

BAINBRIDGE-DECATUR

PLANNING COMMISSION

BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION

December 13th, 2022

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:

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).

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.

- V. OLD BUSINESS
- VI. ADJOURNMENT

BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION
September 13, 2022
6:00 p.m.
City Council Chambers
MINUTES

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

MEMBERS ABSENT: Zach McLendon, Alan Davis, Lachanda Mackey

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 August 9, 2022, meeting were presented to the Planning Commission. Commissioner Marshall made a motion to approve the minutes, seconded by Commissioner Adams and passed unanimously.

III. NEW BUSINESS

ITEM 1: CU-2022-004: Applicant Carolyn Cheatem is requesting a conditional use for a hair salon at 621 S. West St. The property is 0.46 acres and is zoned Office-Professional (O-P).

Ms. Cheatem came forward and explained her conditional use request for a hair salon at 621 S. West St.

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

Mr. O'Neil stated that he had no issues with what she was proposing, and everything would be fine.

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

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

IV. Old Business: Discussion of variance criteria language

Mr. O'Neil explained the variance criteria language and there was a brief discussion about it. All the commissioners agreed on the language.

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

Dr. Frank Flowers, Chairman

Demetric and Thurman Stubbs

Owners

Off The Hookah

323 N. Broad Street

Bainbridge, Ga 39817

Donquan100@yahoo.com / tj78stubbs@gmail.com

229-205-7461/ 229-400-5888

Dear City Officials,

We would like to present this letter of intent, signifying our company's interest in becoming an Official Hookah and Cigar Lounge.

The building of 332 N. Broad Street will be the location of choice and venue. Our intent is to serve Hookah as well as have a designated live Cigar area. We plan to serve Alcoholic beverages such as Beer, Liquor, and Wine. On certain occasions we will provide a DJ, Karaoke, live music or a combination. A small outside patio will be located in the back of the building for customers. There is a slight possibility of food truck catering on certain nights.

In line with this, we believe that our business is in line with the City's priorities, as we both cater to similar interests in this area.

We would highly appreciate it if you could provide all the necessary approvals to make this business thrive. We believe it would provide safe entertainment as well as provide a boost in the city economy.

Thank you very much and we hope to hear from you soon.

Sincerely,

Demetric and Thurman Stubbs

OFF THE HOOKAH

City of
BAINBRIDGE
GEORGIA

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): Demetric Stubbs / Thurman Stubbs
ADDRESS: 328 Barber Rd Brinson GA 39825
PHONE: 229 205 7461 / 229 400 5888

PROPERTY INFORMATION

PROPERTY OWNER(S): Demetric Stubbs / Thurman Stubbs (Rowland Miller)
ADDRESS: 322 N Broad St. Bainbridge, GA 39817
PHONE: 229 205 7461 / 229 400 5888
LOCATION OF SUBJECT PROPERTY: Bainbridge GA

PROPERTY INFORMATION (continued)

TAX MAP: _____ PARCEL: _____ SIZE (ACRES): _____


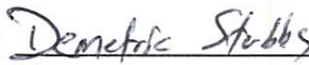
ZONING DESIGNATION OF SUBJECT PROPERTY: _____

PROPOSED USE OF PROPERTY (BRIEF): Cigar Bar / Hookah Lounge

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

<u></u> Property Owner Signature	<u></u> Submitted By:
<u>10/20/22</u> Date	<u>10/20/22</u> Date

DEPARTMENT USE ONLY

SUBMITTAL DATE: 10/27/22 DATE CERTIFIED COMPLETE: _____

Department Representative Signature

CONDITIONAL USE APPLICATION

TABLE 14.2.3
ANALYSIS REQUIREMENTS

1. Existing use(s) of subject property: Unknown
2. Existing zoning of property contiguous with or located within 100 feet of subject property: No
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: _____
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: _____
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

*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.bainbridgecit.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:	
Address:	<u>328 Barber Rd Bronson GA 39825</u>

PUBLIC HEARING DATES

DATE OF PLANNING COMMISSION MEETING: 12/13/22 @ 6:00 p.m.

DATE OF CITY COUNCIL MEETING: 12/20/22 @ 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**

Application Requirement	Conditional Use
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

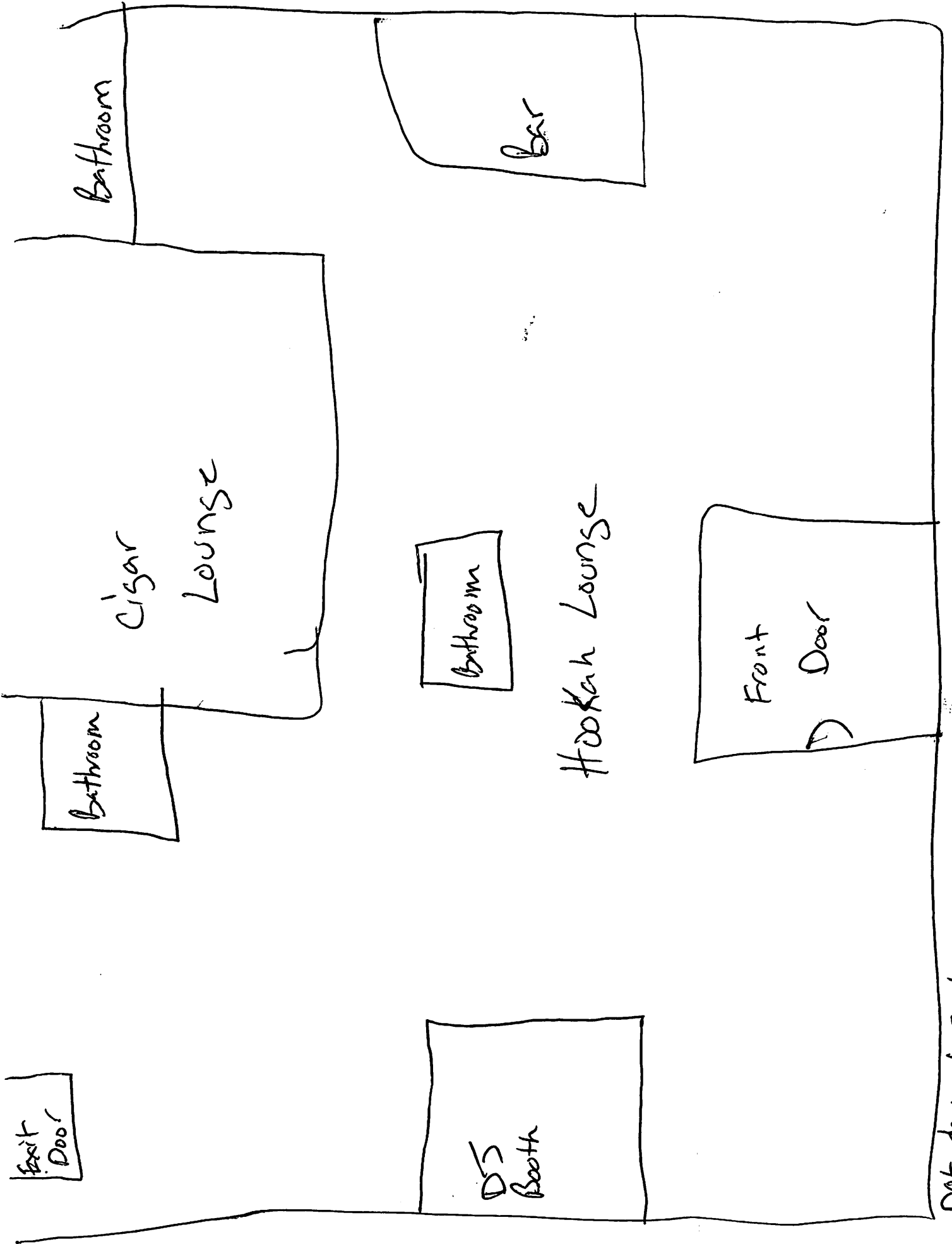
**TABLE 14.2.1
APPLICATION REQUIREMENTS**

Site Plan Requirement	Conditional Use
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**

Criteria Required to be Analyzed by Applicant and Review Bodies	Application for Conditional Use
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.



Not drawn to Scale

Staff Analysis

DATE: December 1, 2022

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

FROM: Steve O'Neil, Community & Economic Development Director

SUBJECT: CU-2022-005

ITEM: 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).

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: (CBD) Central Business District



Section 6.4.1. Purpose and Intent.

The CBD zoning district is intended to concentrate commercial stores and compatible uses within the center of Bainbridge. This district is unique in that the existing development pattern consists of buildings covering very large percentages of the lot, little if any building setbacks on front, side, and rear property lines, and a lack of off-street parking sufficient to meet the requirements of other commercial zoning districts. This district is distinguished from other commercial zoning districts in that greater building coverage is permitted and yard requirements are minimal. Permitted uses are those that contribute to a pedestrian-friendly central business district. Automobile-related facilities and services are not appropriate to this character and are therefore not permitted in the CBD zoning district.

The purpose of this zoning district is to foster and strengthen economic vitality of Bainbridge’s downtown core area while respecting and enhancing the special character of existing development. The downtown core area is a compact assembly of storefront buildings, short walkable blocks, mixed uses, pedestrian amenities, consolidated off-street parking, and on-street parking. The city’s downtown is so important and significant to the city that it justifies a special set of regulations designed to protect and enhance its character as new development occurs.

FUTURE LAND USE DESIGNATION: Central Business (CBD)

Analysis

The applicant’s request to operate a Cigar Bar & Hookah Lounge is in line with goals and policies outlined the City’s Comprehensive Plan and for that of the Central Business District. In discussions with the applicants they were made aware of proper ventilation requirements and other building code requirements and they have presented a layout of the proposed interior. They are also aware that no person under the age of 21 is allowed into the building either patron or staff.

Recommendation

Planning Staff recommend approval of the applicants conditional use request to operate a Cigar Bar & Hookah Lounge at 332 N. Broad St.



Collins Family Mortuary

502 W Shotwell Street, Bainbridge, GA 39819

Phone: (229) 416-4874 Fax: (229) 416-4875

collinsmortuary@gmail.com

November 3, 2022

To,
Argent Properties LLC
ATTN:
142 Gandy Hill Road, Bainbridge, Georgia 39819

Darrell E. Watkins, Jr of Collins Family Mortuary LLC would like to present this letter of intent to signify our interest in leasing the commercial property located at 203 E. Shotwell St, Bainbridridge, Georgia 39819 for the sole purpose of becoming the location for our funeral home.

We have been in business for a little over six years here in Bainbridge, Georgia and have been wondering about the property for quite some time now and we feel that we could serve our customers better due to the largeness and open space of the property. We have already inquired with the treasurer of the First United Methodist Church and she has stated that they would gladly come to a written agreement for the parking lot located directly next to the property, but only after going through the proper channels of protocol set forth by the church.

We pride ourselves on our unique level of professionalism, and we are always thinking of ways to be of an even better service to our community. We would like to show them that entrusting us with these services has not gone in vain. We aim to continue celebrating life, providing a different experience, and preserving life's most precious memories one family at a time.

Yours sincerely,

Darrell E. Watkins, II, President & CEO
Collins Family Mortuary LLC

P.O. Box 158
Bainbridge, Ga. 39818

www.bainbridgecity.com

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

APPLICATION #: _____

FEE: _____

ZONING CHANGE APPLICATION

WE, the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Map of the City of Bainbridge as hereinafter requested. In support of this application the following facts are submitted:

APPLICANT(S): Scott and Karen Tobin
ADDRESS: 142 Gandy Hill Rd Bainbridge GA
PHONE NUMBER(S): 229-798-2522 or 850-566-2142

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 then **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.

INFORMATION ON PROPERTY DESIRED TO BE ZONED:

STREET ADDRESS: 203 W. Shotwell St
TAX MAP PAGE: _____ PARCEL: B0270009
SUBDIVISION (IF APPLICABLE): _____
FRONTAGE: 96 DEPTH: 137 ACRES: 0.3

PRESENT ZONING OF PROPERTY: Office pro
PRESENT USE OF PROPERTY: Vacant
PROPOSED ZONING OF PROPERTY: Funeral Home - ~~C3-Commercial~~ ^{HE}
PROPOSED USE OF PROPERTY: Funeral Home

ZONING CHANGE REQUIREMENTS:

Zoning change 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

OWNERSHIP INFORMATION:

THE FOLLOWING ARE ALL OF THE PERSONS, FIRMS, OR CORPORATIONS OWNING PROPERTY INCLUDED WITHIN THE AREA DESIRED FOR ZONING CHANGE:

NAME:

MAILING ADDRESS:

Scott and Karen Tobin 142 Gandy Hill Rd
Bainbridge GA 39819

TIME SCHEDULE FOR DEVELOPMENT:

Jan 1st 2023

DEPARTMENT USE ONLY

SUBMITTAL DATE: 11/4/22

DATE CERTIFIED COMPLETE: 11/4/22

Department Representative Signature: 

ZONING CHANGE APPLICATION

TABLE 14.2.3 - ANALYSIS REQUIREMENTS

1. Existing zoning of property contiguous with or located within 100 feet of subject property:

~~R3 - Residential~~ - Office prof

2. Does the proposed zoning change 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: _____

3. Will the proposed zone change result in a use which could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools? Yes No

Explain: _____

4. Is the proposed zoning change in conformity with the policy and intent of the comprehensive plan* including use element? Yes No

5. 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

6. Length of time the property has been vacant or unused as currently zoned? 2 yr

7. Does the property to be affected by the proposed conditional use have a reasonable economic use as currently zoned? Yes No

8. Description of all efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district and/or overlay district classification: property was marketed as is for 6 months with no offers.

9. Does the proposed zoning change create a possible isolated zoning district unrelated to adjacent and nearby districts? Yes No

*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.bainbridgecit.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: _____



PUBLIC HEARING DATES

DATE OF PLANNING COMMISSION MEETING: 12/13/22 @ 6:00 p.m.

DATE OF CITY COUNCIL MEETING: 12/20/22 @ 6:30 p.m.

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

**TABLE 14.2.1
APPLICATION REQUIREMENTS**

Application Requirement	Amendment to Official Zoning Map
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**

Site Plan Requirement	Amendment to Official Zoning Map
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**

Criteria Required to be Analyzed by Applicant and Review Bodies	Application to Amend the Official Zoning Map
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.

SFL

B0270010

219

B0270009

203

B0270008

201

Bainbridge

B0270009



TOBIN SCOTT & KAREN A.
203 SHOTWELL ST
0.30 Acres Value \$120,000

View: [Report](#)

S MCNAIR ST

B0270011

319

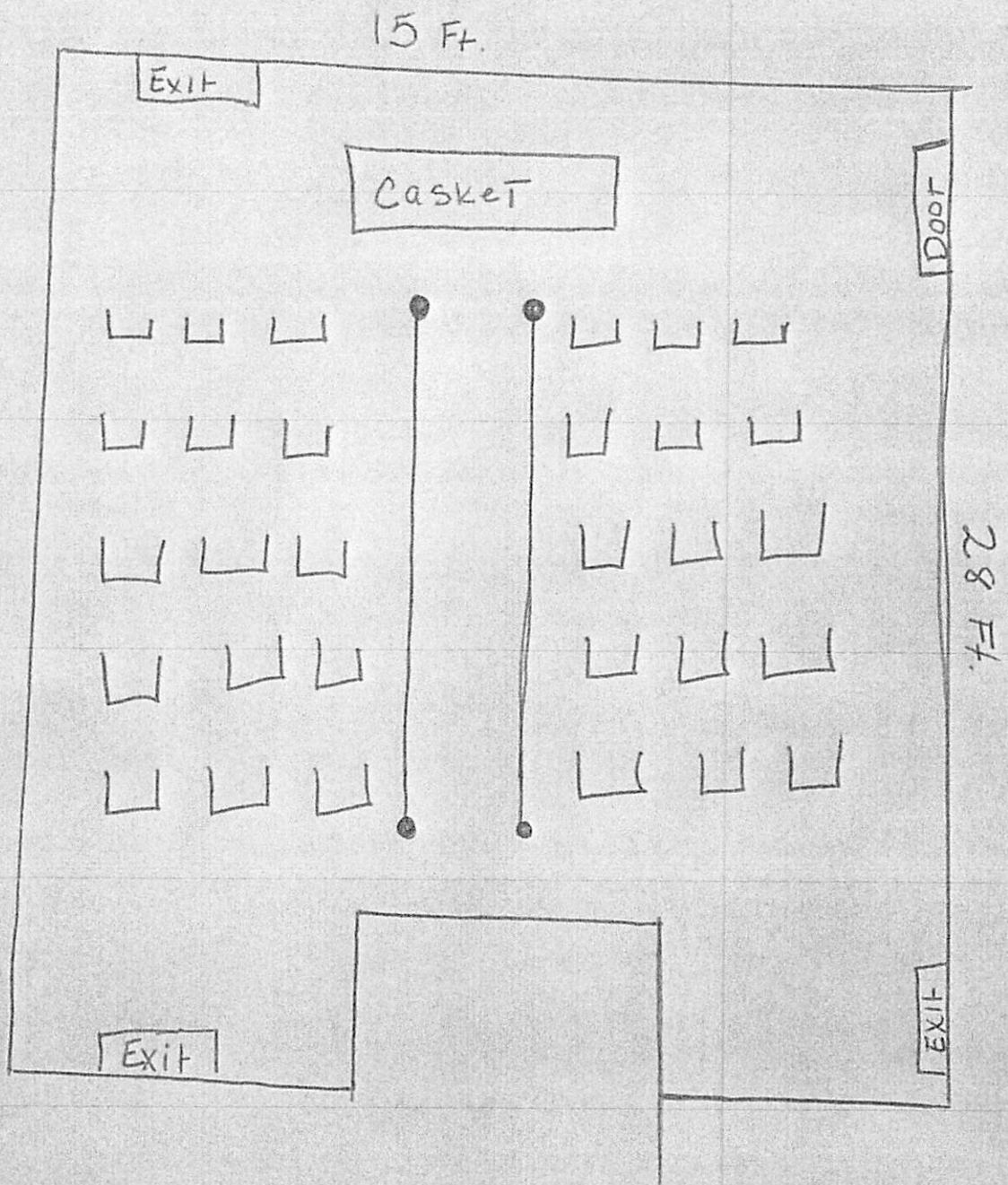
B0270013

204

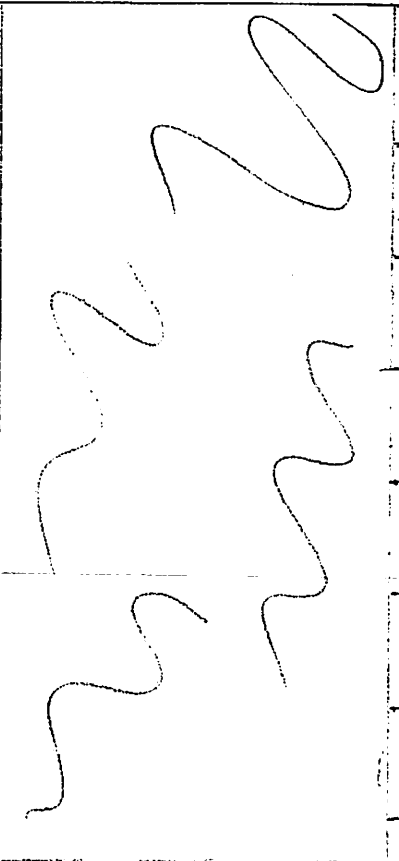
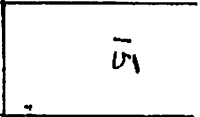
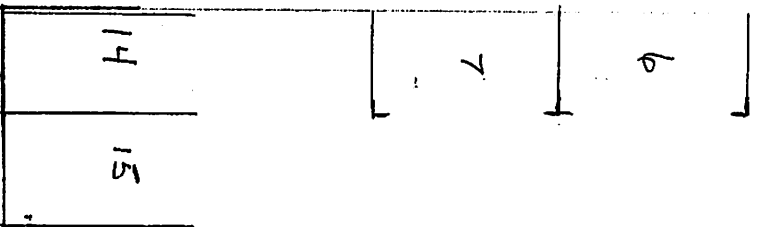
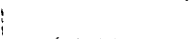
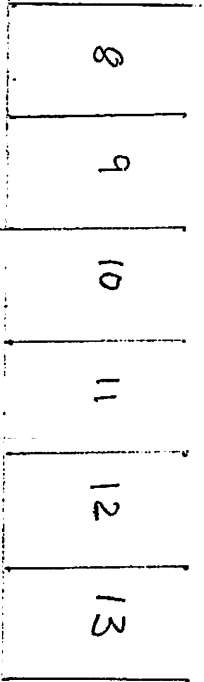
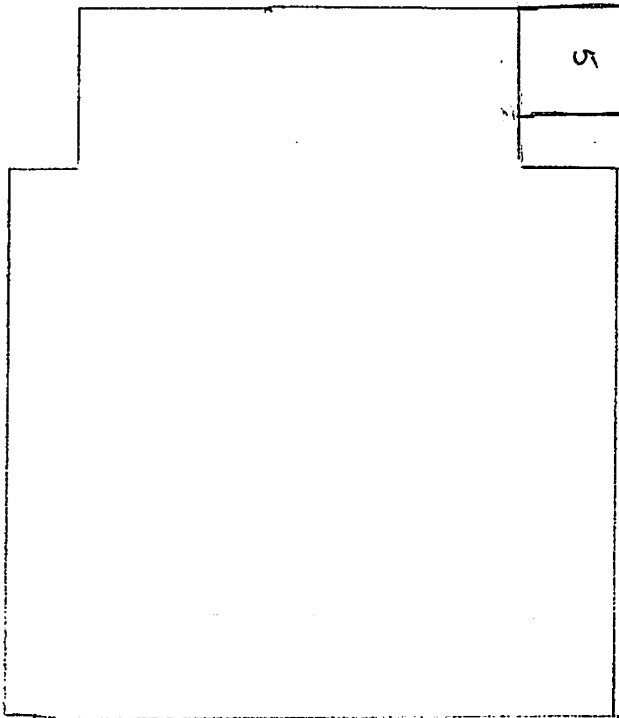
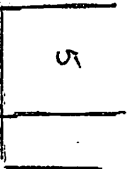
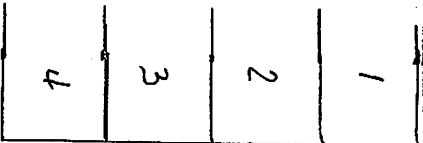
B0270014

316

203 Shotwell



203 Shotwell



Staff Analysis

DATE: December 2, 2022

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

FROM: Steve O'Neil, Community & Economic Development Director

SUBJECT: ZONE-2022-003

ITEM 1: 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.

CURRENT ZONING: Office-Professional (O-P)

REQUESTED ZONING: Highway Commercial (HC)

FUTURE LAND USE DESIGNATION: Office-Professional

ANALYSIS:

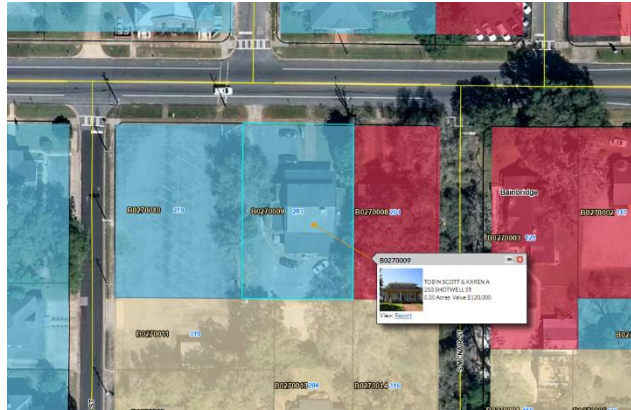


Figure 1. Approximate Parcel boundaries

1. Existing Uses and Zoning of subject

property: Vacant Residential, former retail
Zoned Office-Professional

2. Existing zoning of nearby property: The property is surrounded by Public-Institutional, Highway Commercial, Office-Professional and UR-6

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): The proposal for a funeral home is consistent with the use of adjacent properties.

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: The proposed development should not present any burden on existing streets, transportation facilities, utilities, schools, etc. if developed as proposed.

5. Whether the proposal is in conformity with the policy and intent of the comprehensive plan including land use element: The proposal is in conformity with the policy and intent of the comprehensive plan and land use element.

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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: None noted.

7. Length of time the property has been vacant or unused as currently zoned: Two years.

8. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned: The property has reasonable economic return as currently zoned.

9. Description of all efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district and/or overlay district classification: Property was marketed as is for six months with no offers

10. The possible creation of an isolated zoning district unrelated to adjacent and nearby districts: No.

RECOMMENDATION: Historically, parking has been the issue with funeral home proposals. The state minimum requirements for a “chapel” or viewing area is 30 seats. The applicant’s layout shows 30 seats. The parking requirements for funeral homes according to the zoning ordinance is 1 parking space per four seats in the largest chapel. The funeral home has presented a site layout showing 15 onsite parking spaces and meets the requirements set forth by the ordinance for parking. The funeral home is also (at the time of writing this) in negotiations with the Methodist church to utilize parking in the adjoining parking lot to the West.

Staff have concerns about rezoning this property to Highway Commercial without placing a condition on the property that if the funeral home ceases operation the property immediately reverts back to Office-Professional. Admittedly, the likelihood of the property being converted to a use that is allowed in the Highway Commercial that is undesirable in this location is small but feel that it is important to protect character of the site. With that being said, staff recommend approval of the applicants request with a condition that if the funeral ceases operations at this location the zoning of the property will automatically revert to Office-Professional.