

February 9, 2024

Sharon Green Middleton, Chair
Members, Economic and Community Development Committee
City Hall
Baltimore, Md. 21202

Re: CBs 23-444,446,448, February 13, 2024

Dear Mrs. Middleton and Ladies and Gentlemen:

There is a very serious issue with this legislation which I wish to bring to your attention.

Following the Harborplace proposal by the Rouse Company in the 1970s, the City took steps to dedicate the Inner Harbor waterfront as a public park to be held in perpetuity for this purpose. The Charter was amended to read:

“There is hereby dedicated to public park uses for the benefit of this and future generations of the City of Baltimore and the State of Maryland the portions of the City...”

The urban renewal plan was amended to read:

“Open space: Development Area 15 (the Inner Harbor waterfront) is hereby dedicated perpetually as public open space so as to be forever available for public use”.

These are powerful words. They designate the Inner Harbor as a park to exist in perpetuity. The open space came about as the result of the original Inner Harbor plan approved by Ordinance 1045 in 1967 and signed by then Mayor McKeldin. That plan designated the waterfront as open space. The City engaged David Wallace, the Frederick Law Olmsted of his day, to design the Inner Harbor. The open space designation was not a casual afterthought. The proposal before you is inconsistent with a park.

The words suggest that the City holds the Inner Harbor as a public trust. There is a case where funds were bequeathed to the City for a park. But the City wanted to use the funds for playgrounds. The Court of Appeals said no to the playgrounds—the funds were for a park and had to be used for that purpose. That was how Leakin Park came about. Baltimore v. Peabody Institute, 175 Md. 186 (1938).

You are trustees and obligated to preserve the park “for this and future generations”.

Respectfully,

John C. Murphy