



# FREDERICK

## PLANNING

---

August 1, 2022

David A. Severn, Principal  
Offit Kurman  
50 Carroll Creek Way, Suite 340  
Frederick, MD 21701

**Re: 22-680ZD, Zoning Determination, 8411 Broadband Drive, Rockwell Brewery**

Dear Mr. Severn:

In response to your letter dated July 5, 2022, Staff has prepared the following information:

The subject property (the "Property") is in the MXE (Mixed Use Employment Center) Overlay zone and designated for commercial uses in accordance with the Riverside Corporate Park Master Plan that was approved in 2001.

The purpose of this overlay district is to encourage the incorporation into larger industrial/light industrial developments of a compatible mixture of commercial, employment, recreational, civic and/or cultural uses, and limited multi-family residential use in larger developments, which are developed under an overall master plan of the unified planned development. The primary objective for a property developed under the MXE district is to provide for a mixture of uses in an integrated manner while encouraging efficient use of the land, in an environment that ensures the integration and compatibility of the project with existing and proposed surrounding developments, while acting as a focal point for the area of the City in which the MXE is proposed.

In accordance with Section 404, Table 404-1, Use Matrix, in the Land Management Code (LMC), a brewery, as defined in Section 1002, states that a brewery is defined as "an establishment licensed and regulated by the Maryland Annotated Code, Alcoholic Beverages Article, Section 2-207, containing more than 10,000 square feet of building space, and used primarily for the production, bottling, storage, distribution and sale of alcoholic beverages. A brewery may include additional uses including the tasting and consumption of alcoholic products and food, retail sales of related items, educational tours,

entertainment, and events.” As the brewery will be greater than 10,000 square feet in size, a conditional use is required in the MXE zone.

On June 28, 2022, the Zoning Board of Appeals granted conditional use approval (case # ZBA22-484CU) to establish a “Brewery with retail sales, tastings, and food and beverage service” with no conditions.

Lastly, there are no regulatory or building code violations pending on the Property at this time.

If you have any further questions, please don’t hesitate to contact me at (301) 600-4588 or skelly@cityoffrederickmd.gov.

*The purpose of the service provided by the Zoning Administrator regarding determinations/interpretations is to identify the zoning of a particular property, to verify that a use is permitted or permissible in a specific Zoning District and to clarify and interpret the Land Management Code. Any questions regarding specific regulations and requirements for a site or sites’ compliance with the Land Management Code not addressed in this letter shall not be the responsibility of the Zoning Administrator. It is the responsibility of the applicant, property owner and/or property purchaser to review the project site plan and the Land Management Code for compliance.*

*This determination applies solely to the referenced property and is not binding upon the City, the Zoning Administrator or any other official with respect to any other property. No person may rely upon this determination with respect to any property other than the referenced property. Please be advised that any person aggrieved, or any officer, department or agency of The City of Frederick affected by an order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of the provisions of the Land Management Code may appeal said decision within thirty days to the Zoning Board of Appeals.*

Sincerely,



Sherry Kelly, AICP  
City Planner

In Concurrence,



Joseph A. Adkins, AICP  
Deputy Director for Planning/Zoning  
Administrator

cc: Gabrielle Collard, Division Manager of Current Planning

**David A. Severn, Principal**  
**240.772.5114 Phone**  
**240.772.5135 Facsimile**  
[dsevern@offitkurman.com](mailto:dsevern@offitkurman.com)

July 1, 2022

**VIA ELECTRONIC MAIL**

Ms. Gabrielle Collard, Manager  
of Current Planning  
City of Frederick  
Planning Department  
140 W. Patrick Street  
Frederick, MD 21701

Re: Zoning Determination Request for Rockwell Brewery, LLC  
8411 Broadband Dr, Frederick MD; Suites G-L- (“**Leased Premises**”)  
Lot 257-Section A Riverside Technology Park; (Plat Book 102 at page 135)  
Zoned MXE-Commercial (the “**Property**”)

Dear Gabrielle:

As you may know, on June 28, 2022, the Zoning Board of Appeals (“**ZBA**”) approved a conditional use for the above-described Property and Leased Premises as a Brewery with retail sales, tastings, entertainment and food and beverage service per Section 308 and Section 857 of the Land Management Code (**LMC**) in Case No. ZBA22-484CU. For the purposes of providing the State of Maryland alcoholic beverage licensing authorities with the required zoning confirmation for Rockwell Brewery, LLC (the “**Brewery**”), I respectfully request your determination and confirmation that the proposed use of the Leased Premises and Property by the Brewery is permitted with the approval of a Conditional Use by the Zoning Board of Appeals. The Brewery’s proposed use of the Leased Premises involves the manufacturing/brewing of beer, a tap/tasting room that is open to the public offering the retail sale of beer, food (not prepared on site), merchandise, tastings, tours and entertainment. The office component will house administrative services to the Brewery’s operations as well as meeting space and conference rooms for training, community services, and programming.

The Brewery within the Leased Premises will be comprised of 6,492 square feet (47.8%) for brewing, 801 square feet (5.9%) for offices, and 5,381 square feet (39.7%) for retail, including indoor areas for tours, tastings, food and beverage. The operation of the Brewery will include manufacturing and production of alcoholic beverages, warehouse, office, and retail (taproom/tasting area) and is classified as a “Brewery,” “Offices, Business & Professional” and “Storage Warehouse,” and “Retail Sales.” The Property is owned by Riverside Technology Park V, LLC (C/o St. John Properties, Inc. “**SJP**”).

Thank you for your consideration and please let me know if you need any additional information from me to process this request including any required fees.

Very truly yours,



David A. Severn

4889-7211-4727, v. 1