



# CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

One East Franklin Street • Hagerstown, MD 21740

E-mail: [planning@hagerstownmd.org](mailto:planning@hagerstownmd.org)

Telephone: 301-739-8577, ext. 138 • Website: [www.hagerstownmd.org](http://www.hagerstownmd.org)

## HAGERSTOWN PLANNING COMMISSION AGENDA

DATE: Thursday, April 25, 2024 – 7:00 P.M.

LOCATION: City Hall, 2<sup>nd</sup> floor Council Chambers

Please visit the City's website at [www.hagerstownplanning.org](http://www.hagerstownplanning.org) for information about this meeting. Documents regarding cases and topics to be reviewed can be found at this link beginning at 9:00 a.m. on Monday, April 22, 2024. If you plan to attend the meeting, please arrive between 6:45 p.m. and 7:00 p.m. City Hall is closed to the public after 4:00 p.m. and staff is present at the front door from 6:45 until 7:05 to admit participants. After 7:05, the door is locked, the lobby is not staffed and those arriving late may not be able to gain access to the building.

Call to Order –

Public Review Meeting –

ZT- 2024 - 01 - Industrial District Bulk Regulations.

ZM – 2024 – 01 - American Hall recommendation to May and Council.

Approval of Minutes –

Approval of Minutes of February 28, 2024, March 4, 2024, and March 27, 2024.

Consent Agenda –

None.

Plan Review –

ZS – 2023-06 - Popeyes – 18030 Garland Groh Boulevard – Site Design Concepts (A. Anderson).

Workshops –

None.

New Business –

Review of Board of Zoning Appeals Agenda, May 9, 2024.

Old Business –

Continued review of the text amendments.

Announcements –

None.

Adjourn -

Next Meeting, Wednesday, May 8, 2024 - 4:00 P.M.



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### MEMORANDUM

**TO:** Hagerstown Planning Commission Members

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

**DATE:** April 18, 2024

**SUBJECT:** Public Review Meeting – ZT-2024-01 – Industrial District Bulk Regulations

A public review meeting will be held at your meeting of **Thursday, April 25**, regarding proposed text amendments that would make adjustments to the parking, building height and setback requirements in the industrial zoning districts. Specifically, they include:

**Building height:** increase height in IR district from 60 to 100 feet.  
increase height in the IG district from 100 to 150 feet.  
increase height in the I-MU district from 9 stories/100 feet to 150 feet.

**Building setbacks:** increase front yard depth in the I-MU district from 35 to 50 feet to be consistent with the IR and IG districts.  
Increase side yard depth in the I-MU district from 15 to 25 feet to be consistent with the IR and IG districts.

**Residential setbacks:** Limits the application of larger setbacks from residential districts to only industrial and warehouse buildings. Other permitted buildings, such as office buildings will no longer be subject to this requirement. Increase this setback in the I-MU district from not less than 35 feet to 150 feet.

**Parking:** Creates new provision for warehouses and wholesale establishments that have large areas of fully-automated and non-manned building areas. This new requirement would be 1 space for each 1.2 employees on the largest shift. For all other warehouse and wholesale uses, the existing requirement of one space per 2,000 square feet of gross floor area will remain unchanged.

The meeting has been advertised in accordance with the requirements of state code. Typically, you will leave the record open for 10 days after taking testimony. Follow up discussion would be held at your meeting on May 8.

# LAND MANAGEMENT CODE TEXT AMENDMENT PROPOSAL

Number: 2024-	Is this a new issue or one previously discussed?	Previously discussed
Version: 1	Is this new text proposed since last discussion in need of initial review?	No
	Is this revised text in need of confirmation that it conforms to prior editorial direction?	Yes
<b>Summary:</b> Amendments to the height and setback provisions in the Industrial districts and to the parking requirements for warehouses.		
<b>Justification:</b> To better reflect the needs of emerging technologies in industrial enterprises, particularly warehousing/distribution centers.		

Existing text to be removed is in ~~strikeout~~. New text to be added is in **red**. Staff direction is in **blue**.

## Article 4: Zoning

### Section H. Industrial Districts.

As warehousing/distribution operations become more and more automated, high-density areas are being incorporated with a higher height than was traditionally found in warehousing. The proposed amendment is an attempt to better reflect the changing landscape in this industry. The height in IR remains lower than in IG and I-MU since the IR districts are usually adjacent to residential districts.

#### 4. Height Limitation Chart

	IR	IG	I-MU
Maximum Height	<del>60</del> <b>100</b> feet	<del>100</del> <b>150</b> feet	<del>9 stories or 100</del> <b>150</b> feet

Since we are seeing warehousing operations choosing I-MU zones, staff is recommending creating larger setbacks in the I-MU district. Staff also recommends that the increased setbacks for sites adjoining "R" districts only apply to industrial buildings and warehouses. All of these districts also allow commercial enterprises and the increased setback for those operations seems unwarranted, especially as it is not required for such uses in the commercial zones.

#### 5. Minimum Lot Area, Lot Width, and Yard (Setback) Requirements.

The minimum lot area, lot width, and yard (setback) requirements for industrial districts shall be as stated in the following chart:

Industrial Districts Dimensional Requirements for All Buildings				
Zoning District	Front Yard Depth	Rear Yard Depth	Minimum Width of Side Yards	Number of Side Yards Required

IR	50*	25*	25*	2
IG	50*	25**	25**	2
I-MU	35 50*	25***	<del>15***</del> 25***	2

Notes: \* 100 feet when **an industrial building or warehouse** adjoinings an "R" district  
 \*\* 200 feet when **an industrial building or warehouse** adjoinings an "R" district  
 \*\*\* Where adjoining an "R" district, the setback shall be one foot for each foot of building height, but not less than ~~35~~ feet. **150 feet when an industrial building or warehouse adjoins an "R" district**

With the change to more automated operations for warehouse/distribution centers, there are lower employee counts and thus a need for less parking for employee vehicles. Staff is recommending a parking provision based on employees on a shift for custom-built facilities which will include large areas of fully-automated, non-manned areas. That provision is the same as required in Reading, PA, which was brought to our attention as a reasonable provision. For any other operation, the parking requirement would remain the same.

**Article 4: Zoning**

**Section O. Off-street Parking Requirements**

Use	Required Spaces
Warehouses or Wholesale establishments	<b>For custom-built facilities which will include large areas of fully-automated, non-manned building areas, the parking requirement is one space per 1.2 employees on maximum working shift. For all other facilities, the parking requirement is one space per 2,000 square feet of gross floor area and one space per 200 square feet of net floor area of office and sales floor space.</b>



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## MEMORANDUM

**TO:** Planning Commission

**FROM:** Joanna Wu, Planner

**DATE:** April 18, 2024

**SUBJECT:** Public Review Meeting: Local Conversion District and Landmark Overlay at 132 Bethel Street – American Hall

The Planning Commission is holding a public review meeting to discuss an application for a Local Conversion District and Landmark Overlay at 132 Bethel Street.

### Background

The property is located at 132 Bethel Street, which is currently in the RMED zoning district. American Hall is one of the most historic and important surviving buildings in the Jonathan Street community. This building was constructed in 1883 by an African-American lodge of the Grand United Order of Odd Fellows. Although it looks like a home from the outside, on the interior each floor is a single room. It has never been used as a dwelling. According to newspaper articles covering its dedication, the second floor was used as their lodge hall, while the first floor was a public room to be made available to groups and organizations in the African-American community that found it hard to find available meeting space in other facilities. The basement was intended as a “colored school.”

### Proposal

The applicant is proposing to have this property rehabilitated and restored as a fraternal lodge hall with a museum on the first floor and support areas in the basement. This property would be a double overlay having a Local Conversion District and Landmark overlay. The applicant is proposing the following permitted uses:

1. Civic and social organizations (8134);
2. Community centers, including but not limited to cultural, civic, and educational centers;
3. Museums (712);
4. Administrative support services (561);
5. Artist studios;
6. Offices, business and profession (55 and 56), except waste management and remediation services (562);
7. Photography and visual and performing art studios.

Currently, the applicant does not intend to have the uses detailed in 4-7, but wants to include it for potential future amendments to the overlay if there is a need to change the use of the building.

#### HDC Review

As part of the landmark overlay process, the HDC reviewed the application materials at their April 11 meeting to discuss the historic significance of the building. The HDC recommended the designation of the landmark overlay for the property. Attached is the letter to the Planning Commission from the HDC.

#### Next Steps

A follow up meeting is scheduled for May 8 and a recommendation will be made and forwarded to the Mayor and Council.

Attachment: Application, HDC recommendation



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April 16, 2024

Christina Davis, Chairperson  
City of Hagerstown Planning Commission  
1 East Franklin Street  
Hagerstown, MD 21740

RE: 132 Bethel Street  
Landmark Overlay for American Hall

Dear Madam Chair,

On April 11, 2024, the Historic District Commission discussed the applicant's request to designate the historic American Hall, located at 132 Bethel Street, as a "landmark" on the City's zoning map.

After reviewing the application material submitted, the Commission voted to recommend to the Planning Commission and the Mayor and City Council that 132 Bethel Street receive a landmark overlay designation. The Commission decided the history for the use of the building met the criteria of J.4.b(1) in article 4, Zoning, of the Land Management Code as follows:

1. Historic significance:
  - a. Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, county, state, or nation;
  - b. Is the site of an historic event;
  - c. Is identified with a person or a group of persons who influenced society; or
  - d. Exemplifies the cultural, economic, social, political, or historic heritage of the city.

Sincerely,

Michael L. Gehr  
Historic District Commission Chairperson

C: K. Maher, Director of PCAD

**City of Hagerstown**  
**Local Conversion District Overlay Zoning Request**  
**ZM-2024-02: 132 Bethel Street**  
**Staff Report**

**Applicant/Owner:** The Most Worshipful Prince Hall Grand Lodge, F & A.M. of Maryland and Its Jurisdiction, Inc.

**Request:** Approval of a Local Conversion District Overlay

**Location:** 132 Bethel Street

**Existing Use:** Vacant

**Area:** 2,400 sqft

**Existing Zoning:** RMED (Residential-Medium Density)

**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 19<sup>th</sup> and early 20<sup>th</sup> 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 4-71):**

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 The Most Worshipful Prince Hall Grand Lodge, F & A.M. of Maryland and Its Jurisdiction, Inc., which is the organization that 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 was never a dwelling and has been vacant since about 1988. The historic building was formerly a fraternal lodge and meeting room and is currently in very poor condition and any efforts for reuse would be nonresidential. The applicant is intending to rehabilitate the historic building for reuse of the fraternal lodge on the second floor and a museum/exhibit space on the first floor, with support areas in the basement.*

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; *Outdoor dining is not proposed.*
  - (b) additions, as permitted in Subsection i. below. *Addition in the rear is proposed. 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.*
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. No time frame has been identified.*
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 Bethel Street.*

**Special Design Requirements (Section J.3.i. Pages 4-74 and 4-75)**

1. Additions shall be designed consistent with the architectural theme of the structure. If the zoning overlay is approved by the Mayor and City Council in accordance with the required public hearing process, and a proposed addition is illustrated on the approved zoning exhibit that does not comply with the base

district's setback requirements, Board of Zoning Appeals approval of a variance is not required. ***A two-story addition (150 sqft) at the rear of the building is proposed to provide space for an ADA accessible restroom.***

2. No outdoor vending machines shall be permitted. ***None are 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. ***Outdoor dining is not 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 was not designed as an industrial, warehouse, or automotive service design.***
6. Storefronts previously modified or enclosed shall be rehabilitated to reintroduce a storefront window display design. ***Not applicable. There is no evidence that the building had a storefront.***

#### OTHER CONSIDERATIONS AND REQUIREMENTS:

##### Lot Area Requirements and Off-Street Parking (Section J.3.h – Page 4-74)

1. The maximum lot area for a Local Conversion District shall be 20,000 square feet. ***The property is approximately 1,900 square feet in area.***
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 and no existing parking is present. Street parking exists along Bethel Street and North Prospect Street.***

### Suitability of the Proposed Zoning District.

A Local Conservation Overlay District is permitted use in the RMED zoning district.

### Compatibility of Existing and Proposed Development.

*This proposal is for the re-use of a vacant building with significant history to the community. The applicant includes the following potential uses: 1) Civic and social organization (8134); 2) Community centers, including but not limited to cultural, civic, and educational centers; 3) Museums (712); 4) Administrative support services (561); 5) Artist studios; 6) Offices, business and professional (55 and 56), except waste management and remediation services (562); and 7) Photography and visual and performing arts studios. The primary purpose is to rehabilitate the fraternal hall lodge hall with a museum on the first floor and support areas in the basement. The applicant currently has no intention of exercising options 4 through 7 but is including the uses in the event of the property is repurposed. 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. No dwelling units are proposed.*

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

*Water and wastewater services currently exist.*

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

*The property is located on Bethel Street. There are no identified traffic capacity issues at this site; therefore, the site is capable of serving existing and anticipated traffic.*

### Relationship to the Comprehensive Plan.

*The Comprehensive Plan, visionHagerstown2035, encourages the re-use and revitalization of vacant and underutilized buildings (3-3). The local conversion overlay would implement the Plan's recommendation to make buildings more*

*attractive for adaptive re-use. The property is in a neighborhood with RMED zoning with the neighboring properties in the CC-MU zoning district. Improving this building at this location with the adjacent zoning of CC-MU allows for re-occupation of a significant community landmark and continued low-scale commercial development.*

#### **Site Plan Conditions Recommendations**

1. *No separate recommendations are made at this time as the Maryland Historical Trust requirements are sufficient.*



**CITY OF HAGERSTOWN, MARYLAND**

Planning and Code Administration Department

**REZONING APPLICATION & REVIEW CHECKLIST**

**Submittal Requirements:**

- Original Application, including Checklist
- 1 complete set of plan
- Filing fee (please consult current fee schedule)

Case No. ZM - 2024-02  
Office Use Only

Name of Project: Rehabilitation of Historic American Hall

Location of Property: 132 Bethel Street, Hagerstown, MD 21740  
(Please include street address, if known)

Deed Reference:      Liber: \_\_\_\_\_      Folio: \_\_\_\_\_      Zoning District: RMED

Proposed Work (i.e. addition, accessory building, parking; please include size of addition and amount of disturbed area):  
REHABILITATE HISTORIC LODGE HALL, ADD SMALL ADDITION, PUT BACK INTO USE.

Engineering/Survey Company Name: Stephen R. Bockmiller, AICP, Consultant (pro-bono)

Contact Person: Same      Email: bockmiller@comcast.net

Mailing Address: 10537 Fish and Game Road, Waynesboro, PA 17268

Telephone: 240-291-3128      Fax: \_\_\_\_\_

Developer/Applicant Name: The Most Worshipful Prince Hall Grand Lodge, F & A.M. of Maryland and Its Jurisdiction, Inc.

Contact Person: Barry D. Hackey, Deputy Grand Master, Western Masonic Region      Email: bdh826@hotmail.com

Mailing Address: 8327 Warfield Road, Gaithersburg, MD 20882 (home address)

Telephone: 240-606-4407 home: 240-683-3932      Fax: additional email: bhackey357@gmail.com

Property Owner Name: Same as Applicant

Contact Person: James L. Vaughn, Grand Secretary      Email: secretary@mwphglmd.org

Mailing Address: 1307 Eutaw Place, Baltimore, Maryland 21217

Telephone: 410-669-4966      Fax: 410-462-4642

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

**LOCAL CONVERSION AND LANDMARK OVERLAY APPLICATION**  
**ADDENDUM**  
**HISTORIC AMERICAN HALL – 132 BETHEL STREET**  
**CASE ZM-2024- 02**

**REQUEST:**

Approval of a Local Conversion Overlay District and approval of a Landmark Overlay District.

**PROPOSED USE (AREA AND TYPES OF COMMERCIAL USES, NUMBER OF DWELLINGS):**

The intention is to rehabilitate the historic building for reuse as a fraternal lodge hall (second floor) and a hybrid community meeting room/museum/exhibit space (first floor), with support areas (such as offices, storage, etc.) in the basement.

Per direction from staff, the following slate of potential zoning uses is requested as follows:

- 1) Civic and social organizations (8134);
- 2) Community centers, including but not limited to cultural, civic and educational centers;
- 3) Museums (712);
- 4) Administrative support services (561);
- 5) Artist studios;
- 6) Offices, business and professional (55 and 56), except waste management and remediation services (562); and
- 7) Photography and visual and performing arts studios.

The applicant has no intention of exercising options 4 through 7, however, since the process is structured to allow a small slate of potential uses to avoid the need for future amendment to the overlay if there was a need to change the use of the building, the applicant includes these uses on the small chance that the building would need to be repurposed sometime in the future.

**BACKGROUND**

Although it looks like a home and blends with the streetscape, it was never a dwelling. Each floor is one large room (the 1<sup>st</sup> floor does have a foyer inside the front door). The building is very historic (see narrative later in this addendum). It is in very poor condition. The cost of renovations far exceed the potential value of the building if it were renovated as a dwelling, so renovating it for use as a home is no financially feasible. The only way to save it is through renovation for a non-residential use. Without this overlay, the building will very likely have to be demolished.

**DESCRIBE ANY PROPOSED ADDITIONS FOR OUTDOOR DINING AND SEATING AREA, INCLUDING FENCING, PAVERS AND FURNITURE, AND ANY PROPOSED LANDSCAPING:**

Complete rehabilitation of the historic building, in conformance with the Secretary of the Interior's Standards for Rehabilitation, to also include construction of an approximately 150-square foot footprint, two-story addition on the rear of the building, mostly to provide space for an ADA accessible restroom on the first floor.<sup>1</sup> The small rear yard would be enclosed with a 6-foot tall privacy fence unless prohibited by the City or the agencies providing grant funding. The rear yard will be available to be casually used associated with meetings held in the building. Other than perhaps a typical residential-scale trash can, there will be no outdoor storage. Final configuration of addition and rear yard landscaping to be set with the Planning Commission's approval of a site plan. Signage would be in accordance with the requirements of the Zoning Ordinance and any additional restrictions required by the Maryland Historical Trust.

**DESCRIBE ANY OTHER PROPOSED IMPROVEMENTS TO THE SITE INTENDED TO IMPROVE ITS CONDITION FOR COMPATIBILITY WITH THE SURROUNDING AREA:**

The building is in a serious state of deterioration. Grant funding in the amount of \$250,000 is pledged by the Maryland African-American Heritage Preservation Program (administered by the Maryland Historical Trust). The total project will cost approximately \$400,000 and fundraising is currently under way to raise the remaining \$150,000. The initial grant will cover all engineering issues and all or most exterior rehabilitation of the building to its 1883 appearance. Additional grants are being sought to complete the project, which will address interior rehabilitation and finishing, and interpretive (museum space) development.

Work will be required to comply with the directives of the Maryland Historical Trust for preserving the historic character of the building.<sup>2</sup> The rear yard would be enclosed with a fence. There are no

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<sup>1</sup> The Ordinance permits the Mayor and City Council to approve a local conversion overlay showing a building addition located in a required setback without the project further requiring a variance from the Board of Zoning Appeals. This proposed bathroom addition will be located in the required western side yard and rear yard setback. The addition will come no closer than the existing northeast rear corner of the existing building to the side property line and no closer than 10 feet to the rear property line. The property widens slightly to the rear. The addition will be kept as small as possible and may not come as close to the property lines as this request, but design is pending disbursement of grant funding for the project.

<sup>2</sup> As the Local Conversion Overlay process is designed and administered, Staff reviews proposed LC overlay sites for necessary improvements to make the proposed re-use be a positive corporate neighbor within the community. Some result in numerous suggested conditions while others are in good condition at application requiring few if any recommended conditions for improvements. The Applicant believes that the City can rely on the requirements of the Maryland Historical Trust to result in new exterior conditions that will move this building from being the one in the worst condition on the block to the best, without Staff needing to formulate any separate recommendations.

existing parking spaces on the property and the size, location and topography of the site preclude adding any new parking<sup>3</sup>. Signage will conform with the Zoning Ordinance and any limitations imposed by the Maryland Historical Trust.

#### **LANDMARK DESIGNATION NARRATIVE:**

In addition to the local conversion overlay, the applicant also seeks a Landmark Overlay to provide an additional layer of long-term protection to this very significant historic property by subjecting exterior changes to the building to review and approval by the Hagerstown Historic District Commission, as it administers the Secretary of Interior's Standards for Rehabilitation of Historic Properties, and its adopted Design Guidelines. Also, by the Landmark designation may make the property then eligible for participation in various incentive programs. The property is historically significant in the following ways.

1. Constructed in 1882-84, American Hall is tied with a building in St. Michaels (Talbot County) for being the oldest surviving African-American Odd Fellows hall in Maryland.
2. The building is located within the Hagerstown National Register Historic District (NPS Reference: 93001551 and MHT Reference: WA-HAG-158). Its construction dates within the District's period of significance, meaning that the building is a contributing resource to the historic district, or if its current condition would cause it to be not considered contributing, appropriate restoration would elevate the building to contributing status. It is located within the Maryland Heritage Areas Authority's "Heart of the Civil War Heritage Area", and within 100 feet of the Hagerstown Arts and Entertainment District.
3. The officers of the Odd Fellows lodge that built American Hall were mostly Civil War veterans of the "United States Colored Troops". At the same time they were building this building, they chartered the General Nathaniel Lyon Post #31 of the Grand Army of the Republic (G.A.R.). The G.A.R. was a veterans' organization, similar to the American Legion, for Union Civil War veterans. It was the first integrated fraternal organization in the United States (although many posts were exclusively white or black). Lyon Post met in American Hall.
4. Therefore, American Hall is one of only a few surviving meeting places of a black post of the "Grand Army of the Republic" in the United States and is very important surviving historic site tied to the African-American military experience in the Civil War.
5. The site is associated with major Maryland civil rights figures Jacob Wheaton and his son John Francis Wheaton. The elder Wheaton was the first African-American to vote in Maryland when he participated in the Hagerstown mayoral and city council election of 1868. He was also the

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<sup>3</sup> The legislative intent of this provision of the Ordinance is to prioritize the rehabilitation and reuse of non-residential buildings embedded in residential zoning districts over parking issues that may or may not arise from the reuse of the building. No parking is required to be provided in a Local Conversion Overlay, although existing parking should be retained. There is no parking currently on the property and the site conditions make adding parking impossible. Parking for this use would be on-street. This site is within a few yards of North Prospect Street, where there is an abundance of underutilized on-street parking.

first black to serve on a petit jury in Washington County and first black to serve as a court officer in the county when he was appointed a bailiff of the Washington County Circuit Court. The younger Wheaton was the fourth black to be admitted to the Maryland Bar and the first from outside of Baltimore. He was also the first to be admitted to the Washington County Bar. He was also the first African-American to be elected to the Minnesota legislature (1898) after he moved to that state. American Hall was the meeting place of that area's Republican Party District Committee. Both were active in local Republican politics and there is documentation of both men participating in and engaging in their Civil Rights and political activities in American Hall.

6. The building was also used as a school for educating African-American children in the late 1800s and early 1900s.
7. The Odd Fellows sold the property to the current owners in the 1920s, and it was used for about 60 years as a Prince Hall Masonic Lodge. The site's affiliation with the G.U.O.O.F. ("Odd Fellows"), various social organizations, the Washington County Republican Party's Committee for the surrounding district, the G.A.R. and the Prince Hall Masons (F. & A.M.) are important to the history of fraternal, social, political and mutual support organizations in the African-American community both in the County, the State, and arguably, the Nation.

PREPARED AND SUBMITTED ON BEHALF OF THE APPLICANT



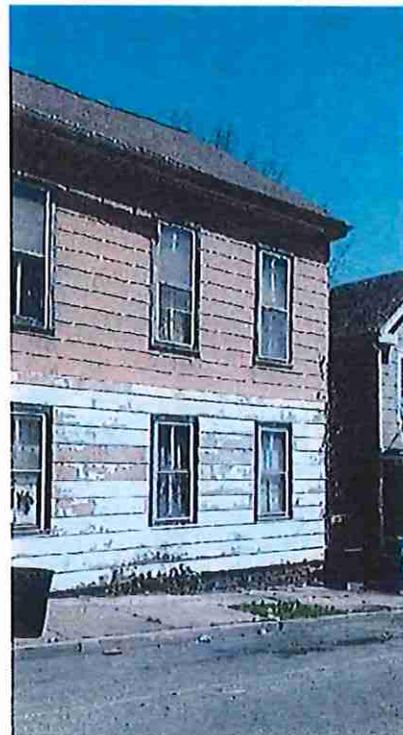
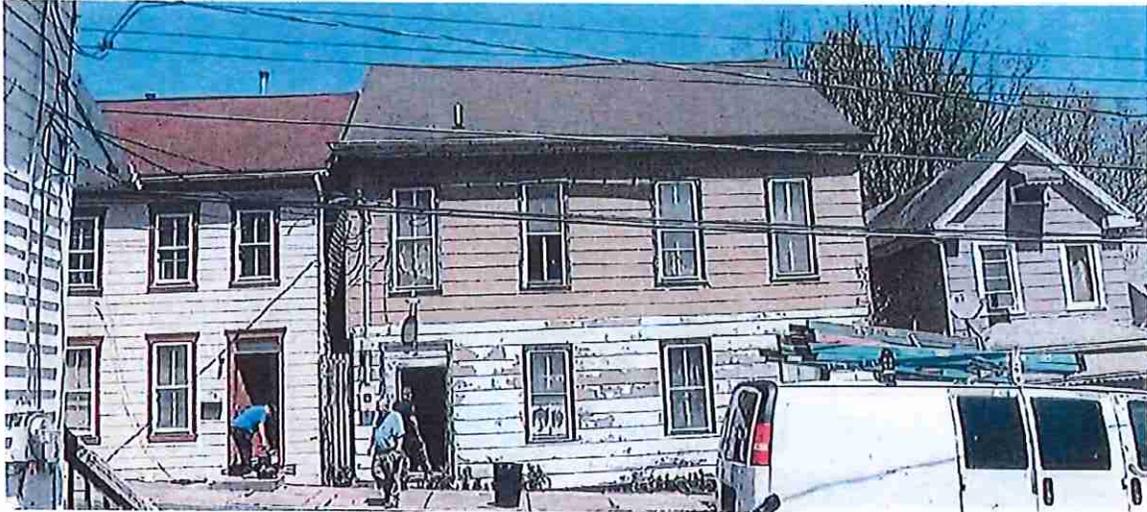
Stephen R. Bockmiller, AICP  
(Services provided pro-bono for this project).

AMERICAN HALL

132 BETHEL STREET, HAGERSTOWN, WASHINGTON COUNTY

FRONT (SOUTH-FACING FAÇADE) OF BUILDING

3 PHOTOS

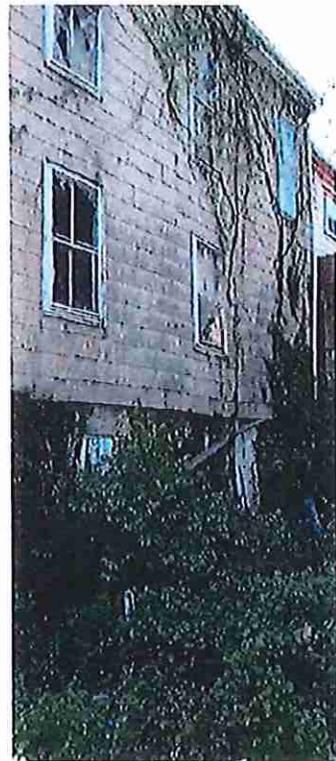


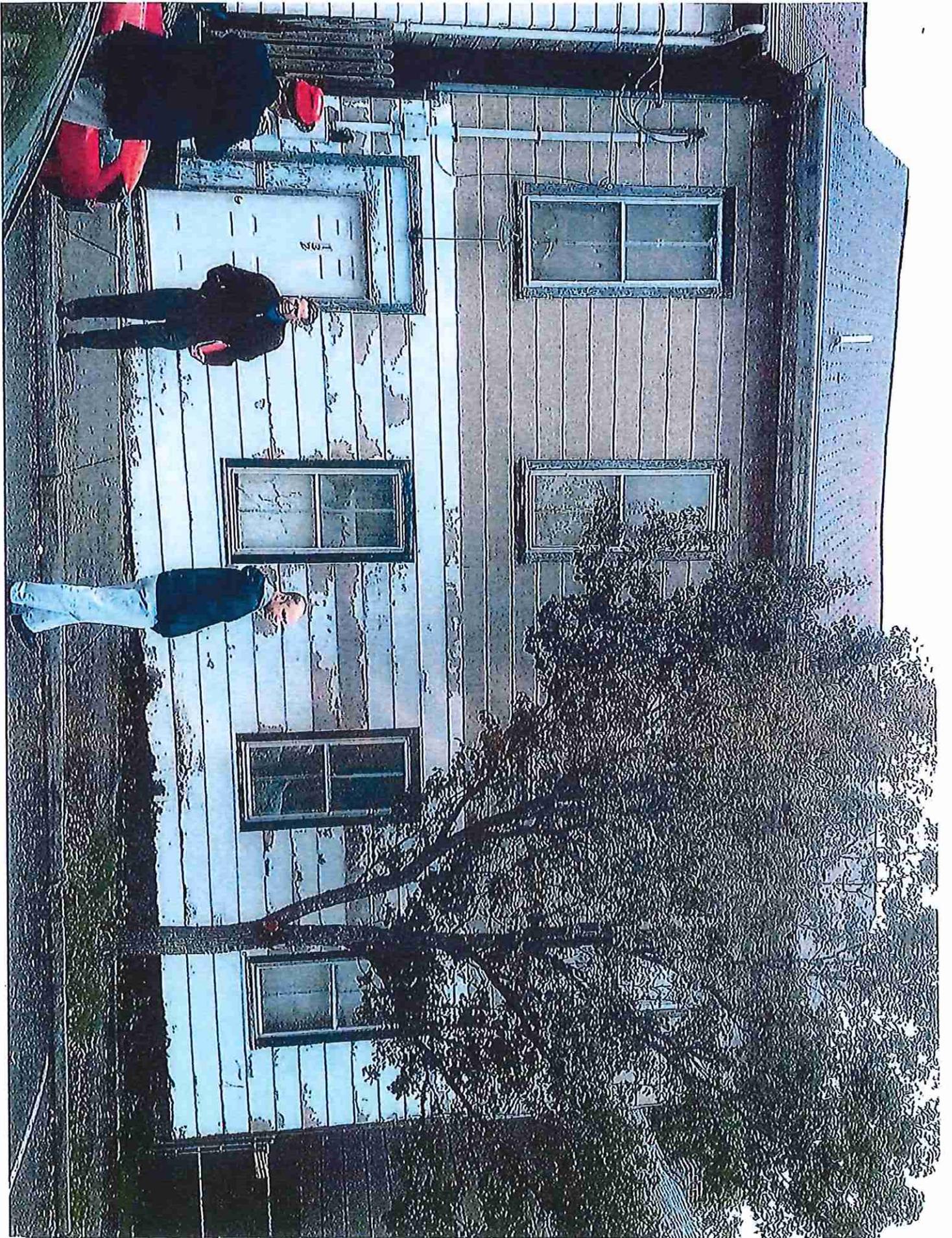
AMERICAN HALL

132 BETHEL STREET, HAGERSTOWN, WASHINGTON COUNTY

REAR (NORTH-FACING FAÇADE) OF BUILDING

3 PHOTOS





NOT ACTUAL PROPOSED COLORS. BRIGHT COLORS USED TO PROVIDE CONTRAST.

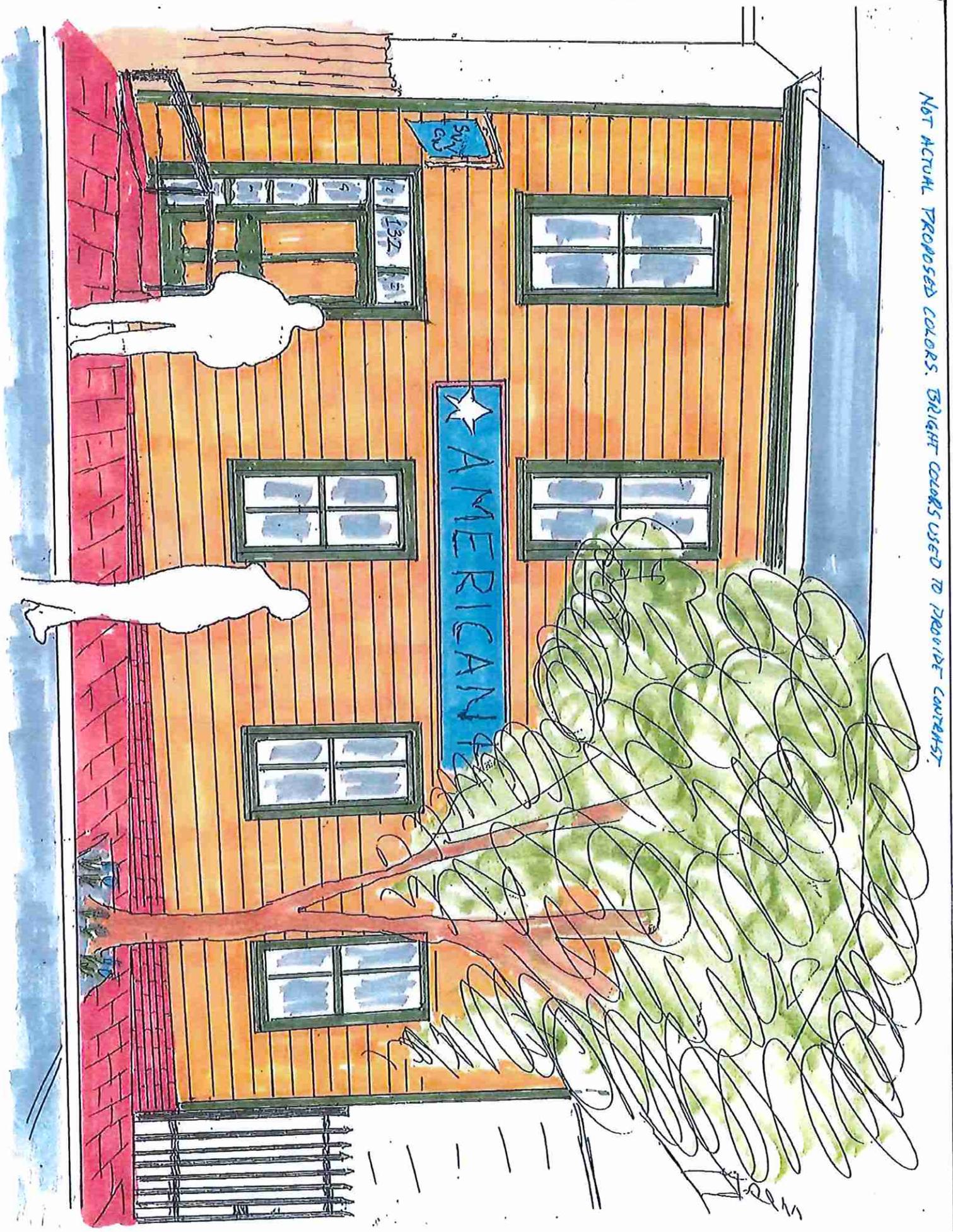
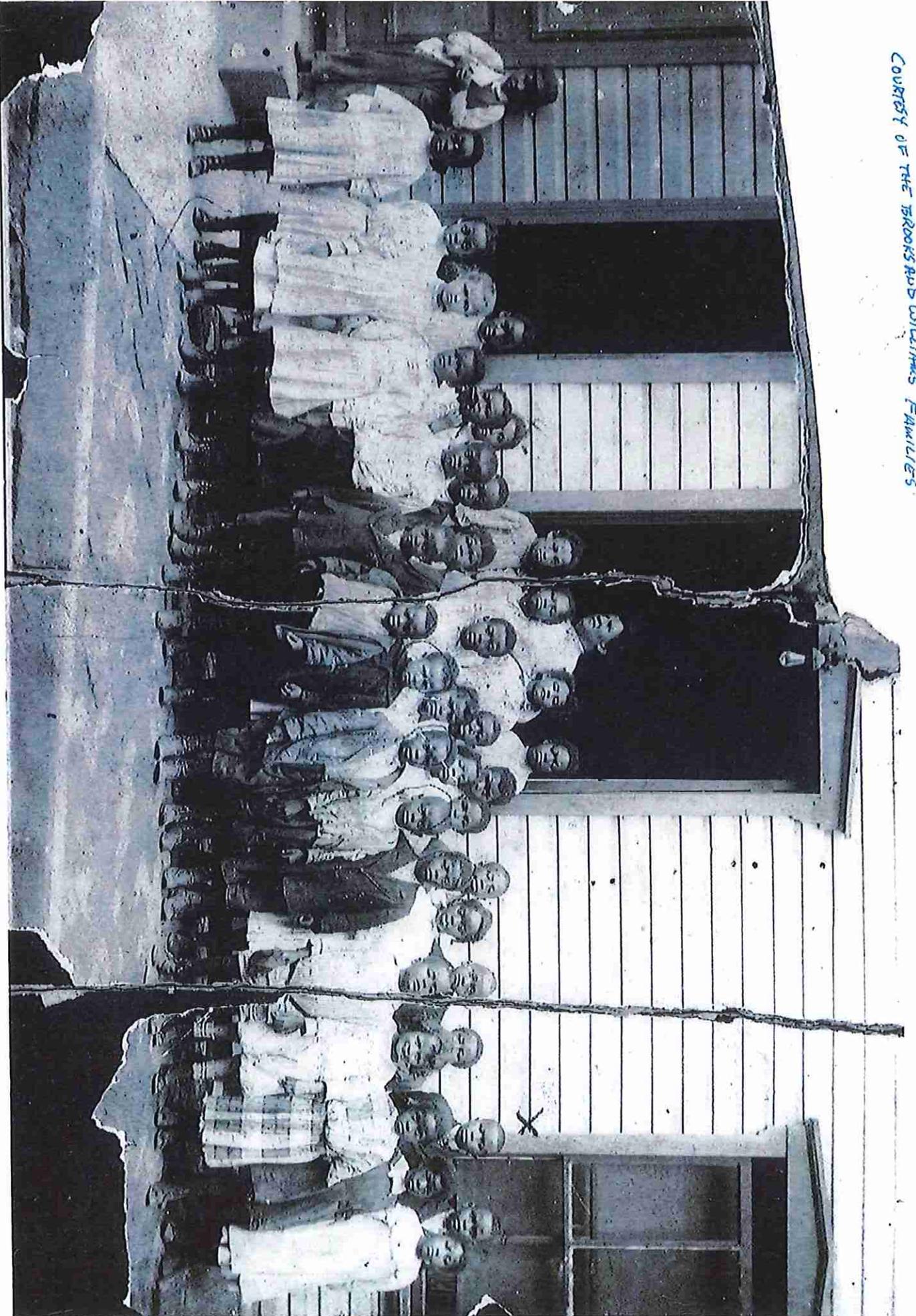


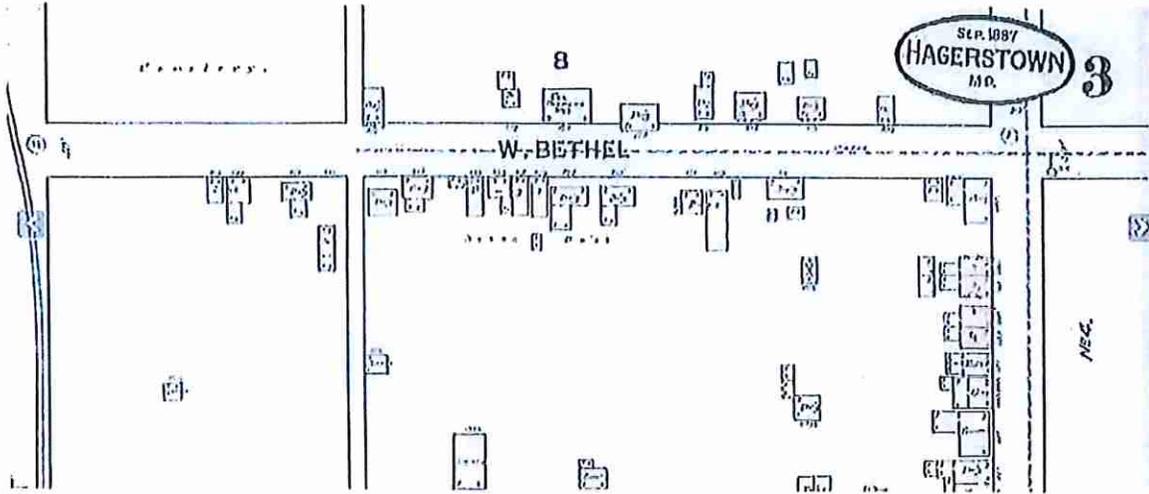
ILLUSTRATION ON PRECEDING PAGE IS COLORED IN BRIGHT  
CONTRASTING COLORS FOR THE PURPOSE OF REVEALING DETAIL.  
NO COLOR CHOICES HAVE BEEN DISCUSSED AT THIS TIME. CHIP  
SAMPLING FROM THE EXPOSED WOOD SIDING WILL PROVIDE CLUES  
TO THE ORIGINAL PAINT COLORS.

COURTESY OF THE BROOKS AND WILLIAMS FAMILIES

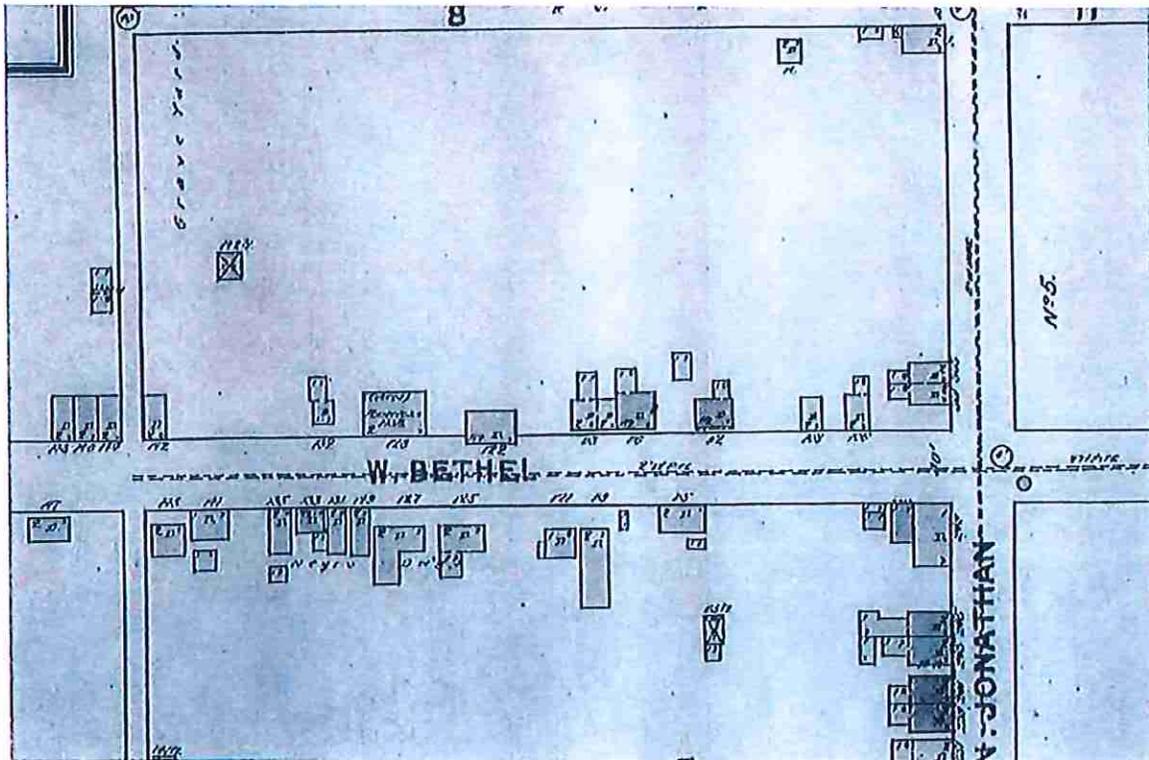




*SANBORN FIRE INSURANCE MAPS*



1887



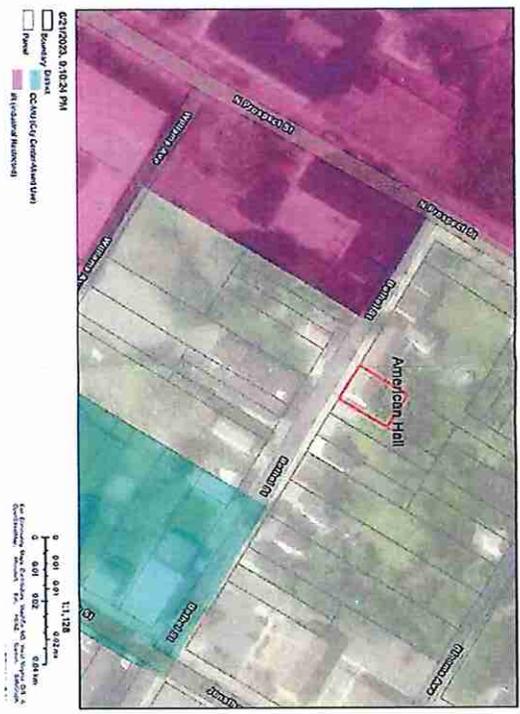
1892

**ZONING OVERLAY EXHIBIT - ZM 2024-01**  
**HISTORIC AMERICAN HALL - 132 BETHEL STREET**

**OWNER/APPLICANT:**  
 The Most Worshipful Prince Hall Grand Lodge,  
 F. & A.M. of Maryland and Its Jurisdiction, Inc.  
 c/o Barry D. Hackey, Deputy Grand Master, Western Masonic Region  
 8327 Warfield Road, Gaithersburg, MD 20882  
 Phone: 240-606-4407 Email: bdh826@hotmail.com

**NOTES:**

1. Scale - as shown.
2. North arrow - as shown.
3. Copy of deed - attached to application.
4. Vicinity map - as shown. No nearby municipal boundaries.
5. Application and exhibit prepared by:  
 Stephen R. Bockmiller, AICP  
 10537 Fish and Game Road, Waynesboro, PA, 17268  
 Phone: 240-291-3128 Email: bockmiller@comcast.net  
 City Tax Map: 41 Block: 01 Parcel: 39
6. Current Zoning District: RMED (Residential: Medium Density) applies to subject property and all adjacent properties.
7. Proposed Zoning: Same, with Local Conversion and Landmark Overlays
8. Ejection District: 25
9. Drawing Date: April 3, 2024
10. Tract area: entirety of 40' x 60' parcel.
11. Owners of adjoining lands:  
 North: P. 203 - Richard S. Boutelle, et al, P.O. Box 333, Finksstown, MD 21734  
 East: P. 205 - Richard S. Boutelle, et al, P.O. Box 333, Finksstown, MD 21734  
 West: P. 205 - Turkorp, LLC, 43173 Quilling Lane, Chantilly, VA 20152  
 South: P. 212 - Terrace E. Hensley, 133 Bethel Street, Hagerstown, MD 21740  
 P. 215 - Kings Apostle Holiness Church of God, LLC, P.O. Box 568, Hagerstown, MD 21740  
 P. 569 - Polomax Investments, LLC, 240 N. Prospect Street, Hagerstown, MD 21740
12. Easements, utility and public rights of way on tract: None.
13. Width of Right of Way of Bethel Street: 40 feet. Building constructed on front property line.
14. No railroad rights of way, 100-year floodplain, drainage rights of way or regional stormwater facilities are in the vicinity.
15. Existing building with proposed bathroom addition. Proposed uses:  
 a. Civic and social organizations;  
 b. Community center (community, cultural, educational);  
 c. Museum;  
 d. Administrative support services;  
 e. Artist studio;  
 f. Office (professional and business); and  
 g. Photography and visual and performing arts studios.
16. The addition will be located in the required west side and rear setbacks. Addition will be no closer to the side property line than the northwest rear corner of the existing building and at least 10 feet from the rear property line. The addition will be designed to be as small as possible, and may be farther from property lines than requested here, but will be no closer.
17. Signs - to be determined. Signs will comply with the requirements of the Zoning Ordinance, the requirements of the HDC's Design Guidelines if a Landmark overlay is applied and any limitations imposed by the Maryland Historical Trust.





# CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

One East Franklin Street • Hagerstown, MD 21740

E-mail: [planning@hagerstownmd.org](mailto:planning@hagerstownmd.org)

Telephone: 301-739-8577, ext. 138 • Website: [www.hagerstownmd.org](http://www.hagerstownmd.org)

## PLANNING COMMISSION MEETING MINUTES

Date: Wednesday February 28, 2024  
 Time: 7:00 p.m.  
 Location: Council Chambers, City Hall, 1 East Franklin Street  
 Attendance:

Name	In-Person	Remote	Absent
Christina Davis, Chairperson	X		
James W. Stone, Vice Chairperson	X		
Judy Wheeler	X		
Ronald Thomas	X		
Tamara Martinez	X		
Sean Flaherty	X		
Matthew Schindler, Ex-Officio			X
<b>Staff</b>			
K. Maher, Director, PCAD	X		
S. Bockmiller, Development Review Planner and Zoning Administrator	X		
J. Wu, Planner	X		
M. Revilla, Recording Secretary	X		

### Call to Order and Instruction from the Chair –

The Chair called the meeting to order at 7:04 p.m.

### Approval of Minutes –

Approval of Minutes of January 31, 2024.

Motion- Mr. Stone moved to approve the minutes of January 31, 2024, with no changes. Ms. Wheeler seconded. The motion passed by a vote of 6-0-0.

### Consent Agenda –

SA-019-03 - City Chapel - 227 East Washington Street – Minor Site Plan Renewal – Zachary Camp, Pastor.

S-2023-12 – Commonwealth Avenue – 825 Commonwealth Avenue – Subdivision Plat - FSA (E. Schreiber).

S-2023-13 – Hagers Crossing RE LLC. – Garland Groh Boulevard – Subdivision Plat - FSA (E. Schreiber).

Motion - Ms. Wheeler: "Madam Chair, I have reviewed the plans submitted in Cases. SA-2019-03, S-2023-12, and S-2023-13, and staff reports for cases S – 2023-12, S-2023-13, and SA-2019-03, and move that these cases be approved subject to the renewal of the City Chapel minor site plan for six months from the expiration date of the current extension. And two, the plat for Hagers Crossing LLC. Be subject to one condition cited by the City Engineer. And three, the condition of the Planning staff recommendation that the timing of the Use and Occupancy for the last lot being developed be dependent upon the completion of the connection to Hagers Crossing Drive.

Mr. Stone recused himself for the following case.

**S – 2024-01 – Boys & Girls Club. – 805 Pennsylvania Avenue – Subdivision Plat - FSA (E. Schreiber).**

Motion - Ms. Wheeler moved to approve **S - 2024-01**. Mr. Thomas seconded. The motion passed with a vote of 5-0-0. Mr. Stone recused.

#### Development Review –

None.

#### Workshops –

None.

#### New Business –

**Board of Zoning Appeals Agenda -** An Administrative appeal was filed for issuance of a zoning violation notice addressing the erection of a gazebo with a metal roof at the property located at 309 South Potomac Street.

**Special Meeting -** The Zoning Administrator asked about the availability of the Commission members for a short, special meeting in order to approve the redline revision for an addition of a 900-foot canopy to the Tractor Supply site plan. The Commission agreed to schedule a special meeting when it was ready.

#### Old Business –

None.

#### Announcements –

Mr. Flaherty announced he is running for City Council.

Staff requested to schedule a special meeting for approval of an addition of a canopy to the Hopewell Road Tractor Supply.

#### Adjourn –

Mr. Thomas moved to adjourn, and Mr. Flaherty seconded. The meeting was adjourned at 7:20 p.m.

-----  
Mary Revilla, Recording Secretary



# CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

One East Franklin Street • Hagerstown, MD 21740

E-mail: [planning@hagerstownmd.org](mailto:planning@hagerstownmd.org)

Telephone: 301-739-8577, ext. 138 • Website: [www.hagerstownmd.org](http://www.hagerstownmd.org)

## PLANNING COMMISSION SPECIAL MEETING MINUTES

Date: Wednesday March 4, 2024  
Time: 9:00 a.m.  
Location: Council Chambers, City Hall, 1 East Franklin Street  
Attendance:

Name	In-Person	Remote	Absent
Christina Davis, Chairperson	X		
James W. Stone, Vice Chairperson	X		
Judy Wheeler			X
Ronald Thomas	X		
Tamara Martinez	X		
Sean Flaherty	X		
Matthew Schindler, Ex-Officio	X		
<b>Staff</b>			
K. Maher, Director, PCAD			X
S. Bockmiller, Development Review Planner and Zoning Administrator	X		
J. Wu, Planner	X		
M. Revilla, Recording Secretary	X		

### Call to Order and Instruction from the Chair –

The Chair called the meeting to order at 9:04 p.m.

### Development Review –

ZS -2020-03 – Tractor Supply - Redline – 11935 Hopewell Road – Redline Revision of the site plan for a 900 square foot canopy. Frederick, Seibert & Associates (T. Frederick).

The applicant proposes to construct a 30-foot canopy on the north side of the building as depicted in the attached plans. Although it would eliminate the landscaping between the building and the parking for 30-feet, the area around it along the north wall exceeds ordinance requirements, so staff does not view this as needing a waiver.

The following agencies have provided approvals:

City Engineer  
Planning

Light Department

Water and Wastewater Department

Fire Marshal subject to two conditions:

1. The canopy shall not be located within or obstruct current means of egress to public right of way (outlined in the building permit).
2. The canopy shall not exceed an occupancy of 49 persons.

Potomac Edison, subject to two conditions:

1. Call Miss Utility before digging.
2. Keep the canopy at least 10 feet from a nearby transformer.

Staff recommends approval, subject to the above-listed conditions.

Motion – Mr. Stone moved to approve the revised site plan subject to the two conditions of the Fire Marshal and two conditions of Potomac Edison. Mr. Flaherty seconded. The motion passed with a vote of 6-0-0.

Adjourn –

Mr. Stone moved to adjourn, and Mr. Thomas seconded. The meeting was adjourned at 9:10 a.m.

-----  
Mary Revilla, Recording Secretary



# CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

One East Franklin Street • Hagerstown, MD 21740

E-mail: [planning@hagerstownmd.org](mailto:planning@hagerstownmd.org)

Telephone: 301-739-8577, ext. 138 • Website: [www.hagerstownmd.org](http://www.hagerstownmd.org)

## PLANNING COMMISSION MEETING MINUTES

Date: Wednesday March 27, 2024  
Time: 7:00 p.m.  
Location: Council Chambers, City Hall, 1 East Franklin Street  
Attendance:

Name	In-Person	Remote	Absent
Christina Davis, Chairperson	X		
James W. Stone, Vice Chairperson	X		
Judy Wheeler	X		
Ronald Thomas	X		
Tamara Martinez	X		
Sean Flaherty	X		
Matthew Schindler, Ex-Officio	X		
Staff			
K. Maher, Director, PCAD	X		
S. Bockmiller, Development Review Planner and Zoning Administrator	X		
J. Wu, Planner	X		
M. Revilla, Recording Secretary	X		

### Call to Order and Instruction from the Chair –

The Chair called the meeting to order at 7:03 p.m.

### Public Review Meeting –

ZM 2024-01 - 401 Center Street – Bashan Ram & Rafeena Ram -Local Conversion District Overlay.

This is a Public Review Meeting for a Local Conversion District Overlay at 401 Center Street filed by Bashan and Rafeena Ram.

This property is located at 401 Center Street, which is in the RMED zoning district. The building is setback from South Burhans Boulevard. They are proposing a new use for the space, which shall be one of the following:

- Office, business and professional (55, 56)
- Catering kitchen for preparation of food for off-site delivery and associated office and storage use(722320)

- Restaurants (7221, 7222) with outdoor dining
- Dry cleaning and laundry services (8123)
- Hair, nail and skincare stores, ear piercing services, hair replacement services, permanent makeup salons (81211) and dog grooming establishments
- Retail and wholesale trade (44- 45) excluding auto and adult entertainment business up to 5,000 sqft in net floor area. May include retail bakeries (311811) and retail confectioneries (311320).

During the consultations with the applicant at the March 13 meeting, the recommendations were discussed. The applicant and Planning Commission agreed to the recommendations detailed in the full staff report attached to this memo. The Land Management Code lists four general requirements for the establishment of a Local Conversion Overlay District (Article IV, Section J.3.e. Page 4-71):

**Site Plan Conditions Recommendations:**

1. *The applicant shall improve and increase the amount of landscaping on the property, which will be reflected in the required site plan.*
2. *The enclosed window facing the alleyway shall be reinstalled or filled with masonry to match.*
3. *Signage*
  - a. *The signage shall be consistent with the pre-existing Corner Street Market sign over the door.*
  - b. *Free standing sign on South Burhans Boulevard is permitted in accordance with the RMED District provisions.*
  - c. *Temporary signage is limited to the use of a portable tent sign that is taken in when business is not open.*
  - d. *Window lettering that does not create an opaque surface on the window.*
3. *If the property is used as a restaurant and outdoor dining is proposed, a railing needs to be installed in accordance with the Building Code.*
4. *The retaining wall along the front shall be faced with a brick or stone veneer.*

There were no comments from the audience.

Motion – Mr. Stone made a motion to leave the record open to the public for 10 days. Mr. Thomas seconded. The motion passed with a vote of 6-0-1. Mr. Schindler abstained.

**Regular Meeting –**

The Chair called to order the regular meeting at 7:13 p.m.

**Approval of Minutes –**

Approval of Meeting minutes of March 13, 2024.

Motion- Ms. Martinez moved to approve the minutes of March 13, 2024, with no changes. Ms. Wheeler seconded. The motion passed by a vote of 6-0-1. Mr. Stone abstained.

**Development Review –**

**ZS-2022-12 – Bruno 580 LLC. - 580 Pangborn Boulevard - Redline Revision – FSA (A. Hager).**

A redline revision was received and reviewed by staff and approved previously.

Since then, the applicant has placed rip-rap stone between the retaining wall and the fence along the property line with the adjoining apartment complex in the area where the row of evergreen trees is to be located. Staff contacted the applicant's engineer, who stated that the party that was installing the rip-rap got "a little aggressive" and installed the stone all the way to the fence, and that they were aware that it will need to be pared back in order to install the trees, which will be done within the month.

Adam Hager of Frederick, Seibert and Associates explained Arborvitae trees would be planted along the eastern property line within a month. The office building will be moved to the front of the property, a gate will be installed between the office and the back alley, and sidewalks will be added between the office and the street facing Pangborn Boulevard.

Mr. Stone asked the question whether the wall to the right of the property would be taller? Adam Hager advised the trees will be there instead of the wall being tall enough to screen the site.

Jeff Crampton provided additional details regarding the agreement reached between the adjacent property owner for the entranceway and visibility to the site.

Motion- Mr. Flaherty moved to approve the redline revision of the site plan. Mr. Thomas seconded. The motion passed by a vote of 7-0-0.

**Workshops –**

None.

**New Business –**

None.

**Old Business –**

Continued Discussion of 2024 Land Management Code Text Amendments.

The Zoning Administrator stated Staff would be recommending amendments for parking for automated warehouses.

Announcements –

None.

Adjourn –

Ms. Martinez moved to adjourn, and Mr. Thomas seconded. The meeting was adjourned at 8:08 p.m.

-----  
Mary Revilla, Recording Secretary



# CITY OF HAGERSTOWN, MARYLAND

## Planning & Code Administration Department

One East Franklin Street • Hagerstown, MD 21740

E-mail: [planning@hagerstownmd.org](mailto:planning@hagerstownmd.org)

Telephone: 301-739-8577, ext. 138 • Website: [www.hagerstownmd.org](http://www.hagerstownmd.org)

### MEMORANDUM

**TO:** Hagerstown Planning Commission Members

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

**DATE:** April 19, 2024

**SUBJECT:** ZS-2023-06 – Popeyes Restaurant – 18030 Garland Groh Boulevard

This site plan is for the construction of a 2,353 square foot fast food restaurant with drive through lane and 24 parking spaces. Sidewalk will be installed along the side entry drive, and Justine Trail (the private street/driveway to the rear) and two pedestrian walkways will be installed connecting the site to the public sidewalk along Garland Groh Boulevard. There will be no direct access to the site from Garland Groh Boulevard. The driveway to the south (Jocelyn Drive) will be a right-in-only-right-out-only from/to Garland Groh Boulevard, utilizing a triangular island to prevent left turns into and out of this driveway.

The Forest Conservation Ordinance does not apply in this matter. The property is subject to payment of a fee to the State Highway Administration for the original access to this area from US 40 which will be collected at the building permit stage.

This plan was reviewed by the Plan Review Committee on September 19, 2023. The following agencies have provided approval:

Planning  
Fire Marshal  
City Engineer (subject to attached comments)  
Electric (subject to attached correction)  
Potomac Edison

We anticipate having approvals from Water and Wastewater in time for your meeting.

Staff recommends approval of this plan, subject to the above referenced comments and corrections from the City Engineer and the Electric Department and any conditions forthcoming from Water and Wastewater.



# CITY OF HAGERSTOWN, MARYLAND

Engineering Department

April 19, 2024

To: Stephen Bockmiller, Zoning Administrator/Development Planner

From: Jim Bender, City Engineer JIM

Location: 18030 Garland Groh Blvd.

Case No.: ZS-2023-06 [2446] – Popeyes

Thank you for the opportunity to review the referenced site plan (revised) which we received on March 6, 2024. We recommend conditional approval of the plan pending satisfactory resolution of the following comments:

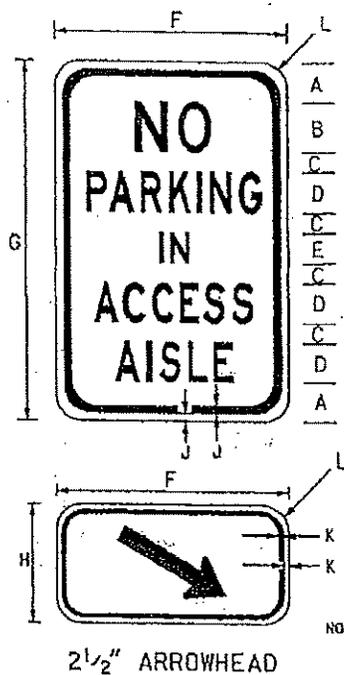
### Site Permits/Agreements/Surety Required

<input checked="" type="checkbox"/>	Major Grading Permit	<input type="checkbox"/>	Curb & Sidewalk Permit
<input type="checkbox"/>	Minor Grading Permit	<input type="checkbox"/>	General Street Construction Permit
<input type="checkbox"/>	Entrance Permit(s)	<input checked="" type="checkbox"/>	SWM Maintenance Agreement (7/1/01)
<input checked="" type="checkbox"/>	SWM Permit	<input checked="" type="checkbox"/>	SWM Facility Surety
<input type="checkbox"/>	Street Cutting Permit(s)	<input type="checkbox"/>	Insurance for Construction in Public R/W

1. The Applicant will be required to pay the State Highway Administration access fee for development of this property; that fee is \$1,529.05 per acre of land. This fee must be paid to the City prior to obtaining Building Permits for any of the improvements shown on these plans.
2. The drainage easement shown on Plat 11171 should be shown on the site plan. If the proposed building encroaches on the easement, or if the proposed pipe alignment doesn't remain in the existing easement, then a plat will be required to relocate the easement. A plat will be required anyway to abandon the existing sanitary sewer easement.
3. Who is constructing Justine Trail? The plans indicate that it is "by others", but its construction has to be coordinated with this plan. Also, on Sheet C-3A, the plans call for existing curb along this street to be removed, but that curb hasn't been constructed yet.
4. On Sheet C-4, remove the "No Parking" sign near the driveway entrance from Jocelyn Drive and replace it with a "No Right Turn" symbolic sign.
5. As previously requested, add the attached "No Parking in Access Aisle" detail; remove the PennDOT R7-9F detail. The fine amount in the City of Hagerstown is \$100.
6. On the storm sewer profile for the proposed extension of the existing storm drainage pipe, verify that the minimum required amount of cover is being provided over the 48" pipe.

cc: Project File

R8-1(2)



NOTE: APPROPRIATE ARROW PLATE MAY BE USED WHEN IT IS NECESSARY TO OFFSET INSTALLATION LOCATION DUE TO ACCESS RAMP.

SIGN SIZE	DIMENSIONS (INCHES)										
	A	B	C	D	E	F	G	H	J	K	L
STANDARD	1 1/2	2 1/2 D	1	2 C	1 1/2 D	12	18	6	1 1/2	1/2	1 1/2

REFERENCES

MUTCD SECTION - 2B-35  
 MUTCD SUPPLEMENT - 2B-31

COLORS

LEGEND - RED  
 BACKGROUND - WHITE

D. Reserved Parking Maximum Fine \$XXX Sign.



# CITY OF HAGERSTOWN, MARYLAND

Hagerstown Light Department  
425 E Baltimore St • Hagerstown, MD 21740  
Telephone: 301-790-2600  
Website: [www.hagerstownlight.org](http://www.hagerstownlight.org)

**Name of Project:** Popeyes – Drive Thru  
**Address:** 18030 GARLAND GROH BLVD  
**Case No.:** ZS-2023-06  
**Munis No.:** 20232446

Date: March 6, 2024

Re: 2<sup>ND</sup> Plan Review

Dear Applicant:

The previously supplied comments (1-3) from the 1<sup>st</sup> plan review, dated August 30, 2023 have been addressed. Comment 4 was not completely addressed. Please see added information to help clarify. I have marked my department review as “Approved With Conditions.” Please address comment 4 with the final set of plans.

**Comment 4:** Add HLD contact information for streetlights. Note that electric service is provided by Potomac Edison.  
Contact Information:

HLD  
Phone: 301-790-2600  
425 E Baltimore St  
Hagerstown, MD 21740

**After 2<sup>nd</sup> review:**

POTOMAC EDISON IS THE ELECTRIC SERVICE PROVIDER, WHILE HLD IS PROVIDING THE STREET LIGHTING SERVICE. NOTE 4, ON C-3A, C-5, AND C-11 IS CONFUSING AND IMPLIES HLD’S CONTACT INFORMATION IS FOR POTOMAC EDISON. PLEASE REVISE TO CLARIFY. SUGGESTED WORDING ON NEXT PAGE:

NOTES:

1. SITE CONTRACTOR TO FIELD VERIFY ALL EXISTING UTILITIES LOCATIONS, DEPTHS AND CROSSINGS WITH PROPOSED UTILITIES AND OTHER SITE IMPROVEMENTS PRIOR TO INSTALLATION. THE SITE ENGINEER SHALL BE NOTIFIED IMMEDIATELY UPON ANY CONFLICTS.
2. SITE CONTRACTOR TO RELOCATE ANY EXISTING CONDUITS DUE TO CONFLICTS WITH PROPOSED FEATURES.
3. SITE CONTRACTOR REQUIRED TO CONTACT MISS UTILITIES PRIOR TO START OF ANY EXCAVATION.
4. SITE ELECTRIC SERVICE PROVIDED POTOMAC EDISON, CONTACT INFORMATION:

(PUT POTOMAC  
EDISON'S CONTACT  
INFO HERE)

5. STREET LIGHTING PROVIDED BY HAGERSTOWN LIGHT DEPARTMENT CONTACT INFORMATION:

ANY USE

MISSION OF SITE

HLD  
425 E. BALTIMORE ST.  
HAGERSTOWN, MD 21740  
(301) 790-2600

Please reach out with any questions.  
Thank you,



Amanda Stratton  
Electrical Engineering Designer  
The Hagerstown Light Department  
[astratton@hagerstownlight.org](mailto:astratton@hagerstownlight.org)

# HAGERSTOWN CROSSING-PROPOSED DRIVE-THRU RESTAURANT

SITUATED ALONG THE WEST SIDE OF GARLAND GROH BOULEVARD, NORTH OF VERIZON STORE AND SOUTH OF HAGERSTOWN CROSSING DRIVE  
**THE PARKH NETWORK**

18030 GARLAND GROH BOULEVARD  
 CITY OF HAGERSTOWN, WASHINGTON COUNTY, MARYLAND

DEVELOPER:  
 THE PARKH NETWORK  
 301 ROUTE 77 NORTH, SUITE 802  
 FORT MYERS, FL 33907  
 CRYSTAL CITY, VA 22111  
 (888) 557-8622

OWNER:  
 HAGERSTOWN CROSSING, INC.  
 17 WEST PATRICK STREET, SUITE 200  
 HAGERSTOWN, MD 20638  
 CHARLES W. SCOTT  
 (301) 676-9444

**UTILITY NOTIFICATION**  
 THE PROJECT HAS BEEN NOTIFIED BY THE UTILITIES AND THE PROJECT WILL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTILITIES. THE PROJECT WILL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTILITIES. THE PROJECT WILL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTILITIES.

**CITY OF HAGERSTOWN PLANNING COMMISSION**  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**CITY OF HAGERSTOWN ENGINEER REVIEW**  
 APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

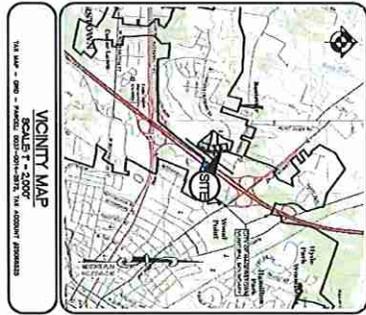
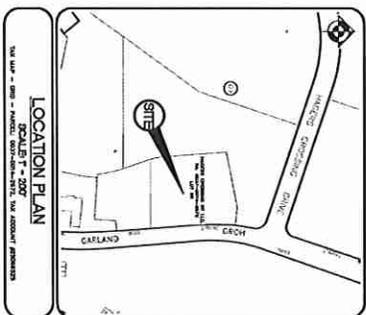
**OWNER / DEVELOPER'S CERTIFICATION**  
 I, THE UNDERSIGNED, OWNER/DEVELOPER, HEREBY CERTIFY THAT THE INFORMATION PROVIDED IN THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

**PROFESSIONAL CERTIFICATION**  
 I, THE UNDERSIGNED, PROFESSIONAL ENGINEER, HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MARYLAND AND I AM QUALIFIED TO PREPARE AND SEAL THIS PLAN.

**MAINTENANCE OF LANDSCAPING**  
 THE LANDSCAPING SHALL BE MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF HAGERSTOWN. THE LANDSCAPING SHALL BE MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF HAGERSTOWN.

**ARCHITECT DESIGN CERTIFICATION**  
 I, THE UNDERSIGNED, ARCHITECT, HEREBY CERTIFY THAT I AM A LICENSED ARCHITECT IN THE STATE OF MARYLAND AND I AM QUALIFIED TO PREPARE AND SEAL THIS PLAN.

**PROFESSIONAL CERTIFICATION**  
 I, THE UNDERSIGNED, PROFESSIONAL ENGINEER, HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MARYLAND AND I AM QUALIFIED TO PREPARE AND SEAL THIS PLAN.



TYPE	NO.	PLANTING (NO)	SPACING (IN)	MINIMUM SPACING (IN)	MINIMUM SPACING (IN)	MINIMUM SPACING (IN)	MINIMUM SPACING (IN)
ROW	1	1.0	1.0	1.0	1.0	1.0	1.0
ROW	2	1.0	1.0	1.0	1.0	1.0	1.0
ROW	3	1.0	1.0	1.0	1.0	1.0	1.0
ROW	4	1.0	1.0	1.0	1.0	1.0	1.0
ROW	5	1.0	1.0	1.0	1.0	1.0	1.0
ROW	6	1.0	1.0	1.0	1.0	1.0	1.0
ROW	7	1.0	1.0	1.0	1.0	1.0	1.0
ROW	8	1.0	1.0	1.0	1.0	1.0	1.0
ROW	9	1.0	1.0	1.0	1.0	1.0	1.0
ROW	10	1.0	1.0	1.0	1.0	1.0	1.0

**SMALL NARRATIVE**  
 THE PROJECT IS A DRIVE-THRU RESTAURANT. THE PROJECT WILL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF HAGERSTOWN. THE PROJECT WILL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF HAGERSTOWN.

**CRIME PREVENTION NARRATIVE**  
 THE PROJECT IS A DRIVE-THRU RESTAURANT. THE PROJECT WILL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF HAGERSTOWN. THE PROJECT WILL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF HAGERSTOWN.

DRAWING SHEET NO.	DRAWING TITLE
C-1	TITLE SHEET
C-2	GENERAL NOTES AND PLAN LEGEND
C-3	EXISTING OVERALL PARENT TRACT
C-3A	EXISTING SITE CONDITIONS AND DEMOLITION PLAN
C-4	SITE LAYOUT PLAN
C-5	SITE GRADING - UNLITTES PLAN AND DETAILS
C-6	SITE LANDSCAPE PLAN
C-7	UTILITY PROFILES AND DETAILS
C-8	SITE DETAILS
C-9	SITE DETAILS
C-10	POST CONSTRUCTION STORMWATER MANAGEMENT DETAILS AND PROFILES
C-11	SITE LIGHTING PLAN
SE-1	SOIL EROSION AND SEDIMENTATION CONTROL PLAN
SE-2	SOIL EROSION AND SEDIMENTATION CONTROL DETAILS

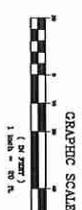
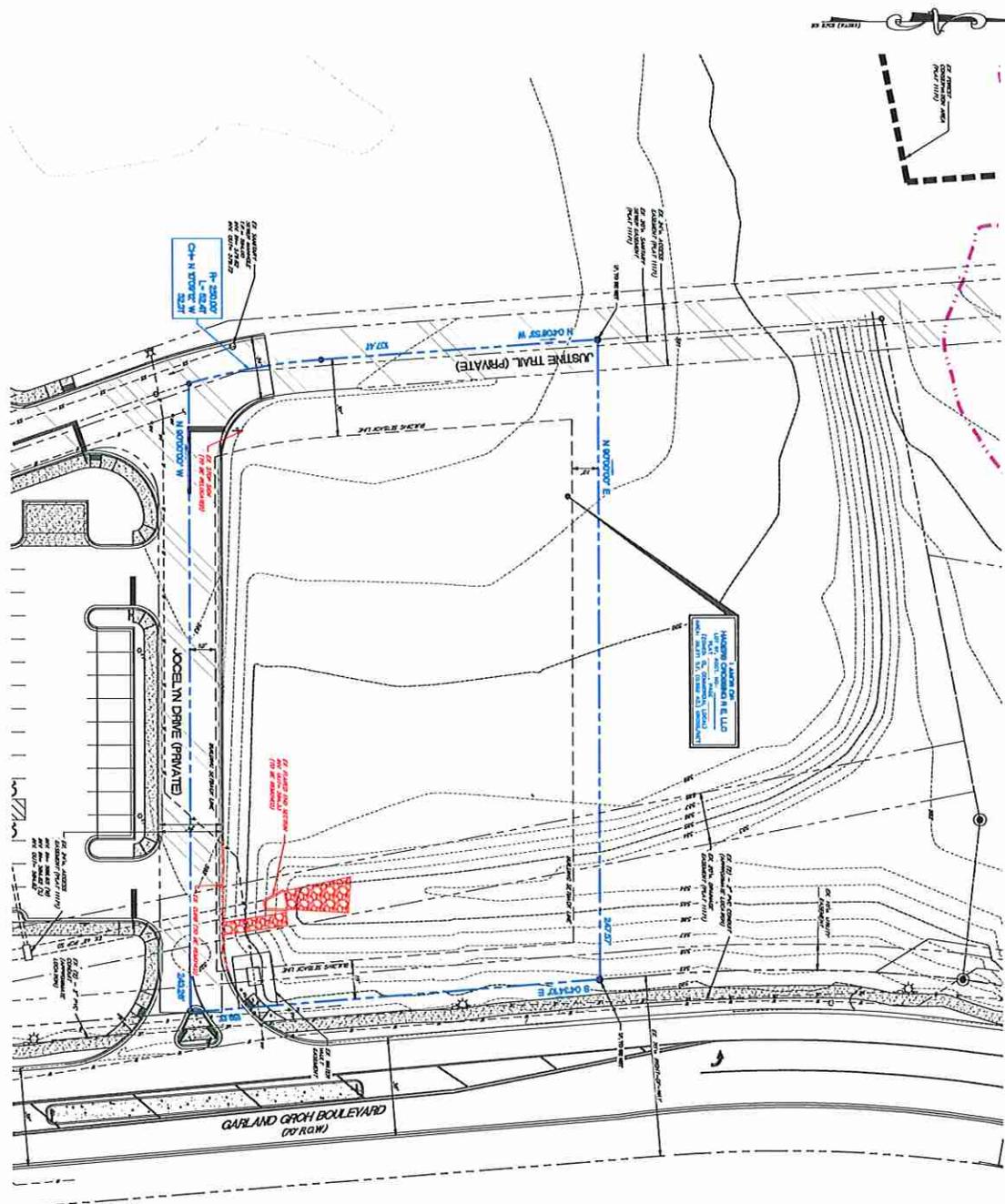
Project No: 89713  
 Date: 08/18/23  
 Version: 2  
 Author: JAW/2/C  
 Check: JAW/2/C  
 Date: 08/18/23

**TITLE SHEET**  
 PROJECT: HAGERSTOWN CROSSING-PROPOSED DRIVE-THRU RESTAURANT  
 FOR: THE PARKH NETWORK  
 18030 GARLAND GROH BOULEVARD  
 CITY OF HAGERSTOWN, WASHINGTON COUNTY, MARYLAND

**site design concepts**  
 LAND DEVELOPMENT CONSULTANTS  
 127 WEST MARKET STREET SUITE 205 • YORK, PA 17403  
 P: 717.353.8414 • F: 717.840.8208 • WWW.SITECC.COM  
 Civil Engineering • Surveying • Landscape Architecture • Land Planning • Environmental Consulting

NO.	DATE	COMMENTS
1	8/15/24	REVISED PER PLANNING REVIEW COMMITTEE COMMENTS





- NOTES**
1. CONSTRUCTION TO FIELD VERIFY ALL UTILITIES ARE LOCATED CORRECTLY AND CORRECTED WITH PROPOSED UTILITIES AND OTHER SITE IMPROVEMENTS AS NOTED ON THIS PLAN.
  2. ALL UTILITIES SHALL BE DELETED FROM ANY CONFLICTS.
  3. ALL CONSTRUCTION WORKED TO CONTRACT LINES UTILITIES ARE ELECTRIC SERVICE PROVIDED THROUGH EXISTING CONTRACT WITH THE CITY.
  4. SEE E. SULLIVAN ET AL. (2017-00000) FOR UTILITIES.

- SITE DEMOLITION NOTES**
1. ALL EXISTING CONCRETE DRIVE SHALL BE DEMOLISHED AND REPAVED WITH ASPHALT TO MATCH EXISTING DRIVEWAY.
  2. ALL EXISTING ASPHALT DRIVEWAY SHALL BE DEMOLISHED AND REPAVED WITH ASPHALT TO MATCH EXISTING DRIVEWAY.
  3. ALL EXISTING ASPHALT DRIVEWAY SHALL BE DEMOLISHED AND REPAVED WITH ASPHALT TO MATCH EXISTING DRIVEWAY.
  4. ALL EXISTING ASPHALT DRIVEWAY SHALL BE DEMOLISHED AND REPAVED WITH ASPHALT TO MATCH EXISTING DRIVEWAY.
  5. ALL EXISTING ASPHALT DRIVEWAY SHALL BE DEMOLISHED AND REPAVED WITH ASPHALT TO MATCH EXISTING DRIVEWAY.
  6. ALL EXISTING ASPHALT DRIVEWAY SHALL BE DEMOLISHED AND REPAVED WITH ASPHALT TO MATCH EXISTING DRIVEWAY.
  7. ALL EXISTING ASPHALT DRIVEWAY SHALL BE DEMOLISHED AND REPAVED WITH ASPHALT TO MATCH EXISTING DRIVEWAY.
  8. ALL EXISTING ASPHALT DRIVEWAY SHALL BE DEMOLISHED AND REPAVED WITH ASPHALT TO MATCH EXISTING DRIVEWAY.
  9. ALL EXISTING ASPHALT DRIVEWAY SHALL BE DEMOLISHED AND REPAVED WITH ASPHALT TO MATCH EXISTING DRIVEWAY.
  10. ALL EXISTING ASPHALT DRIVEWAY SHALL BE DEMOLISHED AND REPAVED WITH ASPHALT TO MATCH EXISTING DRIVEWAY.

NO.	DATE	REVISIONS
1	02/12/17	REVISED FOR PLANNING REVIEW COMMITTEE COMMENTS

**EXISTING SITE CONDITIONS AND DEMOLITION PLAN**

HAGERSTOWN CROSSING PROPOSED DRIVE-THRU RESTAURANT

THE PARKH NETWORK  
15030 GARLAND GROVE BOULEVARD  
CITY OF HAGERSTOWN, WASHINGTON COUNTY, MARYLAND

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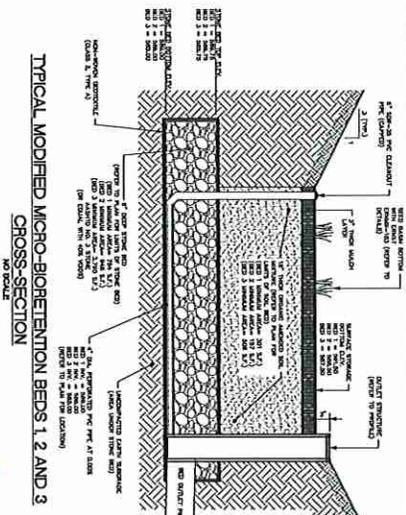
127 WEST MARKET STREET SUITE 202 • YORK, PA 17401  
P: 717.757.9414 • F: 717.840.8205 • WWW.SITEDC.COM

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NO.	DATE	REVISIONS
1	02/12/17	REVISED FOR PLANNING REVIEW COMMITTEE COMMENTS

C-3A  
1

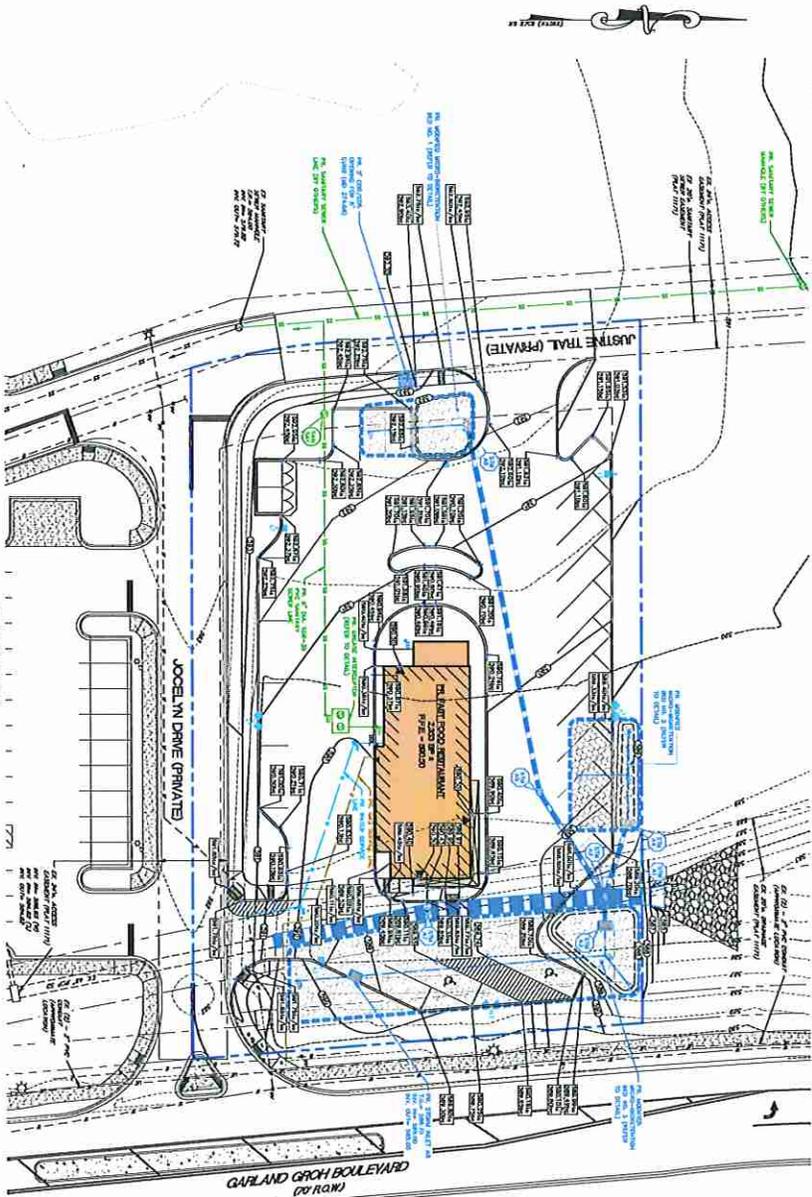




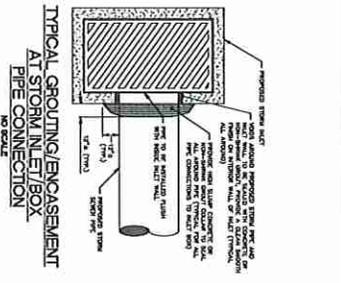
**TYPICAL MODIFIED MICRO-BIORETENTION BEDS 1, 2 AND 3 CROSS-SECTION**

**Table B-4.1 Material Specifications for Micro-Bio-retention, Rain Gardens & Landscapes Irrigation**

Material	Specification	Size	Notes
Topsoil	USDA Plant Hardiness Zone 7a (USDA Plant Hardiness Zone 7a)	1/2" to 2"	USDA Plant Hardiness Zone 7a (USDA Plant Hardiness Zone 7a)
Mulch	USDA Plant Hardiness Zone 7a (USDA Plant Hardiness Zone 7a)	2"	USDA Plant Hardiness Zone 7a (USDA Plant Hardiness Zone 7a)
Aggregate	USDA Plant Hardiness Zone 7a (USDA Plant Hardiness Zone 7a)	1/2" to 2"	USDA Plant Hardiness Zone 7a (USDA Plant Hardiness Zone 7a)
Bio-retention	USDA Plant Hardiness Zone 7a (USDA Plant Hardiness Zone 7a)	4"	USDA Plant Hardiness Zone 7a (USDA Plant Hardiness Zone 7a)



- NOTES**
1. SEE CONSTRUCTION TO FIELD VERIFY ALL UTILITIES ARE CORRECTLY LOCATED AND DEPTHS ARE CORRECT. VERIFY AND CORRECT BEFORE PROCEEDING WITH CONSTRUCTION.
  2. SEE CONSTRUCTION TO FIELD VERIFY ALL UTILITIES ARE CORRECTLY LOCATED AND DEPTHS ARE CORRECT. VERIFY AND CORRECT BEFORE PROCEEDING WITH CONSTRUCTION.
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  4. SEE CONSTRUCTION TO FIELD VERIFY ALL UTILITIES ARE CORRECTLY LOCATED AND DEPTHS ARE CORRECT. VERIFY AND CORRECT BEFORE PROCEEDING WITH CONSTRUCTION.
- HATCH LEGEND**
- 1. SEE CONSTRUCTION TO FIELD VERIFY ALL UTILITIES ARE CORRECTLY LOCATED AND DEPTHS ARE CORRECT. VERIFY AND CORRECT BEFORE PROCEEDING WITH CONSTRUCTION.
  - 2. SEE CONSTRUCTION TO FIELD VERIFY ALL UTILITIES ARE CORRECTLY LOCATED AND DEPTHS ARE CORRECT. VERIFY AND CORRECT BEFORE PROCEEDING WITH CONSTRUCTION.
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DATE	8/27/20-09-2
NO.	1
REVISIONS	
DATE	
REVISIONS	

**SITE GRADING - UTILITIES PLAN AND DETAILS**

HAGERSTOWN CROSSING-PROPOSED DRIVE-THRU RESTAURANT

THE PARK NETWORK

15000 GARLAND GROCH BOULEVARD

CITY OF HAGERSTOWN, WASHINGTON COUNTY, MARYLAND

**site design concepts**

LAND DEVELOPMENT CONSULTANTS

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NO.	DATE	REVISIONS	COMMENTS
1	02/12/21	REVISED FOR PLANNING REVIEW	CONTRACT COMMENTS









# CITY OF HAGERSTOWN, MARYLAND

## Planning & Code Administration Department

One East Franklin Street • Hagerstown, MD 21740

E-mail: [planning@hagerstownmd.org](mailto:planning@hagerstownmd.org)

Telephone: 301-739-8577, ext. 138 • Website: [www.hagerstownmd.org](http://www.hagerstownmd.org)

### HAGERSTOWN BOARD OF ZONING APPEALS

#### AGENDA

DATE: Thursday May 9, 2024

7:00 p.m. LOCATION: Council Chambers, City Hall

Please visit the City's website at [www.hagerstownplanning.org](http://www.hagerstownplanning.org) for information about this meeting. The properties involved have been posted with hearing posters and two legal advertisements appeared in the *Herald-Mail*. Documents regarding cases and topics to be reviewed can be found at this link beginning at 9:00 a.m. on Monday, May 6, 2024. If you plan to attend the meeting, please arrive between 6:45 p.m. and 7:00 p.m. City Hall is closed to the public after 4:00 p.m. and staff are present at the front door from 6:45 until 7:05 to admit participants. After 7:05, the lobby is not staffed and those arriving late may not be able to gain access to the building.

Call to Order-

Preliminary Matters –

None.

Applications Filed for May Hearing -

**Case No. Z-2024-01** – To hear an administrative appeal filed by Nsabar Neru regarding the issuance of a notice of zoning violation at the property located at 309 South Potomac Street and located in the RO (Residential Office) Zoning District, per Section D.5.a of the Zoning Ordinance (Article 4 of the Land Management Code). Parties aggrieved by a decision of the zoning administrator or someone acting on his behalf may appeal that decision to the Board of Zoning Appeals per Section U.2 of the Zoning Ordinance.

**Case No. Z-2024-02** To hear an application made by Paul D. Banister, for a variance to reduce the required 25-foot front yard setback to 0 feet for construction of a fence at the property located at 29 Moller Parkway in the RMOD (Residential Moderate Density) Zoning District. Per Article 4, section D.5.a, of the Land Management Code, the required front yard setback is 25 feet.

Deliberations -

Other Business –

None.

Adjourn -

#### NOTICE:

Pursuant to the Maryland Open Meetings Law, notice is hereby given that the deliberations of the Board of Zoning Appeals are open to the public. The Board, at its discretion, may render a decision as to some or all of the cases at the hearing described above or at a subsequent meeting or hearing, the date and time of which will be announced prior to the conclusion of the public hearing. Individuals requiring special accommodation are requested to contact the City Clerk at 301-739-8577, extension 113 or ADD 301-797-6617.

Next Meeting: March 14, 2024 – 7:00 p.m.

## ***LAND MANAGEMENT CODE TEXT AMENDMENT PROPOSAL***

<b>Number:</b> 2024-	<b>Is this a new issue or one previously discussed?</b>	New
<b>Version:</b> 1	<b>Is this new text proposed since last discussion in need of initial review?</b>	Yes
	<b>Is this revised text in need of confirmation that it conforms to prior editorial direction?</b>	No
<b>Summary:</b> Remove reference to additions to buildings in Conversion overlays having to be located in the space least visible to the general public.		
<b>Justification:</b> This change is suggested for consistency with recent change to the Local Conversion overlay which removed the same provision in that overlay. Removing this limitation eliminates an arbitrary requirement that may not be appropriate in some cases, such as the Potomac Dental stair tower addition on their property on Cypress Street. The tower was most appropriately placed on the front of the building, given the design of the structure and the peculiarities of the lot precluding it from being located elsewhere on the building.		

Existing text to be removed is in ~~strikeout~~. New text to be added is in **red**. Staff direction is in **blue**.

Article 4, Section J.2.(i)(2) on page 4-71

- (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.~~