

**ORDINANCE NO. 3705**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP REFERRED TO IN SECTION 25-1 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION) IN ORDER TO REZONE PROPERTY LOCATED AT 313-315 SPRINGDALE STREET, CUMBERLAND, ALLEGANY COUNTY, MARYLAND FROM R-U (URBAN RESIDENTIAL) TO R-R (REHABILITATION AND REDEVELOPMENT)."

**WHEREAS**, the property which is the subject of this Ordinance is presently owned by Betsy L. Delozier (the "Applicant") and is located at 313-315 Springdale Street, Cumberland, Allegany County, Maryland, being more particularly described in the Deed from Grace Built Home Improvements, LLC to the Applicant dated August 31, 2011 and recorded among the Land Records of Allegany County, Maryland in Book 1821, Page 453, the said property hereinafter being referred to as the "Subject Property."

**WHEREAS**, the Subject Parcel is presently zoned R-U (Urban Residential).

**WHEREAS**, the Applicant made application to the Planning and Zoning Commission of the City of Cumberland (the "Planning Commission"), requesting that the Subject Property be rezoned to R-R (Residential Redevelopment);

**WHEREAS**, the Subject Property is currently vacant, having formerly been utilized as a bar/tavern on the first floor with two residential apartments on the second floor, the said uses having been discontinued approximately two (2) years prior to the date of the submission of the application to the Planning Commission.

**WHEREAS**, the Applicant proposes to revitalize the Subject Property for the purpose of establishing a coin-

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operated laundromat on the first floor and two residential apartments on the second floor.

**WHEREAS**, the Planning Commission held public hearings on the Applicant's proposed rezoning of the Subject Parcel on October 17, 2011 and November 14, 2011, at which time it considered the findings and recommendations set forth in the Cumberland Planning Commission Staff Report (the "Report") dated August 25, 2011 and updated November 4, 2011, a copy of which is attached hereto and incorporated by reference herein as Exhibit 1.

**WHEREAS**, the Report includes the following findings

1. The proposed uses are consistent with the spirit and intent of the RR floating zone, as set forth in Section 5.01.12 of the City of Cumberland Zoning Ordinance;
2. The Applicant can meet the performance standards specified in Section 6.14.04 of the Zoning Ordinance; and
3. Consideration of the factors set forth in Section 4.05(a)(2)(i) of Article 66B of the Maryland Annotated Code (i.e., population change, the availability of public utilities, present and future transportation patterns, compatibility with existing and proposed development for the area, and the relationship of the proposed amendment to the local jurisdiction's plan) favors the granting of the requested rezoning.

Facts supporting these findings are more particularly set forth in the Report.

**WHEREAS**, Staff also recommended that, should the Planning Commission and/or Mayor and City Council agree to rezone the Subject Property, the following conditions

should be applied to ensure compliance with the applicable zoning requirements:

1. Permitted uses for the property at 313-315 Springdale Street shall be limited to retail buildings (less than 5,000 square feet), repair services, personal service establishments, and professional services in accordance with the applicable standards for the B-L (Local Business Zone) and low-rise apartments in accordance with the applicable standards for the R-U (Urban Residential Zone) as specified in the Development Regulations Table (Section 6.03.01 of the Cumberland Zoning Ordinance;
2. The proposed use shall satisfy all applicable off-street parking and loading requirements specified in Section 12 of the Zoning Ordinance;
3. The proposed use shall satisfy the applicable buffer requirements in Section 13 of the Zoning Ordinance;
4. The proposed use shall satisfy the signage restrictions of Section 6.14.04 (4) of the Zoning Ordinance, with the addition that no freestanding sign shall be permitted on the property;
5. The proposed use shall not generate more than 25 vehicle trips per day, as determined by the most recently published edition of the Institute of Traffic Engineers Trip Generation Manual;
6. No outdoor storage, display, or sales of materials or products shall be allowed on the property; and
7. The business use shall not operate between the hours of 10:00 p.m. and 6:00 a.m.

**WHEREAS,** at the conclusion of the hearing before the Planning Commission held on November 14, 2011, it voted 2-0 to recommend that the application for rezoning be granted.

**WHEREAS,** as required by Section 15.04.05(1) of the City of Cumberland Zoning Ordinance and the applicable provisions of Article 66B of the Maryland Annotated Code, the Planning Commission forwarded its recommendations relative to the proposed rezoning to the Mayor and City Council for action.

**WHEREAS,** as required by Md. Code Ann., Art 66B §§ 4.05(c) and 4.04(b)(2) and Section 15.04.06(1) of the City of Cumberland Zoning Ordinance, the Mayor and City Council of Cumberland published notice of the time and place of the public hearing before it on the matter of the rezoning which is the subject of this Ordinance together with a summary of the proposed rezoning in *The Cumberland Times News*, a newspaper of general circulation in Allegany County and the City of Cumberland, once each week for two successive weeks with the first notice being provided at least fourteen days before the hearing. The notices were published on January 3, 2012 and January 10, 2012.

**WHEREAS,** as required by Md. Code Ann., Art 66B §4.05(c) and City of Cumberland Zoning Ordinance Section 15.04.07, a public hearing on the proposed rezoning was held before the Mayor and City Council on January 17, 2012, at which public hearing all parties in interest and citizens of the City of Cumberland were permitted to be heard concerning the proposed rezoning.

**WHEREAS,** having considered the evidence presented, the Mayor and City Council made the following findings:

1. Since the RR zone is a "floating zone," a determination of a substantial change in the character of

the neighborhood or a mistake in the original zoning of the Subject Property under Section 4.05 (a)(2)(ii) of Article 66B of the Code of Maryland is not required. *Aubinoe v. Lewis*, 250 Md. 645, 652-53 (1968).

2. The Mayor and City Council otherwise adopted the findings, conclusions and recommendations set forth in the Report.

**WHEREAS**, based upon the foregoing, the Mayor and City Council determined that the application for the rezoning of the Subject Property should be granted.

**NOW, THEREFORE:**

**SECTION 1:** BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the Applicant's request for the rezoning of the Subject Property from R-U (Urban Residential) to R-R (Rehabilitation and Redevelopment) is granted subject to the following conditions:

1. Permitted uses for the Subject Property shall be limited to retail buildings (less than 5,000 square feet), repair services, personal service establishments, and professional services in accordance with the applicable standards for the B-L (Local Business Zone) and low-rise apartments in accordance with the applicable standards for the R-U (Urban Residential Zone) as specified in the Development Regulations Table (Section 6.03.01 of the Cumberland Zoning Ordinance;
2. All applicable off-street parking and loading requirements specified in Section 12 of the Zoning Ordinance shall be satisfied with respect to the uses conducted at the Subject Property;

3. All applicable buffer requirements, as set forth in Section 13 of the Zoning Ordinance, shall be complied with at all times;
4. The signage restrictions set forth in Section 6.14.04 (4) of the Zoning Ordinance shall be complied with at all times and, additionally, no freestanding sign shall be permitted on the Subject Property;
5. The uses conducted on the Subject Property shall not generate more than 25 vehicle trips per day, as determined by the most recently published edition of the Institute of Traffic Engineers Trip Generation Manual;
6. No outdoor storage, display, or sales of materials or products shall be allowed on the Subject Property; and
7. Business uses at the Subject Property shall not operate between the hours of 10:00 p.m. and 6:00 a.m.

**PASSED** this 14th day of February, 2012.

  
\_\_\_\_\_  
Brian K. Grim,  
Mayor

ATTEST:  
  
\_\_\_\_\_  
Marjorie A. Eirich  
City Clerk

**1st reading: December 20, 2011**  
**2nd reading: February 14, 2012**  
**3rd reading: February 14, 2012**  
**Public Hearing: January 17, 2011**

**Passed: February 14, 2012**

## CUMBERLAND PLANNING COMMISSION STAFF REPORT

ZMA 11-02: 313-315 Springdale Street – RR Rezoning

*August 25, 2011 – Updated November 4, 2011*

### **Overview:**

A petition has been submitted by Betsy Delozier to apply the RR – Rehabilitation and Redevelopment Floating Zone to property that she owns at 313-315 Springdale Street. According to the applicant's submission (see attached Justification Statement), the property was historically used for a commercial bar on the ground floor with two residential apartments on the upper floor. These uses were abandoned a number of years ago, and the building is currently vacant. The property is currently zoned R-U – Urban Residential, which, according to Section 6.14.01 of the Zoning Ordinance is a zoning district that is eligible to receive the proposed RR zoning. The property adjoins a B-L (Local Business) zone located on the opposing side of Springdale Street. According to the Generalized Future Land Use Map (Map 8) in the 2004 Comprehensive Plan, the property is planned for Medium Density Residential Uses and is immediately adjacent to an area planned for Local Business uses.

The applicant is proposing to revitalize the vacant building to establish a coin-operated laundromat on the ground floor, with two residential apartments on the upper floor (See the attached Summary of Proposed Project). A preliminary engineering evaluation by SPECS, Inc. (see attached e-mail message from James Hoskin dated August 24, 2011) indicates that the building is sound and can be restored. The applicant also proposes to restore the building façade in a historically sensitive manner.

### **Procedural Status:**

Betsy Delozier, legal owner of property at 313-315 Springdale Street, submitted an application to apply the RR – Rehabilitation and Redevelopment Floating Zone to the aforementioned property on August 25, 2011. A copy of the petition and all supporting data is attached to this report. The form bears the name of the former owner, Lisa Claus, because the tax account information has not been updated by the State since the recent transfer of ownership. Staff has scheduled the petition for a public hearing before the Planning Commission on October 17, 2011.

During the October 17 public hearing, neighborhood residents appeared and expressed concerns about the limited capacity of the applicant's off-street parking lot to satisfy the project's demand. The residents noted that on-street parking opportunities are extremely limited on the narrow streets that serve the property and they felt that traffic accessing and leaving the proposed commercial use would compete for scarce parking and contribute to accidents with neighborhood vehicles parked along the streets. The Planning Commission deferred action on the application until the November 14, 2011 meeting date to give the applicant time to prepare a parking site plan to demonstrate the off-street

## EXHIBIT 1

parking requirements of the Zoning Ordinance could be satisfied. The applicant submitted the requested parking site plan on November 3, 2011, a copy of which is attached to this updated report.

### **Staff Review:**

City records do confirm the previous uses of the building as stated by the applicant. The ground floor commercial use of the building has been abandoned for more than two years, and cannot be reinstated under the current R-U Zoning of the property. The building has been deteriorating for a number of years, and is clearly designed for the prior mix of uses. Since the proposed ground floor commercial use cannot be re-established under the current zoning, the property satisfies the basic spirit and intent of the RR-Rehabilitation and Redevelopment Floating Zone as specified in Section 5.01.12 of the Zoning Ordinance. The upper floor residential uses would be permitted under the current zone and can be authorized under the requested RR floating zone.

The property includes a large vacant parking lot that staff has determined to be adequate for the applicant's stated uses. Based on the attached parking site plan, the applicant has demonstrated that the lot can be designed to accommodate a total of 8 parking spaces, including one handicapped access space. Ms. Delozier has proposed to create two 2-bedroom apartments and an automated laundry that will house up to 30 washers and dryers. According to Section 12.02.03 of the Zoning Ordinance, the proposed project must provide a total of three parking spaces for the two apartments (1.5 spaces per 2-bedroom apartment), 3 additional spaces for the laundry facility (1 parking space for every 4 washing and drying machines in excess of 20), and 1 handicapped parking space. This results in a total of 7 traditional and 1 handicapped parking spaces for a total of 8. The attached site plan indicates that the proposed parking lot is capable of providing the minimum number of spaces required by the City's Zoning Ordinance.

The proposed uses are consistent with the historic uses for the buildings and the general development patterns that exist in the area. The property is served by all necessary city utilities, including City water and sewer.

### **Staff Recommendation:**

The applicant's proposed uses and the history of the property are consistent with the spirit and intent of the RR floating zone. Staff has determined that the property owner can comply with all applicable performance standards specified in Section 6.14.04 of the Zoning Ordinance. These standards are as follows:

1. Comply with all applicable environmental standards and requirements listed in Section 6.08 (noise, lighting, vibrations, noise pollution, etc.);
2. Satisfy the off-street parking and loading requirements of Section 12;
3. Provide required buffers along existing residential uses required in Section 13;
4. Satisfy specific signage limitations;

## EXHIBIT 1

5. Comply with certain trip generation limitations or provide a traffic study to show that the use will not exceed the capacity of local streets;
6. Require no access for loading and unloading from a local street;
7. Require no outside storage of materials or products associated with the use;
8. Ensure that any light manufacturing uses will be conducted in an entirely enclosed space; and
9. Comply with operating hours restrictions between 10:00 p.m. and 6:00 a.m.

Additionally, under the provisions of Article 66-B of the Maryland Annotated Code, the Mayor and City Council must make a series of specific findings in making its decision regarding the proposed zoning. A recommendation regarding these findings must be made by the Planning Commission. The specific findings are outlined in Section 4.05 (a) (2) (i) of Article 66-B. Staff recommends the following findings be determined with respect to these statutory considerations:

1. **Population change:** Staff notes the findings in the 2004 Comprehensive Plan that the population of the City of Cumberland has been in decline since the 1940's. The Plan further notes that the city desires to reverse that trend and support the future growth and economic development of the city, and it contains a number of recommendations to support that goal. The recently adopted 2009 Comprehensive Plan Update calls for a 20% increase in the City's population over the next 20 years. The proposed zoning would provide for limited future economic expansion of the city's commercial base, thereby increasing employment opportunities, expanding the City's tax base, and promoting population growth that could be consistent with the recommendations of the City's Comprehensive Plan.
2. **The availability of public facilities:** Public facilities in the City of Cumberland were designed to serve the City's peak population of 39,483 in 1940. With a current population of approximately 20,800, the Water Resources Element in the 2009 Comprehensive Plan amendment indicated that adequate capacity exists within the city's current public facilities to accommodate the city's planned growth, as discussed in the 2004 Comprehensive Plan. The subject property is already served by City water and sewer.
3. **Present & future transportation patterns:** The 2004 Comprehensive Plan and the 2007 Cumberland Area Long Range Transportation Plan have identified and scheduled transportation improvements necessary to serve planned growth and development. The subject property is directly accessed by Springdale Street, which is considered a local street. The potential traffic impacts of the proposed use are anticipated to be minor and would not reduce the level of service on the adjoining streets to "D" or lower. The property also has adequate off-street parking for the proposed uses.
4. **Compatibility with existing and proposed development for the area:** The current zoning and uses across Springdale Street from the property are commercial in nature. Other commercial uses are scattered around the area. The proposed uses are consistent with and supportive of the existing mix of uses in that area.

EXHIBIT 1

5. **Relationship of the proposed amendment to the local jurisdiction's plan:** The proposed upper floor apartments are allowed by the current R-U Zone and are consistent with the future uses contemplated by the 2004 Comprehensive Plan. The proposed ground floor use is consistent with the adjoining B-L Zone and with the future uses contemplated by the 2004 Comprehensive Plan for the area directly across Springdale Street from the subject property. The ground floor of the building was clearly designed for commercial use, and the proposed use is appropriate for and supportive of the surrounding neighborhood. The property is located in an area that is currently be revitalized by the City, the Virginia Avenue Commercial Corridor, in accordance with the 2004 Comprehensive Plan and the Virginia Avenue Corridor Redevelopment Plan.

Should the Planning Commission and Mayor and Council agree to rezone the property as requested by the applicant, staff recommends that the following conditions be applied to ensure compliance with the applicable zoning requirements:

1. Permitted uses for the property at 313-315 Springdale Street shall be limited to Retail buildings (less than 5,000 square feet), Repair services, Personal Service Establishments, and professional services in accordance with the applicable standards for the B-L (Local Business Zone) and low-rise apartments in accordance with the applicable standards for the R-U (Urban Residential Zone) as specified in the Development Regulations Table (Section 6.03.01 of the Cumberland Zoning Ordinance.
2. The proposed use shall satisfy all applicable off-street parking and loading requirements specified in Section 12 of the Zoning Ordinance.
3. The proposed use shall satisfy the applicable buffer requirements in Section 13 of the Zoning Ordinance.
4. The proposed use shall satisfy the signage restrictions of Section 6.14.04 (4) of the Zoning Ordinance, with the addition that no freestanding sign shall be permitted on the property.
5. The proposed use shall not generate more than 25 vehicle trips per day, as determined by the most recently published edition of the Institute of Traffic Engineers Trip Generation Manual.
6. No outdoor storage, display, or sales of materials or products shall be allowed on the property.
7. The business use shall not operate between the hours of 10:00 p.m. and 6:00 a.m.

EXHIBIT 1

**Planning Commission Action:**

[ ] Recommend adoption of the requested RR Zoning for the affected property at 313-315 Springdale Street to the Mayor and City Council in accordance with the following findings of fact and recommended conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[ ] Recommend denial of requested RR Zoning for the affected property at 313-315 Springdale Street to the Mayor and City Council, based on the following findings:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Vote:

In favor of motion: \_\_\_\_\_ Opposed: \_\_\_\_\_ Abstained: \_\_\_\_\_

Number of voting members present: \_\_\_\_\_

Signed:

\_\_\_\_\_  
Chair, Cumberland Planning Commission

Date: October 17, 2011

\_\_\_\_\_  
Secretary, Cumberland Planning Commission

Date: October 17, 2011

EXHIBIT 1

Venue: CUMB CUMBERLAND PROP NO. 04042670

PERMIT NO. ZMA 1102

ZONING MAP AMENDMENT

Remarks: The attached information has been submitted for review and approval by the Municipal Planning and Zoning Commission per current zoning ordinance & sub division regulations.

LOCATION: 313 SPRINGDALE ST

OWNER: CLAUS LISA

TENANT: CLAUS LISA

Applicant

BETSY DELOZIER  
302 VIRGINIA AVE  
CUMBERLAND MD 21502

CLAUS LISA  
313 SPRINGDALE ST  
CUMBERLAND MD 21502-0000

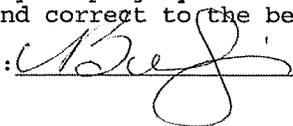
App Date 8/25/2011

Rezone Parcel # 7319  
Current Zone R-U (Urban Resi)  
Proposed Zone R-R

1 Filing Fee 50.00 Filing Fee .00  
TOTAL AMOUNT: 50.00

Springdale Street is divided into B-L Zoning on the East Side and R-U Zoning on the West Side. Commercial properties are located on both the North side (Commercial lot on W. Third Street) and directly across the street on Springdale. 315 Springdale (1st Fl) was once a bar, which can be historically documented. The commercial storefront window still exists behind the boards that were applied for protection. A large parking lot exists in the rear of the building to adhere to parking and loading standards required by Zoning. At this time, I would like to restore the commercial use, to create a "Personal Service Establishment."

Statement: I do solemnly declare under the penalty of perjury the information stated and submitted for this amendment is true and correct to the best of my knowledge, information and belief.

Signature: 

Decision:  
Municipal Planning and Zoning Commission Chairman: \_\_\_\_\_  
Date: \_\_\_\_\_

CITY OF CUMBERLAND  
PERMIT INTERNAL ROUTING

BUSI/WORK 313-  
LOCATION: 315 Springdale Street DATE APPLIED: 8/25/2011

<b>APPLICANT:</b> Name: <u>Betsy DeLozier</u> Address: <u>382 Virginia Avenue</u> <u>Cumberland MD 21502</u> Phone: <u>301-724-2443</u> Cell/e-mail _____ Contact Person: _____	<b>CONTRACTOR:</b> Name: _____ Address: _____ Phone: _____ Cell/e-mail _____ License No.: _____
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ZONE: \_\_\_\_\_ FEE'S COLLECTED: \$ 50.00 FEE'S OWED: \$ 0

TYPE OF PROPOSED PERMIT

- |  |   |
|--|---|
| <input type="checkbox"/> RB- Building                | <input type="checkbox"/> PPPR - Preliminary Plot Plan Review                            |
| <input type="checkbox"/> MB - Miscellaneous Building | <input type="checkbox"/> SPR - Site Plan Review   |
| <input type="checkbox"/> EC- Electrical              | <input type="checkbox"/> SR - Subdivision Review  |
| <input type="checkbox"/> PP- Plumbing                | <input checked="" type="checkbox"/> <sup>ZMA</sup> <del>RA</del> - Rezoning Application |
| <input type="checkbox"/> UT- Utility                 | <input type="checkbox"/> ZA - Zoning Appeal   |
| <input type="checkbox"/> OP - Occupancy              | <input type="checkbox"/> COA - Certificate of Appropriateness                           |
| <input type="checkbox"/> DP- Demolition              | <input type="checkbox"/> DUMP - Temporary Dumpster (R-O-W)                              |

**PROJECT INTAKE INFO.:** \_\_\_\_\_  
Rezoning request from R-11 to R-R

**ASSIGNED TO:** DAVID VONKING **ASSIGNED DATE:** 8/25/11  
**COMMENTS:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**HOLD:** \_\_\_\_\_ (Contractors' Signatures, Information Needed, Comments Pending)  
**DENIED:** \_\_\_\_\_ **APPEAL POSSIBLE:** Yes / No

**RECOMMEND THAT THE BUILDING ENGINEER ISSUE:** (Please Use Date of Approval)  
**All Permits Attached Including OP (if applicable)** \_\_\_\_\_  
**All Permits Except OP** \_\_\_\_\_ **Occupancy Permit** \_\_\_\_\_

EXHIBIT 1



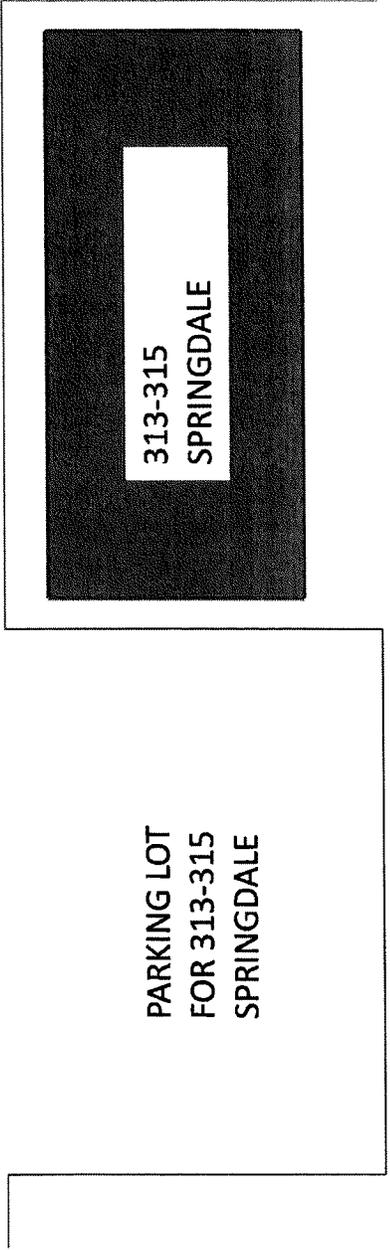
ALL COMMERCIAL PROPERTIES

SPRINGDALE STREET

W THIRD STREET



CLAYBOURNE STREET



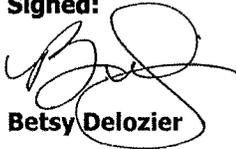
**JUSTIFICATION STATEMENT FOR RR ZONE**

**313-315 Springdale Street, Cumberland Maryland is located in what is now a RU zone district. Springdale Street is divided with a BL zone on its East Side and a RH zone on its West Side. Although there are commercial properties both to its North (commercial lot located on W. Third Street) and also commercial properties directly adjacent across Springdale, the property has been deemed as being residential.**

**315 Springdale was once a Bar establishment which can be historically documented. It has a front façade of what once was a large show window that has been boarded up since the property has sat vacant for several years. It also dawns a very large parking lot in the rear of the building adhering with the parking and loading standards of the Zoning Ordinances.**

**For these reasons, I respectfully ask that 313-315 Springdale be accepted for reclassification as a RR zone.**

**Signed:**

A handwritten signature in black ink, appearing to read "Betsy Delozier", written over a circular stamp or mark.

**Betsy Delozier**

**Owner**

EXHIBIT 1

**PROPOSED EXTERIOR PLAN FOR 313-315 SPRINGDALE STREET**

**The proposed exterior plan for the building is to bring it back to a full restoration of what it once was. The building once dawned a large show window and awnings which I intend to replace. A new store front door will be installed. In the rear the parking lot will be paved and lined to accommodate up to 8 cars. And a security/privacy fence will also be erected within zoning standards. Entrance to the parking lot will be well lit by security lighting as well as the front of the building for security purposes and pedestrian safety.**

**betsy delozier**

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**From:** "James F. Hosken" <jim@SPECSENG.COM>  
**To:** "Gay, Chris D." <cgay@allconet.org>  
**Cc:** "Betsy Delozier" <bdelozier07@atlanticbb.net>  
**Sent:** Wednesday, August 24, 2011 11:19 AM  
**Subject:** 313-315 Springdale Street

Chris:

Per a request from Betsy Delozier (Big D Electric), a cursory structural inspection was performed yesterday at 313-315 Springdale Street. The two (2) story structure contains a full basement and work is underway to renovate the structure to be used for two residential rental units plus a commercial laundromat. Based on information supplied by Betsy, the building's roof structure will be replaced with mono-sloped parallel chord pre-engineered wood trusses meeting a minimum of 40 psf snow load. I recommend to Betsy that she inform the truss manufacturer that solar panels will be placed on the roof so that they can account for this additional dead load in the truss design. In addition, some consideration for possible drifting should also be indicated to the truss manufacturer. Since the roof is being clear spanned, no interior wood partitions will be carrying roof loading. The trusses will fully span across the width of the building and bear on the exterior brick walls which are constructed of two (2) wythe solid brick. The brick's joints are in reasonably good condition with only minimal re-pointing required at selected locations. Portions of the first and second floor wood floor system have already been replaced and additional floor replacement is planned to accommodate the final building layout. Some original floor joists that remain structurally sound will be left in-place. Although I saw no signs of insect infestation with the lumber, I recommended that Betsy have a termite inspection completed just to be sure.

Overall, the structure is in reasonably good condition and should perform satisfactorily for the proposed occupancy and use. If you have any questions concerning this report, I would be pleased to respond.

James F. Hosken, PE, RLS  
President  
SPECSENG, Inc.  
105 S. Centre Street  
Cumberland, MD 21502  
Ph: 301.777.2510x10  
Fax: 301.777.8419  
jfhosken@specseeng.com

8/24/2011

### SUMMARY OF PROPOSED PROJECT

It is my intent as owner of 313 -315 Springdale Street, Cumberland Maryland 21502 to completely renovate the building. Sitting on the corner of Clayborne Street and Springdale, the building is three stories tall with over 6000 square feet of usable area. There is also a large lot in the rear for parking.

It is my intent to utilize the upstairs for two energy efficient apartments. Each apartment will have two bedrooms, 1 full bath, a kitchen and living room areas. Both apartments will have Energy Star windows and doors with R38 insulation in the ceilings, R19 in the floors and R13 in the exterior walls. I will also incorporate sound deadening insulation in the adjoining apartment common wall.

The first floor will be renovated into an Energy Star rated coin operated laundry. Patrons will have access to the complex via a front entrance dawned with awnings. Each washer and dryer will be equipped to take either coins or tokens. The business will provide full time employment for an attendant during business hours. There will be a rear deck for patrons to wait on while doing their laundry. Energy efficient lighting, insulation, energy star doors and windows will be utilized. The washers and dryer electric loads will be offset by a Solar Array on the roof of the building. It is anticipated that it will provide a 50-60% offset of normal electric usage via the Sun.

The basement will house the energy efficient heat pump system for the laundry, and separate energy efficient heat pump systems for both apartments. It will also house a large storage tank for water heating purposes for the laundry. An 800 amp electric service with separate panels for apartments, laundry and common areas will be installed. The ceiling in the basement will be insulated with R19 and heating, cooling and water heating will be energy star rated.

EXHIBIT 1

