

**898 E. Solomon Street**  
**REZONING REQUEST**  
(Project No. 15-REZ-03)

**Applicant:** Triple 9 Grocery LLC, Gaulani Saleem  
**Owner:** Triple 9 Grocery LLC



|  |                                      |
|--|--------------------------------------|
| <b>Current Land Use Classification</b> | Residential                          |
| <b>Current Zoning</b>                  | Medium Density Residential           |
| <b>Proposed Zoning</b>                 | Neighborhood Business District (NBD) |
| <b>Future Land Use Designation</b>     | Commercial                           |
| <b>Proposed Use</b>                    | Commercial                           |
| <b>Parcel Size</b>                     | 0.18 +/- total acres                 |
| <b>Map, Block &amp; Lot Number</b>     | 019 12012                            |
| <b>Planning &amp; Zoning Board</b>     | December 14, 2015 Public Hearing     |
| <b>City Commission</b>                 | January 12, 2016 Public Hearing      |
| <b>City Commission Member</b>          | Cora Flowers, District 2             |
| <b>Planning Board Member</b>           | Roger Miller, District 2             |

### **Proposal/Site Location:**

The applicant, Triple 9 Grocery LLC, is seeking to rezone the property located at 898 E. Solomon Street consisting of 0.18 +/- acres from Medium Density Residential (MDR) to Neighborhood Business District (NBD) to operate a carwash.



### **Zoning Ordinance Sections applicable to this Application:**

The following sections of the City of Griffin Zoning Ordinance apply to the rezoning request:

- Article 4. Section 405 - Standards for review for zoning amendments (Rezoning)
- Article 4. Section 408 - Public Hearings
- Article 7. Section 708 – Medium Density Residential (MDR)
- Article 7. Section 711 – Neighborhood Business District (NBD)

The following sections of the City of Griffin 2014 - 2034 Comprehensive Plan Update apply to this request:

| Section                              | Consistency | Reason   |
|--------------------------------------|-------------|--|
| Housing                              | N/A         | N/A  |
| Citizen Notification & Participation | Yes         | Legal Notice ran in the November 27, 2015 edition of the <i>Griffin Daily News</i> for Planning & Zoning Meeting and on December 18, 2015 for City Board of Commissioners Public Hearing. A sign was placed on the proposed property, illustrating the purpose, date and time of both meetings on November 23, 2015. |
| Economic Development                 | No          | Provide commercial services.   |
| Natural & Historic Development       | N/A         | To staff's knowledge, the property has no historical significance.   |
| Community Facilities                 | Yes         | Water & sanitary sewer are accessible; electricity served by City of Griffin.  |
| Land Use                             | No          | Proposed rezoning is consistent with the Comprehensive Plan Future Land Use Map which designates this area and the subject parcel as Commercial.   |

## **Application Review**

**“Article 3. Section 307. Rezoning. All amendments (rezoning) to the Zoning Ordinance shall be evaluated in accordance with the following standards used to interpret the balance between an individual's right to the use of their property and the public health, safety or general welfare of the community. In applying these standards, expression of opinions unsupported by objective factual analysis, using the criteria set forth below, should not be considered by the Board of Commissioners.”**

### **a. Existing uses and zoning of adjacent property.**

| Direction | Zoning | Existing Uses       |
|-----------|--------|---------------------|
| North     | PID    | Industrial          |
| South     | MDR    | Commercial Building |
| East      | PCD    | Convenience Store   |
| West      | PID    | Newton Crouch       |

The properties to the north and west are zoned Planned Industrial Development (PID) and developed as Industrial type uses. The property directly east of the subject property, across the railroad tracks, is zoned Planned Commercial Development (PCD) and is operated as a convenience store and the property to the south is zoned Medium Density Residential (MDR) and is constructed as a commercial building.

- b. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned, although such use may not be its highest and best potential use.**

The property to be affected by the zoning proposal does not have a reasonable economic use as currently zoned. The parcel is constructed as a commercial building and has been vacant for the past four (4) years; therefore, losing its grandfathered status as a commercial use. The property would not conform to the MDR Zoning district in which it is currently zoned. The parcel is surrounded on all sides by commercial uses. Water, sewer and electricity service is available for the subject property. (*Electricity is provided by Griffin Power*)

- c. **Whether the zoning proposed will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The zoning proposed will permit a use that is suitable in view of the use and development of adjacent and nearby properties. All of the surrounding properties are currently being utilized as commercial uses.

- d. **The relative gain to the public as compared to the hardship imposed upon the individual property owner (applicant) by maintaining the existing zoning.**

The relative gain to the public, if this property is maintained as MDR, is minimal. The property owner cannot utilize the current structure under the MDR zoning District. The structure was originally constructed as a commercial building and has never been utilized as a residential property.

- e. **The suitability of the subject property for the purposes for which the applicant seeks to have it rezoned, including availability of existing infrastructure.**

The proposed rezoning is consistent with the City of Griffin Comprehensive Plan, which identifies the property as Commercial. The structure was originally constructed as a commercial building and has an existing automobile bay. The applicant has been notified that he will need to contact the City of Griffin Water and Wastewater Department in order to comply with the regulations to utilize the site as a carwash.

- f. **The compatibility of the applicant's proposed use of the property, if rezoned, with surrounding properties and uses (the applicant should address measures to reduce negative impacts of the proposed use, including any conditions attached to a recommendation for rezoning by the Zoning Administrator and/or Planning and Zoning Board).**

The applicant's rezoning request from MDR to NBD is compatible with surrounding properties and uses. The applicant plans to use this parcel as a carwash. The

structure was constructed with an automobile bay for cars to provide some type of service or detail. A potential negative could be the ingress and egress into this property. It is located at the intersection of E. Solomon St., Searcy Ave., and Spalding St.

- g. **Any environmental, historic, cultural or aesthetic concerns unique to the subject property or proposed use, and how applicant proposes to mitigate any negative impacts on surrounding properties and the community at large.**

Planning and Development Staff is not aware of any historic or cultural concerns unique to the subject property.

- h. **Whether there has been a change in conditions of the subject property or properties in the vicinity of the subject, which give supporting grounds for either approval or disapproval of the zoning proposal.**

There have not been any changes in conditions of the subject property or others in its vicinity.

- i. **If applicable, the length of time the subject property has been vacant or substandard as zoned, when considered in the context of land development in the vicinity of the property.**

According to the applicant, the property has been vacant for four (4) years. This has caused the property to lose its legal non-conforming status and cannot not be used as currently zoned.

### **Staff Comments:**

Planning Staff has evaluated the proposed rezoning request submitted by Triple 9 Grocery LLC, for the property located at 898 E. Solomon Street for its compatibility with the Future Land Use Map (FLUM) of the Comprehensive Plan and the zoning district being requested. The applicant's request is compatible with the FLUM, which has identified this parcel for Commercial land use. The applicant's rezoning request to NBD, if approved by the Board of Commissioners, will permit the property to be used for a carwash.

The applicant has been notified to contact the City of Griffin Water and Wastewater Department to make sure that all requirements are met to operate a carwash at this location.

### **Planning and Development Staff Recommendation:**

Planning staff recommends **APPROVAL** of the request (15-REZ-03) to rezone 0.18+/- acres of land located at 898 E. Solomon Street from MDR to NBD submitted by Triple 9 Grocery LLC.

### **Planning & Zoning Board Recommendation:**

The Planning & Zoning Board recommended approval of the request (15-REZ-03) to rezone .018 +/- acres of land located at 898 E. Solomon Street from MDR to NBD at their meeting held on Monday, December 14, 2015.

### **Submitted by:**

Jennifer G. Freeman, *Associate Planner*  
Planning and Development Services