


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 4216 Shannon Drive		

TO

Mr. David Tanner, Executive Director  
Board of Municipal and Zoning Appeals  
417 East Fayette Street, 14<sup>th</sup> Floor

DATE: February 6, 2014

### REQUEST

The Department of Planning has received Melvin Kodesnki's Board of Municipal and Zoning Appeals (BMZA) conditional use application, on behalf of PSA Brewery LLC, to use the entire premises for a craft brewery, with accessory on-premises sales. The Zoning Administrator has determined that this is a prohibited use in a M-1 District. We understand that this appeal is scheduled for hearing on February 11, 2014.

### SITE

4216 Shannon Drive is located on the northeast side of the street, approximately 1,185' southeast of the intersection with Sinclair Lane. This property measures approximately 160' by 272'3" and contains approximately 1 acre, and is currently improved with a tall one-story detached commercial/ industrial building measuring approximately 98' by 120'. This site is zoned M-1-1.

### ANALYSIS

Use: In this zoning district, beer and ale brewing is not listed as a permitted or conditional use, and so is not allowed (§7-206 to §7-209). In this case, the property was last authorized for use as a wholesale establishment and warehouse, which are permitted uses in this M-1 Industrial District. The most recent use of the premises was for an ice-making business.

Industrial Areas: Industrial areas are designed and intended: "(1) to promote growth and stability of industrial and related development; (2) to strengthen the economic base of the City; (3) to provide the flexibility needed to meet the changing technological conditions that affect industry, its plants, and products; (4) to encourage the upgrading of industrial operations by the application of good housekeeping standards; (5) to protect the character of the district and its suitability for particular uses; and (6) to preserve and expand the City's tax base and employment potential." (§7-102) "The M-1 Industrial District is designed to provide areas suitable for industrial and related activities that require, deserve, and promote a relatively nuisance-free environment compatible with and not detrimental to an adjoining Business or Residence District." (§7-201) The proposed craft brewery would not be of the large scale of operations, including transportation demands for raw materials or finished products, that justified beer and ale brewing being categorized as a permitted use in M-2 Industrial Districts. The applicant proposes to brew up to 6,000 barrels of beer and ale annually at first, eventually achieving total production of up to 10,000 barrels. This is a level of production less than one-tenth that of modern large commercial breweries. The impact of the proposed use would actually be closer to that of uses permitted in M-1 Districts, such as ice manufacturing (the immediately prior use of this property) or food extracts manufacturing.

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**Land Use and Urban Design:** This property is part of a larger light industrial area in the eastern portion of Baltimore. The structure that would be converted to use for a craft brewery is already insulated and has adequate off-street parking and loading areas that would support the proposed use (as they did the property's prior use for ice production). Geographic separation of this light industrial area from residential areas suggests that the proposed use would not be incompatible with residential peace and security, while the relatively low level of beer and ale production would not add significant demand to the existing road network in the area, a consideration for both residential and light industrial uses already in this area.

**TransForm Baltimore:** This property would become part of a I-1 District (Proposed Zoning Map Area 8-A) in which Industrial: Light uses would be permitted uses (Table 11-301). "Industrial: Light" includes manufacturing of finished products from previously prepared materials, where all processing, fabrication, assembly, treatment, and packaging of products are contained entirely within a building (§1-308 (B)). The proposed use would meet this specification.

#### **RECOMMENDATION**

Based upon the considerations stated above, the Department of Planning has no objection to this appeal.

TJS/wya/mf

cc: Melvin Kodenski, Appellant