

**CITY OF BALTIMORE
COUNCIL BILL 09-0372
(First Reader)**

Introduced by: Councilmember Conway

At the request of: Seawall Union Ave, LLC

Address: c/o Alfred W. Barry, AB Associates, One South Calvert Street, Suite 1150, Baltimore, Maryland 21202

Telephone: 410-547-6900

Introduced and read first time: July 13, 2009

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation, Commission on Sustainability

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Designation – Union Mill**

3 FOR the purpose of approving the application of Seawall Union Ave, LLC, contract purchaser of
4 certain property located at 1500 Union Avenue, to have that property designated an Industrial
5 Planned Unit Development; and approving the Development Plan submitted by the applicant.

6 BY authority of

7 Article - Zoning

8 Title 9, Subtitles 1 and 5

9 Baltimore City Revised Code

10 (Edition 2000)

11 **Recitals**

12 Kramer Hobbies Long Island, Inc., is the fee simple owner of property located at 1500
13 Union Avenue, consisting of 3.68 acres, more or less, and is under contract to sell the property to
14 Seawall Union Ave, LLC. In the event that Seawall Union Ave, LLC, does not settle on the
15 property, the owner wishes to retain the industrial uses permitted in the M-2 Zoning District.

16 Seawall Union Ave, LLC, proposes to redevelop the property at 1500 Union Avenue into a
17 mixed use development consisting of office, residential, and retail.

18 On July 2, 2009, representatives of Seawall Union Ave, LLC, met with the Department of
19 Planning for a preliminary conference, to explain the scope and nature of existing and proposed
20 development on the property and to institute proceedings to have the property designated an
21 Industrial Planned Unit Development.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 The representatives of Seawall Union Ave, LLC, have now applied to the Baltimore City
2 Council for designation of the property as an Industrial Planned Unit Development, and they
3 have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1
4 and 5 of the Baltimore City Zoning Code.

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
6 Mayor and City Council approves the application of Seawall Union Ave, LLC, contract
7 purchaser of the property located at 1500 Union Avenue, consisting of 3.68 acres, more or less,
8 as outlined on the accompanying Development Plan entitled “Union Mill”, consisting of Sheet 1
9 (00.00), “Cover Sheet”, dated July 13, 2009, Sheet 2 (20.01), “Existing Conditions Plan”, dated
10 July 13, 2009, Sheet 3 (20.02), “Proposed Site Plan”, dated July 13, 2009, Sheet 4 (21.01), “Site
11 Landscape Plan”, dated July 13, 2009, Sheet 5 (21.02), “Courtyard Landscape Plan and Section”,
12 dated July 13, 2009, Sheet 6 (31.01), “Exterior Elevations”, dated July 13, 2009, Sheet 7 (31.02),
13 “Exterior Elevations”, dated July 13, 2009, and Sheet 8 (31.03), “Exterior Signage”, dated July
14 13, 2009, to designate the property an Industrial Planned Development under Title 9, Subtitles 1
15 and 5 of the Baltimore City Zoning Code.

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan submitted by
17 Seawall Union Ave, LLC, is approved.

18 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title
19 9, Subtitles 1 and 5, the following uses are allowed in the Planned Unit Development:

- 20 (a) In accordance with Section 9-502 of the Zoning Code, all permitted, conditional, and
21 accessory uses in an M-2 Zoning District.
- 22 (b) In accordance with Section 9-503 of the Zoning Code, the following specific uses
23 will be permitted: multi-family residential uses. Overall residential density will be
24 calculated at a rate of 1,500 square feet per unit based on the overall site square
25 footage.
- 26 (c) In accordance with Section 9-503 of the Zoning Code, the following B-1 and B-2
27 uses will be allowed: artisans’ and craft work; automatic teller machines; bakeries;
28 carry- out shops; catering establishments; computer centers; food stores, grocery
29 stores and delicatessens; meat market; newsstands; outdoor table service accessory to
30 restaurant; photocopying services; prepared food delivery services including
31 operations accessory to restaurant; restaurants, lunchrooms.
- 32 (d) In accordance with Section 9-503 of the Zoning Code the following O-R uses will be
33 permitted: offices; philanthropic and charitable institutions.
- 34 (e) In accordance with Section 9-502 of the Zoning Code, the existing billboard on the
35 property shall be permitted to remain.

36 **SECTION 4. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
37 permanent improvements on the property are subject to final design approval by the Planning
38 Commission to insure that the plans are consistent with the Development Plan and this
39 Ordinance.

40 **SECTION 5. AND BE IT FURTHER ORDAINED,** That off-street parking requirements for the
41 Planned Unit Development are as follows, with the consideration that the parking will be

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1 considered shared parking and used primarily by office tenants during the day and primarily by
2 residential tenants at night, in addition to its proximity to the Woodberry Light Rail stop and
3 Maryland Transit Administration local bus routes:

4 (a) Office use: 1 per 400 square feet of floor area in excess of 1,000 square feet.

5 (b) Residential use:

6 (1) apartments (multiple family dwellings): 1 per 1 dwelling unit.

7 (c) Retail use: 1 per 300 square feet of floor area in excess of 1,000 square feet.

8 **SECTION 6. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine
9 what constitutes minor or major modifications to the Plan. Minor modifications require approval
10 by the Planning Commission. Major modifications require approval by Ordinance.

11 **SECTION 7. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
12 accompanying Development Plan and in order to give notice to the agencies that administer the
13 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the
14 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the
15 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a
16 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning
17 Appeals, the Planning Commission, the Commissioner of Housing and Community
18 Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

19 **SECTION 8. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
20 after the date it is enacted.