

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 11-0007**

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Introduced by: Councilmembers Cole, Scott, President Young, Councilmembers Spector,  
Middleton, Mosby, Holton, Welch, Reisinger, Branch, Clarke  
At the request of: UA Locust Point Holdings, LLC  
Address: c/o Jon M. Laria, Esquire, Ballard Spahr LLP, 300 East Lombard Street, 18<sup>th</sup> Floor,  
Baltimore, Maryland 21202  
Telephone: 410-528-5506  
Introduced and read first time: December 8, 2011  
Assigned to: Land Use and Transportation Committee  
Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: March 19, 2012

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**AN ORDINANCE CONCERNING**

**Planned Unit Development – Amendment – Under Armour  
Headquarters (Formerly Known as Tide Point)**

FOR the purpose of approving certain amendments to the Development Plan of the Planned Unit  
Development.

BY authority of  
Article - Zoning  
Title 9, Subtitles 1 and 4  
Baltimore City Revised Code  
(Edition 2000)

**Recitals**

By Ordinance 09-103, the Mayor and City Council (i) approved the application of Hull Point,  
LLC, to have certain property located in Locust Point designated an Industrial Planned Unit  
Development and (ii) approved the Development Plan submitted by the applicant.

UA Locust Point Holdings, LLC, the successor by purchase to Hull Point, LLC, wishes to  
amend the Development Plan, as previously approved by the Mayor and City Council, to rename  
the Planned Unit Development; to modify certain provisions regarding the allowable net leasable  
retail square footage, the net leasable area allowed for any single retail tenant, the allowable net  
leasable office square footage, the allowable retail square footage that may be converted to office  
square footage, and the aggregate net leasable square footage; to correct a provision that  
restricted Area VII to residential use; to modify a provision for the height of all structures; to  
modify a sign provision; and to add a provision to the traffic impact requirements. The owners  
of the other properties within the Planned Unit Development have approved the changes that  
would result from enactment of this Ordinance.

**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 On September 14, 2011, representatives of the applicant met with the Department of  
2 Planning for a preliminary conference to explain the scope and nature of the proposed  
3 amendments to the Development Plan.

4 The representatives of the applicant have now applied to the Baltimore City Council for  
5 approval of these amendments, and they have submitted amendments to the Development Plan  
6 intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning  
7 Code.

8 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
9 Mayor and City Council approves the amendments to the Development Plan submitted by the  
10 Developer, as attached to and made part of this Ordinance, including replacement Sheet 2,  
11 “Proposed Development Plan”, dated ~~November 18, 2011~~ January 26, 2012, and the amended  
12 Development Plan is now renamed “Under Armour Headquarters”.

13 **SECTION 2. AND BE IT FURTHER ORDAINED,** That Section 4(d)(3)(4)(5)(6)(7)(8) ~~and~~ (10)  
14 ~~and (15)~~ of Ordinance 09-103 is amended to read as follows:

15 SECTION 4. AND BE IT FURTHER ORDAINED, That in accordance with the  
16 provisions of Title 9, Subtitles 1 and 4, the following uses are permitted within the  
17 Planned Unit Development:

18 . . . .

19 (d) The following additional provisions apply to permitted uses in  
20 the Planned Unit Development:

21 . . . .

22 (3) Retail square footage (including restaurants) within the  
23 Planned Unit Development is limited to a total of  
24 [25,500] 50,000 square feet net leasable area. [In Area  
25 B, retail uses not to exceed 12,000 square feet or a day  
26 care center is allowed; or in the alternative, residential  
27 use is allowed.] THE CORPORATE ARCHIVE AREA SHALL  
28 NOT BE CONSIDERED RETAIL SPACE SO LONG AS ACCESS  
29 IS NOT GENERALLY AVAILABLE TO MEMBERS OF THE  
30 PUBLIC.

31 (4) ~~The net leasable area for any single retail [tenant] use~~  
32 ~~may not [be less than 1,000 square feet nor] exceed~~  
33 ~~[12,000] 20,000 square feet; HOWEVER NO SINGLE~~  
34 ~~RETAIL USE MAY EXCEED 12,000 NET LEASABLE SQUARE~~  
35 ~~FEET EXCEPT FOR ONE RETAIL USE IN AREA F THAT MAY~~  
36 ~~NOT EXCEED 25,000 NET LEASABLE SQUARE FEET.~~  
37 ~~NOTWITHSTANDING THE FOREGOING LIMITATION ON A~~  
38 ~~SINGLE RETAIL USE, THE SAME OWNER OR OPERATOR~~  
39 ~~MAY OWN OR OPERATE MORE THAN 20,000~~ 25,000  
40 ~~SQUARE FEET IN THE AGGREGATE WITHIN THE PLANNED~~  
41 ~~UNIT DEVELOPMENT.~~

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1 (5) Office square footage within the Planned Unit  
2 Development is limited to a total of [528,078] 925,000  
3 square feet net leasable area.

4 a. The [25,500] 50,000 square feet of retail  
5 square footage permitted under  
6 paragraph (3) above, or a portion thereof,  
7 may be converted to office square  
8 footage.

9 b. Additionally, the 40,904 square feet of  
10 warehouse square footage located in  
11 Area VII of the PUD may be converted  
12 to office square footage.

13 (6) Only residential use shall be permitted in Areas  
14 A, B[, (except as provided in Section 4(d)(3)  
15 above)], C[, D,] and [VII] D and shall be limited  
16 to a maximum of 140 dwelling units total. No  
17 residential use shall be permitted in Areas I, II,  
18 III, IV, V, VI, VII, E, ~~G~~ F, G, H, and ~~H~~ J.

19 (7) Notwithstanding anything to the contrary  
20 contained in this Ordinance, the aggregate net  
21 leasable area for all buildings and uses in the  
22 Planned Development may not exceed  
23 [549,590] 975,000 square feet plus 140 dwelling  
24 units.

25 (8) Permitted uses in Areas [A, C, and D] A, B, C  
26 AND D will be limited to those uses authorized  
27 in the R-8 Zoning District, excluding those uses  
28 that are specifically prohibited in Section 4(c) of  
29 this Ordinance.  
30 . . . .

31 (10) The heights of [existing] ALL structures in  
32 Areas I, II, III, IV, V, VI, [and] VII, H, F,  
33 AND J [may only be increased by an  
34 Ordinance of the Mayor and City Council of  
35 Baltimore that amends this Planned Unit  
36 Development] SHALL BE LIMITED AS  
37 PROVIDED IN NOTE 14 OF THE  
38 DEVELOPMENT PLAN.  
39 . . . .

40 (15) NO RETAIL USE SHALL BE PERMITTED IN AREA  
41 VII.

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1       **SECTION 3. AND BE IT FURTHER ORDAINED**, That Section 9(b) of Ordinance 09-103 is  
2 amended to read as follows:

3               SECTION 9. AND BE IT FURTHER ORDAINED, That signs as permitted by the  
4 Zoning Code are permitted within the Planned Unit Development, provided that  
5 all signs conform to a signage master plan that is subject to Final Design Approval  
6 by the Planning Commission and that they are also subject to the following  
7 conditions:

- 8               . . . . .  
9               (b) The existing “Tide Point” roof sign located on the Cascade  
10 building is permitted AND MAY BE REPLACED BY AN UNDER  
11 ARMOUR SIGN OF SUBSTANTIALLY SIMILAR SIZE AND  
12 DIMENSIONS, THE DESIGN OF WHICH SHALL BE SUBJECT TO  
13 FINAL DESIGN APPROVAL BY THE PLANNING COMMISSION  
14 ALONG WITH APPROVAL OF CHANGES TO THE TIDE POINT  
15 SIGNAGE MASTER PLAN BY THE PLANNING COMMISSION.

16       **SECTION 4. AND BE IT FURTHER ORDAINED**, That new paragraph (j) is added to Section 11  
17 of Ordinance 09-103 to read as follows:

18               SECTION 11. AND BE IT FURTHER ORDAINED, That this Ordinance and its  
19 approvals of the Planned Unit Development and the Development Plan are  
20 conditioned on compliance with the following Traffic Mitigation Agreement  
21 reached in accordance with Zoning Code §§ 2-305 {“Traffic-impact study”} and  
22 16-301(b) {Referral to agencies: Traffic-impact study”} and Building Code §  
23 105.3.2 {“Action on [permit] application - Traffic-impact study”}:

- 24               . . . . .  
25               (J) IN ADDITION TO THE REQUIREMENTS OF PARAGRAPHS (A)  
26 THROUGH (I) ABOVE, THE ISSUANCE OF BUILDING PERMITS FOR  
27 THE CONSTRUCTION OF NET NEW OCCUPIABLE SQUARE  
28 FOOTAGE BEYOND THAT WHICH EXISTS PRIOR TO THE EFFECTIVE  
29 DATE OF THIS ORDINANCE NON-RESIDENTIAL SQUARE FOOTAGE  
30 BEYOND 549,900 SQUARE FEET OF NET LEASABLE AREA SHALL  
31 BE CONDITIONED ON FURTHER COMPLIANCE WITH BALTIMORE  
32 CITY LAW GOVERNING THE CONDUCT OF TRAFFIC IMPACT  
33 STUDIES FOR NEW DEVELOPMENT AND ANY MITIGATION  
34 ACTIONS OR PAYMENTS THAT ARISE FROM SUCH COMPLIANCE.

35       **SECTION 5. AND BE IT FURTHER ORDAINED**, That all plans for the construction of permanent  
36 improvements on the property are subject to final design approval by the Planning Commission  
37 to insure that the plans are consistent with the Development Plan and this Ordinance.

38       **SECTION 6. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the  
39 accompanying amended Development Plan and in order to give notice to the agencies that  
40 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the  
41 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor  
42 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the  
43 Director of Finance then shall transmit a copy of this Ordinance and the amended Development  
44 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the

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1 Commissioner of Housing and Community Development, the Supervisor of Assessments for  
2 Baltimore City, and the Zoning Administrator.

3 **SECTION 7. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30<sup>th</sup> day  
4 after the date it is enacted.

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\_\_

\_\_\_\_\_  
Mayor, Baltimore City