

# CITY OF BRUNSWICK

601 Gloucester Street \* Post Office Box 550 \* Brunswick \* Georgia \* 31520-0550 \* (912) 267-5500 \* Fax (912) 267-5549

Cosby H. Johnson, Mayor  
Felicia M. Harris, Mayor Pro Tem  
John A. Cason III, Commissioner  
Julie T. Martin, Commissioner  
Kendra L. Rolle, Commissioner

City Attorney  
Brian D. Corry

City Manager  
Regina M. McDuffie

## AGENDA

\*\*\*

### BRUNSWICK CITY COMMISSION REGULAR SCHEDULED COMMISSION MEETING WEDNESDAY, OCTOBER 5, 2022 AT 6:00 P.M. 1229 NEWCASTLE STREET, 2<sup>nd</sup> FLOOR

&

STREAMED LIVE AT THE BELOW WEB ADDRESS:

<https://www.facebook.com/citybwkga>

**CALL TO ORDER \*\*INVOCATION \*\*PLEDGE OF ALLEGIANCE**

### APPROVAL OF AGENDA

1. Adoption of October 5, 2022 Regular Meeting Agenda.

### PUBLIC COMMENT

2.

- I. Edward Gomto III to Address Commission Regarding the Proposed Urban Camping Ordinance and The Well.
- II. Wright Culpepper to Address Commission Regarding the Proposed Urban Camping Ordinance.

### PUBLIC HEARING(S) – LAND USE

3. Consider Approval of Rezoning Petition No. 22-03; from Maritime Homes, LLC Agent, Petitioning to Rezone 3210 Glynn Avenue and 3302 Glynn Avenue from HC, MH, GR & CP to PD-G. (*J. Hunter*) **(Encl. 1)**
4. Annexation Petition No. 22-01; from Sean Kasper, Administrator of the Estate of Mary Elizabeth Harrod, Owner, Petitioning to Annex a Portion of One Parcel of Land **(10.11 Acres)** (Located at 3210 Glynn Avenue) into the City of Brunswick  
&  
Island View Partners LLC, Owner, is Petitioning to Annex a Portion of One Parcel of Land **(.034 Acres)** (Located at 3302 Glynn Avenue) into the City of Brunswick. (*J. Hunter*) **(Encl. 2)**
5. Consider Approval of Rezoning Petition No. 22-04; from Hunter, Maclean, Exley & Dunn, PC, Agent, Petitioning to Rezone 50 Faith Avenue to Conservation-Preservation (CP) from R9 One-Family Residential (R9). (*J. Hunter*) **(Encl. 3)**

**PUBLIC HEARING(S) – ALCOHOL LICENSE VIOLATION** (A. Brown)

6.

Name of Business	Business Owner/Manager	Business Address	Permit Type
In and Out AKA Give and Take	<b>Owner:</b> Mehulbhaj Dalal	1603 “L” Street	Retail sales of beer and wine

**ITEM(S) TO BE CONSIDERED FOR APPROVAL**

7. Consider Approval of September 21, 2022 Regular Scheduled Meeting Minutes and September 27, 2022 Emergency Special Called Meeting. (subject to any necessary changes.) (N. Atkinson) **(Encl. 4)**
8. Consider Approval of Financial Reports as of August 31, 2022. (K. Mills) **(Encl. 5)**
9. Consider Approval of Changes to the Back to Business Brunswick Program. (M. Hill) **(Encl. 6)**
10. Consider Approval of Agreement with Georgia Department of Natural Resources for West Brunswick Tide Control in the Amount of \$189,801. (G. Alberson) **(Encl. 7)**
11. Consider Approval of Agreement with Georgia Water and Environmental Services for Design and Permitting of Outfall and Drainage Improvements in the Amount of \$167,400. (G. Alberson) **(Encl. 8)**
12. Consider Approval of Agreement with Insituform Technologies for the Installation of a Cured-in Place Pipe (CIPP) Liner in the Gloucester Street Storm Drainpipe at Mary Ross Waterfront Park in the Amount of \$177,803.30. (G. Alberson) **(Encl. 9)**

**CITY ATTORNEY’S ITEM(S)**

13. Consider Adoption of Proposed Ordinance No. 1075 ~ Urban Camping. **(Encl. 10)**
14. Consider Adoption of Proposed Ordinance No. 1076 ~ Annexation. (J. Hunter/B. Corry) **(Encl. 11)**

**EXECUTIVE SESSION**



CITY OF BRUNSWICK COMMISSION  
PUBLIC COMMENT PERIOD SIGN-IN-SHEET

Meeting Date: 09/21/2022

**SPEAKER 1**

Date: 09/18/2022

Name: Edward Dowling Gornio III

Address: 406 Midway Circle Phone: 912-269-3775

Subject matter which you wish to discuss and a statement as to what you desire to have accomplished:

City Camping Ordinance and closure or relocation of The Well

Staff person to whom you've already presented your question or concern: City Commissioner Johnny Cason

**SPEAKER 2**

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Subject matter which you wish to discuss and a statement as to what you desire to have accomplished:

Staff person to whom you've already presented your question or concern: \_\_\_\_\_

**SPEAKER 3**

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Subject matter which you wish to discuss and a statement as to what you desire to have accomplished:

Staff person to whom you've already presented your question or concern: \_\_\_\_\_



CITY OF BRUNSWICK COMMISSION  
PUBLIC COMMENT PERIOD SIGN-IN-SHEET

Meeting Date: Oct 5, 2022

**SPEAKER 1**

Date: Sept 20, 2022

Name: Wright Culpepper

Address: 400 Norwich Street / Brunswick Phone: 912.506.7204

Subject matter which you wish to discuss and a statement as to what you desire to have accomplished:  
I wish to speak on behalf of those who are homeless that will be impacted by the proposed Urban Camping ordinance

Staff person to whom you've already presented your question or concern: \_\_\_\_\_

**SPEAKER 2**

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Subject matter which you wish to discuss and a statement as to what you desire to have accomplished:  
\_\_\_\_\_  
\_\_\_\_\_

Staff person to whom you've already presented your question or concern: \_\_\_\_\_

**SPEAKER 3**

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Subject matter which you wish to discuss and a statement as to what you desire to have accomplished:  
\_\_\_\_\_  
\_\_\_\_\_

Staff person to whom you've already presented your question or concern: \_\_\_\_\_



**SUBJECT: RZ 22-03 | 3210 & 3302 Glynn Avenue| Rezone from HC, MH & GR to PD-G**

---

**COMMISSION ACTION REQUESTED ON: 10/5/22**

**PURPOSE:** See attached Staff Report

**HISTORY:**

**FACTS AND ISSUES:**

**BUDGET INFORMATION: N/A**

---

**OPTIONS:**


- Approve RZ 22-03 as submitted.
  - Approve RZ 22-03 with conditions.
  - Do not approve RZ 22-03.
- 

**DEPARTMENT RECOMMENDATION ACTION:**

- Approve RZ 22-04 as recommended by staff and the PAC
- 

**DEPARTMENT: PDC**

---

Prepared by: John Hunter, Director 

---

**ADMINISTRATIVE COMMENTS:**

---

**ADMINISTRATIVE RECOMMENDATION:**

---

Regina M. McDuffie

City Manager

9/26/22

Date

# **Rezoning Petition No. 22-03**

**(3210 Glynn Avenue &  
3302 Glynn Avenue)**

**Staff Report  
John Hunter  
*Director*  
*Planning, Development, & Codes***

**City of Brunswick  
Public Hearing  
October 5, 2022**

# Table of Contents

Requested Land Use Approval.....	1
Proposed Development.....	<b>1.</b>
Proposed Rezoning.....	<b>2</b>
Staff Analysis.....	2
Staff Recommendation.....	7
Appendix A – zoning standards and policies.....	9
Appendix B – Application.....	12
Appendix C – Proposed PD Text and Concept Plan.....	14
Appendix D – Correspondence from the Public .....	24

# Requested Land Use Approvals

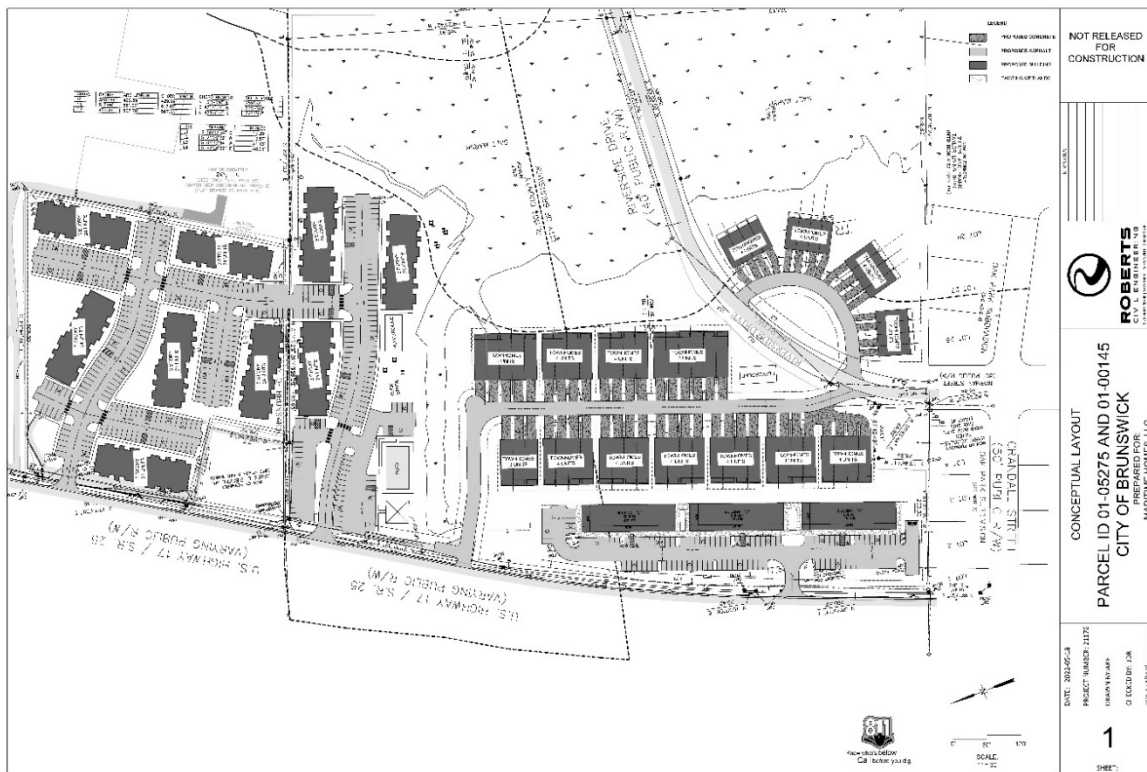
Maritime Homes, LLC, agent, is petitioning to rezone the subject parcels from HC, MH, GR & CP to PD-G



Location map

# Proposed Development

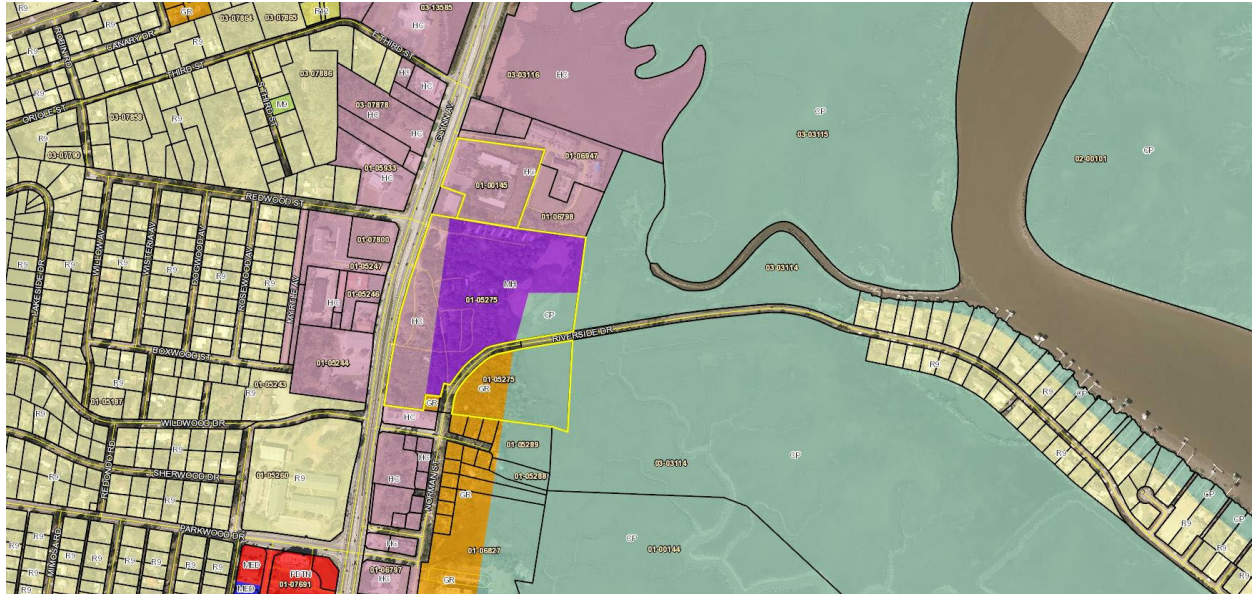
Maritime Homes, LLC proposes the construction of approximately 216 apartment units comprised of 9 three-story buildings, approximately 62 townhomes, 24,000 square feet of commercial retail space comprised of 3 buildings, and associated parking and infrastructure. The location is outlined in yellow in the map above. Concept Plan is shown below.





## Proposed Rezoning

3210 Glynn Avenue is currently zoned a combination of Highway Commercial (HC), Mobile Home (MH), and General Residential (GR). 3302 Glynn Avenue is zoned Highway Commercial (HC). The purpose of the rezoning is to consolidate both parcels into one master planned development with commercial and residential uses.



Zoning Map

## Staff Analysis

When considering a rezoning, we refer back to the Character Areas within our Comprehensive Plan:

The US Highway 17 Corridor is one of the two highest-visibility corridors that lead into the City. The US Highway 17 Corridor serves not just as the gateway to the City of Brunswick, but also as the primary gateway to the Golden Isles. The northern portion of the US Highway 17 Corridor is primarily comprised of low-density, highway-oriented commercial uses, while the southern portion is characterized by views of open space and marshlands. Some of the commercial areas along US Highway 17 are deteriorating and suffering from disinvestment, but there is new redevelopment activity along the corridor. It is a critical time for the City because there is a currently small window of opportunity to shape the character of future development along the corridor before it is re-developed.

### Vision

The US Highway 17 Corridor should be a true gateway to the City of Brunswick and the Golden Isles region. This means the appearance of the corridor is paramount. Preserving views of and access to the marshfront is essential, particularly along the southern, “natural,” part of the corridor. The corridor would benefit from reduced visual clutter in terms of billboards, signs, and overhead utility wires. Architectural styles should reflect the native traditions of Brunswick and the Golden Isles, and existing historic structures, such as the visitor center, should be preserved. New and improved wayfinding and the visual definition of gateways are important to the corridor as it is the entrance point for so many visitors. Several ideas for establishing

gateways via landscaping along the corridor are part of the Blueprint Brunswick plan. If possible, a new cultural heritage site, for example a site that reflects on the Gullah/Geechee heritage of the area, should be developed along the corridor. The corridor should be truly multimodal with bicycle, pedestrian, and transit facilities as well as the roadway. Pedestrian and bicycle facilities should integrate into the overall vision for the East Coast Greenway where feasible.

Development on the corridor should be multi-story, street-oriented, and predominantly mixed-use, with parking and service areas to the rear so that the architecture, the median landscaping, and the marsh form the dominant features of the corridor. Redevelopment along the northern portion of the corridor can help to reshape US 17 from a regional throughway into a new center of activity for the community.

### Appropriate Land Uses

- Multi-story mixed use development with commercial uses on the first floor
- Multifamily residential development including senior housing
- Tourism and cultural facilities
- Hotels and resorts
- Protected greenspace, wetland, and wildlife habitats

### Recommended Development Patterns

- Structures (shopping, warehouses, offices, etc) located near the street front with parking in rear of buildings, making the corridor more attractive and more pedestrian friendly
- Vertical, multi-story mixed-use development with retail on the ground floor
- Developments that take advantage of marsh-front views such as restaurants or hotels
- Clustering high density development at nodes along major corridors
- Developments that have easy access to nearby transit, shopping, schools, and other areas where residents travel daily
- Greyfield redevelopment that converts vacant or underutilized commercial strips to mixed-use assets
- Site plans, building design, and landscaping that are sensitive to natural features of the site including topography and views

The project falls within the US 17 Overlay, and is subject to the Glynn Avenue Design Framework. While this has minimal impact upon uses, it will guide the overall character and design of the development. Within the Overlay, PD-G is considered a Special District. To establish the Special District General, a proposed development must contain an area of not less than three acres, have direct access to at least one street, and conform with the Guiding Principles and Design Principles of the US 17 Overlay District as stated in Section 1.3.1 and 1.3.2 of the Glynn Avenue Design Framework.

### Guiding Principles state:

1. Glynn Avenue should reflect vernacular architecture appropriate to coastal Georgia.
2. Our marshes, waterways, and scenic vistas are natural resources that should be available and accessible to all.

3. Responsible development should minimize impact to the sensitive natural environment, particularly along the eastern edge of Glynn Avenue.

4. Access to properties along Glynn Avenue should be safely and easily accessible for pedestrians and cyclists, as well as motorists.

5. Individual development should respect and contribute positively to the public realm.

6. Glynn Avenue should evolve into an activity center that is complimentary to, but not competitive with, downtown Brunswick.

7. Investment in the public realm should guide and enhance private sector investment.

**The Design Principles state:**

1. *Public Waterfront + Public Space:* The marsh and waterfront are public resources and should not be privatized for the enjoyment of only a few. Maintaining public access along the marsh and waterfront is a high priority. Public access may be achieved through a roadway along the waterfront which continues the design elements of Main Street - on-street parking, generous sidewalks, street trees, etc., or through a waterfront park or pedestrian promenade along the marsh.

2. *Pedestrian-orientation:* The current condition of Glynn Avenue does not lend itself to the creation of a ‘Main Street.’ However, this does not mean that the desire to create walkable, human scaled places should be abandoned. These regulations set forth a development strategy to capture passing vehicles while also fostering a ‘Main Street’ character on streets parallel to Glynn Avenue.

3. *Mixed-Use Environment:* The creation of a mixed use environment provides an ideal transition from more highway-oriented scale along US 17 to more neighborhood-compatible scale, while accommodating a variety of uses, including commercial, office, institutional, and residential.

4. *Blocks + Streets:* Building an interconnected network of compact blocks is critical to ensure a walkable area that fosters diverse uses and building types. This block pattern can still accommodate large-scale retailers, but does so in a way that maintains the importance of human-scaled development.

Streets should generally include on-street parking, street trees, sidewalks, and pedestrian amenities such as benches, street lights, trash facilities, etc. Highly connected streets are important to provide access without requiring traffic to re-enter Glynn Avenue to reach nearby destinations.

5. *Quality Design:* The importance of urban form cannot be overstated. To foster community character and create a walkable, vibrant community, the elements of the built environment are more critical than the use. Buildings should be human-scaled, have a primary entrance facing the public realm, and be set close to the street to foster a pedestrian environment.

6. *Sense of Place:* The Glynn Avenue corridor is intended to develop as a high quality, mixed-use, pedestrian oriented environment. This area should develop as a complement to, not in competition with, downtown Brunswick. Civic buildings are places of community focus and center. They should be located in places of prominence, such as facing a square, town green, or other central public space.

### ***Staff Review***

The proposed PD text and uses varies very little from our standard zoning, however the PD classification would provide more flexibility of the locations of uses and closer proximity of commercial and residential uses than our standard zoning allows. None of the City's current density standards, height restrictions, or lot requirements have been altered by the PD text.

There is one specific use outlined in the proposed PD/SD text that differs from our standards. Page 3 of the PD text, Section C 3 and 4 alters the distance requirement for both on-site and off-site sales of alcohol. The City Code requires that residential uses within 1,500 feet of a proposed alcohol sales location be a part of the consideration when issuing a license. The applicant contemplates in this text that the city's current standard for considering residential districts typically creates a conflict in allowed uses in a mixed use environment. We saw a similar conflict in GCCore zoning before it was exempted from the distance requirement. The applicant proposes eliminating future residential development from the distance requirement – essentially exempting the residential they plan to construct from conflicting with the possible sales of alcohol at the commercial retail space they also plan to build. This would not change the licensing process or control of issuance by the City Commission.

Under OCGA 36-66-5(b), rezoning requests should be considered with the following questions in mind:

*A. A PROPOSED ZONING CLASSIFICATION OR CONDITIONAL USE REQUEST SHOULD BE COMPATIBLE WITH EXISTING USES AND ZONING OF ADJACENT AND NEARBY PROPERTY, AND "SPOT ZONING" SHOULD ALMOST ALWAYS BE REJECTED.*

- As the proposed uses are consistent with our Highway Commercial (HC) zoning, and the adjacent properties are zoned HC, this does not create a spot zoning situation.

*B. A PROPOSED ZONING CLASSIFICATION SHOULD NOT DESTABILIZE THE SURROUNDING NEIGHBORHOOD.*

- The locations of the uses are consistent with the surrounding neighborhood, with residential uses nearest to the neighboring residential uses and commercial at the natural location of the US 17 street front.

*C. A PROPOSED ZONING CLASSIFICATION SHOULD MAXIMIZE THE ECONOMIC VALUE OF THE SUBJECT PROPERTY WITHOUT DEPRECIATING THE VALUE OF ADJACENT AND NEARBY PROPERTY.*

- Both properties are currently dilapidated and have negatively impacted the surrounding area for over a decade. With residential properties in high demand and short supply in our area this project would likely maximize the economic value of the property versus utilizing the property exclusively for commercial purposes.

*D. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE AN ADVERSE EFFECT ON TRAFFIC FLOW, TRAFFIC SAFETY OR POPULATION DENSITY.*

- As the PD-G text closely mirrors the HC zoning of the surrounding area, the zoning will have similar impacts with the existing zoning. The uses proposed are already allowed via the existing zoning. However, as these sites have been essentially abandoned for over a decade, and were constructed well over 50 years ago, the

activation of this development will have impacts on both US 17, Norman Street, Parkwood Drive and the surrounding road network. with Glynn Avenue/US 17 serving as the primary access. Both GDOT and the City of Brunswick will have to work closely with the developer to designate the locations for ingress/egress, and provide adequate improvements to the road systems to minimize the impacts of the development. This would be true of any redevelopment of these two parcels regardless of their zoning classification. The proposed project will introduce multi-family and townhouse dwelling types. Surrounding residential is townhouse/condo, single family and two-family. While the proposed multi-family project is rare for the corridor, it is consistent with existing zoning, and at a similar density to the nearby St. Marks Towers.

*E. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE ADVERSE ENVIRONMENTAL IMPACT.*

- The proposed zoning will not create adverse environmental impacts, as it will not introduce dissimilar uses that are already allowed under HC zoning.

*F. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE ADVERSE AESTHETIC EFFECTS.*

- The proposed zoning will allow for the redevelopment of two blighted properties. As with most development, there will be land clearing activities. However, the project will have to follow the landscape and tree requirements of the Glynn Avenue Design Framework and the City of Brunswick Buffer Requirements. The end result should be a development that is far more aesthetically pleasing than the existing conditions and will enhance the corridor.

*G. A REZONING SHOULD NOT RESULT IN COSTS TO THE PUBLIC DISPROPORTIONATE TO TAX REVENUES GENERATED BY THE PROPOSED USE.*

- The existing conditions have depressed tax revenues along Glynn Avenue for over a decade. Until purchase by the applicant, the property at 3302 Glynn Avenue had been tax delinquent since 2011. The development may actually decrease current city costs for the area as properties have had illicit activities creating policing needs and multiple code enforcement cases brought against them. There could be cost associated with improvements to the surrounding road network, however that will likely not be greater than the economic impact of the redevelopment.

*H. THE SUBJECT PROPERTY SHOULD BE SUITABLE FOR THE ZONED PURPOSES.*

- Current zoning for 3210 Glynn Avenue is an inhibitor to redevelopment. A single parcel containing three zoning classifications makes redevelopment difficult. At a minimum, redevelopment of 3210 Glynn Avenue would require consolidation into a single zoning classification. The Mobile Home zoning also limits current use of the majority of the property and is inconsistent with the Glynn Avenue corridor. 3302 Glynn Avenue could be redeveloped under existing zoning, however, linking the two properties into a Planned Development improves the economics for the redevelopment. The

removal of two blighted properties will have a significant impact upon the City of Brunswick. And, due to the prominent location, provide a much improved image of the area and the efforts to revitalize the Glynn Avenue corridor and the City of Brunswick.

In review of city's PD-G standards, the US 17 Special District Requirements, the Comprehensive Plan, and the OCGA Rezoning Standards, the conceptual development does fit generally within the collective vision for the redevelopment of this corridor and our zoning requirements. However, it is a concept plan. There is still a great deal of planning work ahead that could effect the number of units, road and parking alignment, ingress/egress locations, stormwater retention, road alignment, etc. Items such as traffic studies, architectural renderings, tree inventories, landscape plans, etc., are all required prior to allowing development to begin.

## **Staff Recommendation**

Staff recommends in favor of granting the requested annexation. Staff also recommends that the rezoning to Special District PD-G be approved with conditions. Those conditions are:

1. A 50% site plan be reviewed and approved by the PAC.
2. A 90% site plan be reviewed by the PAC and approved by the City Commission.
3. Any demolition of structures or removal of trailers from the site be allowed, but that no other activity beyond underbrush clearing may take place before 90% site plan approval by the City Commission.

## **Planning and Appeals Commission Recommendation**

A Public Hearing was held by the PAC on August 10, 2002. Staff introduced the staff report. There was discussion about submission requirements and the annexation process, traffic, the intersection of the project with Norman St, and staff recommendation. The Public Hearing was opened: Woody Woodside spoke in favor of the project; Buzz Ramsey was concerned about lack of notification; Julie Martin was in favor of the project but like a clearer definition of under brushing that limited it to below 8-10 caliper inch trees and that the project should have a completion bond; Jeanie Brooks was concerned about the Norman St curve; Robbie Turner was concerned about the Norman St curve; Missy Neu was in favor of the project; Cathy Smith was concerned about traffic and drainage; Hal Hart questioned the annexation process and was concerned about traffic and the curve; Ravna De(?) was concerned about the proposed alcohol distance change; Tina Holloway was concerned about lack of notice and density of apartments; Mary McFadden was concerned about the curve on Norman Street. The Public hearing was closed. Mr. Kitts made a motion to defer action to the next meeting and require a traffic study and tree survey. After a discussion regarding requirements and timelines, Mr. Kitts amended his motion to just deferring to the next meeting. Ms. Harrison seconded the motion. A vote was taken and the motion was approved 5-0.

A second Public Hearing was held by the PAC at their September 14<sup>th</sup> meeting. Mary McFadden of Marshview expressed concerns about the development, traffic and stormwater, is against more retail in the area, and is against it being a PD. Kathy Spence of Riverside expressed concerns about traffic, flooding, and objected to the project. Tina Holloway of Riverside is against the number of units, traffic and flooding. Everton Morris of Riverside is against the project unless the applicant agrees to pay to gate and provide security and to improve the stormwater in Riverside. Alyssa Bruce asked for clarification on the process and supports the application. Gary Huff of Riverside asked what the Planning Commission would like in the area, believes the density is too high, too much traffic, and concerned about the curve on Norman Street. Erin ?? of Riverside has concerns, but believes that it will be an improvement and will keep the area from deteriorating further. Hal Hart expressed concerns about the plan and increased traffic on Norman Street, but is in favor of the annexation and rezoning. Woody Woodside spoke in favor of the project. Mr. Kitts made a motion to recommend approval of Annexation 22-01, and Ms. Greene seconded. The motion was approved 4-0. Ms. Greene made a motion to recommend approval as recommended by staff with staff's conditions and added a condition that the alcohol exemptions on Page 3 of the PD text, Section C 3 and 4 be removed. Mr. Kitts seconded the motion. The motion to approve with recommendations was approved 4-0.

## **Approval Process**

Because this application is a part of annexation request, the City Commission is required to hold the Rezoning Public Hearing prior to the adoption of the Annexation Ordinance. However, no action should be taken on the rezoning request until after the Annexation Ordinance has been approved. This will delay the action on the rezoning request until later in the meeting.

# Appendix A – zoning standards and policies

## ZONING STANDARDS AND POLICIES AND PROCEDURES FOR ZONING HEARINGS

Approved by the Commission City of Brunswick, Georgia  
April 5, 1989

### Part I. Standards

The current Georgia statutory law, O.C.G.A. ;s; 36-66-5(b) expressly mandates that each local government exercising zoning power establish and consider such factors in the form of substantive standards for zoning decisions. That subsection provides:

[E]ach local government shall adopt standards governing the exercise of the zoning power, and such standards may include any factors which the local government finds relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property. Such standards shall be printed and copies thereof shall be available for distribution to the general public.

In keeping with the foregoing statutory requirement, the City of Brunswick has adopted the following substantive standards to govern its zoning decisions:

#### **A. A PROPOSED ZONING CLASSIFICATION OR CONDITIONAL USE REQUEST SHOULD BE COMPATIBLE WITH EXISTING USES AND ZONING OF ADJACENT AND NEARBY PROPERTY, AND ``SPOT ZONING'' SHOULD ALMOST ALWAYS BE REJECTED.**

(1) Would the proposed rezoning create an isolated district unrelated to adjacent and nearby districts?

(2) Is the proposed rezoning a logical extension of a zoning boundary which would improve the pattern of uses in the general area?

#### **B. A PROPOSED ZONING CLASSIFICATION SHOULD NOT DESTABILIZE THE SURROUNDING NEIGHBORHOOD.**

(1) Is the proposed zoning classification one which would promote integrity of the neighborhood and preserve its general character?

(2) Would the proposed rezoning precipitate similar rezoning requests which would generate or accelerate adverse land use changes in the neighborhood?

#### **C. A PROPOSED ZONING CLASSIFICATION SHOULD MAXIMIZE THE ECONOMIC VALUE OF THE SUBJECT PROPERTY WITHOUT DEPRECIATING THE VALUE OF ADJACENT AND NEARBY PROPERTY.**

(1) To what extent does the existing zoning classification depress the value of the subject property?



(2) To what extent would the proposed zoning classification result in appreciation of the value of the property?

(3) What effect does the existing zoning classification have on the values of adjacent and nearby property?

(4) What effect would the proposed zoning classification have on the values of adjacent and nearby property?

**D. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE AN ADVERSE EFFECT ON TRAFFIC FLOW, TRAFFIC SAFETY OR POPULATION DENSITY.**

(1) Is there adequate public or private parking for the proposed use and other uses permitted within the classification?

(2) Would such uses create any problem of traffic congestion in the area?

(3) Would such uses create any traffic safety problem with regard to ingress and egress, visibility or otherwise?

(4) Would such uses necessitate changes in streets or sidewalks or traffic signage or signalization?

(5) Would such uses contribute to an undesirable level of population density?

(6) Would such uses substantially conflict with existing density patterns in the neighborhood?

**E. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE ADVERSE ENVIRONMENTAL IMPACT.**

(1) Would the proposed use or other uses permitted within the classification create noise, dust, smoke or odors?

(2) Would such uses affect air quality or water quality and quantity?

(3) Would such uses create problems with drainage or soil erosion and sedimentation?

(4) Would such uses aggravate problems with flood damage control?

(5) Would such uses aggravate waste disposal problems?

**F. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE ADVERSE AESTHETIC EFFECTS.**

(1) Would the proposed rezoning lead to removal of existing vegetation?

(2) Would the proposed use incorporate new planting?

(3) Would the proposed use necessitate unattractive structures or result in removal or alteration of historic structures?

(4) Would the proposed use be visually compatible with the surrounding neighborhood?

(5) Would the proposed use include machinery or work visible from the street or neighboring property?

(6) Would the proposed use be adequately separated from conflicting uses by an appropriate buffer?

**G. A REZONING SHOULD NOT RESULT IN COSTS TO THE PUBLIC DISPROPORTIONATE TO TAX REVENUES GENERATED BY THE PROPOSED USE.**

(1) Would the rezoning increase the cost of government in providing public utilities, schools, streets, police and fire protection, etc.?

(2) What additional public facilities would be required?

(3) To what extent would such increased costs be offset by increased tax revenues?

**H. THE SUBJECT PROPERTY SHOULD BE SUITABLE FOR THE ZONED PURPOSES.**

(1) Is the property suitable for uses within the existing zoning classification?

(2) Has the property been vacant as zoned, and if so, for what period or periods of time?

(3) Are there substantial reasons why the property cannot be economically used in accordance with existing zoning?

(4) Would the proposed rezoning benefit the general public in any way?

(5) Would the proposed rezoning conform to or diverge from the comprehensive land use plan?

\* \* \*

It is obvious that the foregoing standards are very general, not at all specific, and that the public and private interests cannot be balanced with mathematical certainty in a zoning decision. Moreover, particular zoning issues which may arise, considered in context, may suggest concerns in addition to the foregoing standards and further questions which will need to be addressed by the Commission. It can only be said that any zoning decision, to be lawful, must be based on a relative gain to the public, as compared to the hardship imposed upon private parties. Such decisions must never be based simply upon the numbers of supporters or opponents or other political factors without consideration of the standards.

*(excerpt from addendum that was added to the zoning ordinance by the City Commission on April 5, 1989)*

## **Appendix B – Application**



# CITY OF BRUNSWICK, GEORGIA

## APPLICATION FOR REZONING

# RZ

**APPLICANT:** After completely reading this form, the applicant will answer each item as completely as possible. Please print or type. The Planning Staff will assist you if necessary.

This is a request for a **REZONING** to the Official Zoning Ordinances of the City of Brunswick. Please read Article XXIII of Zoning Ordinance which applies to your proposal.

1. Applicant (Your Name): \_\_\_\_\_ Daytime Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Zip: \_\_\_\_\_
2. Location of Property forming the basis for this text amendment: \_\_\_\_\_  
Street \_\_\_\_\_ Tax Map and Parcel Number: \_\_\_\_\_
3. Is this rezoning due to annexation? \_\_\_\_ YES \_\_\_\_ NO
4. Total Parcel area (indicate square feet or acres): \_\_\_\_\_ Square Feet/Acres
5. Present Zoning: \_\_\_\_\_ Abutting zones (list all zones that touch the parcel): \_\_\_\_\_
6. Proposed Zoning: \_\_\_\_\_
7. Are any special use(s), variance(s), covenant(s), or prior rezoning(s) present on the parcel?  
\_\_\_\_ YES \_\_\_\_ NO If 'YES', list ALL and date: \_\_\_\_\_
8. The following data shall be attached as applicable:  
\_\_\_\_ **Petition signed by Property Owner or agent requesting the Rezoning.**  
\_\_\_\_ **Full text of the proposed amendment in the format of the ordinance it is intended to amend.**
9. Reasons for the rezoning request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. Do you have legal possession of the parcel(s) proposed for this zoning text amendment? \_\_\_\_ YES \_\_\_\_ NO  
(If 'NO' then this application cannot be processed until an application is received for all parcels intended to be affected by the text amendment and legal authorization provided.)
11. Owner's Name (If different from Applicant\*): \_\_\_\_\_  
Address: \_\_\_\_\_ Zip: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_ (\*If applicant is different from Owner, a legal authorization to represent the Owner must be attached to this application.)

I understand that the City of Brunswick will not process this application until I have submitted **ALL** required materials on or before the date of the approved schedule, which shall be **not less than 20 days prior to the regularly scheduled and advertised monthly meeting of the Planning and Appeals Commission**. The PAC meets on the Second Wednesday of each month at 5:15 PM in Commission Chambers, Old City Hall. The recommendation of the Planning Commission is forwarded to City Commission for their review at the next regularly scheduled meeting following the PAC meeting.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

(Printed Name: \_\_\_\_\_)

**Appendix C - Proposed PD Text  
and Concept Plan**

NOT RELEASED FOR CONSTRUCTION

REVISIONS




**ROBERTS**  
CIVIL ENGINEERING  
ST. SIMONS ISLAND, SAVANNAH, GEORGIA  
WWW.ROBERTSCIVILENGINEERING.COM

CONCEPTUAL LAYOUT  
**PARCEL ID 01-05275 AND 01-00145**  
 CITY OF BRUNSWICK  
 PREPARED FOR:  
 MARITIME HOMES, LLC.

DATE: 2022-05-18  
 PROJECT NUMBER: 211176  
 DRAWN BY: ARF  
 CHECKED BY: JDR  
 SCALE: 1"=60' (FOR 24"X36" PLOT)

1  
SHEET:

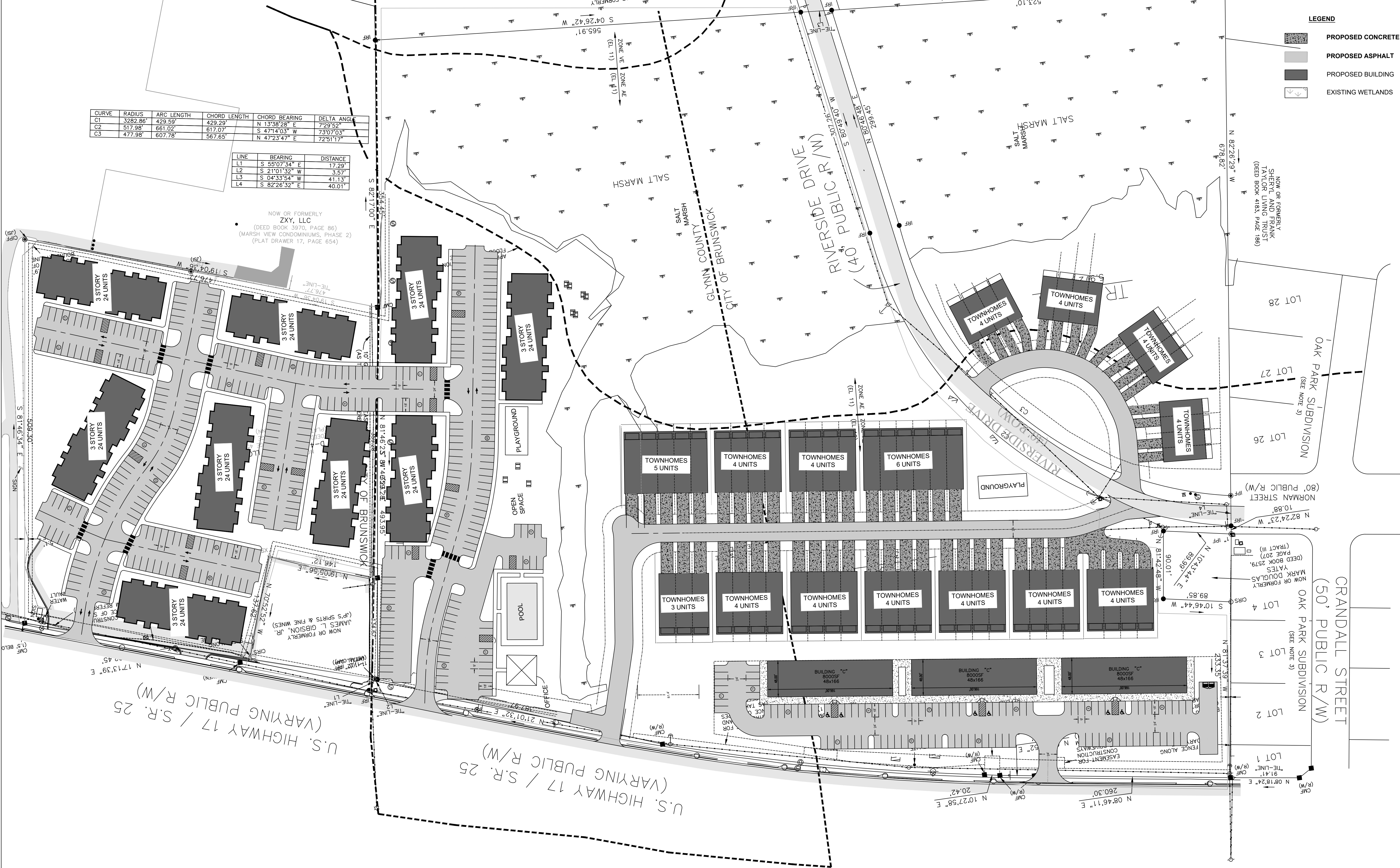
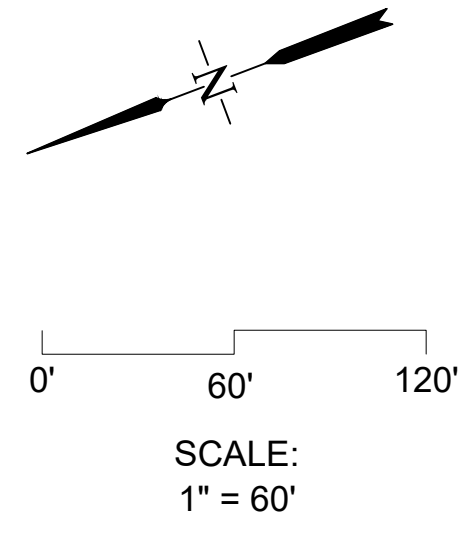
**LEGEND**

- PROPOSED CONCRETE
- PROPOSED ASPHALT
- PROPOSED BUILDING
- EXISTING WETLANDS

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	3282.86'	429.59'	429.29'	N 13°38'28" E	72°9'52"
C2	517.98'	661.02'	617.07'	S 47°14'03" W	73°07'03"
C3	477.98'	607.78'	567.65'	N 47°23'47" E	72°51'17"

LINE	BEARING	DISTANCE
L1	S 55°07'34" E	17.29'
L2	S 21°01'32" W	3.57'
L3	S 04°33'54" W	41.13'
L4	S 82°26'32" E	40.01'

NOW OR FORMERLY  
**ZXY, LLC**  
 (DEED BOOK 3970, PAGE 86)  
 (MARSH VIEW CONDOMINIUMS, PHASE 2)  
 (PLAT DRAWER 17, PAGE 654)



SPECIAL DISTRICT  
PLANNED DEVELOPMENT- GENERAL  
ZONING AMENDMENT

For

**Parcel 01-00145**

**Parcel 01-05275**

Island View Development  
The City of Brunswick, Georgia

July 21<sup>st</sup>, 2022

**Applicant:**

Maritime Homes

# TABLE OF CONTENTS

	<b>Page</b>
<b>I. GENERAL DESCRIPTION</b>	
A. Location, History, Existing Improvements, Access and Utilities...	1
B. Present Ownership.....	1
C. Project Area.....	1
<b>II. PROPOSED DEVELOPMENT PLAN</b>	
A. Plan Concept, Proposed Land Uses and Tabulation.....	1
B. Existing and Proposed Zoning.....	1
C. Compatibility with Nearby Uses.....	2
<b>III. PROPOSED USES AND OTHER REQUIREMENTS</b>	
A. Residential Permitted and Conditional Uses.....	2
B. Commercial Permitted Uses .....	3
C. Commercial Conditional Uses .....	4
D. Water and Sewer.....	5
E. Proposed Dedication of Land for Public Use.....	5
<b>IV. DEVELOPMENT SCHEDULE.....</b>	<b>6</b>



## **I. GENERAL DESCRIPTION**

This application proposes to amend the existing Zoning for parcel 01-00145 and 01-05275. The project site is located off Hwy 17 in the city of Brunswick, GA. The project area sits within the US 17 Overlay District for the City of Brunswick, GA.

The parcels are currently zoned Highway Commercial (HC), Mobile Home District (MH), General Residential (GR) and Conservation Preservation (CP).

The current use of the parcels includes a mobile home park, a condemned motel and vacant land.

The purpose of this Planned Development–General Zoning is to consolidate both parcels into one master planned development that will include mixed use commercial and residential uses.

Parcel 01-00145 is 4.91 AC, and Parcel 01-05275 is 24.55 AC

Parcel 01-00145 is owned by Island View Partners, LLC, and Parcel 01-05275 is owned by the Estate of Mary Elizabeth Harrod.

The project area is shown on the attached exhibit.

## **II. PROPOSED DEVELOPMENT PLAN**

### **A. Plan Concept and Proposed Land Uses**

The applicant intends on developing this parcel in accordance with the land use and development standards as listed in this text.

This Planned Development would adhere to the US 17 Overlay District design standards.

The attached master plan is intended to show the proposed areas for Residential Uses and Commercial Uses.

### **B. Existing and Proposed Zoning**

The development area is currently zoned HC, MH, GR and CP. The proposed zoning will be Glynn Avenue Special District PD–General and would include commercial developments and residential developments.

**C. Compatibility with Nearby Uses**

This property is already zoned with the proposed land uses and is only seeking to consolidate the zoning.

**III. PERMITTED USES AND OTHER REQUIREMENTS**

**A. Residential Permitted Uses:**

The following uses may be permitted in this district subject to the provisions set forth in section the City of Brunswick, GA Municode 23-6-4.

1. One family dwelling
2. Two-family dwelling, including patio dwelling.
3. Multi-family dwelling.
4. Townhouse dwelling.
5. Group dwelling.
6. Boarding house.
7. One-family dwelling, attached.

**B. Residential Conditional uses:**

The following Conditional Uses uses may be permitted in this district subject to the provisions set forth in the City of Brunswick, GA Municode section 23-25-4.

1. All conditional uses permitted in the R-9 residential district as set forth in the City of Brunswick, GA Municode section 23-4-3, except cemeteries.
2. Public or private care homes, provided that such facilities must receive the written approval of the Glynn County Board of Health, a copy of which shall be retained in the files of the building official, and provided that such use conforms with the provisions of section 23-18-4 pertaining to care homes.

### **C. Commercial Permitted Uses:**

The following uses shall be permitted in this district:

1. Any use permitted in the Residential Permitted Uses listed above, unless otherwise set forth herein.
2. Retail, wholesale or storage business involving the sale of merchandise on the premises, except those uses which involve open yard storage of junk, salvage, used auto parts or building materials. Open storage shall be permitted under conditions set forth in section 23-9-3(g).
3. Retail sale of alcohol for on-site consumption, provided that the distance from any existing home, residential development, school or church to the entrance of the building is at least 300 feet. There is no minimum distance requirement for any future residential development
4. Retail sale of alcohol for off-site consumption, provided that the distance from any existing home, residential development, school or church to the entrance of the building is at least 300 feet. There is no minimum distance requirement for any future residential development
5. Business involving the rendering of a personal service, other than an automobile laundry or an automobile repair garage, which shall be permitted under conditions set forth in section 23-9-3(b) and (e).
6. Seafood processing facilities and/or dock operations involving seafood processing.
6. Private or semi-private club, lodge, union hall or social center.
7. Church.
8. Off-street commercial parking lot or garage.
9. Hotel, tourist home, and motel.
10. Commercial recreation facility, specifically including:
11. Bowling alley.
12. Billiard parlor.

13. Roller or ice-skating rink.
14. Theatre, but not including drive-in type of facility.
15. Transportation terminal.
16. Commercial trade or vocational school.
17. Eating and/or drinking establishment, including drive-in or curbside service.
18. Radio and/or television station and/or transmission tower.
19. Public utility installation or sub-installation, including water towers.
20. Office building and/or office for governmental, business, professional or general purposes.
21. Accessory use in compliance with the provisions of section 23-3-17 of the City of Brunswick, GA Municode.

**D. Commercial Conditional Uses:**

The following uses shall be permitted on a conditional basis in this district, subject to conditions set forth in section 23-25-4 of section 23-3-17 of the City of Brunswick, GA Municode.

1. Automobile service station, provided that all pumps are set back at least 25 feet from the right-of-way line of the street and parking and/or service areas are separated from adjoining residential properties by a suitable planting a screen, fence, or wall at least six feet in height above finish grade.
2. Garage for the repair and servicing of motor vehicles, provided that all operations are conducted within a fully enclosed building or buildings, and there is no open storage of wrecked vehicles, dismantled parts, or supplies visible beyond the premises.
3. Newspaper publishing plant, provided that the requirements for parking, loading and unloading conform to those for industrial buildings, as set forth in sections 23-3-19 and 23-3-20 of the City of Brunswick, GA Municode.

4. Automobile laundry or washateria, provided that an off-street paved parking area capable of accommodating not less than one-half of hourly vehicle washing capacity awaiting entrance to the washing process is suitably located and maintained on the premises (such space to contain at least 200 square feet per waiting vehicle) and no safety hazard or impediment to traffic movement is created by the operation of such an establishment.
5. Animal hospital and/or boarding facility, provided all boarding arrangements are maintained within a building and no noise connected with the operation of the facility is perceptible beyond the premises.
6. Open yard use for the sale, rental and/or storage of materials or equipment excluding junk or other salvage, provided that such uses are separated from adjoining residential properties by a suitable planting screen, fence, or wall at least six feet in height above finish grade.
7. Community hospitals or clinics, including any function such as cafeterias and laundries which relate directly to the operation of the hospitals or clinics and are contained within the confines of said hospital or clinic, provided such uses are in compliance with the provisions of section 23-17-4 of the City of Brunswick, GA Municode.
8. Any educational facilities directly related to an authorized hospital or the Glynn County Board of Health, and under the supervision of said hospital or the Glynn County Board of Health, provided such uses are in compliance with the provisions of section 23-17-4 of the City of Brunswick, GA Municode.
9. Single or multi-story dormitories or living quarters for the staff and the student body of an authorized hospital or its related activities, including eating and laundry facilities, provided such dormitories and sleeping quarters are under the supervision and control of an authorized hospital, and provided such uses are in compliance with the provisions of section 23-17-4 of the City of Brunswick, GA Municode.
10. Public or private care homes, provided such facilities conform with the requirements of the Georgia State Board of Health and receive the written approval of the Glynn County Board of Health and the state fire marshal prior to the issuance of any permits for construction and operation, copies of such approvals to be attached to the building permit and to be retained in the files of the building official and provided further that such use conforms with the provisions of section 23-17-4 pertaining to care homes.

11. Temporary use in compliance with the provisions of section 23-23-5 of the City of Brunswick, GA Municode.

**D. Water/Sewer:**

The water system will tie into the existing 8" water main along Glynn Ave/US 17. The sewer will tie into the manholes along Glynn Ave/US 17.

**E. Proposed Dedication of Land for Public Use:**

Right-of-Way, Access Easements and Utility Easements will be granted in accordance to the City of Brunswick, GA Zoning Ordinance and shown during the appropriate phase of each development on the Subdivision Plat or Site Plan.

Each development may contain recreational facilities, open space and recreation areas that will be a shared common space for that development. All such facilities will be owned and maintained by a homeowner's association.

**IV. DEVELOPMENT SCHEDULE**

Construction shall begin within six (6) months of the receipt of a Building Permit. A two-year construction period is estimated.

## **Appendix D – Correspondence from the Public**

Sept. 14 2022

Brunswick Planning and Appeals Board meeting

Annexation Petition Number 22-01

My name is Hal Hart and I live in Riverside Subdivision

First I would like to state that I support the Annexation and Rezoning of the subject tract of land, north of Riverside Drive. I have concerns that I would like addressed by this board and their staff.

My number one concern is the increased traffic on Norman that this development will generate on the existing Oak Park and Riverside Subdivisions. Please keep in mind that that Norman Street is Riverside ONLY route out. Norman street is 20 feet wide with no curbing. It currently serves the Oak Park subdivision, Riverside Subdivision, The two Saint Marks Towers housing facility and the former Glenn Immediate care building. Where Riverside Road joins Norman Street, it is a blind curve and has limited vision in all directions. The intersection of Norman Steet and Riverside Drive is at an acute angle with extremely limited vision.

Oak Park Subdivision is a very well-maintained neighborhood with mostly young families. School buses run during schooldays with both young and older students awaiting buses. Saint Marks Towers residence are seen walking along the sidewalks, some with pets during the day.

The proposed development already has 7 curb cut on US 17 on the property as you can see in their plans. Do they really need access to Norman Street?

I oppose the development of land on the south side of Riverside Drive as presented because of the two locations of access as shown on the plans and are on the blind curve.

Please keep in mind this is Riversides only way out there is no other option.



Annexation Petition 22-03,

Two tracts of land, VC Dirt .034 acres and Harrod Estate 10.11 acres

Governed by The Georgia State code, 36-36-6

and Section 23-26-21 of The City of Brunswick code

Division 3 Annexation (City Code)

Section 23-26-24 ..Requirements for submission.....

(l) Traffic impact analysis .....

Division 4 Traffic Impact Analysis.....

Section 23-26-35....Purpose and Intent.....

Was there a Traffic study done and if not, why?

Appendix E Ordinance xxx

AN ORDINANCE TO PROVIDE FOR ANNEXATION OF PROPERTY  
PURSUANT TO THE PETITION OF VIPER BRUNSWICK LLC DATED JULY 12 2021.....

SECTION TWO... "All ordinances or parts of ordinances in conflict with  
this ordinance are hereby repealed."

What ordinance/ordinances does this refer to?

Rezoning Petition number 22-03

Rezoning Petition ...Staff Report page 6

“There is one specific use outlined in the proposed PD/SD text that differs from our standards. Page 3 of the PD text, Section C 3 and 4 alters the distance requirements for both on-site and off-site sales of alcohol. The applicant contemplates in this text that the city’s current standard for of 300 feet to residential districts creates a conflict in allowed uses. We saw a similar conflict in CGCore zoning before it was exempted from the distance requirement. The applicant proposes eliminating future residential development from the distance requirement—essentially exempting the residential they plan to construct from conflicting with the possible sales of alcohol at the commercial retail space they also plan to build.”

My question is “Can a applicant in a zoning text submission, if approved, exempt themselves from the City Code section,

Chapter 3, Alcoholic Beverages

Article 1

Sec. 3.7 General Regulations pertaining to all licenses

(g) 6. No license ... 1500 feet

7. No new license.... 600 feet

Also Rezoning Petition 22-03

Article XV, PD-G Planned Development- General

Sec. 23-15-2 Specific Requirements

(a) The site utilized for planned development- general must contain an area of not less than three acres.

Exhibit B Tract II “Area B” is shown as 2.78 acres upland

## Zoning and Annexation Questions

John Hunter <jhunter@cityofbrunswick-ga.gov>

Thu 9/15/2022 10:44 AM

To: H.H. Hart III <islandacessi@gmail.com>

Hal,

Thanks for all your questions and work regarding the annexation and rezoning on Glynn Avenue. I wanted to respond to the questions you had and provided to the PAC last night.

Regarding the traffic analysis - after reviewing the submission, and knowing it is a concept plan that will require many changes to provide the needed infrastructure, a traffic analysis would not provide an accurate picture of what the traffic impact will be. And, without GDOT weighing in and determining how they will want access restricted, any study now would not provide realistic information. We will have that analysis at the time that the 50% site plan is reviewed and likely have GDOT's review and required access changes.

Regarding Section 2 of the Draft Ordinance "All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed." That is legal jargon that is required to essentially repeal the existing ordinances from the County and replace them with the ordinances from the City.

Regarding the Alcohol distance: Brian explained some of it last night - but essentially, yes, PD's can alter some things like distance requirements as long as they are not in violation of State Law. I mistakenly wrote "300 feet" in my report. It should have been the "1,500 foot consideration for residential property". I will clarify that in the staff report for the City Commission.

You are correct that PD-G requires sites that are more than 3 acres. But, that 3 acre total applies to the **entire** site under consideration not the individual parcels. Section 23-15-2 (c) outlines that "The area proposed shall be in one ownership, or if in several ownerships, the application for amendment to this chapter shall be filed jointly by all the owners of the area included in the master plan." To simplify the example - if you had 3 one acre parcels, all owned by 3 different owners, they could apply together to create a 3 acre PD-G zoning.

Thanks for your input.

John

**John Hunter**

Director

Planning, Development & Codes

City of Brunswick

601 Gloucester Street

Brunswick, GA 31520

(912) 267-5527

[jhunter@cityofbrunswick-ga.gov](mailto:jhunter@cityofbrunswick-ga.gov)



**SUBJECT:** AX 22-01 | 3210 & 3302 Glynn Avenue | Annex Parcels into the City

---

**COMMISSION ACTION REQUESTED ON:** 10/5/22

**PURPOSE:** See attached Staff Report

**HISTORY:**

**FACTS AND ISSUES:**

**BUDGET INFORMATION:** N/A

---

**DEPARTMENT RECOMMENDATION ACTION:**

**Staff recommends approval of the Annexation as presented.**

**DEPARTMENT:** PDC

Prepared by: John Hunter, Director

**ADMINISTRATIVE COMMENTS:**

**ADMINISTRATIVE RECOMMENDATION:**

---

*Regina M. McDuffie*  
\_\_\_\_\_  
City Manager

9/26/22  
\_\_\_\_\_  
Date

# **Annexation Petition No. 22-01**

**(3210 Glynn Avenue &  
3302 Glynn Avenue)**

**Staff Report  
John Hunter  
*Director*  
*Planning, Development, & Codes***

**City of Brunswick  
Public Hearing  
October 5, 2022**

# Table of Contents

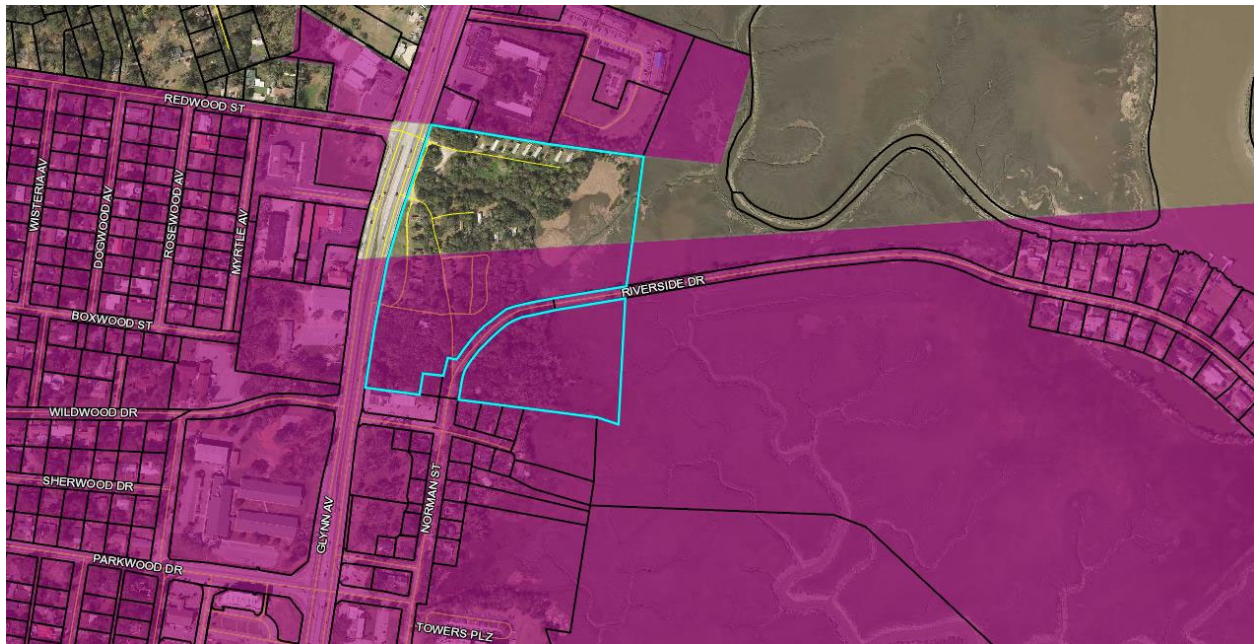
Requested Annexation .....	1
Proposed Development .....	<b>1</b>
Staff Analysis.....	4
Staff Recommendation.....	5
Appendix A – Draft Annexation Ordinance .....	8
Appendix B – Application .....	8
Appendix C – Proposed PD Text and Concept Plan.....	19
Appendix D – Glynn County Response.....	
Appendix E – Correspondence from the Public .....	

## Requested Annexation

Sean Kasper, as Administrator of the Estate of Mary Elizabeth Harrod, owner, is petitioning to annex a portion of one parcel of land (10.11 Acres) into the City of Brunswick, and

Island View Partners LLC, owner, is petitioning to annex a portion of one parcel of land (.034 acres) into the City of Brunswick

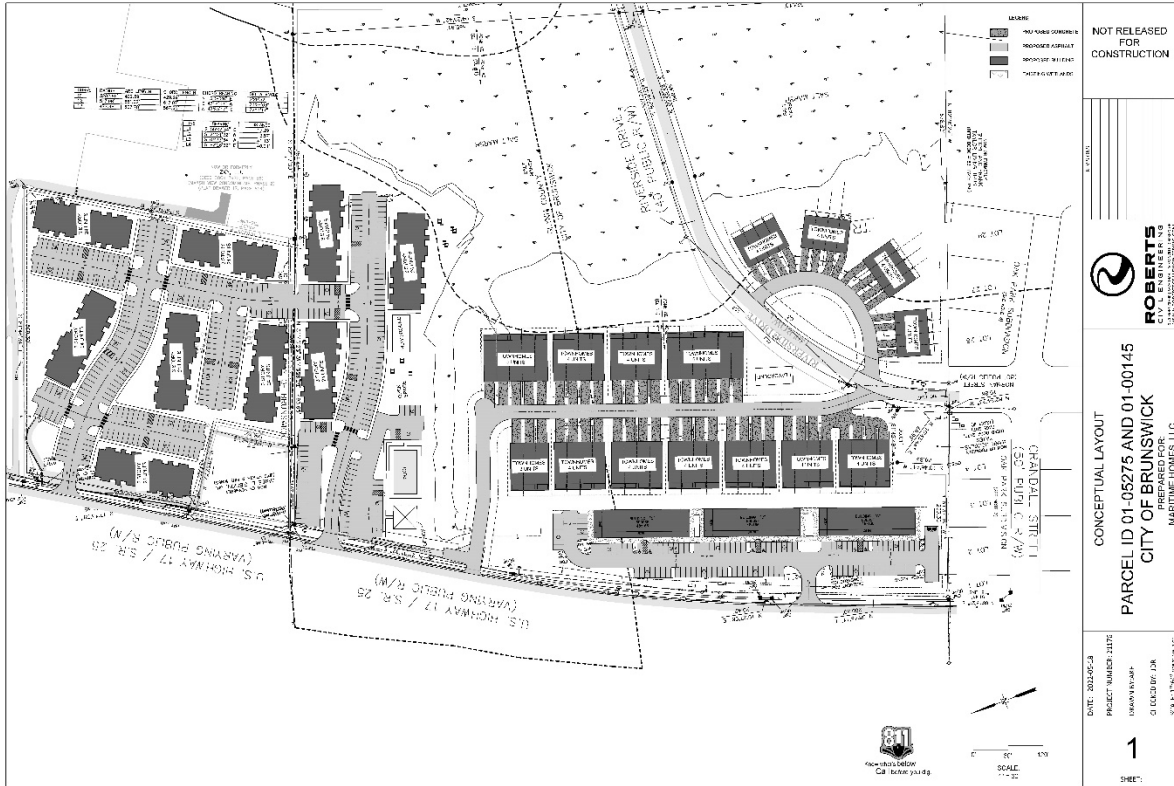
Maritime Homes, LLC, agent, is petitioning to rezone the subject parcels from HC, MH, GR to PD-G



Location map

## Proposed Development

Maritime Homes, LLC proposes the construction of approximately 216 apartment units comprised of 9 three-story buildings, approximately 62 townhomes, 24,000 square feet of commercial retail space comprised of 3 buildings, and associated parking and infrastructure.



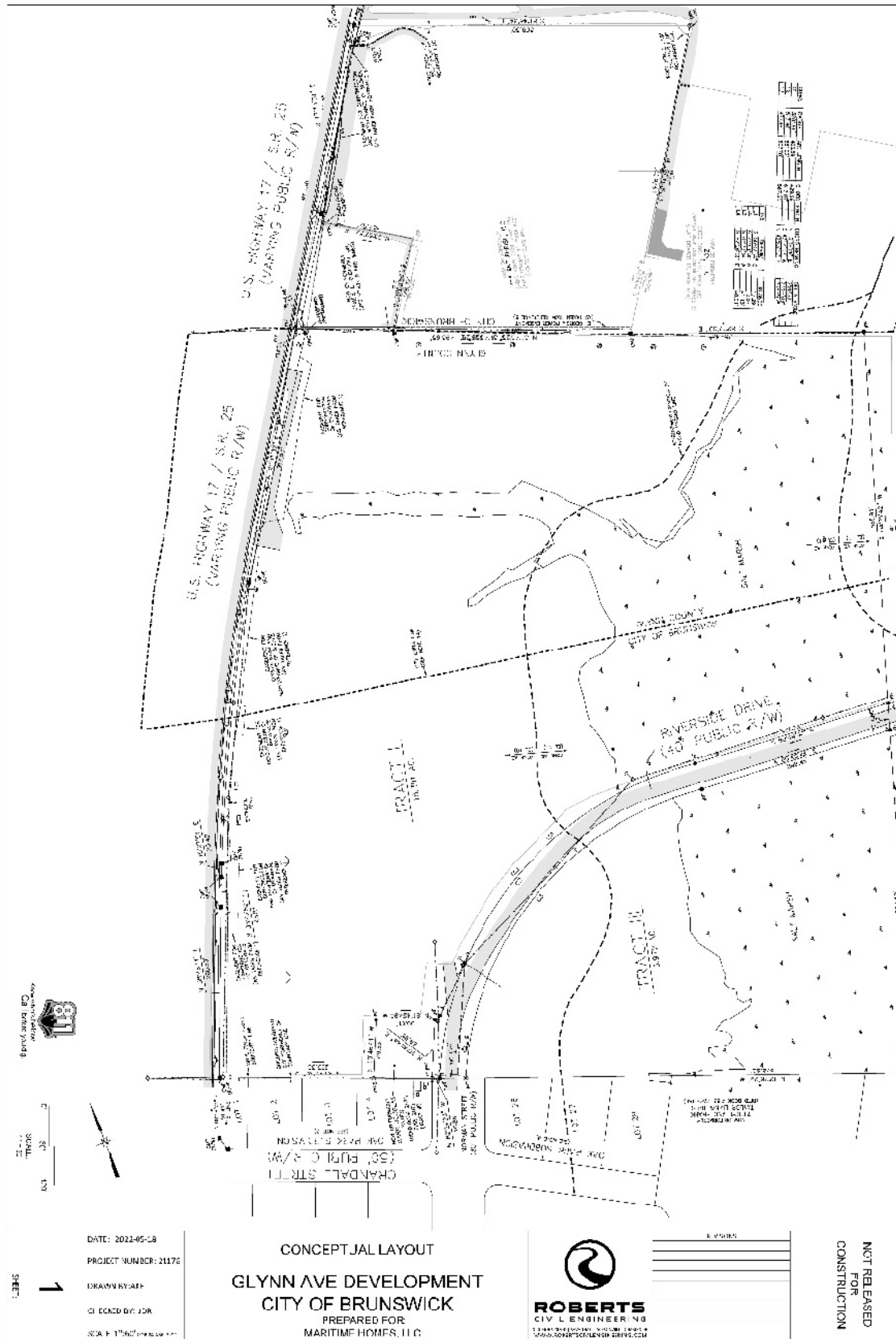
**Concept Plan (Larger Version attached in Appendix B)**

## Proposed Annexation

The location map on page 1 shows the parcels located within the City of Brunswick shaded in dark purple. Properties in unincorporated Glynn County are not shaded.

Annexation will follow the 100% method as permitted by the official code of Georgia (O.C.G.A. 36-36-1). Written notice of the petition to annex property was given to Glynn County and they responded with no objections or development conditions.





**Survey of area to be Annexed (Larger Version in Appendix A)  
Zoning Map**

## Staff Analysis

The proposed annexation will be beneficial to the property owners, as they will be able to operate within a single jurisdiction instead of two. This will streamline the development process and eliminate an usual “pocket” of unincorporated Glynn County within the City.

Glynn County and the City Commission were notified of the Annexation request on June 17, 2022. Glynn County did not object to the Annexation.

The application provided the required concept plan and PD-G text. In short, the PD-G text mirrors the standard Highway Commercial (HC), with the exception of specific language regarding alcohol licensing distance considerations. The text will be considered in more detail during the review of the Rezoning Application.

The application did not provide a Traffic Impact Analysis. Under Section 23-26-24 (i), a traffic Impact analysis should accompany “any annexation application that is reasonably expected to generate 1,000 vehicle trip ends during a single day and/or more than 100 vehicle trips during the morning or afternoon peak hours shall submit a traffic impact analysis as specified in division 4, traffic impact analysis.”

Section 23-26-41 (which is in Division 4 referenced above) outlines that the PDC Director should determine if a traffic impact analysis should be required. The annexation ordinance is slightly vague about what should be specifically analyzed. It does not define if the PDC Director should consider existing conditions, proposed development, the increase caused by proposed development versus existing conditions, or considering only the proposed development within the annexed area.

Because of this, Staff reviewed the current site conditions. When operational, The Golden Isles Inn had 124 rooms, a restaurant, a lounge, and staff that would have put traffic counts relatively close to the proposed apartments. The trailer park property contained 53 trailers, and 2 houses, and the tract isolated by Norman St. has 6 units - so a total of 61 residential units - or the equivalent of what is proposed in the new development. While it has been some time since the hotel and the trailer park have been fully functional, those totals would have been considered in the existing capacity of US 17.

Additionally, staff did calculate some traffic impact numbers for the property. These numbers were based upon ITE standards. As abandoned properties, the site currently generates 0 Trip Ends and no AM/PM Peak traffic. If the existing Hotel and Mobile Home Park were operational, 827 Trip Ends would be generated daily, with 105 AM Peak trips and 101 PM Peak trips. These facilities were operational when US 17 was widened in the early 2000s. If only the area to be annexed is considered, then only 25 Mobile Homes would be considered which would generate 142 Trip Ends daily, 11 AM Peak Trips, and 11 PM Peak trips. If the entire proposed development is to be considered, then 1513 Trip Ends daily would be generated, with 271 AM Peak trips and 266 PM Peak Trips. However, this is only an increase of 686 Trip Ends with AM Peak increasing by 166 and PM by 165. If we consider only the development proposed in the area to be annexed, then 478 Trip Ends daily are generated, with 85 AM Peak Trips and 84 PM Peak Trips.

Because the primary access for the project is via a GDOT controlled state highway, there will be a need for a far more extensive traffic study than what the City requires for an annexation. This study will define the outcomes for the site itself, and dictate requirements for adding accel/decel lanes, turn lanes, traffic signals, number of access points, etc. They could also require improvements to other areas of the road network to mitigate congestion at adjacent locations as the impacts of the project are determined. GDOT will not only control these decisions, they will be the permitting agency providing access to the primary road network.

We also know that this proposed development will impact Norman Street, Riverside Drive, and access to Parkwood Drive creating a need to have design alterations and improvements to those areas. All of this design and study will need to be completed prior to the issuance of a building permit.

When considering these knowns, a Traffic Analysis would not seem to shed any further light on impacts of the annexation. It will be more beneficial to have a future traffic analysis as a part of the complete planning process so that firm conditions of development are what are being examined.

Vhf1#560905; #0#Fulwhuld#r#frqvlghu#ru#dqgh{dwlrq1##

The planning and appeals commission and the governing body shall consider the following standards in considering any annexation proposal, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal. In addition, any application that proposes a change in the conditions of approval previously established by the governing body through action on an annexation shall be reviewed in light of the standards set forth in this section, as appropriate.

(a) Is the proposed use suitable in view of the zoning and development of adjacent and nearby property? *Staff believes that the proposed uses are suitable when considering the surrounding Highway Commercial zoning.*

(b) Will the proposed use adversely affect the existing use or usability of adjacent or nearby property? *Staff believes that the proposed uses will have no adverse affect. However, considerable design considerations will need to be made concerning the interaction of the development with Norman Street/Riverside Drive.*

(c) Is the proposed use compatible with the purpose and intent of the Comprehensive Plan? *Staff believes the proposed uses are compatible with the Comprehensive Plan.*

(d) Are their substantial reasons why the property cannot or should not be used as currently zoned? *The properties currently contain multiple zoning classifications. Rezoning will simplify the development process for both the applicant and the City.*

(e) Will the proposed use cause an excessive or burdensome use of public facilities or services, including but not limited to streets, schools, water or sewer utilities, and police or fire

protection? *Staff does not believe that the proposed uses will create burdens on infrastructure. However, careful consideration will need to be given to the impacts on Norman Street and how it interacts with the development in addition to stormwater concerns.*

(f) Is the proposed use supported by new or changing conditions not anticipated by the comprehensive plan or reflected in the existing zoning on the property or surrounding properties? *No.*

(g) Does the proposed use reflect a reasonable balance between the promotion of the public health, safety, morality, or general welfare and the right to unrestricted use of property? *Staff believes the proposed use reflects a reasonable balance.*

## **Staff Recommendation**

Staff recommends in favor of granting the requested annexation.

## **Planning & Appeals Commission Recommendation**

The Planning and Appeals Commission held a Public Hearing on the Annexation on August 10, 2022. No one spoke against the Annexation. A recommendation was deferred until the September 14<sup>th</sup> meeting. At the September 14<sup>th</sup> meeting, a Public Hearing was held and no one spoke against the Annexation. The Planning and Appeals Commission voted 4-0 to recommend that the City Commission approve the annexation application.

## **Approval Process**

O.C.G.A 36-36-1 thru 36-66-4 outlines specific process for annexations by municipalities. Procedurally, The City Commission should hold a Public Hearing on the adoption of the Annexation Ordinance. The Annexation Ordinance will be on the Agenda under City Attorney Items for adoption. If the City Commission approves the Annexation Ordinance, it will then consider the Rezoning Request that was reviewed earlier and a Public Hearing for which was held.

# Appendix A

## ORDINANCE 1076

**AN ORDINANCE TO PROVIDE FOR ANNEXATION OF PROPERTY PURSUANT TO THE PETITION OF ISLANND VIEW PARTNERS LLC & THE ESTATE OF MARY ELIZABETH HARROD, DATED JUNE 9, 2022; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**THE COMMISSION OF THE CITY OF BRUNSWICK HERBY ORDAINS,**

### SECTION ONE

**The petitions of Island View Partners, LLC and the Estate of Mary Elizabeth Harrod dated June 9, 2022 seeking to have certain parcels of land annexed into the City of Brunswick, copies of which are attached to this Ordinance as Exhibit “A” and incorporated herein as if fully repeated verbatim within this Ordinance, are granted and approved by the City Commission of the City of Brunswick. The parcels of real property described therein are hereby annexed into and made a part of the City of Brunswick pursuant to Article 2 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated, said parcels being contiguous to existing corporate limits of the City of Brunswick, as defined in O.C.G.A §36-26-20, and Glynn County having withdrawn any objection to said annexation.**

### SECTION TWO

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

### SECTION THREE

It is the intention of the City Commission in adopting this ordinance that should any paragraph, phrase, clause, word or other part hereof be adjudicated invalid under state or federal law, then any remaining portions of the ordinance shall remain in effect and be enforced to the extent reasonable consistent with the purposes hereof.

### SECTION FOUR

This ordinance shall be effective immediately upon its approval by the City Commission.

Ordinance XXX approved this XXX day of XXX, 2022.

\_\_\_\_\_  
Cosby H. Johnson, Mayor

Attest: \_\_\_\_\_

Naomi Atkinson, City Clerk

# APPENDIX B



## CITY OF BRUNSWICK

601 Gloucester Street  
Post Office Box 550  
Brunswick, Georgia 31520-0550  
(912) 267-5500 / (912) 267-5549 FAX

Cosby H. Johnson, Mayor  
Felicia M. Harris, Mayor Pro Tem  
John A. Cason III, Commissioner  
Julie T. Martin, Commissioner  
Kendra L. Rolle, Commissioner

Brian Corry, City Attorney  
Regina M. McDuffie, City Manager

VIA CERTIFIED MAIL, RETURN RECEIPT

June 17, 2022

Board of Commissioners  
Glynn County  
701 G Street  
Brunswick, GA 31520

Dear Commissioners,

Please be advised that the City of Brunswick, Georgia, by the authority vested in the Mayor and Commission of the City of Brunswick by Article 2 of Chapter 36, Title 36, O.C.G.A., intends to annex the property hereinafter described by ordinance at a regular meeting of the Mayor and City Commission.

This letter has been sent to you by certified mail, return receipt requested, within five (5) business days of acceptance of an application or petition for annexation by the City of Brunswick in accordance with O.C.G.A. § 36-36-6 and § 36-36-9. This letter also serves as notice, provided within seven calendar days of filing of the application for zoning or rezoning in accordance with O.C.G.A. § 36-36-11, of the proposed zoning for such annexed property.

<b>Current Owner</b>	<b>Property Address</b>	<b>Map # Block-Lot</b>	<b>Parcel ID</b>
Estate of Mary Elizabeth Harrod	3210 Glynn Avenue Brunswick, GA 31520	B033-05 003-001	01-05275
D-4 Enterprises	3302 Glynn Avenue	0062-00 000-011	01-00145

*(attached map demonstrates property to be annexed)*

Proposed zoning for this property is PD-G and the property is to be used for future commercial and residential development. The parcels are currently partially in the City and the County.

Pursuant to O.C.G.A. § 36-36-111, please find attached hereto a copy of the petitions requesting annexation.

Pursuant to O.C.G.A. § 36-36-7 and § 36-36-9, please notify the governing authority of the City of Brunswick, in writing and by certified mail, return receipt requested, of any county facilities or property located within the property to be annexed, within five (5) business days of receipt of this letter.

Pursuant to O.C.G.A. § 36-36-113(c) please notify the governing authority of the City of Brunswick, in writing of any County objection to the proposed land use within thirty (30) calendar days or within 61 business days in accordance with the Service Delivery Strategy Annexation Dispute Resolution Process Agreement.

Sincerely,



John Hunter  
Director of Planning, Development & Codes

Attachments

xc: Mayor Johnson  
Mayor Pro Tem Harris  
Commissioner Martin  
Commissioner Cason  
Commissioner Rolle  
City Manager Regina McDuffie  
City Attorney's Office



**Annexation Application**

COME NOW, the undersigned being the owner(s) of all said tract(s) of land, as more particularly described in the plat survey attached hereto as Exhibit "A", and the metes and bounds legal description as set forth in Exhibit "B". This application is submitted by the undersigned owner(s) pursuant to Official Code of Georgia Annotated 36-36-3 et seq., and hereby petitions the Mayor and Commission to do the following at said property into/from the corporate limits of the City of Brunswick, Georgia.  
In making this application and petition to the Mayor and Commission, the undersigned shows that:

**Section A Applicant Information**

Owner Name D-4 Enterprises, LLC  
Mailing Address 1004 Beachview Drive  
City St. Simons Island State GA ZIP 31522  
Phone Number \_\_\_\_\_  
Email Address \_\_\_\_\_

**Section B Property Information**

Property Address 3302 Glynn Ave  
Tax Parcel # 01-00145  
Property Size 4.91 Acres Proposed Zoning \_\_\_\_\_  
Number of People Residing at Property 0 Number of People 18 Years or Older Residing at Property 0 Number of Registered Voters Residing at Property 0

Application Type  Petition for Annexation \_\_\_\_\_ Petition for Deannexation

- 1. The undersigned is or are the sole owner(s) of said property and owns a fee simple absolute interest therein, subject to any mortgages or deeds to secure that debt.
- 2. Attached hereto as Exhibit "A" is a current plat survey of said property showing the contiguity of said property to the existing corporate limits of the City of Brunswick, Georgia.
- 3. Attached hereto as Exhibit "B" is a metes and bounds legal description of said property.

**Section C**

I hereby declare under penalty of perjury that I am authorized to make this application and that the information contained herein is true and accurate.

Executed on \_\_\_\_\_ in \_\_\_\_\_ (city, state).

Signature of Authorized Officer or Agent \_\_\_\_\_

Printed Name and Title of Authorized Officer or Agent John A. Dow, Jr.

SUBSCRIBED AND SWORN BEFORE ME

On this 9<sup>th</sup> day of June, 2022

Christie Copelan  
Notary Public Signature

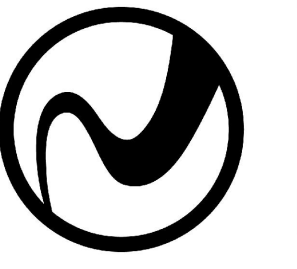
My Commission Expires: 2-18-24





NOT RELEASED FOR CONSTRUCTION

REVISIONS



**ROBERTS**  
CIVIL ENGINEERING  
ST. SIMONS ISLAND, SAVANNAH, GEORGIA  
WWW.ROBERTSCIVILENGINEERING.COM

CONCEPTUAL LAYOUT

GLYNN AVE DEVELOPMENT  
CITY OF BRUNSWICK

PREPARED FOR:  
MARITIME HOMES, LLC.

DATE: 2022-05-18

PROJECT NUMBER: 211176

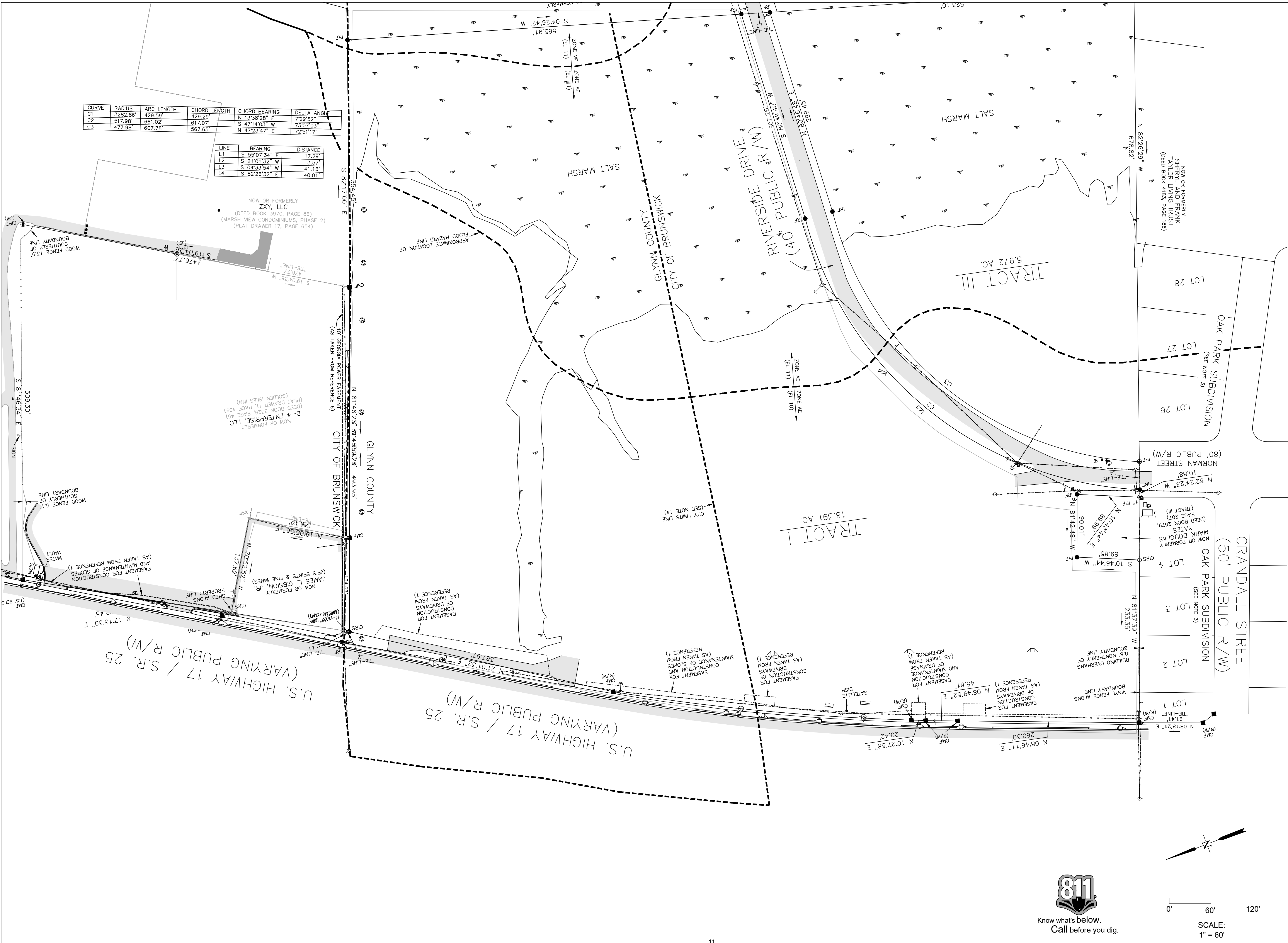
DRAWN BY: ARF

CHECKED BY: JDR

SCALE: 1" = 60' (FOR 24"x36" PLOT)

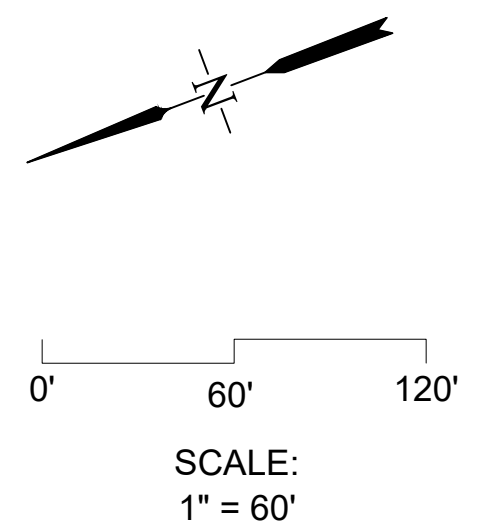
1

SHEET:



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	3282.86'	429.59'	429.29'	N 13°38'28" E	72°52'
C2	517.98'	661.02'	617.07'	S 47°14'03" W	73°07'03"
C3	477.98'	607.78'	567.65'	N 47°23'47" E	72°51'17"

LINE	BEARING	DISTANCE
L1	S 55°07'34" E	17.29'
L2	S 21°10'12" W	3.57'
L3	S 04°33'54" W	41.13'
L4	S 82°28'32" E	40.01'



**EXHIBIT B**

All of that certain lot, tract or parcel of land situate, lying and being in the City of Brunswick, in Glynn County, Georgia and being more particularly described as follows, to wit: Commence at the intersection of the southern right-of-way of Marshview Drive and the eastern right-of-way of U.S. Highway 17, a/k/a Glynn Avenue and from said POINT OF BEGINNING, South 81 degrees 21 minutes 30 seconds East for a distance of 509.27 feet to a concrete monument; thence South 19 degrees 30 minutes 00 seconds West for a distance of 476.83 feet to an iron pin; thence North 81 degrees 21 minutes 30 seconds West for a distance 359.27 feet to an iron pin; thence North 19 degrees 30 minutes 00 seconds East for a distance of 146.19 feet to a cross concrete; thence North 70 degrees 30 minutes 00 seconds West for a distance of 147.32 feet to a concrete monument and the eastern right of way of U.S. Highway 17 a/k/a Glynn Avenue; thence along the eastern right of way of U. S. Highway 17 North 19 degrees 30 minutes 00 seconds East for a distance of 302.25 feet to a concrete monument and the point or place of beginning.

Together with all fixtures, improvements, personalty, additions and accessions, located on, attached to, incorporated in, used in connection to or conjunction with and constituting a part of said real property, including but not limited to, all those items of collateral referenced and described in that certain UCC-2, Notice of Filing for UCC Real Estate Related Collateral recorded in the office of the Clerk of Superior Court of Glynn County, Georgia in Deed Book 219, Page 300.

The aforesaid described property is more commonly known and operated or formerly known as The Quality Inn & Suites, located at 3302 Glynn Avenue, Brunswick, Georgia 31520.



City of Brunswick  
Planning, Development & Codes

601 Gloucester Street  
Brunswick, Georgia 31520  
(912) 267-5527

**Annexation Application**

COME NOW, the undersigned being the owner(s) of all said tract(s) of land, as more particularly described in the plat survey attached hereto as Exhibit "A", and the metes and bounds legal description as set forth in Exhibit "B". This application is submitted by the undersigned owner(s) pursuant to Official Code of Georgia Annotated 36-36-3 et seq., and hereby petitions the Mayor and Commission do the following at said property into/from the corporate limits of the City of Brunswick, Georgia.  
In making this application and petition to the Mayor and Commission, the undersigned shows that:

**Section A Applicant Information**

Owner Name Mark Yates Sean Kasper, as Administrator of Estate of  
Mailing Address P.O. Box 612 3500 Lenox Rd, 4th Floor Mary Elizabeth Harold  
City Brunswick Atlanta State GA ZIP 31521 30306  
Phone Number 404-889-9217  
Email Address SeanK@weissman.law

**Section B Property Information**

Property Address 3210 Glyn Ave  
Tax Parcel # 01-05275  
Property Size 24.56 Acres Proposed Zoning HC and GR  
Number of People Residing at Property 0 Number of People 18 Years or Older Residing at Property 0 Number of Registered Voters Residing at Property 0

Application Type  Petition for Annexation  Petition for Deannexation

1. The undersigned is or are the sole owner(s) of said property and owns a fee simple absolute interest therein, subject to any mortgages or deeds to secure that debt.
2. Attached hereto as Exhibit "A" is a current plat survey of said property showing the contiguity of said property to the existing corporate limits of the City of Brunswick, Georgia.
3. Attached hereto as Exhibit "B" is a metes and bounds legal description of said property.

**Section C**

I hereby declare under penalty of perjury that I am authorized to make this application and that the information contained herein is true and accurate.

Executed on 12/10/21 in Atlanta, GA (city, state).

Signature of Authorized Officer or Agent [Signature]

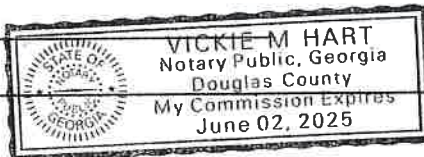
Printed Name and Title of Authorized Officer or Agent Mark Yates Sean R Kasper, as Administrator

SUBSCRIBED AND SWORN BEFORE ME

On this 10 day of December, 2021

[Signature]  
Notary Public Signature

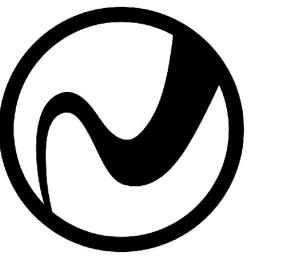
My Commission Expires: \_\_\_\_\_



ANNEX.2020.V1

NOT RELEASED  
FOR  
CONSTRUCTION

REVISIONS



**ROBERTS**  
CIVIL ENGINEERING  
ST. SIMONS ISLAND, SAVANNAH, GEORGIA 31406  
WWW.ROBERTSCIVILENGINEERING.COM

CONCEPTUAL LAYOUT

GLYNN AVE DEVELOPMENT  
CITY OF BRUNSWICK

PREPARED FOR:  
MARITIME HOMES, LLC.

DATE: 2022-05-18

PROJECT NUMBER: 211176

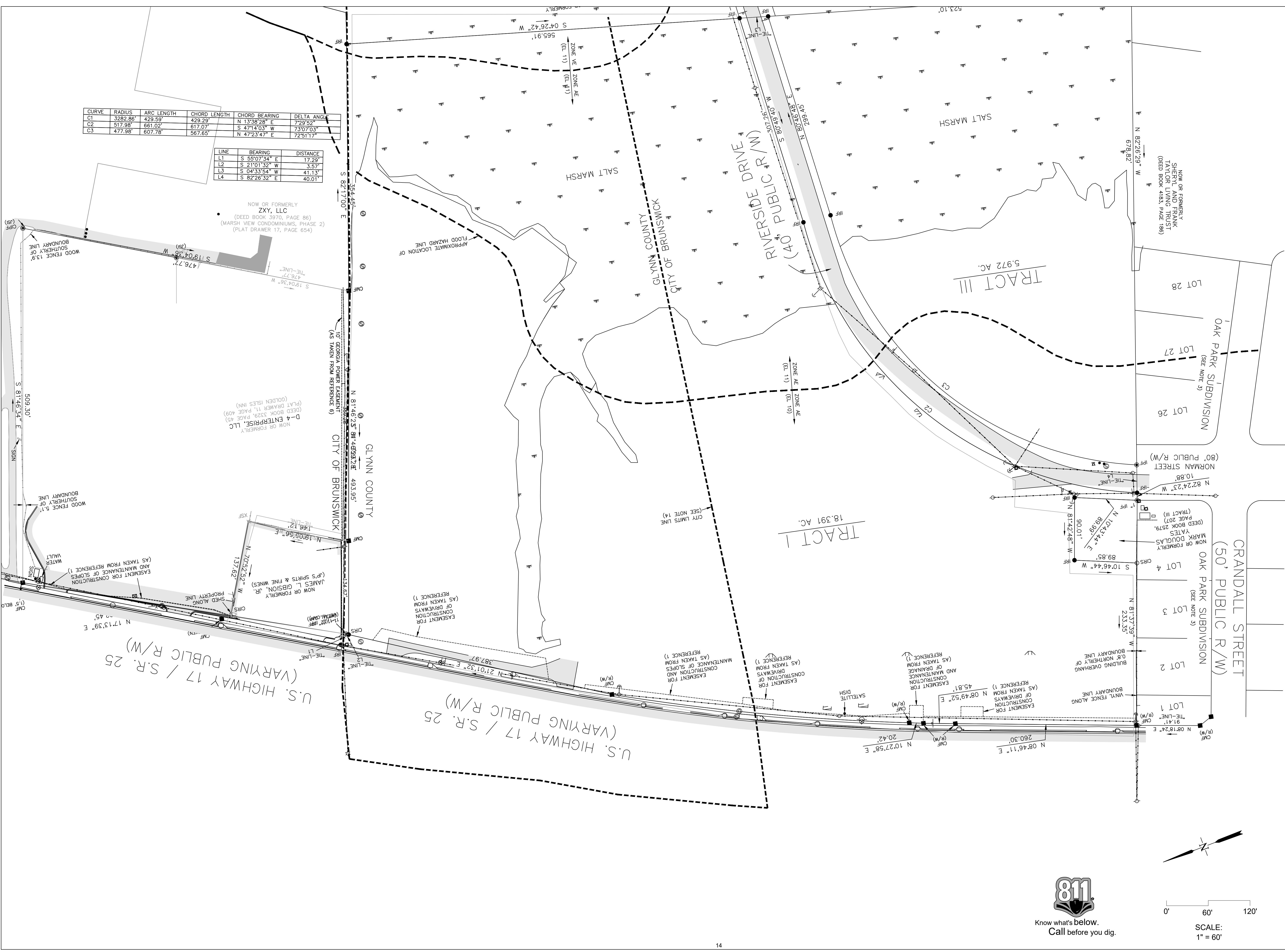
DRAWN BY: ARF

CHECKED BY: JDR

SCALE: 1" = 60' (FOR 24"x36" PLOT)

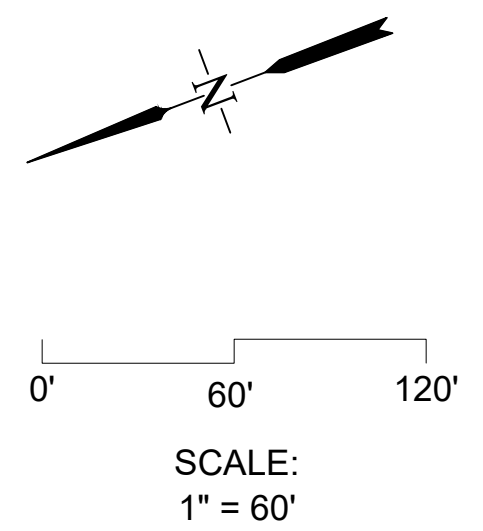
1

SHEET:



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	3282.86'	429.59'	429.29'	N 13°38'28" E	72°9'52"
C2	517.98'	661.02'	617.07'	S 47°14'03" W	73°07'03"
C3	477.98'	607.78'	567.65'	N 47°23'47" E	72°51'17"

LINE	BEARING	DISTANCE
L1	S 55°07'34" E	17.29'
L2	S 21°10'12" W	3.57'
L3	S 04°33'54" W	41.13'
L4	S 82°28'32" E	40.01'



## EXHIBIT B

DS  
VC  
MAY

### TRACT I:

All that certain lot, tract or parcel of land situate, lying and being in the City of Brunswick, in the 26<sup>th</sup> G.M. District, in Glynn County, Georgia, which is described and identified according to a plat of survey by Harry A. Strickland, Georgia Registered Surveyor No. 2409, of EMC Engineering Services, Inc., dated November 29, 2005, entitled "SURVEY OF 24.54 ACRES, 26 G.M. DISTRICT, BRUNSWICK, GLYNN COUNTY, GEORGIA", which is now or shortly to be recorded in the office of the Clerk of Superior Court of Glynn County, Georgia, as follows:

Beginning at a found concrete monument located at the point of intersection of the easterly right of way line of U.S. Highway Number 17 (Glynn Avenue) with the northerly boundary line between Oak Park Subdivision and the tract herein described, and from said beginning point running thence along said highway right of way along the following courses and distances: north 08 degrees 42 minutes 32 seconds east for a distance of 265.08 feet to a found

A handwritten signature in black ink, appearing to read "M. J. May". The signature is written in a cursive style and is positioned to the left of the main text block.

concrete monument; thence running north 08 degrees 44 minutes 11 seconds east for a distance of 45.85 feet to a found concrete monument; thence running north 10 degrees 39 minutes 05 seconds east for a distance of 19.77 feet to a found concrete monument; thence running north 13 degrees 33 minutes 21 seconds east for a distance of 429.85 feet to a found concrete monument; and thence running north 18 degrees 33 minutes 04 seconds east for a distance of 396.02 feet to a found iron pin located at the point of intersection of said right of way line with the boundary line between the tract herein described and property now or formerly of James L. Gibson; thence running south 81 degrees 18 minutes 38 seconds east for a distance of 863.20 feet to a found iron pin located in the salt marsh; thence running through said salt marsh south 04 degrees 24 minutes 20 seconds west for a distance of 566.22 feet to an iron pin set located at the point of intersection of this line with the northerly right of way line of Riverside Drive; thence running along said Riverside Drive right of way along the following courses, distances and curves: south 80 degrees 45 minutes 37 seconds west for a distance of 307.08 feet to a set iron pin; thence running in a general southwesterly direction along the arc of a curve, concave to the southeast and having a radius of 517.98 feet, for a distance of 661.15 feet to a set iron pin located at the point of intersection of said right of way line with the northerly boundary line between Oak Park Subdivision and the tract herein described: thence running along said subdivision line north 82 degrees 30 minutes 00 seconds west for a distance of 10.91 feet to a found iron pin; thence running north 07 degrees 30 minutes 00 seconds east for a distance of 90.00 feet to a set iron pin; thence running north 82 degrees 30 minutes 00 seconds west for a distance of 90.27 feet to a set iron pin; thence running south 07 degrees 30 minutes 00 seconds west for a distance of 90.00 feet to a set iron pin; and thence running north 82 degrees 30 minutes 00 seconds west along said boundary line between of Oak Park Subdivision and the tract herein described for a distance of 233.14 feet to the found concrete monument which marks the point and place of beginning of the tract herein conveyed, which is labeled "AREA A" on said plat, and which contains a total of 18.57 acres, being 13.23 acres of upland and 5.34 acres of marsh, according to said plat.



**TRACT II:**

All that certain lot, tract or parcel of land situate, lying and being in the City of Brunswick, in the 26<sup>th</sup> G.M. District, in Glynn County, Georgia, which is described and identified according to a plat of survey by Harry A. Strickland, Georgia Registered Surveyor No. 2409, of EMC Engineering Services, Inc., dated November 29, 2005, entitled "SURVEY OF 24.54 ACRES, 26 G.M. DISTRICT, BRUNSWICK, GLYNN COUNTY, GEORGIA", which is now or shortly to be recorded in the office of the Clerk of Superior Court of Glynn County, Georgia, as follows:

Beginning at an iron pin set located at the point of intersection of the southeasterly right of way line of Riverside Drive with the northerly boundary of Oak Park Subdivision (being the boundary between Oak Park Subdivision and the tract herein described), and from said point running in an general northeasterly direction along the southeasterly right of way line of Riverside Drive along the arc of a curve, concave to the southeast and having a radius of 477.98 feet, for a distance of 607.91 feet to a set iron pin; thence continuing along said Riverside Drive right of way north 80 degrees 45 minutes 37 seconds east for a distance of 299.47 feet to an iron pin set; thence running through the salt marsh south 04 degrees 24 minutes 20 seconds west for a distance of 523.11 feet to a found iron pin; and thence running north 82 degrees 30 minutes 00 seconds west along the aforesaid boundary between Oak Park Subdivision and the tract herein described for a distance of 678.57 feet to the iron pin set which marks the point and place of beginning of the tract herein described, which is labeled "AREA B" on said plat and which contains a total of 5.97 acres, consisting of 2.78 acres of upland and 3.19 acres of marsh.



**TRACT III:**

**All that certain lot, tract or parcel of land situate, lying and being in the City of Brunswick, in the 26<sup>th</sup> G.M. District, in Glynn County, Georgia, which is described and identified according to a plat of survey by Harry A. Strickland, Georgia Registered Surveyor No. 2409, of EMC Engineering Services, Inc., dated November 29, 2005, entitled "SURVEY OF 24.54 ACRES, 26 G.M. DISTRICT, BRUNSWICK, GLYNN COUNTY, GEORGIA", which is now or shortly to be recorded in the office of the Clerk of Superior Court of Glynn County, Georgia, as follows:**

**To locate the beginning point, commence at the point of intersection of a found concrete monument located at the point of intersection of the easterly right of way line of U.S. Highway Number 17 with the northerly boundary**

**line of Oak Park Subdivision, and from said point running thence south 82 degrees 30 minutes 00 seconds east for a distance of 233.14 feet along said northerly boundary of Oak Park Subdivision to an iron pin set which marks the point and place of beginning of the tract herein described; from said beginning point continuing along said Oak Park Subdivision boundary south 82 degrees 30 minutes 00 seconds east for a distance of 90.27 feet to a found iron pin; thence running north 07 degrees 30 minutes 00 seconds east for a distance of 90.00 feet to a set iron pin; thence running north 82 degrees 30 minutes 00 seconds west for a distance of 90.27 feet to a set iron pin; and thence running south 07 degrees 30 minutes 00 seconds west for a distance of 90.00 feet to the set iron pin which marks the point and place of beginning of the tract herein described, which is labeled "n/f Taylor J. Yates" on said plat.**



GLYNN AVENUE  
SPECIAL DISTRICT

PLANNED DEVELOPMENT- GENERAL

ZONING AMENDMENT

For

**Parcel 01-00145**

**Parcel 01-05275**

Island View Development  
The City of Brunswick, Georgia

July 21<sup>st</sup>, 2022

**Applicant:**

Maritime Homes

# TABLE OF CONTENTS

	<b>Page</b>
<b>I. GENERAL DESCRIPTION</b>	
A. Location, History, Existing Improvements, Access and Utilities...	1
B. Present Ownership.....	1
C. Project Area.....	1
<b>II. PROPOSED DEVELOPMENT PLAN</b>	
A. Plan Concept, Proposed Land Uses and Tabulation.....	1
B. Existing and Proposed Zoning.....	1
C. Compatibility with Nearby Uses.....	2
<b>III. PROPOSED USES AND OTHER REQUIREMENTS</b>	
A. Residential Permitted and Conditional Uses.....	2
B. Commercial Permitted Uses .....	3
C. Commercial Conditional Uses .....	4
D. Water and Sewer.....	5
E. Proposed Dedication of Land for Public Use.....	5
<b>IV. DEVELOPMENT SCHEDULE.....</b>	<b>6</b>

## **I. GENERAL DESCRIPTION**

This application proposes to amend the existing Zoning for parcel 01-00145 and 01-05275. The project site is located off Hwy 17 in the city of Brunswick, GA. The project area sits within the US 17 Overlay District for the City of Brunswick, GA.

The parcels are currently zoned Highway Commercial (HC), Mobile Home District (MH), General Residential (GR) and Conservation Preservation (CP).

The current use of the parcels includes a mobile home park, a condemned motel and vacant land.

The purpose of this Planned Development–General Zoning is to consolidate both parcels into one master planned development that will include mixed use commercial and residential uses.

Parcel 01-00145 is 4.91 AC, and Parcel 01-05275 is 24.55 AC

Parcel 01-00145 is owned by Island View Partners LLC, and Parcel 01-05275 is owned by the Estate of Mary Elizabeth Harrod.

The project area is shown on the attached exhibit.

## **II. PROPOSED DEVELOPMENT PLAN**

### **A. Plan Concept and Proposed Land Uses**

The applicant intends on developing this parcel in accordance with the land use and development standards as listed in this text.

This Planned Development would adhere to the US 17 Overlay District design standards.

The attached master plan is intended to show the proposed areas for Residential Zoning and Commercial Zoning.

### **B. Existing and Proposed Zoning**

The development area is currently zoned HC, MH, GR and CP. The proposed zoning will be Special District – General and would include commercial developments and residential developments.

**C. Compatibility with Nearby Uses**

This property is already zoned with the proposed land uses and is only seeking to consolidate the zoning.

**III. PERMITTED USES AND OTHER REQUIREMENTS**

**A. Residential Permitted Uses:**

The following uses may be permitted in this district subject to the provisions set forth in section the City of Brunswick, GA Municode 23-25-4.

1. One family dwelling
2. Two-family dwelling, including patio dwelling.
3. Multi-family dwelling.
4. Townhouse dwelling.
5. Group dwelling.
6. Boarding house.
7. One-family dwelling, attached.

**B. Residential Conditional uses:**

The following Conditional Uses uses may be permitted in this district subject to the provisions set forth in the City of Brunswick, GA Municode section 23-25-4.

1. All conditional uses permitted in the R-9 residential district as set forth in the City of Brunswick, GA Municode section 23-4-3, except cemeteries.
2. Public or private care homes, provided that such facilities must receive the written approval of the Glynn County Board of Health, a copy of which shall be retained in the files of the building official, and provided that such use conforms with the provisions of section 23-18-4 pertaining to care homes.

### **C. Commercial Permitted Uses:**

The following uses shall be permitted in this district:

1. Any use permitted in the Residential Permitted Uses listed above, unless otherwise set forth herein.
2. Retail, wholesale or storage business involving the sale of merchandise on the premises, except those uses which involve open yard storage of junk, salvage, used auto parts or building materials. Open storage shall be permitted under conditions set forth in section 23-9-3(g).
3. Retail sale of alcohol for on-site consumption, provided that the distance from any existing home, residential development, school or church to the entrance of the building is at least 300 feet. There is no minimum distance requirement for any future residential development
4. Retail sale of alcohol for off-site consumption, provided that the distance from any existing home, residential development, school or church to the entrance of the building is at least 300 feet. There is no minimum distance requirement for any future residential development
5. Business involving the rendering of a personal service, other than an automobile laundry or an automobile repair garage, which shall be permitted under conditions set forth in section 23-9-3(b) and (e).
6. Seafood processing facilities and/or dock operations involving seafood processing.
6. Private or semi-private club, lodge, union hall or social center.
7. Church.
8. Off-street commercial parking lot or garage.
9. Hotel, tourist home, and motel.
10. Commercial recreation facility, specifically including:
11. Bowling alley.
12. Billiard parlor.

13. Roller or ice-skating rink.
14. Theatre, but not including drive-in type of facility.
15. Transportation terminal.
16. Commercial trade or vocational school.
17. Eating and/or drinking establishment, including drive-in or curbside service.
18. Radio and/or television station and/or transmission tower.
19. Public utility installation or sub-installation, including water towers.
20. Office building and/or office for governmental, business, professional or general purposes.
21. Accessory use in compliance with the provisions of section 23-3-17 of the City of Brunswick, GA Municode.

**D. Commercial Conditional Uses:**

The following uses shall be permitted on a conditional basis in this district, subject to conditions set forth in section 23-25-4 of section 23-3-17 of the City of Brunswick, GA Municode.

1. Automobile service station, provided that all pumps are set back at least 25 feet from the right-of-way line of the street and parking and/or service areas are separated from adjoining residential properties by a suitable planting a screen, fence, or wall at least six feet in height above finish grade.
2. Garage for the repair and servicing of motor vehicles, provided that all operations are conducted within a fully enclosed building or buildings, and there is no open storage of wrecked vehicles, dismantled parts, or supplies visible beyond the premises.
3. Newspaper publishing plant, provided that the requirements for parking, loading and unloading conform to those for industrial buildings, as set forth in sections 23-3-19 and 23-3-20 of the City of Brunswick, GA Municode.

4. Automobile laundry or washateria, provided that an off-street paved parking area capable of accommodating not less than one-half of hourly vehicle washing capacity awaiting entrance to the washing process is suitably located and maintained on the premises (such space to contain at least 200 square feet per waiting vehicle) and no safety hazard or impediment to traffic movement is created by the operation of such an establishment.
5. Animal hospital and/or boarding facility, provided all boarding arrangements are maintained within a building and no noise connected with the operation of the facility is perceptible beyond the premises.
6. Open yard use for the sale, rental and/or storage of materials or equipment excluding junk or other salvage, provided that such uses are separated from adjoining residential properties by a suitable planting screen, fence, or wall at least six feet in height above finish grade.
7. Community hospitals or clinics, including any function such as cafeterias and laundries which relate directly to the operation of the hospitals or clinics and are contained within the confines of said hospital or clinic, provided such uses are in compliance with the provisions of section 23-17-4 of the City of Brunswick, GA Municode.
8. Any educational facilities directly related to an authorized hospital or the Glynn County Board of Health, and under the supervision of said hospital or the Glynn County Board of Health, provided such uses are in compliance with the provisions of section 23-17-4 of the City of Brunswick, GA Municode.
9. Single or multi-story dormitories or living quarters for the staff and the student body of an authorized hospital or its related activities, including eating and laundry facilities, provided such dormitories and sleeping quarters are under the supervision and control of an authorized hospital, and provided such uses are in compliance with the provisions of section 23-17-4 of the City of Brunswick, GA Municode.
10. Public or private care homes, provided such facilities conform with the requirements of the Georgia State Board of Health and receive the written approval of the Glynn County Board of Health and the state fire marshal prior to the issuance of any permits for construction and operation, copies of such approvals to be attached to the building permit and to be retained in the files of the building official and provided further that such use conforms with the provisions of section 23-17-4 pertaining to care homes.

11. Temporary use in compliance with the provisions of section 23-23-5 of the City of Brunswick, GA Municode.

**D. Water/Sewer:**

The water system will tie into the existing 12" water main along Majestic Oaks Drive. The sewer will tie into the manholes and stub-outs along Majestic Oaks Drive.

**E. Proposed Dedication of Land for Public Use:**

Right-of-Way, Access Easements and Utility Easements will be granted in accordance to the City of Brunswick, GA Zoning Ordinance and shown during the appropriate phase of each development on the Subdivision Plat or Site Plan.

Each development may contain recreational facilities, open space and recreation areas that will be a shared common space for that development. All such facilities will be owned and maintained by a homeowner's association.

**IV. DEVELOPMENT SCHEDULE**

Construction shall begin within six (6) months of the receipt of a Building Permit. A two-year construction period is estimated.







**SUBJECT: RZ 22-04 | 50 Faith Avenue | Rezone from R9 to C-P**

---

**COMMISSION ACTION REQUESTED ON: 10/5/22**

**PURPOSE:** See attached Staff Report

**HISTORY:**

**FACTS AND ISSUES:**

**BUDGET INFORMATION: N/A**

---

**OPTIONS:**

- Approve RZ 22-04 as submitted.
  - Approve RZ 22-04 with conditions.
  - Do not approve RZ 22-04.
- 

**DEPARTMENT RECOMMENDATION ACTION:**

- Approve RZ 22-04 as recommended by staff and the PAC
- 

**DEPARTMENT: PDC**

---

Prepared by: John Hunter, Director

**ADMINISTRATIVE COMMENTS:**

---

**ADMINISTRATIVE RECOMMENDATION:**

---

*Regina M. McDivitt*

City Manager

9/26/22

Date

# **Rezoning Petition No. 22-04**

**(50 Faith Avenue)**

**Staff Report**  
**John Hunter**  
*Director*  
*Planning, Development, & Codes*

**City of Brunswick**  
**Public Hearing**  
**October 5, 2022**

# Table of Contents

Requested Rezoning.....	1
Existing Conditions.....	1
Existing Zoning.....	1
Requested Zoning .....	2
Staff Analysis.....	2
Staff Recommendation.....	2
Appendix A – zoning standards and policies.....	4
Appendix B – Conservation Preservation Code.....	7
Appendix C –Application .....	<b>10</b>
Appendix D – Correspondence from the Public.....	19

# Requested Rezoning

Hunter, Maclean, Exley & Dunn, PC, agent, is petitioning to rezone the subject parcel to Conservation-Preservation (CP) from R9 One-Family Residential (R9).

# Existing Conditions

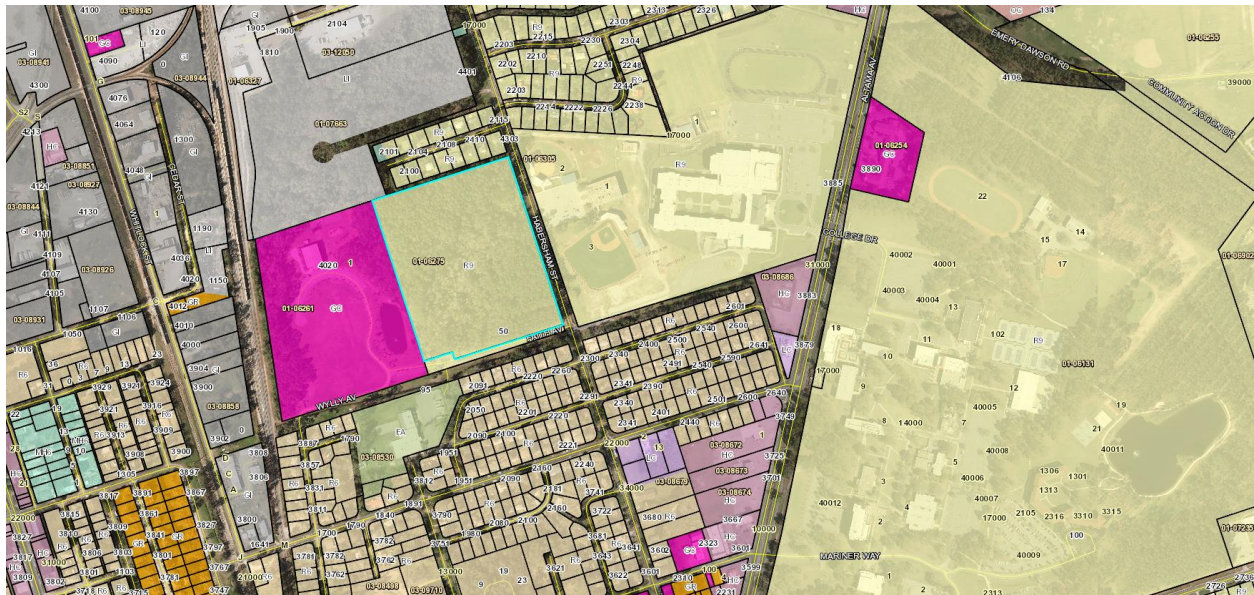
The subject parcels comprise 20+/- acres. The parcel at 50 Faith Avenue is wooded, contains wetlands, and is undeveloped.



Location map

# Existing Zoning

The subject parcel is zoned R9. The adjacent parcels immediately to the north, east and south are zoned R9. The parcel to the west is zoned General Commercial (GC). There are also adjacent Limited Industrial (LI) and Forest Agricultural (FA).



## Requested Zoning

The applicant has requested rezoning the parcel to Conservation-Preservation (CP). This would allow for the property to be used for agricultural purposes such as the growing and harvesting of fruits and vegetables, and the construction and use of a greenhouse and buildings for growing hydroponic vegetables.

## Staff Analysis

It is the intent of the CP zoning district to preserve and/or control development within certain land, marsh and/or water areas of the City of Brunswick which serve as wildlife refuges, possess great natural beauty or are of historical significance, are utilized for recreational purposes, provide needed open space for the health and general welfare of the city's inhabitants, or are subject to periodic flooding. The regulations which apply within this district are designed to reserve such areas for the purposes outlined herein and to discourage any encroachment by residential, commercial, industrial or other uses capable of adversely affecting the relatively undeveloped character of the district.

When considering a rezoning, we examine our Comprehensive Plan for guidance:

### Character Area: North Brunswick

This northern portion of the City includes an irregularly shaped area primarily centered on Altama Avenue but also with frontage on Community Road/ Cypress Mill Road, and the Spur 25. The development pattern here is very mixed with no one type of development predominating. The campus of the College of Coastal Georgia and Brunswick High School comprise mayor civic uses in this area. Linear, auto-oriented commercial uses with scattered building sites and large parking areas are found along Altama Avenue, Community Road/ Cypress Mill Road, and the Spur 25.

Two residential neighborhoods with curved buy connected street systems, Magnolia Park and College Park, are also part of this area. These neighborhoods have well defined boundaries and consistent single-family development patterns but also offer proximity to nearby commercial and institutional services.

### Vision

The vision for the North Brunswick area is multi-layered, reflecting its land use diversity. For the single-family neighborhoods of Magnolia Park and College Park, the vision is to preserve the character and boundaries of these suburban, single-family neighborhoods. For Altama and Community Road/Cypress Mill Road, the vision is for new, mixed-use, urban boulevards with active, pedestrian-oriented streetscapes. For Spur 25, the vision is for a major commercial corridor including big box retail with limited access to ensure transportation mobility. It is also important to the North Brunswick community that it retain its institutional assets – the Coastal Georgia Community College, Brunswick High School, and Jane Macon Middle School. These institutional assets should be better connected with nearby neighborhoods and knit together with a connected framework of pedestrian and bicycle paths.

## Appropriate Land Uses

- Single-family residential development within Magnolia Park and College Park
- Community-scale commercial, institutional, multifamily, and mixed-use development along Altama Avenue and Community Road/ Cypress Mill Road
- Regional-scale commercial development including big box development along Altama Avenue, Community Road/ Cypress Mill Road, and Spur 25
- Industrial development on the western portions of Habersham

While the Comprehensive Plan does not contemplate a Conservation-Preservation use for future development, there are obvious benefits for this zoning classification in any area of the City. Notably, it is a low impact zoning classification with limited uses. C-P should not be considered spot zoning, as the intent is protect lands for low-impact uses. As such, you see C-P zoning utilized throughout Brunswick to designate parks, greenspaces, and wetlands. A C-P zoning will prevent any industrial or commercial encroachment from adjacent properties and provide additional buffer to neighboring residential and educational properties.

## Staff Recommendation

Staff recommends approval of the rezoning application.

## Planning and Appeals Commission Recommendation

The PAC held a Public Hearing on this application at their September 14th meeting.

During the Public Hearing, Renee Young (2100 Clairmont Ln) spoke in favor of the request, as it would protect the area from increased traffic of other types of development. Cornell Harvey spoke against the request as he believed the property should be maintained for housing.

The PAC recommended approval of the application 3-0 (Ms. Greene abstained due to a conflict).

# Appendix A – zoning standards and policies

## ZONING STANDARDS AND POLICIES AND PROCEDURES FOR ZONING HEARINGS

Approved by the Commission City of Brunswick, Georgia  
April 5, 1989

### Part I. Standards

The current Georgia statutory law, O.C.G.A. ;s; 36-66-5(b) expressly mandates that each local government exercising zoning power establish and consider such factors in the form of substantive standards for zoning decisions. That subsection provides:

[E]ach local government shall adopt standards governing the exercise of the zoning power, and such standards may include any factors which the local government finds relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property. Such standards shall be printed and copies thereof shall be available for distribution to the general public.

In keeping with the foregoing statutory requirement, the City of Brunswick has adopted the following substantive standards to govern its zoning decisions:

**A. A PROPOSED ZONING CLASSIFICATION OR CONDITIONAL USE REQUEST SHOULD BE COMPATIBLE WITH EXISTING USES AND ZONING OF ADJACENT AND NEARBY PROPERTY, AND ``SPOT ZONING'' SHOULD ALMOST ALWAYS BE REJECTED.**

(1) Would the proposed rezoning create an isolated district unrelated to adjacent and nearby districts?

(2) Is the proposed rezoning a logical extension of a zoning boundary which would improve the pattern of uses in the general area?

**B. A PROPOSED ZONING CLASSIFICATION SHOULD NOT DESTABILIZE THE SURROUNDING NEIGHBORHOOD.**

(1) Is the proposed zoning classification one which would promote integrity of the neighborhood and preserve its general character?

(2) Would the proposed rezoning precipitate similar rezoning requests which would generate or accelerate adverse land use changes in the neighborhood?

**C. A PROPOSED ZONING CLASSIFICATION SHOULD MAXIMIZE THE ECONOMIC VALUE OF THE SUBJECT PROPERTY WITHOUT DEPRECIATING THE VALUE OF ADJACENT AND NEARBY PROPERTY.**

(1) To what extent does the existing zoning classification depress the value of the subject property?

(2) To what extent would the proposed zoning classification result in appreciation of the value of the property?



(3) What effect does the existing zoning classification have on the values of adjacent and nearby property?

(4) What effect would the proposed zoning classification have on the values of adjacent and nearby property?

**D. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE AN ADVERSE EFFECT ON TRAFFIC FLOW, TRAFFIC SAFETY OR POPULATION DENSITY.**

(1) Is there adequate public or private parking for the proposed use and other uses permitted within the classification?

(2) Would such uses create any problem of traffic congestion in the area?

(3) Would such uses create any traffic safety problem with regard to ingress and egress, visibility or otherwise?

(4) Would such uses necessitate changes in streets or sidewalks or traffic signage or signalization?

(5) Would such uses contribute to an undesirable level of population density?

(6) Would such uses substantially conflict with existing density patterns in the neighborhood?

**E. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE ADVERSE ENVIRONMENTAL IMPACT.**

(1) Would the proposed use or other uses permitted within the classification create noise, dust, smoke or odors?

(2) Would such uses affect air quality or water quality and quantity?

(3) Would such uses create problems with drainage or soil erosion and sedimentation?

(4) Would such uses aggravate problems with flood damage control?

(5) Would such uses aggravate waste disposal problems?

**F. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE ADVERSE AESTHETIC EFFECTS.**

(1) Would the proposed rezoning lead to removal of existing vegetation?

(2) Would the proposed use incorporate new planting?

(3) Would the proposed use necessitate unattractive structures or result in removal or alteration of historic structures?

(4) Would the proposed use be visually compatible with the surrounding neighborhood?

(5) Would the proposed use include machinery or work visible from the street or neighboring property?

(6) Would the proposed use be adequately separated from conflicting uses by an appropriate buffer?

**G. A REZONING SHOULD NOT RESULT IN COSTS TO THE PUBLIC DISPROPORTIONATE TO TAX REVENUES GENERATED BY THE PROPOSED USE.**

(1) Would the rezoning increase the cost of government in providing public utilities, schools, streets, police and fire protection, etc.?

(2) What additional public facilities would be required?

(3) To what extent would such increased costs be offset by increased tax revenues?

**H. THE SUBJECT PROPERTY SHOULD BE SUITABLE FOR THE ZONED PURPOSES.**

(1) Is the property suitable for uses within the existing zoning classification?

(2) Has the property been vacant as zoned, and if so, for what period or periods of time?

(3) Are there substantial reasons why the property cannot be economically used in accordance with existing zoning?

(4) Would the proposed rezoning benefit the general public in any way?

(5) Would the proposed rezoning conform to or diverge from the comprehensive land use plan?

\* \* \*

It is obvious that the foregoing standards are very general, not at all specific, and that the public and private interests cannot be balanced with mathematical certainty in a zoning decision. Moreover, particular zoning issues which may arise, considered in context, may suggest concerns in addition to the foregoing standards and further questions which will need to be addressed by the Commission. It can only be said that any zoning decision, to be lawful, must be based on a relative gain to the public, as compared to the hardship imposed upon private parties. Such decisions must never be based simply upon the numbers of supporters or opponents or other political factors without consideration of the standards.

*(excerpt from addendum that was added to the zoning ordinance by the City Commission on April 5, 1989)*

## Appendix B – CP Conservation-Preservation Districts

### Sec. 23-14-1. - Intent of district.

It is the intent of this article that the CP zoning district be established and maintained to preserve and/or control development within certain land, marsh and/or water areas of the City of Brunswick which serve as wildlife refuges, possess great natural beauty or are of historical significance, are utilized for recreational purposes, provide needed open space for the health and general welfare of the city's inhabitants, or are subject to periodic flooding. The regulations which apply within this district are designed to reserve such areas for the purposes outlined herein and to discourage any encroachment by residential, commercial, industrial or other uses capable of adversely affecting the relatively undeveloped character of the district.

(Ord. No. 1006, § 1, 11-19-2008)

### Sec. 23-14-2. - Permitted uses.

The following uses shall be permitted in any CP zoning district:

- (a) Private boat dock or boat house.
- (b) Boat marina.
- (c) Bait house.
- (d) Public utility line, fire or water tower or substation.
- (e) Publicly owned and/or operated park, open space, recreational facility or use, and the equipment necessary for servicing the users.
- (f) Farm for the growing of rice or other agricultural products, including timber.
- (g) Wildlife refuge, including one-family dwelling units of caretakers employed to maintain and protect the refuge.
- (h) Swimming beach.

(Ord. No. 1006, § 1, 11-19-2008)

### Sec. 23-14-3. - Conditional uses.

The following use shall be permitted in any CP zoning district on a conditional basis, subject to conditions set forth in section 23-25-4.

- (a) Cemetery, with or without chapel, provided that such use consists of a site of at least ten acres, has a planted buffer strip around its entire perimeter except for areas and includes no crematorium or dwelling unit other than for a caretaker.
- (b) Museum or exhibit area in conjunction with an area or use of recognized historical, aesthetic or educational significance, provided that no commercial activities other than the possible collection of an admission fee, if any, are associated with said museum or exhibit area.
- (c) Dredging, land fill or the excavation of natural materials, provided that such use does not block, alter, or divert the flow of a major stream, river or other such drainageway and provided further that plans for the alteration of any lands zoned CP, conservation-preservation must be approved by the commission of the City of Brunswick in writing before such alteration in land shall be permitted.

(Ord. No. 1006, § 1, 11-19-2008)

Sec. 23-14-4. - Other requirements.

Unless otherwise specified elsewhere in this chapter, uses permitted in CP zoning districts shall be required to conform to the following standards:

- (a) Minimum lot area: 5,000 square feet.
- (b) Minimum lot width: 50 feet.
- (c) Minimum front yard: 20 feet.
- (d) Minimum side yard: Ten feet on each side.
- (e) Minimum rear yard: None, except that when the property abuts another zoning district, ten feet shall be required.
- (f) Maximum building height: 35 feet.

(Ord. No. 1006, § 1, 11-19-2008)

## **Appendix C – Application**

(Original application included on next page)



# CITY OF BRUNSWICK, GEORGIA

## APPLICATION FOR REZONING

# RZ

**APPLICANT:** After completely reading this form, the applicant will answer each item as completely as possible. Please print or type. The Planning Staff will assist you if necessary.

This is a request for a **REZONING** to the Official Zoning Ordinances of the City of Brunswick. Please read Article XXIII of Zoning Ordinance which applies to your proposal.

- Applicant (Your Name): Hunter, Maclean, Exley & Dunn, P.C Daytime Phone: 912-236-~~E~~ Email: scallahan@huntermaclean.com  
Mailing Address 200 E Saint Julian Street, Savannah, Georgia Zip: 31412
- Location of Property forming the basis for this text amendment: 50 Faith Avenue  
Street Brunswick, Georgia 31520 Tax Map and Parcel Number: 01-06275
- Is this rezoning due to annexation?  YES  NO
- Total Parcel area (indicate square feet or acres): 20.00 Acres +/- Square Feet/Acres
- Present Zoning: R9 Abutting zones (list all zones that touch the parcel): LI, GC, and R9
- Proposed Zoning: CP Conservation-Preservation
- Are any special use(s), variance(s), covenant(s), or prior rezoning(s) present on the parcel?  
 YES  NO If 'YES', list ALL and date: \_\_\_\_\_
- The following data shall be attached as applicable:  
 **Petition signed by Property Owner or agent requesting the Rezoning.**  
 **Full text of the proposed amendment in the format of the ordinance it is intended to amend.**
- Reasons for the rezoning request: To change the current zoning to CP Conservation-Preservation to allow for agricultural uses such as growing and harvesting fruits and vegetables, and the construction and use of a greenhouse, and two buildings for growing hydroponic vegetables.
- Do you have legal possession of the parcel(s) proposed for this zoning text amendment?  YES  NO (If 'NO' then this application cannot be processed until an application is received for all parcels intended to be affected by the text amendment and legal authorization provided.)
- Owner's Name (If different from Applicant\*): Glynn County Board of Education  
Address: 1313 Egmont Street, Brunswick, Georgia Zip: 31520 Daytime Phone: 912-275-7282 (\*If applicant is different from Owner, a legal authorization to represent the Owner must be attached to this application.)

I understand that the City of Brunswick will not process this application until I have submitted **ALL** required materials on or before the date of the approved schedule, which shall be **not less than 20 days prior to the regularly scheduled and advertised monthly meeting of the Planning and Appeals Commission**. The PAC meets on the Second Wednesday of each month at 5:15 PM in Commission Chambers, Old City Hall. The recommendation of the Planning Commission is forwarded to City Commission for their review at the next regularly scheduled meeting following the PAC meeting.

Signed:  Date: 08/25/2022

(Printed Name: Sean Callahan)



City of Brunswick  
Planning, Development, & Codes Department  
601 Gloucester Street  
Brunswick, Georgia, 31520

Property Owner's  
Authorization Letter

I (we): Glynn County Board of Education  
(Print Property Owners Name/ Firm/ Organization)

Hereby Authorize: Sean Callahan  
(Applicant - Name of Person to Sign Permit)

Representative of: Hunter, Maclean, Exley & Dunn, P.C  
(Applicant Company Name/ Organization)

To apply for, sign, and represent the property owner for the following proposed action:

filing a rezoning application

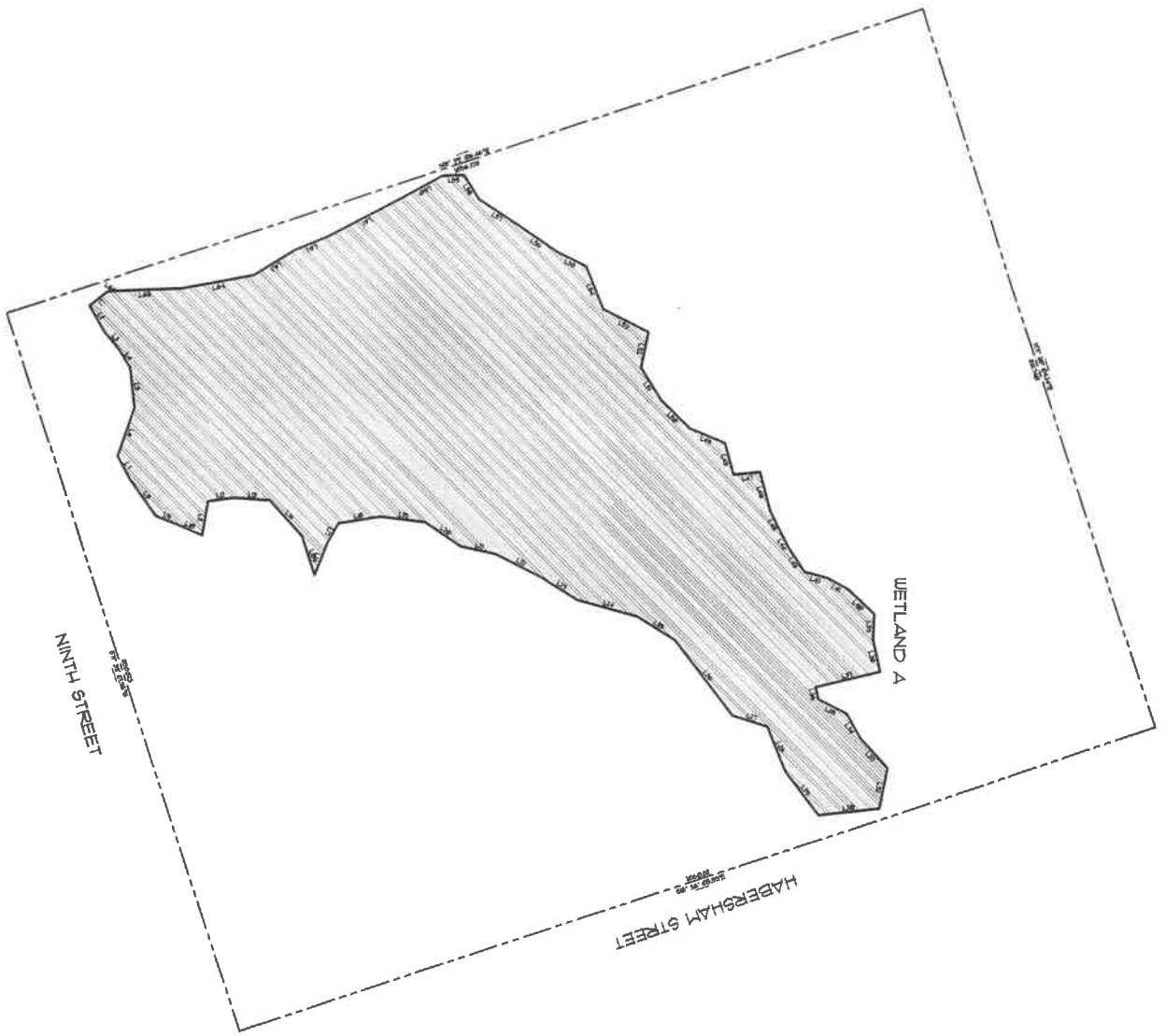
Property Location: 50 Faith Avenue, Brunswick, Georgia 31520  
(Property Address)

As property owner(s), I (we) hereby grant permission to the applicant referenced above to apply for, sign, and represent the owner as indicated above.

Jerry A. Mancil  
(Property Owner or Person with Power of Attorney Signature)

8/25/2022  
(Date)

Jerry A. Mancil Authorized Signatory  
(Printed Name) (Title)



Line #	Length	Dimension	Line #	Length	Dimension	Line #	Length	Dimension	Line #	Length	Dimension
L1	75.293	600' 00" 00.0000 W	L21	31.703	600' 00" 00.0000 W	L41	39.641	600' 00" 00.0000 W	L61	30.116	600' 00" 00.0000 W
L2	31.144	600' 00" 00.0000 W	L22	86.216	600' 00" 00.0000 W	L42	39.650	600' 00" 00.0000 W	L62	30.125	600' 00" 00.0000 W
L3	71.306	600' 00" 00.0000 W	L23	47.136	600' 00" 00.0000 W	L43	44.644	600' 00" 00.0000 W	L63	31.071	600' 00" 00.0000 W
L4	22.211	600' 00" 00.0000 W	L24	49.313	600' 00" 00.0000 W	L44	41.201	600' 00" 00.0000 W	L64	31.079	600' 00" 00.0000 W
L5	44.449	600' 00" 00.0000 W	L25	49.314	600' 00" 00.0000 W	L45	41.201	600' 00" 00.0000 W	L65	31.079	600' 00" 00.0000 W
L6	86.449	600' 00" 00.0000 W	L26	31.703	600' 00" 00.0000 W	L46	39.641	600' 00" 00.0000 W	L66	30.116	600' 00" 00.0000 W
L7	23.549	600' 00" 00.0000 W	L27	31.703	600' 00" 00.0000 W	L47	39.641	600' 00" 00.0000 W	L67	30.116	600' 00" 00.0000 W
L8	48.817	600' 00" 00.0000 W	L28	44.644	600' 00" 00.0000 W	L48	44.644	600' 00" 00.0000 W	L68	31.071	600' 00" 00.0000 W
L9	30.022	600' 00" 00.0000 W	L29	44.644	600' 00" 00.0000 W	L49	44.644	600' 00" 00.0000 W	L69	31.071	600' 00" 00.0000 W
L10	20.209	600' 00" 00.0000 W	L30	44.644	600' 00" 00.0000 W	L50	44.644	600' 00" 00.0000 W	L70	31.071	600' 00" 00.0000 W
L11	30.022	600' 00" 00.0000 W	L31	44.644	600' 00" 00.0000 W	L51	44.644	600' 00" 00.0000 W	L71	31.071	600' 00" 00.0000 W
L12	30.022	600' 00" 00.0000 W	L32	44.644	600' 00" 00.0000 W	L52	44.644	600' 00" 00.0000 W	L72	31.071	600' 00" 00.0000 W
L13	30.022	600' 00" 00.0000 W	L33	44.644	600' 00" 00.0000 W	L53	44.644	600' 00" 00.0000 W	L73	31.071	600' 00" 00.0000 W
L14	30.022	600' 00" 00.0000 W	L34	44.644	600' 00" 00.0000 W	L54	44.644	600' 00" 00.0000 W	L74	31.071	600' 00" 00.0000 W
L15	30.022	600' 00" 00.0000 W	L35	44.644	600' 00" 00.0000 W	L55	44.644	600' 00" 00.0000 W	L75	31.071	600' 00" 00.0000 W
L16	30.022	600' 00" 00.0000 W	L36	44.644	600' 00" 00.0000 W	L56	44.644	600' 00" 00.0000 W	L76	31.071	600' 00" 00.0000 W
L17	30.022	600' 00" 00.0000 W	L37	44.644	600' 00" 00.0000 W	L57	44.644	600' 00" 00.0000 W	L77	31.071	600' 00" 00.0000 W
L18	30.022	600' 00" 00.0000 W	L38	44.644	600' 00" 00.0000 W	L58	44.644	600' 00" 00.0000 W	L78	31.071	600' 00" 00.0000 W
L19	30.022	600' 00" 00.0000 W	L39	44.644	600' 00" 00.0000 W	L59	44.644	600' 00" 00.0000 W	L79	31.071	600' 00" 00.0000 W
L20	30.022	600' 00" 00.0000 W	L40	44.644	600' 00" 00.0000 W	L60	44.644	600' 00" 00.0000 W	L80	31.071	600' 00" 00.0000 W

AREAS  
 WETLANDS: 249,108 SF = 5.70 ACRES  
 UPLAND: 631,814 SF = 14.50 ACRES





STATE OF GEORGIA,  
COUNTY OF GLYNN.

THIS CONVEYANCE, made on this the 9<sup>th</sup> day of November, 1964, from GRADY B. EVERETT and JOHN R. MINIER, of Glynn County, Georgia, as GRANTORS, to THE BOARD OF EDUCATION OF GLYNN COUNTY, GEORGIA, a Georgia public corporation domiciled in Glynn County, Georgia, as GRANTEE;

WITNESSETH: That the said Grantors, for and in consideration of the sum of Ten (\$10) Dollars and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, conveyed and confirmed, and by these presents do grant, bargain, sell, alien, convey and confirm unto the said Grantee, its successors and assigns, all of the following described property, to-wit:

All that certain lot, tract or parcel of land situate, lying and being in the 26th District, G.M., in Glynn County, Georgia, containing 20.50 acres, more or less, and more particularly described according to the map and plat, made by John H. Ringeling, dated October 29, 1964, and attached hereto and made a part hereof, and thereon more particularly described as follows, to-wit: Commencing at an iron pin on the westerly line of Habersham Street, which iron pin is located by reference to the grid coordinates in feet of the Georgia Coordinate System, East Zone, as established by the U.S. Coast & Geodetic Survey, at Y 431,463.76 + X 710,684.35, which is also the point of intersection of the northerly line of Ninth Street with the westerly line of Habersham Street, and from said beginning point running thence south 72 degrees 16 minutes west for a distance of 837 feet to an iron pin; thence running north 18 degrees 01 minutes west for a distance of 1,062.60 feet to an iron pin; thence running north 71 degrees 59 minutes east for a distance of 837 feet to an iron pin on the westerly line of Habersham Street; thence running south 18 degrees 01 minutes east along said line of Habersham Street for a distance of 1,066.74 feet to the point or place of beginning.

The property hereby conveyed is a portion of the property which was conveyed to the Grantors herein by deed from Union Bag-Camp Paper Corporation, dated April 22, 1964, and of record in the office of the Clerk of the Superior Court of Glynn County, Georgia, in Deed Book 11-Y, Page 541, et seq.

TO HAVE AND TO HOLD said above and hereby conveyed property, together with all and singular the rights, members, improvements, easements and appurtenances to the same being or belonging to the only proper use, benefit and behoof of the said Grantee, its successors and assigns, in fee simple;

AND THE SAID GRANTORS, the said bargained property above described, unto the said Grantee, its successors and assigns, against the said Grantors, their heirs, executors, administrators and assigns, and against the lawful

122/105

claims and demands of all and every other person or persons, shall and will and do hereby warrant and forever defend, by virtue of these presents.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands, affixed their seals and delivered these presents on this the day and year first above writteh.

Grady B. Everett (L.S.)  
Grady B. Everett

John R. Minter (L.S.)  
John R. Minter

Signed, sealed and delivered in the presence of:

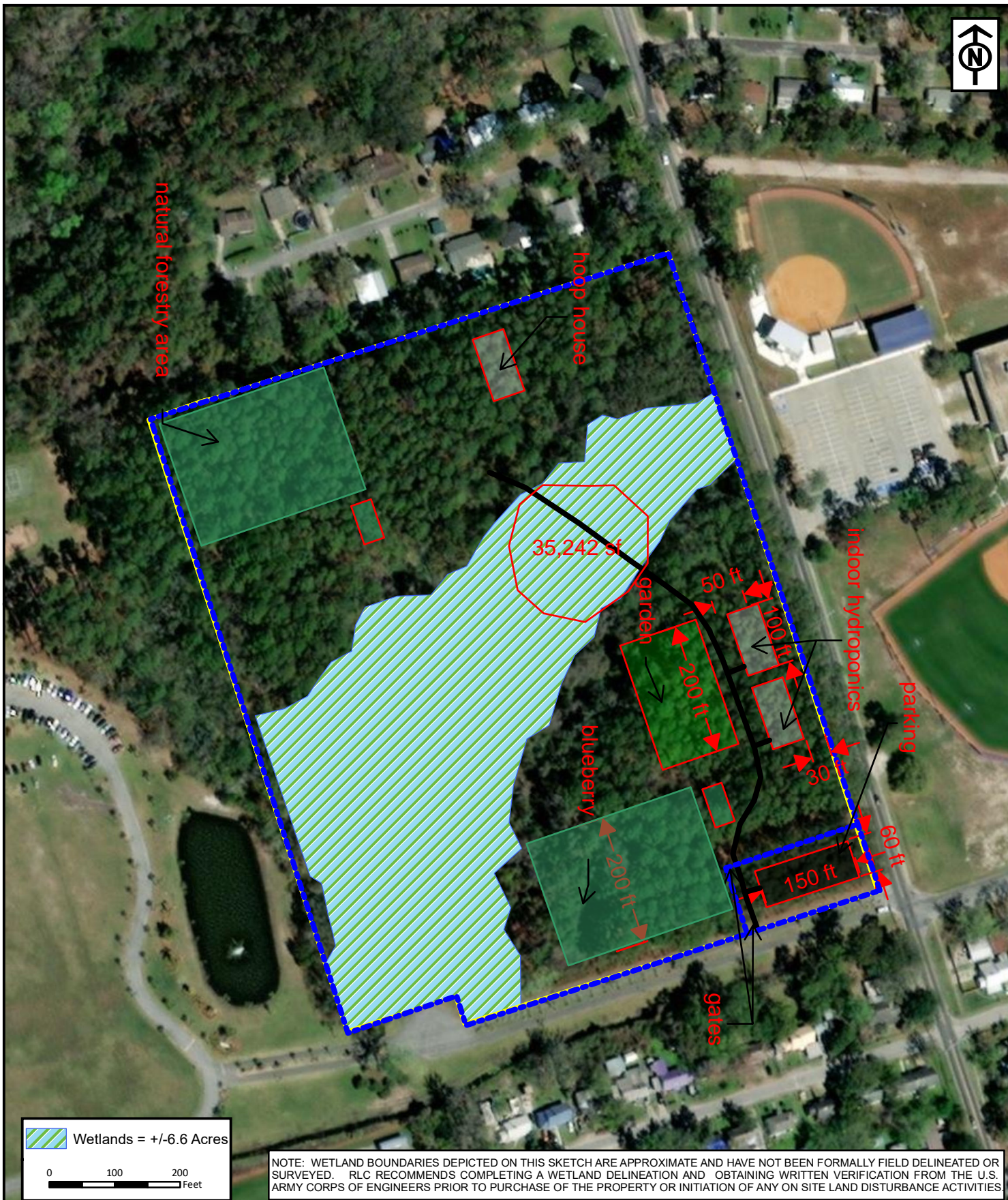
B. Wright

Silva B. Bunkley  
Notary Public, Glynn County, Georgia



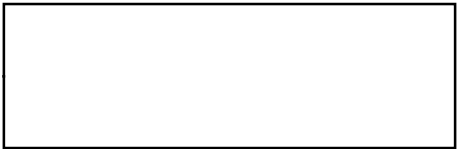
122/106

## Site Development Plan:



RLC Project No.:	21-414
Figure No.:	1
Prepared By:	DB
Sketch Date:	11/8/2021
Map Scale :	1 inch = 200 feet

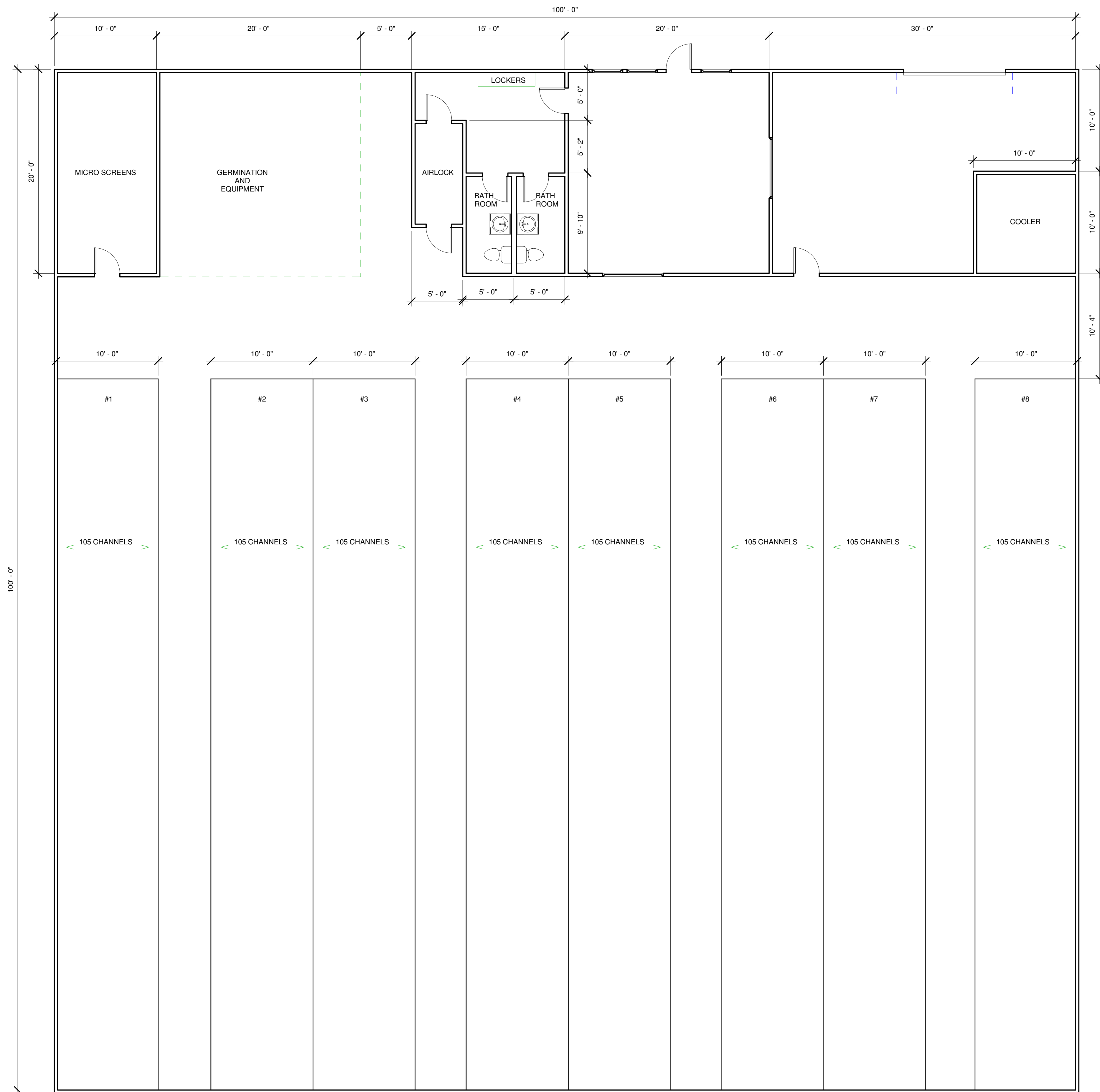
**Parcel 01-06275**  
Glynn County, Georgia



**RLC**  
**RESOURCE+LAND**  
**CONSULTANTS**

41 Park of Commerce Way, Ste. 101  
Savannah, Georgia 31405  
912.443.8396 www.rlcinc.com

**CONCEPTUAL BUILDING FLOOR PLAN:**



Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

Consultant  
Address  
Address  
Phone  
Fax  
e-mail

No.	Description	Date

1 First Floor  
3/16" = 1'-0"

A

**Hydroponic Facility**  
First Floor Plan

---

Date: 7/27/2020  
 Drawn by: A. Hayes  
 Checked by:

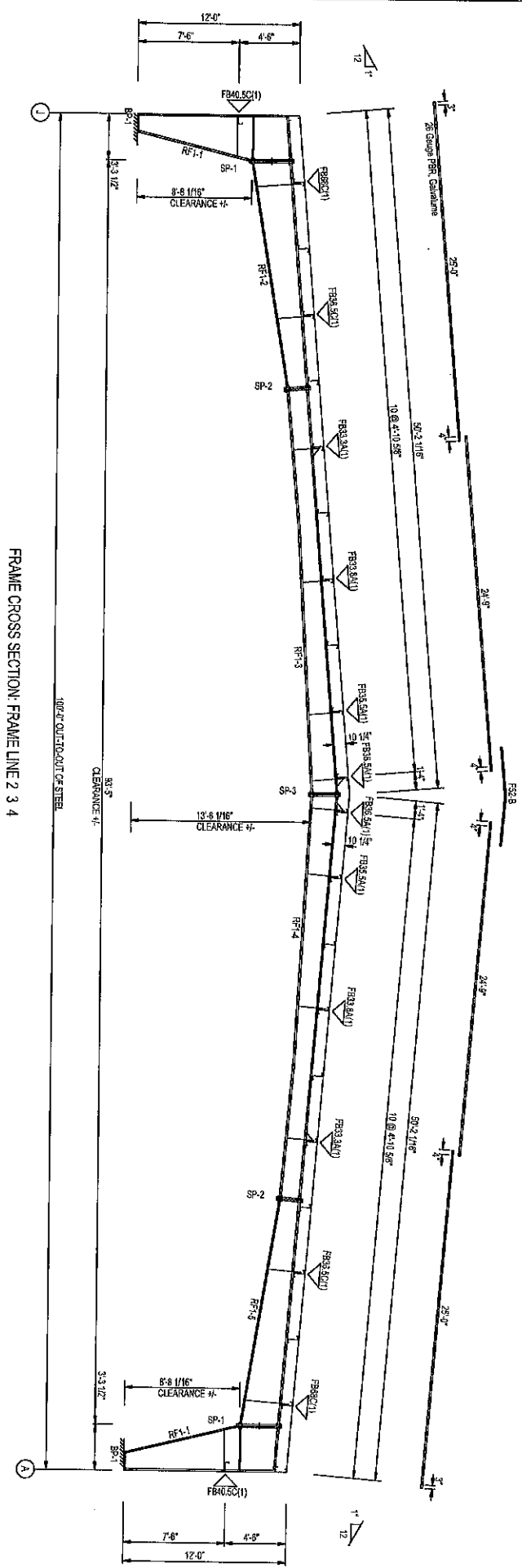
**A1**

Scale: 3/16" = 1'-0"

# Conceptual Building Frame:

STEELER TABLE			
Mark	Size	Frame Size	Length
RF1-1	SP-1	4"	5'6"

FLANGE SPACES BOTH SIDES (UNLESS NOTED)  
 FABRICATOR: [unclear]  
 C-112021418  
 A-112021418



FRAME CROSS SECTION: FRAME LINE 2 3 4

## **Appendix D – Correspondence from the public**

**OFFICIAL MINUTES  
BRUNSWICK CITY COMMISSION  
REGULAR SCHEDULED MEETING  
WEDNESDAY, SEPTEMBER 21, 2022  
AT 6:00 P.M.**

**1229 NEWCASTLE STREET, 2<sup>nd</sup> FLOOR**

**&**

**STREAMED LIVE AT THE BELOW WEB ADDRESS:**

<https://www.facebook.com/citybwkga>

**PRESENT:** Honorable Mayor Cosby Johnson, Mayor Pro-Tem Felicia Harris, Commissioner Commissioner John Cason III, Commissioner Julie Martin and Commissioner Kendra Rolle

**CALL TO ORDER:** Mayor Johnson - *meeting began at 6:00 p.m.*

**INVOCATION:** Mayor Pro Tem Harris

**PLEDGE OF ALLEGIANCE:** Recited in unison by all in attendance

**ADDENDUM(S) TO AGENDA**

Commissioner Martin made a motion to defer item number 8, “Consider Adoption of Proposed Ordinance No. 1075 ~ Urban Camping.”, until October 5, 2022 commission meeting; seconded by Commissioner Cason. Motion passed unanimously.

\*\*

Commissioner Martin made a motion to add as item number 4a, “Update on Wayfinding Signage Installation; seconded by Mayor Pro Tem Harris. Motion passed unanimously.

**APPROVAL OF AGENDA**

1. Adoption of September 21, 2022 Regular Meeting Agenda.

Commissioner Martin made a motion to adopt the above-referenced meeting agenda with approved addendums; seconded Mayor Pro Tem Harris. Motion passed unanimously.

**PUBLIC HEARING – NEW ALCOHOL BEVERAGE LICENSE** (*A. Brown*)

2.

Name of Business			Business Owner/Manager	Business Address	Permit Type
Lotto Mart	341	Lotto	<b>Manager:</b> Deep Patel	2432 Newcastle St.	Retail sale of beer and wine

Mayor Johnson opened the floor for anyone wanting to speak in favor or opposition of the above-referenced alcohol license.

No one came forth to address the commission.

Commissioner Cason made a motion to approve the above-referenced license; seconded by Commissioner Martin. Motion passed unanimously

**RECOGNITION(S), PRESENTATION(S), & AWARD(S)**

3. Presentation from Hercules Regarding Remediation Goals.

Mark Johnson, Gilbert, Harrell, Sumerford and Martin P.C. and Greg Roush, Geosyntec Consultants gave an overview of the above-referenced remediation goals.

Following presentation and questions; commission thanked Mark Johnson and Greg Roush for the



presentation.

4. Presentation from Garrow Alberson, City Engineer/Public Works Director, of Progress, Findings, and Relevant Information Regarding Coastal Incentive Grant – Rethinking Runoff Plan. Jessica Brown, UGA Marine Extension and Georgia Sea Grant, gave a presentation on rethinking runoff plan.

Following presentation and questions; commission thanked Jessica Brown for the presentation.

- 4a Update on Wayfinding Signage Installation. *(R. McDuffie)*

City Manager McDuffie reported Wayfinding signage installation will begin soon. Tim Nelson, SPLOST/Capital Projects Manager reported installation of twenty-eight Wayfinding signs should begin within two weeks and provided a sample of the signage that will be installed.

**ITEM(S) TO BE CONSIDERED FOR APPROVAL**

5. Consider Approval of September 7, 2022 Regular Scheduled Meeting Minutes. *(subject to any necessary changes.) (N. Atkinson)*

Commissioner Cason made a motion to approve the above-referenced minutes; seconded by Mayor Pro Tem Harris. Motion passed unanimously.

6. Consider Approval of City of Brunswick Defined Benefit Pension Plan Amendment No. 16. *(R. McDuffie)*

Mayor Pro Tem Harris made a motion to approve the above-referenced amendment; seconded by Commissioner Martin. Motion passed unanimously.

**DISCUSSION**

7. Proposed Annexation Petition No. 22-01 and Rezoning Petition No. 2203. *(J. Hunter)*

Director of Planning, Development and Codes John Hunter gave an overview of the above-referenced petitions.

It was the consensus of the commission to have City Clerk Atkinson advertise the proposed ordinance for annexation for consideration at October 5, 2022 commission meeting.

**CITY ATTORNEY’S ITEM(S)**

8. Consider Adoption of Proposed Ordinance No. 1075 ~ Urban Camping.

*The above-referenced item was deferred until October 5, 2022 commission meeting.*

**EXECUTIVE SESSION**

Commissioner Martin made a motion to adjourn to executive session to discuss litigation; seconded by Commissioner Rolle. Motion passed unanimously.

**RECONVENE FROM EXECUTIVE SESSION**

Commissioner Martin made a motion to approve the Settlement and General Release Agreement between the City of Brunswick, Atlanta Gas Light Company and Pride Utility related to the lawsuit filed by the City of Brunswick in Glynn County Superior Court; seconded by Commissioner Cason. Motion passed unanimously.

Commissioner Cason made a motion to adjourn; seconded by Martin. Motion passed unanimously.

**MEETING ADJOURNED** – *meeting adjourned at 8:18 p.m.*

/s/Cosby H. Johnson  
Cosby H. Johnson, Mayor

Attest: /s/ Naomi D. Atkinson  
Naomi D. Atkinson  
City Clerk

**OFFICIAL MINUTES  
COMMISSION OF THE CITY OF BRUNSWICK, GEORGIA  
EMERGENCY SPECIAL CALLED MEETING  
TUESDAY, SEPTEMBER 27, 2022  
VIRTUAL TELECONFERENCE VIA ZOOM  
STREAMED LIVE AT THE BELOW WEB ADDRESSES:**

<https://www.facebook.com/citybwkga>

or

<https://cityofbrunswick-ga-gov.zoom.us/j/2455174766>

**PRESENT:** Honorable Mayor Cosby Johnson, Mayor Pro Tem Felicia Harris ~ *Via Zoom*,  
Commissioner Julie Martin, and Commissioner Kendra Rolle

**ABSENT:** Commissioner John Cason III

**CALL TO ORDER:** Mayor Johnson – *(meeting began at 5:10)*

**INVOCATION:** Mayor Johnson

**PLEDGE OF ALLEGIANCE:** Recited in unison

**ITEM(S) TO CONSIDER FOR APPROVAL**

1. Consider Approval of Resolution No. 2022-09 ~ Declaration of Local Emergency Response to Hurricane Ian. *(B. Corry)*  
Commissioner Martin made a motion to approve the above-subject resolution; seconded by Commissioner Rolle. Motion passed unanimously.

**POINT OF PRIVILEGE**

Mayor Pro Tem Harris reported sandbags are being provided by Public Works Department for City residents' usage.

Mayor Johnson encouraged citizens to begin preparing now for the upcoming storm. He stated Hurricane Ian updates will be provided through the City's social media accounts.

**MEETING ADJOURNED** – *(meeting adjourned at 5:23 p.m.)*

\_\_\_\_\_  
Cosby H. Johnson, Mayor

Attest: \_\_\_\_\_  
Naomi D. Atkinson, City Clerk



INTEROFFICE MEMORANDUM

DATE: September 21, 2022

TO: Honorable Mayor and Commissioners  
City of Brunswick  
Brunswick, GA

FROM: Kathy D. Mills, CPA, Finance Director

SUBJECT: Financial Reports as of August 31, 2022 16.67%

---

**General Fund  
31-Aug-22  
Cash Basis**

	Monthly	Year to Date	% of Budget	Amended Budget	% (over)under Budget
Revenues	986,174	1,862,235	9.92%	18,770,080	6.75%
Expenditures	1,256,651	2,654,855	14.14%	18,770,080	2.52%
Net Revenues & Expenditures	(270,477)	(792,620)			
Cash Balance as of 08/31/2022	6,292,727	Prime South \$3,386,937 Perry Park (included in total)		GA Fund One \$2,905,790	

	LOST	LOST YTD	TAVT*	TAVT* YTD
Aug-22	847,171	1,692,644	28,699	58,201
Aug-21	781,267	1,561,482	40,514	74,051
Increase (Decrease)	65,904	131,162	(11,815)	(15,850)
	8.44%	8.40%	-29.16%	-21.40%

\*Title Ad Valorem Tax

**Capital Projects - SPLOST VI**  
**As of August 31, 2022**  
**(04/01/2017-09/30/2020)**

	Total Expended as of 08/31/2022	Reimbursements Received	City Expended as of 08/31/2022	Original Budget Amount	Amended Budget Amount	Remainder (Overage)
Highways and Streets	7,205,004	3,430,766	3,774,238	4,627,750	4,627,750	853,512
Sidewalk Replacement/Upgrades	565,785	50,000	515,785	432,500	482,500	(33,285)
Storm Drainage Improvements	3,664,297	241,182	3,423,115	3,243,750	4,551,750	1,128,635
Mary Ross Park Development	566,666	0	566,666	821,750	821,750	255,084
Highway 17 Infrastructure	373,066	59,429	313,627	215,107	215,107	(98,520)
Wayfindings & Gateways	77,500	0	77,500	259,500	259,500	182,000
Trails	535,240	107,971	427,269	346,000	346,000	(81,269)
Cemetery Restoration/Renovation	109,272	0	109,272	259,500	259,500	150,228
Brunswick Police Department Vehicles (15)	466,021	0	466,021	540,625	540,625	74,604
Brunswick Fire Department Fire/Rescue	65,222	0	65,222	64,875	65,222	0
Subscriber Radios for E911	469,009	0	469,009	431,357	431,357	(37,652)
Fire Department Pumper Trucks (2)	849,778	0	849,778	562,183	849,778	0
Fire Station 1 Improvements	413,971	0	413,971	346,000	346,000	(67,971)
Historic Squares	134,979	25,000	109,979	86,500	86,500	(23,479)
Park Rehabilitation (Palmetto, Orange, etal)	367,345	2,700	364,645	389,225	389,225	24,580
Sidney Lanier Park Improvements	347,541	0	347,541	519,000	519,000	171,459
Overlook Park Improvements	139,104	0	139,104	103,800	103,800	(35,304)
Howard Coffin Park Improvements	483,364	103,000	380,364	431,357	431,357	50,993
Roosevelt Harris Center Improvements	191,668	0	191,668	151,375	191,668	0
	17,024,822	4,020,048	13,004,774	13,832,154	15,518,389	2,513,615

a \$886,772 from DOT & \$2,543,994 from JWSC

b \$241,182 from Glynn County

c \$74,971 from DNR Trail Grant & \$33,000 from GCRC

d \$50,000 from DOT

e \$3,000 Contribution from Golden Isles Track Club & \$100,000 from DNR

f \$129,680 from GADOT Highway 17

g \$328,234 paid back to General Fund

h \$25,000 from Signature Squares

i \$1,000 Ameris Bank & \$1,700 Golden Isles Track Club for Goodyear Park

<b>Total Cash on Hand</b>	<b>\$2,366,557</b>
<b>Unallocated Funds:</b>	
Overage in Collections	
GA DCA Aviation Fuel Tax	
Interest Earned	

(1) Original budgeted tax collection \$13,832,154

Actual collections through 08/31/2022	15,730,095
Collections in excess of budgeted	\$1,897,941
Paid back to GF	(328,234)
Allocated to Stormwater Improvements	(1,308,000)
Allocated to Sidewalk Replacement & Upgrades	(50,000)
Unallocated overage in Collections	211,707 (1)

**SPLOST V**

Cash Primesouth @ 08/31/2022

1,367,354

*(Funds reallocated for purchase of Fire Department Ladder Truck)***Norwich Street Commons Fund**

Original Balance (Sale of Property 05/13/13)

Demolition Fees

Interest Income

**Revenues**

YTD

Total since inception

0

487,500

0

8,049

502

20,001

502

515,550

YTD

Total since inception

6/30/2023

**Expenditures**

Demolition Projects

Infrastructure

Police Substation

**Expenditures**

Net as of August 31, 2022

0

40,012

0

130,546

0

6,750

0

177,308

502

338,242

Cash Primesouth @ 08/31/22

\$ 338,242

**Roosevelt Harris - Multipurpose Center****Total Budget:**

Revenue FYTD

Grants

Transfer from General Fund

Program Income

Contributions

Interest Income

Total Inflows

Expenditures FYTD

Net

Cash Balance @ 08/31/2022

YTD

f/y/e 6/30/2023

Cash Basis

452,654

23,762

70,000

1,658

750

16

96,186

74,928

21,258

12,011

Percent of Budget

21.25%

16.55%

**ARPA Fund:**

Initial Deposit received 06/07/2021

4,606,131

2nd Deposit received 06/21/2022

4,606,131

Interest Earned from inception

55,587

Total funds received as of 08/31/2022

9,267,849

**Disbursements:**

Back to Business Brunswick--DDA

163,265

Back to Business Brunswick-non DDA

95,000

Wifi Upgrades

9,007

Total funds disbursed as of 08/31/2022

267,272

Cash Balance as of 08/31/2022

\$9,000,577

**Allocations:**

Revenue Recovery

1,162,000

Storm Drainage Improvements

1,750,000

Housing Relief

2,170,000

Business Support/Relief

941,735

Coastal Community Health Services

330,000

Road Improvements

1,250,000

Total funds allocated as of 08/31/2022

7,603,735

Total Disbursed and Allocated Funds @ 08/31/2022

7,871,007

Unallocated Funds

1,341,255

Interest Earned

55,587

9,267,849

**Sanitation Fund:**

**Year Ending 06/30/2023**

	<u>Year to Date</u>
Sanitation Billing	253,802
Franchise Fees	958
Bad Debt - recovery	-
Interest Earned (Funds)	794
Penalties & Interest Earned	96
DNR Reimbursements	-
Transfer in for T Street Landfill	-
<b>Total Revenue (YTD)</b>	<b>255,650</b>
Operating Exp. YTD:	155,529
Depreciation YTD	-
Bad Debt - write off	-
Other Landfill Expenses	6,603
Payment to T Street Landfill Site Cleanup	-
<b>Total Expense (YTD)</b>	<b>162,132</b>
Operating Income (Loss)	<u>93,518</u>
Total Cash on Hand @ 08/31/2022	<u>160,430</u>
Primesouth Restricted for Landfill	194,655

<b>Sanitation Bills</b>		
	<u>August 2022</u>	<u>YTD</u>
Trash Pickup	127,879	255,475
Illegal Refuse Clean Up	1,411	5,312
Street Sweeping	2,120	3,771
	<u>131,410</u>	<u>264,558</u>

**STORMWATER UTILITY FUND:** 6/30/2023 (YEAR TO DATE)

Stormwater Utility Fees	7,674
DNR Grant	6,200
Interest Earned	956
Penalties & Interest	18
GMA Capital Lease Proceeds	0
<b>Total Inflows</b>	<u>14,848</u>
Expenditures:	
Operating	139,531
GMA Lease Payments	3,050
<b>Total Outflows</b>	<u>142,581</u>
Balance	(127,733)

Cash Balance @ 08/31/2022	\$562,875		
---------------------------	-----------	--	--

**ADDITIONAL INFORMATION-FOR THE MONTH OF AUGUST 2022**

		<u>August 2022</u>	<u>YTD</u>
<b>Animal Control Expenses</b>		0	0
<b>Traffic Control Expenses</b>		0	0
<b>Recreation Dept. Expenses</b>	Building	985 *	985
(facilities managed by County)	Aquatics	1,475 ***	4,991
	Equipment	1,581 **	1,581
	Subsidized Fees	0	0

\*Lee and Cates Glass for door  
 \*\*Cardio Partners Defibrillators  
 \*\*\* Lee and Cates Glass window



# Roosevelt Lawrence Center

Account	Account Description	Aug-22 Transactions	YTD Transactions
Fund 100 - General Fund			
Function 6130 - Neighborhood & Community Service			
<b>51</b>		5,408.59	15,251.99
51-1100	Salaries & Wages	241.61	2,003.40
51-1300	Overtime	1,604.25	3,208.50
51-2100	Group Insurance	424.77	1,305.09
51-2200	FICA	.00	.00
51-2400	Pension		
<b>51 - Totals</b>		<u>\$7,679.22</u>	<u>\$21,768.98</u>
<b>52</b>		79.00	79.00
52-1300	Technical Services	44.00	44.00
52-2300	Rentals	149.16	297.32
52-3201	Cable	194.58	247.84
52-3600	Dues and Fees		
<b>52 - Totals</b>		<u>\$466.74</u>	<u>\$668.16</u>
<b>53</b>		173.28	173.28
53-1210	Water/Sewerage	250.49	250.49
53-1300	Food/Misc		
<b>53 - Totals</b>		<u>\$423.77</u>	<u>\$423.77</u>
<b>54</b>			
Function 6130 - Neighborhood & Community Service Totals		<u>\$8,569.73</u>	<u>\$22,860.91</u>



**SUBJECT: Back to Business Brunswick Program Changes**

---

**COMMISSION AGENDA:** October 5, 2022

**PURPOSE:** Consider approval of changes to the Back to Business Brunswick program.

**HISTORY:** When the Department of Treasury announced that the City of Brunswick would receive \$9.2 Million in American Rescue Plan Act funding, Downtown Development Authority staff reviewed the interim guidelines and discovered that these funds could be used for small business assistance through loans and grants. DDA staff developed three programs to benefit small businesses using these funds. The programs were presented to the City Manager, who asked that the programs be made available to businesses city-wide. The City Economic Development Department operated a duplicate program. All applications are made through a common online platform and then distributed to the appropriate division for processing. The changes proposed below address the concerns about branding, service area, and processing that were brought up at the August Finance Committee meeting. The Office of the City Manager, Brunswick DDA, and the Economic Development Department have met and adjusted the Commercial Property Enhancement Grant.

**FACTS AND ISSUES:** While the grant program proved successful, there have been few applications for the revolving loan program. The departments have discussed this and in order to continue to serve our business community propose the following changes: The \$750,000 in funding allocated to the stabilization loan program would be re-allocated to the Commercial Property Enhancement Grant. The purpose of this grant is to provide assistance for: life safety, ADA compliance, sanitary requirements and general building improvements; with the Norwich corridor applicants receiving priority review. Eligible expenses listed in the grant tend to be ones that businesses struggle most with when opening a new business. Sanitary (grease trap) installation costs alone can be a key determinant in a project not going forward. Brunswick's Qualified Census Tracts, have broadened the allowed uses for the funds, and this grant is included in those uses.

**BUDGET INFORMATION:** The City is allocated to receive \$9,212,262 in ARPA funding. The funding will be received in two distributions: \$4,606,131 in FY 22 and \$4,606,131 in FY 23. The Back to Business Brunswick programs are funded as follows: \$1,000,000 in FY 22 and \$200,000 in FY 23. The program changes are being made to make full use of the funds allocated to the programs before the Department of Treasury deadline.

**OPTIONS:** 1. Approve the program changes. 2. Do not approve the program changes.

**DEPARTMENT RECOMMENDATION ACTION:** The Downtown Development Authority and Department of Economic Development recommend that the changes be approved. The Downtown Development Authority Board has reviewed the proposed changes and approved them at their August 11 meeting.

---

**DEPARTMENT:**

---

Prepared by: Mathew Hill, DDA; *Mathew Hill*

---

---

**ADMINISTRATIVE RECOMMENDATION:**

*Regina M. McDuffie*  
CITY MANAGER

9/27/22  
DATE

---



Discover Brunswick's

# COMMERCIAL PROPERTY ENHANCEMENT GRANT

Apply Now!

Commercial properties located within the City of Brunswick maybe awarded up to \$25,000 for qualifying redevelopment expenses such as:

- Masonry Repair
- Repair/Replacement of Architectural Elements
- Grease Traps
- ADA Compliance
- Life Safety
- Roof
- Hardscaping
- Structure Stabilization
- Other Substantial Rehabilitation Improvements

## General Requirements :

Must have a positive impact that will preserve or improve a structure of historic or community importance, and lead to sustainable and inclusive economic and workforce development.

Please submit applications at  
[brunswickdda.com](http://brunswickdda.com)



# COMMERCIAL PROPERTY ENHANCEMENT GRANT

Using American Rescue Plan Act dollars, the Commercial Property Enhancement Grant is designed to make bold improvements to Brunswick's historic commercial districts, and the properties that exist within them.

## Application Process

1. Submit application with all necessary documents before 5pm on the last Wednesday of the month. **Late or incomplete applications will not be reviewed, and may be subject to immediate denial.**
2. Staff review of grant materials.
3. Review and final decision by the City's Finance Committee or DDA Board of Directors.
4. If approved, submit all paid invoices, bills of lading, deposits, or similar payment contracts.
5. Grant issued within 10 business days

## Grant Structure

- Grant Ceiling: \$25,000
- Grant Floor: \$7,500
- Percent Matching: 50% (Up to \$25,000)
- Ideal Project Timeline: 6 months



## Program Requirements

1. Property must be located in the City of Brunswick.
2. Projects must be commercial and income producing.
3. Applicants may be the building owner or tenant, with owner's approval of the project.
4. Recipients of the Back to Business Brunswick Grant may be ineligible for this grant.
5. Substantial work must begin within 45 days of the approval and be completed within 180 days of commencement. A project's timeline may be extended upon review and approval.

## Criteria for Approval

### Criteria One

Property must be commercial. Restaurant development is heavily encouraged.

### Criteria Two

Location of the building - visually prominent areas, gateways, blighted properties, and Norwich Street will be given priority.

### Criteria Three

Quality of the proposal and adherence to the City's Comprehensive Plan, and strategic plans for Opportunity Brunswick and the Brunswick DDA when applicable.

### Criteria Four

Availability of funds, and the sole discretion of the approving body.

### Criteria Five

Properties used for industrial, automotive, non-profit, or office space **may be considered ineligible.**

# BRUNSWICK BUSINESS ASSISTANCE PROGRAM

## COMMERCIAL PROPERTY ENHANCEMENT GRANT

### GRANT FUNDS UP TO \$25K FOR:

- FACADE IMPROVEMENT
- BUILDING STRUCTURE IMPROVEMENT
- SIGNAGE
- LANDSCAPING/HARDSCAPING
- GREASE TRAP INSTALLATION
- ADA COMPLIANCY
- ROOF IMPROVEMENT

### GENERAL REQUIREMENTS:

- ESTABLISHED AND LICENSED BUSINESS
- MUST BE LOCATED WITHIN CITY LIMITS
- IMPROVEMENTS TO BUILDING SHOULD POSITIVELY IMPACT BUSINESS AND SURROUNDINGS

**CONTACT [KNTEMO@CITYOFBRUNSWICK-GA.GOV](mailto:KNTEMO@CITYOFBRUNSWICK-GA.GOV)  
FOR MORE INFORMATION**

**APPLY TODAY AT [OPPORTUNITYBRUNSWICK.COM](http://OPPORTUNITYBRUNSWICK.COM)  
OR [BRUNSWICKGA.ORG](http://BRUNSWICKGA.ORG)**

**OPPORTUNITY  
BRUNSWICK**



# COMMERCIAL PROPERTY ENHANCEMENT GRANT

Using American Rescue Plan Act dollars, the Commercial Property Enhancement Grant is designed to make bold improvements to Brunswick's historic commercial districts, and the properties that exist within them.

## Application Process

1. Submit application with all necessary documents before 5pm on the last Wednesday of the month. **Late or incomplete applications will not be reviewed, and may be subject to immediate denial.**
2. Staff review of grant materials.
3. Review and final decision by the City's Finance Committee or DDA Board of Directors.
4. If approved, submit all paid invoices, bills of lading, deposits, or similar payment contracts.
5. Grant issued within 10 business days

## Grant Structure

- Grant Ceiling: \$25,000
- Grant Floor: \$7,500
- Percent Matching: 50% (Up to \$25,000)
- Ideal Project Timeline: 6 months



## Program Requirements

1. Property must be located in the City of Brunswick.
2. Projects must be commercial and income producing.
3. Applicants may be the building owner or tenant, with owner's approval of the project.
4. Recipients of the Back to Business Brunswick Grant may be ineligible for this grant.
5. Substantial work must begin within 45 days of the approval and be completed within 180 days of commencement. A project's timeline may be extended upon review and approval.

## Criteria for Approval

### Criteria One

Property must be commercial. Restaurant development is heavily encouraged.

### Criteria Two

Location of the building - visually prominent areas, gateways, blighted properties, and Norwich Street will be given priority.

### Criteria Three

Quality of the proposal and adherence to the City's Comprehensive Plan, and strategic plans for Opportunity Brunswick and the Brunswick DDA when applicable.

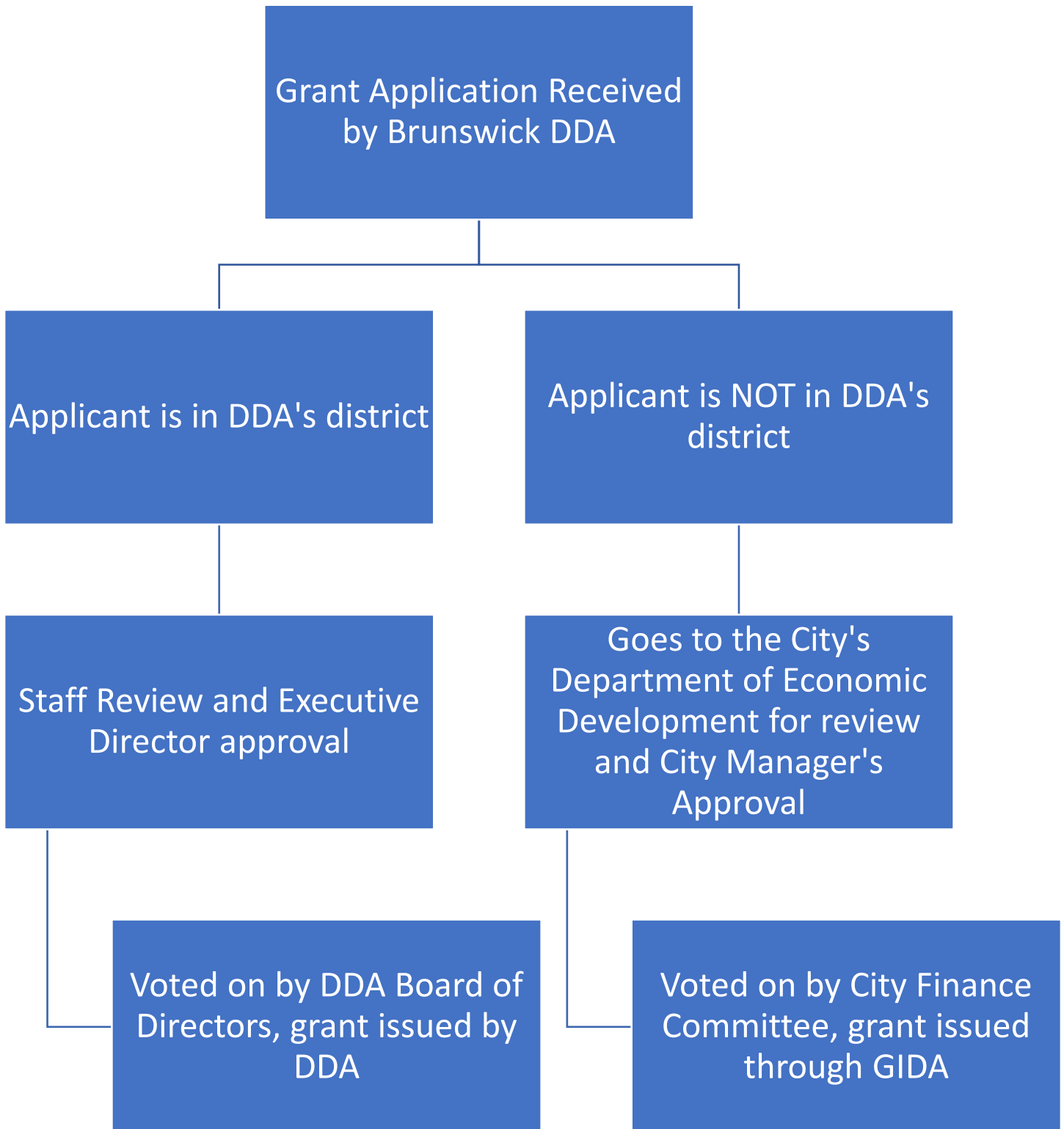
### Criteria Four

Availability of funds, and the sole discretion of the approving body.

### Criteria Five

Properties used for industrial, automotive, non-profit, or office space **may be considered ineligible.**

## ARPA Application Process





**SUBJECT: COASTAL INCENTIVE GRANT – IMPROVING RESILIENCE IN WEST BRUNSWICK**

---

**COMMISSION ACTION REQUESTED ON:** October 5, 2022

**PURPOSE:**

Acceptance of a Coastal Incentive Grant from the Georgia Department of Natural Resources for design and permitting of tide control devices and storm drainage improvements in the west side of the City of Brunswick

**HISTORY:**

The City of Brunswick has 31 outfalls which discharge storm water runoff from the collection system into the local rivers and marshes. Thirteen of these outfalls are located on the west side of the city along the Bay Street and Newcastle Street Corridors and the East River.

**FACTS AND ISSUES:**

The elevation of the City’s storm drainage outfalls relative to the rivers and marshes allows the salt water to enter the storm drain system during periods of high tide. This intrusion of the river and marsh water reduces the capacity of the storm drainage system and prevents the storm water runoff from exiting the system as quickly as it should. At periods of extremely high tides, this back flow of river water can cause flooding in roadways and properties near the outfalls even without a rainfall event. The river and marsh water also brings sediment and other debris into the drainage system which can reduce the efficiency of the drainage system even at low tides.

The intrusion of the river water into the storm drainage system can be prevented through the use of tide control valves. These valves can help to prevent high tide flooding and can help to improve storm water runoff conditions. Only four of the City’s storm water outfalls currently have any type of tide control device in place.

The City’s Storm Water Master Plan identifies two potential projects to investigate and install tide control devices on the City’s outfalls – Hwy 17 Tide Control and Ports Authority Tide Control. The Hwy 17 Tide Control project is listed as priority project #5 in the master plan priority listing, and Ports Authority Tide Control is listed as priority project #11. The Hwy 17 Tide Control project was begun under a Coastal Incentive Grant in October 2021. That project is now in the final permitting stages.

The Engineering and Public Works Department staff applied for another Coastal Incentive Grant (CIG) through the Georgia Department of Natural Resources to design and permit tide control structures at eleven (11) outfalls along Bay and Newcastle Streets. The project also includes drainage analysis and drainage improvement design for three areas which are prone to flooding upstream of the outfalls. These areas are the Monck Street Corridor, the Union/Howe/Ellis area, and Oglethorpe Street in the Hopkins Homes development. A map is attached showing the outfall locations along with these upstream locations.

The scope of the CIG project will include survey, design and permitting tasks for outfall improvements, and analysis and design of improvements to the upstream problem areas. The project will also coordinate and seek input from the local community and other coastal communities regarding their use and experience with different types of tide control devices. The findings, project results, and other educational material will be presented at a City Commission meeting and at a public presentation. Deliverables of the grant will include construction plans, Coastal Marshland Protection Act (CMPA) permits, and GDOT permits (if needed) for each location. A different funding source will need to be identified for installation of the specified tide control devices and drainage improvements.

**BUDGET INFORMATION:**

The total cost of this grant project is \$189,801. The grant will provide \$80,000 and the remainder will be provided by the City as a local match. The City's local match portion of this Coastal Incentive Grant (\$109,801) will be provided through both in-kind match (personnel salaries) and a cash match from the City in the amount of \$91,020. The cash match portion of the grant match will be paid from the FY 23 Storm Water Utility budget.

---

**OPTIONS:**

1. Authorize the Mayor to sign a Coastal Incentive Grant agreement with Georgia Department of Natural Resources for West Brunswick Tide Control and Resilience Improvements in the amount of \$189,801.
  2. Do not authorize the Mayor to sign a Coastal Incentive Grant agreement with Georgia Department of Natural Resources for West Brunswick Tide Control and Resilience Improvements in the amount of \$189,801.
  3. Take no action at this time.
-

**DEPARTMENT RECOMMENDATION ACTION:**

Authorize the Mayor to sign a Coastal Incentive Grant agreement with Georgia Department of Natural Resources for West Brunswick Tide Control and Resilience Improvements in the amount of \$189,801.

---

**DEPARTMENT:**    **Engineering**

---

Prepared by:    Garrow Alberson, P.E., Director of Engineering and Public Works

---

**ADMINISTRATIVE COMMENTS:**

---

**ADMINISTRATIVE RECOMMENDATION:**

---

Authorize the Mayor to sign a Coastal Incentive Grant agreement with Georgia Department of Natural Resources for West Brunswick Tide Control and Resilience Improvements in the amount of \$189,801.

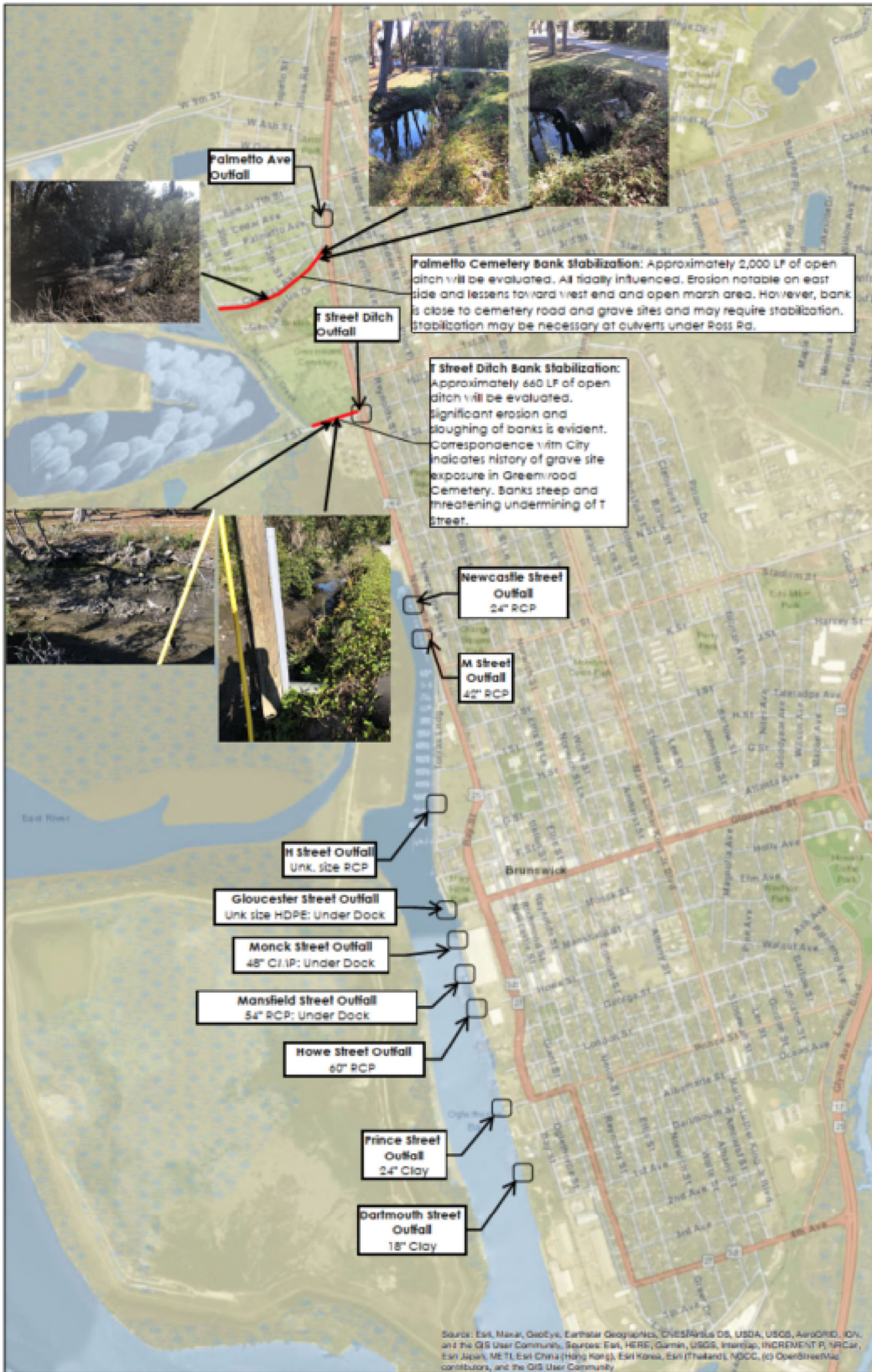
---

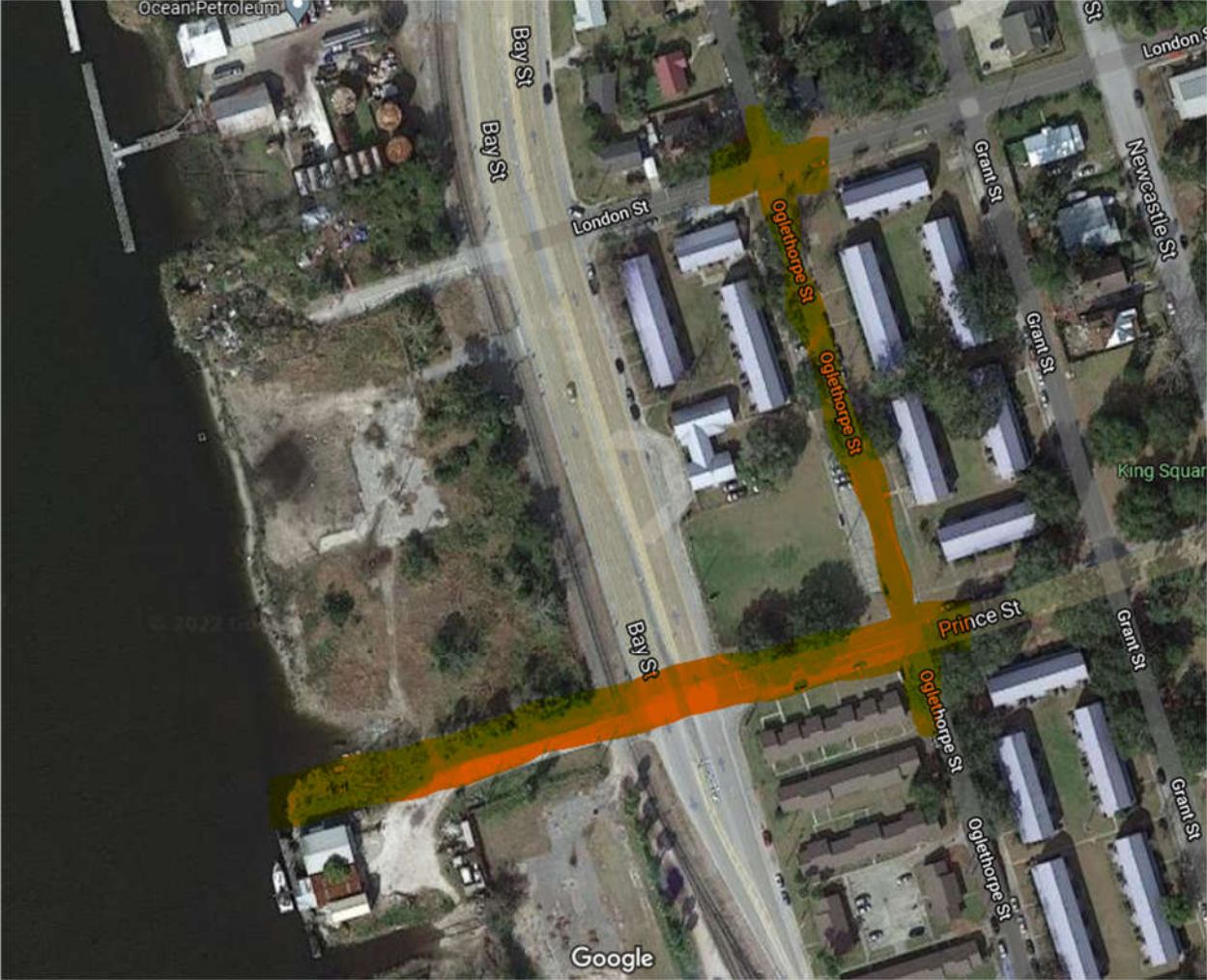
---

*Regina M. McDuffie*  
\_\_\_\_\_  
City Manager

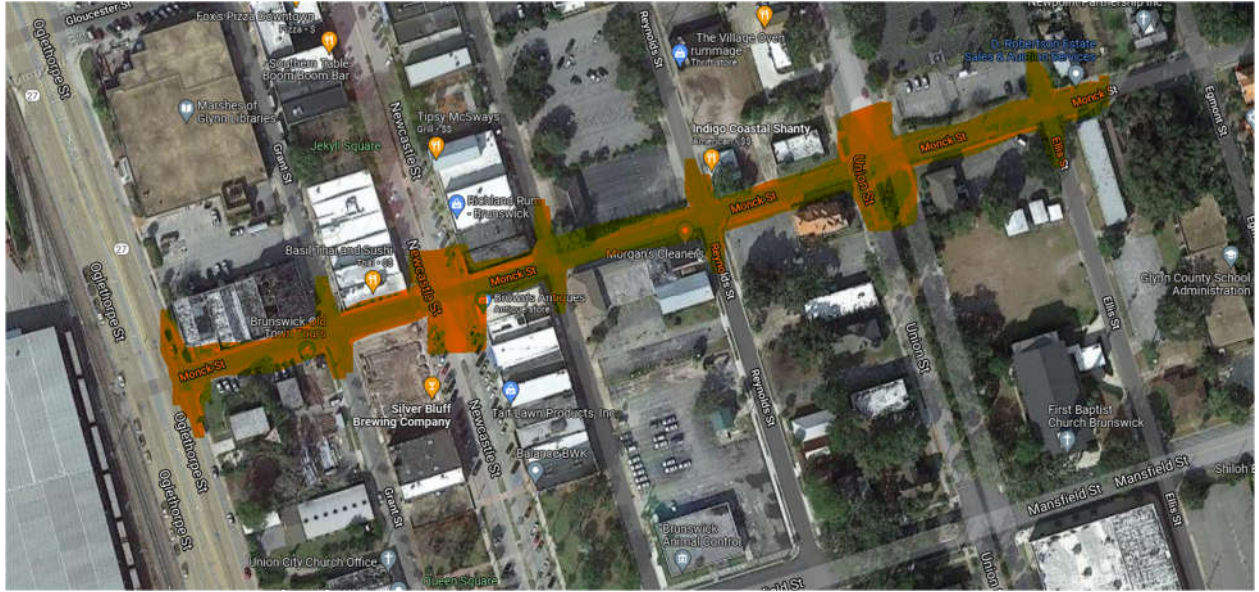
\_\_\_\_\_ 9/27/22 \_\_\_\_\_  
Date











**GEORGIA DEPARTMENT OF NATURAL RESOURCES  
COASTAL INCENTIVE GRANT AWARD AGREEMENT  
CYCLE**

This Award Agreement is entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2022, between the Georgia Department of Natural Resources, Coastal Resources Division (“DNR”), and \_\_\_\_\_ (“Subgrantee”). In consideration of the mutual promises and terms and conditions set forth in this Award Agreement, the parties covenant and agree as follows:

**A. DEFINITIONS**

“Subgrantee’s Application” means the Coastal Incentive Grant (CIG) application attached as Exhibit A to this Award Agreement.

“Grant Program” means the Coastal Incentive Grant Program as set forth in Chapter 391-2-5-.01 of the Rules and Regulations of the State of Georgia.

"Intellectual Property" means patentable inventions, including patentable business methods and processes, copyrightable materials, trademarks, software, and trade secrets.

“Life of the Project” is twenty (20) years after completion of the Project Services and includes expected repairs to a facility.

“Match Funds” means the minimum amount the Subgrantee is committed to provide as non-federal match funds in the Subgrantee’s Application.

“OMB” means the federal Office of Management and Budget.

“Project Services” means the deliverables required under this Award Agreement, including the Scope of Work and the special conditions set forth in the attached Exhibit A.

“Records” means Subgrantee’s books, records, documents, and other evidence pertaining to the costs and expenses of Subgrantee’s performance of the Project Services.

“Reimbursable Amount” means the maximum amount established in Section F that DNR will pay to Subgrantee under this Award Agreement on a reimbursable basis for allowable expenses incurred performing the Project Services.

“Reimbursable Cost(s)” means the portion of Subgrantee’s Request for Reimbursement that is approved by DNR for reimbursement of allowable expenses Subgrantee incurs in the performance of the Project Services.

“Request for Reimbursement” means Subgrantee’s invoice for reimbursement of allowable expenses incurred performing the Projects Services submitted to DNR on a form approved by DNR.

“Scope of Work” means the Scope of Work included in Subgrantee’s Application.

## **B. PURPOSE**

The purpose of the Coastal Incentive Grant Program is to provide financial assistance in the form of grants to eligible county and municipal governments, state agencies other than DNR, and educational and research institutions for projects that further the mission of the Coastal Management Program. After review and evaluation of Subgrantee's application, DNR determined that Subgrantee is an eligible entity and that Subgrantee's proposal meets the qualifications and requirements for financial assistance in accordance with the CIG Program.

## **C. AWARD**

DNR awards a financial assistance subgrant to Subgrantee consistent with the terms of this Award Agreement. Subgrantee accepts the award of a financial assistance subgrant and will comply with the terms and conditions of this Award Agreement. Subgrantee will complete all Project Services in a manner reasonably satisfactory to DNR.

The following provision applies if this Award Agreement is for a 306A low-cost construction project and survive beyond the term of this project provided for in Section D: Funds shall only be used for projects on publicly owned or leased land, or land for which a public easement has been obtained. If the property is subject to a reversionary clause and reverts, then the Subgrantee shall reimburse DNR for the full amount of funds received for the project. If the land ceases to be available, or the project ceases to be used, for the intended use at any time during the Life of the Project, the Subgrantee shall reimburse DNR the full amount of the funds received for the project.

## **D. TERM**

The initial term of this Award Agreement begins on \_\_\_\_\_ and continues until \_\_\_\_\_ or until the Project Services required under this Award Agreement are completed, whichever is earlier. DNR reserves the right, in its sole discretion, to extend the term of this Award Agreement, if the extension is determined to be in the best interest of DNR. Any extension is contingent upon the availability of funds lawfully appropriated and applicable to the deliverables described in the Scope of Work.

## **E. TIME OF PERFORMANCE**

Time is of the essence in the performance of this Award Agreement. Subgrantee will submit semi-annual interim narrative Status Reports and a narrative Final Report to DNR in accordance with the following schedule and in a format provided by the DNR:

- Interim Status Report(s) by \_\_\_\_\_ and every six months thereafter until project completion.
- Final Report no more than seven (7) days after completion of the Project Services or any earlier expiration or termination date.

**F. REIMBURSABLE AMOUNT**

DNR will reimburse Subgrantee a maximum of \_\_\_\_\_ for allowable expenses Subgrantee incurs in the performance of the Project Services.

**G. MATCH FUNDS**

Subgrantee will contribute a minimum of \_\_\_\_\_ in Match Funds toward its performance of the Project Services. Subgrantee will include summary information concerning its contribution of the Match Funds in the Final Report submitted to DNR under this Award Agreement. If the Reimbursable Costs actually payable to the Subgrantee are less than the maximum Reimbursable Amount, Subgrantee is only obligated to contribute Match Funds in the same ratio as the actual Reimbursable Costs is to the maximum Reimbursable Amount.

**H. DISBURSEMENT OF AWARD**

- (1) DNR, in its reasonable discretion, will determine when Subgrantee’s performance of the Project Services is satisfactory and complete. However, the final disbursement shall not occur until the Final Report and all deliverables and work products are approved by DNR.
- (2) If Subgrantee is a local government, the disbursement of funds under this Award Agreement is contingent upon Subgrantee’s status as a Qualified Local Government under the Georgia Planning Act (O.C.G.A § 50-8-1 *et seq.*) and compliance with the audit requirements of O.C.G.A § 36-81-7.
- (3) DNR reserves the right to withhold disbursement of funds and require the return of all funds previously disbursed if Subgrantee fails to fulfill its obligations under this Award Agreement or fails to comply with the requirements of the Georgia Planning Act or the audit requirements, if applicable.
- (4) Subgrantee will submit a Request for Reimbursement upon completion of the Project Services. If requested, Subgrantee must include documentation satisfactory to DNR to support all expenditures associated with a Request for Reimbursement. Each Request for Reimbursement must be accompanied by a written statement from Subgrantee certifying that the requested funds have been utilized by Subgrantee solely in the performance of the Project Services and that copies of records, documents and other evidence (including without limitation purchase orders, agreements, canceled checks, invoices, bills of lading and the like) sufficiently supporting the requested funds are maintained at Subgrantee’s place of business and are available for review by DNR, the State Auditor or either’s representative during normal business hours. DNR, in its sole discretion, may permit Subgrantee to submit interim Requests for Reimbursement. In no event will DNR consider an interim Request for Reimbursement until the tasks for which reimbursement is sought are completed. A Request for Reimbursement must be submitted to the following person:

Grants Coordinator  
ciggrants@dnr.ga.gov

(5) Upon acceptance of the Project Services and receipt of all required documentation, DNR will conduct its review of the Request for Reimbursement. Upon completion of its review, DNR will provide written notification to Subgrantee as to which portion(s) of the Request for Reimbursement are Reimbursable Costs. Except as otherwise provided in this Award Agreement, DNR will promptly pay the Reimbursable Costs subsequent to DNR's written notification to Subgrantee of its approval. In no event is Subgrantee entitled to receive more than the Reimbursable Amount.

(6) DNR will send payment of the Reimbursable Costs to the attention of the following person(s):

NAME:  
ADDRESS:

EMAIL:  
PHONE:

Subgrantee may designate a different person(s) to receive payment by written notice to DNR.

#### **I. INTERIM STATUS REPORTS**

Subgrantee will provide DNR with one (1) *electronic* copy of all interim narrative Status Reports outlining the status of Subgrantee's implementation of the Project Services. Subgrantee will submit the reports to DNR in accordance with the schedule set forth in Section E and in a format provided by DNR. **The Subgrantee shall include a funding acknowledgement in accordance with Section Y of this Award Agreement on the title or cover page of each interim Status Report.**

#### **J. FINAL REPORT**

(1) Subgrantee will submit one (1) electronic copy of the approved narrative Final Report to DNR within seven (7) days of the completion of the Project Services. In addition to the Final Report, Subgrantee will submit one (1) electronic set of all deliverables, work product and other materials required by the Scope of Work within seven (7) days of the completion of the Project Services. **The Subgrantee shall include a funding acknowledgement in accordance with Section Y of this Award Agreement on the title or cover page of the Final Report and on all materials required by the Scope of Work.**

(2) Subgrantee will submit one (1) electronic copy of the approved GIS Metadata, if applicable, to DNR within seven (7) days of the completion of the Project Services and accompanying the Final Report. GIS Metadata must be provided in accordance with the template format supplied to Subgrantee by DNR.

(3) In the event that this Award Agreement is terminated prior to completion of the Project Services, Subgrantee will submit one (1) electronic copy, within seven (7) days of the termination date, of a narrative Final Report of the work completed prior to the termination date, as well as an electronic copy of all materials and metadata in development or completed by the termination date.



### **K. USE OF FUNDS / BUDGET CHANGES**

(1) DNR will only approve the portion of Subgrantee's Request for Reimbursement that is reimbursement for monies that are not part of the Match Fund and that are expended by Subgrantee in performing the Project Services and for no other purpose. In the event DNR determines that all or part of the Reimbursable Costs were utilized for any purpose other than the Project Services, DNR may treat such unauthorized use of the Reimbursable Costs as a material default by Subgrantee and, in addition to any other remedies available to it under this Award Agreement, at law or in equity, may require the return of all funds previously disbursed to Subgrantee.

(2) No changes between categories in the budget set forth in the Subgrantee's CIG Application greater than 10% of the total budget are authorized without DNR's prior written approval. Subgrantee will give DNR written notice of any changes between categories in the budget that are less than 10% of the total budget at the time the change is made.

### **L. INTELLECTUAL PROPERTY**

Any Intellectual Property arising out of the performance of this Award Agreement shall be governed by 15 CFR Part 24 Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, Section 24.34.

Subgrantee represents that it owns all right, title and interest in and to any Intellectual Property that Subgrantee uses in connection with this Award Agreement or otherwise has the right to use such Intellectual Property and license it to DNR without infringing or violating any law or right of any third party.

Subgrantee grants DNR a worldwide, non-exclusive, and royalty-free license in perpetuity to use, reproduce, exhibit, transmit and distribute any such Intellectual Property written, created, printed, invented or reduced to practice in connection with this Award Agreement and to create derivative works to such Intellectual Property.

### **M. RECORDS**

#### **(1) Accounting System/Records Retention Requirements**

- a. Subgrantee will maintain books, records, documents, and other evidence pertaining to the costs and expenses of this Award Agreement to the extent and in such detail as will properly reflect all costs for which Reimbursable Costs are paid and Match Funds are credited. Subgrantee's accounting procedures and practices will conform to the requirements of the Government Accounting Standards Board. Valuation of in-kind contributions and documentation of cost and cost-share will be consistent with accepted accounting principles and the applicable state and federal regulations, including without limitation OMB Circular A-87.
- b. Subgrantee will preserve and make available its Records to any authorized representative of DNR or the Georgia State Auditor for a period of five (5) years after the expiration of this Award Agreement. If this Award Agreement is completely or partially terminated, the Records relating to the terminated work must be preserved and made available for a

period of five (5) years from the date of any resulting final settlement. Subgrantee will retain any Records that relate to appeals, litigation or the settlements of claims arising out of the performance of this Award Agreement, or any costs and expenses to which exception has been taken by the State Auditor or any of his duly authorized representatives, until such appeals, litigation, claims or exceptions are finally concluded.

- c. Subgrantee may, with DNR's prior written consent and in fulfillment of its obligation to retain the Records, substitute photographs, microphotographs or other authentic reproductions of the Records, after the expiration of two (2) years following the date of payment of the respective Reimbursable Cost to which such Records relate. DNR, in its sole discretion and with the concurrence of the State Auditor, may authorize Subgrantee to retain original Records for a shorter period of time.

### (2) Audit Requirements

The Georgia Department of Audits and Accounts (the "State Auditor"), or its duly authorized representatives, shall have the right, at any time and with reasonable notice, to enter into the Subgrantee's premises, or other such places where Services under this Agreement are being performed, to inspect, monitor, assess, audit, or otherwise evaluate the work performed or being performed under this Agreement. The State Auditor may also enter at any time and with reasonable notice when the State Auditor deems it necessary in order to conduct any activity within his or her authority or responsibility, including without limitation special examinations and audits of the Department, Subgrantee, subcontractor, and persons and entities other than them. These efforts include special examinations and audits which are, without limitation, financial audits (including financial related audits and financial statement audits), compliance audits, performance/operational audits, information systems and security audits, and vulnerability assessments or reviews with respect to Subgrantee's performance hereunder. Subgrantee shall grant the State Auditor and any representatives thereof full and complete access to Subgrantee's books and records as they relate to this agreement or the services, or as they may be required in order for the State Auditor to ascertain any facts relative to Subgrantee's performance hereunder. Subgrantee shall provide the State Auditor or any representatives thereof such information and assistance as requested in order to perform such audits; provided, however, that the parties shall endeavor to arrange such assistance in such a way that it does not interfere with the performance of Subgrantee's duties and obligations hereunder. Subgrantee shall require as a condition of any subcontract that the subcontractor expressly acknowledges and agrees to be bound by the same audit requirements by which Subgrantee is bound under this Agreement.

If Subgrantee is a non-profit organization as defined in O.C.G.A. § 50-20-2(5), Subgrantee will comply with the provisions of O.C.G.A. § 50-20-1 *et seq.*, including without limitation O.C.G.A. § 50-20-3.

### (3) Additional Fiscal Requirements

- a. If a governmental organization, Subgrantee will comply with OMB Uniform Guidance: *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards*; and 48 CFR 31.2 (as applicable).

- b. If an educational institution, Subgrantee will comply with OMB Uniform Guidance: *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards*; and 48 CFR 31.2 (as applicable).
- c. Subgrantee will comply with any other provisions of law that apply to receiving state and federal funds.

(4) Open Records Act

Because DNR is a public agency of the State of Georgia, information received by DNR or Subgrantee in the performance of this Award Agreement is subject to disclosure under Georgia's open records laws, O.C.G.A. § 50-18-70 *et seq.* ("Open Records Act"), unless exempt therefrom. Subgrantee shall timely respond to any Open Records Act request and will provide DNR with written notice of the receipt of the Open Records Act request and its response.

**N. RIGHT TO INSPECT WORK**

DNR, the State Auditor of Georgia or their authorized representatives, have the right to enter onto the premises of Subgrantee and all subcontractors or such other places where the Project Services are being performed during normal business hours for the purpose of inspecting, monitoring or otherwise evaluating such work.

**O. RELATIONSHIP OF THE PARTIES**

DNR and Subgrantee are independent contractors and not agents or employees of the other party. No party has authority to make any statements, representations or commitments of any kind, or to take any action, that will be binding on the other party.

**P. TRADING WITH STATE EMPLOYEES**

DNR and Subgrantee certify that this Award Agreement does not and will not violate the provisions of O.C.G.A. § 45-10-20 *et seq.* in any respect.

**Q. TERMINATION**

(1) DNR may terminate this Award Agreement for the convenience of DNR by providing thirty (30) days written notice of the termination date to Subgrantee.

(2) If, through any cause, Subgrantee fails to fulfill in a timely and proper manner its entire obligations under this Award Agreement or if Subgrantee violates any of the covenants, agreements or stipulations of this Award Agreement, DNR may give Subgrantee written notice of its default, specifying the nature thereof. Subgrantee will have fifteen (15) calendar days from the date of receipt of such notice to cure its default. If the Subgrantee fails to cure the default within the fifteen (15) day notice period, DNR may terminate this Award Agreement by a subsequent written notice of termination to Subgrantee specifying the termination date and DNR may pursue any other rights and remedies available to it under this Award Agreement, at law or in equity. In the event DNR terminates this Award Agreement for cause under this subsection, DNR will not disburse any funds to Subgrantee under this Award Agreement and may require the return of all funds previously disbursed to Subgrantee.

(3) In the event of an early termination for convenience under subsection Q1, DNR's obligations under this Award Agreement are fully discharged at the time that it reimburses Subgrantee for all expenses reasonably incurred prior to the termination date in satisfactory performance of this Award Agreement, including all non-cancelable obligations; provided, however, that where Subgrantee is contractually bound by this Award Agreement to provide matching funds, DNR will reimburse Subgrantee only in the ratio established by dividing the Reimbursable Amount by the Match Funds. In no event, however, will the total payments made by DNR under this Award Agreement exceed the Reimbursable Amount.

(4) If Subgrantee is a Regional Development Commission or a nonprofit corporation either created or controlled or caused to be created by the Commission and DNR finds that Subgrantee is failing or has failed to fully cooperate with the Georgia Department of Community Affairs in its conduct of a performance audit, this Award Agreement will be cancelled pursuant to O.C.G.A. § 50-8-35(i).

**R. CHOICE OF LAW AND VENUE**

This Award Agreement is made in the State of Georgia and will be construed in accordance with Georgia law, without application of conflicts of law principles. The exclusive jurisdiction for contract actions against DNR is the Superior Court of Fulton County, Georgia.

**S. FORCE MAJEURE**

DNR and Subgrantee are not responsible for any failure or delay in the performance of any obligations under this Award Agreement caused by acts of God, flood, fire, war, natural disaster or public enemy.

**T. NOTICES**

Any notice given under this Award Agreement will be in writing and is effective (i) at the time of the delivery if personally delivered, or (ii) the next business day following deposit with a nationally recognized mail or courier service, if addressed to the recipient as follows:

TO SUBGRANTEE:

Name:  
Title:  
Address:  
  
Email:  
Telephone:  
Fax:

TO DNR:

Name: Grants Coordinator  
  
Address: GA DNR-Coastal Resources Div.  
One Conservation Way, Suite 300  
Brunswick, Georgia 31520-8687  
Email: [cjgrants@dnr.ga.gov](mailto:cjgrants@dnr.ga.gov)  
Telephone: 912-264-7218

Either party may from time to time, by notice to the other, designate a different person or title, or both if applicable, or address to which notices to said party are to be given.

#### **U. COMPLIANCE WITH ALL LAWS**

Subgrantee will comply with all applicable federal, state and local laws, rules, regulations, ordinances or executive orders, including, without limitation, the Americans with Disabilities Act of 1990 (42 U.S.C. § 1201 *et seq.*) and all other labor, employment and anti-discrimination laws.

#### **V. AUTHORITY**

Subgrantee represents that it has full power and authority to enter into and perform this Award Agreement, and that the person signing on behalf of Subgrantee has been properly authorized and empowered to enter into this Award Agreement. Subgrantee further acknowledges that it has read this Award Agreement, understands it and agrees to be bound by it.

#### **W. DRUG FREE WORKPLACE**

(1) Subgrantee certifies that:

A. A drug-free workplace will be provided for Subgrantee's employees and/or subcontractors during the performance of this Award Agreement; and

B. It will secure from any subcontractor hired to work in a drug-free workplace the following written certification: "As part of the subcontracting agreement with (Subgrantee's Name), (Subcontractor's Name) certifies to (Subgrantee's Name) that a drug-free workplace will be provided for the subcontractor's employees during the performance of this Award Agreement pursuant to paragraph 7 of subsection B of Code Section 50-24-3."

(2) Subgrantee understands and acknowledges that it may be suspended, terminated, or debarred if it is determined that:

A. Subgrantee has made false certification; or

B. Subgrantee has violated such certification by failure to carry out the requirements of O.C.G.A. § 50-24-3.

#### **X. ASSIGNMENT**

Subgrantee may assign this Award Agreement or any right or obligation to a third party only with the prior written consent of DNR or as designated in SUBGRANTEE's Scope of Work in Exhibit A.

#### **Y. ACKNOWLEDGEMENT**

Subgrantee shall include a CRD and NOAA logo ,along with the following acknowledgement, on all work products, including without limitation any interim status reports, the final report and all information, data, materials and deliverables, published or distributed electronically or hard copy, and acknowledgement pages of websites and web pages produced as a result of this Award Agreement:

*“Financial assistance provided by the Coastal Zone Management Act of 1972, as amended, administered by the Office for Coastal Management, National Oceanic and Atmospheric Administration and passed through the Coastal Management Program of the Department of Natural Resources.”*

Any structure completed in whole or in part with funds under this Award Agreement must include a permanent sign, acknowledging the source of funding.

## **Z. CONTRACT INTERPRETATION**

(1) All provisions of this Award Agreement are severable, and the unenforceability, illegality or invalidity of any of the provisions will not affect the validity or enforceability of the remaining provisions.

(2) If a court of competent jurisdiction finds any provision of this Award Agreement to be ambiguous, an interpretation consistent with the purpose of this Award Agreement that would render the provision valid is favored over any interpretation that would render it invalid.

(3) In the event of a conflict, inconsistency or incongruity between this Award Agreement and Subgrantee’s CIG Application, this Award Agreement controls.

(4) DNR and Subgrantee fully negotiated this Award Agreement and, consequently, the Award Agreement will be interpreted fairly and consistently in accordance with its terms.

(5) Any covenant, representation, or provision of this Award Agreement that by its nature survives the expiration or termination of this Award Agreement continues in full force and effect.

(6) No amendment to this Award Agreement is effective unless it is in writing and signed by duly authorized representatives of DNR and Subgrantee.

(7) No waiver of any of the provisions of this Award Agreement is binding unless executed in writing by the party making the waiver. No waiver of one provision constitutes a waiver of any other provision nor does it constitute a continuing waiver.

(8) The section headings are for reference purposes only and are not a part of this Award Agreement.

(9) All exhibits referenced in this Award Agreement are incorporated by reference and form an integral part of this Award Agreement.

(10) This Award Agreement constitutes the entire understanding between DNR and Subgrantee with respect to the subject matter and all prior agreements, representations, statements, negotiations and undertakings are superseded by this Award Agreement.

In witness whereof, the parties have executed this Award Agreement effective the date first written above. Electronic signatures, digital signatures, fax signatures, and scanned signatures are acceptable for this Agreement in compliance with the Uniform Electronic Transactions Act (UETA).

GEORGIA DEPARTMENT OF NATURAL  
RESOURCES, COASTAL RESOURCES  
DIVISION ("DNR")

("Subgrantee")

\_\_\_\_\_  
Name & Title: Doug Haymans, Director

\_\_\_\_\_  
Name:  
Title:

**EXHIBIT A  
SUBGRANTEE SCOPE OF  
WORK**



## CIG Full Application: Garrow Alberson - - Improving Resilience in West Brunswick

---

### **Linked Pre-Application Form - DO NOT DELETE**

25 - Improving Resilience in West Brunswick

### **Project Information**

#### **Project Title**

- Improving Resilience in West Brunswick

#### **Applicant (Institution)**

City of Brunswick

#### **Project Manager or PI name**

Garrow Alberson

#### **What type of project is this?**

Non-Research

---

### **Background and Justification**

**Applicant may maintain the wording from the pre-application. This section may be revised based on Pre-application Review Team feedback provided.**

[Click here for instructions](#)

## **Project Overview**

The City of Brunswick (City) implemented a stormwater utility in August 2018, with the first planned major project of the utility being the preparation of an Initial Stormwater Master Plan (Master Plan). The City's intent for the initial plan was to identify potential projects to help plan for funding opportunities such as SPLOST collections and to help obtain other funding sources such as federal and state grant opportunities.

The City's Master Plan was completed in March 2020 and identified 15 potential capital improvement projects (CIP) based on known flooding issues and evaluations of existing infrastructure conditions at those areas. One issue identified in several CIPs is managing stormwater where tidal influence is present. In short, where tidal waters enter stormwater outfall pipes at the City's edge, rainfall entering the same pipes upstream has nowhere to go, causing upstream flooding. Additionally, saltwater infiltration leads to significantly faster rates of stormwater infrastructure deterioration.

The City is currently implementing a Coastal Incentive Grant (CIG) project titled, East Brunswick Tide Control, focused on designing tide control improvements at 14 priority outfalls along the City's eastern boundary. The City wishes to complement these efforts by addressing tide control and flood resilience on the City's western tidal interface. The proposed project will evaluate potential improvements at outfalls and associated drainage basins where known flooding issues exist, heightened vulnerability to sea level rise (SLR) has been documented, upstream infrastructure is compromised, and where flooding has led to streambank erosion.

A total of 11 outfall locations between Dartmouth St and Palmetto Ave will be evaluated for the feasibility of implementing tide control technology, such as flapper gates or check valves. Tide control improvements will be designed for construction where feasible. Currently there are two known inline check valves in place in association with the Mansfield St outfall; discussion with the City suggests functionality is currently compromised and there are issues with regular maintenance.

Three additional, upstream locations between Dartmouth St and Gloucester St have known flooding issues and recent complaints, where failing and/or undersized are likely contributing factors. Locations affected by persistent flooding in these areas include a public housing project, single family residential lots, and commercial retail businesses. This project aims to identify and design improvements at these upstream areas to reduce the likelihood of future flooding, as downstream tide control improvements alone may not be sufficient.

Lastly, this project will evaluate two additional tidal areas between Palmetto Ave and T St where streambank stabilization has been identified by the City as a priority. This project will evaluate the feasibility of implementing nature-based solutions, such as living shorelines and other preferred practices identified the Georgia Environmental Protection Division's and Georgia Soil and Water Conservation Commission's Streambank and Shoreline Stabilization document. This project will result in design plans for improvements at these locations.

Conceptual improvements will be evaluated for each location (11 outfalls, 3 upstream areas of flooding, and 2 vulnerable streambanks). The City will prepare design plans for improvements at each location as necessary. This project will include regulatory permitting where necessary. This project will generate shovel-ready projects. The City anticipates funding to be available and allocated to these projects within the lifetime of the permits. The City will present project findings at multiple public forums (i.e., City Council, County Commission, CRD Brown Bag) to educate and engage community stakeholders.

Important: See attached maps for project locations and details.

### **Coastal Management Relevance and other Federal Funding**

Areas with flooding issues and bank stabilization issues have been identified at priority hazards within the City. CIG funding for this project will allow the city to research and develop solutions for these issues. Funding will be allocated to engineering investigation to identify potential solutions followed by design and construction plan preparation. This will provide the City with shovel-ready plans for use as funding becomes available. The City will be able to budget for these improvements via the City's Capital Improvements Budget or on future SPLOST proposals.

This project will address the coastal GA problem of managing stormwater in coastal communities where SLR and tidal influence create drainage and flooding issues. CIG funding of this project will directly assist strengthen resiliency efforts of coastal managers in Brunswick and Glynn Co. Additionally, findings of this project are directly applicable to other communities in coastal GA. Not only will this project produce immediate results, but data gathered will be a useful reference for future analysis of changes over time.

GCMP focal enhancement areas stated in the GCMP 2021-2025 Section 309 Strategy Building Resiliency with Nature Based Infrastructure (309 Strategy) are 1) coastal hazards, 2) secondary and cumulative impacts, and 3) wetlands, with specific priorities including but not limited to shoreline erosion resiliency, stormwater flooding resiliency, high-tide flooding and SLR resiliency, and evaluating permitting nature-based shoreline protection projects. This project addresses each of these focal enhancement areas.

This project builds on the City's current CIG project, East Brunswick Tide Control, which address similar issues on the east City boundary, the City's recent CIG project, Rethinking Runoff, which identified viable opportunities for upland stormwater infiltration, addresses priority areas identified in County's Shoreline Protection Plan CIG project (central hub areas in west Brunswick near Gloucester Street; see attached powerpoint PDF) and will utilize the "Tide Gate Best Practices Document" produced by Chatham Co. through CIG funding. This project does not create redundancy with any of these projects but supplements them in improving overall resiliency in Brunswick.

A majority of residents in west Brunswick between Prince Street and Palmetto Avenue as well as those using these areas for work or leisure will benefit from this project. Potential costs of continued damage from tidal related flooding could easily be hundreds of thousands of dollars and include damage to stormwater infrastructure, public and private real estate, property damages, and roadway damages.

See attached figures, which use maps generated by the Southern Environmental Law Center to show project locations in relation to flood risk and storm surge hazard levels.

### **Project Goals**

General project goals include strengthening shoreline resiliency, stormwater flooding resiliency, and mitigating damages and threats associated with tidal influence and SLR on the City's west boundary.

This project will refer to the Coastal Stormwater Supplement to the Georgia Stormwater Management Manual, CRD's Green Growth Guidelines, and the Georgia EPD's and Georgia Soil and Water Conservation Commission's Streambank and Shoreline Stabilization document. This project supports the goal sated in the current Glynn County Joint Comprehensive Plan of planning and preparing for storm surge and SLR. This project was derived from a capital improvement project identified in the City's Initial Stormwater Master Plan.

Specific goals of this project include: 1) evaluation of potential tide control improvements associated with 11 stormwater outfalls, 2) evaluation of potential upstream stormwater infrastructure improvements associated with tidally influenced outfalls at 3 locations, 3) evaluation of potential streambank stabilization improvements at two locations, with a focus on nature-based solutions 4) prepare design plans for each location investigated and secure necessary permits.

---

## **Task Description - Year 1**

**Two-year projects must provide separate Task Descriptions for Year 1 and Year 2. Year 1 tasks must not carry over into Year 2. Applicant should describe how the task will be completed, by whom, an anticipated completion date, and what the deliverables will be for that task.**

**Select number of tasks for year 1.**

6

---

**Y1:1- Task Title**

Existing Conditions Evaluation and Conceptual Alternative Review

**Y1:1- Task Description**

The objective of this task is to gather all available information regarding existing conditions at each project site. Additionally, this task serves the purpose of identifying conceptual improvement alternatives at each project location. Evaluations will include desktop research of available GIS information, review of historical City records regarding each location (including but not limited to flooding issues), and site visits to evaluate structure and piping materials, sizing, and accessibility. Stormwater system evaluations will include recording structure and piping materials, sizes, condition, and accessibility. Site visits will include photographs of existing conditions.

Conceptual improvement alternatives will be evaluated for each project location. Potential tide control improvements will be evaluated for each location based on available literature, findings of the ongoing CIG project "East Brunswick Tide Control". Potential upstream stormwater infrastructure improvement alternatives will be summarized based on available information of the system and associated watersheds. Potential bank stabilization improvement alternatives will be evaluated based on guidance from the Georgia Stormwater Management Manual (GSMM), Coastal Stormwater Supplement to the GSMM, the Manual for Erosion and Sediment Control in Georgia, with a priority given to low-impact, green solutions.

**Y1:1- Task Deliverables**

Task deliverable will include an Existing Conditions and Conceptual Improvements Alternatives Report. The report will be submitted to the City for review and discussion.

**Y1:1- Anticipated date of completion**

12/01/2022

---

**Y1:2- Task Title**

Community Partnership and Volunteer Involvement

**Y1:2- Task Description**

The objective of this task is to utilize shared experience and knowledge among coastal communities faced with the same challenges to implement the best possible solutions at each project area. The City will consult with other coastal Georgia communities regarding stormwater management and bank stabilization practices implemented in tidally influenced areas. These efforts will be coordinated by the consultant with input from the City.

Revisit contacts as needed during design as needed to seek additional input.

Meeting details will be recorded.

**Y1:2- Task Deliverables**

Task deliverables will include at least two meetings to discuss project details and gather insight from another coastal community, agency, organization, or volunteers regarding experience with tide control and bank stabilization projects in tidally influenced areas.

**Y1:2 Anticipated date of completion**

04/01/2023

---

**Y1:3- Task Title**

75-90% Design

**Y1:3- Task Description**

Upon City feedback on preferred improvements, the consultant will implement all necessary measures to develop 75-90% design drawings of improvements. This will include obtaining topographic survey from a licensed surveyor to include all details necessary for design. Prior to survey, the consultant will coordinate with CRD to flag jurisdictional marsh areas, and the consultant will delineate the presence of any jurisdictional US waters and/or state stream buffer areas.

**Y1:3- Task Deliverables**

Task Deliverables will be 75-90% design drawings for each project location for the City's review and feedback.

**Y1:3- Anticipated date of completion**

02/01/2023

---

**Y1:4- Task Title**

Permitting

**Y1:4- Task Description**

After developing 90% plans, the consultant will coordinate with regulatory agencies to prepare and submit permit packages for impacts and encroachments in jurisdictional areas. It is anticipated that permitting will be required for marsh impacts through CRD, impacts to US waters through USACE, stream buffer impacts through EPD, state road encroachments through GDOT, and railway encroachments through CSX.

This task will be completed by the consultant.

Based on regulatory review periods, it is possible that final permit approval may require an extension of the project timeline. It is expected that permit packages will be prepared and submitted prior to the interim status report for the CIG cycle, leaving 6 months for permit approval. This is believed to be a reasonable amount of time allocated to permit the approval process. Any permitting challenges which push this timeline further out cannot be predicted and are out of City control.

**Y1:4- Task Deliverables**

Task deliverables will include submission of permit packages for all required permitting. Permit applications will be revised and resubmitted a maximum of one (1) time per regulatory feedback.

**Y1:4- Anticipated date of completion**

09/30/2023

---

**Y1:5- Task Title**

Design Plans Complete and Opinions of Probable Cost

**Y1:5- Task Description**

The objective of this task is to produce design plans and specifications for use in procuring construction services for each improvement project. This task also serves to estimate construction costs for each improvement project for the City's use in budgeting.

This task will be completed by the consultant.

**Y1:5- Task Deliverables**

Task deliverables include three (3) project plan packages, one for each type of resilience project proposed: bank stabilization, point tide control improvements, system-wide improvements in tidally influenced areas. Additionally this task will produce opinions of probable construction cost for each project plan package, broken down by each project location.

**Y1:5- Anticipated date of completion**

09/30/2023

---

**Y1:6- Task Title**

Communications and Education

**Y1:6- Task Description**

The objective of this task is to educate community members and other interested stakeholders on the purpose and results of this project. The City and consultant will prepare an initial presentation for use at a City Council meeting (open to the public) and/or other relevant community planning meetings. The initial presentation will discuss project purpose, conceptual alternatives considered, and include 75-90% plans. Additionally the City and consultant will prepare a final presentation to be given at a CRD Brown Bag Event. This presentation will be similar to the initial presentation but include a review of all tasks completed and final plans. Each presentation will be open to comment and discussion from stakeholders.

The City and consultant will coordinate with CRD to ensure project communications and education are consistent with CRD messaging objectives.

1st presentation – February of 2023 (after 75-90% plans)

2nd presentation – August or September of 2023

**Y1:6- Task Deliverables**

Task deliverables include at least two (2) presentations to be given in public forums for the purpose of community outreach and education.

Sign-in sheets will also be recorded.

Video of final presentation will be recorded and distributed to coastal stormwater personnel involved with Task 2, for dissemination of project results.

**Y1:6- Anticipated date of completion**

09/30/2023

---

**Is this a 2 year project?**

No

---

**Communications**

**Applicant must describe a plan for outreach and information dissemination to convey project results, impacts and benefits to coastal managers and/or the general coastal public, and specifically describe the groups targeted and estimated numbers of people to be reached. See application instructions for more information.**

**What type of outreach plan is this?**

Education Activities

**Please describe.**

Outreach and information dissemination will be achieved through educational presentations. These activities are listed in Task 6 and include two (2) presentations and coordination with CRD staff to ensure communication efforts are consistent with CRD coastal management messaging objectives. Expected audiences for these presentations include City elected officials, public, scientific community members, and any other interested stakeholders.

One presentation will occur during preliminary design, prior to the interim progress report, to provide information on project purpose and conceptual plans. The second presentation will be held in the 4th quarter of the project, between July 1, 2022 and September 30, 2022. The first will be at an in-person or virtual City Commission meeting. The meeting is expected to have 20-30 participants (the Mayor, Mayor Pro Tem, and Commissioners account for 5 of these participants). The second will be at an in-person or virtual presentation through CRD's brown bag series (This meeting is expected to have 20-30 participants; many of whom are CRD staff). The City will invite coastal stormwater personnel who were involved in preliminary discussions in Task 2 to attend. For those not able to attend but interested, a recording of the presentation will be provided. This will allow the City to disseminate a summary of the project to those stakeholders facing the same challenges. The presentations will not only inform stormwater management personnel but will reach a broad audience of stakeholders including residents, policymakers, and the scientific community.

**Project Timeline and Milestones**

**Develop a timeline and milestones for each year of the project. The Georgia Coastal Management Program will use this information to track project progress.**

**Describe your Timeline and Milestones**

See spreadsheet

**If you would like to upload a table or spreadsheet of your Timeline and Milestones, please do so here.**

Project Timeline and Milestones.xlsx

## **Project Management**

**Describe how the proposed project will be managed. List all persons directly employed by the applicant who will be involved in the project, along with their level of involvement. List project partners and describe any volunteer participation. Letters of support or commitment are only required for partners providing in-kind services and/or match funding, as well as for those directly listed in the Coastal Management Relevance section.**

**Project Management**

Garrow Alberson, Public Works Director/City Engineer with City of Brunswick, will serve as the primary project manager. He will coordinate with the subcontractor and City staff to facilitate completion of each task and will track progress according to the project schedule and milestones. In-kind match funds provided by City staff will be recorded by Garrow using timekeeping software.

Letters of Support can be uploaded in the Final Section of this Application.

---

## **Budget Narrative - Year 1**

**In the budget narrative, describe each budget category as indicated in the Application Instructions and provide enough detail to show cost relationship to project tasks. Be sure to specify if match is Cash or In-Kind.**

**Y1 Personnel**

MATCH:

Personnel who will work on the grant from City of Brunswick include: Garrow Alberson, Tim Nelson, Ren Hale, Rick Charnock, Emmett Head, and Karen Rogers. Detailed information is provided below for each, and their salaries will be used as In-Kind Match.

**Y1 Fringe Benefits**

MATCH:

Fringe benefits of the City of Brunswick include: annual holidays, vacation leave, sick leave, workers' compensation, group medical and hospital insurance, group life insurance, and retirement. Fringe benefits will be used as In-Kind Match and are included in the matching funds figures listed in the previous section. Fringe Rate varies for each employee based on several factors, but the current Fringe Rates for each employee is listed below.

Fringe Benefits

- Garrow Alberson (38.51%)
- Tim Nelson (31.48%)
- Ren Hale (47.29%)
- Rick Charnock (43.23%)
- Emmett Head (43.97%)
- Karen Rogers (52.06%)

**Y1 Equipment (Items with cost > \$5,000)**

N/A

**Y1 Travel**

N/A

**Y1 Supplies (< \$5,000)**

N/A

**Y1 Subcontracts**

N/A

**Y1 Construction**

N/A

**Y1 Other**

GRANT REQUEST: \$80,000

MATCH: \$89,142

(Consultant Fee; Volunteer Participation by Stakeholders)

The City requests \$80,000 for an engineering consultant subcontract to execute project deliverables. The City will provide \$88,000 in match funding to cover the remainder of the engineering consultant's fee not covered by the requested CIG funds.

During this project, there will be at least two (2) stakeholder meetings including representatives from other coastal communities. Non-City of Brunswick staff attendees will be counted as volunteers because they will be providing input on the project, and their time will be used as In-Kind Match. It is assumed that each meeting will have an average of 10 non-staff participants, and each participant will spend 2 hours for each meeting. The 2 hours includes the meeting, traveling to/from the meeting, and reviewing documents. Based on these assumptions, the stakeholder meetings are expected to generate 40 volunteer hours. Based on the 2021 national volunteer rate of \$28.54, volunteer participation will contribute \$1,142.

[https://independentsector.org/news-post/independent-sector-releases-new-value-of-volunteer-time-of-28-54-per-hour/#:~:text=\(WASHINGTON%2C%20April%202020%2C%202021,support%20our%20communities%20and%20country.](https://independentsector.org/news-post/independent-sector-releases-new-value-of-volunteer-time-of-28-54-per-hour/#:~:text=(WASHINGTON%2C%20April%202020%2C%202021,support%20our%20communities%20and%20country.)

**Y1 Indirect (Facility and Administrative) Costs**

MATCH:

The City of Brunswick does not have a federally Negotiated Indirect Cost Rate Agreement (NICRA), so the applicant will use the 10% de minimis for indirect costs as In-Kind Match. Indirect costs are calculated as 10% of salary and fringe.

---

**Supplemental Information****Upload Certification Form**

CertificationsForm.pdf

**Upload Match/In-kind Letter of Support****Upload Referenced Plans**

Extracted pages from City of Brunswick Stormwater Master Plan\_Official.pdf

**Upload Federally Negotiated Indirect Cost Rate Agreement****Upload Authorizing Resolution****Upload 306A Project Questionnaire****Upload Title Opinion Or Certification of Real Property Ownership****Upload Copy of Historic Preservation Division review request letter and response****Upload copy of U.S. Fish and Wildlife Service review request letter and response**



**Upload Site Maps**

Tide Control and Bank Stabilization map\_updated.pdf

**Upload Site Plans****1. Additional File Upload**

Upstream Drainage Improvements Map.pdf

**2. Additional File Upload**

Storm Surge Map - SELC, NOAA.pdf

**3. Additional File Upload**

Floodplain Map - SELC, FEMA.pdf

**4. Additional File Upload**

GMC\_shorelineprotection\_CIG\_update\_11-17-21.pdf

**5. Additional File Upload**

**I certify that the Authorizing Official has approved this submission.**

Yes

**Name of Authorizing Official**

Garrow Alberson

**Title of Authorizing Official**

City Engineer/Public Works Director

**Email of Authorizing Official**

galberson@cityofbrunswick-ga.gov

**CIG Full Application: File Attachments**

---

**If you would like to upload a table or spreadsheet of your Timeline and Milestones, please do so here.**

Project Timeline and Milestones.xlsx



# CIG Budget: Improving Resilience in West Brunswick: Planning and Design of Selected Tidally Influenced Projects

---

Name	Attachments
Improving Resilience in West Brunswick: Planning and Design of Selected Tidally Influenced Projects	No

**Linked Pre-Application Form - DO NOT DELETE**

25 - Improving Resilience in West Brunswick

**Linked Full Application**

Garrow Alberson - - Improving Resilience in West Brunswick

**Project Title**

Improving Resilience in West Brunswick: Planning and Design of Selected Tidally Influenced Projects

---

## Budget Categories - Year 1

### Personnel

**Y1 Personnel: CIG Funds Requested (Federal)**

\$0.00

**Y1 Personnel: Match Funds Provided (Non-Federal)**

\$13,306.00

**Y1: Total for Personnel (Federal and Non-Federal)**

13306

---

### Fringe Benefits

**Y1 Fringe: CIG Funds Requested (Federal)**

\$0.00

**Y1 Fringe: Match Funds Provided (Non-Federal)**

\$5,475.00

**Y1: Total for Fringe Benefits (Federal and Non-Federal)**

5475

---

### Equipment (Items >\$5,000)

**Y1 Equipment: CIG Funds Requested (Federal)**

\$0.00

**Y1 Equipment: Match Funds Provided (Non-Federal)**

\$0.00

**Y1: Total for Equipment (Federal and Non-Federal)**

---

### Travel

**Y1 Travel: CIG Funds Requested (Federal)**

\$0.00

**Y1 Travel: Match Funds Provided (Non-Federal)**

\$0.00

**Y1:Total for Travel (Federal and Non-Federal)**

---

**Supplies (Items <\$5,000)**

**Y1 Supplies: CIG Funds Requested (Federal)**

\$0.00

**Y1 Supplies: Match Funds Provided (Non-Federal)**

\$0.00

**Y1: Total for Supplies (Federal and Non-Federal)**

---

**Subcontract**

**Y1 Subcontract: CIG Funds Requested (Federal)**

\$0.00

**Y1 Subcontract: Match Funds Provided (Non-Federal)**

\$0.00

**Y1:Total for Subcontract (Federal and Non-Federal)**

---

**Construction**

**Y1 Construction: CIG Funds Requested (Federal)**

\$0.00

**Y1 Construction: Match Funds Provided (Non-Federal)**

\$0.00

**Y1: Total for Construction (Federal and Non-Federal)**

---

**Other**

**Y1 Other: CIG Funds Requested (Federal)**

\$80,000.00

**Y1 Other: Match Funds Provided (Non-Federal)**

\$89,142.00

**Y1: Total for Other (Federal and Non-Federal)**

169142

---

**Indirect**

**Y1 Indirect: CIG Funds Requested (Federal)**

\$0.00

**Y1 Indirect: Match Funds Provided (Non-Federal)**

\$1,878.00

**Y1: Total for Indirect (Federal and Non-Federal)**

1878

---

**Total CIG Funds Requested (Federal) - Year 1**

80000

**Total Match Funds Provided (Non-Federal) - Year 1**

109801

**Total (Federal and Non-Federal) - Year 1**

189801

---

**Is this a 2 Year Project?**

No

**I certify that the Authorizing Official has approved this submission.**

Yes

**Name of Fiscal Agent**

Garrow Alberson

**Title of Fiscal Agent**

Garrow Alberson

**Email of Fiscal Agent**

galberson@cityofbrunswick-ga.gov



**SUBJECT: COASTAL INCENTIVE GRANT – IMPROVING RESILIENCE IN WEST BRUNSWICK- AGREEMENT FOR DESIGN & PERMITTING – GWES**

---

**COMMISSION ACTION REQUESTED ON:** October 5, 2022

**PURPOSE:**

Approval of an agreement with Georgia Water & Environmental Services (GWES) for the design and permitting of tide control structures on storm water outfalls and upstream storm drainage improvements as designated in the Georgia Department of Natural Resources Coastal Incentive Grant for Resilience Improvements in West Brunswick

**HISTORY:**

The City of Brunswick has 31 outfalls which discharge storm water runoff from the collection system into the local rivers and marshes. Thirteen of these outfalls are located on the west side of the city along the Bay street and Newcastle Street corridors. The elevation of the many of these storm drainage outfalls relative to the rivers and marshes allows the salt water to enter the storm drain system during periods of high tide. This intrusion of the river and marsh water reduces the capacity of the storm drainage system and prevents the storm water runoff from exiting the system as quickly as it should. At periods of extremely high tides, this back flow of river water can cause flooding in roadways and properties near the outfalls. The river and marsh water also brings sediment and other debris into the drainage system which can reduce the efficiency of the drainage system even at low tides.

**FACTS AND ISSUES:**

The staff of the Engineering and Public Works Department applied for and received a Coastal Incentive Grant from the Georgia Department of Natural Resources for the design and permitting of tide control structures and outfall improvements on several outfalls located on the west side of Brunswick. These outfalls are the shown on the attached map exhibit. The project also includes analysis and design of improvements for three upstream areas which have persistent flooding problems. These areas-- Monck Street, Howe and Union/Ellis, and Oglethorpe Street—are also shown on the attached map.

The outfalls included in this project are also part of a project identified in the Storm Water Master Plan. The project, listed as Tide Control – West Brunswick, is designated as priority project #11 in the master plan.

The scope of work identified in the GWES agreement includes three main tasks. Task One will be coordination with DNR staff and other coastal communities regarding their use of tide control devices. The results of this communication will be shared through presentations at public forums such as a City Commission meeting and a public presentation. Task Two will include survey, conceptual design and final design of the outfall improvements and drainage improvements at the listed project locations. This task will also include preparation of construction plans, specifications, and opinions of probable cost. Task Three will include delineation of jurisdictional boundaries, Coastal Marshland Protection Act (CMPA) permitting, buffer variance applications, and GDOT permitting (if necessary). These tasks are scheduled to be completed by September 30, 2023, according to the framework of the CIG program. Purchase, installation, or construction of the any designated tide control devices or drainage improvements is not included as part of this project.

#### **BUDGET INFORMATION:**

The total cost of this agreement is \$167,400. The Coastal Incentive Grant will provide \$80,000 toward the agreement. The remainder will be provided by the City as a local match. The City will provide \$87,400 toward the agreement through a cash match. These funds will be paid from the FY 23 Storm Water Utility budget.

---

#### **OPTIONS:**

1. Authorize the Mayor to sign an agreement with Georgia Water and Environmental Services in the amount of \$167,400 for design and permitting of outfall and drainage improvements as designated in the Coastal Incentive Grant – Resilience Improvements in West Brunswick project.
  2. Do not authorize the Mayor to sign an agreement with Georgia Water and Environmental Services in the amount of \$167,400 for design and permitting of outfall and drainage improvements as designated in the Coastal Incentive Grant – Resilience Improvements in West Brunswick project.
  3. Take no action at this time.
-

**DEPARTMENT RECOMMENDATION ACTION:**

Authorize the Mayor to sign an agreement with Georgia Water and Environmental Services in the amount of \$167,400 for design and permitting of outfall and drainage improvements as designated in the Coastal Incentive Grant – Resilience Improvements in West Brunswick project

---

**DEPARTMENT:   Engineering**

---

Prepared by:   Garrow Alberson, P.E., Director of Engineering and Public Works

---

**ADMINISTRATIVE COMMENTS:**

---

**ADMINISTRATIVE RECOMMENDATION:**

---

Authorize the Mayor to sign an agreement with Georgia Water and Environmental Services in the amount of \$167,400 for design and permitting of outfall and drainage improvements as designated in the Coastal Incentive Grant – Resilience Improvements in West Brunswick project

*Regina M. McDuffie*  
\_\_\_\_\_  
City Manager

\_\_\_\_\_9/27/22\_\_\_\_\_  
Date





September 16, 2022

Mr. Garrow Alberson  
Brunswick City Engineer  
525 Lakeview Avenue  
Brunswick, GA 31520

**RE: Improving Resilience in West Brunswick: Priority Areas Design and Permitting Proposal for Services**

Dear Mr. Alberson,

Please accept this letter as GWES LLC's (GWES) proposed scope and fee for design and permitting services associated with implementing tide resilience improvements at priority areas along the City of Brunswick's (City) western boundary.

**PURPOSE**

The City plans to evaluate and implement tide resilience practices at priority stormwater facilities along the City's western boundary.

The City is actively pursuing a Coastal Incentive Grant (CIG) through the Georgia Department of Natural Resources (DNR) Coastal Resources Division (CRD) to address tide resilience issues at stormwater facilities along the City's western boundary (locations identified in Attachment A).

The City's Stormwater Masterplan (SWMP) describes tide resilience as a challenge for stormwater management and identifies priority areas where improvements may have significant impacts on infrastructure performance and community safety and well-being. The City is implementing the Improving Resilience in West Brunswick project to address tide resilience at the following Prioritized areas:

## **Bank Stabilization and Resilience**

### **1. Palmetto Cemetery Outfall**

- Approximately 2,000 LF of ditch and bank stabilization along the outfall ditch at Palmetto Cemetery.

### **2. T Street Outfall**

- Approximately 800 LF of ditch and bank stabilization along the outfall ditch of T Street.

## **Tide Control Outfalls**

### **1. New Castle Street Outfall**

- 24 in Reinforced Concrete Pipe (RCP)

### **2. M Street Outfall**

- 42 in RCP

### **3. H Street Outfall**

- Pipe size unknown without further investigation

### **4. Gloucester Street Outfall**

- Pipe size unknown without further investigation. Underneath concrete dock.

### **5. Monk Street Outfall**

- 48 in Corrugated Metal Pipe

### **6. Mansfield Street Outfall**

- 54 in RCP

### **7. Howe Street Outfall**

- 60 in RCP

### **8. Prince Street Outfall**

- 24 in Clay pipe

### **9. Dartmouth Street Outfall**

- 18 in Clay Pipe

## **Upstream Drainage Improvements**

### **1. Monk Street**

- Improvements to the upstream deteriorating drainage system beginning at Bay Street east to Ellis Street.

### **2. Howe Street**

- Improvements to the underserved drainage areas along the east side of Union Street and along Ellis Street between Howe Street and George Street.

### **3. Prince Street**

- Improvements to the underserved drainage areas along Oglethorpe Street at Hopkins Homes between Prince Street and London Street.
- Improvements to the failing and deteriorating system between Bay Street and the Oglethorpe Bay.

The City plans to evaluate feasibility of tide resilience improvements at these priority areas, generate construction plans where necessary, and secure all required permits for improvement projects. Project commencement is scheduled for October 1, 2022, and completion is expected by September 30, 2023, per CIG grant scheduling.

GWES is prepared to provide engineering and consulting services to assist the City in obtaining these objectives for the betterment of the community.

## **SCOPE**

Our scope is divided into the following three (3) tasks: (1) Grant Coordination and Administration, (2) Construction Plan Development, and (3) Regulatory Coordination and Permitting

### **Task 1: Grant Coordination and Administration**

- Coordinate with City and DNR staff throughout project to ensure project deliverables and contract terms are met.
- Engage community partnership and volunteer involvement by seeking input from coastal Georgia communities regarding their previous and active tidal resilience projects. A minimum of two (2) meetings (remote or in person) shall be held.
- Review current, available literature on tide resilience and sea level rise for coastal stormwater systems.
- Provide project communications through a presentation of project results and findings to be given at two (2) public forums: (1) City Council Meeting and (2) DNR Brown Bag Presentation.
- Prepare and submit an interim status report via the CIG online portal no later than April 7, 2023.
- Prepare and submit a final status report to include all project deliverables via the CIG online portal no later than October 7, 2023.

### **Task 2: Construction Plan Package Development**

- The Final Plan package will be divided into three (3) separate project plan packages. Each project will be dedicated to the type of resilience improvement outlined in this proposal. These projects include Bank Stabilization and Resilience, Tidal Control, and Upstream Improvements to Tidally influences Areas. Each Project Package will include engineering design, separate project plans, project specifications in accordance with City and GDOT standards, engineering opinion of probable costs, and bidding documents.

- Develop concept design drawings for each project location and an opinion of probable construction cost (OPC).
- Concept drawings to include utility location information based on field survey.
- Revise design drawings and OPC according to City review comments.
- Prepare and submit 90% Contract Documents and OPC to City for review and approval.
- Revise documents to include any City review comments.
- Prepare and submit 100% Contract Documents for the proposed improvements to City in hard copy and electronic format.

### **Task 3: Regulatory Coordination and Permitting**

- Conduct field delineation of aquatic and marsh jurisdictional resources.
- Obtain verification of delineation from CRD.
- Determine local, state, and federal environmental and regulatory and permitting requirements for proposed improvements.
- Prepare memorandum summarizing findings of regulatory due diligence.
- Prepare and submit two separate applications for Coastal Marshlands Protection Act (CMPA) permits. This includes an application for the Bank Stabilization and Resilience project and an application for the Tidal Control project.
- Revise and resubmit CMPA permit application(s) a maximum of one (1) time based on CRD feedback.
- Prepare and submit stream and/or marshlands buffer variance application(s) for tidal zone improvement project(s) where required.
- Revise and resubmit buffer variance application(s) a maximum of one (1) time based on Georgia Environmental Protection Division (EPD) or local issuing authority (LIA) feedback.
- Prepare and submit application(s) for Clean Water Act (CWA) Section 404 permit(s) for tidal zone improvement project(s) where required.
- Revise and resubmit 404 permit application(s) a maximum of one (1) time based on US Army Corps of Engineers (USACE) feedback.
- Prepare and submit Georgia Department of Transportation (GDOT) permit application(s) for encroachment(s) within the right-of-way for tidal zone or drainage improvement project(s) where required.
- Revise and resubmit GDOT permit application(s) a maximum of one (1) time based on GDOT feedback.
- Coordinate with the Railroad and Port Authority staff to determine permitting or authorization needed for the project. Prepare and submit documentation to obtain necessary approval.

## ASSUMPTIONS

- Project completion is expected within the CIG timeline of October 1, 2022 – September 30, 2023
- Project completion is contingent on regulatory timing, which can create delays.
- The City will coordinate budget change requests with CRD.
- The City will coordinate payment requests with CRD.
- The City will ensure grant match requirements are met according to direct and in-kind responsibilities.
- USACE permitting will be limited to 404 Nationwide General Permitting; Individual Permits are considered outside of scope.
- CRD permitting will be limited to CMPA (marsh permit) and/or letter(s) of permission (LOP)
- CRD may find that the presence of upstream jurisdictional marsh restricts completion of tide control improvements at one or more outfalls.

## FEE

We propose to provide the above engineering and consulting services for a fee not to exceed the following:

<b>Task #</b>	<b>Fee</b>
1- Grant Coordination and Administration	\$10,800
2- Construction Plan Package Development	
Bank Stabilization and Resilience Project	\$38,400
Tidal Control Project	\$37,800
Upstream Improvements Project	\$48,300
3- Regulatory Coordination and Permitting	\$32,100
<b>Total</b>	<b>\$167,400</b>

## SCHEDULE

GWES' schedule is dependent upon regulatory schedules, City delivery of requested information, review periods of milestone benchmark submissions, and availability of immediate, scheduled meetings. The following schedule is based upon working days, not including company holidays and weekends.

Task	Schedule
Grant Coordination and Administration	October 2022 – September 2023
Regulatory Coordination and Permitting	December 2022 – September 2023
Construction Plan Package Development	
Topographic Survey	October 2022 – December 2022
Concept Drawings	January 2023 – February 2023
Final Construction Plans	February 2023 – April 2023

We are prepared to begin these services immediately upon Notice To Proceed (NTP). We greatly appreciate the opportunity to provide this proposal. If you have any questions, please contact me.

With Highest Regards,

GWES, LLC



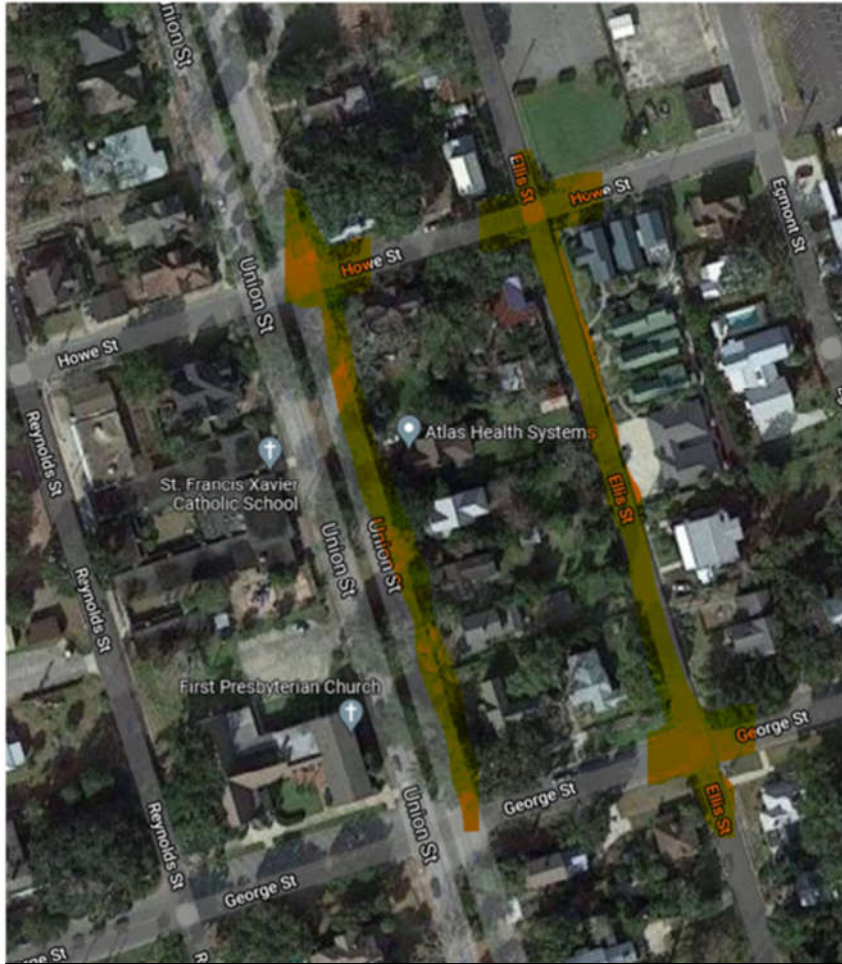

Ben Pierce, PE  
 Senior Project Manager  
 (502) 640-8252  
[ben.pierce@gwesllc.com](mailto:ben.pierce@gwesllc.com)

# ATTACHMENT 'A'



Prince Steet Improvements

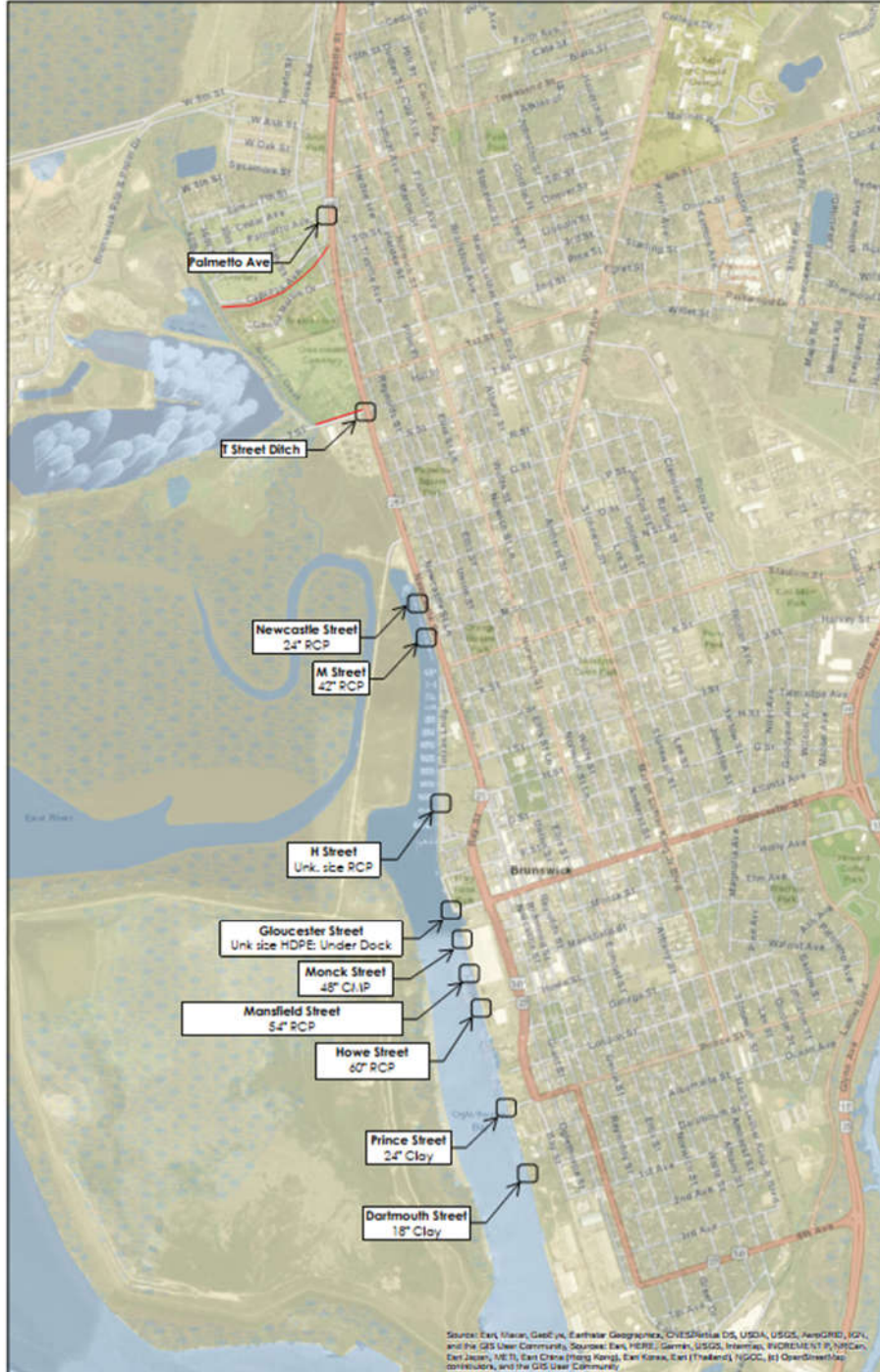




Union Street & Ellis Street Upstream Improvements



Monk Steet Improvements



Bank Stabilization and Tidal Control Improvements



**SUBJECT: APPROVAL OF AGREEMENT WITH INSITUFORM TECHNOLOGIES, LLC FOR INSTALLATION OF STORM PIPE LINER**

---

**COMMISSION ACTION REQUESTED ON:** October 5, 2022

**PURPOSE:**

Approval of an agreement with Insituform Technologies, LLC for the installation of a Cured-in-Place Pipe (CIPP) liner in the existing 48” storm pipe along Gloucester Street west of Bay Street at the entrance to Mary Ross Park

**HISTORY:**

An existing 48” reinforced concrete pipe runs along Gloucester Street discharging into the river at the southern end of Mary Ross Waterfront Park. There are several joints which are failing along the length of the pipe causing sinkholes to develop in the pavement of the roadway/parking area at the end of Gloucester Street near the city dock.

**FACTS AND ISSUES:**

The Engineering and Public Works Department is currently finalizing plans for improvements to the southern entrance area of Mary Ross Waterfront Park (MRWP). The project plans include improvement of the end of Gloucester Street so that it can be better used as an access and parking area by park visitors. It is necessary to repair the storm pipe and other underground utilities prior to construction of the proposed roadway/parking improvements.

In order to repair the pipe joints and eliminate the formation of the sinkholes in the ground surface above the pipe, the pipe must either be replaced, or a liner installed inside the pipe. Due to the potential cost of pipe replacement along with the difficulties involved in such a project, the department has obtained pricing for the installation of a cured-in-place pipe liner. The liner is a resin-impregnated polyester sleeve which is installed without excavation or disturbance to the pipe, roadway, or retaining wall above the pipe. The liner would extend from the storm drain manhole on the western side of Bay Street to the pipe outfall at the retaining wall behind the dock. This is a distance of approximately 350 feet. The proposed project will also include installing CIPP liners in smaller pipes (30”, 24”, and 15”) which adjoin the 48” pipe and are also located underneath the pavement area.

The other option for repair of the pipe joints is replacement of the pipe. Pipe replacement includes major excavation of the site and disturbance adjacent to the dock retaining wall, along

with possible conflicts with other existing utilities in the area. The depth of the pipe may also cause problems during removal and replacement due to the influence of groundwater at the site.

The City has previously installed this type of liner inside storm pipes along Atlanta Avenue and under U.S. Highway 17. The liners have performed well at that location so far. The Brunswick-Glynn Joint Water & Sewer Commission also uses this type of liner extensively as a method of repair for their sanitary sewer lines.

The published lifespan of the liner is 50 years, but recent examination of liners in place indicates the lifespan may be much longer. Regardless, if the storm pipe was replaced with another concrete pipe, the projected lifespan would only be around 25 - 30 years due to the failure of the rubber joint seals. Therefore, the CIPP liner is a much longer-lasting method of repair. The CIPP liner carries a one-year warranty on materials and workmanship of the repair.

The project proposal provided by Insituform has price of \$177,803.30 for the installation of the CIPP liner. The estimated cost of pipe replacement is over \$228,000. Therefore, due to the time and cost advantages associated with the liner as well as the projected lifespan, the Department requests approval of the proposal from Insituform for installation of the CIPP liner.

#### **BUDGET INFORMATION:**

The \$177,803.30 cost of the pipe liner will be paid from the Storm Water Utility. This is not a budgeted project, but the Storm Water Utility contains sufficient surplus funds to cover the cost of this project.

---

#### **OPTIONS:**

1. Approve the agreement with Insituform Technologies in the amount of \$177,803.30 for the installation of a CIPP liner in the Gloucester Street storm drain pipe at Mary Ross Waterfront Park.
2. Do not approve the agreement with Insituform Technologies in the amount of \$177,803.30 for the installation of a CIPP liner in the Gloucester Street storm drain pipe at Mary Ross Waterfront Park.
3. Take no action at this time.

---

#### **DEPARTMENT RECOMMENDATION ACTION:**

Approve the agreement with Insituform Technologies in the amount of \$177,803.30 for the installation of a CIPP liner in the Gloucester Street storm drain pipe at Mary Ross Waterfront Park.

---

**DEPARTMENT: Engineering**

---

Prepared by: Garrow Alberson, Director of Engineering and Public Works

---

**ADMINISTRATIVE COMMENTS:**

---

**ADMINISTRATIVE RECOMMENDATION:**

---

Approve the agreement with Insituform Technologies in the amount of \$177,803.30 for the installation of a CIPP liner in the Gloucester Street storm drain pipe at Mary Ross Waterfront Park.

*Regina M. McDuffie*  
\_\_\_\_\_  
City Manager

\_\_\_\_\_  
9/27/22  
\_\_\_\_\_  
Date

# Mary Ross Park

Brunswick, GA





6966 Business Park Blvd N.  
Jacksonville, FL 32256

Tel: (904) 886-3737  
Fax: (904) 886-3751  
[bcurvel@aeqion.com](mailto:bcurvel@aeqion.com)

9-20-22

Garrow Alberson  
City of Brunswick  
Public Works Department  
525 Lakewood Ave  
Brunswick, GA 31520

**Re: RFQ Mary Ross Park – Gloucester St Storm Drain Lining**

Garrow,

Insituform Technologies, LLC, ("ITLLC") is pleased to provide the following proposal to the City of Brunswick, hereinafter referred to as "Customer", for the scope of work detailed below for the above-referenced Project.

**PROPOSAL PRICING**

ITLLC proposes the following pricing for the scope of services described herein:

Item	Description	Unit	Qty	Unit Price	Total Price
1	Mobilization	LS	1	\$2,454.90	\$6,454.90
2	Pre-Clean & CCTV Inspections	LF	1	\$10,008.30	\$10,008.30
3	CIPP 15" x 7.5mm	LF	55	\$163.00	\$8,965.00
4	CIPP 24" x 10.5mm	LF	50	\$277.30	\$13,865.00
5	CIPP 30" x 12mm	LF	20	\$636.60	\$12,732.00
6	CIPP 48" x 18mm	LF	343	\$366.70	\$125,778.10
				Total:	<b>\$177,803.30</b>

**INSITUFORM SCOPE OF WORK / RESPONSIBILITIES**

ITLLC will provide the following:

1. Mobilization and demobilization of personnel, equipment, and materials to and from the Project site. The price presented is based upon one (1) instance of mobilization and demobilization.
2. Install **polyester** resin impregnated CIPP liner in accordance with ASTM F1216 or F1743 using either water or air/pull-in/steam, at the discretion of ITLLC. We have not included any costs associated with the disposal of inversion water.
3. Internal reinstatement of all service connections as directed by the Customer or their representative.
4. CCTV inspection of the pipe before and after the lining is complete.
5. Standard ITLLC one-year warranty from date of installation, excluding any required warranty TV inspection and/or testing.
6. Standard insurance coverage with the following limits:  
General Liability: \$2,000,000 per occurrence/\$4,000,000 aggregate

Auto: \$2,000,000 Combined Single Limit  
Workers Compensation: Statutory with \$1,000,000 Employer's Liability  
The above insurance shall not include Primary and Non-Contributory Coverage and ITLLC shall not provide a Waiver of Subrogation endorsement.

**NOTE:** Modifications to the Scope of Work/Responsibilities of ITLLC may result in a change in price and/or duration.

## **ASSUMPTIONS AND QUALIFICATIONS**

---

ITLLC's Proposal Pricing is based upon the following assumptions and clarifications:

1. ITLLC assumes the work will be completed during dry weather conditions.
2. Quantities are estimated. Customer shall be invoiced for actual quantities at the above unit prices.
3. ITLLC is an open-shop company and shall not be subject to any union requirements or agreements and will not enter into any Project Labor Agreement or any such similar agreement for this Project. Where required by the Contract Documents, ITLLC will pay the Prevailing Wages then in effect for the Project and will submit Certified Payroll Reports in a timely manner.

## **EXCLUSIONS:**

The following items are excluded from ITLLC's above Pricing and Scope of Services / Responsibilities stated in this Proposal. These items, if necessary, applicable or otherwise required, shall be furnished by Customer, at Customer's direction and at no cost to ITLLC or may, upon mutual agreement in writing between ITLLC and Customer, be provided by ITLLC at an additional cost:

1. Permits, licenses and construction easements.
2. Manual operation of any pumping and/or metering stations.
3. Environmental/erosion controls (i.e., hay bales, silt fence etc.) that may be required adjacent to manholes, access points and/or water supply hose.
4. Access to and use of fire hydrants and/or sufficient water supply (within 500 ft. of the installation site) to complete flushing and CIPP installation.
5. Burial and/or raming of discharge or bypass hose/pipe.
6. External service reconnections.
7. Traffic control, including without limitation, police details, flagmen and special traffic control setups.
8. Obstruction removal (calcium, concrete, mineral deposits, roots, etc.) and/or protruding tap removal.
9. Point repairs.
10. Bypassing of services or laterals.
11. Repair of pipe damaged during any industry standard high-pressure jet cleaning operations, preparation or lining and any subsequent cleaning necessary to remove debris that has fallen into the pipe as a result of any such collapse or repair.
12. Directives setting forth which service connections must be reinstated prior to final CCTV inspection.
13. Locations of and access (of ITLLC equipment and/or personnel) to all manholes associated with the project and as required by ITLLC's work plan.
14. Equivalent pipe diameter access from the invert to the street level. This may include removal of the frame, cover and/or cone section of the liner installation manhole(s) such that the opening at the street level is no less than equivalent to the pipe diameter.
15. Payment and Performance bonds. If payment and performance bonds are required, add 2.5% to the total Project cost.
16. Removal and disposal of any hazardous or toxic materials encountered during the Project.
17. Holiday work, rush delivery or adverse weather work (as defined by ITLLC).
18. Complete independent testing of liner samples from each installation. Will be provided if required per specifications.
19. Certified Professional Engineer stamped designs. Will be provided if required in specifications.
20. State and local sales and/or use taxes.



21. Additional premiums for special insurance coverage(s) specific to this project.

## **GENERAL TERMS AND CONDITIONS:**

1. ITLLC's Proposal is conditioned upon Customer's acceptance of the terms and conditions set forth herein. Customer's ordering of material or services by purchase order or otherwise, shall be treated as Customer's acceptance of such terms and conditions. All terms and conditions in Customer's purchase order or in any other communication to ITLLC, whether submitted previously or subsequently to this Proposal, which are additional to or inconsistent with the terms and conditions of this Proposal are not binding upon ITLLC and shall not be applicable to this Proposal, except to the extent accepted in writing by ITLLC. Any change or amendment to this Proposal, to be binding upon ITLLC, must be accepted in writing by ITLLC.
2. ITLLC has based its Proposal on a nominal wall thickness for the Insitube as shown in the price. This is based on the best available information at the time of this Proposal. Existing pipe deterioration in excess of the conditions assumed, ground water loads in excess of those assumed, or other loads or conditions may increase the recommended thickness for all or portions of the work. Final recommendations may be submitted to you following the completion of the preliminary TV phase of the project. Stated prices are subject to adjustment if design changes are agreed upon.
3. Specific service connections will be reconnected only when written directions are received from the Customer. The Customer will indemnify and hold ITLLC harmless from all claims arising from backups and other effects of such actions or inaction's from services not opened at the owner's request. In the event that Insituform is unable to locate or reconnect a service lateral internally, the Customer will externally reconnect the service at no cost to ITLLC.
4. This Proposal is valid for 30 days, unless otherwise extended by ITLLC.
5. PAYMENT: Payment is due in full, without exception or retention, within 30 days of the date of the invoice. Monthly partial progress payments may be requested for the value of work in progress or completed, including materials delivered to the Project site. Payments due and unpaid shall bear interest at the rate of 1½ % per month from the date payment is due. Should ITLLC incur costs or expenses to collect monies claimed due hereunder from Customer, Customer shall pay to ITLLC, in addition to all other sums due to ITLLC, attorneys' fees, consultants' costs, and other expenses and costs, including but not limited to litigation and/or arbitration expenses and arbitrator compensation, in connection therewith.
6. ITLLC is not a union shop and shall not be subject to any union requirements or agreements or project labor agreements. On public projects where required, ITLLC will pay prevailing wages as identified by Customer prior to submission of this Proposal.
7. Should ITLLC learn of any information that causes ITLLC concern about Customer's ability to pay and/or perform any of its obligations owing to ITLLC under Proposal, ITLLC has the right to request Customer to provide ITLLC adequate assurance of due performance on such terms as are deemed reasonable by ITLLC when acting in good faith, including the right to await full or partial payment from Customer as required by ITLLC. In such an instance, ITLLC may suspend its performance pending ITLLC's receipt of adequate assurance of due payment and/or performance in a manner found acceptable by ITLLC.
8. ITLLC shall not be responsible for any inability to perform under this Proposal or for any loss or damage due to delays or disruptions resulting directly or indirectly from, or contributed to by, any act of God, action or omission of Customer, act of civil or military authorities, fire, strike or other labor dispute, accident, flood, adverse weather, war, riot, terrorism, transportation delay, inability to obtain material or fuel supplies, or any other circumstances beyond ITLLC's reasonable control, whether similar or dissimilar to any of the foregoing. If ITLLC crews are delayed on site for reasons beyond the control of ITLLC, then ITLLC's standby time will be invoiced to Customer at an hourly rate of **\$1,200** per hour.
9. Claims for Changed, Concealed or Unknown Conditions: If conditions are encountered at the site which are (1) materially changed; (2) subsurface or otherwise concealed physical conditions which differ materially from the information upon which this Proposal is based or (3) unknown physical conditions of an unusual nature, which differ materially from those ordinarily found to exist and generally recognized as inherent in construction activities of the character provided for herein, then the Proposal Price and

Time shall be equitably adjusted to address the conditions, where prior written notification and approval of claims exist.

10. LIMITED WARRANTY: ITLLC WARRANTS TO CORRECT ANY DEFECT IN THE MATERIALS OR SERVICES PROVIDED BY ITLLC WHICH ARE BROUGHT TO THE ATTENTION OF ITLLC IN WRITING WITHIN ONE YEAR FOLLOWING COMPLETION OF ITLLC'S WORK, PROVIDED CUSTOMER AFFORDS ITLLC SUITABLE ACCESS AND WORKING CONDITIONS TO ACCOMPLISH SUCH CORRECTION.
11. Except for the express warranty forming a part of this Proposal, ITLLC DISCLAIMS ALL EXPRESS AND IMPLIED WARRANTIES, INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY. ITLLC'S LIABILITY TO CUSTOMER, WHETHER IN CONTRACT, WARRANTY, TORT OR OTHERWISE, IS LIMITED TO THAT PERMITTED UNDER THIS PROPOSAL, ITLLC Shall NOT BE LIABLE TO CUSTOMER FOR ANY SPECIAL, INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES, INCLUDING WITHOUT LIMITATION DAMAGES FOR LOSS OF USE, LOST TIME, DELAY, DISRUPTION, INTERFERENCE, LOSS OF PRODUCTIVITY, INCONVENIENCE, LOST INCOME, OR LOST PROFITS.
12. This agreement may be terminated by either party upon seven (7) days written notice should the other party fail substantially to perform in accordance herewith through no fault of the party initiating the termination.
13. The terms and conditions of this Proposal form the entire agreement between the parties. All other terms, proposals, negotiations, representations, recommendations, statements or agreements, whether made or issued contemporaneously or previously, are excluded from and are not a part of this Proposal, and have no binding or enforceable effect. This Proposal, if accepted, shall be binding on the parties and their respective successors and assigns.

The information contained in this letter is proprietary to Insituform Technologies, LLC. and shall be retained by the recipient in confidence and shall not be published or otherwise disclosed to third parties without the express written consent of Insituform Technologies, LLC. The foregoing shall not preclude the use of any data which (i) was in its possession without restriction as to use prior to receipt as proprietary of the same or similar data from Insituform Technologies, LLC., (ii) is or becomes available from a public source on or after such receipt from Insituform Technologies, LLC. or (iii) is obtained by the recipient from a third party not under obligation of confidentiality or other restriction with respect to use.

Please do not hesitate to contact me with any further questions.

Kind Regards,

*Brandt Curvel*

Brandt Curvel  
Sr. Project Manager  
Insituform Technologies LLC

Accepted By: \_\_\_\_\_  
(signed)

\_\_\_\_\_  
(print name)

Date: \_\_\_\_\_

Title: \_\_\_\_\_

**ORDINANCE 1075**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF BRUNSWICK, GEORGIA, AND PARTICULARLY TO AMEND CHAPTER 16, TO ADD ARTICLE V TO BE TITLED URBAN CAMPING AND IMPROPER USE OF PUBLIC SPACES; TO ADD DEFINITIONS; TO RESTRICT CAMPING, STORING PERSONAL PROPERTY, AND INTERFERENCE WITH INGRESS OR EGRESS; TO PROVIDE FOR CONFISCATION OF ABANDONED PERSONAL PROPERTY; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**The commission of the City of Brunswick hereby ordains that the Code of Ordinances of the City of Brunswick, Georgia, is hereby amended by adding a section, article, chapter or other designation as the case may be, to be numbered Chapter 16, Article V, which shall read as follows:**

**SECTION ONE:**

**ARTICLE V. – URBAN CAMPING AND IMPROPER USE OF PUBLIC SPACES**

**Sec. 16-92. – Title.**

This article shall be known as the “Urban Camping Ordinance.”

**Sec. 16-93. – Definitions.**

For purposes of this section:

*Camp* or *Camping* shall mean occupying or using a public park, public area, square, or parking area servicing a public park/area/square/building as defined herein for living-accommodation purposes such as sleeping activities or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal property or storing other belongings, making a fire, carrying on cooking activities, or using a tent, or other structure for habitation. These activities constitute camping if, in light of all the circumstances, it reasonably appears that in conducting one or more of these activities, the person is in fact using the area as a living accommodation, regardless of the intent of the person or the nature of any other activities in which the person may also be engaging.

*Public Area(s)* shall mean an area to which the public or a substantial group of persons has access, including, but not limited to, streets, highways, roadways (including shoulders and medians), bridges, the area above and below any bridge, sidewalks, alleys, parking lots and decks, plazas, parks, public greenspace areas, playgrounds, schools, transportation facilities, within a public-transportation vehicle, an area owned in whole or in part by, operated by, for, or under the custody and control of the City of Brunswick, Georgia, and other public property, including all areas in the immediate vicinity of public buildings and any other property where

public gatherings occur on a regular basis, and any other property where public meetings are conducted.

*Storing Personal Property* shall mean leaving one's personal effects, such as, but not limited to, clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks, unattended for any substantial prolonged length of time. This term shall not include parking a bicycle or other mode of transportation.

*Inappropriate Use of Public Area* shall mean the use of public areas, or the improvements located thereon, for any personal or otherwise unlawful use not otherwise authorized by this Article or any Ordinance of the City of Brunswick. This shall include, but is not limited to, the use of public parks, fountains, and/or utilities for bathing, hygienic care, or elimination.

*Interference with ingress or egress* shall mean camping, storing personal property, standing, sitting, lying down, using personal property, or performing any other activity where such activity:

- (a) materially interferes with the ingress into or egress from buildings, driveways, streets, sidewalks, alleys, or any other real property that has a limited number of entrances or exits, regardless of whether the property is owned in whole or in part by the city, a private owner, or another public entity, unless having received the prior express written permission of the property owner; or
- (b) reasonably appears, in light of all of the circumstances, to have the purpose or effect of blocking ingress into or egress from buildings, driveways, streets, sidewalks, alleys, or any other real property that has a limited number of entrances or exits, regardless of whether the property is owned in whole or in part by the city, a private owner, or another public entity, unless having received the prior express written permission of the property owner.

#### **Sec. 16-94. – Prohibited Acts**

Unless acting under a valid permit issued by the City of Brunswick, Georgia or otherwise authorized by the City of Brunswick through its Agencies or Authorities, it shall be unlawful for any person within the corporate limits of the city to commit any of the following acts.

- (a) No person shall camp in a public area.
- (b) No person shall interfere with ingress or egress of any building, private property, or public area.
- (c) No person shall inappropriately use a public area as defined herein.

**Sec. 16-95. – Prohibited use of Private Property.**

It shall be unlawful for anyone other than the owner of a private property, a leaseholder of such private property, or other rightful occupant of such private property to camp, sleep, reside, store personal property, or lie upon, any private property without the owner's or leaseholder's permission. Any such use of private property authorized by and consented to by the owner or leaseholder of such private property must be in conformity with the provisions of the Code of Ordinances of the City of Brunswick, including, but not limited to, the zoning and land use provisions of said Code of Ordinances which are applicable to such private property, and if such use is a violation of said Code of Ordinances, an authorization of such use by the landowner or leaseholder shall not nullify a violation of any provision of this section.

**Sec. 16-96. – Warning.**

No person may be arrested for violating this section until such person has received a verbal or written warning to cease the unlawful conduct. If the violator fails to promptly comply with the warning issued, then that person may be issued a citation or arrested.

**Sec. 16-97. – Exceptions.**

This section shall not be construed to prohibit any of the following behaviors:

- (a) Uses of public parks or public streets authorized by the Mayor and Commission of the City of Brunswick or an authority delegated to authorize such use;
- (b) A person or persons sitting or lying down as a result of a medical emergency; and
- (c) A person or persons, sitting, or resting in a public park, public street, or private property where such activity does not constitute camping as herein defined, and such activity does not interfere with ingress and egress as defined herein.

**Sec. 16-99. Abandoned Personal Property.**

Any personal property used to camp, in which a citation was issued, or being stored, as defined above, may be deemed abandoned by the City of Brunswick Police Department or the City of Brunswick Code Enforcement Department and may be confiscated by the same without prior warning. This code section shall apply to the confiscation of abandoned personal property regardless of whether the personal property relates to the issuance of a citation or arrest as a result of a violation of this Ordinance. The City of Brunswick Police Department or the City of Brunswick Code Enforcement Department shall retain the property in a manner consistent with the handling of other confiscated or abandoned property. The City of Brunswick Police Department or the City of Brunswick Code Enforcement Department shall not be liable for the disposal of abandoned personal property as defined herein.

SECTION TWO:

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION THREE:

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION FOUR:

This Ordinance shall be effective immediately upon its adoption by the City Commission.

**SO ORDAINED BY THE CITY COMMISSION OF BRUNSWICK THIS 5<sup>th</sup> DAY OF OCTOBER, 2022.**

**CITY OF BRUNSWICK BOARD OF COMMISSIONERS:**

\_\_\_\_\_  
Cosby H. Johnson, Mayor

**ATTEST:**

\_\_\_\_\_  
Naomi D. Atkinson, City Clerk

**ORDINANCE 1076**

**AN ORDINANCE TO PROVIDE FOR ANNEXATION OF PROPERTY PURSUANT TO THE PETITION OF ISLAND VIEW PARTNERS LLC & THE ESTATE OF MARY ELIZABETH HARROD, DATED JUNE 9, 2022 TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**THE COMMISSION OF THE CITY OF BRUNSWICK HERBY ORDAINS,**

SECTION ONE

The petitions of Island View Partners, LLC and the Estate of Mary Elizabeth Harrod dated June 9, 2022 seeking to have certain parcels of land annexed into the City of Brunswick, copies of which are attached to this Ordinance as Exhibit “A” and incorporated herein as if fully repeated verbatim within this Ordinance, are granted and approved by the City Commission of the City of Brunswick. The parcels of real property described therein are hereby annexed into and made a part of the City of Brunswick pursuant to Article 2 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated, said parcels being contiguous to existing corporate limits of the City of Brunswick, as defined in O.C.G.A §36-26-20, and Glynn County having withdrawn any objection to said annexation.

SECTION TWO

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION THREE

It is the intention of the City Commission in adopting this ordinance that should any paragraph, phrase, clause, word or other part hereof be adjudicated invalid under state or federal law, then any remaining portions of the ordinance shall remain in effect and be enforced to the extent reasonable consistent with the purposes hereof.

SECTION FOUR

This ordinance shall be effective immediately upon its approval by the City Commission. Ordinance 1076 approved this 5<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
Cosby H. Johnson, Mayor

Attest: \_\_\_\_\_  
Naomi D. Atkinson, City Clerk