



**METROPOLITAN PLANNING COMMISSION**

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

**DATE:** JANUARY 8, 2019  
**TO:** THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH  
**FROM:** METROPOLITAN PLANNING COMMISSION  
**SUBJECT:** MPC RECOMMENDATION

**PETITION REFERENCED:**

**Text and Map Amendments to the City of Savannah Zoning Ordinance**

**Re: Amendment to Create Cohen's Retreat Planned Unit  
Development**

**HTIMS, LLC, Petitioner**

**Joshua Yellin (Hunter MacLean), Agent**

**5715 Skidaway Road**

**PIN: 2-0141 -05-005**

**File No. 18-005942-ZA**

**MPC ACTION:**

Recommend **approval** of the Cohen's Retreat PUD District text and **approval** to rezone the property at 5715 Skidaway Road to the Cohen's Retreat PUD District with the conditions that: 1) a site plan shall be submitted for MPC staff approval that denotes adequate parking for the approved uses on site; and 2) references to the "take-away" use shall be removed from the PUD text and Master Plan.

**MPC STAFF RECOMMENDATION:**

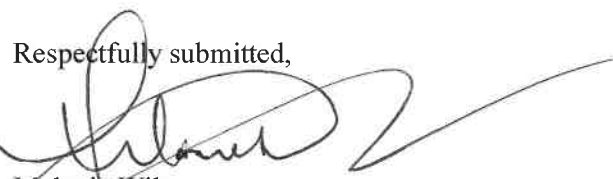
**Approval** of the proposed PUD Ordinance and rezoning of 5715 Skidaway Rd. to Cohen's Retreat PUD with the conditions that: 1) the petitioner shall provide documentation to ensure that adequate on-site parking currently exists to accommodate 200 banquet hall/art studio guests (in combination with other uses); and 2) Provide additional information (i.e. operating plan) for the proposed "take-away" use.

**MEMBERS PRESENT:** 10 + Chairman

Joseph Ervin, Chairman  
Thomas Branch  
Travis Coles  
Ellis Cook  
Karen Jarrett  
Lacy Manigault  
Tanya Milton  
Wayne Noha  
Eula Parker  
Linder Suthers  
Tom Woiwode

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation (11-0)

<b>APPROVAL</b> Votes: 11	<b>DENIAL</b> Votes: 0	<b>ABSENT</b>
Ervin Branch Cook Coles Jarrett Manigault Milton Noha Parker Suthers Woiwode		Hernandez Smith Welch

Respectfully submitted,  
  
Melanie Wilson  
Executive Director

/jh  
Enclosure

cc Luciana Spracher, Interim Clerk of Council  
Brooks Stillwell, City Attorney  
Lester B. Johnson, Assistant City Attorney  
Jennifer Herman, Assistant City Attorney  
Beth Barnes, Department of Inspections



## Chatham County - Savannah Metropolitan Planning Commission

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### January 8, 2019 Regular MPC Meeting

#### Title

REZONING MAP AND TEXT AMENDMENT | 5715 Skidaway Road | Cohen's Retreat PUD | 18-005942-ZA

#### Description

A request to establish a new Planned Unit Development (PUD) zoning district, Cohen's Retreat PUD, and rezone the property at 5715 Skidaway Rd. from PUD-IS to Cohen's Retreat PUD.

#### Recommendation

Staff recommends that action on the proposed PUD Ordinance and rezoning be **approved subject to the following conditions:**

1. Provide documentation to ensure that adequate on-site parking currently exists on-site to accommodate 200 banquet hall/art studio guests (in combination with the other uses).
2. Provide additional information (i.e. operating plan) for the proposed "take-away" use.

#### Contact

#### Financial Impact

#### Review Comments

#### Attachments

- ☞ [Staff Report-18-005942-ZA- Cohens Retreat PUD.pdf](#)
- ☞ [EXHIBIT A - Existing Use Conditions.pdf](#)
- ☞ [EXHIBIT B- Cohen's Retreat PUD Text.pdf](#)
- ☞ [EXHIBIT C - Master Plan.pdf](#)
- ☞ [EXHIBIT D- Sign Plan.pdf](#)
- ☞ [Maps 5942.pdf](#)



## **METROPOLITAN PLANNING COMMISSION**

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

**TO:** The Mayor and Aldermen of the City of Savannah

**FROM:** The Metropolitan Planning Commission

**DATE:** January 8<sup>th</sup>, 2019

**SUBJECT:** Text and Map Amendments to the City of Savannah Zoning Ordinance  
Re: Amendment to Create Cohen's Retreat Planned Unit  
Development  
HTIMS, LLC, Petitioner  
Joshua Yellin (Hunter MacLean), Agent  
5715 Skidaway Road  
PIN: 2-0141 -05-005  
File No. 18-005942-ZA

### **ISSUE:**

A request to establish a new Planned Unit Development (PUD) zoning district, Cohen's Retreat PUD, and rezone the property at 5715 Skidaway Rd. from PUD-IS to Cohen's Retreat PUD.

### **BACKGROUND:**

Cohen's Retreat is located at 5715 Skidaway Road, bounded by Skidaway Road to the east, Bacon Park Drive to the north, and Bona Bella Ave. to the south. The property consists of 4.99 acres of land and contains a former personal care home for the elderly known as Cohen's Retreat, constructed in 1933 as a retirement home for men. The main building currently operates as a restaurant, art gallery, and inn. Eight duplex units are located behind the building and are used as long and short-term rental units.

The subject site is currently zoned PUD-IS (Planned Unit Development – Institutional). Within the PUD-IS district, any use not permitted by right may be approved as a special use by the Mayor and Aldermen. To date, the Mayor and Aldermen have approved the following uses at the subject site:

- Specialty Restaurant
- Banquet Hall
- Catering Business

- General Office Space
- Art Studio/Gallery
- Inn/Long-Term Rentals

Over the years, the Mayor and Aldermen have approved these uses with a number of use conditions. These conditions are attached to this report (**Exhibit A**).

The intent of the proposed PUD district is to consolidate the approved conditions for the various commercial, civic and residential uses already on the site into a comprehensive regulating document; to provide for a list of permitted uses; to establish clear procedural standards for development plans; and to set general development standards for proposed site modifications. At staff's recommendation, the Cohen's Retreat PUD is proposed as its own article of the Zoning Ordinance. See **Exhibit B** for the proposed PUD text.

In addition to the creation of the PUD, the property is proposed to be rezoned from its existing PUD-IS designation to the Cohen's Retreat PUD designation.

### **FINDINGS:**

1. **Public Notice:** As required by the City of Savannah Zoning Ordinance, all property owners within 300 feet of the subject property were sent notices of the proposed rezoning and signs were posted on the site.
2. Over the years, special uses and special use conditions have been placed on the Cohen's Retreat property in a piecemeal fashion. City Council approved special uses and use conditions on January 22, 2004; September 5<sup>th</sup>, 2013; December 10<sup>th</sup>, 2015; and November 5<sup>th</sup>, 2018. The proposed PUD intends to consolidate these various uses and use conditions into a single section of the Zoning Ordinance.
3. While most of the permitted uses and use conditions contained within the proposed Cohen's Retreat PUD are consistent with those previously approved by City Council, we note several discrepancies. The PUD text, as proposed, would permit the following uses and use conditions not previously considered/approved by Council:

a. *Ancillary bakery take-away service (not previously approved);*

**MPC Comment:** The submitted attachment titled "Master Plan" (**Exhibit C**) denotes the location of a menu-board and a parking zone for take-away customers. Note that this differs from a traditional drive-thru use and is not intended to be of the same intensity. Additional information for the operation of the "take-away" use has not been provided.

b. *Assembly halls, limited to a maximum of 200 guests (previously approved with a maximum seating capacity of 15);*

**MPC Comment:** The existing use conditions on record for the banquet hall

sets a maximum seating capacity of 15 seats. The new PUD proposes 200 guests/seats. While this is a significant increase from what was previously approved, the petitioners claim that the 15-seat requirement was produced in error. The petitioner should ensure the MPC that adequate on-site parking currently exists on-site to accommodate 200 guests (in combination with the other uses). Documentation should be provided regarding on-site parking counts.

- c. *Artist studios/galleries, limited to a maximum of 200 guests (previously approved with a maximum capacity of 35 guests and 2 teachers);*

**MPC Comment:** At the request of MPC staff, the proposed text states that the assembly hall and artists studio/gallery shall be limited to a **combined** maximum occupancy of 200 guests; that is to say, the banquet hall and art studios may not hold separate simultaneous events each with 200 guests.

- d. *Temporary uses/outdoor events (not previously approved).*

**MPC Comment:** The proposed PUD text permits temporary outdoor events (such as recreational activities, food trucks, and seasonal sales of plants and products) up to 8 times per year. At the request of MPC staff, the proposed text clarifies that temporary event permits will need to be obtained from the City of Savannah for each individual event.

4. **Signage.** As proposed, the PUD permits one freestanding principal use sign, up to 72 sq. ft. in area, to be mounted to the existing iron fence located on-site. The approved use conditions permit a freestanding principal use sign, limited to a monument-style sign, with a maximum area of 36 square feet. Other signage on-site is currently subject to the sign standards of the I-P district, which permits a maximum sign area of 48 sq. ft.

The proposed PUD text requires MPC staff to approve a sign plan for the principal use sign. At the request of MPC staff, the proposed text states that the sign, “*shall be structurally and visually integrated into the existing fence.*” The petitioner has submitted a concept sign plan (**Exhibit D**) denoting a 60 sq. ft. LED-illuminated sign structurally attached to the wrought-iron fence. The Master Plan denotes the proposed location of the sign, adjacent to Skidaway Road.

5. **Additional General Development Standards.** Proposed development standards (including screening, setbacks, lighting, and parking) are consistent with existing standards set by the PUD-IS section of the Zoning Ordinance and previous special use conditions.
6. **Procedural Standards.** Per the proposed text, development plans that meet all Ordinance standards or exceed measurable development standards by 10% or less (similar to a 10% waiver) are classified as minor modifications and may be approved by the MPC Board. Major modifications which exceed development standards by greater than 10% require action from both the MPC and Mayor/Aldermen and are treated similar to that of a text amendment.

7. The proposed PUD ordinance states that for any specific standards not identified within the PUD, the standards of other applicable sections of the Zoning Ordinance will apply. Furthermore, the PUD standard will apply if there is any conflict with another section of the Zoning Ordinance.
8. **Master Plan.** A Master Plan has been submitted in accordance with Section 8-3031(c).

**ALTERNATIVES:**

1. Recommend approval of the PUD text, as provided, and recommend approval to rezone 5715 Skidaway Rd. to Cohen's Retreat PUD.
2. Recommend approval of an amended PUD text and recommend approval to rezone 5715 Skidaway Rd. to Cohen's Retreat PUD.
3. Recommend denial of the request.

**POLICY ANALYSIS AND RECOMMENDATION:**

The proposed PUD text and subsequent rezoning of the parcel at 5715 Skidaway Road would consolidate the approved conditions for the various commercial, civic and residential uses already located at Cohen's Retreat into a comprehensive article of the Zoning Ordinance.

As such, the MPC recommends that action on the proposed PUD Ordinance and rezoning be **approved subject to the following conditions:**

1. A site plan shall be submitted for MPC staff approval that denotes adequate parking for the approved uses on site; and
2. References to the "take-away" use shall be removed from the PUD text and Master Plan.