



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 11-0007, **Version:** 0

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Cole
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
Telephone: 410-528-5506

A BILL ENTITLED

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.

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

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

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

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

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

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- (d) The following additional provisions apply to permitted uses in the Planned Unit Development:
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- (3) Retail square footage (including restaurants) within the Planned Unit Development is limited to a total of [25,500] 50,000 square feet net leasable area. [In Area B, retail uses not to exceed 12,000 square feet or a day care center is allowed; or in the alternative, residential use is allowed.] THE CORPORATE ARCHIVE AREA SHALL NOT BE CONSIDERED RETAIL SPACE SO LONG AS ACCESS IS NOT GENERALLY AVAILABLE TO MEMBERS OF THE PUBLIC.
- (4) The net leasable area for any single retail [tenant] USE may not [be less than 1,000 square feet nor] exceed [12,000] 20,000 square feet; HOWEVER, THE SAME OWNER OR OPERATOR MAY OWN OR OPERATE MORE THAN 20,000 SQUARE FEET IN THE AGGREGATE WITHIN THE PLANNED UNIT DEVELOPMENT.
- (5) Office square footage within the Planned Unit Development is limited to a total of [528,078] 925,000 square feet net leasable area.
- a. The [25,500] 50,000 square feet of retail square footage permitted under paragraph (3) above, or a portion thereof, may be converted to office square footage.
- b. Additionally, the 40,904 square feet of warehouse square footage located in Area VII of the PUD may be converted to office square footage.
- (6) Only residential use shall be permitted in Areas A, B[, (except as provided in Section 4(d)(3) above)], C[, D,] and [VII] D and shall be limited to a maximum of 140 dwelling units total. No residential use shall be permitted in Areas I, II, III, IV, V, VI, E, G, and H.
- (7) Notwithstanding anything to the contrary contained in this Ordinance, the aggregate net leasable area for all buildings and uses in the Planned Development may not exceed [549,590] 975,000 square feet plus 140 dwelling units.

....

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

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

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

....

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

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

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

....

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

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

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

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

it is enacted.

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