



April 21, 2015

The Honorable President and Members  
of the Baltimore City Council  
Attn: Natawna B. Austin, Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 15-0468 – Zoning -- Conditional Use Restaurant: Drive-in- 5960-5980 Belair Road

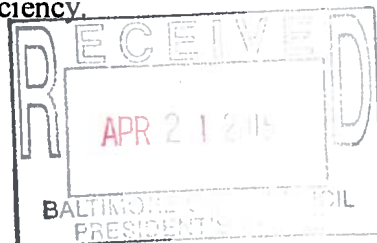
Dear Mr. President and City Council Members:

The Law Department has reviewed City Council Bill 15-0468 for form and legal sufficiency. The bill permits the establishment, maintenance, and operation of a drive-in restaurant on the property known as 5960-5980 Belair Road.

The subject property is zoned B-3-1 (Community Commercial District). The conditional uses that require the enactment of an ordinance in a B-3 zone include “restaurants: drive-in.” Zoning Code of Baltimore City (“ZC”) § 6-409(4). A conditional use is the subject of this proposed ordinance; accordingly, the proposed ordinance satisfies the above requirements.

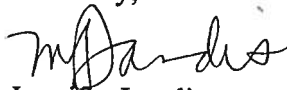
The Law Department also notes that the Report of the Planning Commission (“Report”) provides findings of fact that would support the authorization of this conditional use. *See* Report at 2. If the City Council agrees that the findings set forth in Section 14-204 of the Zoning Code have been met, it may lawfully approve Council Bill 15-0468. *See* ZC § 16-304.

Pursuant to the City Zoning Code, a bill concerning a conditional use is classified as a “legislative authorization.” ZC § 16-101. Legislative authorizations require that certain procedures be followed in the bill’s passage. Specifically, certain notice requirements apply to the introduction of the bill. *See* ZC § 16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. *See* ZC §§ 16-301, 16-302 & 16-304. Additional public notice and hearing requirements also apply to the bill. *See* ZC § 16-402. Finally, certain limitations on the City Council’s ability to amend the bill apply. *See* ZC § 16-403. Assuming all the procedural requirements are met, the Law Department approves the bill for form and legal sufficiency.



Fav w/ comm

Sincerely,

A handwritten signature in black ink, appearing to read "J. Landis". The signature is written in a cursive style with a large initial "J" and "L".

Jennifer Landis  
Assistant Solicitor

cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor's Legislative Liaison  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Victor Tervalo, Chief Solicitor