

**CITY OF BALTIMORE
COUNCIL BILL 11-0007
(First Reader)**

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, 18th Floor,
Baltimore, Maryland 21202
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Introduced and read first time: December 8, 2011

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, Department of General Services, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

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

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

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

11 **Recitals**

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

15 UA Locust Point Holdings, LLC, the successor by purchase to Hull Point, LLC, wishes to
16 amend the Development Plan, as previously approved by the Mayor and City Council, to rename
17 the Planned Unit Development; to modify certain provisions regarding the allowable net leasable
18 retail square footage, the net leasable area allowed for any single retail tenant, the allowable net
19 leasable office square footage, the allowable retail square footage that may be converted to office
20 square footage, and the aggregate net leasable square footage; to correct a provision that
21 restricted Area VII to residential use; to modify a provision for the height of all structures; to

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

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1 modify a sign provision; and to add a provision to the traffic impact requirements. The owners
2 of the other properties within the Planned Unit Development have approved the changes that
3 would result from enactment of this Ordinance.

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

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

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

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

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

21
22 (d) The following additional provisions apply to permitted uses in
23 the Planned Unit Development:

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

34 (4) The net leasable area for any single retail [tenant] USE
35 may not [be less than 1,000 square feet nor] exceed
36 [12,000] 20,000 square feet; HOWEVER, THE SAME
37 OWNER OR OPERATOR MAY OWN OR OPERATE MORE
38 THAN 20,000 SQUARE FEET IN THE AGGREGATE WITHIN
39 THE PLANNED UNIT DEVELOPMENT.

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

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

6 b. Additionally, the 40,904 square feet of
7 warehouse square footage located in
8 Area VII of the PUD may be converted
9 to office square footage.

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

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

23 (10) The heights of [existing] ALL structures in
24 Areas I, II, III, IV, V, VI, [and] VII, H, F,
25 AND J [may only be increased by an
26 Ordinance of the Mayor and City Council of
27 Baltimore that amends this Planned Unit
28 Development] SHALL BE LIMITED AS
29 PROVIDED IN NOTE 14 OF THE
30 DEVELOPMENT PLAN.
31

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

34 SECTION 9. AND BE IT FURTHER ORDAINED, That signs as permitted by the
35 Zoning Code are permitted within the Planned Unit Development, provided that
36 all signs conform to a signage master plan that is subject to Final Design Approval
37 by the Planning Commission and that they are also subject to the following
38 conditions:
39

40 (b) The existing “Tide Point” roof sign located on the Cascade
41 building is permitted AND MAY BE REPLACED BY AN UNDER
42 ARMOUR SIGN OF SUBSTANTIALLY SIMILAR SIZE AND
43 DIMENSIONS, THE DESIGN OF WHICH SHALL BE SUBJECT TO
44 FINAL DESIGN APPROVAL BY THE PLANNING COMMISSION.

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

3 SECTION 11. AND BE IT FURTHER ORDAINED, That this Ordinance and its
4 approvals of the Planned Unit Development and the Development Plan are
5 conditioned on compliance with the following Traffic Mitigation Agreement
6 reached in accordance with Zoning Code §§ 2-305 {"Traffic-impact study"} and
7 16-301(b) {Referral to agencies: Traffic-impact study"} and Building Code §
8 105.3.2 {"Action on [permit] application - Traffic-impact study"}:

9

10 (J) IN ADDITION TO THE REQUIREMENTS OF PARAGRAPHS (A)
11 THROUGH (I) ABOVE, THE ISSUANCE OF BUILDING PERMITS FOR
12 NON-RESIDENTIAL SQUARE FOOTAGE BEYOND 549,900 SQUARE
13 FEET OF NET LEASABLE AREA SHALL BE CONDITIONED ON
14 FURTHER COMPLIANCE WITH BALTIMORE CITY LAW GOVERNING
15 THE CONDUCT OF TRAFFIC IMPACT STUDIES FOR NEW
16 DEVELOPMENT AND ANY MITIGATION ACTIONS OR PAYMENTS
17 THAT ARISE FROM SUCH COMPLIANCE.

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

21 **SECTION 6. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the
22 accompanying amended Development Plan and in order to give notice to the agencies that
23 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
24 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor
25 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
26 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
27 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
28 Commissioner of Housing and Community Development, the Supervisor of Assessments for
29 Baltimore City, and the Zoning Administrator.

30 **SECTION 7. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th day
31 after the date it is enacted.