

AN ORDINANCE  
To Be Entitled

AN ORDINANCE TO AMEND PART 8, CHAPTER 3, ZONING  
PERTAINING TO THE CREATION OF A PLANNED UNIT  
DEVELOPMENT ORDINANCE FOR COHEN'S RETREAT; TO  
REPEAL ALL OTHER ORDINANCES IN CONFLICT  
HEREWITH AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Part 8, Chapter 3, Zoning of the Code of the City of Savannah, Georgia (2003) hereinafter referenced as "Code," be amended as follows:

ENACT

**Article RT. Cohen's Retreat Planned Unit Development.**

**Sec. 8-XXXX. Established.**

The Cohen's Retreat Planned Unit Development ("PUD") is hereby established to master plan and to provide comprehensive standards for commercial, civic, residential and mixed-use purposes located at 5715 Skidaway Road (PIN 2-0141-05-005) ("Property"). The PUD will provide standards in order to maintain predictable uses and to preserve environmental, historic, and cultural resources located on the Property, while allowing for creative design and flexibility.

**Sec. 8-XXXX. Control.**

The Property owner, HTIMS, LLC, ("HTIMS") shall be the master developer for the PUD. HTIMS, or any subsequent owner, may transfer or assign the role of master developer to another entity. Should HTIMS or any subsequent master developer transfer or assign its role as master developer to another entity, then such party shall provide the City of Savannah and the Metropolitan Planning Commission with notice of such transfer or assignment, and evidence of such transfer shall be recorded in the land records for Chatham County, Georgia.

[The Master Plan refers to Exhibit A "Cohen's Retreat Master Plan" dated July 30, 2018 and revised February 8, 2019.](#)

**Sec 8-XXXX. General Provisions.**

***(a) Conflicts.***

In the case of any conflict between a specific regulation set forth in this Section and any regulation set forth elsewhere in this Chapter or this Code, the regulation in this Section shall apply unless expressly prohibited.

***(b) References.***

All references to Code Sections in this PUD refer to the City of Savannah Zoning Ordinance in existence as of the effective date of this Section. Amendments to the City of Savannah Zoning Ordinance referenced herein shall not amend this ordinance unless specifically so amended.

**(c) *Measurements.***

All measurements shall follow the standards required by this Chapter.

(1) This PUD repeals and replaces the conditions that were approved under Z-031029-51725-2 on January 22, 2004; 13-003286-ZA on September 5, 2013; 15-005142-ZA on December 10, 2015; 18-001339-ZA on May 10, 2018; and 18-004741-ZA on November 20, 2018.

**Sec. 8-XXXX. Development Plan / Master Plan; Requests for Modification.**

**(a) *Development Plan / Master Plan.***

Because the general development standards for the PUD are contained in the approved development plan / master plan, as shown below, all development shall conform with the general development standards shown on the site development plan / master plan or as specified in this Article.

**(b) *Requests for Modification to the Development Plan / Master Plan.***

Modifications requested to the development plan / master plan shall be classified as either a major or minor modification.

- (i) ***Major Modification.*** Major modifications to the development plan / master plan shall require approval of the Mayor and Aldermen. Notification of such modification shall follow the notification procedure in Article M of the Zoning Ordinance. The Metropolitan Planning Commission (MPC) shall make a recommendation to the Mayor and Aldermen. Major modifications shall include any proposed modification that does not qualify as a minor modification.
- (ii) ***Minor Modification.*** Minor modifications to the development plan / master plan shall require review and approval by the Metropolitan Planning Commission. In the event that a minor modification is denied by the Metropolitan Planning Commission, the matter may be appealed to the Mayor and Aldermen.

Minor modifications are limited to the following: Any general development standard that is specific to this PUD where the minimum requirement, if any, is met or is proposed to be reduced by less than ten percent (10%), or where the maximum requirement, if any, is proposed to be exceeded by less than ten percent (10%).

**Sec. 8-XXXX. Administration and Enforcement.**

Administration and enforcement of this Section by the City of Savannah shall follow the process described in Article G (Administration and Enforcement) of this Zoning Ordinance.

**Sec. 8-XXXX. Permitted and Prohibited Uses.**

**(a) Permitted Uses and Use Conditions.**

The uses that are permitted within the PUD are listed below. Any use not specifically listed is expressly prohibited unless the City Manager or his/her designee~~Metropolitan Planning Commission staff~~ determines that the use is similar to a permitted use. Permitted uses listed below may include use conditions that were previously placed by the Planning Commission and/or Mayor and Aldermen, and may be amended by the Mayor and Aldermen~~Uses may include use conditions placed by the MPC and/or City Council.~~

**(i) Restaurant (with or without alcohol sales)**

- a. Hours of operation shall be limited to 7:00am until 11:00pm.
- b. Commercial deliveries shall be limited to 8:00am to 6:00pm, Monday through Friday. Delivery Trucks shall only access the facility through Bacon Park Drive.

**(ii) Assembly Hall**

- a. The Assembly Hall ~~and~~ Artists Studio, and/or Gallery uses shall be limited to a combined maximum occupancy of 200 guests.
- b. Hours of operation shall be limited to 8:00am until 11:00pm.
- c. Staff and vendors may ~~remain-be on-site~~ onsite before 8:00am and remain onsite after 11:00pm for set-up and break-down of events.

**(iii) Catering Services**

- a. Hours of operation shall be limited to 8:00am until 11:00pm.
- b. Commercial deliveries shall be limited to 8:00 am to 6:00 pm, Monday through Friday. Delivery Trucks shall only access the facility through Bacon Park Drive.

~~a.c.~~

**(iv) Office**

**(v) Artist Studio and/or Gallery**

- a. The Assembly Hall ~~and~~ Artists Studio, and/or Gallery uses shall be limited to a combined maximum occupancy of 200 guests.
- b. Hours of operation shall be limited to 8:00am until 11:00pm.

**(vi) Cultural Facilities**

- a. Illuminated cultural facilities shall be permitted, currently limited to:
  - i. Twenty foot by thirty-foot (20' x 30') pavilion housing a portion of the Blarney Castle.

**(vii) Residential and Lodging**

- a. Limited to eight (8) duplexes with a total of sixteen (16) units. Each unit may contain no more than one (1) bedroom.
- b. Up to Twelve-twelve (12) units may be used for transient guests (short-term rentals)
- c. One (1) unit shall be utilized as a caretaker's quarters for an on-site manager.
- d. Up to Four-four (4) units may be used as live-work units and offices ~~or for~~

~~non-transient guests (long term rentals) and/or by transient guests (short term rentals).~~

~~d.e. "The Clubhouse" (Unit 17), formerly a residential duplex structure, may be used by the residents and/or guests for recreational and other purposes.~~

(viii) **Ancillary Storage**

a. Two storage units shall be permitted along the western edge of the Property.

**(ix) Temporary Uses**

a. The following events shall be permitted on a temporary basis and shall not require additional approval from the City of Savannah:

i. Recreational activities;

ii. Religious services; and

iii. The sale of seasonal plants and produce.

b. Mobile food service unit (food truck):

i. Shall follow the regulations set forth in Part 6, Chapter 1, Article HH – Mobile Food Service of the Savannah Code of Ordinances.

c. The hours of operation, including setup and breakdown, shall be limited to the hours of 7:00 am until 11:00 pm.

**(x) Outdoor Events**

a. Outdoor Events, including, but not limited, to craft fairs and artists markets shall be permitted provided that HTIMS, or its designee, obtains temporary use approval from the City of Savannah.

b. No more than eight (8) Outdoor Events per year shall be permitted.

c. The hours of operation, including setup and breakdown, shall be limited to the hours of 7:00 am until 11:00 pm.

Guests of the uses located on the Property may utilize facilities associated with the assembly hall, artist studio and/or gallery, restaurant, and lodging facilities.

***(b) Prohibited Uses and Activities; ~~Use Conditions.~~***

The following uses and activities are not permitted:

a. The sale of firearms and adult-oriented material;

b. Adult-oriented entertainment;

c. Package stores.

Any use or activity not specifically identified as a permitted use in subsection (1) shall be deemed to be a prohibited use, unless the City Manager or his/her designee determines that a proposed use is similar to a permitted use in the PUD.

~~The following uses and activities are not permitted: (i) the sale of firearms and adult oriented material; (ii) adult oriented entertainment; (iii) package stores. Any use or activity not specifically identified as a permitted use in subsection (g) shall be deemed to be a prohibited use, unless the Metropolitan Planning Commission staff determines that a proposed use is similar to a permitted use in the PUD.~~

~~(c) Temporary Uses; Outdoor Events.~~

- ~~(i) The following events shall be permitted on a temporary basis and shall not require approval pursuant to Section 8-3025(a): recreational activities;; food trucks; religious services; and the sale of seasonal plants and produce. Guests attending a temporary use may utilize facilities associated with the banquet hall, artist studio and/or gallery, restaurant, and lodging facilities. The hours of operation, including set up and break down, shall be limited to the hours of 7:00am until 11:00pm.~~
- ~~(ii) Outdoor events, including, but not limited to craft fairs and artists markets, not to exceed eight (8) events per year shall be permitted on a temporary basis provided that HTIMS, or its designee, obtains approval pursuant to Section 8-3025(a). Guests attending a temporary use may utilize facilities associated with the banquet hall, artist studio and/or gallery, restaurant, and lodging facilities. The hours of operation, including set up and break down, shall be limited to the hours of 7:00am until 11:00pm.~~

**Sec. 8-XXXX. General Development Standards.**

The following general development standards are specific to the PUD and are in addition to the standards provided in this Chapter. The PUD shall not be a part of a historic district as defined in the Georgia Constitution, Article XI, or be bound by any developmental or design standards with respect to a historic district. Where there are two standards for the same general development standard, the standards in this Section shall apply. The construction of new habitable structures shall not permitted without the approval of Metropolitan Planning Commission staff or the Metropolitan Planning Commission.

*(a) Screening, Buffers, and Setbacks.*

- a.** Principal structures shall maintain a thirty (30) foot setback from the Skidaway Road, Bacon Park Drive, and Bona Bella Avenue rights-of-way lines and a twenty-five (25) foot setback from all other property lines.
- b.** Storage units and accessory structures shall maintain a five (5) foot buffer from the property line.
- c.** Refuse storage areas shall be located within a building or shall be fully screened from adjacent properties.
- d.** HTIMS shall maintain a vegetative buffer along the western property line. This buffer may be pruned and trimmed no more than two (2) times per year. In the event the buffer is removed, HTIMS shall replace the buffer with similar vegetation or a six (6) foot tall wood, opaque privacy fence.

(b) **Lighting**

Outdoor lighting fixtures shall be fully shielded so as not to create a direct view of lighting from adjacent properties.

(c) **Signage**

- (i) A freestanding principal use sign shall be permitted and limited to one sign, mounted to the existing iron fence located on-site, with a maximum sign area of seventy-two (72) square feet. The sign shall be structurally and visually integrated into the existing fence. Metropolitan Planning Commission staff shall review and approve of a sign plan denoting sign location, design, and materials.
- (ii) Directory signage shall be permitted, subject to approval by Metropolitan Planning Commission staff.

(d) **Parking.**

a. Required Number of Off-Street Parking Spaces:

- i. Residential and Lodging: 1 space per unit
- ii. Assembly Hall, Artists Studio, and Gallery: 1 space per 4 occupants (Combined maximum occupancy of 200 guests)
- iii. Office: 1 space per 200 SF
- iv. Restaurant: 1 space per 4 seats

b. Surface Parking Materials:

- i. No new paved parking spaces shall be required unless HTIMS increases the square footage of any building located onsite or constructs new structures.
- ii. The existing 23 paved parking spaces that were approved under Site Development Permit #13-10522 and Plan #13-006358 shall be sufficient for the existing square footage of the buildings located onsite.
- iii. The remaining 174 parking spaces identified on the Master Plan shall be deemed overflow, which may utilize the field area and grass as the surface materials.

c. Any new principal structure or structural addition to a principal structure must comply with the parking requirements found in Article D of the Zoning Ordinance.

- ~~(i) No new parking shall be required unless HTIMS increases the square footage of any building located on-site or constructs new structures.~~
- ~~(ii) Any new principal structure or structural addition to a principal structure must comply with the parking requirements found in Article D of the Zoning Ordinance.~~

~~[MASTER PLAN TO BE LOCATED HERE (AFTER TEXT). EMAILED AS A SEPARATE PDF.]~~

SECTION 2: That the requirement of Section 8-3182(f)(2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the *Savannah Morning News*, on the \_\_\_\_ day of \_\_\_\_\_, 2019, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: Upon the effective date of the ordinance all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: \_\_\_\_\_, 2019

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL  
FILE NO.: 18-005942-ZA