

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 09-0372**

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Introduced by: Councilmember Conaway  
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  

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Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: October 5, 2009  

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**AN ORDINANCE CONCERNING**

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

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

By authority of  
Article - Zoning  
Title 9, Subtitles 1 and 5  
Baltimore City Revised Code  
(Edition 2000)

**Recitals**

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

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

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

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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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~~ August 3, 2009, Sheet 4  
11 (21.01), “Site Landscape Plan”, dated ~~July 13~~ September 30, 2009, Sheet 5 (21.02), “Courtyard  
12 Landscape Plan and Section”, dated ~~July 13~~ September 30, 2009, Sheet 6 (31.01), “Exterior  
13 Elevations”, dated July 13, 2009, Sheet 7 (31.02), “Exterior Elevations”, dated July 13, 2009,  
14 and Sheet 8 (31.03), “Exterior Signage”, dated July 13, 2009, to designate the property an  
15 Industrial Planned Development under Title 9, Subtitles 1 and 5 of the Baltimore City Zoning  
16 Code.

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

19 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title  
20 9, Subtitles 1 and 5, the following uses are allowed in the Planned Unit Development:

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

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

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1       **SECTION 5. AND BE IT FURTHER ORDAINED,** That off-street parking requirements for the  
2 Planned Unit Development are as follows, with the consideration that the parking will be  
3 considered shared parking and used primarily by office tenants during the day and primarily by  
4 residential tenants at night, in addition to its proximity to the Woodberry Light Rail stop and  
5 Maryland Transit Administration local bus routes:

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

7           (b) Residential use:

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

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

10       **SECTION 6. AND BE IT FURTHER ORDAINED,** That the proposed PUD is adjacent to the Pepsi  
11 Bottling Group's existing plant located at 1650 Union Avenue, Baltimore, Maryland. Any  
12 residential, office, or retail occupants of the PUD should be aware of the manufacturing,  
13 warehousing, and distribution operations conducted at this adjacent facility and any associated  
14 impacts from these operations.

15       **SECTION 6 7. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine  
16 what constitutes minor or major modifications to the Plan. Minor modifications require approval  
17 by the Planning Commission. Major modifications require approval by Ordinance.

18       **SECTION 7 8. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the  
19 accompanying Development Plan and in order to give notice to the agencies that administer the  
20 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the  
21 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the  
22 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a  
23 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning  
24 Appeals, the Planning Commission, the Commissioner of Housing and Community  
25 Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

26       **SECTION 8 9. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup>  
27 day after the date it is enacted.

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Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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Mayor, Baltimore City