

TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR
	SUBJECT	CITY COUNCIL BILL #11-0007/ PLANNED UNIT DEVELOPMENT #146A – AMENDMENT – UNDER ARMOUR HEADQUARTERS (FORMERLY KNOWN AS TIDE POINT)

CITY of
BALTIMORE
MEMO



TO

DATE:

The Honorable President and
Members of the City Council
City Hall, Room 400
100 N. Holliday Street

February 6, 2012

At its regular meeting of February 2, 2012, the Planning Commission considered City Council Bill #11-0007, for the purpose of approving certain amendments to the Development Plan of the Planned Unit Development #146A.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendments to and approval of City Council Bill #11-0007 and adopted the following resolution; eight members being present (seven in favor and one recuse).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #11-0007 be amended and passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Ms. Kaliope Parthemos, Deputy Mayor
Mr. Peter O'Malley, Chief of Staff
Ms. Angela Gibson, Mayor's Office
The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Mr. Nicholas Blendy, DHCD
Ms. Barbara Zektick, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Karen Randle, Council Services
Jon Laria, Ballard Spahr, LLP



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

February 2, 2012

REQUEST: City Council Bill #11-0007/Planned Unit Development – Amendment – Under Armour Headquarters (Formerly Known as Tide Point)

RECOMMENDATION: Amend and Approve. Amendments are as follows:

Amendment No. 1

On page 2, in line 14, strike "November 18, 2011" and substitute "January 26, 2012"; and, on the same page, in line 16, after "(7)", insert "(8)", strike "and", and after "(10)", insert "and (15)".

Amendment No. 2

On page 2, in line 34, strike beginning with "The" down through and including "HOWEVER", in line 36, and substitute "NO SINGLE RETAIL USE MAY EXCEED 12,000 NET LEASABLE SQUARE FEET EXCEPT FOR ONE RETAIL USE IN AREA F THAT MAY NOT EXCEED 25,000 NET LEASABLE SQUARE FEET. NOTWITHSTANDING THE FOREGOING LIMITATION ON A SINGLE RETAIL USE"; and, on the same page, in line 38, strike "20,000" and substitute "25,000".

Amendment No. 3

On page 3, in line 15, after "VI," insert "VII," after "E," strike "G" and substitute "F, G, H", and before the period, strike "H" and substitute "J".

Amendment No. 4

On page 3, after line 21, insert "(8) Permitted uses in Areas [A, C, and D] A, B, C AND D will be limited to those uses authorized in the R-8 Zoning District, excluding those uses that are specifically prohibited in Section 4(c) of this Ordinance. and, on page 3, after line 31, insert "(15) NO RETAIL USE SHALL BE PERMITTED IN AREA VII.".

Amendment No. 5

On page 3, in line 44, after "APPROVAL", insert "BY THE PLANNING COMMISSION ALONG WITH APPROVAL OF CHANGES TO THE TIDE POINT SIGNAGE MASTER PLAN".

On page 4, in line 11, after "FOR", insert "THE CONSTRUCTION OF NET NEW OCCUPIABLE SQUARE FOOTAGE BEYOND THAT WHICH EXISTS ON THE

EFFECTIVE DATE OF THIS ORDINANCE”; in line 12, strike beginning with “NON-RESIDENTIAL” down through and including “AREA”, in line 13; and, in line 14, strike “FURTHER”.

STAFF: Anthony Cataldo and Ken Hranicky

PETITIONER: UA Locust Point Holdings, LLC.

OWNER: UA Locust Point Holdings, LLC; UA Cheer Parking Lot, LLC; UA Hull Street, LLC; and UA Hull Street II, LLC.

SITE/ GENERAL AREA

Site Conditions: The Tide Point PUD is a 24.647 acre project that straddles Key Highway East and the CSX Railroad right-of-way. It includes the former Proctor and Gamble complex, which has been renovated into office space and various adjacent lots.

General Area: Locust Point is a peninsula terminating with Fort McHenry at its tip. Tide Point PUD is located in the Locust Point neighborhood. There are industrial uses on the waterside of the peninsula that take advantage of the deep harbor access. The area consists of heavy industrial, office, and residential uses. Domino’s is located to the west adjacent to the Tide Point office complex. To the east of the Tide Point complex are operation buildings and storage tanks, CSX Railroad right-of-way and Pier #10 across Hull Street (M-3 & M-2-2). South of the complex is CSX rights-of-way, two and three story row houses, and neighborhood commercial establishments in the Locust Point community.

HISTORY

- Ordinance #99-502, approved June 10, 1999, established the Whetstone Point Planned Unit Development.
- The Planning Commission adopted the Locust Point Comprehensive Plan in June 2004.
- Ordinance #09-102, approved January 28, 2009, Rezoning - 1450 Beason Street from the M-3 Zoning District to the R-8 Zoning District.
- Ordinance #09-103, approved January 28, 2009, established Tide Point Planned Unit Development – Designation.
- On September 24, 2009, the Planning Commission approved the Final Subdivision and Development Plan for 1450 Beason Street and gave Final Design Approval for the Tide Point Signage Master Plan.
- On August 5, 2010, the Planning Commission gave Revised Final Design Approval for the Under Armour Innovation Center.
- On October 7, 2010, The Planning Commission gave Revised Final Design Approval for Tide Point PUD – Daycare Center Playground

CONFORMITY TO PLANS

The requests are found to be supportive of Baltimore City’s Comprehensive Master Plan, specifically EARN Goal 1, Objective 1: Retain and Attract Businesses in all Growth Sectors. The requests are also in conformity of the Locust Point Community Plan.

ANALYSIS

Located in Locust Point, a neighborhood rich in character and history, Struever Bros. Eccles & Rouse, Inc. (SBER) previously transformed the former Procter & Gamble soap factory, circa 1929, into Tide Point PUD, a 25-acre site with over 549,590 square foot corporate office campus, some retail, and up to 140 dwelling units. This PUD was established in 2009. The five building site features fully renovated Class A office complex. Tide Point also has open space leading to and on the water which is part of Baltimore's public promenade.

The applicant for this Major Amendment is UA Locust Point Holdings, LLC as the successor, by purchase, to the Hull Point, LLC. Under Armour has purchased the Tide Point Campus and by electing to remain on-site, is devising a growth master plan that will meet the company's projected space needs for the next ten years. The current PUD has a 549,590 sf cap on development and 25,500 sf retail cap. There are currently 1100 employees at Under Armour and they are growing at a current rate of 300 per year. Under Armour will be physically growing into the water side portion of the PUD in phases as follows (Note – all future buildings remain subject to Planning Commission approval):

- Phase I – Re-introduce “Harvest Table” retail space as visitors' center/coffee bar found in Area H. Also, in Area F, construct a new 80,000 sf office building with a level of parking below (300 spaces) and 45 spaces at-grade and a new promenade connection at ground level. The site is immediately east of the Domino property and will replace the current at-grade parking and playground. A 15,000 sf retail space will occupy most of the first floor of this building. Access will be off Key Highway East. This development will be back before the Planning Commission for Final Design Approval.
- Phase II – Connect Cascade/Dawn/Ivory buildings (Area J) by utilizing atriums over existing outdoor spaces. Add vertical expansion over existing buildings (2 floors each); Construct a multiple level signature entrance along Key Highway in from the middle portion; Construct an 800-900 space garage in Area H.
- Phase III – Demolish Tide Building and replace with 200,000-250,000 sf office building with associated parking levels.

Proposed Changes to the Tide Point Planned Unit Development proposed in City Council Bill 11-0007:

1. The name of the PUD would change to “Under Armour Headquarters” to reflect the new ownership.
2. Changes to the allowable net leasable retail square footage to increase from 25,500 square feet to 50,000 square feet.
3. The net leasable area allowed for any single retail tenant would remain at 12,000 net leasable square feet except for one retail use in Area F where up to 25,000 square feet. The same owner or operator may own or operate more than 25,000 square feet (increase from 20,000) in aggregate.
4. The allowable net leasable office square footage from 528,078 square feet to 925,000 square feet would be permitted.

5. The allowable retail square footage that may be converted to office square footage increases from 25,000 square feet to 50,000 square feet.
6. The aggregate net leasable square footage is increased from 549,590 square feet to 975,000 square feet.
7. Expand residential restrictions by not allowing residential use, in addition to current restrictions, in Area VII, F, and J.
8. Adding Area B in uses authorized in the R-8 Zoning District, excluding those uses that are specifically prohibited in Section 4(c) of the PUD ordinance.
9. Modify the provision of heights of all structures in Areas I, II, III, IV, V, VI, VII, H, F, and J. Buildings in Area H, IV, and VI have height limits of 128 feet above sea level as shown on the Development Plan. Buildings located in I, II, III, J, F, and V have height limits of 85 feet above sea level and Area VII remains at existing height. These height limits are found on the proposed Development Plan under Note 14.
10. To not allow retail use in Area VII.
11. To modify the existing "Tide Point" roof sign located on the Cascade building, to permit its replacement of a sign of substantially similar size and dimensions. The signage, along with the Signage Master Plan, is subject to Final Design Approval from the Planning Commission.
12. Adding the provision that new construction of new occupiable square footage, beyond that which exists on the effective date of this ordinance, shall comply with Baltimore City law governing traffic impact.

The following items were reviewed by staff in connection with this legislation and proposed development project:

- *Site Plan Review Committee:* Applicant met with SPRC in September, 2011, and received SPRC 'Master Plan' approval on 17 January, 2012.
- *Promenade:* The existing promenade agreement is to be modified to accommodate the Development Plan. Existing agreement shows easements along the waterfront and between the Joy, Cascade, and Ivory buildings. The easements between the buildings would be removed from the Promenade Easement Agreement. A public easement would be created along former Haubert Street (between the Ivory and Tide buildings – future parking garage and office building). This area would also be connected, at a later date subject to Planning Commission FDA, with an elevated causeway/atrium connecting the two buildings. This easement connects Key Highway East to the promenade along the former Haubert Street bed and is noted on the Development Plan with the following note, "*Public pedestrian and bicycle access corridor on Haubert Street from Key Highway East to the Promenade Easement shall be preserved as approved by the Planning Commission in conjunction with future Final Design Approval(s). An access easement reflecting such approval shall be recorded in the*

Land Records within 60 days after final approval of the easement agreement by the Board of Estimates.”

- *Urban Design and Architectural Review Panel:* The revised master plan received UDARP approval on December 8, 2011.
- *Zoning:* The master plan revisions and renaming will require a major amendment to the PUD. City Council Bill 11-0007 is meeting this requirement.
- *Final Design Approval:* As each phase of this PUD is developed, Planning Commission Final Design Approval will be required.
- *Stormwater Management:* The team is working with the DPW – Surface Water Division. The team is preparing a Concept SWM Plan for the area that is the subject of the amendment of this PUD, the B-2-3 zoned area. The intent is to use green roofs for the retail building and the Tide Point building.
- *Critical Area:* A portion of this site is in the Critical Area Buffer and almost the entire PUD is in the Critical Area. As each phase of the PUD is implemented, it will need to comply with Critical Area regulations.
- *Flood Plan:* This site is partially within the 100-yr FEMA flood plain as depicted on the plan.
- *Parking:* No changes to the parking requirements (ratios per the PUD) are proposed. Each phase of the project will need to ensure it meets the parking requirements, including bike parking.
- *Community Involvement:* The applicant has been meeting with the Locust Point Civic Association (LPCA) since fall 2011. LPCA created a task force with which the applicant met a number of times, and the task force conducted community briefings to include other interested parties. The First Reader bill included a number of changes from the original Under Armour proposal, and the amendments being proposed to the Commission reflect additional changes agreed upon by Under Armour and the community. The LPCA general membership unanimously voted to support the amended PUD bill and drawings on January 11, after a presentation from the Task Force. In addition to addressing the development concerns of the community, Under Armour has also entered into a “Community Involvement” agreement that includes investment, involvement, and support to areas to include: Latrobe Park Field and Recreation Center improvements; Under Armour will establish an “Adopt-a-School” program with Francis Scott Key Elementary/Middle School; The fabrication and installation of a community “Welcome” signage; Work with the community on the Fort Avenue Streetscape to include covering capital and installation costs (up to \$80,000) in time for the 1812 Bicentennial celebration; Work with community and City to identify additional public parking for public amenities at Tide Point, including water taxi, kayak club and promenade; Opening Under Armour parking areas for local residents/public

after hours; Under Armour to support LPCA's participation in TIF improvements and the use of traffic mitigation funds; and participation and funds for the Locust Point Annual Festival.

The Locust Point Civic Association, Inc., and the Fort McHenry Business Association, Inc., have been notified about this action.

A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is fluid and cursive, with a prominent horizontal stroke across the middle.

Thomas J. Stosur
Director