



*Agenda*  
*City of Bainbridge, Georgia*  
*Regular Session - Mayor and City Council*  
*January 17, 2023, 6:30 p.m. - City Council Chambers*



- I. INVOCATION and PLEDGE TO THE FLAG
- II. APPROVAL OF MINUTES OF REGULAR SESSION – December 20, 2022
- III. RECOGNIZE VISITORS AND DELEGATIONS
- IV. APPOINTMENT OF MAYOR PRO-TEM
- V. APPOINTMENT OF MUNICIPAL COURT JUDGE
- VI. APPOINTMENT OF MUNICIPAL COURT SOLICITOR
- VII. APPOINTMENT OF MUNICIPAL COURT PUBLIC DEFENDER
- VIII. SPECIAL PRESENTATION – BRUCE KIRBO, JR.
- IX. CONSIDERATION OF ALCOHOLIC BEVERAGE LICENSE APPLICATIONS
- X. CONSIDERATION OF INTERGOVERNMENTAL AGREEMENT
- XI. CONSIDERATION OF STREET CLOSURE REQUEST
- XII. CONSIDERATION OF PLANNING COMMISSION RECOMMENDATIONS
- XIII. MAYORAL APPOINTMENTS

*Bids:*

1. Trawick Construction Co.  
Fiber to the Home Project  
Chipley, FL \$9, 327,592.82

**MINUTES**  
**CITY OF BAINBRIDGE, GEORGIA**  
**TUESDAY, DECEMBER 20, 2022**  
**6:30 P.M.**

PRESENT: MAYOR EDWARD REYNOLDS, PRESIDING

COUNCIL MEMBERS: GLENNIE BENCH, KREGG CLOSE, ROSLYN PALMER,  
SYLVIA WASHINGTON, PHIL LONG AND DON WHALEY

CITY STAFF: CITY MANAGER CHRIS HOBBY, ASSISTANT CITY  
MANAGER ROY OLIVER, ALLIE GODWIN, LISA TAYLOR,  
STEVE O'NEIL, GABE MENENDEZ, AL KELLEY, RUSTY  
ADAMS, BO LADNER, TONY JENKINS, AMANDA  
GLOVER, CRYSTAL HINES, RANDEE EUBANKS, MEGAN  
TARNOW, RYAN WIMBERLEY, LADARIC JONES,  
REDELL WALTON, SYLVIA BIVINS, AND COURTNEY  
CHAVERS

GUESTS: JAMIER COOPER, VERONICA AUSTIN, MONICA PORTER,  
CATHERINE CALLEDGE, REV. ADREN BIVINS, MICHAEL  
KOZLAREK, TREY MONROE, DAVID KENDRICK,  
TA'ZION HINES, ZACHARY FRAZIER, NEKEISHA  
FLAGLER, DEMETRIC STUBBS, GENE DUNLAP, BRUCE  
KIRBO, DOUG YOUNG, SHERRY YOUNG, SIOBHAN  
POOLE, JD POOLE, GARRETT SMITH, STACEY SMITH,  
MELINDA TAYLOR, MARK HARRELL, SCOTT TOBIN,  
KAREN TOBIN, LESLEY TAYLOR, GWEN TURNER,  
BROWN MOSELEY, WHEAT KIRBO, DARRELL COX,  
EARL BOYETT, KEVIN RENTZ, ROCHELLE POURCH,  
KELVIN HAMPTON, REESE ROLLINS, MALLIE ROLLINS,  
MILLS BROCK, PAT RILEY, ETHAN REDDISH, LISA SAPP,  
LEE LAWRENCE, TIFFANY LAWRENCE, STEPHANIE

SMITH, BRIE SMITH, JEREMY EMMETT, HUNTER BULGER, BANKS MILLER, MIKE CONDER, MICHELLE BOSSIER, MAKENZIE CONDER, DANIEL BERNARD, RAMSAY SIMMONS, STERLING WIDNER, JENNIFER CANNON, AND GREGG BURCH.

ABSENT: NONE

### **INVOCATION AND PLEDGE TO THE FLAG**

Councilman Close gave the invocation and all those assembled pledged allegiance to the flag.

### **APPROVAL OF MINUTES**

Upon a motion offered by Councilwoman Bench and seconded by Councilwoman Washington, the Council voted 6-0 to approve the minutes from the November 15, 2022, City Council meeting as presented.

### **RECOGNIZE VISITORS AND DELEGATIONS**

Mayor Reynolds opened the floor for anyone who wish to speak on an item that was currently not on the agenda. Mr. Bruce Kirbo of 2002 Twin Lakes Drive came forward to ask if the council will allow public comment for certain items on the agenda and stated that an item on the agenda, related to eight leases of garbage trucks, was illegal. Mayor Reynolds asked if anyone else wanted to speak on an item that was currently not on the agenda. Hearing from no one, Mayor Reynolds proceeded to the next item on the agenda.

### **RESOLUTION – CDBG DISASTER RELIEF**

City Manager Hobby presented City Council with a resolution authorizing the preparation and submittal of a CDBG/DR Application for funding cycle 2022. Upon a motion offered by Councilman Whaley and seconded by Councilwoman Palmer, the council voted 6-0 to adopt the resolution.

### **CONSIDERATION OF ALCOHOLIC BEVERAGE LICENSE APPLICATION RENEWALS**

City Manager Hobby presented the 52 alcohol license renewal applications for 2023. City Manager Hobby stated that one application revealed a discrepancy relating to the required

background check of the manager. Councilwoman Washington, Councilwoman Palmer, Councilman Close, and Councilwoman Bench asked questions related to the application. Councilwoman Bench made a motion to approve all renewal applications except the application submitted by W/C One Stop Shop, LLC. The motion was seconded by Councilman Close and unanimously carried in a 6-0 vote.

### **CONSIDERATION OF PLANNING COMMISSION RECOMMENDATIONS**

The Bainbridge – Decatur County Planning Commission met on Tuesday, December 13, 2022, and considered two items that require council action:

1. *ITEM 1: CU-2022-005: Applicants Demetric & Thurman Stubbs are requesting a conditional use for a Cigar Bar & Hookah Lounge at 332 N. Broad St. The property is 0.11 acres and is zoned Central Business District (CBD).*
2. *ITEM 2: ZONE-2022-003: Applicant Scott & Karen Tobin (on behalf of Collins Family Mortuary) are requesting a rezoning from Office-Professional (O-P) to Highway Commercial (HC) for a funeral home at their property located at 203 W. Shotwell St (Parcel B0270009). The property is .30 acres.*

Greg Burch of 1405 Loblolly Lane stepped forward to state that Bainbridge First United Methodist Church had no intention of entering into any formal agreement and/or a legal contract for Collins Family Mortuary to use their parking lot. Zachary, a representative from Collins Family Mortuary, stepped forward to address/explain the letter Mr. Burch was previously referring to. After a brief period of council questions, Councilwoman Washington motioned to accept the recommendations of the Planning Commission and approve both applications as presented. The motion was seconded by Councilman Long, and unanimously carried in a 6-0 vote.

### **SPECIAL PRESENTATION – JEREMY EMMETT**

Mr. Jeremy Emmett appeared before the Mayor and City Council with a presentation on the proposed Element by Westin hotel project. Council also heard from Trey Monroe regarding the financial commitment of both the City and private developer. After a brief discussion from council, Mayor Edward Reynolds thanked Mr. Emmett and Mr. Monroe for their time and stated that he looked forward to learning more about this public/private partnership.

## **CITY ATTORNEY TOM CONGER – SPECIAL PRESENTATION**

City Attorney Tom Conger appeared before the Mayor and City Council to offer comments on recent Facebook activity that had been derogatory towards the city. Mr. Conger specifically addressed the allegations that the city had acted illegally and/or unethically.

### **PUBLIC HEARING AMENDMENT TO PARKS AND RECREATION ORDINANCE**

Mayor Edward Reynolds informed the council that this meeting had been advertised as the time and place for a public hearing regarding an amendment to the Parks and Recreation Ordinance. Upon a motion offered by Councilwoman Palmer and seconded by Councilwoman Bench, the council voted 6-0 to open the public hearing. Hearing no public and/or council comment, Councilman Close motioned to close the public hearing. Councilwoman Washington seconded the motion and the motion carried in a 6-0 vote.

### **CONSIDERATION OF PARKS AND RECREATION ORDINANCE**

Upon a motion offered by Councilman Whaley and seconded by Councilwoman Bench, the council voted 6-0 to adopt the amendment to the Parks and Recreation Ordinance as presented.

### **CONSIDERATION OF LEASES – *RDK Assets, Inc. dba RDK Truck Sales***

City Manager Hobby informed the Mayor and City Council of eight (8) lease agreements from RDK Assets, Inc dba RDK Truck Sales for 5 side loader garbage trucks and 3 front loader garbage trucks for a period of 13 months. Upon a motion offered by Councilwoman Bench and seconded by Councilman Close, the Council voted 6-0 in favor of the eight lease agreements.

### **CONSIDERATION OF LEASE TRANSFER**

City Manager Hobby informed the Mayor and City Council that SmithCo Recycling and SmithCo Transfer has been sold to Young Recycling LLC and Young Dumpster Service. Mr. Hobby explained that the lease with SmithCo allows for their lease to be transferred and assumed by another party upon approval by the City Council. Councilwoman Bench asked a question regarding liability. Upon a motion offered by Councilman Long and seconded by Councilwoman Bench, the council voted 6-0 in favor of the lease transfer.

## CONSIDERATION OF DEED TRANSFER

City Manager Hobby presented the Mayor and City Council with a proposal to transfer the deed for the property formerly known as the Decatur County Senior Center from city ownership to the DDA. Mr. Hobby stated that this was supposed to be done last February however, it was never done. Upon a motion offered by Councilman Close and seconded by Councilwoman Bench, the council voted 6-0 in favor of the deed transfer.

## MAYORAL APPOINTMENTS

Mayor Reynolds recommended the appointment of Councilwoman Sylvia Washington, Mr. Jeff Rich, and Mrs. Joyce Leverett to the Decatur County Bicentennial Committee Executive Board. Upon a motion offered by Councilwoman Bench and seconded by Councilwoman Palmer, the council voted 6-0 to approve the nominations of the Mayor.

## CONSENT AGENDA

### Bill:

- |   |              |
|---|--------------|
| 1. Georgia Municipal Association<br>2023 Workers Comp Estimated Annual Premium<br>Atlanta, GA | \$285,436.00 |
|---|--------------|

### Bid:

- |  |                                   |
|--|-----------------------------------|
| 1. Split Bid   |                                   |
| • Hawkins, Inc.<br>Hydrofluosilicic Acid<br>Apopka, FL                         | \$29,250.00                       |
| • Brenntag Mid South<br>Liquid Sulfur Dioxide & Liquid Chlorine<br>Orlando, FL | <u>\$25,899.00</u><br>\$55,149.00 |

Upon a motion offered by Councilwoman Bench and seconded by Councilman Close, the Council voted 6-0 to pay the bill and accept the bid as presented.

## ADJOURNMENT

With there being no further business, Mayor Reynolds adjourned the meeting at 7:47 p.m.

BY:

\_\_\_\_\_  
EDWARD REYNOLDS, MAYOR

ATTEST:

\_\_\_\_\_  
ALLIE GODWIN, COUNCIL CLERK

City of  
**BAINBRIDGE**  
GEORGIA

**City of Bainbridge Alcohol License Checklist**

LICENSE # 1367

CITY COUNCIL MEETING DATE 1/17/2023

NEW  RENEWAL  AMENDED

**TYPE OF LICENSE APPLYING FOR:**

CLASSIFICATION OF LICENSE						
Distilled Spirits Consumption Fee: \$2,400.00 Late Fee: \$100	Package Store Fee: \$3,125.00 Late Fee: \$100.00	<input checked="" type="checkbox"/> Malt Beverage Retail Fee: \$150.00 Late Fee: 100.00	<input checked="" type="checkbox"/> Wine Package Retail Fee: \$200.00 Late Fee: \$100.00	Malt Beverage Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Wine Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Bar Fee: \$4,800.00 Late Fee: \$100.00

Amended Fee: \$100  Initial Application Fee: \$100 - Change owners

NAME OF BUSINESS Double Duo, LLC dba Yoshi's 2

STREET ADDRESS OF BUSINESS 720 Faceville Hwy

NAME OF APPLICANT/OWNER Tejal Patel

NAME OF MANAGER Tejal Patel

- Completed Application
- Paid Fee
- Signature of Applicant and/or Property Owner
- Distance statement and Approval from Chief Marshall/Building Official SP
- Personal Statement
- Notarized Affidavits if applicable (**required for new owner and manager**)
- Copy of Driver's License or current Photo Identification
- Background Check Payment: YES  NO
- Privacy Rights (Applicant retains a copy)
- Approval by Director of Public Safety [Signature]
- Approval by Director of Administrative Services [Signature]
- Approval by City Manager and/or, Mayor and City Council \_\_\_\_\_

City of  
**BAINBRIDGE**  
GEORGIA

**City of Bainbridge Alcohol License Checklist**

LICENSE # 1369

CITY COUNCIL MEETING DATE 1/17/2023

NEW  RENEWAL  AMENDED

**TYPE OF LICENSE APPLYING FOR:**

CLASSIFICATION OF LICENSE						
Distilled Spirits Consumption Fee: \$2,400.00 Late Fee: \$100	Package Store Fee: \$3,125.00 Late Fee: \$100.00	Malt Beverage Retail Fee: \$150.00 Late Fee: 100.00	Wine Package Retail Fee: \$200.00 Late Fee: \$100.00	Malt Beverage Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Wine Consumption Retail Fee: \$300.00 Late Fee: \$100.00	<input checked="" type="checkbox"/> Bar Fee: \$4,800.00 Late Fee: \$100.00

Amended Fee: \$100    Initial Application Fee: \$100

**NAME OF BUSINESS** Off DA Hookah Cigar Lounge

**STREET ADDRESS OF BUSINESS** 332 N. Broad St.

**NAME OF APPLICANT/OWNER** Demetrie Stubbs

**NAME OF MANAGER** Demetrie Stubbs

- Completed Application
- Paid Fee
- Signature of Applicant and/or Property Owner
- Distance statement and Approval from Chief Marshall/Building Official AP
- Personal Statement
- Notarized Affidavits if applicable (*required for new owner and manager*)
- Copy of Driver's License or current Photo Identification
- Background Check Payment: YES  NO
- Privacy Rights (Applicant retains a copy)
- Approval by Director of Public Safety RW
- Approval by Director of Administrative Services APT
- Approval by City Manager and/or, Mayor and City Council \_\_\_\_\_

City of  
**BAINBRIDGE**  
GEORGIA

**City of Bainbridge Alcohol License Checklist**

LICENSE # 1261

CITY COUNCIL MEETING DATE 1/17/2023

NEW \_\_\_\_\_ RENEWAL  AMENDED \_\_\_\_\_

**TYPE OF LICENSE APPLYING FOR:**

CLASSIFICATION OF LICENSE						
Distilled Spirits Consumption Fee: \$2,400.00 Late Fee: \$100	Package Store Fee: \$3,125.00 Late Fee: \$100.00	<input checked="" type="checkbox"/> Malt Beverage Retail Fee: \$150.00 Late Fee: 100.00	<input checked="" type="checkbox"/> Wine Package Retail Fee: \$200.00 Late Fee: \$100.00	Malt Beverage Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Wine Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Bar Fee: \$4,800.00 Late Fee: \$100.00

Amended Fee: \$100    Initial Application Fee: \$100

NAME OF BUSINESS W. C. One Stop Shop, Inc

STREET ADDRESS OF BUSINESS 2200 S West Street

NAME OF APPLICANT/OWNER John R. Webster

NAME OF MANAGER John R. Webster

- Completed Application
- Paid Fee
- Signature of Applicant and/or Property Owner
- Distance statement and Approval from Chief Marshall/Building Official VP
- Personal Statement
- Notarized Affidavits if applicable (*required for new owner and manager*)
- Copy of Driver's License or current Photo Identification
- Background Check Payment: YES \_\_\_\_\_ NO
- Privacy Rights (Applicant retains a copy)
- Approval by Director of Public Safety RP
- Approval by Director of Administrative Services AS
- Approval by City Manager and/or, Mayor and City Council \_\_\_\_\_

City of  
**BAINBRIDGE**  
GEORGIA

**City of Bainbridge Alcohol License Checklist**

LICENSE # 1366

CITY COUNCIL MEETING DATE 1/12/2023

NEW  RENEWAL  AMENDED

**TYPE OF LICENSE APPLYING FOR:**

CLASSIFICATION OF LICENSE						
Distilled Spirits Consumption Fee: \$2,400.00 Late Fee: \$100	<input checked="" type="checkbox"/> Package Store Fee: \$3,125.00 Late Fee: \$100.00	Malt Beverage Retail Fee: \$150.00 Late Fee: 100.00	Wine Package Retail Fee: \$200.00 Late Fee: \$100.00	Malt Beverage Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Wine Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Bar Fee: \$4,800.00 Late Fee: \$100.00

Amended Fee: \$100    Initial Application Fee: \$100    *Ownership change*

NAME OF BUSINESS Sibling Dynasty, LLC dba Yoshi's Package Store

STREET ADDRESS OF BUSINESS 720 Faceville Hwy Ste 1

NAME OF APPLICANT/OWNER Tejal Patel

NAME OF MANAGER Tejal Patel

- Completed Application
- Paid Fee
- Signature of Applicant and/or Property Owner
- Distance statement and Approval from Chief Marshall/Building Official RP
- Personal Statement
- Notarized Affidavits if applicable (*required for new owner and manager*)
- Copy of Driver's License or current Photo Identification
- Background Check Payment: YES  NO
- Privacy Rights (Applicant retains a copy)
- Approval by Director of Public Safety RP
- Approval by Director of Administrative Services ANT
- Approval by City Manager and/or, Mayor and City Council \_\_\_\_\_

## INTERGOVERNMENTAL AGREEMENT FOR PARKING LOT

This agreement is made and entered into this \_\_\_\_ day of January 2023, by and among the Downtown Development Authority of Bainbridge, Georgia (“DDA”) and the City of Bainbridge, Georgia (“City”).

### WITNESSETH THAT:

WHEREAS, the DDA desires to enter into a Lease Agreement (the “Lease Agreement”) with Southwest Georgia Oil Company, Inc. (“SWGO”); and

WHEREAS, the Lease Agreement will provide that the DDA shall have the right to develop and construct a parking lot on the property leased from SWGO; and

WHEREAS, the parties agree that the parking lot will be beneficial to the citizens of Bainbridge, and it will enhance the value of Tax Parcel B0250017B00 which is owned by Tenant and which is rented by the DDA to Jared Godwin doing business as Bonnie Blue House Restaurant.

NOW, THEREFORE, the parties agree as follows:

1.

The above recitals are made a part of this Agreement.

2.

The City will develop, construct, and maintain the parking lot as set forth in said Lease Agreement.

3.

Paragraph 3.(e) of the Lease Agreement says the following:

“(e) Upon the termination of this Lease Agreement for any cause, including but not limited to the termination at the end of the initial lease term or at the end of any additional lease term, or upon the completion of a building as contemplated by subgraph (d) above, Landlord [SWGO] will pay Tenant [DDA] the amount set forth in Paragraph 11, below.”

The parties incorporate into this Agreement the terms and provisions of paragraph 3.(e) of the Lease Agreement. Any and all such monetary payments for development and construction done by the City will be reimbursed to the City.

4.

Paragraph 11. of the Lease Agreement says the following:

“11.

Glennie C. Bench (“Bench”) is a member of the Bainbridge City Council, and she is President and a minority shareholder of the Landlord, Southwest Georgia Oil Company, Inc.[SWGO]. Upon the termination of this Lease Agreement for any cause, including but not limited to the termination at the end of the initial lease term or at the end of any additional lease term, or upon the completion of a building as contemplated by subparagraph 3.(d) above, Landlord [SWGO] will pay Tenant [DDA] the sum of \$\_\_\_\_\_ for development and construction of the parking lot MINUS depreciation on the basis of a fifteen year depreciation schedule. The \$\_\_\_\_\_ amount is the low bid Tenant [DDA] received for development and construction of the parking lot. That amount is more than it will cost the City to develop and construct the parking lot, but that higher amount is used so that neither Southwest Georgia Oil Company, Inc. nor Bench will receive any financial profit as a result of this Lease Agreement or the Intergovernmental Agreement between the Tenant [DDA] and the City.”

The parties incorporate into this Agreement the terms and provisions of paragraph 11. of the Lease Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and affixed their seals as of the day and year first above mentioned.

THE CITY OF BAINBRIDGE, GEORGIA

BY:

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

Clerk

(IMPRESS SEAL)

## Road Closure Requests for Mardi Gra Society

Randee Eubanks <randeee@bainbridgecity.com>

Fri 1/13/2023 3:02 PM

To: Allie Godwin <allieg@bainbridgecity.com>

5K

Saturday, February 18<sup>th</sup> - 8:30 - 10:00 AM

Water Street - West to Bruton

Broughton Street - West to Bruton

Hatcher Road - Bruton to Boat Basin Circle

Parade (golf carts)

Tuesday, February 21<sup>st</sup> - 6:30 - 7:00 PM

Hatcher Road - Boat Basin Circle to Bruton

Water Street - Bruton to Clay

Broughton Street - Clay to Bruton

Clay Street - Water to Broughton



*Randee Eubanks*

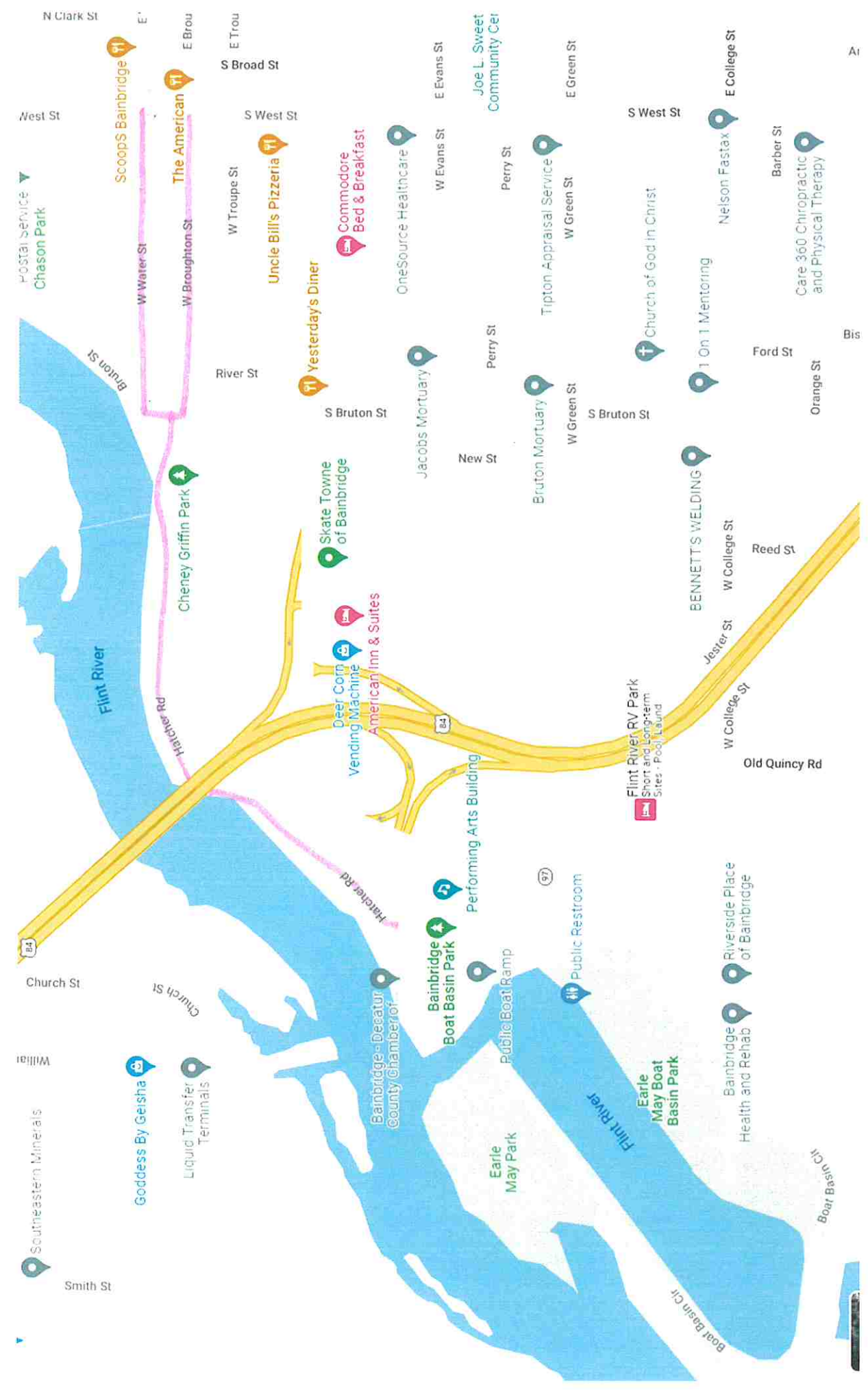
**Special Events Coordinator**

O: (229) 515-8616 | F: (229) 246-7311

205 E Broughton St | Bainbridge, Georgia 39817

[www.bainbridgecity.com](http://www.bainbridgecity.com)

5K





# BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION

January 10, 2023

6:00 p.m.

City Council Chambers

## MINUTES

**MEMBERS PRESENT:** Frank Flowers, John Marshall, Lachanda Mackey, Valerie Stubbs, Keenan Adams

**MEMBERS ABSENT:** Zach McLendon, Alan Davis

**OTHERS PRESENT:** Steve O'Neil

### I. CALL TO ORDER

Chairman Frank Flowers called the meeting to order at 6:00 P.M. then gave the invocation.

### II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Minutes from the December 13th, 2022, meeting were presented to the Planning Commission. Commissioner Marshall made a motion to approve the minutes, seconded by Commissioner Mackey and passed unanimously.

### III. NEW BUSINESS

**ITEM 1: CU-2022-006:** Applicant Brent Warr is requesting a conditional use for a mixed used building at 125 E. Calhoun St. The property is 0.62 acres and is zoned Light Industrial (LI).

Applicant Brent Warr came forward and explained his conditional use request for a Mixed Use Building at 125 Calhoun St. consisting of four retail spaces fronting Calhoun St., a workshop/studio in the middle section of the building for the applicant and a residential unit on the North end of the structure that will ideally be occupied artists in residency. Mr. Warr explained that it would not be a traditional rental or a short term rental. He did go on to further explain that this aspect of the structure would come much farther into the future.

After explanation of the conditional use request, Chairman Flowers asked Mr. O'Neil for staff opinion.

Mr. O'Neil reviewed the parking situation and further explained the difficulties in meeting the parking requirements. Mr. O'Neil explained that Mr. Warr had requested and received an administrative variance for parking reduction that reduced the required spaces by 20%. Mr. Warr explained that he is finalizing arrangements with adjoining property owners for off site parking and will provide commitment letters once complete.

Chairman Flowers called for a motion. A motion to approve as requested with no stipulations was made by Commissioner Marshall and seconded by Commissioner Adams. Vote was unanimous in favor of granting the conditional use for a mixed use building at 125 Calhoun St.

IV. **Old Business:**

V. **Adjournment:** There being no more business, the meeting was adjourned.

---

Dr. Frank Flowers, Chairman

# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

### BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION

January 10th, 2023

6:00 p.m.

City Hall Council Chambers

- I. DETERMINATION OF A QUORUM
- II. CALL TO ORDER AND INVOCATION
- III. APPROVAL OF MINUTES OF PREVIOUS MEETING
- IV. NEW BUSINESS:
- V. **ITEM 1: CU-2022-006:** Applicant Brent Warr is requesting a conditional use for a mixed used building at 125 E. Calhoun St. The property is 0.62 acres and is zoned Light Industrial (LI).
- VI. OLD BUSINESS
- VII. ADJOURNMENT

**BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION**

**December 13, 2022**

**6:00 p.m.**

**City Council Chambers**

**MINUTES**

**MEMBERS PRESENT:** Frank Flowers, John Marshall, Lachanda Mackey, Valerie Stubbs

**MEMBERS ABSENT:** Zach McLendon, Alan Davis, Keenan Adams

**OTHERS PRESENT:** Steve O'Neil

**I. CALL TO ORDER**

Chairman Frank Flowers called the meeting to order at 6:00 P.M. then gave the invocation.

**II. APPROVAL OF MINUTES OF PREVIOUS MEETING**

Minutes from the September 9th, 2022, meeting were presented to the Planning Commission. Commissioner Marshall made a motion to approve the minutes, seconded by Commissioner Mackey and passed unanimously.

**III. NEW BUSINESS**

**ITEM 1: CU-2022-005:** Applicants Demetric & Thurman Stubbs are requesting a conditional use for a Cigar Bar & Hookah Lounge at 332 N. Broad St. The property is 0.11 acres and is zoned Central Business District (CBD).

Applicants Demetric and Thurman Stubbs came forward and explained her conditional use request for a Cigar & Hookah Lounge at 332 N. Broad St.

Commissioner Marshall asked about the hours the proposed use would be open and the applicants responded 2pm to 2am.

Commissioner Marshall asked further about security and whether they would be licensed or non-licensed. The applicants explained that security would be present in the evening and at night. They would start out with unlicensed security but any special events would require extra security that would be licensed.

Commissioner Marshall asked about potential occupancy of the building and what they were expecting.

Commissioner Marshall asked if there were any other potential problems that they see may be an issue. The applicants explained that they were concerned about people gathering outside the building and not coming inside. Applicants explained that if that became a problem they would contact public safety. Patrons to the proposed use would be 25 or older despite the state minimum age being 21.

Chairman Flowers then asked if anyone would like to speak against the proposed use. There were none.

After explanation of the conditional use request, Chairman Flowers asked Mr. O'Neil for staff opinion.

Mr. O'Neil stated that he had met and discussed age restrictions and ventilation in the building with the applicants and made them aware. Mr. O'Neil recommended approval.

With no more discussion, Chairman Flowers called for a motion.

Commissioner Marshall made a motion to approve the conditional use. The motion was seconded by Commissioner Mackey and passed unanimously.

**ITEM 2: ZONE-2022-003:** Applicant Scott & Karen Tobin (on behalf of Collins Family Mortuary) are requesting a rezoning from Office-Professional (O-P) to Highway Commercial (HC) for a funeral home at their property located at 203 W. Shotwell St (Parcel B0270009). The property is .30 acres.

Applicants Darrell Watkins and Zach Fraser of Collins Family Mortuary presented their proposed project. They explained that they are working with the Methodist Church on off site parking next door but explained that the church did not want to enter into an agreement and basically took the attitude of "the parking lot is there. Use it. We don't plan on towing cars." The applicants explained that they are having issues with their current parking arrangements due to the fact that virtually all of their parking is currently off-site and owned by a bank.

Chairman Flowers asked if anyone would like to speak in opposition to the proposed rezoning.

Leslie Taylor (118 Flint St) had concerns about traffic and parking for larger funerals. Commissioner Marshall asked if there is anything the applicants can do to satisfy her (Ms. Taylor). Ms. Taylor did not have an answer to that. Commissioner Marshall asked if she would be willing to sit down and meet with representatives of the funeral home to discuss and she said she would be willing.

After explanation of the conditional use request, Chairman Flowers asked Mr. O'Neil for staff opinion.

Mr. O'Neil reviewed the parking situation and made a recommendation for approval with a condition that if the funeral home ceases operation the property would revert back to Office-Professional.

Chairman Flowers called for a motion. A motion to approve as requested with no stipulations was made by Commissioner Mackey and seconded by Commissioner Marshall. Vote was unanimous in favor of the rezoning.

**IV. Old Business:**

**V. Adjournment:** There being no more business, the meeting was adjourned.

BRENT WARR CO.  
125 CALHOUN ST. REDEVELOPMENT PROPOSAL  
PLANNING COMMISSION - BAINBRIDGE, GA

January 5, 2023

Dear Mr. Steve O'Neil and the Planning Commission,

Executive Summary:

Over the years, the 125 Calhoun Building has had many uses. It has been occupied as a grocery store, storage space, hardware store, and even an interior design studio. Built in 1904, this historic building served as a gathering place for locals to shop and support the community. I have hopes and plans to bring life back into this building. Create a new space for locals and travelers alike to come shop and engage with the culture that South Georgia has to offer. The redevelopment of 125 Calhoun will help re-invigorate the arts and design scene in Bainbridge and permeate arts and visual language across the Southeast.

With my studio currently based in Atlanta, Ga., I have relocated back to Bainbridge, Ga. and am ready to set up shop and re-invest in my hometown that has given so much to me.

Status:

Realizing Bainbridge is my home, it is amazing to me how much the downtown area has changed in the last seven years since I have been gone. Not only have buildings and landscapes changed, but attitudes regarding change and making the downtown area alive again can't help but be noticed. Through vision and hard work, many of Bainbridge's downtown buildings have a new life and are bringing new residents to Bainbridge. I can't help but want to be a part of this which brings us to the Callahan building at 125 Calhoun. This a project I want to tackle, but I am asking for the help of the Downtown Development Authority and the Planning Commission for a conditional use to turn this into a mixed use building. The Building has currently gone under a complete rebuild of the roof, as the existing roof was falling apart.

Proposal:

With the purchase of the Callahan Building, the transformation of this old historical warehouse into a cultural art's community hub is my vision. The downtown location of the building is another "draw" for me in that Brent Warr Co. will hopefully be a part of downtown Bainbridge. At roughly 17,000 square feet, plans are to transform the building and divide it. The facade facing Calhoun Street would become four retail and commercial spaces, whereas a second section would involve several studios and a short-term rental artist residence. A third section would serve as the primary studio for Brent Warr Co.

The second part of this proposal is the creation of a residency arts program. Three to four studios would be built for artists to work. A short-term apartment artist rental residence would also be built for the artists at residence to stay. This program will help foster cross disciplinary knowledge and creativity as well allow the artists at residence to engage with the local culture of Southwest Georgia.

It is my hope that 125 Calhoun will soon be added to a recent list of downtown successes and will encourage spin-off development, add jobs, promote downtown short-term housing, add to the cultural enrichment of the community, and grow to be a big part of Bainbridge, Georgia.

Expected Timeline/Completion:

8-12 Months

Thank you,

A handwritten signature in black ink, appearing to read "Brent Warr", with a long horizontal flourish extending to the right.

Brent Warr



P.O. Box 158  
Bainbridge, Ga. 39818

www.bainbridgecity.com

Phone: 229-248-2000  
Fax: 229-246-7311

APPLICATION #: \_\_\_\_\_

FEE: \$150.00

## CONDITIONAL USE APPLICATION

NOTICE: State Law O.C.G.A. 36-66-4 requires, "a local government taking action resulting in a zoning decision shall provide for a hearing on the proposed action at least 15 but not more than 45 days prior to the date of the hearing, the local government shall cause to be published within a newspaper of general circulation, within the territorial boundaries of the local government, a notice of hearing."

Said notice shall state the time, place, and purpose of the hearing; therefore, applicants must submit their complete application, an application complying with the procedural requirements of the city's zoning ordinance and found to be complete with regard to application materials, payment of fees, supportive material and any other application requirements specified prior to the newspaper public notice advertising deadline date needed to fulfill the requirements of O.C.G.A. 36-66-4. The zoning administrator and/or his representative *shall have at least 10 days prior to the advertising deadline date to determine whether an application is complete and eligible for advertisement. Applications submitted less than 10 days prior to the advertising deadline date are not guaranteed to be reviewed or included in the required advertising. Such applications shall be held until the next application cycle.*

### APPLICATION INFORMATION

APPLICANT(S): \_\_\_\_\_ Brent Warr \_\_\_\_\_

ADDRESS: 1309 Lakewood Drive, Bainbridge, GA 39819 \_\_\_\_\_

PHONE: \_229-400-2580 \_\_\_\_\_

### PROPERTY INFORMATION

PROPERTY OWNER(S): \_\_ Brent Warr \_\_\_\_\_

ADDRESS: \_125 E. Calhoun St. Bainbridge, Ga 39817

PHONE: 229-400-2580 \_\_\_\_\_

LOCATION OF SUBJECT PROPERTY: \_\_ North of Downtown Bainbridge

PROPERTY INFORMATION (continued)

TAX MAP: B0250009 PARCEL: \_\_\_\_\_ SIZE (ACRES): 0.62 acres

ZONING DESIGNATION OF SUBJECT PROPERTY: Light Industrial

PROPOSED USE OF PROPERTY (BRIEF): Mixed Use Building (Retail, Light Commercial, Residential)

REQUIREMENTS FOR CONDITIONAL USE REQUESTS

Conditional use request applications *must* include the following:

- 1. APPLICATIONS REQUIREMENTS  
(ZONING ORDINANCE TABLE 14.2.1) ..... Page 5
- 2. PLAN REQUIREMENTS  
(ZONING ORDINANCE TABLE 14.2.2) ..... Page 5
- 3. ANALYSIS REQUIREMENTS (Forms provided on page 3)  
(ZONING ORDINANCE TABLE 14.2.3) ..... Page 6

Property Owner Signature <i>Brent Warr</i>  _December 13, 2022_ Date	Submitted By: Brent Warr  _December 13, 2022_ Date
---	---

DEPARTMENT USE ONLY

SUBMITTAL DATE: 12/14/22 DATE CERTIFIED COMPLETE: \_\_\_\_\_

*Steph O'Neil*  
\_\_\_\_\_  
Department Representative Signature

# CONDITIONAL USE APPLICATION

TABLE 14.2.3  
ANALYSIS REQUIREMENTS

1. Existing use(s) of subject property: \_\_\_Hardware Store, Storage Warehouse\_\_\_\_\_
2. Existing zoning of property contiguous with or located within 100 feet of subject property: \_CBD, HC. Explain: \_\_\_The existing property surrounding 125 Calhoun are zoned in the central business district and Highway Commercial. \_\_\_
3. Does the proposed conditional use request permit a use that is suitable in view of the use and development of adjacent and nearby property (existing land use)?  Yes  No  
Explain: By zoning 125 Calhoun as Mixed Use, it further pushes the downtown development authority's plan of building up the north side of downtown. It also is suitable in the view of adjacent properties.
4. Will the proposed conditional use result in a use which could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools?  Yes  No  
Explain: The proposed use is not anticipated to put further burden on already existing facilities and streets. There are no schools in the area, so this should not be an issue in that regard.
5. Is the proposed conditional use in conformity with the policy and intent of the comprehensive plan\* including use element?  Yes  No
6. Are there other existing or changing conditions affecting the use and development of property which give supporting grounds for either approval or disapproval of the proposal?  
 Yes  No
7. Does the property to be affected by the proposed conditional use have a reasonable economic use as currently zoned?  Yes  No  
Explain: The way this property is currently zoned and the current condition of the property does not serve as a reasonable economic use, and does not follow with the downtown development authorities comprehensive plan.

\*A copy of the city's future land use element (map and narrative), part of the city's adopted comprehensive plan, is available for public review inside the City Hall map room and on the city's website at [www.bainbridgemit.com](http://www.bainbridgemit.com).

**CONFLICT OF INTEREST IN ZONING DECISIONS**  
**CAMPAIGN CONTRIBUTIONS**

36-67A-3.

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing: (1) The name and official position of the local government official to whom the campaign contribution was made; and (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the Respective local government showing:

The name and official position of the local government official to whom the campaign contribution was made; and (2) the dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

**I CERTIFY THAT ALL STATEMENTS FURNISHED IN THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE AND I AM AWARE OF THE PROVISIONS CONTAINED IN O.C.G.A. 36-67A-3.**

Property Owner(s) Signature: <u>          <i>Brent Warr</i>          </u>
Address: <u>          1309 Lakewood Drive, Bainbridge, GA 39819          </u>

**PUBLIC HEARING DATES**

DATE OF PLANNING COMMISSION MEETING: \_\_\_\_\_ @ 6:00 p.m.

DATE OF CITY COUNCIL MEETING: \_\_\_\_\_ @ 6:30 p.m.

*Planning Commission meetings are held at 6:00 p.m. at City Hall in the City Council Chambers.  
City Council meetings are held at 6:30 p.m. at City Hall in the City Council Chambers.*

**TABLE 14.2.1  
APPLICATION REQUIREMENTS**

<b>Application Requirement</b>	<b>Conditional Use</b>
Application fee as established by resolution	Required - \$100.00
Application form furnished by the zoning administrator, including the applicant's signature and the property owner's signature	Required <i>CONDITIONAL USE APPLICATION</i>
Legal description of the property	Required
A survey plat of the property prepared by a registered land surveyor or, if the property is recorded on an existing plat in the land records of Decatur County, a copy of the correct county tax map found in the current tax mapping system of the county	Required
Letter of intent describing the proposed use of the property and/or other action requested	Required
Site plan of the property at an appropriate engineering scale showing the proposed use and relevant information regarding proposed improvements (see Section 14.2.8, "Plan Requirements")	Required
Description of efforts of any special conditions voluntarily made a part of the request	Required
Other information required by the zoning administrator	Maybe

**TABLE 14.2.1  
APPLICATION REQUIREMENTS**

<b>Site Plan Requirement</b>	<b>Conditional Use</b>
Footprints of existing and proposed buildings and structures	Required
Dimensions and locations of parking areas including internal circulation and driveway approaches	Required
Tree protection survey (if applicable)	Maybe
Dimensions and general location of any landscaping and/or buffers (if applicable)	Required
Preliminary drainage plans (if applicable)	Required
Method of water supply and sewage disposal if not available on-site (if applicable)	Required
Dimensional requirements by zoning district	Required
Specific use provisions (if applicable)	Required
General dimensional provisions (if applicable)	Required
General development requirements (if applicable)	Required
Application requirements (if applicable)	Required
Other Information as required by the Zoning Administrator	Maybe

**TABLE 14.2.3  
ANALYSIS REQUIREMENTS**

<b>Criteria Required to be Analyzed by Applicant and Review Bodies</b>	<b>Application for Conditional Use</b>
1. Existing use(s) and zoning of subject property	Required
2. Existing zoning of nearby property	Required
3. Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property (existing land use)	Maybe
4. Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools	Required
5. Whether the proposal is in conformity with the policy and intent of the comprehensive plan including land use element ***	Required
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal	Required
7. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned	Required

\*\*\* A copy of the city's future land use element (map and narrative), part of the city's adopted comprehensive plan, is available for public review inside the map room at City Hall.



**B0250009**

BRENT WARR CO LLC  
 125 CALHOUN ST  
 0.62 Acre, Value \$177,495

View: Report

HC

B0250010 100

B0250008 524

B0250009 125

B0250120 528

B0250121 520

B0250122A00 201

B0250043A00

A00

Bainbridge

E CALHOUN ST

N WEST ST

CAD ST

BRENT WARR CO.  
125 CALHOUN ST. ADMINISTRATIVE VARIANCE  
PLANNING COMMMISSION - BAINBRIDGE, GA

January 5, 2023

Dear Mr. Steve O'Neil and the Planning Commission,

I am writing to request an Administrative Variance for a parking reduction in regards to the property at 125 Calhoun St. This is an existing warehouse built in 1904 in the historic district of Downtown Bainbridge, Ga that never had any official parking on the property. There is currently no public parking on this side of downtown, however, a standing agreement is being put into place with two other properties nearby to allow use of 11 of their parking spaces.

Kind Regards,

A handwritten signature in black ink, appearing to read "Brent Warr", with a long horizontal flourish extending to the right.

Brent Warr

Proposal:

With the purchase of the Callahan Building, the transformation of this old historical warehouse into a cultural art's community hub is my vision. The downtown location of the building is another "draw" for me in that Brent Warr Co. will hopefully be a part of downtown Bainbridge. At roughly 17,000 square feet, plans are to transform the building and divide it. The facade facing Calhoun Street would become four retail and commercial spaces, whereas a second section would involve several studios and a short-term rental artist residence. A third section would serve as the primary studio for Brent Warr Co.

The second part of this proposal is the creation of a residency arts program. Three to four studios would be built for artists to work. A short-term apartment artist rental residence would also be built for the artists at residence to stay. This program will help foster cross disciplinary knowledge and creativity as well allow the artists at residence to engage with the local culture of Southwest Georgia.

It is my hope that 125 Calhoun will soon be added to a recent list of downtown successes and will encourage spin-off development, add jobs, promote downtown short-term housing, add to the cultural enrichment of the community, and grow to be a big part of Bainbridge, Georgia.

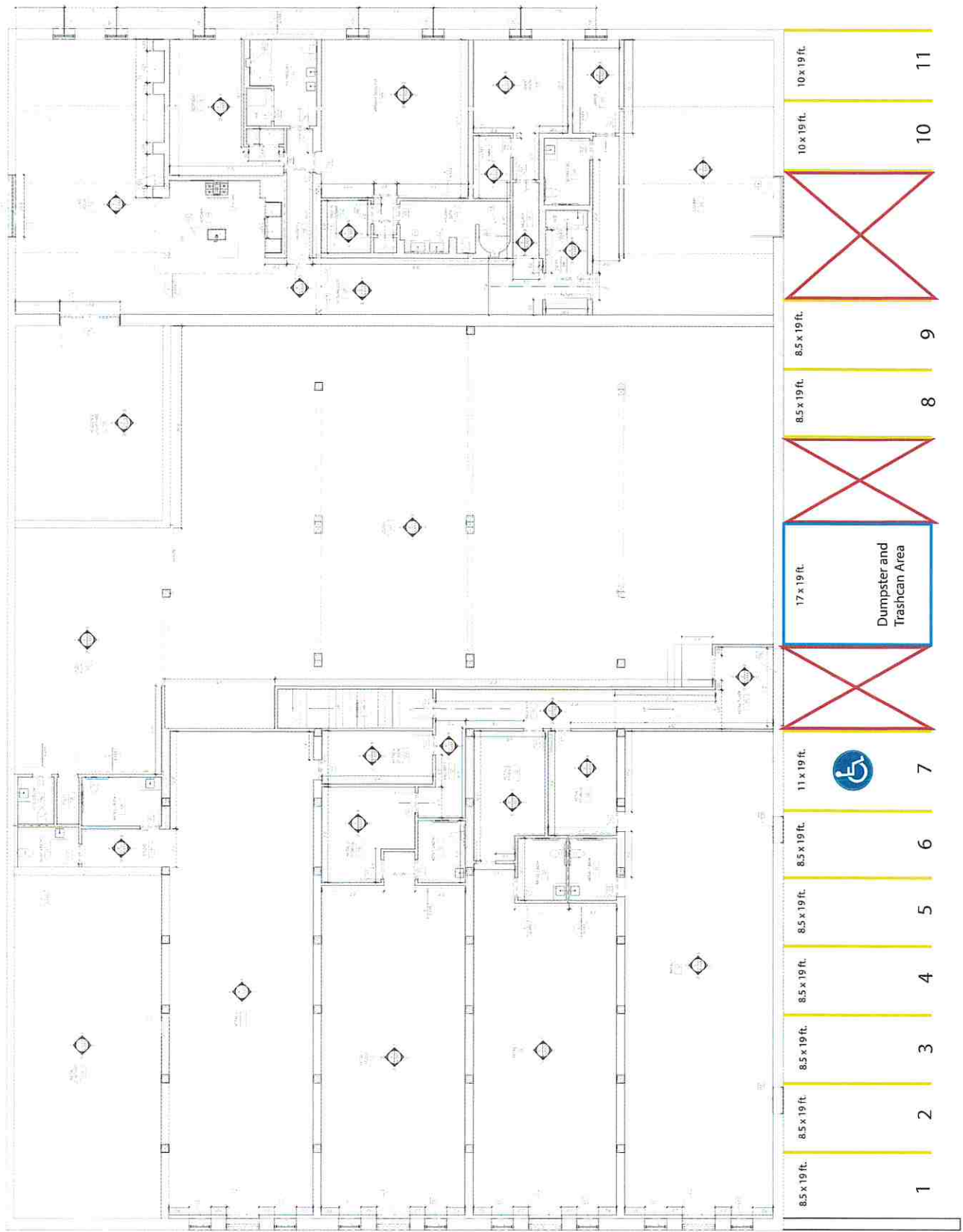
Expected Timeline/Completion:

8-12 Months

Thank you,

A handwritten signature in black ink, appearing to read "Brent Warr", written in a cursive style.

Brent Warr



# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

### Staff Analysis

**DATE:** January 6, 2023

**TO:** Bainbridge-Decatur County Planning Commission, Mayor and City Council

**FROM:** Steve O'Neil, Community and Economic Development Director

**SUBJECT:** CU-2022-006

**ITEM: CU-2022-006:** Applicant Brent Warr is requesting a conditional use for a mixed use building at 125 Calhoun St. The property is 0.62 acres and is zoned Light Industrial (LI).

*Conditional use: A use that would not be appropriate generally or without restriction throughout a particular zoning district and is not automatically permitted by right within said zoning district, but which, if controlled as to number, area, location, relation to the neighborhood or other pertinent considerations, may be found to be compatible and approved by the Governing Body within that particular zoning district as provided in certain instances by this zoning ordinance. An approved conditional use runs with the property.-City of Bainbridge, GA, Zoning Ordinance.*

**CURRENT ZONING:** (LI) Light Industrial



#### **Section 7.6.1. Purpose and Intent.**

The LI, Light Industrial, zoning district is established with the purpose of reserving certain areas with relatively level topography, adequate water and sewage facilities, and access to arterial streets for industrial operations, but where such areas' proximity to residential and other districts makes it desirable to limit industrial operations to those that are not objectionable due to generation of noise, vibration, smoke, dust, gas, fumes, odors, or radiation and that do not create fire or explosion hazards or other objectionable conditions. The industries locating in this district are characterized as lower in

# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

intensity, cleaner, and generally more compatible when located adjacent to commercial areas than are heavy industrial (HI) uses. Such industries are capable of operating in a manner that controls the external effects of the manufacturing process through prevention or mitigation devices and conduct of operations within the confines of buildings.

Uses within the LI zoning district do not usually require substantial quantities of water for manufacturing operations and do not necessarily require rail, air, or water transportation. Such uses include manufacturing, wholesale trade, and distribution activities. Vehicular activities in LI districts consist predominantly of trucks, with some passenger vehicle traffic, and the road system is built to support truck traffic. Certain commercial uses having an open storage characteristic, or which are most appropriately located adjacent to industrial uses, are also included within this zoning district. Light industrial districts, however, do not service the general public and most business uses generating vehicle traffic are generally not permitted.

**FUTURE LAND USE DESIGNATION:** Light Industrial

### Analysis

The applicant's request to utilize a historic warehouse as a mixed-use building is an acceptable conditional use in the Light Industrial district. This is a non-forming building that does not meet requirements of the current zoning ordinance. The property was historically the Callahan Grocery and later a hardware store. There was never any defined parking associated with the property. The only way to meet requirements for off street parking would be to leave it as a warehouse, which does not require much parking or tear down part of the building to provide an area for the required parking spaces which would be contrary to the City of Bainbridge Historic Preservation Ordinance. The applicant is proposing three different uses for the building including residential, studio space and retail. The applicant can meet the off-street parking requirements for the residential and studio space but falls short of meeting the required off-street-parking requirements for the retail spaces. The applicant shows seven spaces including a handicap accessible space and has asked for and received an administrative variance for parking reduction which drops the required spaces to 18. Verbal agreements have been received for the use of adjoining parking lots for the eleven spaces needed.

### Recommendation

Planning Staff recommend approval of the applicants conditional use request for a Mixed Use Building at 125 Calhoun St.