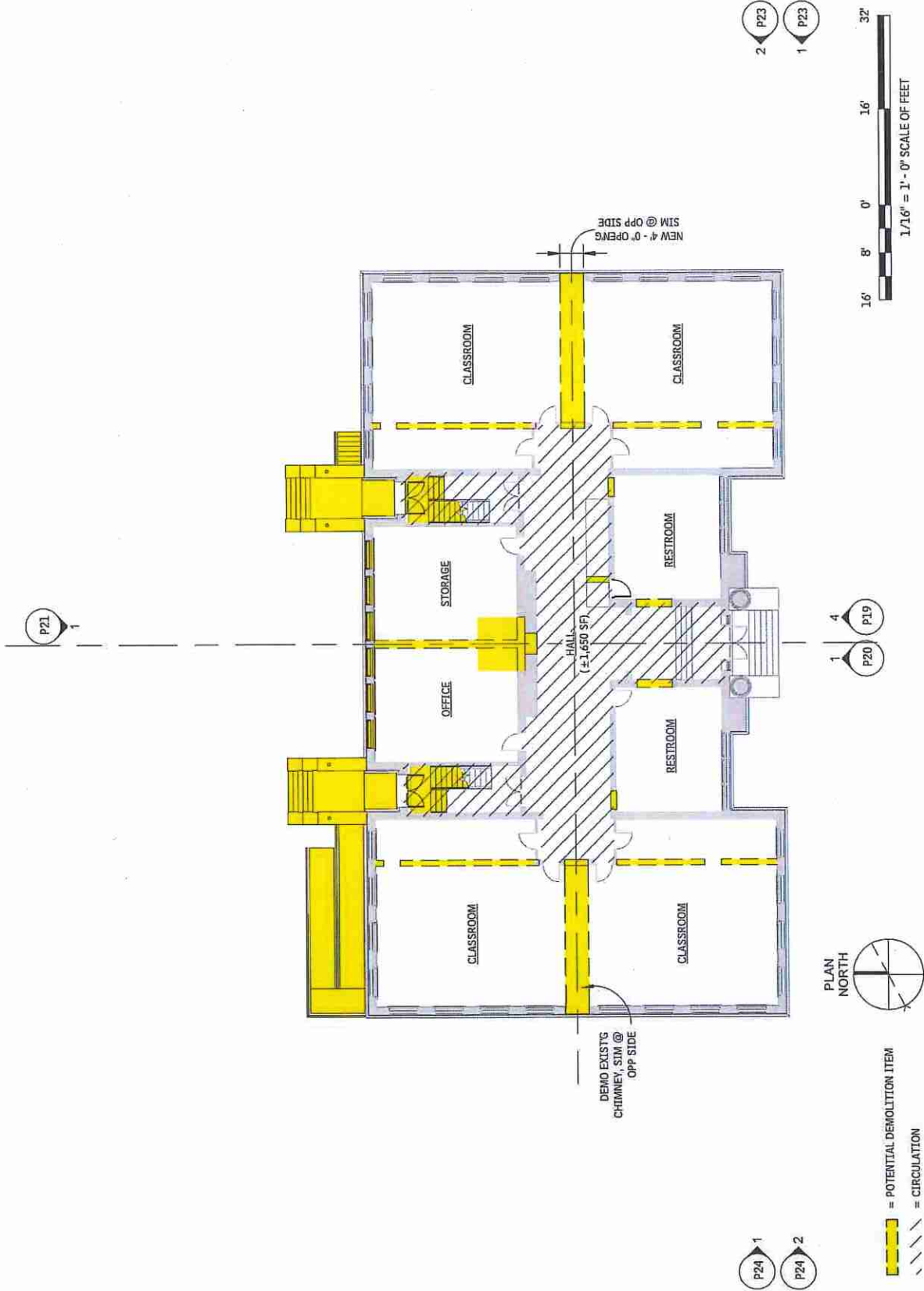
P11





Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

212





2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

First Floor Concept

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: As indicated

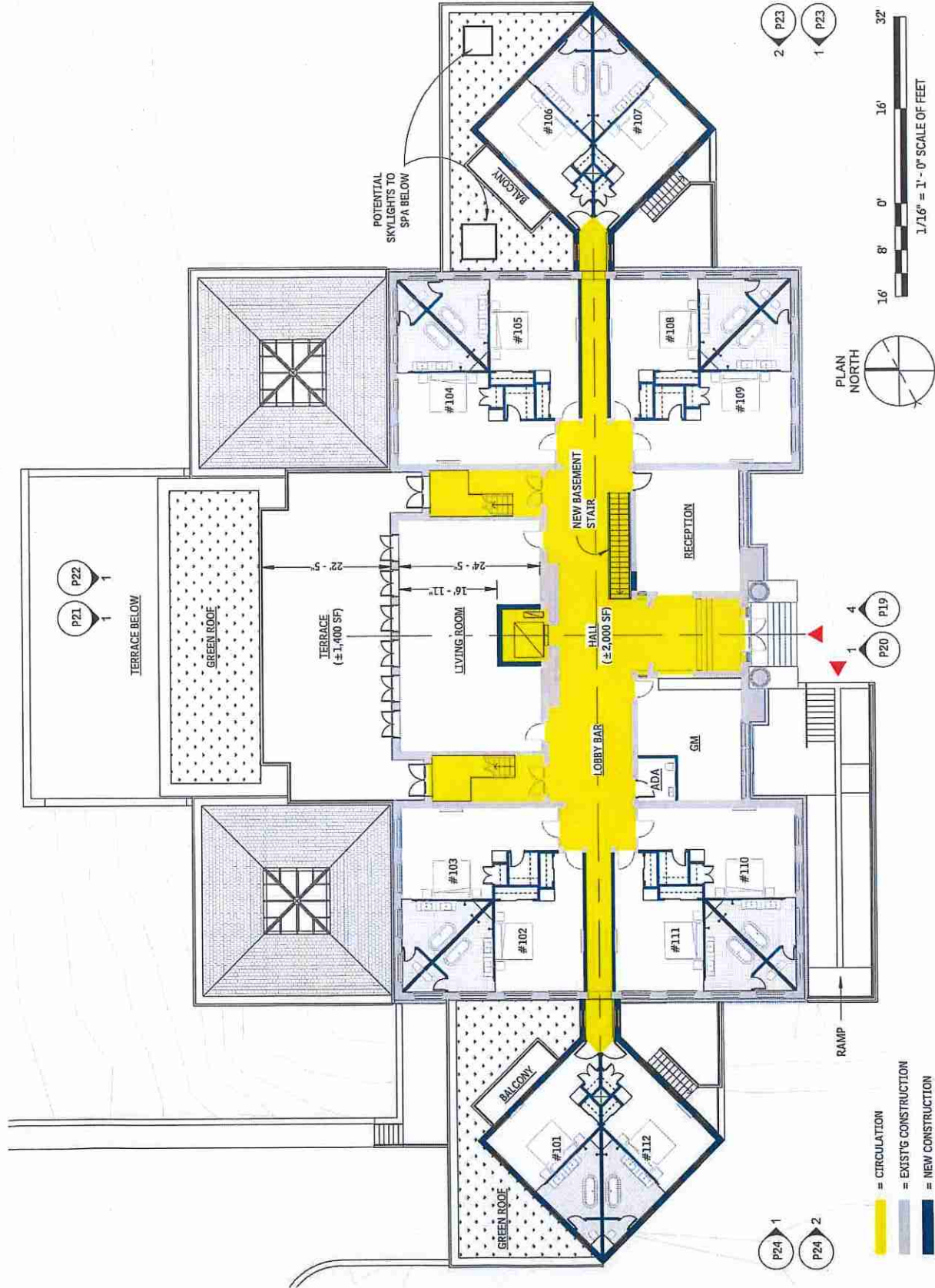
Date: 01/12/22

Revision:

NO. DESCRIPTION DATE

Sketch Number:

P13





2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

Second Floor Demo Plan

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: As indicated

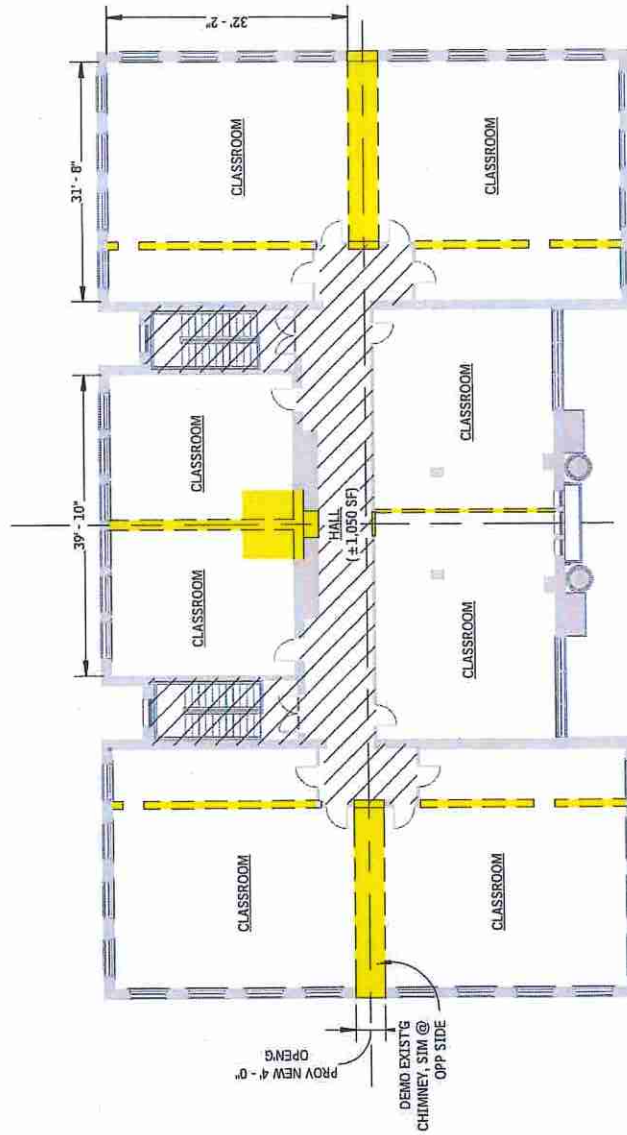
Date: 01/12/22

Revision:

NO. DESCRIPTION DATE

Sketch Number:

P14



== POTENTIAL DEMOLITION ITEM
== CIRCULATION



P23
2
1
P23

P20
1
P19
4

P24
1
P24
2

P21



2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

Second Floor Concept

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: As indicated

Date: 01/12/22

Revision:

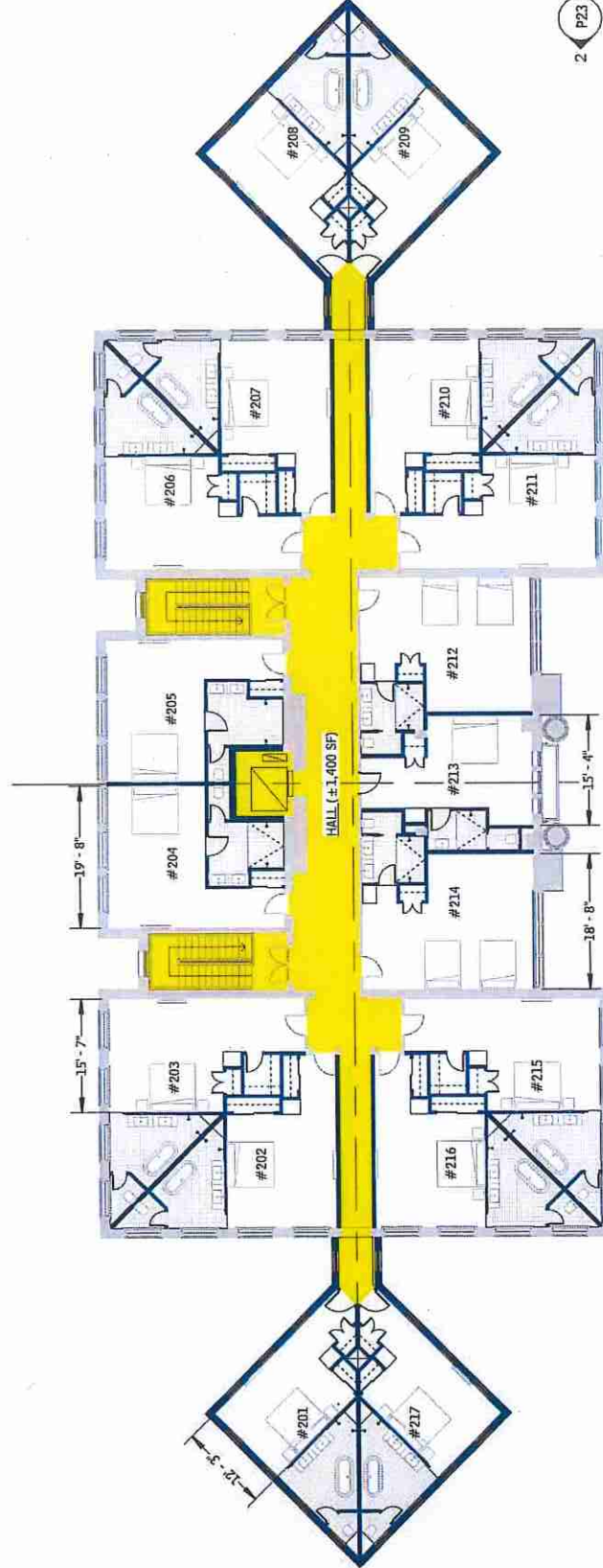
NO. DESCRIPTION

DATE

Sketch Number:

P15

P21



- = CIRCULATION
- = EXISTG CONSTRUCTION
- = NEW CONSTRUCTION

P23
2

P23
1

P19
4

P20
1



2126 15TH ST SE
WASHINGTON DC 20020
(847) 992-0076

Roof Plan
Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

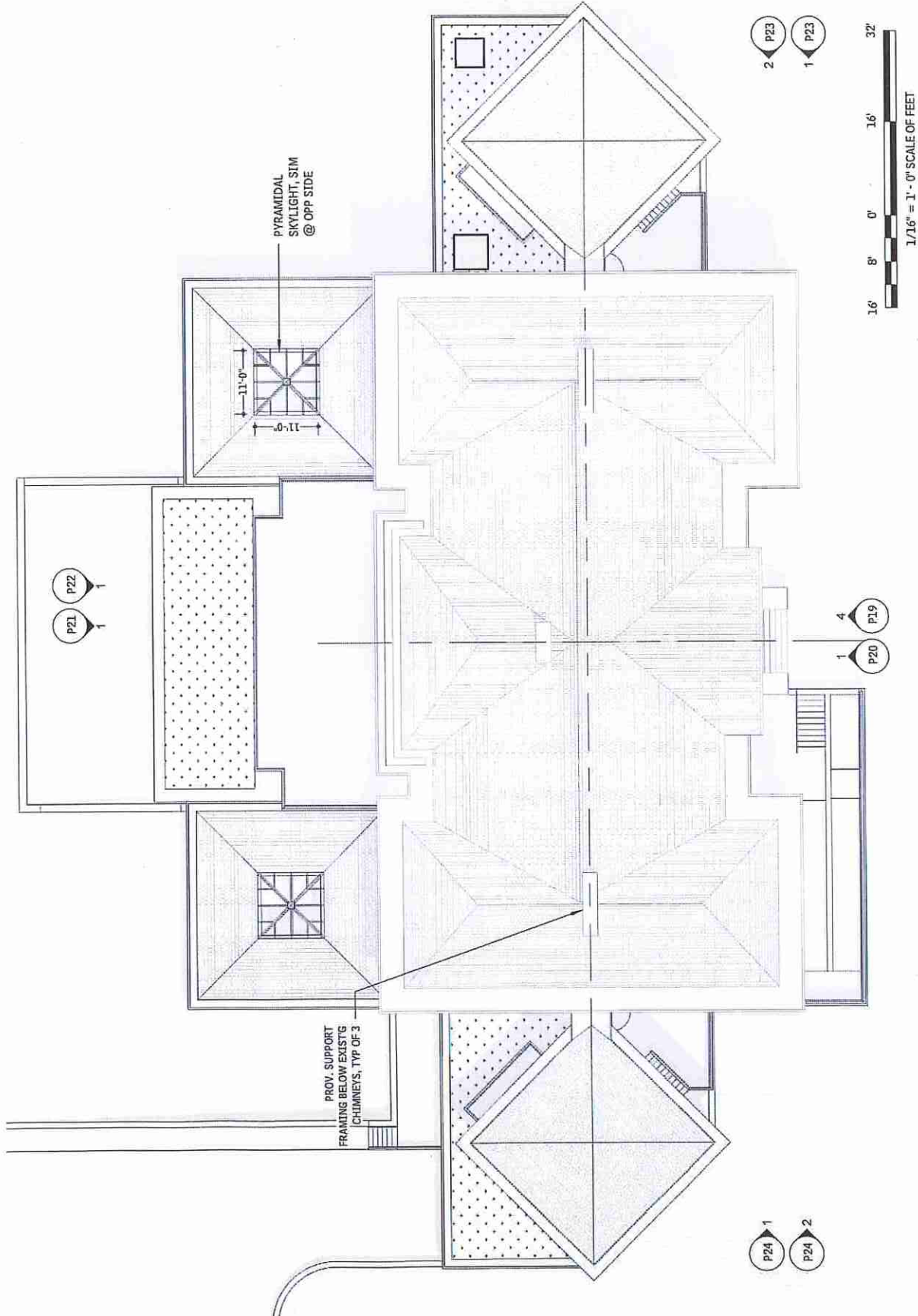
Scale: 1/16" = 1'-0"

Date: 01/12/22

Revision:

NO. DESCRIPTION DATE

Sketch Number: **P16**





2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

Suite Module A

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: As indicated

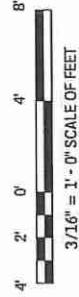
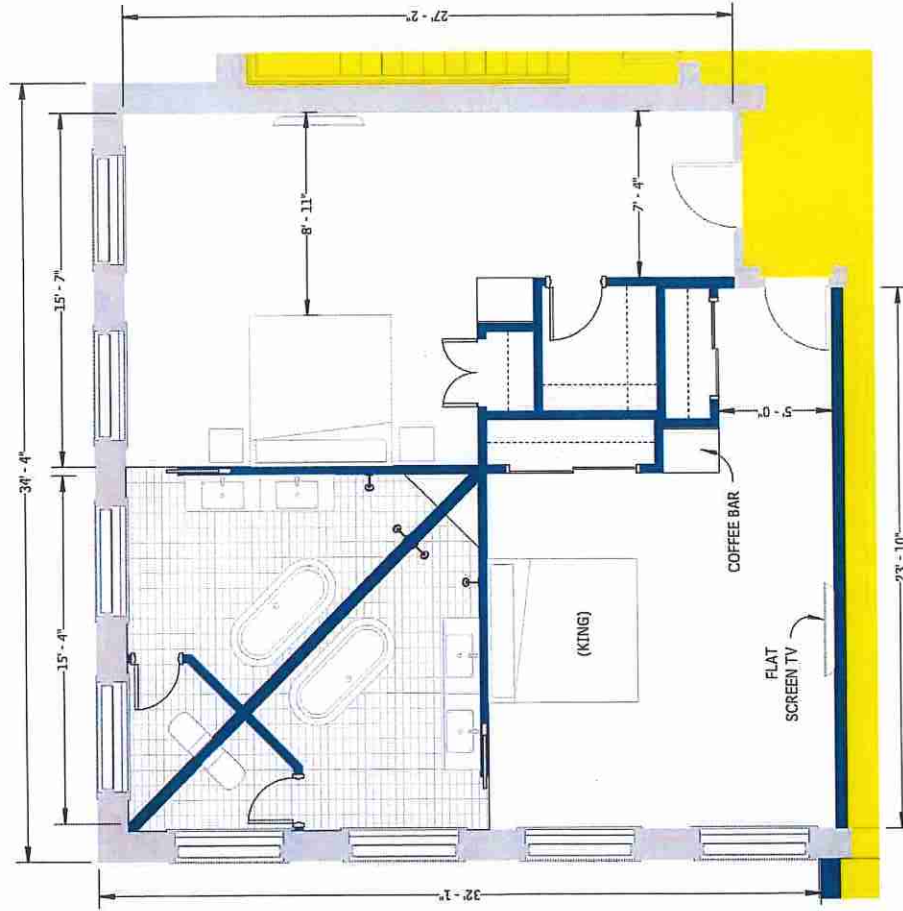
Date: 01/12/22

Revision:

NO. DESCRIPTION DATE

p17

Sketch Number:



- = CIRCULATION
- = EXISTING CONSTRUCTION
- = NEW CONSTRUCTION



2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

Suite Module B

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

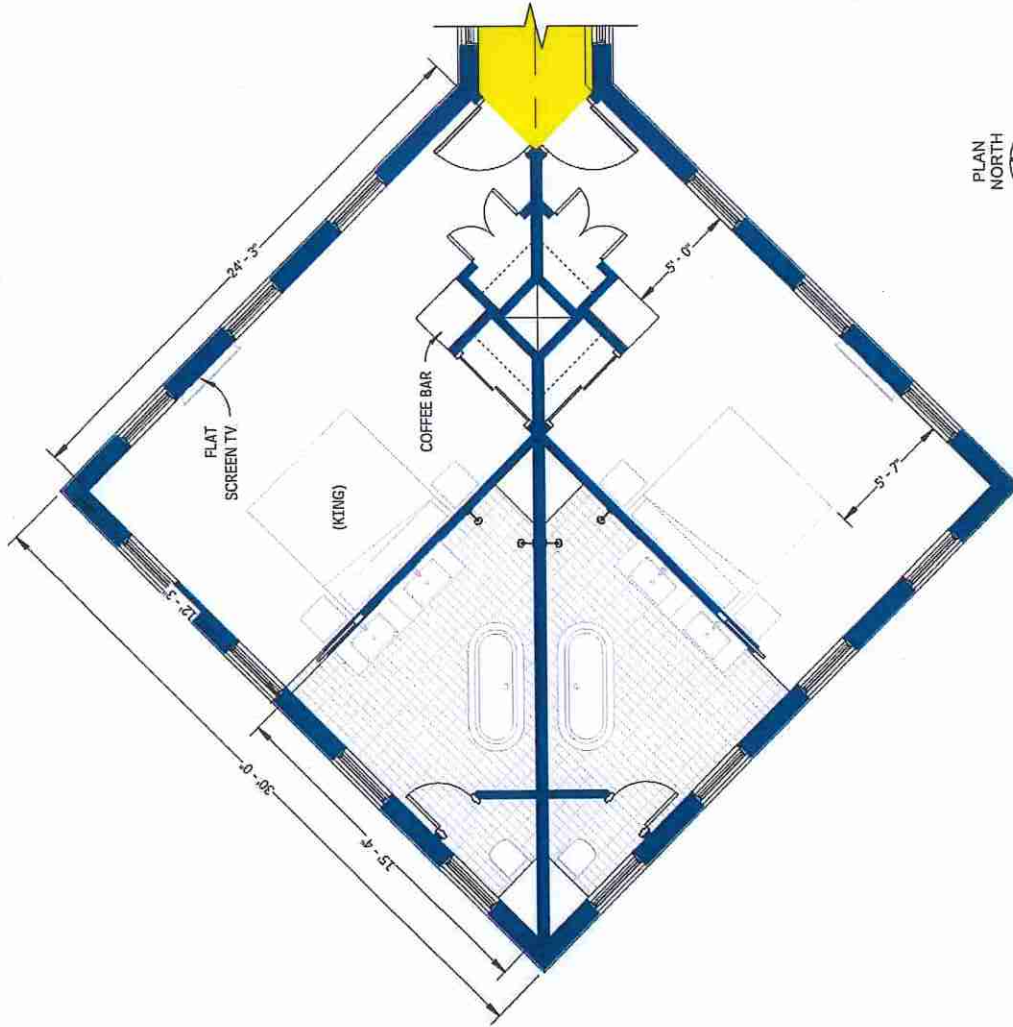
Scale: As indicated

Date: 01/12/22

Revision:

NO. DESCRIPTION DATE

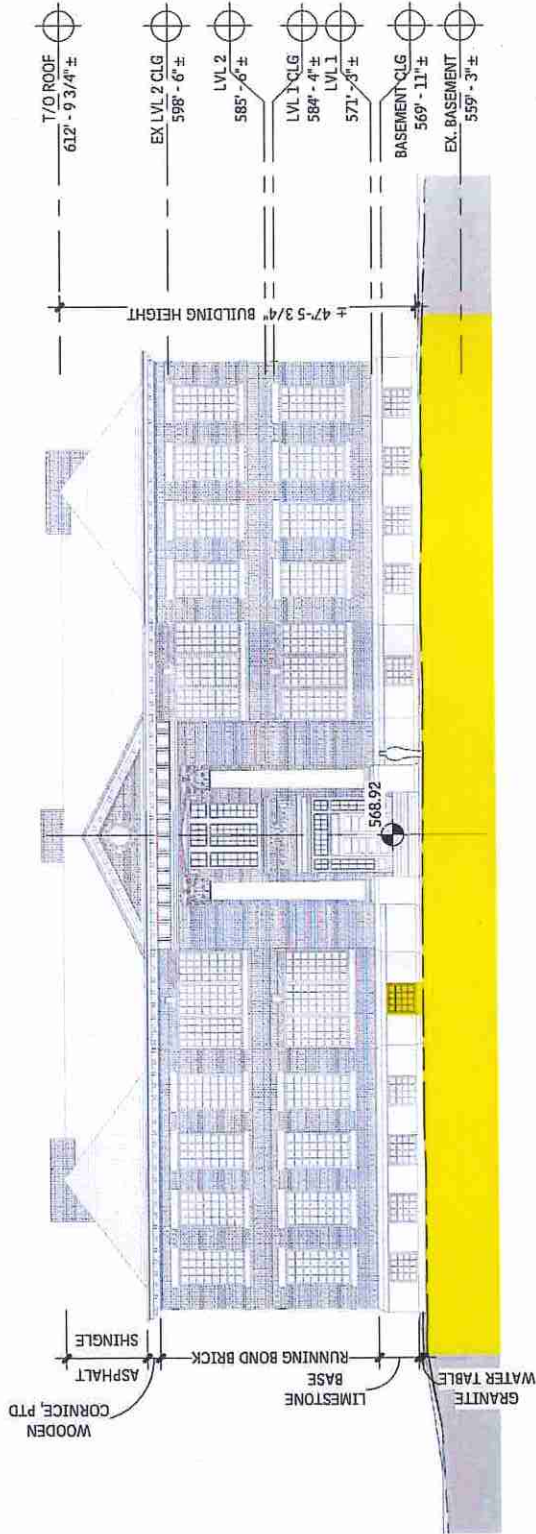
Sketch Number: **p18**



- = CIRCULATION
- = EXISTG CONSTRUCTION
- = NEW CONSTRUCTION



2126 15TH ST SE
WASHINGTON DC 20020
(847) 992-0076



East (Summit Ave) Demo Elevation

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: 1/16" = 1'-0"

Date: 01/12/22

Revision:

NO. DESCRIPTION DATE

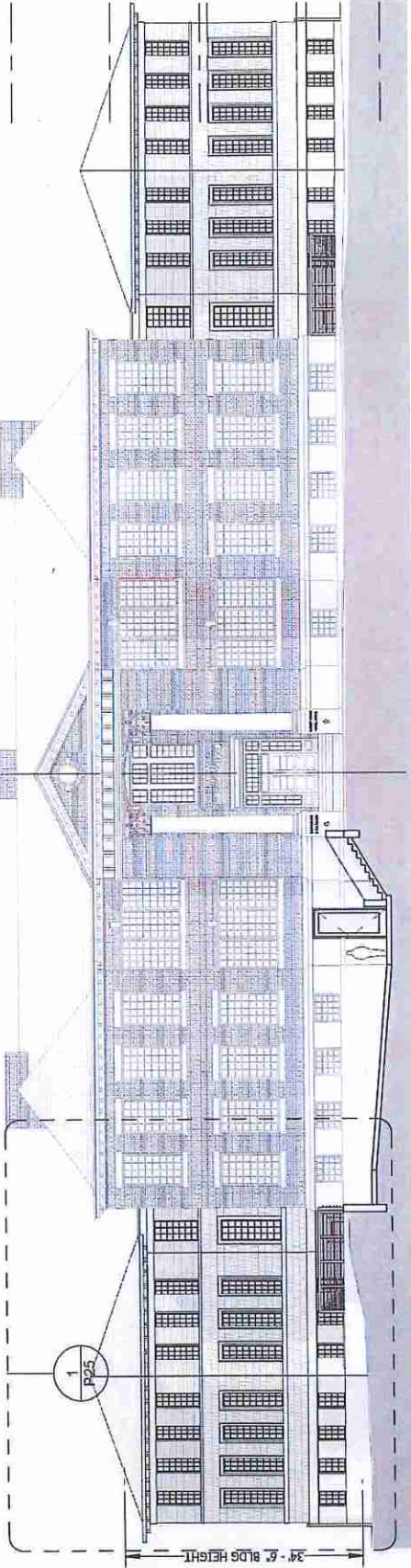
Sketch Number:

P19





2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076



East (Summit Ave) Elevation

Proposed Revitalization & Addition
335 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: 1/16" = 1'-0"

Date: 01/12/22

Revision:

NO. DESCRIPTION

DATE

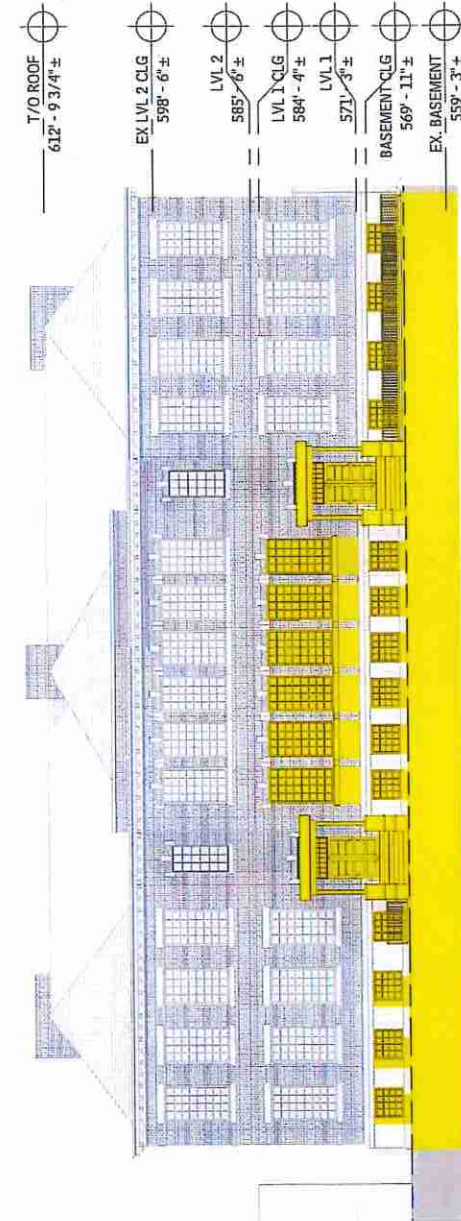
Sketch Number:

p20





2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076



West (Virginia Ave) Demo Elevation

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: 1/16" = 1'-0"

Date: 01/12/22

Revision:

NO. DESCRIPTION DATE

Sketch Number:

121



2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

West (Virginia Ave) Elevation

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: 1/16" = 1'-0"

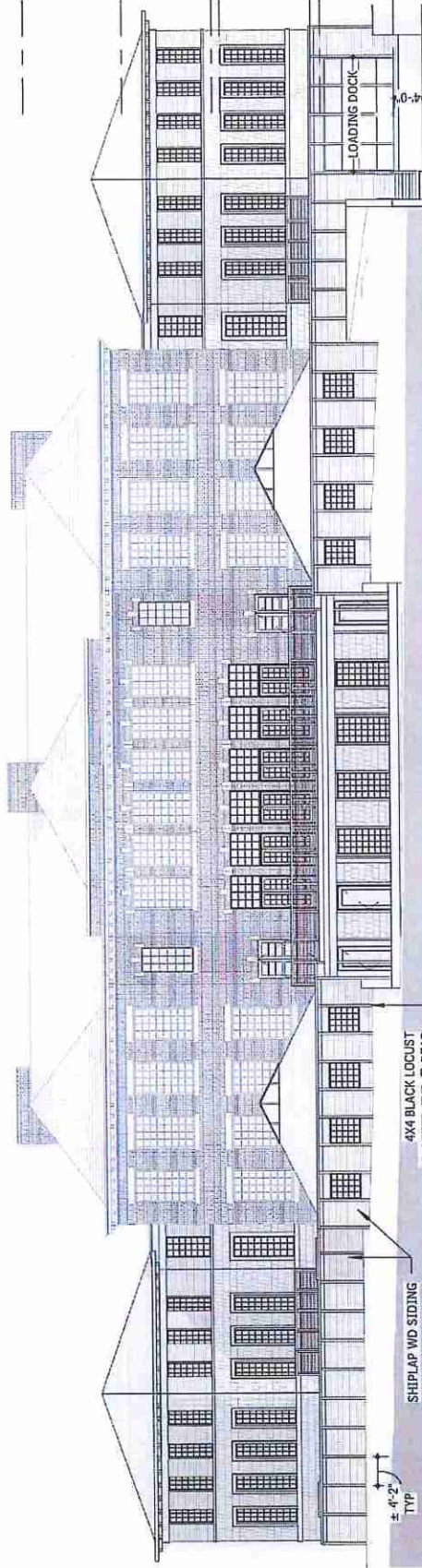
Date: 01/12/22

Revision:

NO. DESCRIPTION DATE

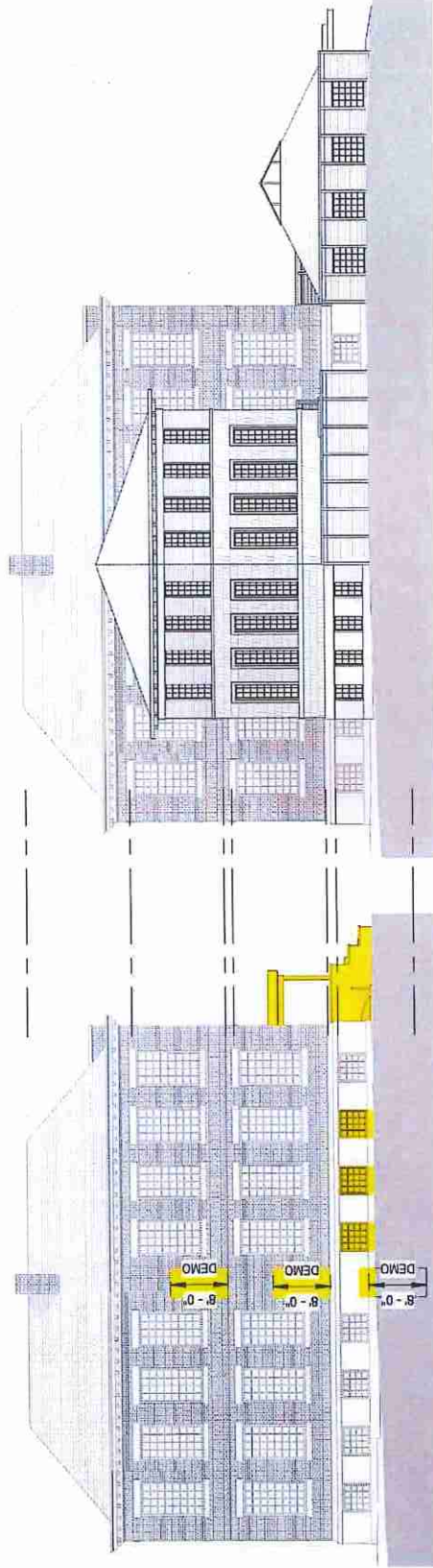
Sketch Number:

p22





2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076



1 Demo Elevation

1/16" = 1'-0"

2 Concept Elevation

1/16" = 1'-0"



North Elevations

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: 1/16" = 1'-0"

Date: 01/12/22

Revision:

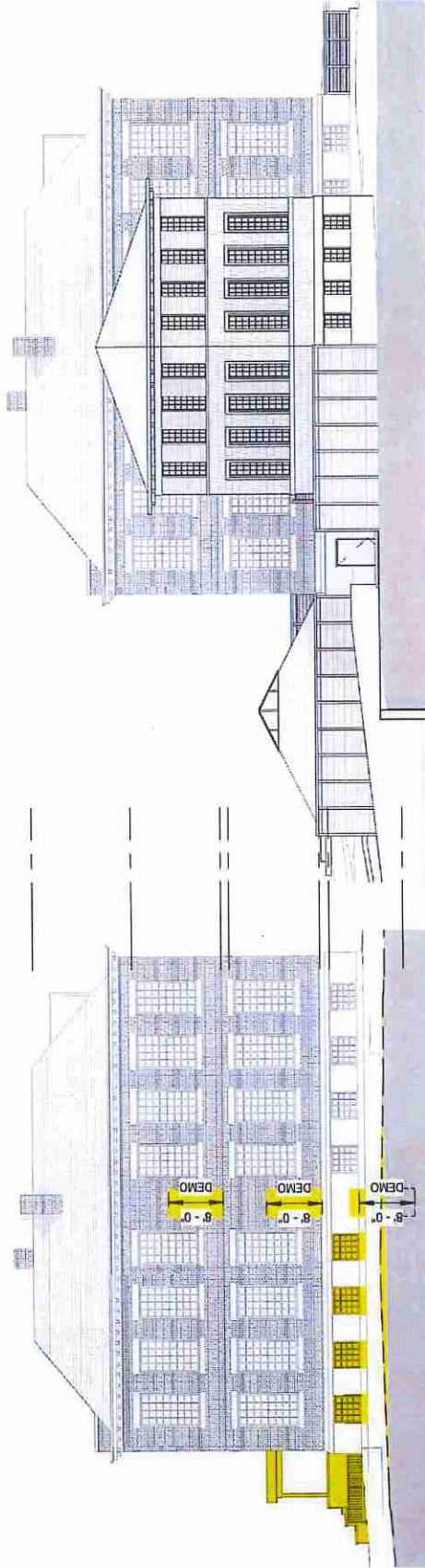
NO. DESCRIPTION DATE

Sketch Number:

p23



2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076



1 Demo Elevation

1/16" = 1'-0"

2 Concept Elevation

1/16" = 1'-0"



South Elevations

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale: 1/16" = 1'-0"

Date: 01/12/22

Revision:

NO. DESCRIPTION

DATE

Sketch Number:

p24

Enhanced Elevation

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

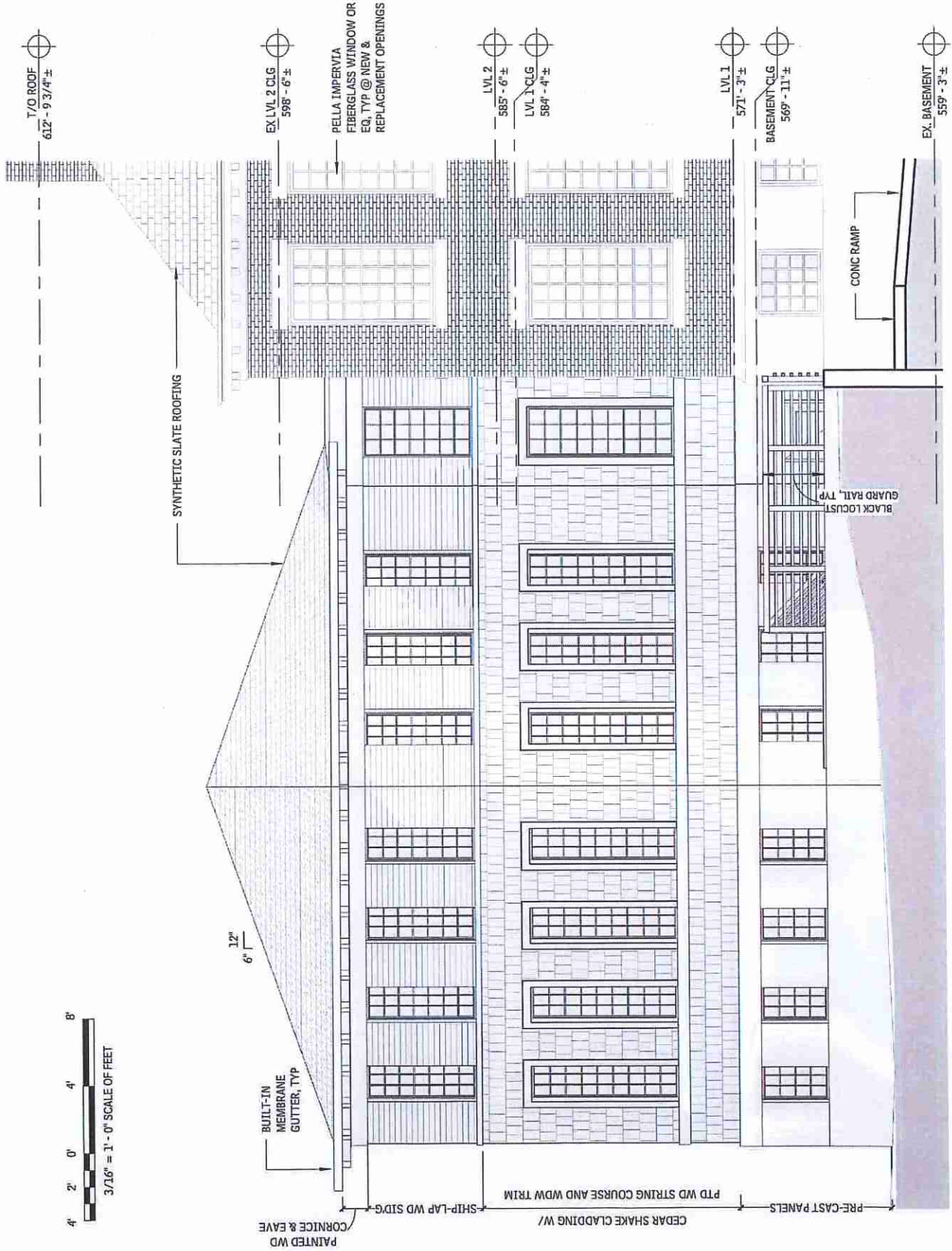
Scale: 3/16" = 1'-0"

Date: 01/12/22

Revision:

NO.	DESCRIPTION
1	...
2	...
3	...
4	...
5	...
6	...
7	...
8	...
9	...
10	...
11	...
12	...
13	...
14	...
15	...
16	...
17	...
18	...
19	...
20	...
21	...
22	...
23	...
24	...
25	...
26	...
27	...
28	...
29	...
30	...
31	...
32	...
33	...
34	...
35	...
36	...
37	...
38	...
39	...
40	...
41	...
42	...
43	...
44	...
45	...
46	...
47	...
48	...
49	...
50	...
51	...
52	...
53	...
54	...
55	...
56	...
57	...
58	...
59	...
60	...
61	...
62	...
63	...
64	...
65	...
66	...
67	...
68	...
69	...
70	...
71	...
72	...
73	...
74	...
75	...
76	...
77	...
78	...
79	...
80	...
81	...
82	...
83	...
84	...
85	...
86	...
87	...
88	...
89	...
90	...
91	...
92	...
93	...
94	...
95	...
96	...
97	...
98	...
99	...
100	...

Sketch Number: **P25**





2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

EXIST'G GROSS BLDG AREA		
Level		Area
EX. BASEMENT		8,299 SF
LVL 1		8,319 SF
LVL 2		8,288 SF

EX. BASEMENT	8,299 SF
LVL 1	8,319 SF
LVL 2	8,288 SF
	24,905 SF

NEW GROSS BLDG AREA		
Level		Area
EX. BASEMENT		1,695 SF
EX. BASEMENT		1,664 SF
EX. BASEMENT		3,828 SF
LVL 1		937 SF
LVL 1		937 SF
LVL 2		937 SF
LVL 2		937 SF

EX. BASEMENT	1,695 SF
EX. BASEMENT	1,664 SF
EX. BASEMENT	3,828 SF
LVL 1	937 SF
LVL 1	937 SF
LVL 2	937 SF
LVL 2	937 SF
	10,935 SF

Area Plans

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

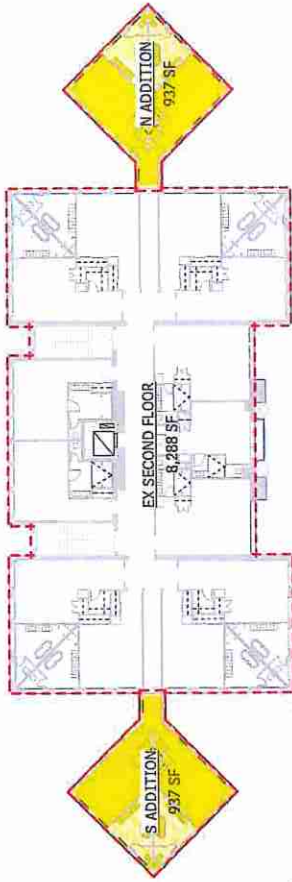
Scale: 1" = 30'-0"

Date: 01/12/22

Revision:

NO. DESCRIPTION DATE

Sketch Number: **p29**



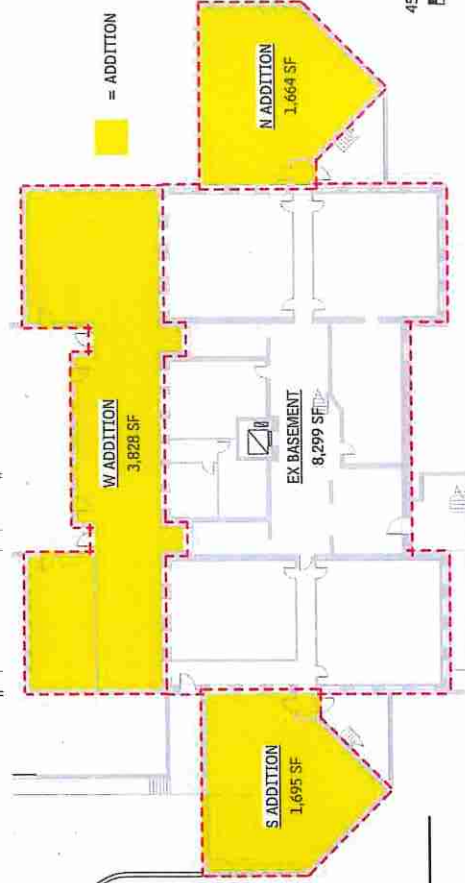
3 Second Floor Area Plan

1" = 30'-0"



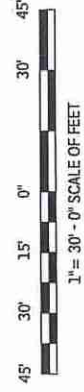
2 First Floor Area Plan

1" = 30'-0"



1 Basement Area Plan

1" = 30'-0"



1" = 30' - 0" SCALE OF FEET



2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

Birdseye Looking Northeast

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale:

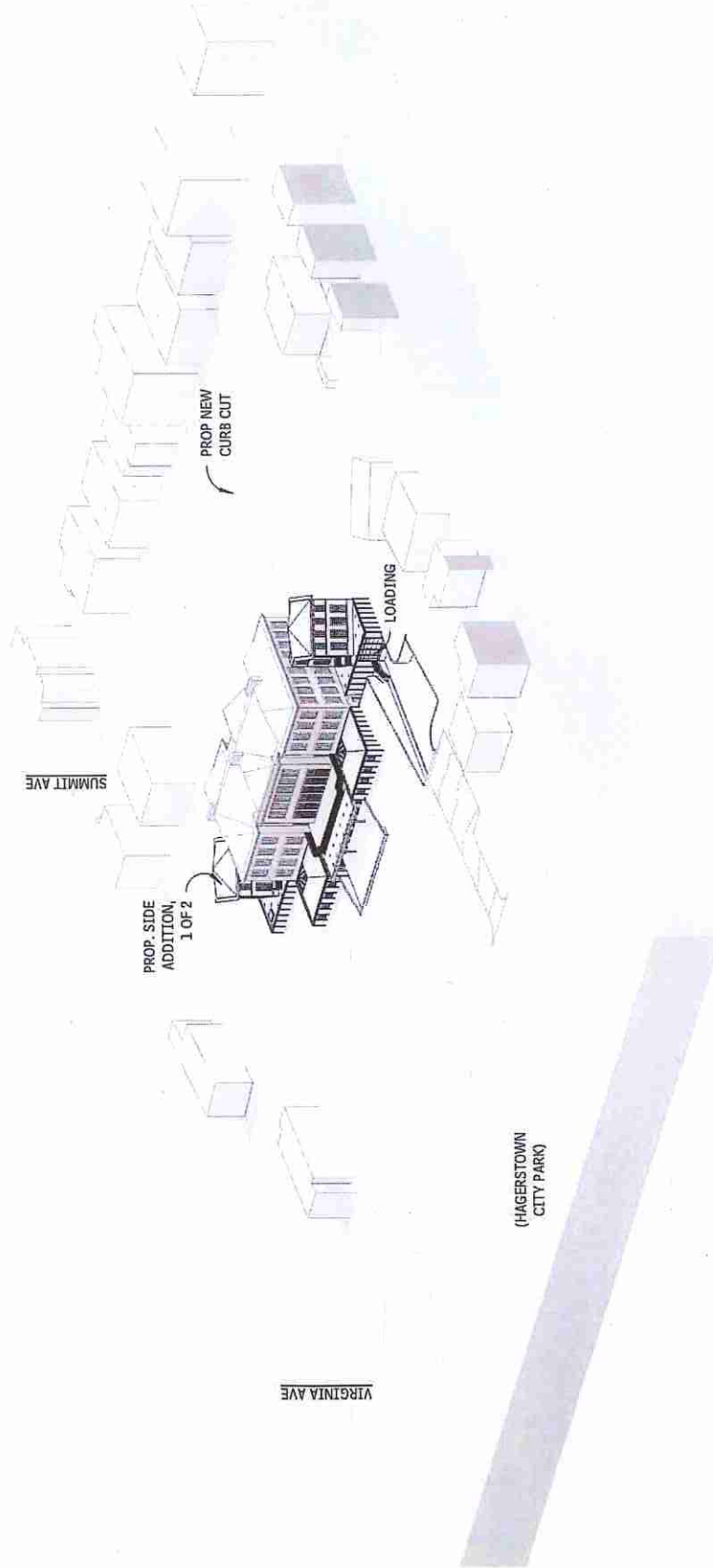
Date: 01/12/22

Revision:

NO. DESCRIPTION DATE

Sketch Number:

P30





2126 15TH ST SE
WASHINGTON DC 20020
(847) 997-0076

Birdseye Looking Southwest

Proposed Revitalization & Addition
535 SUMMIT AVE
HAGERSTOWN, MD 21740

Scale:

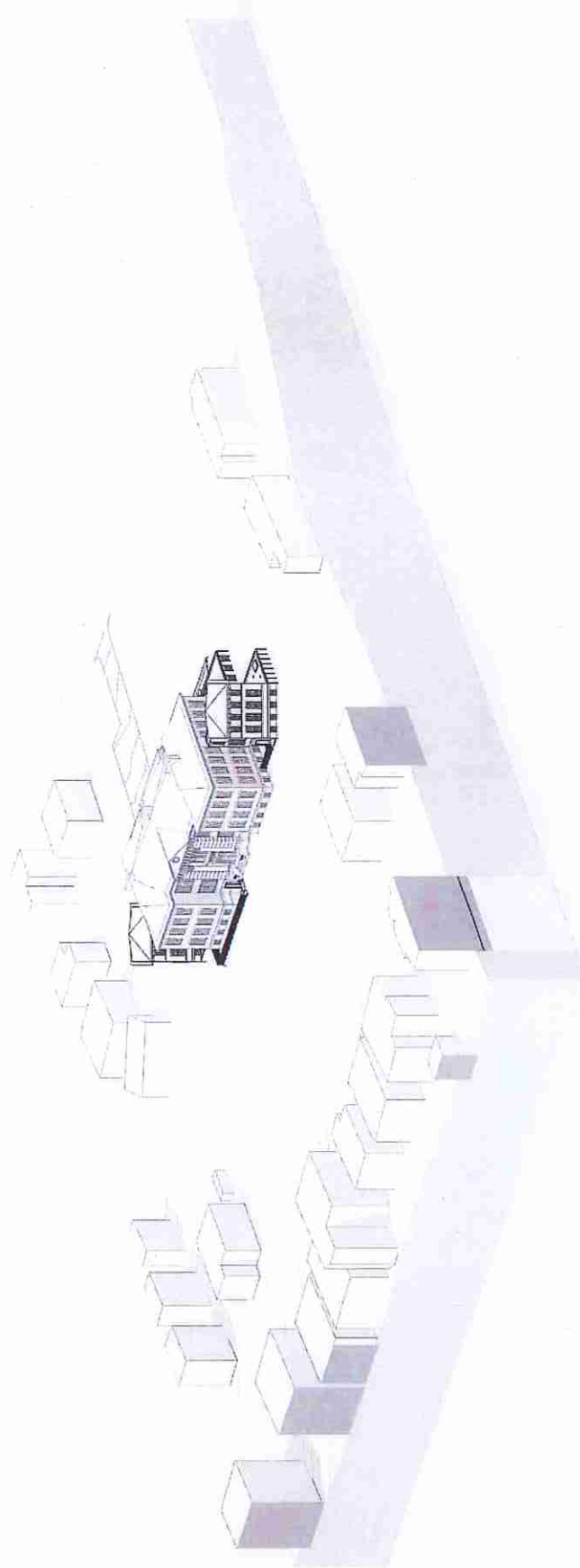
Date: 01/12/22

Revision:

NO. DESCRIPTION DATE

Sketch Number:

p31



**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

FY2023 DHCD Grant Applications - *Kathleen Maher, Director of Planning & Code Administration*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

MCC_DHCD_Grants_FY23.pdf

Description

FY 2023 DHCD Grant Applications



CITY OF HAGERSTOWN, MARYLAND

Planning and Code Administration Department

MEMORANDUM

TO: Scott Nicewarner, City Administrator

FROM: Kathleen A. Maher, Director, PCAD

DATE: June 1, 2022

SUBJECT: FY 2023 DHCD Grant Applications

Mayor and Council Action Requested

Mayor and Council authorization is needed to begin the process to submit FY 2023 applications to the State's Community Legacy and Strategic Demolition Programs as well as adoption of a resolution in support of the City's applications. The deadline for grant applications is July 13.

FY 2023 DHCD Community Revitalization Assistance Program – Community Legacy and Strategic Demolition Fund Programs

The goal of the State's Community Legacy (CL) and Strategic Demolition Fund (SDF) programs is to provide funding to local governments and community development organizations for essential projects aimed at strengthening declining urban areas through a comprehensive approach that includes activities such as business retention and attraction, encouraging home-ownership and rehabilitation, and commercial revitalization. Projects must be consistent with the goals and strategies outlined in the City's Sustainable Community Plan and the projects must be located in the City's Sustainable Community Area.

The Maryland Department of Housing and Community Development (DHCD) has \$8 million in CL funding and \$9 million in SDF funding for grant and loan awards around the State in FY 2023. Community Legacy funds may be used only for capital projects - bricks and mortar projects or loan/grant programs for brick and mortar projects. Projects must be ready to go and be completed within two years. The Strategic Demolition Fund may be used only for pre-construction costs of a project – acquisition, demolition, architectural and engineering services, site work, utility infrastructure, etc. While there is no matching requirement, the application needs to show that the project will leverage other funds.

Proposed FY 2023 Applications

Staff recommends applying to the Strategic Demolition Fund (SDF) program for three City projects. All three projects would meet the pre-construction criteria for SDF and all are consistent with the City's Sustainable Community Plan. The SDF program is generally less competitive than

the Community Legacy (CL) program, since SDF is restricted to pre-construction projects and CL can be used for construction projects.

Project	Program	Grant Request	Local Match
M&T Bank Adaptive Re-Use Project for City Offices – add fire sprinkler system and elevator	SDF	\$250,000	City General Fund
Field House – pre-development activities (site work)	SDF	\$250,000	City bond funds
Down Payment Assistance Program – loan to grant program for home-buyers	SDF	\$75,000	\$50,000 City Match from Invest Hagerstown Program
	TOTAL	\$575,000	

Next Steps

If the Mayor and City Council are in agreement with the proposal, a resolution in support of the grant applications would be placed on the June 28th agenda for approval. Staff will prepare the grant applications for the July 13 submission deadline.

Attachments:

Hagerstown's Past Community Legacy and SDF Awards

C: Michelle Hepburn, Chief Financial Officer

Brooke Garver, Accounting & Budgeting Manager

Stacey Pierre-Louis, Grants Coordinator

Rodney Tissue, City Engineer

Jill Thompson, Director of DCED

Margi Joe, Bus./Comm. Dev. Finance Specialist

Hagerstown's Community Legacy Awards Since 2013*

Year	Project	Award	Status
FY 2013	43-53 W Washington Street Acquisition	\$100,000	Completed
FY 2014	43-53 W Washington Street Rehabilitation	\$100,000	Completed
FY 2014	170 W Washington Street Rehabilitation	\$50,000	Completed
FY 2015	170 W Washington Street Rehabilitation	\$100,000	Completed
FY 2015	Acquisition/Rehabilitation of 278 South Prospect Street for Homeownership	\$100,000	Completed
FY 2016	Acquisition/Rehabilitation of Dwelling for Homeownership	\$150,000	Completed
FY 2016	Renovation of storefronts in Main Street Area (for City Center Retail/Restaurant Incentive Program)	\$50,000	Nearly Complete
FY 2017	Student Housing Project (#2)	\$200,000	Completed
FY 2017	Down Payment Assistance Program	\$50,000	Completed
FY 2017	Façade Grant Program for Commercial & Mixed-Use Buildings	\$25,000	Completed
FY 2019	UIP – Plaza construction and First Hose historic rehab	\$420,000	Completed
FY 2020	Student Housing Grant Program (#3)	\$200,000	Underway
FY 2021	Upper Floor Market Rate Housing Grant Program	\$200,000	Not Started
FY 2021	Acquisition/Rehab Fund for Vacant & Blighted Buildings	\$150,000	Not Started
FY 2021	Jonathan Street Neighborhood – DBHM acquisition and architectural services	\$325,000	Underway
FY 2022	Vacant White Elephant Buildings Program	\$200,000	Grant Agreement under review
	TOTAL	\$2,420,000	

***\$2,371,000 awarded between 2002-2012 (\$515,000 of the awarded funds relinquished because projects were dropped)**

Hagerstown's Past Strategic Demolition Fund Awards

Year	Project	Award	Status
FY 2018	UIP – Maryland Theatre Expansion (pre-construction)	\$300,000	Complete
FY 2018	UIP – BOE Expansion (pre-construction)	\$300,000	Complete
FY 2018	UIP – the Plaza (underground wiring)	\$300,000	Complete
FY 2019	UIP – the Plaza and the Maryland Theatre Expansion	\$900,000	Agreement pending
FY 2020	Fire Line Vault Grant Program	\$125,000	Underway
FY 2022	Life Safety Infrastructure Grant Program	\$125,000	Grant Agreement under review
	TOTAL	\$2,050,000	

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Invest Hagerstown Proposed Guideline Changes & FY23 Funding Levels ~ *Chris Siemerling, Economic Development Specialist*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

060722_MCC_Packet_Invest_Hagerstown.pdf

Description

Invest Hagerstown



CITY OF HAGERSTOWN, MARYLAND

Department of Community and Economic Development

TO: Scott Nicewarner, City Administrator

FROM: Chris Siemerling, Economic Development Specialist

DATE: June 07, 2022

RE: Invest Hagerstown Proposed Guideline Changes and FY23 Funding Levels

At the June 07, 2022 Work Session, staff will provide an update on the Invest Hagerstown Program.

Staff will also review proposed Invest Hagerstown guideline updates.

A total of \$855,000 is available in Fiscal Year 2023 (July 1, 2022 to June 30, 2023). Staff will also review the attached Chart of Components and Funding Levels. Staff seek a determination of the funding levels for each of the program components for FY23. The chart provides an outline based on past years.

The attached Invest Hagerstown Financial Summary for FY22 and FY23 are provided for background. The summary includes expected demand on the program for FY23 based on applications that have been received or expected.

Attachments:

1. Proposed Invest Hagerstown Guideline Changes
2. Chart of Components and Funding Levels
3. Invest Hagerstown History Report – Summary
4. FY22 Detailed Investments
5. Budget Book Section 4, Pages 10-12 - Economic Redevelopment Fund – Invest Hagerstown Program History and FY23 Budget

c: Review Committee

Proposed Invest Hagerstown Guideline Updates:

Façade Grant:

- Proposed addition of Commercial Sign component with grant awards of a minimum \$250 to a maximum of \$1,500, with a 1:1 required match from the business.

Rental Rehabilitation Grant:

- Proposed increase of award to a maximum \$20,000 based on multi-unit and/or high-cost redevelopment.
 - Grants from a minimum of \$7,500 to a maximum of \$20,000 and requiring a minimum 2:1 match from the developer. Projects ranging \$22,500 to \$60,000+.
 - Projects receiving grants greater than \$7,500 require 2 or more units within a single property/parcel.

Homeownership Down Payment Assistance Grant:

- Proposed property sale cap of 125% of the average home sale price within City limits.
 - Average City of Hagerstown sale price was \$274,953 for the month of April 2022.

Other:

- Removal of tattoo parlors as ineligible businesses to receive Invest Hagerstown funds.
 - Current list of ineligible businesses includes:
 - Pawn shops, gun shops, massage parlors, adult video/book shops adult entertainment facilities, tanning salons, check-cashing facilities, gambling facilities, tattoo parlors, and liquor stores.

INVEST HAGERSTOWN GRANT PROGRAMS
FY2023 Chart of Components and Funding Levels – 06/07/2022

City Center Redevelopment Grant Program – Grants from a minimum of \$150,000 to a maximum of \$250,000 and require a minimum 2:1 match from the developer. Projects ranging \$450,000 to \$750,000+.	\$500,000
City-Wide Redevelopment Grant Program – Grants from a minimum of \$5,000 to a maximum of \$25,000 and require a minimum 2:1 match from the developer. Projects ranging \$15,000 to \$75,000+.	\$150,000
Homeownership Grant Program – Down payment and closing cost assistance that provides loan-to-grants of \$7,500 to eligible homes within City limits to enhance home ownership in the area.	\$120,000
Rental Property Rehabilitation Grant Program – Grants from a minimum of \$7,500 to a maximum of \$20,000 to assist with rental property rehabilitation to market rate rental and requiring 2:1 match. Projects ranging from \$22,500 to \$60,000+. Projects receiving grants greater than \$7,500 require 2 or more units within a single property/parcel.	\$55,000
Commercial Sign & Façade Grant Commercial sign grants range from a minimum of \$250, to a maximum of \$1,500 and require a minimum 1:1 match from the business owner to promote brand visibility and customer awareness Façade grants range from a minimum of \$2,500 to a maximum of \$7,500 and require a minimum 1:1 match from the developer to improve storefront elements and enhance City Center. Projects ranging from \$5,000 to \$15,000+.	\$30,000
Total	\$855,000

Invest Hagerstown Program			
Report as of 5/13/2022			
FY22			
Invest Hagerstown	Budget	Actual	
City Center Redevelopment	\$ 500,000	\$ 500,000	
City Wide Redevelopment	\$ 125,000	\$ 176,181.90	
Homeownership	\$ 112,500	\$ 114,751	
Rental Property Rehabilitation	\$ 55,000	\$ 45,232.70	
Façade	\$ 26,500	\$ 26,500	
Total	\$ 819,000	\$ 862,665.72	
FY23			
Invest Hagerstown	Budget	Actual	* See List Below
City Center Redevelopment	\$ 500,000	\$ 250,000	
City Wide Redevelopment	\$ 150,000	\$ -	
Homeownership	\$ 120,000	\$ -	
Rental Property Rehabilitation	\$ 55,000	\$ -	
Façade	\$ 30,000	\$ -	
Total	\$ 855,000	\$ 250,000	
FY23 - Expected Demand on Program			
Invest Hagerstown - Applications Currently Approved			
City Center - 72 W. Wash #2 (Pending)	\$ 250,000		
Invest Hagerstown - Applications Under Review or Expected Soon			
(but not full intake volume)			
City Center Expected 1	\$ 250,000		
City Center Expected 2	\$ 250,000		
City Center Expected 3	\$ 250,000		
Total City Center Expected	\$ 750,000		
City Wide Expected 1	\$ 25,000		
City Wide Expected 2	\$ 25,000		
City Wide Expected 3	\$ 25,000		
City Wide Expected 4	\$ 25,000		
Total City Wide Expected	\$ 100,000		
Façade	\$ 7,500		
Façade	\$ 7,500		
Total Façade Expected	\$ 15,000		
TOTAL APPLICATIONS EXPECTED	\$ 865,000		

FY2022 SUMMARY TO DATE

	Program	Budget	Actuals/Committed	Balance
1	City Center Redevelopment Grants	\$ 500,000	\$ (500,000.00)	\$ -
2	City Wide Redevelopment Grants*	\$ 176,181.90	\$ (176,181.90)	\$ -
3	Homeownership Grant Program**	\$ 114,751.12	\$ (114,751.12)	\$ -
4	Rental Property Rehabilitation Grant***	\$ 45,232.70	\$ (45,232.70)	\$ -
5	Façade Grant	\$ 26,500.00	\$ (26,500.00)	\$ -
Total		\$ 862,665.72	\$ (862,665.72)	\$ -

Jobs Created	Apartments Created	Apartments Renovated
97	36	39
	Total Investment	
	\$ 12,308,286.54	

*\$125,000 Budgeted Funds + \$26,181.90 Unutilized/Forfeited Funds

**\$114,751.12 Budgeted Funds + \$2,251.12 Unutilized/Forfeited Funds

***\$55,000 Budgeted Funds - \$9,767.30 Funds Transferred to City Wide/Homeownership Programs

Project	Address	Deadline	Investment	Jobs Created	Units New	Unit Rehab	Grant
Rental Property Rehabilitation Grant							
Conomac Properties, LLC	618-620 W. Washington St	5/1/2022	\$ 110,000.00				\$ 55,000.00
Sina Ranje	820 Pine Street	1/1/2022	\$ 27,500.00			6	\$ (232.70)
Michael Burriss	1006 Potomac Avenue	4/1/2022	\$ 22,598.00			1	\$ (7,500.00)
Sina Ranje	822 Pine Street	1/1/2022	\$ 26,093.00			3	\$ (7,500.00)
Brian Eichelberger	132 Broadway	12/31/2021	\$ 80,000.00			1	\$ (7,500.00)
Hagerstown Properties LLC	441 N. Potomac St.	8/1/2022	\$ 78,150.00			2	\$ (7,500.00)
NBI Real Estate	215-219 W. Washington	3/1/2023	\$ 88,000.00			6	\$ (7,500.00)
						8	\$ (8,681.90)
Transferred to City Wide							
Transferred to Homeownership Grant Program							
							\$ (1,085.40)
							\$ (55,000.00)
Facade Grant							
TBB Properties, LLC/Edward Jones	4 S. Potomac Street	5/1/2022	\$ 5,100.00				\$ 26,500.00
William C. Wantz Attorney At Law	123 W. Washington Street	4/1/2022	\$ 26,580.00				\$ (2,550.00)
Blackthorn Capital	53 W. Washington Street	12/31/2022					\$ (7,500.00)
Island Twist Juice Bar	55 W. Franklin Street	7/1/2022					\$ (7,500.00)
64 Antietam BI-GPI, LLC	64 W. Antietam Street	5/1/2022	\$ 66,492.00				\$ (1,450.00)
							\$ (26,500.00)
Utilization of Forfeited Funds							
Transferred from FY21 - City Wide Program							
Undefined - Forfeited Funds							\$ 25,000.00
Undefined - Forfeited Funds							\$ 10,000.00
Undefined - Forfeited Funds							\$ 7,500.00
Undefined - Forfeited Funds							\$ 7,500.00
Transferred to City Wide							
Special Transfer to Economic Development Fund							\$ (42,500.00)
Transferred to Homeownership Grant Program							
							\$ (6,334.28)
							\$ (1,165.72)
							\$ -
Total			\$ 12,308,286.54	97	36	39	\$ 862,665.72

ECONOMIC REDEVELOPMENT FUND - PROGRAM DESCRIPTION
FISCAL YEAR 2022/2023

DEPARTMENT / PROGRAM OVERVIEW

The Department of Community and Economic Development administers the Economic Redevelopment Fund which includes multiple economic incentive programs and property resale initiatives.

Properties Held for Resale

The following chart illustrates the properties held for resale in the economic redevelopment fund at 11850 Indian Lane and 216 S. Prospect Street along with the costs invested in the properties.

11850 Indian Lane Expenditures	FY17	FY18-20	FY21	Total
Acquisition	\$ 467,896	-	-	\$ 467,896
Demolition/Construction/Rehabilitation	\$ -	\$ 102,231	\$ 6,700	\$ 108,931
Total	\$ 467,896	\$ 102,231	\$ 6,700	\$ 576,827

216 S. Prospect Street Expenditures	FY17	FY18-20	FY21	Total
Acquisition	\$ -	\$ -	981	\$ 981
Demolition/Construction/Rehabilitation	\$ -	\$ -	\$ 28,200	\$ 28,200
Total	\$ -	\$ -	\$ 29,181	\$ 29,181

Invest Hagerstown Program:

In order to stimulate redevelopment and investment in Hagerstown, the Mayor and City Council created multiple incentive programs under the Invest Hagerstown initiative. Each incentive program offered substantial City incentives for commercial redevelopment, mixed-use redevelopment, and residential investment.

Beginning in FY19, the Invest Hagerstown program was re-started from the initial program with dedicated funding from the General Fund real estate tax rate. Funding was provided in the amounts of \$549,000 in FY19, \$800,000 in FY20, \$804,000 in FY21, and \$819,000 in FY22 to support various incentive program components.

Since FY19, the Invest Hagerstown Program has leveraged more than \$20 million in private sector investment, more than 125 new jobs, and 33 new homeowners.

Invest Hagerstown - FY23 Proposed Budget:

The FY23 Budget includes \$855,000 for funding of the Invest Hagerstown Program. The components of the program are expected to model similarly to the FY22 program with some possible variation.

Invest Hagerstown - Program Components:

The Invest Hagerstown program has several program components:

1. City Center Redevelopment Grant Program: Grants from a minimum of \$150,000 to a maximum of \$250,000 and requiring a minimum 2:1 match from the developer. Projects ranging \$450,000 to \$750,000+.
2. City-Wide Redevelopment Grant Program: Grants from a minimum of \$5,000 to a maximum of \$25,000 and requiring a minimum 2:1 match from the developer. Projects ranging \$15,000 to \$75,000+.
3. Homeownership Loan to Grant Program: Provides down payment/closing cost assistance funding of \$7,500 City Wide. Funding is provided as a 0% interest loan to applicants buying a home in the City of Hagerstown and loan converts to a grant if applicant resides in home for five years.
4. Rental Property Rehabilitation Grant Program: Grants of \$7,500 for rental property rehabilitation to market rate rental and requiring 2:1 match. Projects \$22,500+.
5. Facade Rehabilitation Grant Program: Grants from a minimum of \$2,500 to a maximum of \$7,500 requiring a 1:1 match from the developer. Projects ranging from \$5,000 to \$15,000+ (Added in FY20).

A funding chart for the Invest Hagerstown program since FY19 is shown below:

Invest Hagerstown Program Incentives	FY19	FY20	FY21	FY22	FY22	FY23
Expenditures	Actual	Actual	Actual	Budget	Estimated Actual	Proposed Budget
City Center Redevelopment	\$ 350,000	\$ 250,000	\$ 730,000	\$ 750,000	\$ 750,000	\$ 500,000
City Wide Redevelopment	\$ 154,000	\$ 115,000	\$ 25,000	\$ 150,000	\$ 160,000	\$ 150,000
Homeownership	\$ 45,000	\$ 102,500	\$ 62,335	\$ 112,500	\$ 112,500	\$ 120,000
Rental Property Rehabilitation	\$ -	\$ 15,000	\$ (7,500)	\$ 62,267	\$ 62,267	\$ 55,000
Facade: Invest Hagerstown	\$ -	\$ 14,898	\$ -	\$ 41,500	\$ 41,500	\$ 30,000
Total Expenditures per Year	\$ 549,000	\$ 497,398	\$ 809,835	\$ 1,116,267	\$ 1,126,267	\$ 855,000

ECONOMIC REDEVELOPMENT FUND - PROGRAM DESCRIPTION (continued)
FISCAL YEAR 2022/2023

Invest Hagerstown – FY14 Initial Program:

The initial program was funded in FY14 with \$1,500,000 in funding from General Fund Reserves. The Invest Hagerstown Program provided grants up to \$250,000 for eligible redevelopment projects in the City Center and up to \$50,000 for eligible redevelopment projects City-wide. The City partnered with the private sector to assist in moving development forward. This program resulted in a combined private and public investment City-wide estimated at \$4,173,000.

The Invest Hagerstown Program also provided down payment/rehab grants up to \$7,500 for homebuyers purchasing a vacant home within the City of Hagerstown. The Invest Hagerstown Program also provided down payment/rehab incentives for homebuyers in City Center and a rental subsidy for renters in City Center with the goal of attracting a more diversified population Downtown. This program assisted 24 homeowners City wide and 7 homeowners in City Center for a total of 31 homeowners. The program also assisted 18 renters in City Center.

By the end of FY19, all of the funding of the initial program was expended or committed for this program. A funding chart of the initial Invest Hagerstown program is shown below.

Invest Hagerstown Program Incentives		FY14-18	FY19	FY21	FY22	Future
Expenditures:	Designated	Actual	Actual	Actual	Est. Actual	Commitment
Community First Third Grant	\$ 1,200,000	\$ 950,000	-	-	-	\$ 250,000
Downtown Rental Program	\$ 50,000	\$ 50,000	-	-	-	-
Downtown Residency Program	\$ 70,000	\$ 70,000	-	-	-	-
City-Wide Residency Program	\$ 178,574	\$ 176,979	\$ 1,595	-	-	-
Total Expenditures per Fiscal Year	\$ 1,498,574	\$ 1,246,979	\$ 1,595	\$ -	\$ -	\$ 250,000

*At such time in the future that a Class A office building will be built, the City will fund the \$250,000 that was included in the original Request for Qualifications in December 2014.

ECONOMIC REDEVELOPMENT FUND - PROPOSED EXPENSES AND REVENUES
FISCAL YEAR 2022/2023

ACCOUNT DESCRIPTION	2020/21	2021/22		2022/23	2022/23
	ACTUAL	BUDGET	EST. ACTUAL	PROPOSED	% CHANGE
REVENUES					
State Community Legacy Grant	\$ 9,160	\$ 210,840	\$ 210,840	\$ 275,000	30.4%
State Main Street Grant	249,574	-	-	-	0.0%
State Strategic Demolition Grant	25,000	100,000	25,000	137,500	37.5%
Program Income	100,000	-	-	-	0.0%
Interest on Investments	123	300	100	500	66.7%
Other Revenues	23,960	22,289	14,402	11,744	-47.3%
Total Revenues	407,817	333,429	250,342	424,744	27.4%
EXPENDITURES					
Administrative Expenditures	16,291	20,020	16,541	30,020	50.0%
Current Property Expenditures	2,000	2,635	4,807	3,828	45.3%
PEP Subsidized Rent Payments	99,823	131,500	110,000	131,500	0.0%
Economic Incentives *	25,009	751,106	751,106	35,000	-95.3%
Economic Incentives: Community Legacy Grant	9,160	10,840	10,840	275,000	2436.9%
Economic Incentives: State Grant Main Street	249,574	-	-	-	0.0%
Economic Incentives: State Grant	25,000	100,000	25,000	137,500	37.5%
City Center Redevelopment: Invest Hagerstown	730,000	750,000	750,000	500,000	-33.3%
City-Wide Redevelopment: Invest Hagerstown	25,000	150,000	160,000	150,000	0.0%
Homeownership Grant: Invest Hagerstown	62,335	112,500	112,500	120,000	6.7%
Rental Property Rehab:Invest Hagerstown	(7,500)	62,267	62,267	55,000	-11.7%
Facade:Invest Hagerstown	-	41,500	41,500	30,000	-27.7%
USMH Housing Catalyst #3 **	2,120	221,650	200,000	-	-100.0%
Loss on Sale of Capital Assets	374,701	-	-	-	0.0%
Total Expenditures	1,613,513	2,354,018	2,244,561	1,467,848	-37.6%
OTHER FINANCING SOURCES (USES)					
Transfers from General Fund *	942,106	211,000	211,000	200,000	-5.2%
Transfers from General Fund: Invest Hag Incentives	804,000	819,000	819,000	855,000	4.4%
Total Other Financing Sources	1,746,106	1,030,000	1,030,000	1,055,000	2.4%
Net Change in Fund Balance	540,410	(990,589)	(964,219)	11,896	-101.2%
Beginning Fund Balance	1,561,271	2,101,681	2,101,681	1,137,462	-45.9%
Ending Fund Balance	\$ 2,101,681	\$ 1,111,092	\$ 1,137,462	\$ 1,149,358	3.4%

* FY21 included a separate economic incentive of \$716,106 spent in FY22

** FY22 Budget and Projected includes a \$200K Community Legacy grant pass thru.

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Code Amendments to Chapters 238 and 240 ~ Nancy Hausrath, Director of Utilities

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

To_MCC_-_Memo_Code_Amendments_-_
_Rates_and_System_Allocation_06072022.docx

Description

Code Amendments to
Chapters 238 and 240

CITY OF HAGERSTOWN



DEPARTMENT OF UTILITIES

425 East Baltimore Street
Hagerstown, MD 21740-6105

51 West Memorial Blvd
Hagerstown, MD 21740-6848

June 7, 2022

To: Scott Nicewarner, City Administrator
From: Nancy Hausrath, Director of Utilities
Subject: Code Amendments to Chapters 238 and 240
Action: Discussion

Staff has continued to evaluate the existing capacity within our water and wastewater systems in an effort to allow the Mayor and City Council to adopt amendments to Chapters 238 and 240 of City Code pertaining to water and wastewater system allocation.

As you are aware, there have been numerous requests for service in the MRGA and a couple requests in the County UGA. Staff along with legal counsel has completed and adopted the new Joint Sewer Service Area Agreement to replace the Consolidated General Service Agreement and the Flow Transfer Agreement. These agreements will transfer County flow in the Mougansville area back to the County and flow from the Hagers Crossing/Western Maryland Parkway area back to the City.

Per the direction provided on March 8, 2022, Chapter 238 and 240 of City Code have been updates with proposed amendments for how allocation will be assigned and the associated repercussions and/or penalties for non-compliance. As you are aware the Water and Wastewater Plants are approaching 85% capacity and these amendments will allow staff to restrict allocation. Once a methodology is agreed upon, staff will work to reduce assigned allocation. Staff will request a proposal from NewGen to review our rate structure to include usage, fixed, benefit and fire-line fees to determine the best way to address future funding needs once Code Amendments are adopted.

Proposed amendments have not been incorporated into Code to allow for allocation transfer per the discussion on March 8, 2022. Included in the proposed amendments are benefit fees for outside water customers which will need to be incorporated into the Cost of Service Study should the Mayor and Council desire to move forward with addressing this issue. Definition for residential, residential-multi, residential-commercial and public authority will be added to the definitions to the applicable sections of Chapters 238 and 240.

Staff will present approaches that will be considered and/or evaluated during the June 7th meeting and provide updated data and draft Code Amendments.

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Public Art Proposal for Remainder of the City-Owned Land Near Park Circle ~ *Rodney Tissue, City Engineer*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Public_Art_Proposal.pdf

Description

Public Art Proposal for
Remainder of the City-
Owned Land Near Park
Circle



CITY OF HAGERSTOWN, MARYLAND

Engineering Department

June 7, 2022

TO: Scott Nicewarner, City Administrator

FROM: Rodney Tissue, City Engineer *Rod*

RE: **Public Art Proposal for Remainder of the City-Owned Land Near Park Circle**

1. **Background**

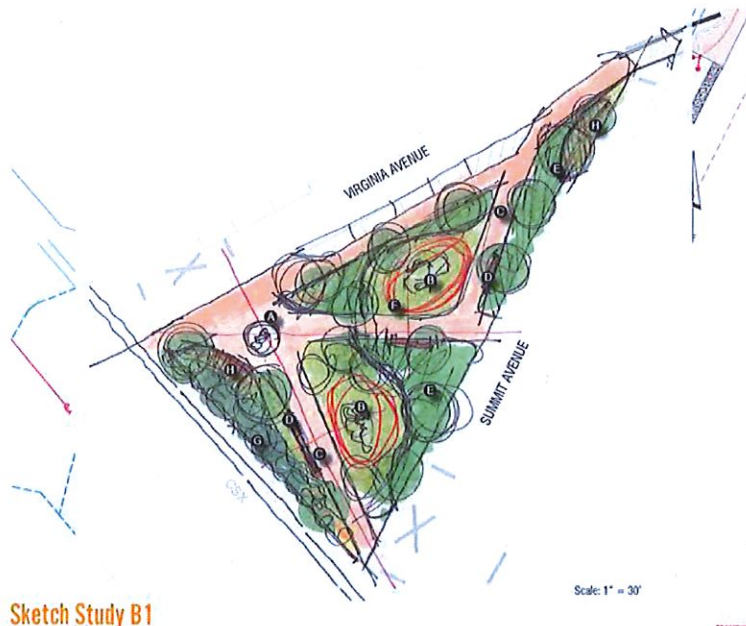
In February when City Council approved the Agreement for the construction of the Clara Barton Memorial, the motion specifically directed staff to develop a concept plan for the rest of the City-owned triangular-shaped lands for the possible inclusion of interactive art related to the innovation/history of the City. Staff is prepared to share a conceptual design and discuss next steps.

2. **Mayor & Council Action Requested**

Staff is requesting that the Mayor & Council review the attached concept plan and discuss next steps.

3. **Next Steps**

We engaged Scott Rykiel, of *Mahan Rykiel Associates* from Baltimore, MD to develop concepts for review by the City's Public Art Commission and artist Toby Mendez. They endorsed the concept below and the details that are attached. This design creates one or two small "outdoor rooms" (in addition to the Clara Barton Sculpture) that create opportunities for small creative, interactive amenities or just simple green space.



With the Council's endorsement, our suggested next steps would include:

- a. Utilizing our two standing "Neighborhood First" groups in that area of Hagerstown and the Public Art Commission, we will work with them to host a public meeting. We plan to continue to utilize Scott Rykiel (funded in part by a Maryland State Arts Council planning grant) to facilitate the planning process. We will focus community engagement efforts on communicating project goals, schedule and hold public meeting on-site and learn about and understand stakeholder interests related to the project.
- b. Summarize discussion with community and present to City Council for their concurrence.
- c. Create solicitation document and issue "call" for artists through the Washington County Arts Council
- d. Have Hagerstown's Public Art Commission jury the received submittals
- e. Short list proposals to two, utilize grant funds to facilitate the artist selection process by paying honorarium for sketches/models of art and select artist.
- f. Obtain City Council approval and apply for a Maryland State Arts Council *PAAM Implementation Grant* to create and install the art.

4. **Proposed Schedule**

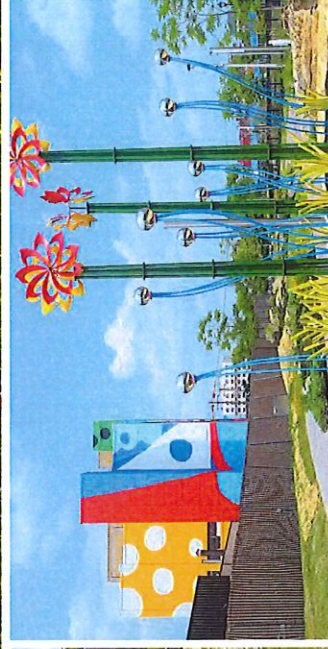
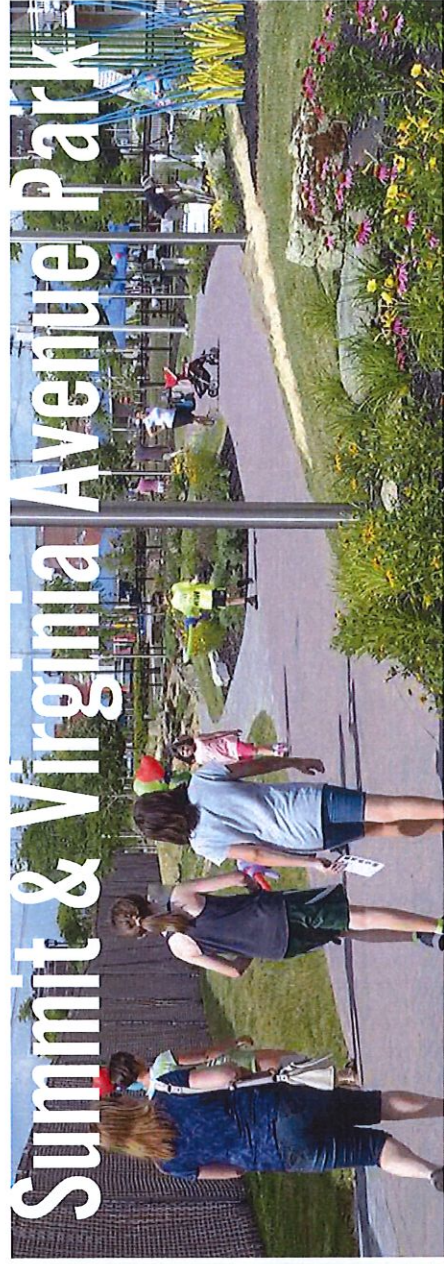
At this point, we envision the following schedule:

- July/August: Engage consultant, advertise public meeting
- Late August : Public Meeting/Community Engagement
- September: Report to City Council
- October-December: Work with the Washington County Arts Council to issue a "call" for artists
- February 2023: Apply for MSAC Implementation grant
- Summer 2023: Installation

Staff will attend the work session to discuss this approach.

Attachments: Conceptual Design

Cc: Eric Deike, Michelle Hepburn, Public Art Commission, Toby Mendez



HAGERSTOWN CULTURAL ARTS TRAIL

Conceptual Design

MAHAN RYKIEL
ASSOCIATES INC.

2022.05.06

1. Existing Conditions

- Site/Context
- Photos

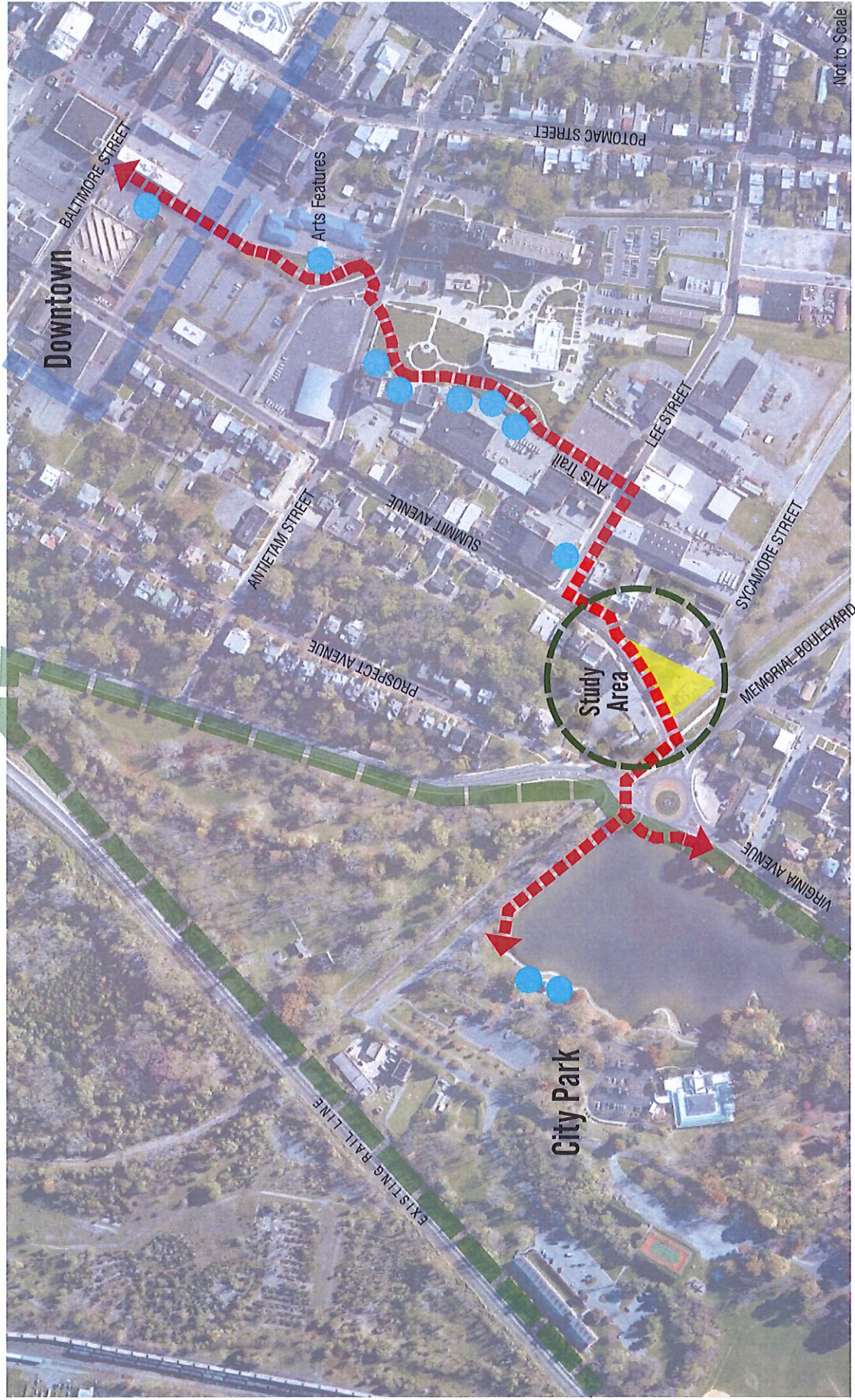
2. Programming

- Assumptions
- Clara Barton Memorial
- Other Opportunities

3. Concept

- Site Arrangement Diagrams
- Conceptual Site Plan Sketches

1. EXISTING CONDITIONS



Site Location & Context

1. EXISTING CONDITIONS



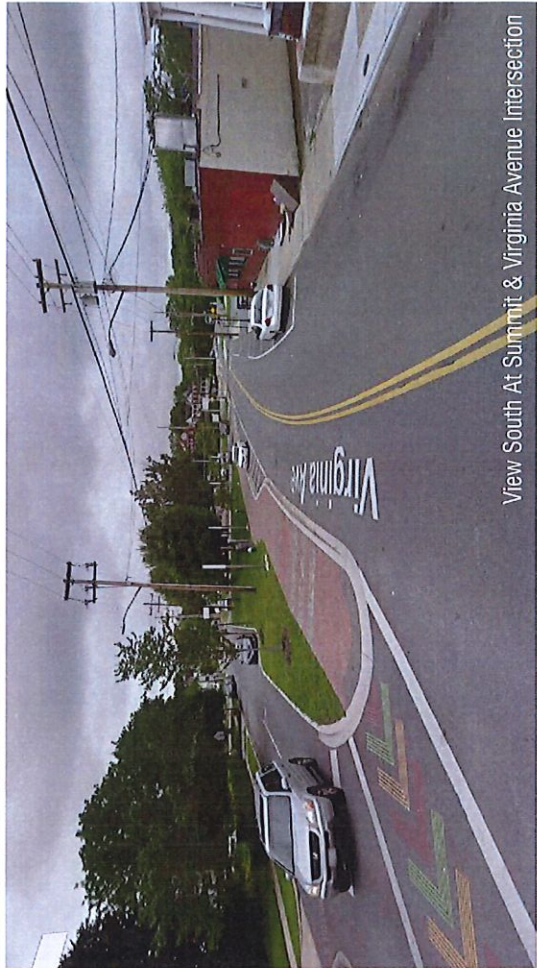
View North Along Virginia Avenue - Service Garage Has Been Removed



View North Along Virginia Avenue



View South Along Virginia Avenue - Towards City Park



View South At Summit & Virginia Avenue Intersection

Site Photos

2. PROGRAMMING

Site Assumptions

- Existing Trees Could Be Removed
- Existing Newly Installed Lights and Brick Sidewalk (Cultural Trail) will Remain
- Existing Asphalt Area (Former Service Station Site) Can Become Park Space
- Existing Marker/Signage will Remain
- On Street Parking Should Remain
- Space Should be Designed to Accommodate a Traditional Monument Feature & Interactive Feature
- Provide Screening Between Railroad & Park Space

Focal Elements

- Clara Barton Memorial
- Other Interactive Piece/s to Engage Children/Families, and Visitors

Site Elements

- Plaza Space/Hardscape
- Walkways/Connections
- Trees/Landscape Planting
- Seating/Benches
- Lighting
- Signage (As Needed)
- Additional Site Amenities (Bike Racks, Litter Receptacles, Etc)
- Railroad Right of Way Screening

Assumptions & Opportunities

2. PROGRAMMING

Background

Sculptor Antonio Mendez has been commissioned by the City of Hagerstown to create a bronze sculpture of Clara Barton giving care to a fallen soldier. Clara Barton believed that an immediate response to care for the soldiers was the difference between life and death. Immediate response and preparedness for a crisis is the philosophy that she brought to the American Red Cross, responding in times of war and natural disasters. This memorial will be a tribute to that dedication of care. It will serve as tribute to Clara Barton and all nurses and first responders, who have been on the front lines during war and peace.

The proposed memorial bronze figural grouping will be over life sized and placed on a low pedestal within a plaza space. The park space with the sculptural tribute to Clara Barton and the soldier will be the springboard to active and ongoing education of the contributions of Clara Barton and the first responders benefiting the City's cultural & economic landscapes.

History

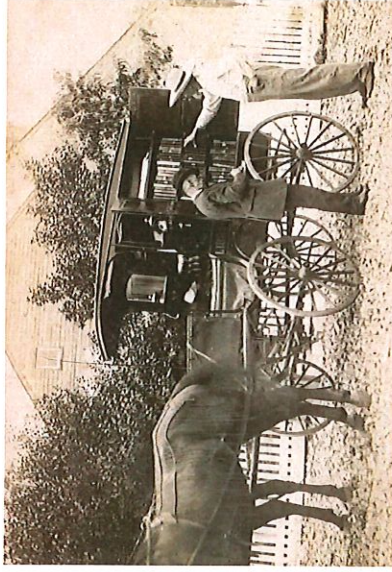
The spark that created the idea for the Clara Barton Memorial in Hagerstown came over 30 years ago. The idea originated by several board members of the local Western Maryland Red Cross in Hagerstown. The significance for the memorial to Clara Barton in Hagerstown, the County seat, is it was here in Washington County where Clara Barton became the first Civil War nurse to be allowed to set foot on the battlefield during the course of battle. It was here where her philosophy of immediate care and response was first put into action. All over Hagerstown temporary hospitals were set up the same soldiers from Antietam that Clara Barton originally cared for. After the Civil War, Clara Barton founded the American Red Cross in 1881, serving as its first president.

Credit: Clara Barton Memorial Committee & Antonio Tobias Mendez

Focal Elements/Feature Programming



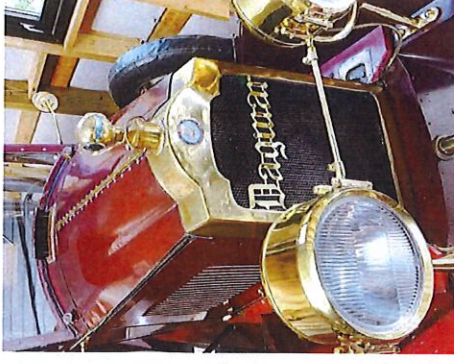
2. PROGRAMMING



Bookmobile



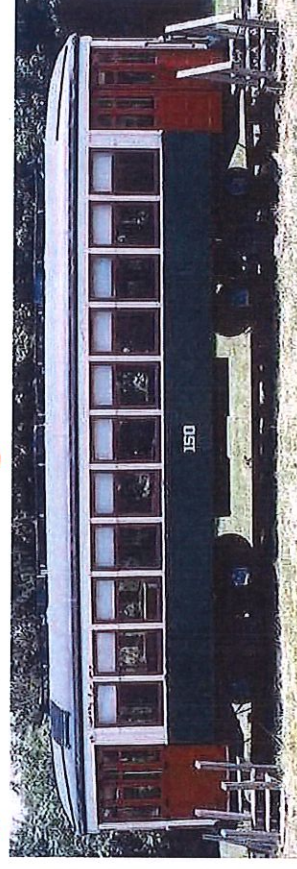
Chemistry Set



Dagmar Car



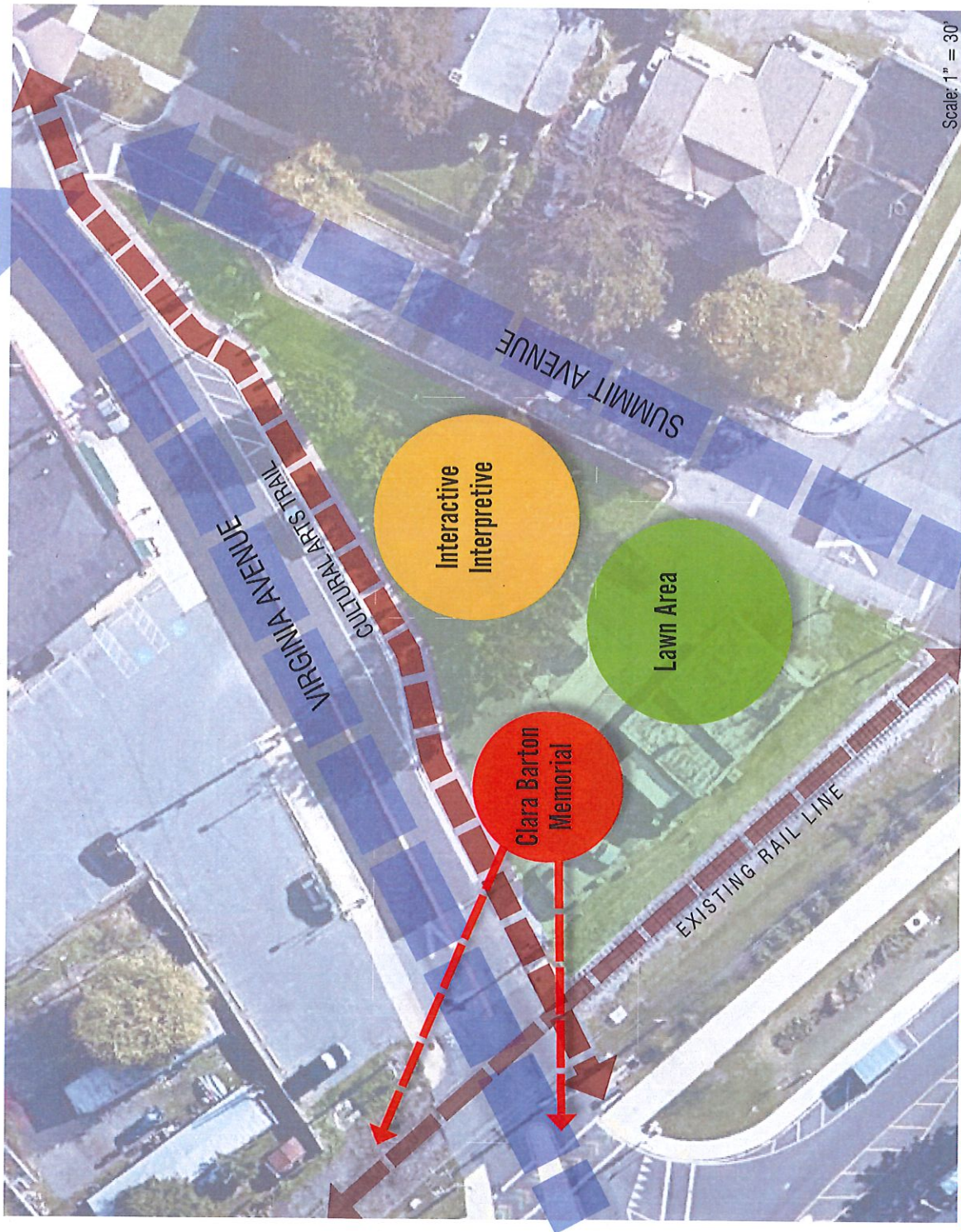
Trolley



2. 'A Tale of Firsts' Opportunities for Interpretive Cultural Theming

3. CONCEPT DESIGN

- Locate Clara Barton Memorial at Virginia Avenue Edge Nearest to City Park
- Create Themed Interactive Feature/s within Internal Site Room/s
- Provide Linkage Network Between the Features



Site Organization/Framework Option A

3. CONCEPT DESIGN

OVERVIEW

- Locate Clara Barton Memorial at Virginia Avenue Street Edge in a Paved Plaza Area
- Create Interactive/Interactive Themed Panel Walk
- Consider an Interactive Sculptural Feature in a Lawn Area Buffered from Virginia Avenue (Optional)
- Regular Tree Planting at Park Edges

Key:

- A Clara Barton Memorial Plaza
- B Interactive Themed Interpretive Panel
- C New Sidewalk Connection
- D Benches/Seating
- E Seatwall or Additional Display
- F Interactive/Play Feature (Optional)
- G Tree Planting
- H Lawn Area
- I Landscape Buffer & Fence at Rail R.O.W
- J Accent/Focal Landscape Beds



Scale: 1" = 30'

Plan Study Option A

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Vending Machines in Street Right of Ways ~ *Rodney Tissue, City Engineer*

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Vending_machines_in_ROW.pdf

Description

Vending Machines in Street
Right of Ways



CITY OF HAGERSTOWN, MARYLAND

Engineering Department

June 7, 2022

TO: Scott Nicewarner, City Administrator
FROM: Rodney Tissue, City Engineer *Roy*
RE: **Vending Machines in Street Right of Ways**

1. **Background**

Staff have noticed an uptick in vending machines (soda, candy, ice, movies, and ATM's) being placed by private entities on the public sidewalks. Recent TikTok videos about making money from vending machines may be driving this to some degree. We know of approximately a dozen locations where this occurs and some sample pictures are attached. Staff feels we should raise this issue with the Mayor and Council to see if we want to 1) ignore them, 2) ban them, or 3) license them in some fashion.

2. **Mayor & Council Action Requested**

Staff is requesting Mayor & Council review and input on this matter.

3. **Discussion:**

Based on research by staff and the Maryland Municipal League, we found various approaches to the issue:

Banned:

- Taneytown, MD

Require License:

- Ocean City, MD (newsracks only)
- Cumberland, MD regulate "sidewalk obstructions"
- Cecil County, MD
- Numerous jurisdictions outside of Maryland

No Regulation:

- Salisbury, MD
- Assume all locations that don't mention the issue in their codes

If a license is considered, it should address:

- License description, renewal period and fees (if any)
- Accessory use to adjacent business only?
- Maximum number per parcel (such as 2 machines per 50 lineal feet of frontage)?
- Grandfathering existing machines?
- Special considerations in Historic Districts?
- Minimum sidewalk clearance dimensions
- Restricting off-premise advertising signs on them
- We assume applications would be processed and granted at a staff level based on authority granted by the City Council

If City Council wishes to go the licensing route or a complete ban, we will work with the City Attorneys to amend the Code appropriately.

Staff will attend the work session to discuss this approach.

Attachments: Photographs of existing conditions

Cc: Amy Taylor, Kathy Maher, Jim Bender, Paul Fulk, Stephen Bockmiller



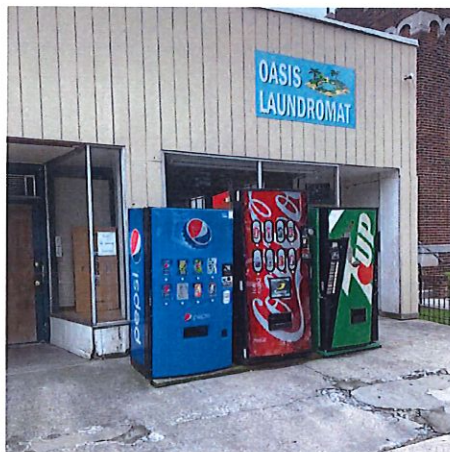
101 West Franklin Street



134 East Baltimore Street



156 South Mulberry Street



340 North Potomac Street



401 West Washington Street



652 West Washington Street



812 South Potomac Street



Corner North Locust Street and North Avenue



Locust Point (Potomac side)



Locust Point (Locust side)