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Honorable Sharon G. Middleton  
Chair, Economic & Community Development Committee  
Baltimore City Council  
Baltimore City Hall, Room 532  
100 Holliday Street  
Baltimore, Maryland 21202  
sharon.middleton@baltimorecity.gov

Re: Testimony on CC22-0296 – Concerning Rezoning 810 Leadenhall Street

Dear Chairwoman Middleton and Members of the Committee:

I am writing to respectfully request that you vote against CC22-0296, which proposes the rezoning of 810 Leadenhall Street in the Historic Sharp Leadenhall and Otterbein neighborhoods. I write as a concerned resident of Baltimore, an owner of an adjacent property that will be directly impacted by the development, and a professor of Cultural Anthropology specializing in the socio-economic and demographic impacts of urban redevelopment. I strongly believe that the proposed bill does not meet the necessary legal standards for spot zoning to be considered lawful, and will highlight three key points to support this claim.

### **1. Failure to Establish a "Substantial Change in the Character of the Neighborhood"**

Piecemeal rezoning bills like 22-0296 are considered illegal spot zoning unless the applicants can prove "either a mistake in the existing zoning classification or a substantial change in the character of the neighborhood" (MD Land Use Art., § 10-304(b)(2); Baltimore City Code, Art. 32, §§ 5- 508(a) and (b)(l).) The Planning Commission has failed to provide evidence of either a "mistake" in the existing zoning classification or a substantial change in the character of the immediate neighborhood of 810 Leadenhall Street since the enactment of the Comprehensive Rezoning of the City in June 2017. The Commission's attempt to find a "change" by considering development in areas such as Cross Street and Stadium Square, nearly half a mile away from 810 Leadenhall, is inappropriate as these areas are outside the well-defined neighborhoods of Little Montgomery, Otterbein, and Sharp Leadenhall. Therefore, such developments should not be considered relevant or applicable in the evaluation of rezoning.

### **2. Adverse Impact on the African-American Community of Historic Sharp-Leadenhall**

The report of the Law Department notes that lawful piecemeal zoning must be shown to promote the “public health, safety, morals, or general welfare and not merely advantage the property owner.” Instead, the proposed rezoning benefits the developer at the expense of the African-American community of Historic Sharp-Leadenhall. Contrary to the vision outlined in the Master Plan of Sharp Leadenhall, which emphasizes the creation of affordable housing and maintenance of the existing fabric of the community, the plans for 810 Leadenhall include no affordable units. The Planning Commission's findings fail to provide evidence that this type of housing, which is geared predominantly at young, white, affluent renters, would benefit the residents of Sharp Leadenhall, for whom such units are unaffordable. Furthermore, an Equity Analysis has not been conducted to assess the impact of the construction of market-rate apartments on this encircled black community. One significant concern arises from the possibility that an increase in high-rent apartments may incentivize the new owner of the HUD-assisted Sharp Leadenhall Apartments to opt-out of the subsidy contract, leading to the conversion of the property into market-rate housing. This would result in the displacement and erasure of this historic black community in an increasingly white South Baltimore.

### **3. Adverse Impact on Adjacent Property Owners**

The proposed rezoning poses a significant detriment to adjacent property owners. The assertion by the Planning Commission that the extraordinary high density and permitted uses of TOD-4 are compatible with the surrounding neighborhoods of Little Montgomery, Otterbein, and Sharp-Leadenhall is plainly false. The surrounding residences consist of CHAP-recognized historic rowhomes, including the Little Montgomery historic district of Otterbein, which is one of the oldest in the City. The proposed scale of the development is profoundly incongruous with existing use.

As residents, we have continually expressed our concerns regarding this proposed rezoning. We have rallied in defense of Sharp-Leadenhall on June 12th, submitted a letter to the Planning Commission signed by 183 community members, and provided nearly three hours of public testimony during the Planning Commission hearing on February 9, 2023. We request that the Planning Commission carefully consider these concerns and vote against CC22-0296 to protect the integrity of our neighborhood and the well-being of its residents.

Thank you for your attention in this matter.

Sincerely,

Bridget Purcell, PhD

Copy to,

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