



C H A T H A M C O U N T Y - S A V A N N A H

METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: December 20, 2022

TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

FROM: METROPOLITAN PLANNING COMMISSION

SUBJECT: MPC RECOMMENDATION

PETITION REFERENCED:

Proposed rezoning request of a parcel from an RSF-E (Residential-Single-Family-Estate) district to a B-M (Maritime Business) district at 12500 Apache Avenue to construct a restaurant and marina.

Re: Map Amendment

Applicant: Mayor and Aldermen

Agent: Bridget Lidy

File No. 21-004424-ZA

MPC ACTION:

Approval of the rezoning request to rezone 12500 Apache Avenue from RSF-E to B-M.

MPC STAFF RECOMMENDATION:

Approval of the rezoning request to rezone 12500 Apache Avenue from RSF-E to B-M.


MEMBERS PRESENT: 7 +Chairman

Dwayne Stephens, Chairman
Laureen Boles
Travis Coles
Elizabeth Epstein
Tom Woiwode
Wayne Noha
Jeff Notrica
Michael Kaigler

PLANNING COMMISSION VOTE: Approve Staff Recommendation (8-0)

APPROVAL Votes: 8	DENIAL Votes: 0	ABSENT
Boles Coles Epstein Noha Notrica Kaigler Stephens Woiwode		Coleman Ervin Jarrett Melder Watkins Welch

Respectfully submitted,



Melanie Wilson
Executive Director

MW/sh

Enclosure

cc Mark Massey, Clerk of Council
Lester B. Johnson, Assistant City Attorney
Jennifer Herman, Assistant City Attorney
Zarina Davis, Department of Inspections
Bridget Lidy, Department of Inspections



CHATHAM COUNTY-SAVANNAH
METROPOLITAN PLANNING COMMISSION
“Planning the Future, Respecting the Past”

STAFF REPORT

File No. 22-004424-ZA

Location: 12500 Apache Avenue

PIN: 20861 02001

Acreage: 2.08 acres

Prepared by Melissa Leto, Senior Planner



Figure 1 Location Map

Petitioner: Josh Yellin, HunterMaclean

Owner: Jeremy Huggins, 12500 Apache, LLC

Aldermanic District: 6 - Alderman Kurtis Purtee

County Commission District: 6 - Commissioner Aaron Whitely

Neighborhood/Subdivision: The Village/Rio/Armstrong

Current Zoning District: RSF-E (Residential Single-Family-Estate)

Future Land Use (FLU) Category: Commercial - Neighborhood

Request:

The petitioner, Josh Yellin as Agent for 12500 Apache LP, is requesting a rezoning of a parcel from an RSF-E (Residential-Single-Family-Estate) district to a B-M (Maritime Business) district at 12500 Apache Avenue to construct a restaurant and marina. The petitioner is also requesting a Special Use permit to allow for the proposed restaurant with on-site consumption of alcohol.

Location:

The subject property is located on Lot 1, in the sixth Municipal District. The municipal address is 12500 Apache Avenue.

Description:

The subject parcel is located off Apache Avenue. The parcel measures approximately 2.08 acres, or 90,604 square feet, in lot area and contains approximately 271-feet of frontage along Apache Avenue. The area, historically operated as a restaurant with a marina called, "Bells Landing". The restaurant and marina were destroyed due to a fire in February of 2006.

The property is currently zoned RSF-E (Residential Single-Family-Estate). Much of the subject site is vacant with a portion of the restaurant's foundation remaining. The subject parcel also includes a single-family residence to the west side of the parcel. The petitioner intends to demolish the single-family residence. Adjacent to the subject parcel are single-family residences. Across Apache Avenue from the subject site is the Bell's Landing Chatham County Park Services boat ramp and fishing dock, as well as the River Houses condominiums, a gated community. Apache Avenue is a dead-end street. There are several single-family residences and a gated condominium near the entrance of Apache Avenue named, "Hoover Creek Plantation".

The petitioner has conducted two neighborhood meetings. The first meeting was held on October 29, 2022, at the Bell's Landing Clubhouse. The meeting included both Alderman Purtee and Commissioner Whitely along with twenty-one residents that reside off Apache Avenue. The meeting concluded with the petitioner stating there would be a second meeting that would include showing a conceptual site plan, elevations, and a rendering. The second meeting was attended virtually on November 28, 2022. At the second meeting, there were six attendees as well as Alderman Purtee and Commissioner Whitely. The petitioner explained their conceptual plans and mentioned they will provide a neighborhood agreement to the Bell's Landing Condominium residents prior to the petition going to City Council.

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. Public notice was posted on site.

Facts and Findings:

Existing Zoning and Development Pattern: The existing zoning is RSF-E (Residential-Single-Family-Estate). The two adjacent parcels to the west are also zoned RSF-E and detached single-family residential uses. To the east and the south of the subject parcel is Hoover Creek and is zoned C-M (Conservation – Marsh). To the north of the property across from Apache Avenue the County's public boat ramp and dock are zoned C-P (Conservation – Park) and the River House condominiums are zoned RMF-1-4 (Residential Multi-Family-1-4).

The land uses and zoning districts surrounding the subject site include the following:

Location	Land Use	Existing Zoning
North	Public boat landing & River Houses, a multi-family subdivision	C-P & RMF-1-4
South	Conservation - Marsh	C-M
East	Conservation - Marsh	C-M
West	Residential-Single-Family	RSF-E

Impact and Suitability

1. **Transportation Network:** The site has frontage access onto Apache Avenue, which is classified as a local road. Apache Avenue connects to Fulton Road and Roger Warlick Drive. All three receive minimum traffic impact as most of the traffic comes from drivers commuting to their residences, driving behind the Armstrong campus of Georgia Southern University, and/or driving to Aldi, a grocery store. On a sunny Saturday and Sunday, there can be parking overflow along Apache Avenue due to the public boat ramp. There is a concern that the proposed restaurant with on-site alcohol consumption may expand their minimum parking requirements without a dedicated overflow for customer parking and that it may overflow onto Fulton Road. The petitioner currently has not dedicated space on the subject parcel for overflow parking.
2. **Public Services and Facilities:** The subject parcel has access to the City’s public water, sewer, and stormwater systems.
3. **Chatham Area Transit (CAT):** The property is currently not served by CAT. However, the closest bus stop is on Apache Avenue, approximately 280-feet from Abercorn Street. There is also a bus stop located on Abercorn Street, approximately 400-feet from the entrance to Apache Avenue.
4. **Comprehensive Plan Land Use Element:** The Chatham County-Savannah Comprehensive Plan Future Land Use Map (FLUM) designates the subject parcel as *Commercial - Neighborhood*. The proposed B-M zoning classification is for commercial marine facilities and limited commercial uses, which is compatible with the *Commercial - Neighborhood* future land use designation.

5. Existing RSF-E Zoning District:

- a. **Intent of the RSF-E District:** “The RSF-E district is established to permit large lot single-family residential development of at least one (1) acre. A limited number of nonresidential uses are allowed that are compatible with the low-density estate character of the district.”
- b. **Allowed Uses:** The RSF-E district has predominantly agricultural and residential uses. A list of the permitted uses allowed within the A-1 district is attached (**Refer to Table 2**).
- c. **Development Standards:** The development standards for the RSF-E district appear in the attached table (**Refer to Table 1**) of this report.

6. Proposed B-M Zoning District:

- a. **Intent of the B-M District:** “The B-M district is established to provide for commercial marine facilities and limited commercial uses customarily associated with such facilities.”
- b. **Allowed Uses:** The B-M district allows for retail, office, restaurant, hotel 16-74 rooms, docks and marinas use. A list of the permitted uses allowed within the B-M district is attached (**Refer to Table 2**).
- c. **Development Standards:** The development standards for the B-M district appear in the attached table (**Refer to Table 1**)

Zoning Ordinance Review

The following review criteria for rezoning are prescribed in the Savannah Zoning Ordinance Sec. 3.5.8

a. Suitability and Community Need

- i. Whether the range of uses permitted by the proposed zoning district is more suitable than the range of uses that are permitted by the current zoning district.

MPC Comment: The range of uses permitted under the current and proposed zoning classifications are very different. The existing RSF-E classification allows for detached single-family, agricultural, residential marina and docks. The proposed B-M zoning classification would allow for a mix of commercial uses, specifically a restaurant and a marina. The area around the subject property is residential in nature with single-family, as well as multi-family residential uses. The nearest commercial uses are on Abercorn Street. The parcel historically has been commercial.

- ii. Whether the proposed zoning district addresses a specific need in the county or city.

MPC Comment: The proposed zoning request does not address a specific need in the county or city.

- iii. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

MPC Comment: The zoning proposal would most likely not adversely affect the usability of adjacent properties or nearby properties. Any adverse effect would depend on how the commercial use is managed and the fact that the petitioner has applied for a Special Use permit, where conditions may be applied to mitigate any adverse effects.

- iv. Whether the zoning proposal is compatible with the present zoning pattern and conforming uses of nearby property and the character of the surrounding area.

MPC Comment: The parcel is located on riverfront property and addresses the compatible zoning pattern due to where it is located.

- v. 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 zoning proposal.

MPC Comment: It is unlikely that there would be existing or changing conditions affecting the use and development of the property. If redeveloped, it would most likely be a restaurant use.

b. Consistency

Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and other adopted plans, such as a redevelopment plan or small area plan.

MPC Comment: The Comprehensive Plan Future Land Use Map (FLUM) designates the subject property as *Commercial - Neighborhood*. The Comprehensive Plan defines the *Commercial - Neighborhood* land use category as “Commercial uses that are within predominately residential areas and are developed at a scale and intensity compatible with adjacent residential uses.”

c. Reasonable Use

Whether the property to be affected by the zoning proposal has a reasonable use as currently zoned.

MPC Comment: The property has reasonable use under the current zoning classification of RSF-E (Residential-Single-Family-Estate) to have a single family detached residence.

d. Adequate Public Services

Whether adequate school, public safety and emergency facilities, road, ingress and egress, parks, wastewater treatment, water supply and stormwater drainage facilities are available for the uses and densities that are permitted in the proposed zoning district.

MPC Comment: Adequate services are available.

e. Proximity to a Military Base, Installation or Airport

MPC Comment: The subject parcel is located approximately one mile from Hunter Army Airfield Base.

Analysis:

The petitioner is requesting a rezoning of a parcel from an RSF-E (Residential-Single-Family-Estate) zoning district to a B-M (Maritime Business) district at 12500 Apache Avenue to construct a restaurant and marina. The petitioner is also requesting a Special Use permit to allow for the proposed restaurant with on-site consumption of alcohol. The petitioner has conducted two neighborhood meetings. The first meeting was held on October 29, 2022, at the Bell's Landing Clubhouse. The meeting included both Alderman Purtee and Commissioner Whitely along with twenty-one residents that reside off Apache Avenue. The second meeting was attended via virtually on November 28, 2022. At the second meeting, there were six attendees as well as Alderman Purtee and Commissioner Whitley. The petitioner explained their conceptual plans and mentioned they will provide a neighborhood agreement to the Bell's Landing Condominium residents prior to the petition going to City Council. The parcel is located on riverfront property and addresses the compatible zoning pattern due to where it is located. It is unlikely that there would be existing or changing conditions affecting the use and development of the property. If redeveloped, it would most likely be a restaurant use. The Chatham County-Savannah Comprehensive Plan Future Land Use Map (FLUM) designates the subject parcel as *Commercial - Neighborhood*. The proposed B-M zoning classification is for commercial marine facilities and limited commercial uses, which is compatible with the *Commercial - Neighborhood* future land use designation.

Recommendation:

Based upon the review criteria. The Planning Commission recommends **approval** of the request to rezone from RSF-E to B-M.

Note: Staff's recommendation is based upon information contained in the application and discussions with the Applicant. This recommendation could change based on information gathered during the public hearing.

RSF-E: 5.7.6 Development Standards for Permitted Nonresidential Uses	
Lot Dimensions (min.)	
Lot area (min. sq. ft.)	43,560 square feet
Lot width (min. ft.)	120-feet
Building Setbacks (min. ft.)	
Front yard	40-feet
Side (interior) yard	20-feet
Side (street) yard	20-feet
Rear yard	40-feet
From access easement	5-feet
Building Coverage	40%
Height (max ft.)	40-feet

B-M: 5.16.6 Development Standards for Permitted Nonresidential Uses	
Lot Dimensions (min.)	
Lot width (ft.)	---
Lot area per unit for Upper Story Residential use (sq. ft.)	
Lot area (sq. ft.)	---
Building (max)	
Building Coverage	---
Height (ft.)	36-feet
Ground floor area (sq. ft.)	---
Building Setback (min.ft.)	
Front yard	15-feet
Side (interior) yard	---
Side (street) yard	15-feet
Rear yard	---
Rear yard (adjacent to street/lane)	15-feet
From access easement	5-feet
Parking Area Setback (min. ft.)	
From collector & arterial street r-o-w	15-feet
From local street r-o-w	10-feet
Abutting lane or access easement	5-feet

RSF-E	X=Permitted Use L=Limited Use S=Special Use	Use Standards
Single-family detached	X	
Cluster Development	L	Sec. 8.10
Agriculture, personal	X	
Agriculture, restricted	X	
Cemetery, private family	S	Sec. 8.3.2
Community Garden	X	
Park, general	X	
Library / community center	X	
Police / Fire station or substation	X	
Child / adult day care home	L	Sec. 8.3.10 or Sec. 8.7.11
Child / adult day care center	S	Sec. 8.3.10 or Sec. 8.7.11
School, public or private (K-12)	L	Sec. 8.3.14 or Sec. 8.7.14
All places of worship	X	Sec. 8.3.15, Sec. 8.7.13, and Sec. 8.8.3(d)
Personal care home, registered	X	Sec. 8.3.19
Personal care home, family	S	Sec. 8.3.19
Golf Course	X	
Riding academy; Equestrian center; Horse stable, commercial	S	
Retail consumption dealer (On premise consumption of alcohol)	S	Sec. 8.7.24 and Sec. 7.14
Dock, private	X	
Dock, Residential Community	X	
Marina, Residential	X	
Watercraft Launch / Ramp	X	
Utilities, major	S	
Utilities, minor	X	

B-M	X=Permitted Use L=Limited Use S=Special Use	Use Standards
Agriculture, personal	X	
Community Garden	X	
Park, general	X	
Museum	X	Sec. 8.7.24
Police/fire station or substation	X	
Private club / Lodge	X	Sec. 8.3.16
Office, general	L	Sec. 8.4.1
Retail, general	S	
Convenience store	S	Sec. 8.4.14
Fuel / gas station	S	Sec. 8.4.14
Pharmacy	S	Sec. 8.4.21
Event Venue	S	
Personal service shop	L	Sec. 8.4.28
Bar; tavern	S	Sec. 8.4.30 and Sec. 7.14
Restaurant	X	Sec. 8.4.32, Sec. 8.7.24 and Sec. 7.14
Retail consumption dealer (On premise consumption of alcohol)	S	Sec. 8.7.24 and Sec. 7.14
Ancillary retail dealer (Off-premises consumption of alcohol)	X	Sec. 8.7.24 and Sec. 7.14
Inn	L	Sec. 8.4.35 and Sec. 8.7.24
Hotel/motel, 16-74 rooms	S	Sec. 7.13
Watercraft sales, repair, and service	L	Sec. 8.4.46
Dock, Commercial	X	
Dock, private	X	
Marina, Commercial	X	
Marina, Private Membership	X	
Marina, Residential	X	
Boat Yard	L	Sec. 8.4.48
Watercraft Launch / Ramp	X	
Utilities, major	S	
Utilities, minor	X	