

# **STEP ONE** **REQUEST FOR QUALIFICATIONS (RFQ)**



## **ST. MARYS INTRACOASTAL GATEWAY** 100 READY STREET, ST. MARYS, GEORGIA 31558

### **NOTIFICATION OF STEP ONE - REQUEST FOR QUALIFICATIONS (RFQ)**

The City of St. Marys, 418 Osborne Street, St. Marys, GA 31558, is soliciting a formal Request for **STEP ONE – REQUEST FOR QUALIFICATIONS (RFQ)** for the St. Marys Intracoastal Gateway Project. This project will consist of a creative and innovative design of a development that will become a landmark on the waterfront of the City of St. Marys and best conform to the development vision and objectives for this ‘signature’ property. The 2.0 +/- acre upland waterfront parcel is located at the foot of St. Marys Street and Ready Street and has impressive views of the St. Marys River with easy access to the Intercoastal Waterway, Cumberland Island and the Atlantic Ocean. Submissions shall consist of the data contained in the **STEP ONE - REQUEST FOR QUALIFICATIONS (RFQ)** Manual as available electronically.

All entities wishing to participate in this **STEP ONE - REQUEST FOR QUALIFICATIONS (RFQ)** shall submit specified hard copies of all documents identified in the RFQ on or before **2:00 PM, June 8, 2011** at the office of Roger A. Weaver, Planning Director.

A **STEP ONE - RFQ Conference and Site Visit** has been scheduled for **Wednesday, May 25, 2011 at 9:00 AM at the site.** Attendance at this **STEP ONE - RFQ** conference is not mandatory but **STEP ONE - RFQ** submitters are highly encouraged to attend this on-site conference with City staff and Committee members also in attendance to ask any appropriate questions. Any questions or answers given at this conference will be electronically disseminated to all registered submitters.

By: The St. Marys Intracoastal Gateway Committee, City of St. Marys, 418 Osborne Street, St. Marys, GA 31558



**ISSUED – 5-6-11**

## **STEP ONE – REQUEST QUALIFICATIONS (RFQ)**

# **ST. MARYS INTRACOASTAL GATEWAY**

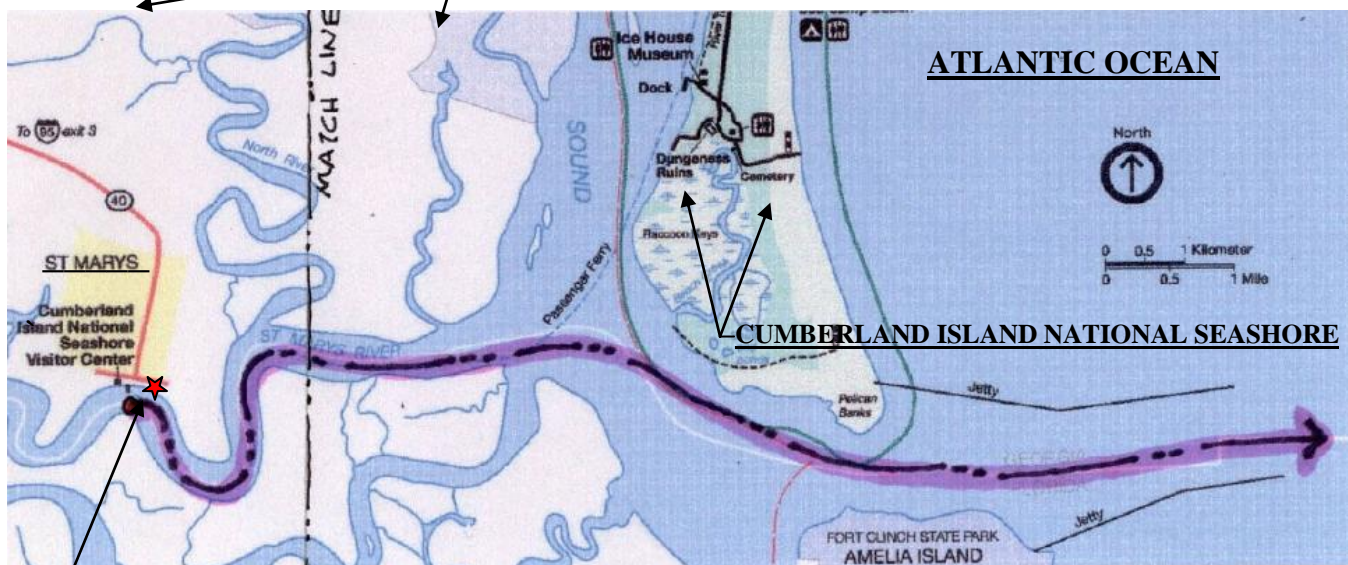
100 READY STREET, ST. MARYS, GEORGIA 31558

### **MISSION STATEMENT**

**The St. Marys Intracoastal Gateway Steering Committee's mission is to identify, pursue and implement with City Council approval and open public participation, appropriate development and funding for the St. Marys Intracoastal Gateway. The Committee's vision is to create a citizen and visitor destination while guaranteeing public access, environmental enhancement, and economic development which is fully compatible with the Historic District of St. Marys.**



### **US NAVAL BASE KINGS BAY**



**SITE IS ON THE ST. MARYS RIVER WATERFRONT WITH FULL VIEW OF THE ST. MARYS RIVER, FLORIDA, and ATLANTIC OCEAN GATEWAY**



# ST. MARYS INTRACOASTAL GATEWAY

100 READY STREET, ST. MARYS, GEORGIA 31558

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## **STEP ONE - REQUEST FOR QUALIFICATIONS (RFQ)<sup>1</sup>**

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<sup>1</sup> (Note: This is an RFQ (Requ<sup>o</sup>st For Qualifications) and includes data that would have been included in an RFI (Requ<sup>o</sup>st For Information). It is STEP One of a two-STEP process as defined herein.

## **STEP TWO – REQUEST FOR PROPOSAL (RFP)**

***NOTE TO ALL SUBMITTERS OF STEP ONE – RFQ: Data related to potential STEP TWO of this project is being issued as part of the STEP ONE – RFQ process to provide background data for the STEP ONE – RFQ submitter as to the overall scope of the project. All data presented as part of the STEP TWO – RFP is preliminary and subject to change at any time prior to the actual issuance of the STEP TWO – RFP.***

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## **STEP ONE - REQUEST FOR QUALIFICATIONS (RFQ)**

- 1.0 Introduction:** The St. Marys Intracoastal Gateway Committee, by Authority of the City Council, and in conjunction with the Downtown Development Authority (DDA), has been authorized to seek **STEP ONE - RFQs** for a two step process for selecting a developer and for the sale/lease of the St. Marys Intracoastal Gateway Project, 100 Ready Street, St. Marys GA 31558.

The City of St. Marys, 418 Osborne Street, St. Marys, GA 31558 is now soliciting **STEP ONE – REQUEST FOR QUALIFICATIONS** for the St. Marys Intracoastal Gateway Project. The project consists of a process for a creative and innovative development that will become a landmark on the St. Marys waterfront while best conforming to the development vision and objectives for this ‘signature’ property. The St. Marys Intracoastal Waterway Committee intends for this project to be a catalyst for secondary and complementary development in Downtown St. Marys.

- 1.1 General Data:** The City of St. Marys, Georgia (“the City”) is seeking **STEP ONE – RFQs** from highly qualified and experienced developers to develop the St. Marys Intracoastal Gateway Project (hereinafter listed as “the Project”) in accordance with this **STEP ONE- RFQ**.

All **STEP ONE - RFQs** must fully comply with all requirements specified in this **STEP ONE - RFQ** package. Submitters are required to respond to all questions and provide all information requested. **STEP ONE - RFQs submitted which do not comply in all material respects with the provisions of this RFQ will be deemed non-responsive.**

All submitted **STEP ONE - RFQs** become the property of the City, subject to Section 1.3 below.

- 1.2 Submission Deadline and Opening:** **To be considered, STEP ONE - RFQs must be received by the City on or before 2:00 p.m., June 8, 2011.** Thirteen (13) sets of complete documents PLUS one CD of the same document in PDF format are required to be submitted. All copies are to be signed in blue ink by the Submitter’s contractually binding authority. **STEP ONE - RFQ** is to be inserted in a sealed envelope and clearly marked on the outside with “**St. Marys Intracoastal Gateway – STEP ONE - RFQ,**” the submitting Submitter’s name, address and delivered by the date specified to:

Ms. Sarah Lee, Purchasing Officer  
City of St. Marys  
418 Osborne Street  
St. Marys, GA 31558

Faxed or emailed **STEP ONE - RFQs** are not responsive and will not be accepted.

It is the sole responsibility of the Submitter to have their **STEP ONE - RFQ** actually delivered to the City on or before the deadline and at the location specified above. **STEP ONE – RFQs** delivered after the specified deadline or to a different location or person, for any reason, are non-responsive, will be returned, and will not be evaluated. Submitter must submit a complete response to the **STEP ONE - RFQ** using the format outlined in Section 2. The Submitter shall include all supportive documents in the **STEP ONE - RFQ**.



Review of the **STEP ONE - RFQ** will begin after the submission deadline by the City appointed St. Marys Intracoastal Gateway Steering Committee. During the evaluation period, the Committee will review the **STEP ONE - RFQs** against the requirements of this **STEP ONE - RFQ**.

- 1.3 Reserved Rights:** The City reserves the right to reject any or all **STEP ONE - RFQ**, or any portions or items of the **STEP ONE - RFQ**, and to waive technical defects or informalities which are not material to the **STEP ONE - RFQ** in the City's sole discretion and best interest for any reason. The City reserves the right to obtain clarification of any point in a Submitter's submittal or to obtain additional information during the **STEP ONE - RFQ** evaluation or selection process.
- 1.4 Changes or Alterations in STEP ONE - RFQs:** Changes or modifications in **STEP ONE - RFQ** by the submitter can only occur prior to the deadline for submission, and must be done via formal written requests from the Submitter indicating the nature, scope and effect of the modification of their **STEP ONE - RFQ**. Oral or email requests for **STEP ONE - RFQ** modification will not be considered.
- 1.5 Submitter Questions and Inquiries:** Questions and requests for clarification may be submitted up to 2:00 PM, Friday, May 27, 2011, via email to:

Roger A. Weaver, Planning and Building Director  
[roger.weaver@ci.st-marys.ga.us](mailto:roger.weaver@ci.st-marys.ga.us)

**Direct or indirect contact with other members of the St. Marys Intracoastal Gateway Committee, City Council, Mayor, Downtown Development Authority, or City staff regarding this STEP ONE - RFQ (except as noted in this paragraph) is strictly prohibited and shall be grounds for immediate disqualification of the Submitter.**

A summary of the questions received and the City's responses will be posted on the City website and sent periodically via email to those who have requested such service. No questions will be accepted after 2:00 PM, Friday, May 27, 2011. A final summary of questions and responses will be posted and sent by email no later than Wednesday, June 1, 2011 to all submitters who have requested same. All correspondence will be by email, and it is the sole responsibility of the submitter to make sure he has received all emails related to this **STEP ONE - RFQ** have been received.

- 1.6 Site Visits:** All site visits must be coordinated with and/or directed to the attention of:

Roger A. Weaver, Planning and Building Director  
[roger.weaver@ci.st-marys.ga.us](mailto:roger.weaver@ci.st-marys.ga.us)

The site is accessible and open at all times. The buildings on the site were under an actual demolition permit at the time of purchase by the City. They are not safe and cannot be entered for any reason. The site is to the east of the south end of Ready Street between the St. Marys River and Stable Alley. Access from I-95 is east on GA 40 until you get to the St. Marys River, then turn left to the end of St. Marys Street. The site is straight ahead where St. Marys Street ends, and Ready Street begins (to the left). See the survey map for more information.

- 1.7 STEP ONE - RFQ Conference:** The **STEP ONE - RFQ** Conference and site visit is scheduled for Wednesday, May 25, 2011 at 9:00 AM is not mandatory but submitters are highly encouraged

to attend to visit the site with City staff and Committee members also in attendance to ask any appropriate questions. Any questions or answers given at this conference will be electronically disseminated to all registered submitters.

- 1.8 Extension of STEP ONE - RFQ Period:** This solicitation terminates on the date and time indicated above, unless an addendum is issued by the City extending the **STEP ONE - RFQ** period.
- 1.9 Compliance with St. Marys, State of Georgia and Federal Laws and Permit Requirements:** The successful Submitter shall comply with all applicable rules, regulations (health, fire, environmental, safety, etc.), ordinances, laws and permitting requirements of the City, the State of Georgia, and the Federal Government now in force or hereafter adopted.
- 1.10 Licenses, Permits and Taxes:** The successful Submitter shall secure, at its expense, all licenses and permits applicable to the proposed development. The Submitter shall also be solely responsible for payment of any and all taxes, permits, licenses and fees.
- 1.11 Assignment and Subcontracting:** The successful Submitter may not sell, subcontract, assign or otherwise transfer its interest in the project without the prior written approval of the City.
- 1.12 Indemnification:** The successful Submitter agrees to indemnify and hold harmless the City, its agents, assigns and employees from and against all claims, demands, liabilities, suits, judgments and decrees, losses and costs of expenses of any kind or nature whatsoever, including intellectual property, causing injuries or death to any person or persons or damage to any property or property interest arising directly or indirectly from the submission and/or acceptance and/or construction of the hereunder by the Submitter or its employees, agents, associates or subcontractors however such injuries or death or damage to property may be caused.
- 1.13 Right to Protest and/or Challenges:** Submitters to this **STEP ONE - RFQ** are required to respond at their own risk and expense. By responding to this **STEP ONE - RFQ**, Submitters acknowledge, understand and accept the City's Reserved Rights set forth in Section 1.3 above.

Any actual Submitter who is aggrieved in connection with the **STEP ONE - RFQ** may protest on the grounds of irregularities in the **STEP ONE - RFQ** procedures, but not based upon the evaluation of each **STEP ONE - RFQ**. Written protest must be filed with the City within five (5) business days of the announced shortlist. The written protest must include, a statement with particular facts and grounds identifying the basis for the protest, including applicable statutes, laws or ordinances. For purposes of this section and the deadlines specified herein, a written protest or notice of intent to protest shall be considered filed when it is delivered to and received by the City. Failure to timely file the written protest shall constitute a waiver of rights of protest under this section. Any and all actions or decisions of the City in response to the protest shall be final.

**1.14 Key Dates for the STEP ONE - RFQ Process:** Anticipated – and estimated - milestone dates for project progress. (Milestone Dates shall be considered approximate and subject to change.)

- |   |                                      |
|---|--------------------------------------|
| 1. <b>STEP ONE - RFQ</b> Issued – On or before                          | May 6, 2011                          |
| 2. <b>STEP ONE - RFQ</b> Conference & Site Visit (with committee/staff) | May 25, 2011                         |
| 3. Final Date for Questions from Submitters                             | May 27, 2011                         |
| 4. Final Date for Responses to all registered submitters                | June 1, 2011                         |
| 5. <b>STEP ONE – RFQs</b> Due   | June 8, 2011                         |
| 6. Evaluation of <b>STEP ONE – RFQs</b>                                 | IMMEDIATELY AFTER June 8, 2011       |
| 7. Selection of shortlist submitters                                    | <b><u>DATES TO BE DETERMINED</u></b> |

**1.16 To be considered responsive, the STEP ONE - RFQ must respond to all requirements of this portion of the STEP ONE - RFQ.** Any other information believed to be relevant, but not covered in this section should be submitted as an appendix to your **STEP ONE - RFQ**. Please include sections in your **STEP ONE - RFQ** which correspond to the following major categories listed in 1.17. All submitters are encouraged to review Exhibits 1 through 12 included in STEP TWO – RFP. These exhibits discuss pertinent site data, community visioning results, and other information that will be used for the **PART TWO - RFP**.

**1.17 Requirements for submission of STEP ONE - RFQ**

- a. **Cover Letter:** Please include in your cover letter a summary of the members of your team, who will be the principal contact/project director, the name of the person authorized to negotiate on behalf of your team, and contact information for that individual, including email address.
- b. **Statement of Project Understanding:** Briefly describe your concept for the “Project” as it relates to Gateway development objectives. Each of these objectives must be specifically addressed in the **STEP ONE – RFQ** as to how the submitter anticipates achieving each objective listed.
  - Citizen & Visitor Destination
  - Public Access
  - Environmental Enhancement
  - Economic Development
  - Historic Compatibility with the Historic Waterfront District

*(Note: Submitters are encouraged to submit – but are not required to submit at this step - additional information regarding the “Project” such as concept drawings, site plans, etc.)*

- c. **Description and Capabilities of the Submitter and its Project Team:** Please include the following information:
  - (1) **General Background and Experience:** Describe the background and history of your team, and their experience with coastal environmentally and historically sensitive sites, the application of green building standards in your previous projects, the long term development horizon and the core competencies of the team to develop the St. Marys Intracoastal Gateway property.



(2) **Relevant Projects:** Describe three recent projects in detail which you and other members of your team have accomplished which would be most relevant for this RFP. Please include in your description/profiles information on:

- (i) Project name and location
- (ii) Start date/completion date
- (iii) Estimated value of the project both pre-proposal and post-construction
- (iv) Key sources of financing – detailing the amount of equity financing you provided.
- (v) Your role and role of your partners in the project
- (vi) A site plan, renderings and photos of completed project components.
- (vii) Who had management responsibility for the on-going operation of the project.
- (viii) Project references who can speak knowledgeably about your involvement

(3) **Financial Capabilities:** Please provide either audited financial statements for the past three years or if a public company, annual reports. Private companies can provide other information which speaks to their financial strength. Also provide a description of the current cash reserves, lines of credit or other financial sources in place. **Submitters must disclose whether any member of its team (principal officers, and/or majority owned subsidiaries) has been bankrupt during the past five years.** Please include at least two references who can speak to the financial capabilities of your organization. Sufficient information shall be provided to assure the City that the submitter has the resources to complete the project development as submitted through occupancy. See Section 1.20 regarding Confidentiality.

(4) **Resumes of Key Principals:** Please include resumes of the principals who will be leading your project team. Also include the qualifications of the key planning, architectural, engineering, environmental and financial consulting firm(s) that will participate in the design and permitting of the project.

**1.18 Substantive Nature of STEP ONE - RFQs:** STEP ONE - RFQs which do not provide substantive information or are incomplete will be considered non-responsive. **STEP ONE - RFQs** will be deemed as non-responsive which are general in nature or do not incorporate the terms and requirements outlined in this **STEP ONE - RFQ**.

**1.19 Evaluation and Selection Process:** The City of St. Marys Intracoastal Gateway Committee will review and evaluate the submitted **STEP ONE - RFQs**. Based on this review, the **STEP ONE - RFQs** will first be evaluated as either “responsive” or “non-responsive”. Subject to the Reserved Rights, **STEP ONE - RFQs** determined to be non-responsive will be eliminated from further consideration at this point. The **STEP ONE - RFQs** will then be evaluated for content, and ranked in accordance with their merits according to the factors listed below. At the conclusion of this evaluation, the City will select submitters for the **STEP TWO – RFP** submission process.

The following factors up to the overall total value of 100 points will be considered during the evaluation process.

- (a) Conformance with the Gateway development objectives; (approximately 40 points maximum) *NOTE: Each of these objectives must be specifically addressed in the **STEP ONE - RFQ**.*
  - Citizen & Visitor Destination
  - Public Access
  - Environmental Enhancement
  - Economic Development
  - Historic Compatibility with the Historic Waterfront District
- (b) The qualifications, track record and relevant experience of the Submitter and team; (approximately 30 points max)
- (c) The financial strength of the Submitter; (approximately 30 points maximum)

**1.20 Confidentiality of Trade and Financial Secrets:** The public record law of Georgia requires local governments to disclose certain information on request. The materials submitted by Submitters in response to this RFP will eventually become public record. Submitters who wish to protect the confidentiality of trade secrets or certain financial or other information shall be solely responsible for marking such documents submitted with this **STEP ONE - RFQ** as “confidential” as that term is defined in the Georgia Trade Secrets Act (O.C.G.A. 10-1-760, *et seq.*) and for defending any litigation under the open records act seeking such information. The City agrees to return confidential information to the submitter at the conclusion of the selection process and attempt to protect any confidential information from disclosure to the degree state procurement policy permits.

Each Submitter is required to keep the contents of their **STEP ONE - RFQ** confidential.

**\*\* END OF STEP ONE – RFQ \*\***

## **STEP TWO – REQUEST FOR PROPOSAL (RFP)**

***NOTE TO ALL SUBMITTERS OF STEP ONE – RFQ: Data related to potential STEP TWO of this project (this portion of the manual) is being issued as part of the STEP ONE – RFQ process to provide background data for the STEP ONE – RFQ submitter as to the overall scope of the project. All data presented as part of the STEP TWO – RFP is preliminary and subject to change at any time prior to the actual issuance of the STEP TWO – RFP.***

**2.0** The **STEP TWO – RFP** will be issued and requested by the St. Marys Intracoastal Gateway Committee under the jurisdiction of the Downtown Development Authority (DDA) after the **STEP ONE – RFQ** reviews are completed and the successful proposers are selected. The general criteria for the **STEP TWO – RFP** are listed here for use by the **STEP ONE – RFQ** submitter to determine what data will be required for the final **STEP TWO – RFP**. All data submitted as part of the **STEP ONE - RFQ** will be incorporated into the **STEP TWO – RFP**. Changes to the **STEP ONE – RFQ** shall not be permitted in order to make the process uniform and fair.

**2.1 Introduction:** The St. Marys Intracoastal Gateway Committee, under the jurisdiction of the Downtown Development Authority (DDA), by Authority of the City Council, has been authorized to seek **STEP TWO - RFPs** as the second part of a two-step process for selecting a developer and for the sale/lease of the St. Marys Intracoastal Gateway Project, 100 Ready Street, St. Marys GA 31558.

The project consists of a process for the creative and innovative development of a project that will become a landmark on the waterfront of the City of St. Marys and best conform to the development vision and objectives for this ‘signature’ property. The St. Marys Intracoastal Waterway Committee intends for this project to provide the catalyst for secondary and complementary development of Downtown St. Marys.

**2.2 General Data:** The City of St. Marys, Georgia (hereinafter listed as “the City”) is seeking **STEP TWO – RFPs** from a limited group of highly qualified and experienced developers selected under the **STEP ONE – RFQ** process to develop the St. Marys Intracoastal Gateway Project (hereinafter listed as “the Project”).

All **STEP TWO – RFPs** must fully comply with all requirements specified in this **STEP TWO - RFP** package. Submitters are required to respond to all questions and provide all information requested. **STEP TWO - RFPs submitted which do not comply in all material respects with the provisions of this RFP will be deemed non-responsive.**

All submitted **STEP TWO - RFPs** become the property of the City, subject to Section 2.4 below. The terms offered by the submitter of the RFP shall be firm for acceptance for a period of 180 days from the **STEP TWO - RFP** due date. City reserves the right to extend this date, by ninety (90) days.

**2.3 Submission Deadline and Opening:** To be considered, **STEP TWO - RFPs must be received by the City on or before DATE TO BE DETERMINED**. Eight (8) sets of complete documents are required to be submitted. All copies to be signed in blue ink by the Submitter’s contractually binding authority. The **STEP TWO - RFP** is to be inserted in a sealed envelope and clearly

marked on the outside with “**St. Marys Intracoastal Gateway – STEP TWO - RFP,**” the submitting Submitter’s name, address and delivered by the date specified to:

Ms. Sarah Lee, Purchasing Officer  
City of St. Marys  
418 Osborne Street  
St. Marys, GA 31558

Faxed or emailed **STEP TWO - RFPs** are not responsive and will not be accepted.

It is the sole responsibility of the Submitter to have their **STEP TWO - RFP** actually delivered to the City on or before the deadline and at the location specified above. **STEP TWO – RFPs** delivered after the specified deadline or to a different location or person, for any reason, are non-responsive, will be returned, and will not be evaluated. Submitter must submit a complete response to the **STEP TWO - RFP** using the format outlined in Section 2. The Submitter shall include all supportive documents in the **STEP TWO - RFP**.

Review of the **STEP TWO - RFP** will begin after the submission deadline by the City- appointed St. Marys Intracoastal Gateway Steering Committee. During the evaluation period, the Committee will review the **STEP TWO - RFPs** against the requirements of this **STEP TWO - RFP**.

- 2.4 Reserved Rights:** The City reserves the right to reject any or all **STEP TWO - RFP**, or any portions or items of the **STEP TWO - RFP**, and to waive technical defects or informalities which are not material to the **STEP TWO - RFP** in the City’s sole discretion and best interest for any reason. The City reserves the right to obtain clarification of any point in a Submitter’s submittal or to obtain additional information during the **STEP TWO - RFP** evaluation or selection process.
- 2.5 Changes or Alterations in STEP TWO - RFPs:** Changes or modifications in **STEP TWO - RFP** can only occur prior to the deadline for submission, and must be done via formal written requests from the Submitter indicating the nature, scope and effect of the modification of their **STEP TWO - RFP**. Oral or email requests for **STEP TWO - RFP** modification will not be considered.
- 2.6 Submitter Questions and Inquiries:** Questions and requests for clarification may be submitted up to **DATE TO BE DETERMINED**, via email to:

Roger A. Weaver, Planning and Building Director  
[roger.weaver@ci.st-marys.ga.us](mailto:roger.weaver@ci.st-marys.ga.us)

**Direct or indirect contact with other members of the St. Marys Intracoastal Gateway Committee, City Council, Mayor, Downtown Development Authority or City staff regarding this STEP TWO - RFP (except as noted in this paragraph) is strictly prohibited and shall be grounds for immediate disqualification of the Submitter.**

A summary of the questions received and responses will be posted on the City website and sent periodically via email to those who have requested such service. No questions will be accepted after **DATE TO BE DETERMINED**. A final summary of questions and responses will be posted and sent by email no later than **DATE TO BE DETERMINED** to all submitters who have

requested same. All correspondence will be by email, and it is the sole responsibility of the submitter to make sure he has received all emails related to this **STEP TWO – RFP**.

- 2.7 STEP TWO - RFP Conference:** The **STEP TWO - RFP** Conference scheduled for **DATE TO BE DETERMINED** is not mandatory but submitters are highly encouraged to attend to visit the site with City staff and Committee members also in attendance to ask any appropriate questions related to the **STEP TWO - RFP**. Any questions or answers given at this conference will be electronically disseminated to all registered submitters.
- 2.8 Extension of STEP TWO - RFP Period:** This solicitation terminates on the date and time indicated above, unless an addendum is issued by the City extending the **STEP TWO - RFP** period. All **STEP TWO - RFP**'s shall be valid for 180 calendar days which shall commence on the **STEP TWO - RFP** due date. City reserves the right to extend this date, by ninety (90) days.
- 2.9 Compliance with St. Marys, State of Georgia and Federal Laws and Permit Requirements:** The successful Submitter shall comply with all applicable rules, regulations (health, fire, environmental, safety, etc.), ordinances, laws and permitting requirements of the City, the State of Georgia, and the Federal Government now in force or hereafter adopted.
- 2.10 Licenses, Permits and Taxes:** The successful Submitter shall secure, at its expense, all licenses and permits applicable to the proposed development. The Submitter shall also be solely responsible for payment of any and all taxes, permits, licenses and fees.
- 2.11 Assignment and Subcontracting:** The successful Submitter may not sell, subcontract, assign or otherwise transfer its interest in the project without the prior written approval of the City.
- 2.12 Indemnification:** The successful Submitter agrees to indemnify and hold harmless the City, its agents, assigns and employees from and against all claims, demands, liabilities, suits, judgments and decrees, losses and costs of expenses of any kind or nature whatsoever, including intellectual property, causing injuries or death to any person or persons or damage to any property or property interest arising directly or indirectly from the submission and/or acceptance and/or construction of the hereunder by the Submitter or its employees, agents, associates or subcontractors however such injuries or death or damage to property may be caused.
- 2.13 Right to Protest and/or Challenges:** Submitters to this **STEP TWO - RFP** are required to respond at their own risk and expense. By responding to this **STEP TWO - RFP**, Submitters acknowledge, understand and accept the City's Reserved Rights set forth in Section 1.3 above.

Any actual Submitter who is aggrieved in connection with the **STEP TWO - RFP** may protest on the grounds of irregularities in the **STEP TWO - RFP** procedures, but not based upon the evaluation of each **STEP TWO - RFP**. Written protest must be filed with the City within five (5) business days of the selection of the Developer. The written protest must include, a statement with particular facts and grounds identifying the basis for the protest, including applicable statutes, laws or ordinances. For purposes of this section and the deadlines specified herein, a written protest or notice of intent to protest shall be considered filed when it is delivered to and received by the City. Failure to timely file the written protest shall constitute a waiver of rights of protest under this section. Any and all actions or decisions of the City in response to the protest shall be final.



**2.14 Key Dates for the STEP TWO - RFP Process:** Anticipated – and estimated - milestone dates for project progress. (Milestone Dates shall be considered approximate and subject to change.)

- |   |                                     |
|---|-------------------------------------|
| 1. <b>STEP TWO - RFP</b> Issued   | <u><b>DATE TO BE DETERMINED</b></u> |
| 2. <b>STEP TWO - RFP</b> Conference & Site Visit (with committee/staff) | <u><b>DATE TO BE DETERMINED</b></u> |
| 3. Final Date for Questions from Submitters                             | <u><b>DATE TO BE DETERMINED</b></u> |
| 4. Final Date for Responses to all registered submitters                | <u><b>DATE TO BE DETERMINED</b></u> |
| 5. <b>STEP TWO – RFPs</b> Due   | <u><b>DATE TO BE DETERMINED</b></u> |
| 6. Evaluation of <b>STEP TWO – RFPs</b>                                 | <u><b>DATE TO BE DETERMINED</b></u> |
| 7. Selection of submitters for interviews                               | <u><b>DATE TO BE DETERMINED</b></u> |
| 8. Ranking and selection of the responsive and responsible submitters   | <u><b>DATE TO BE DETERMINED</b></u> |

**2.15 STEP TWO – RFP SUBMITTAL CRITERIA**

- a. **Conceptual Plan:** A Conceptual Development Plan is required for the **STEP TWO – RFP**. The Proposer shall provide sufficient information to clearly visualize and identify the proposed development. At a minimum, the following should be included in your proposal but not be limited to:
1. Clearly identify the proposed development plan, objectives, functions, and benefits to both the proposer and the City;
  2. Site layout plan showing major features, parking, buildings, and dock facilities;
  3. Floor plans and elevations of all structures proposed to be located on the site at a minimum scale of 1/16” to the foot.
  4. At least two sketch perspectives one from the vantage point of the River, with the other at the discretion of the proposer;
  5. Address how the proposed development plan meets the vision and objectives for this property, specifically addressing each of the following objectives.
    - Citizen & Visitor Destination
    - Public Access
    - Environmental Enhancement
    - Economic Development
    - Historic Compatibility with the Historic Waterfront District
  6. Proposer shall address how the existing dock facility will be upgraded and expanded from the current 8 slips to the permitted 16 slips using the valid DNR permit and the regulations contained therein.
- b. **Financing Plan/Estimated Revenues to the City:** Based on your concept plan, provide a financial Pro Forma in paper and electronic format, detailing costs and revenues from start-up through build out of the proposed development. As part of the **STEP TWO – RFP** process, the City will consider outright purchase of the property AND/OR long term lease of the property. The Proposer should document an ability to invest substantial equity into the development. The Proposer must provide firm evidence that financing can be obtained or is already committed including debt to equity ratio.
- c. **Development Schedule:** The City desires to implement the construction of the development of the Gateway property at the earliest possible time. In this regard,

proposals should provide a development bar chart schedule beginning with the estimated agreement date to include all steps necessary to complete the project, including, but not limited to, planning, design, permitting, physical start and completion of construction and the start-up and operation of the proposed development. The project completion date is anticipated to be accomplished sometime during the first quarter of 2013. By submission of this proposal, the Proposer acknowledges that the target dates included herein are agreeable, and are not to be modified without the written agreement of the City.

- d. **Substantive Nature of Proposals:** Proposals which do not provide substantive information or are incomplete will be considered non-responsive. Proposals will be deemed as non-responsive which are general in nature or do not incorporate the terms and requirements outlined in this **STEP TWO – RFP**.

**2.16 Evaluation and Selection Process:** The City of St. Marys Intracoastal Gateway Committee under agreement with the DDA will review and evaluate the submitted **STEP TWO – RFP** proposals. Based on this review, the proposals will first be evaluated as either “responsive” or “non-responsive”. Subject to the Reserved Rights, proposals determined to be non-responsive will be eliminated from further consideration at this point. The **STEP TWO – RFP** proposals will then be evaluated for content, and ranked in accordance with their merits according to the factors listed below. At the conclusion of this evaluation, the St. Marys Intracoastal Gateway Committee will select one **STEP TWO – RFP** proposer for presentation to City Council for their review and approval.

The following factors, totaling 100 points, will be considered during the **STEP TWO – RFP** evaluation process.

- a. Conceptual Plan and conformance with development objectives (approximately 40 points max.) *NOTE: Each of these objectives must be specifically addressed in the proposal.*
  - Citizen & Visitor Destination
  - Public Access
  - Environmental Enhancement
  - Economic Development
  - Historic Compatibility with the Historic Waterfront District
- b. The Projected financial return to the City (approximately 30 points max.)
- c. Development Schedule (approximately 10 points max.)
- d. Interview (approximately 20 points max.)

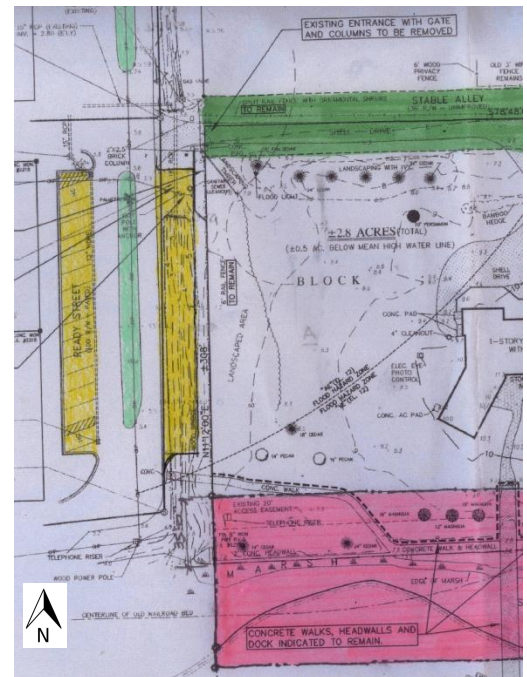
**2.17 Confidentiality of Trade and Financial Secrets:** The public record law of Georgia requires local governments to disclose certain information on request. The materials submitted by Proposers in response to this RFP will eventually become public record. Proposers who wish to protect the confidentiality of trade secrets or certain financial or other information shall be solely responsible for marking such documents submitted with this proposal as “confidential” as that term is defined in the Georgia Trade Secrets Act (O.C.G.A. 10-1-760, *et seq.*) and for defending any litigation under the open records act seeking such information. The City agrees to return confidential information to the proposer at the conclusion of the selection process and attempt to protect any confidential information from disclosure to the degree state procurement policy permits.

Each Proposer is required to keep the contents of their proposal confidential.

**2.18 NEGOTIATION:** The St. Marys Intracoastal Gateway Committee, City Council, and the DDA (as the jurisdictional party) reserve the right to negotiate all terms and conditions contained within the **STEP TWO – RFP** and subsequent contract terms with the selected proposer.

## **2.19 GATEWAY EXISTING CONDITIONS, STANDARDS AND REQUIREMENTS**

- a. **Existing Buildings/Structures:** All proposals shall include the removal of all existing buildings including foundations; the filled-in swimming pool; any unclassified encountered materials regardless of type and condition; and any encountered abandoned utility lines. This statement does not apply to the dock facilities and bulkhead.
- b. **Existing Vegetation:** Proposer shall endeavor to retain the existing live oak trees and other type trees presently at the perimeter of the site. Palm trees and Myrtle trees may be relocated as appropriate. However, any vegetation that will restrict the proposer from complying with the goals of this RFP may be removed/relocated under the replacement provisions of the applicable ordinances.
- c. **Existing Dock:** The existing dock has a valid DNR permit for eight (8) slips, with a permit for an additional eight (8) slips. The dock shall be repaired to full safety and ADA requirements that shall include railings, new deck surface, and related work. Proposer shall address how the existing dock facility will be upgraded and expanded from the current 8 slips to the permitted 16 slips using the valid DNR permit and the regulations contained therein.
- d. **Existing Bulkhead and Marsh:** The existing bulkhead shall remain as existing and not be damaged or removed. The existing marsh on the River side of the bulkhead shall not be touched for any reason, nor shall any trash or debris be permitted to enter the marsh or river or streams.
- e. **Proposed Public Easement for Perpetual Public Access to the Waterfront:** The City desires that the General Public have perpetual access to the waterfront, and proposer shall consider this as a key component to their response to this RFP. Exhibit 3 outlines this proposed easement area.
- f. **Minimum Building/Site Standards:** Any buildings proposed for the site shall be eligible for LEED certification. All State, Federal, and Local building codes shall be followed. Follow City Zoning criteria as listed herein or as may be modified by action of Council based on specific requests from the Proposer. Although the zoning ordinance permits 100% lot coverage, the developer shall agree to a developed site area that shall be limited to an impervious building footprint equivalent to 35% of the total upland site area. There exists the possibility of 30 off-site parking spaces along Ready Street (15 each side) that the City will permit the proposer to use to satisfy on-site parking requirements. Proposer will be required to improve this area as required to make this parking acceptable. (See adjacent drawing.) Site conditions are unknown and unclassified.



g. **Web Sites:** Web sites that may be of interest:

- |   |  |
|---|--|
| 1. St. Marys Website                              | <a href="http://www.ci.st-marys.ga.us">www.ci.st-marys.ga.us</a>   |
| 2. Camden County (Woodbine)                       | <a href="http://www.co.camden.ga.us">www.co.camden.ga.us</a>   |
| 3. St. Marys Visitor and Convention Bureau        | <a href="http://www.stmaryswelcome.com">www.stmaryswelcome.com</a>   |
| 4. Camden Co. Health Department                   | <a href="http://www.gachd.org/counties/camden_county_health_departmenten.php">www.gachd.org/counties/camden_county_health_departmenten.php</a> |
| 5. Coastal Regional Commission (Brunswick)        | <a href="http://www.crc.ga.gov">www.crc.ga.gov</a>   |
| 6. Camden County Chamber of Commerce              | <a href="http://www.camdenchamber.com">www.camdenchamber.com</a>   |
| 7. St. Marys Downtown Development Authority (DDA) | <a href="http://www.stmarysdda.com">www.stmarysdda.com</a>   |

h. **Additional data:** The following documents are part of the **STEP TWO – RFP**.

- |            |   |
|------------|---|
| EXHIBIT 1  | ADVERTISEMENT FOR EXPRESSIONS OF INTEREST                           |
| EXHIBIT 2  | GATEWAY AERIAL  |
| EXHIBIT 3  | PROPOSED PUBLIC EASEMENT AREA with WALKWAY                          |
| EXHIBIT 4  | DDA BOUNDARY MAP  |
| EXHIBIT 5  | BUSINESS INCENTIVES (Military Zone, Mainstreet, etc.)               |
| EXHIBIT 6  | GOVERNING DESIGN STANDARDS (DDA)                                    |
| EXHIBIT 7  | OTHER PROPERTIES THAT THE CITY OWNS                                 |
| EXHIBIT 8  | CURRENTLY VALID DOCK PERMIT   |
| EXHIBIT 9  | EXISTING SITE CONDITIONS AND RELATED INFORMATION                    |
| EXHIBIT 10 | BACKGROUND AND HISTORY OF THE CITY AND SITE                         |
| EXHIBIT 11 | SUMMARY OF RESULTS FROM CITY SPONSORED HASKELL<br>VISIONING SESSION |
| EXHIBIT 12 | SUMMARY OF CIG APPLICATION  |
| EXHIBIT 13 | SURVEY DOCUMENT OF SITE   |

\*\*\* END \*\*\*



**EXHIBIT 1**  
**GATEWAY AERIAL**





**EXISTING ENTRANCE WITH GATE AND COLUMNS TO BE REMOVED**

**STABLE ALLEY**

**12.8 ACRES (TOTAL)**  
(±0.5 AC. BELOW MEAN HIGH WATER LINE)

**1-STORY BRICK DWELING WITH 1 1/2 LANS**

**LEGEND:**

- AREA OF EXISTING MARSH/RIVER
- PROPOSED AREA OF UPLAND EASEMENT
- STABLE ALLEY ROW

**EASEMENT AREA FOR PERPETUAL PUBLIC USE**



**EXHIBIT 2 (continued)**  
**PROPOSED PUBLIC EASEMENT AREA IMPROVEMENTS**  
(Note: These improvements may be funded by a TIE Grant)

**CONCEPT RAILING DETAILS TO BE REFINED AT DESIGN STAGE**  
All details to match existing Gilman Park funded by a TE Grant

Proposed railing at bulkhead

Proposed pier at selected points

Sidewalk would be this side with  
River/marsh on the other side



Entry to 100 Ready Street waterfront  
from Ready Street



Wall/railing as above

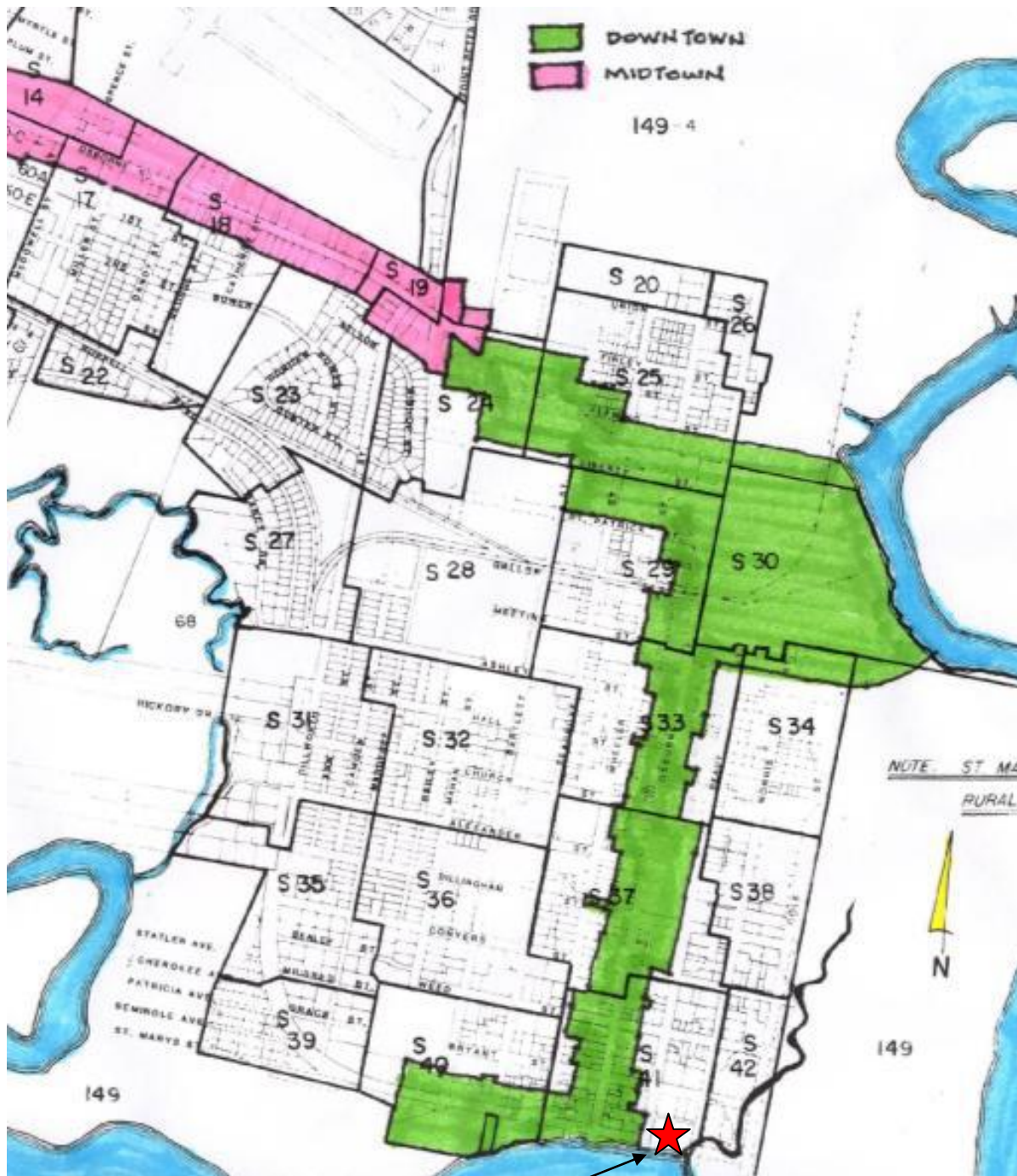
Existing trees will remain at the site

Benches and swings to match  
Gilman Park

Multi-use path at 100 Ready Street



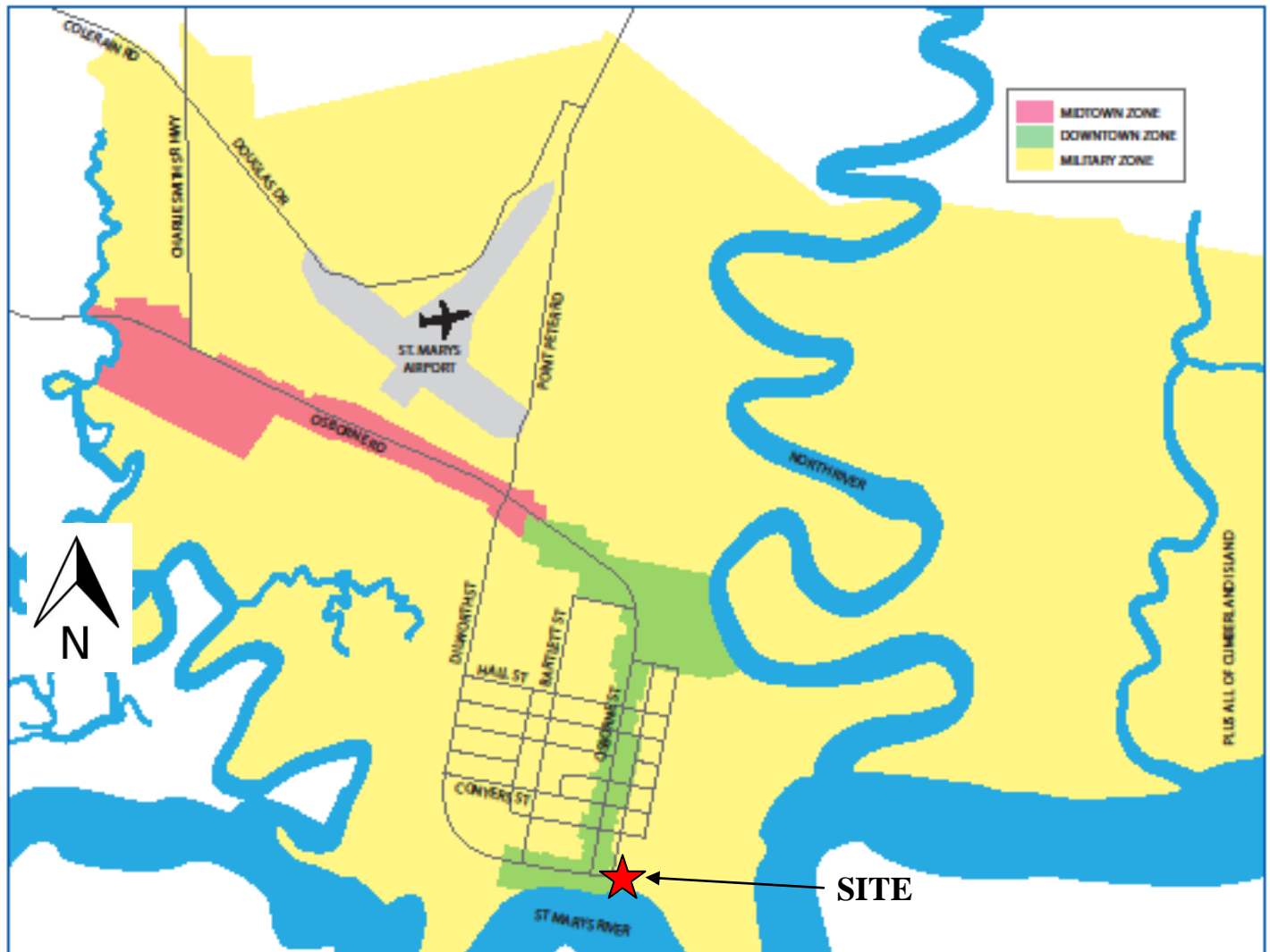
**EXHIBIT 3**  
**DDA BOUNDARY MAP**



**SITE IS WITHIN THE DDA BOUNDARY**  
(not shown in green on this map)

**EXHIBIT 4**  
BUSINESS INCENTIVES (Military Zone, etc.)

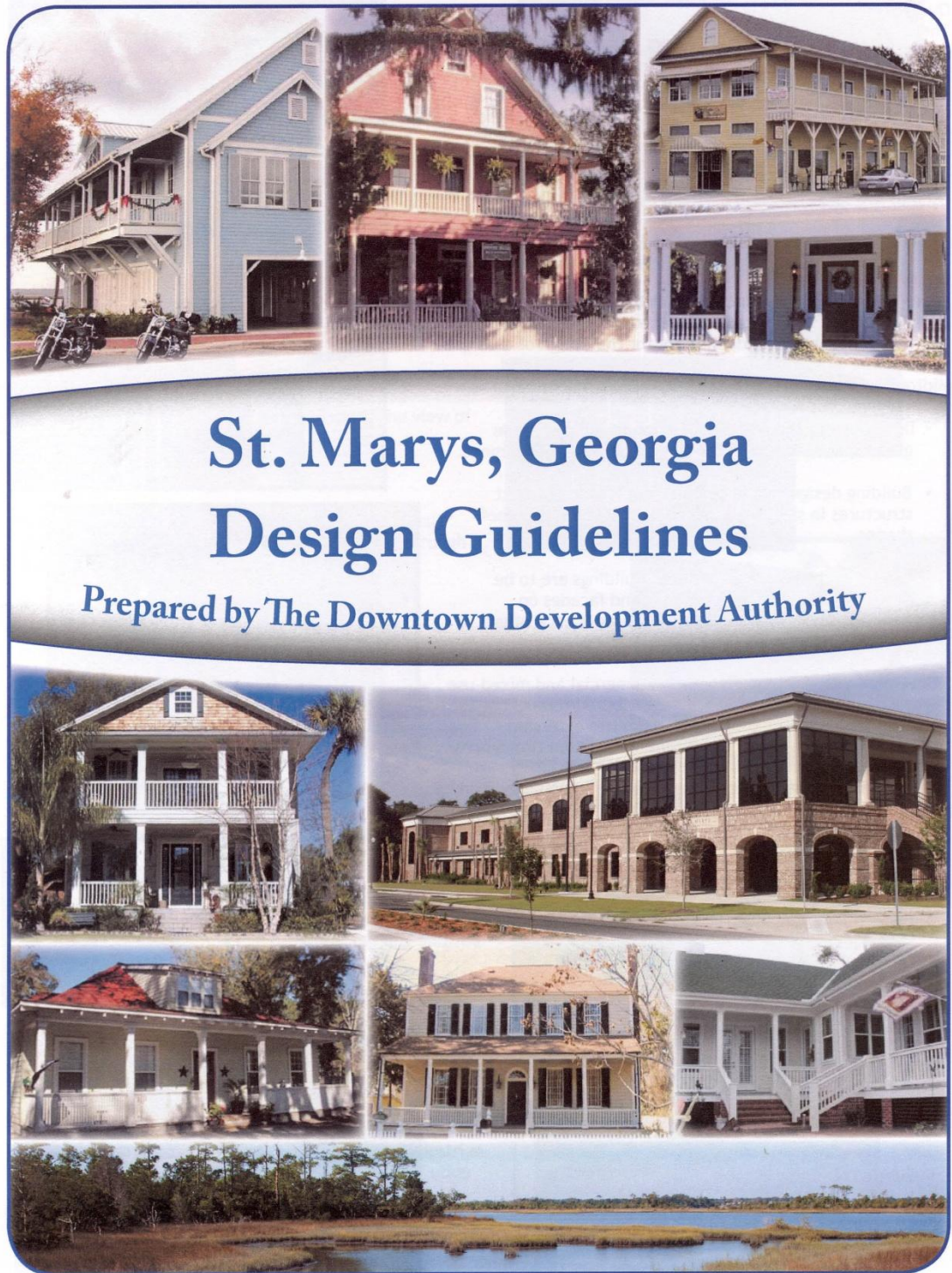
## St. Marys Downtown Development Authority Boundary Map



Area in Yellow is a Military Economic Zone – See DDA for additional details



**EXHIBIT 5**  
**DESIGN STANDARDS (DDA) (8 pages)**



# St. Marys, Georgia Design Guidelines

*Prepared by The Downtown Development Authority*



### ***Downtown St. Marys***

#### **Overview**

These guidelines are to be used to provide direction for growth and development to ensure the Downtown Development Authority District retains the charm, character, and sense of community that makes St. Marys attractive to families, businesses, and visitors alike. The scope of these guidelines include the corridor along Osborne Road from the waterfront, extending to the Tilden Norris Marsh Walk to the west and Lang's Marina to the East, and continues along Osborne to Dilworth Street. In most cases, the boundary line runs to the rear of the property line of the parcel that fronts this corridor.

#### **Goals**

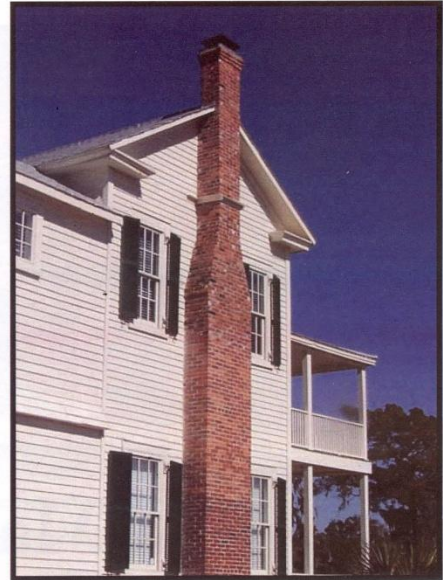
Development in the Downtown District should build upon the town's architectural precedents and convey the spirit of the town's history. These guidelines are for the design of a unique mixed-use district that is appropriate to Downtown and Midtown St. Marys.

- Development should be pedestrian friendly, provide green space, and minimize large expanses of pavement.
- Building design should complement Historic District structures in size, scale, setback, materials, and roof shapes.
- "360°" architecture is required: Buildings are to be designed with 360° architecture, and facades on adjacent buildings are to visually respect each other and respond to each other.

Site designs with the placement of commercial and mixed-use buildings in clusters, parking areas distributed throughout the site, and pedestrian pathways and amenities extended throughout the site are required (Tree Protection Ordinance).

The following desirable design elements are encouraged and permitted:

- Seek minimal and uniform setback from the front property line.
- Maintain height limitations established in the Downtown District. Maintain uniformity with surrounding buildings.
- Keep elevation of first floor and all buildings uniform.
- Gabled or hipped roofline of asphalt or metal is desired; maintain a pitch of 5/12 minimum.
- Piers should be faced with brick or tabby.
- Chimneys should be faced with brick or tabby.
- Subtle colors are encouraged.
- Wood or synthetic wood product resembling clapboard siding is required (no vinyl siding).



- Porches are strongly encouraged as they are one of the most common architectural features of St. Marys' homes.
- Open fencing should be of a historic design and materials.

Undesirable design elements include:

- Large expanses of blank, flat wall surface
- Large expanses of parking and awkward pedestrian and vehicle circulation patterns
- Highly reflective surfaces
- Visible loading and storage areas
- Privacy fencing as a matter of blocking the view of open spaces is not allowed.

## I. DESIGN ORDINANCE

If a conflict arises out of the "Overview" and "Goals" sections above and this section, this section (A through B.6.3) shall prevail.

### A. Site Design and Layout

#### A.1 Site Design

##### INTENT

The goal of site planning is to consider the preservation of natural amenities, vegetative screening, and panoramic views within the scope of placing a building or project on a site.

##### GUIDELINES

- A.1.1 Structures shall have a suitable and well-designed façade on all sides. This is a "360°" design treatment.
- A.1.2 Buildings should be placed along the main arteries, with minimal off street parking allowed in the front.
- A.1.3 Development should relate to the site's setting, considering impact to important view corridors.
- A.1.4 Orientation of new buildings should consider adjacent buildings.
- A.1.5 Buildings placed immediately adjacent to the sidewalk should promote visibility and pedestrian orientation with plazas, outside dining, or other pedestrian areas.





- A.1.6 Where the rear elevation of a building is visible across streets or alleys from residential lots, the architectural treatment should enliven the façade and all loading and trash areas should be screened.

## A.2 Parking

### INTENT

The visual impact of large parking areas should be reduced. The design of parking lots should safely and attractively serve the pedestrian.

### GUIDELINES

On commercial lots, the building and parking area must be identified and all remaining trees on single or subdivided lots shall be protected in a tree protection zone. This information is found in the Tree Protection Ordinance.

## B. Building Design

### B.1 Mass and Scale

#### INTENT

The intent of this section is to describe the environment. The Downtown District should be designed as an enhancement to the Historic District.

#### GUIDELINES

- B.1.1 The district should be uniform in nature, mainly consisting of residential-style structures as seen in the Historic District.
- B.1.2 Large volumes or planes should be broken up into smaller areas in order to reduce the visual scale of a building. The mass of a building should be varied in form or divided to emphasize the various interior building functions.
- B.1.3 The sidewalk in front of a building should be designed with elements to create a pedestrian-friendly environment.

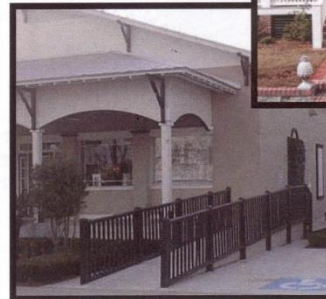
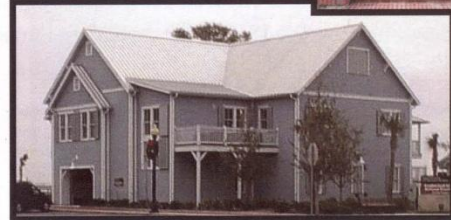
### B.2 Architectural Detail

#### INTENT

The details included in the building façade should assist in reducing the visual scale of a large building.

#### GUIDELINES

- B.2.1 The primary entrance of a building or store should have a clearly defined, visible entrance with distinguishing features such as a porch, gate, or walkway, or other prominent element of the architectural design.
- B.2.2 The primary orientation of buildings should face the street rather than the parking area. Where possible, the building façade should be located close to a street and sidewalk area. Parking areas should be designed in order to link the buildings they serve to adjacent sidewalks or other pedestrian systems, and to give the impression of buildings as an extension of the pedestrian









- B.4.4 Roof-mounted mechanical equipment should be concealed from public view on all sides by screening in a manner consistent with the character of the building.

**B.5 Lighting**

**INTENT**

Decorative and functional lighting should be compatible with the building design and should enhance the design and safety of the site.

**GUIDELINES**

- B.5.1 The style and placement of exterior accent lighting should enhance the building's architectural elements such as entry features, pilasters, columns, and landscaping.

- B.5.2 Street lighting should be limited to roadside lamps.

**B.6 Walls and Fences**

**INTENT**

Walls, fences, and retaining walls viewed from streets or parking lots should be designed to blend with the building.

**GUIDELINES**

- B.6.1 Privacy fences are to be limited to those needed to shield unpleasant areas (loading docks, waste receptacles) from public view. Privacy fences should be of historic design.

- B.6.2 Short walls and picket or wrought iron fences should be historical in design.

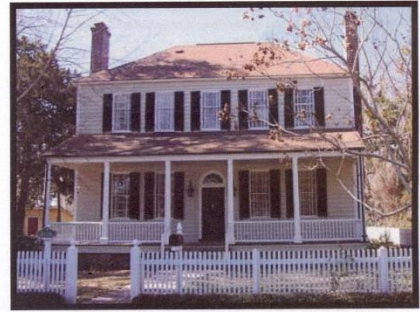
- B.6.3 Fences made of chain link are not allowed.

**Implementation**

Committee established under DDA to review plans and recommend approval/disapproval to City Council

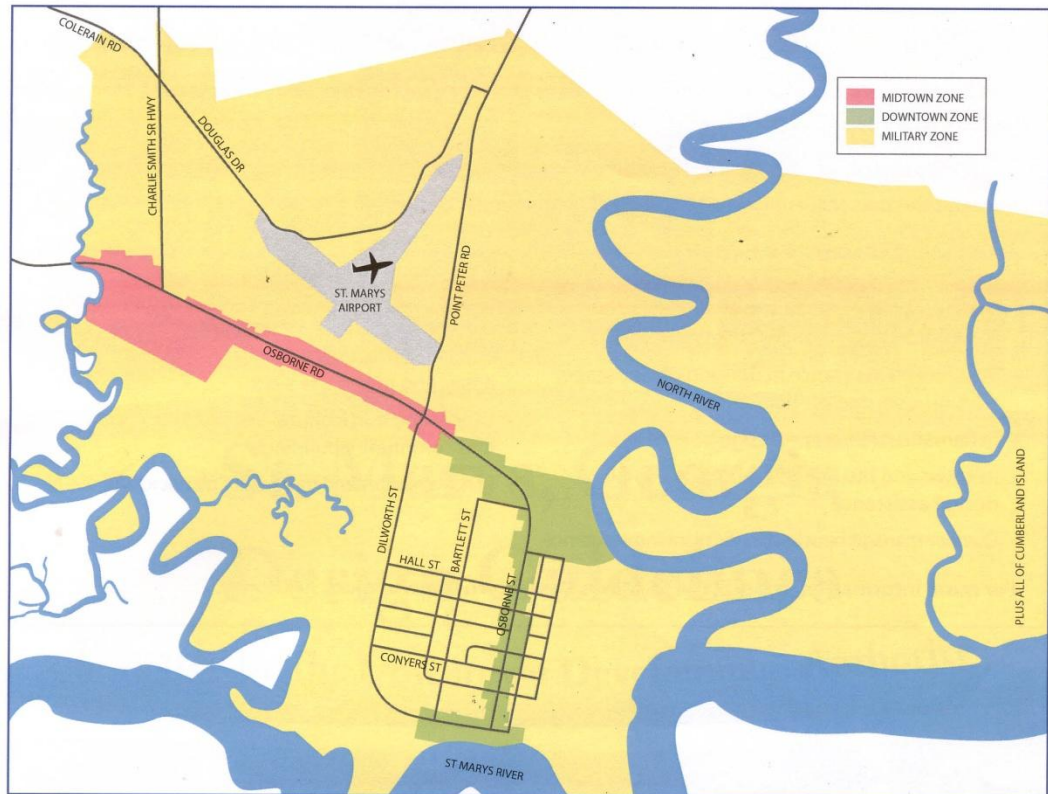
Committee structure as defined in municode under Historic Preservation: Section 62

Appeal Process as defined under Planning and Zoning: Section 110





## St. Marys Downtown Development Authority Boundary Map



### **Military Zone Benefits Businesses** (MAP ABOVE)

If you are making a location or expansion decision for your business, check out what locating in St. Marys Military Zone can mean for you. By locating in a Military Zone and creating two (2) jobs, you can maximize your job tax credits to Georgia's highest benefits. To claim these credits, your business must be located within a State Designated Zone, Georgia has 29 such zones. In St. Marys, the designated Military Zone encompasses all of Census Tract 106, which includes much of the city.

#### **Military Zone Benefits:**

Job Creation - minimum of two (2) jobs (not limited to a business enterprise).

Tax Credit - \$3,500 per job may be claimed up to five (5) years as long as the jobs are maintained.

Claimed against 100% of the Georgia Income Tax Liability for businesses; excess claimed against withholding taxes.

For more information, contact the St. Marys Downtown Development Authority.

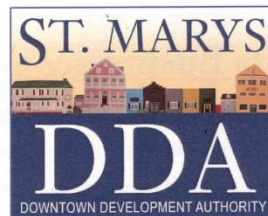
## **St. Marys Offers Excellent Incentives for Business Relocation**

**Our Design Assistance Service** is just one of many great reasons to bring your business to St. Marys. As a Main Street Community, the DDA can serve as your point of contact for design services made available through partnerships with The Department of Community Affairs, Georgia Trust for Historic Preservation, and the University of Georgia School of Environmental Design.

### **Technical assistance may include:**

- Facade rehabilitation drawings and specifications
- Paint colors and signage recommendations
- Review and assistance in drafting of landscape, parking, and sign ordinances
- Schematic streetscape design
- In-town and historic neighborhood in-fill design assistance
- Corridor management and traffic planning assistance
- Conceptual design assistance for communities considering redevelopment of "white elephant" and brownfield sites, neighborhood commercial areas, and mixed use sites
- Landscape horticultural assistance for public and community buildings
- Park, recreation, and trail system planning and design

**For more information, contact the St. Marys Downtown Development Authority.**



Mission Statement: To support current businesses and encourage new business development in St. Marys. Preserve and enhance the natural beauty of St. Marys. Promote St. Marys as a destination of choice.

**912-882-8111**

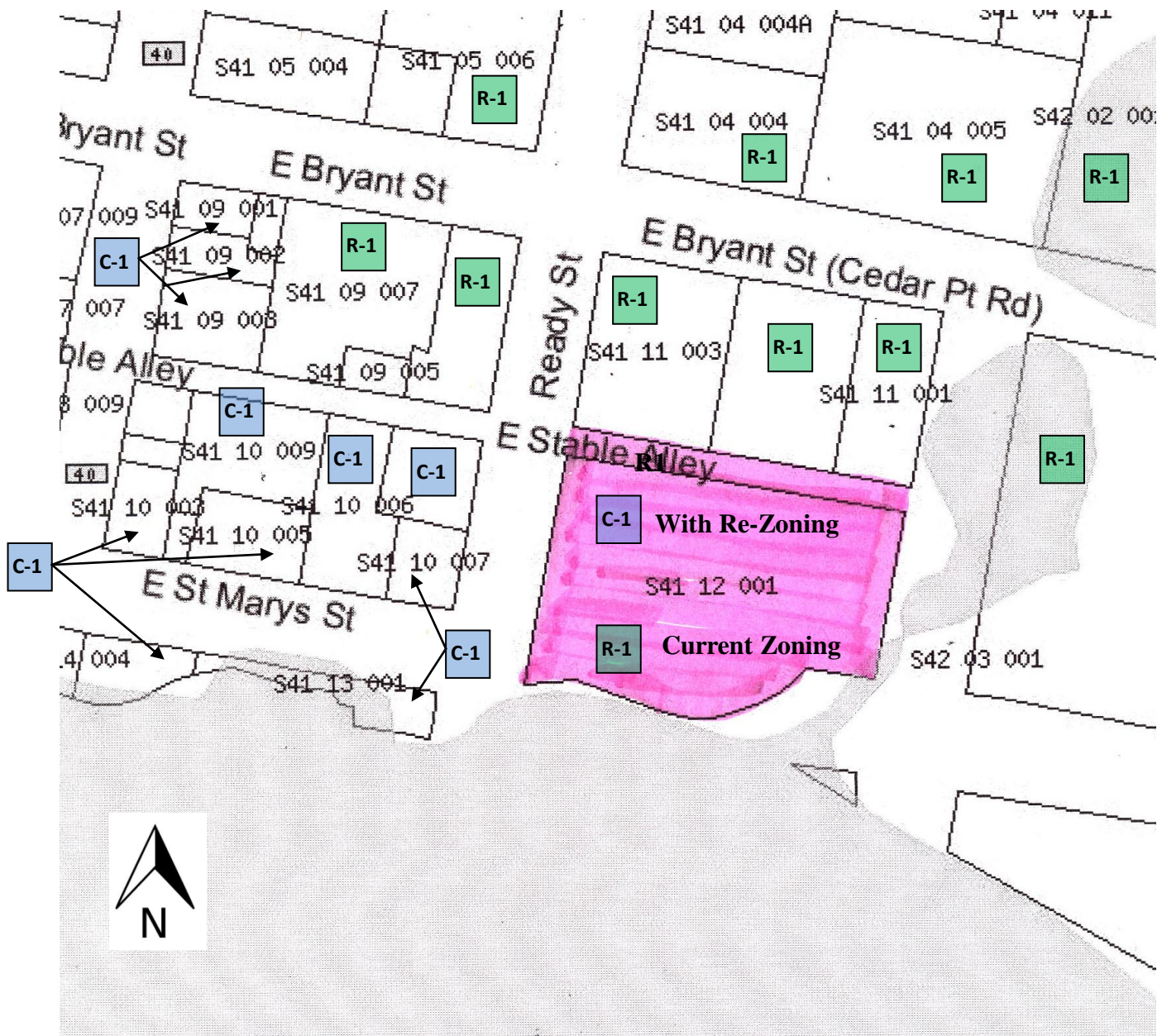
400 Osborne Street • St. Marys, GA 31558  
info@stmarysdda.com • www.stmarysdda.com

For more information concerning city design ordinances  
contact the St. Marys Planning Department at 912-510-4032 or 912-510-4035.

Effective August 2010



# **EXHIBIT 6** DRAWING SHOWING ADJACENT PROPERTIES



- R-1 Existing R-1 Zoning. Other numbers shown are tax parcel numbers
- C-1 Existing C-1 Zoning. Other numbers shown are tax parcel numbers
- SITE of St. Marys Intracoastal Gateway Project

**EXHIBIT 7**  
**CURRENTLY VALID DOCK PERMIT**

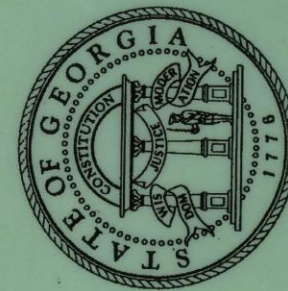
## Georgia Coastal Marshlands Protection Committee

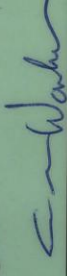
# PERMIT

Issued Pursuant to O.C.G.A. 12-5-280

**To: City of St. Marys**

**FOR:** Construction and maintenance of two 4' x 25' gangways leading from the existing fixed dock. One gangway would connect to an 8' x 130.5' floating dock extending to the east. Connected to this floating dock is an 8' x 76' floating dock with four 4' x 15' fingers. The second gangway leading from the existing fixed dock to an 8' x 76' floating dock with four 4' x 15' fingers. Approximately 40 wood pilings would be added for dock stability and boat moorings. As permitted, the dock facility would extend approximately 190' beyond the MLW in the St. Marys River, which is approximately 1,511' wide from MLW to MLW at the proposed location. The total area of the dock will impact approximately an additional 2,847 square feet (0.06 acres) of coastal marshlands previously not impacted by the existing dock structure. **Standard and Special conditions apply to this permit.**



**Date:** March 24, 2011  
**Expiration Date:** March 24, 2016  
**Permit Number:** 522  
**Authorized By:** 



For further information, please contact the DNR Coastal Resources Division at (912) 264-7218



## EXHIBIT 8

### EXISTING SITE CONDITIONS AND RELATED INFORMATION



## INTEROFFICE MEMO

City of St. Marys Planning Department

TO: 100 Ready Street Steering Committee

FROM: Roger A. Weaver, Planning Director

DATE: November 1, 2010

RE: Report on Existing Conditions

At the first meeting of the steering committee, it was requested that the Planning Department prepare a report of existing conditions of the property.

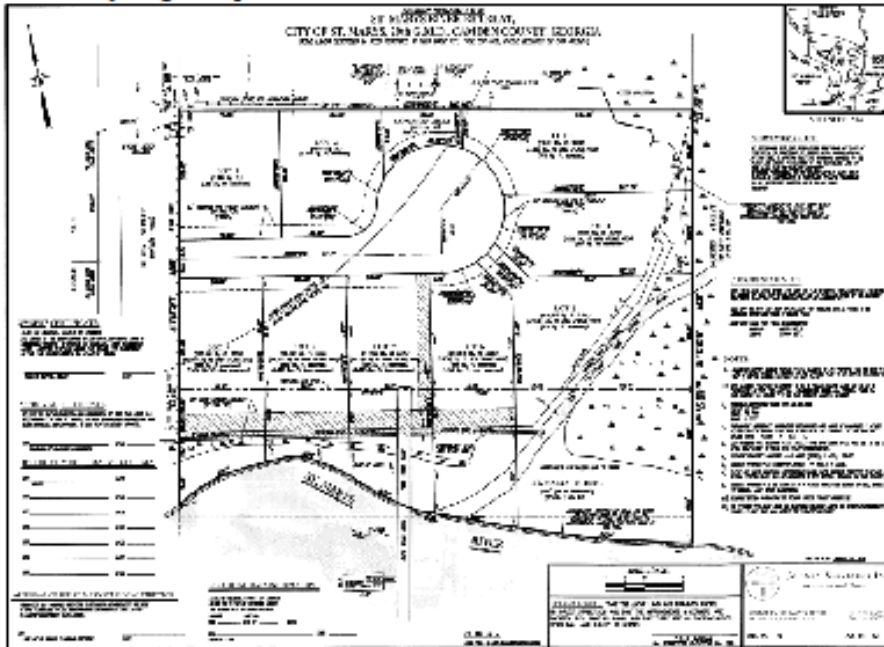
#### A. ZONING

There are only three zones that can be utilized on this site based on City ordinances. One zone is existing and two are others are possible.

1. The existing zoning is PD-R/1. This zoning classification was approved by City Council. It is the R-1 zone with revisions to setbacks, coverage, etc. The revisions to the R-1 zone that created the PD-R-1 zone are as follows:

Height – 35 feet  
No zero lot lines  
Rear yard setback – 15 feet  
Side yard setback 15 feet

The final plat as recorded for St. Marys River Retreat is as shown below, PD-R/1, with 9 lots, a street and cul-de-sac. All approved/requested distances etc. are a part of this plat. Note the easement to the existing docks is off set from the docks themselves. There is also a partial easement along the river. Mr. Sawyer stated at the time of presentation that the 9 lot community would be 'gated', which would deny access to the river by the general public.



2. R-1 is single family zoning. The standards for materials and construction is superseded in material type and visual requirements by the Historic Preservation ordinance which is discussed in more detail later.

Appendix B has the full text of the R-1 Zoning District. In brief, the district is primarily for single family homes and accessory structures. Maximum height is 35 feet above the base flood elevation. Minimum lot size is 10,000 sf, with setbacks of 25 feet front yard, 15, feet side and rear yards. Lot coverage is 30%

3. The site can also be rezoned by the City from R-1 or PD-R-1 to C-1. This is permitted since the 100 Ready Street property is physically attached to an existing C-1 zone across Ready Street

In general, the C-1 zone permits Downtown businesses similar to that already existing, and permits existing single family to remain, plus permits floors above the main floor commercial to be used for residential purposes. The C-1 zone has zero feet front, side and rear setbacks, and 45 feet maximum height above the base flood elevation. Parking requirements are as per the ordinance, however, and the area required for parking and storm water mitigation needs to be addressed as part of the site plan. Maximum coverage is 100%. A buffer is required between any commercial zone and any residential zone.

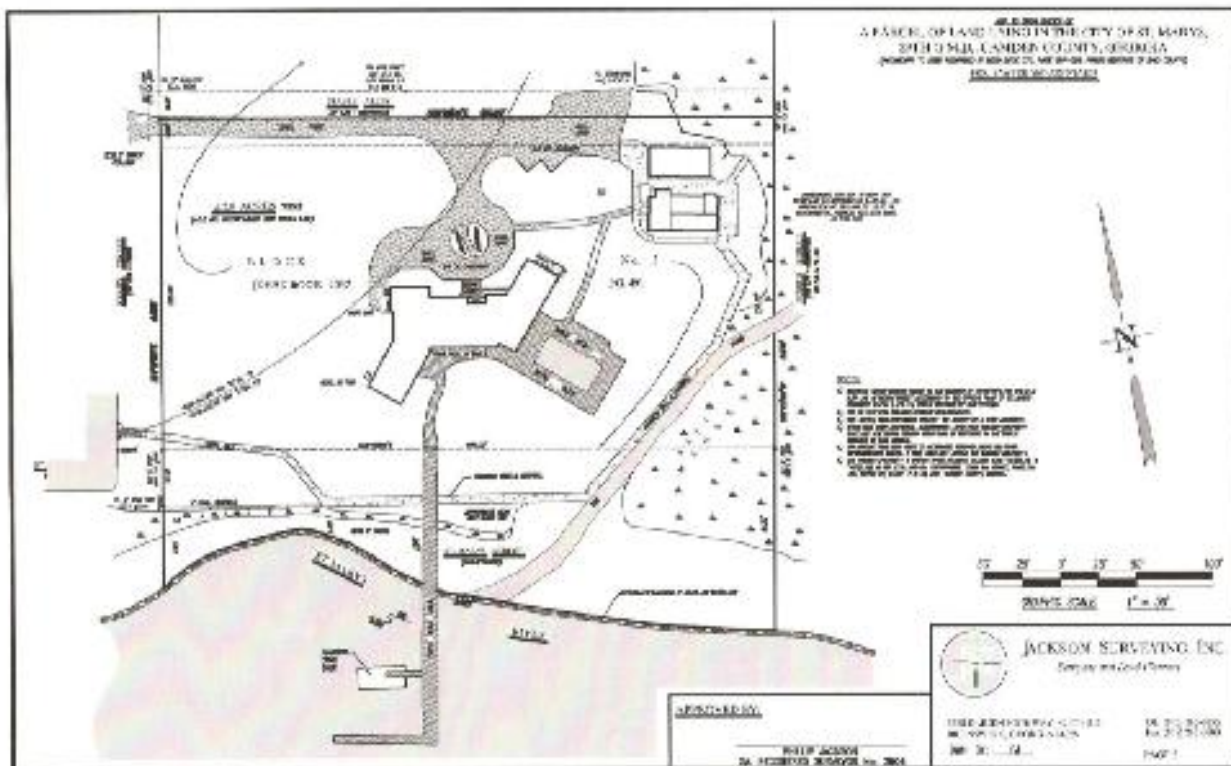
Excerpts from the C-1 ordinance are attached as APPENDIX A.

The use of the parcel for any other zoning, such as R-2, R-3, R-4, R-5, C-2, C-3, I-1, I-G, or I-A is not permitted as this would constitute spot zoning.

The use of the parcel as a PD (other than the current PD-R-1 is not permitted in that the 'new' subdivision ordinance only permits a parcel to be eligible for PD status if it is greater than 5 acres. The current site contains only 2.8 acres and would not be eligible for PD status. (NOTE: The site was approved for PD-R-1 status at the time of approval by Council as it was permitted under City ordinance at that time.)

## B. SURVEY

A recent survey of the property is shown below. This survey will be used for early planning on the project.





### C. SUBDIVISION

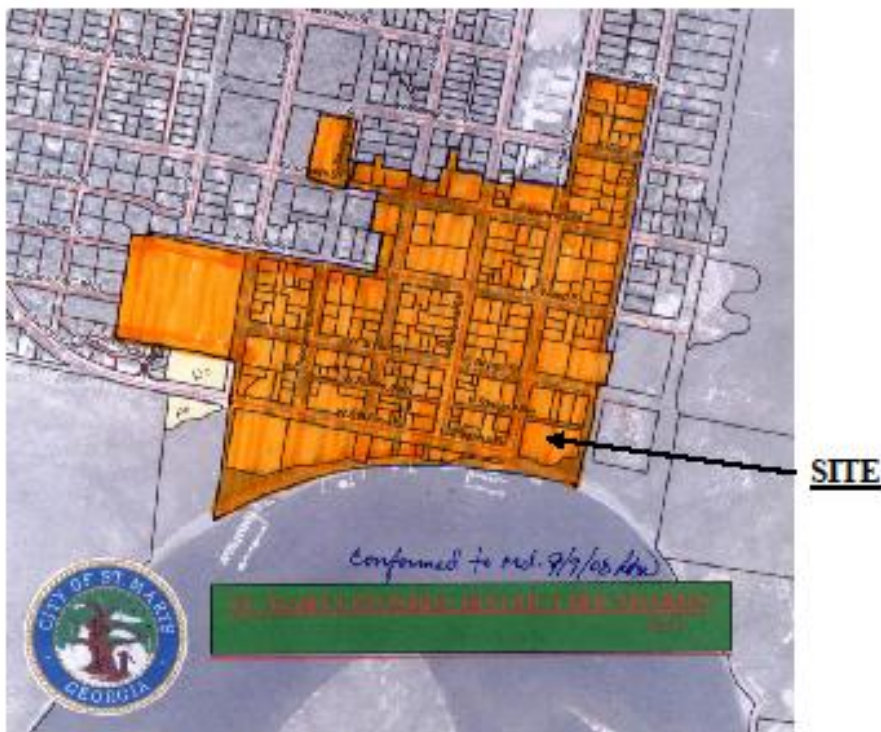
The original parcel was one lot, without subdivision. Mr. Sawyer requested a 9 lot + a common area and roads subdivision. This request was approved by City Council.

Therefore the current site has already been subdivided. In order for the project to be reformulated in a manner consistent with the Steering Committee's and Council's goals (as determined by the Steering Committee process) the current subdivision must be voided and a new subdivision put in place. This process should only commence when Council has a precise idea of how the site and the function will be determined. At the very least, there may be a two parcel subdivision, with the waterfront area one parcel, and the remaining area the second parcel. Process for the subdivision will be as per ordinance, with approx. 2 months necessary for the approval to be reviewed and processed after application. These dates are statutory and cannot be compressed.

- Submit complete subdivision application - 32 days in advance of planning Commission meeting
- Planning Commission approval at 4<sup>th</sup> Tuesday of the month.
- Council approval at 3rd Monday of the Month (new schedule).
- Recording at Courthouse – one week after Council approval

### D. HISTORIC DISTRICT

The parcel is in the historic district and all proposed structures will be required to be reviewed and approved by the HPC at a regular monthly meeting.



The HPC is responsible for all exterior features of any new building or changes to any existing building. The standards that the HPC uses are generally part of the C-1 Design Standards as approved by City Council (see later discussion). The design should be consistent with coastal design features and with other structures along the waterfront. In general, flat roofs, contemporary (post-modern, etc.) design, dark materials are not appropriate. The HPC will assist the Steering Committee in determining the appropriate design standards.

Since the HPC has already designated the structures as non-historic, any possible demolition would be immediate after review of the proposed plans for the project (as approved by the Steering Committee and City Council). A complete set of Architectural Plans, including materials selection, will be required for their review and approval. City Council is not involved with the approval, and only becomes involved where there is a denial of the permit by the HPC.



Normally, HPC approval takes approx. two months:

- Submit complete A/E drawings and materials with application – 32 days in advance of HPC meeting
- HPC approval at 3<sup>rd</sup> Tuesday of the month.
- Demolition permit could be issued the following day(s).

Note that the HPC encourages the project to be discussed with them as soon as possible, even though drawings are not complete. This will enable the project to progress smoothly without any major roadblocks.

#### **E. DESIGN STANDARDS**

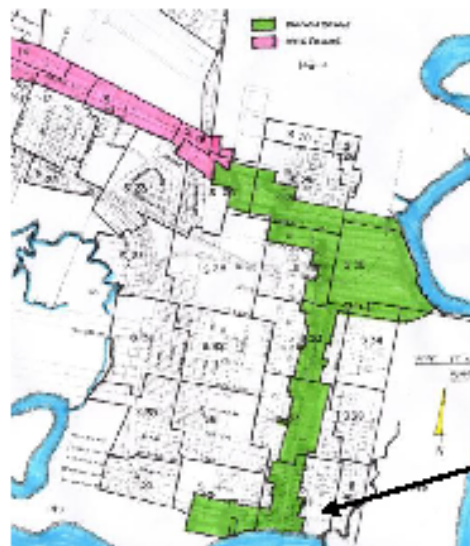
City Council has approved the use of design standards for the C-1 District, and for the area served by the DDA. In general, the design standards conform to the HPC standards.

**Planning Commission's Power to Adopt Design Guidelines:** The Planning Commission shall have the flexibility to adopt design guidelines for any zone without amendment to this ordinance.

These standards are reproduced herein as 'APPENDIX C'.

#### **F. DDA**

As part of the DDA downtown district, there are a number of programs available for any potential applicant developer.



**SITE IS WITHIN THE DDA BOUNDARY**  
(not yet shown in green on this map)

These programs are project specific and can only be determined after the Steering Committee reaches consensus as to the possible use of the site. DDA will assist in this process at that time.

#### **G. MAIN STREET COMMUNITY**

As part of the DDA Downtown District, St. Marys has been designated as a Main Street Community, with design services made available through partnerships with The Department of Community Affairs, Georgia Trust for Historic Preservation, and the University of Georgia School of Environmental Design.

Technical assistance may include:

- Facade rehabilitation drawings and specifications
- Paint colors and signage recommendations
- Review and assistance in drafting of landscape, parking, and sign ordinances
- Schematic streetscape design
- In-town and historic neighborhood in-fill design assistance
- Corridor management and traffic planning assistance
- Landscape horticultural assistance for public and community buildings
- Park, recreation, and trail system planning and design

Every parcel over 1.0 acre of disturbed area, and/or within 200 feet of the Mean High Tide mark of the St. Marys River and its tributaries, must submit to NEPDS and to the Satilla River Conservation District a plan as to how the applicant intends to control storm water runoff and sediment collection. These standards are statewide, but the Coast has a CSS supplement that governs these issues.

- Three copies to NPEDS for their review and transmittal on to Satilla River – approx, three weeks after completion of the application (\$40 per acre review fee).
- When Satilla River signs off on the application, the COSM must review the application and issue as separate Land disturbance permit (\$40 per acre review fee).

The Site is half in Zone AE (EL 11) and half in Zone VE (EL 11). On this site, the VE designation will govern. This requires the bottom of the structural members of any occupied portion of the structure be constructed 12" above Elevation 11. The top of the site at present is in the center of the existing house. This elevation is approximately 10.5 feet. Depending on location of any proposed new structures and the thickness of the structural members, the elevation of the lowest floor will need to be approximately elevation 13.5 feet. Elevation at the head wall is approx. 7.5 feet with the elevation at the 'rear' property line of approx. 6.5 feet. These elevations can remain as long as any structured and occupied floor elevation is at 13.5 feet. There can be no below flood elevation occupied area. The only enclosed areas permitted below the occupied floor are fire stair enclosures or elevator shaft enclosures with proper flood proofing. Parking can be under the occupied floor, but this would mean that the floor of the parking area would be below grade, creating an area that would fill with water regularly as it would have an elevation of approx. 5.5 feet which would fill with flood water and mud. (Note that the foot of Ready Street, which floods regularly during high tide events is at 5.6'.)





**J. DNR**

There is a currently valid dock permit for the existing dock and for 16 slips. This permit has been transferred to the City, and is up for renewal in February, 2011. The renewal would be for five (5) years. There is very little that the Steering Committee can do to alter the design criteria to the dock and slips, since they must be constructed exactly as per the submitted and approved plans. However, the existing floating dock needs the rollers repaired, and rotted timber replaced at an unknown cost. Handrails may be required for safety on the fixed dock area,

The existing concrete Bulkhead as presently constructed is permitted to remain and should be maintained in as good a condition as possible, in order to retain the permit for this bulkhead.

**K. ADA ISSUES**

Since the building is to be totally accessible to the general public, all ADA issues should be satisfied, without exception for any possible scope of any future project. With the exception of the slope of the ramps that connect a fixed dock to a floating dock that is subject to tidal influences, the dock, esplanade, and any structures located on the site shall be fully ADA accessible.

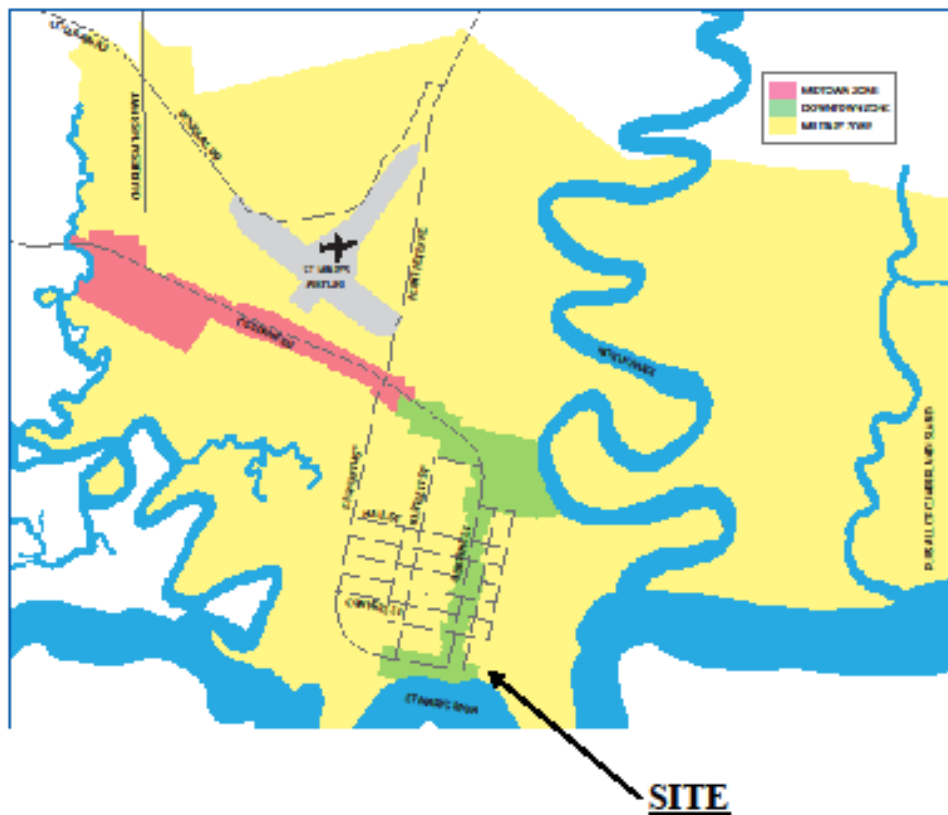
**L. MILITARY ZONE (ECONOMIC)**

100 Ready Street is located in the St. Marys Military Zone. Any proposed use (commercial) locating in a Military Zone and creating two (2) jobs can maximize job tax credits to Georgia's highest benefits. To claim these credits, the business must be located within the State Designated Zone which is all of Census Tract 106.

Military Zone Benefits:

- Job Creation - minimum of two (2) jobs (not limited to a business enterprise).
- Tax Credit - \$3,500 per job may be claimed up to five (5) years as long as the jobs are maintained.
- Claimed against 100% of the Georgia Income Tax Liability for businesses; excess claimed against withholding taxes.

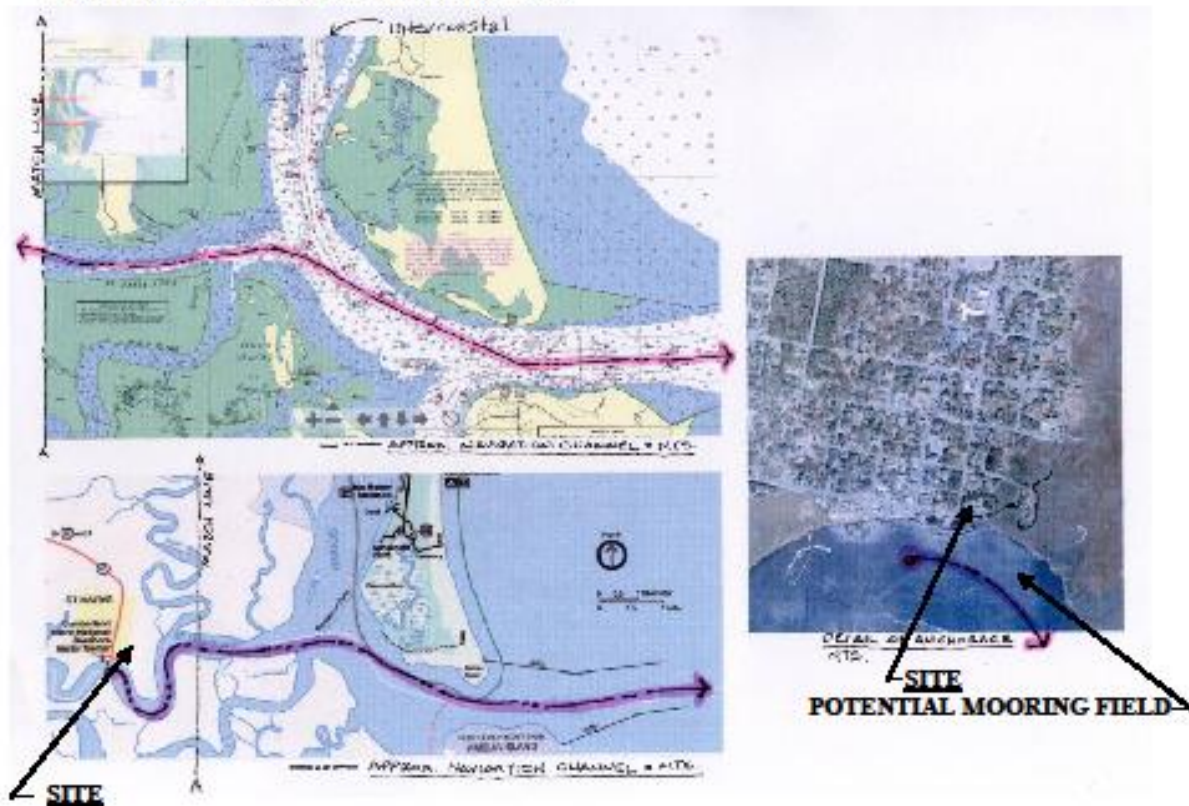
**St. Marys Downtown Development Authority Boundary Map**





#### M. ACCESS TO OCEAN

The Site has excellent and direct access to the ocean.



#### N. MOORING FIELD

A potential mooring field location has been identified by Staff for possible use by boaters. The State of GA has no guidelines for this type of function, but there is definite interest by the permanent and transient boating public for this use. The mooring field location is as noted above.

#### O. CONDITION OF EXISTING STRUCTURES:

The existing Gilman Boat House has been issued a demolition permit by the HPC and the Building Department for the house, garage, pool and other outbuildings. The demolition work was started, but was suspended when a possible buyer for the house appeared. Apparently this deal fell through, and the demolition was never restarted. I do not know the current condition of the house, but prior to the start of demolition, the roof had numerous leaks, the wood floor had heaved, and plaster was falling in various areas. The pool was a foul mess, and the garage/carport was in the process of falling down.

APPENDIX D contains a condition report memo for use in review of the buildings.

#### P. TREE ORDINANCE

This site is governed by three ordinances relating to trees: The HPC Ordinance, the Tree Ordinance and the Subdivision ordinance. Appropriate excerpts of the ordinances are part of APPENDIX E.

The HPC Ordinance, as administered by the Historic Preservation Commission, governs the disposition of any tree located within the Historic District greater than 10" in diameter (31.4" circumference) measured at 24" above grade that is healthy, and/or able to be put into good health. Trees that are in obvious poor health are the realm of the Tree Board. Dead and dangerous trees are within the jurisdiction of the Planning Director and/or the Public Works Director to determine their disposition. The HPC requires that any tree removed be replaced with a live oak tree in a location acceptable to the HPC, the property owner, and the Tree Board.

The Tree Ordinance, as administered by the Tree Board, governs all trees on public property (this site) greater than 10" in diameter (31.4" circumference) measured at 24" above grade. Poor health trees are the responsibility of the Tree Board. Dead and dangerous trees are within the jurisdiction of the Planning Director and/or the Public Works

Director to determine their disposition. The Tree Board requires that any tree removed be replaced with a live oak tree in a location acceptable to the HPC, the property owner, and the Tree Board.

The Subdivision ordinance governs the quantity of new trees required for parking areas and to replace any existing trees removed as part of a new construction project.

It should be noted that trees in the R-1 zone are not regulated by the tree board, but ARE regulated by the HPC. Trees in the C-1 zone if that is selected are regulated by the HPC, the Tree Board, and/or the Subdivision Ordinance as applicable.

Respectfully Submitted,



Roger A. Weaver, Planning Director  
City of St. Marys

## **APPENDIX A – ZONING FOR C-1 COMMERCIAL DISTRICT**

Sec. 110-69. - C-1, Central Business District.

*District intent.* The C-1, Central Business District is intended to protect and promote suitable areas for business and commercial uses which benefit from proximity to each other; to allow certain appropriate residential uses; to encourage the eventual elimination of uses inappropriate to the central business area, and to encourage the cohesive development of a town center for the City of St. Marys.

*(a) Uses permitted.*

- (1) Generally recognized retail business which supply commodities on the premises and without outdoor storage of goods, such as but not limited to groceries, drugs, clothing, notions or hardware.
- (2) Personal service establishments which perform services on the premises such as but not limited to repair shops (radios, television, shoes, upholstery, etc.), beauty parlors or barber shops, and dry cleaners.
- (3) Business establishments which perform services on the premises, such as but not limited to banks, loan companies, insurance offices and real estate offices.
- (4) Professional services including the following: medical offices, dentists, legal and similar or allied professions.
- (5) Public offices such as post offices, city administration, museums and similar governmental offices.
- (6) Private clubs, fraternal organizations and lodge halls.
- (7) Public and private schools and religious institutions.
- (8) Waterfront facilities pertaining to normal fishing, shrimping, and boating activities.
- (9) Restaurants, grills, delicatessens, and similar eating establishments, but not including "drive-in" types.
- (10) Hotels and boardinghouses.
- (11) Accessory uses and structures.
- (12) Single-family dwellings (must meet area regulations and dwelling standards for single-family dwelling in C-1 District).
- (13) Multifamily dwellings (must be in conjunction with a permitted commercial use(s) utilizing the first occupied floor for commercial use and meet commercial dwelling standards for the C-1 District).

*(b) Special permit uses.* The following uses may be permitted in accordance with the provisions contained in section 110-145, and if additional conditions which may be required are met.

- (1) Laundromats.
- (2) Theaters.
- (3) Parking lots (private and public) not including those areas required by article IV, off-street parking and loading.
- (4) Public utility installations and buildings including water towers, electric transformer stations, and water and sewage pumping stations, provided that: no open storage is permitted at the site; the area is fenced in by a wall or fence at least six feet in height; and landscaped strip not less than five feet in width is planted and maintained.

*(c) Area regulations:*

- (1) *Commercial uses.* Unless otherwise specified in this chapter, commercial uses permitted in the C-1, Central Business District shall conform to the following requirements:
  - a. Minimum lot area: 3,000 square feet.
  - b. Minimum lot width: 30 feet.
  - c. Minimum front yard setback: None, however, pedestrian walkways shall be accessible.
  - d. Minimum side yard: None, unless the parcel is adjacent to a residential district in which case the minimum side yard shall be five feet.



- e. Minimum rear yard: None, unless the parcel is adjacent to a residential district in which case the minimum rear yard shall be 15 feet.
  - f. Maximum percentage of lot coverage: 100 percent.
  - g. Maximum building height: 45 feet.
  - h. Off-street parking and loading requirements as provided in article IV, except where the planning commission waives such requirements or portion thereof, where it finds that they are unnecessary, excessive, or impractical, given the size of the lot.
- (2) Single-family detached dwelling uses. Unless otherwise specified in this chapter, single-family detached dwellings permitted in the C-1, Central Business District shall conform to the following requirements:
- a. Minimum lot area: 6000 square feet.
  - b. Minimum lot width: 60 feet.
  - c. Minimum front and rear yard set back: 10 feet.
  - d. Minimum side yard set back: 5 feet for single story; 7.5 feet for multi-story or 5 feet if multi-story and sprinkled for fire suppression.
  - e. Maximum percentage of lot coverage, remaining lot area after meeting required set backs and parking requirements.
  - f. Maximum building height: 45 feet.
  - g. Minimum of two off-street parking spaces required per residence. No parking spaces permitted in front yard set back area.
  - h. Only one driveway per residence. If an alley exists behind the lot, ingress and egress to the residential structure must be accessed from the alley and no curb cut will be permitted along the main roadway.
  - i. A minimum roof pitch of 5 x 12 is required.
  - j. Structures built within the Historic District must comply with the historic preservation ordinance.
  - k. Single-family detached dwelling standards. All single-family dwellings, whether site built or modular houses, must meet the following standards in the C-1 District:
    - 1. The roof shall be covered with asphalt composition shingles, 5-V metal roofing, tile materials or other suitable materials. Corrugated metal or plastic panels are prohibited.
    - 2. The exterior wall materials may include clapboards, simulated clapboards such as concrete composite siding, wood shingles, shakes, stucco, tabby, brick, brick veneer, concrete block or similar materials, but shall not include smooth ribbed or corrugated metal or plastic panels.
    - 3. The minimum horizontal dimension of the structure as installed on the site shall be 24 feet.
    - 4. The minimum heated and cooled floor area shall be 900 square feet.
    - 5. All principal structures shall be placed on a permanent foundation.
    - 6. No "manufactured housing" or "mobile homes" as those terms are defined in subsection 110-8(b), shall be permitted in this district.
    - 7. All units must meet wind loading requirements of the Federal Emergency Management Administrator and the State of Georgia adopted building codes.
    - 8. Any structures built within the Historic District must meet the requirements of the historic preservation ordinance.

(3) Commercial dwelling standards. Dwelling units are permitted on the second floor or above in buildings utilizing the first occupied floor for permitted C-1 commercial uses. Such buildings may house one or more dwelling units, for rent or sale, provided that no such unit shall be less than 450 square feet of heated and cooled area exclusive of any hallways and stairs designed for access to the unit(s).

(Ord. of 9-12-94, § 608; Ord. of 11-10-03, §§ 1, 4; Ord. of 8-14-06, § 1; Ord of 11-13-06(2), §§ 2—6)

## **APPENDIX B – ZONING FOR R-1 COMMERCIAL DISTRICT**

### Sec. 110-62 - R-1, Single-family Residential District.

*District intent. This is the most restrictive residential district. The principal use of land is for single-family dwellings and related recreational, religious and educational facilities needed to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the single-family residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.*

*(a) Uses permitted. Property and buildings in an R-1, Single-family Residential District shall be used for the following purposes:*

- (1) Single-family residences (must meet the requirements in subsection (d) below);*
- (2) Parks or playgrounds;*
- (3) Country clubs, golf courses;*
- (4) General purpose or gardening, but not the keeping of livestock or nondomestic animals;*
- (5) Accessory buildings and structures;*
- (6) Home business offices.*

*(b) Special permit uses. The following uses may be permitted in accordance with provisions contained in section 110-145, and if additional conditions which may be required are met.*

- (1) Public and private schools;*
- (2) Public buildings and utilities;*
- (3) Churches;*
- (4) Day care centers or kindergartens;*
- (5) General purpose farm or garden that includes the keeping of livestock or nondomestic animals;*
- (6) Home occupations provided that the conditions set forth in section 110-97 are met.*

*(c) Area regulations. Unless otherwise specified in this chapter, uses permitted in R-1, Single-family Residential Districts shall conform to the following requirements:*

- (1) Minimum lot area: 10,000 square feet;*
- (2) Minimum lot width at building line: 75 feet*
- (3) Minimum front yard setback from street: 25 feet*
- (4) Minimum side yard, setback from street: 25 feet; setback from other property line: 15 feet;*
- (5) Minimum rear yard, setback from street: 25 feet; setback from other property line: 15 feet;*
- (6) Maximum percentage of lot coverage: 30 percent;*
- (7) Maximum building height: 35 feet.*

*(d) Single-family residential standards. All single-family residences, whether site built or modular houses, must meet the following standards in the R-1 District:*

- (1) The roof shall be covered with asphalt composition shingles, 5-V metal roofing, tile materials or other suitable materials. Corrugated metal or plastic panels are prohibited.*
- (2) The exterior wall materials may include clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, shakes, stucco, brick, brick veneer, concrete block, or similar materials, but shall not include smooth ribbed or corrugated metal or plastic panels.*
- (3) The minimum horizontal dimension of the structure as installed on the site shall be 24 feet.*
- (4) The minimum heated and cooled floor area shall be 900 square feet.*
- (5) All principal structures shall be placed on a permanent foundation. For the purposes of this section, a permanent foundation shall mean a concrete slab, concrete footers, foundation wall, pilings or post construction which complies with the city building code.*
- (6) No "manufactured housing" or "mobile homes", as those terms are defined in section 110-8(b), shall be permitted in this district.*
- (7) All units must meet wind loading requirements of the Federal Emergency Management Administrator and the State of Georgia adopted building codes. (Ord. of 9-12-94, § 601; Ord. of 1-31-05, § 2)*



## **APPENDIX C – DESIGN GUIDELINES FOR C-1 COMMERCIAL DISTRICT**

**This Document is printed in full as part of Exhibit 5**

## APPENDIX D – REPORT ON EXISTING CONDITIONS OF STRUCTURES



### **INTEROFFICE MEMO**

City of St. Marys Planning and Building Department

TO: Dill Shanahan, City Manager  
FROM: Roger A. Weaver, Planning and Building Director  
DATE: August 4, 2010  
RE: Use of Gilman Boat House for temporary uses

I have completed a cursory review of the Boat House for possible temporary use and have the following observations:

1. The house is still under a valid demolition permit. Demolition did commence to an unknown level. This has complicated the review of the house, since there may be missing components/systems that cannot be easily ascertained in a cost effective manner.
2. The house is infested with mold throughout all areas. Based on the cost to remediate the mold at the SMFD and at Orange Hall, this could cost in excess of \$15,000.
3. The seal on the large plate glass windows have broken, which has caused the cloudiness. In order to see out, these windows should be replaced. They cannot be cleaned. I do not know the cost, but for a building heading for demolition, the cost will never be recouped.
4. Under the jute carpet in the main room is a badly damaged wood parquet floor. For any occupancy use, the jute must be taken up, and the wood floor taken up as well. I could not ascertain the condition of the concrete below the wood, but I would probably need some sort of sealer.
5. The electrical system needs to be analyzed by a master electrician to determine if the power can be turned on. There is uncertainty as to whether there are missing breakers, cut or damaged circuits, and the viability of them. There are wires sticking out of the floor in a dangerous manner. These need secured at an unknown cost.
6. The existing HVAC units contain R-22 gas. As of January 1, 2010, it is illegal to import, produce, or sell R-22 for use in new equipment or pre-charged in new equipment. In 2015, the production and importing of HCFC-22 will be limited to 10% of each county's 1989 consumption level and in 2020, production and importing of HCFC-22 will be illegal. Re-use of recovered HCFC-22 to service existing equipment will be allowed indefinitely. There are replacement gases for the R-22, but these can be costly. There may be salvage value to these units with replacement gas, but the cost to upgrade them in place may not be feasible.
7. The doors that enter the building swing in, and need to swing out.
8. The plumbing system needs to be pressure analyzed by a licensed plumber to determine if there was any freeze damage.
9. There will be no ADA access to the facility due to its current use as a residence. Converting this to a public meeting area even for a temporary facility will require ADA toilets.
10. The Crawl space is open to the exterior, and the presence of rodents/snakes/bugs cannot be discounted.
11. Although the roof appears to be weathertight, the time I was in prior to the section showed major water marks on many of the ceilings in the house. I am confident in assuming that the bank did a 'band aid' fix to the leaks and installed a coat of new paint in the stained areas. I believe that leaks will start to appear over the next 12 months, and – if the facility is being used – then repairs may be necessary at an unknown point in the future.

Respectfully Submitted,

Roger A. Weaver, Planning and Building Director  
City of St. Marys

## **APPENDIX E – EXCERPTS RELATING TO TREES**

### **FROM THE HPC ORDINANCE**

Sec. 62-113. - Changes to exterior environmental features on historic properties and in historic districts.

(a) After the designation by ordinance of a historic district or historic property no changes in exterior environmental features shall occur unless an application for a certificate of appropriateness has been submitted by or for the owner to the commission and approved by the commission. Decisions of the historic preservation commission shall not override or supersede the requirements of the official zoning ordinances of the City of St. Marys without utilizing the procedures outlined in the zoning Ordinance No. 110. All property directly abutting the project under consideration shall be notified in writing as to the presence of an application for consideration by the HPC. Notification shall be only to abutting property owners that share a property line, and shall not cross any street or right-of-way or major watercourse or feature.

(b) Two basic types of activities shall constitute change to exterior environmental features:

(1) The removal or alteration of exterior environmental features which affect a property historically/aesthetically. These features shall include: Trees ten inches in diameter measured at a point 24 inches above the ground, the topography of a property, paving materials, fencing, lighting fixtures and outbuildings.

(2) The addition of exterior environmental features which will affect the historic/aesthetic qualities of a property. These features shall include: Driveways, walkways, parking lots, fences, outbuildings, lighting fixtures and permanent yard signs.

(c) Disposition of all trees in the historic district shall be determined by either the HPC or the City of St. Marys Tree Board in compliance with this section. Within the historic district, where a tree is dead, diseased or in otherwise poor health, the tree board will have sole jurisdiction as to its removal. Within the historic district, where a tree is healthy and requested to be removed by either the city or a property owner, the historic preservation commission shall have sole jurisdiction as to its removal. However, the HPC requires that for all live oak trees determined to be removed for any reason, one new live oak of minimum diameter of 2.5 inches shall be planted on the site. Replacement of other species of trees shall be replaced as per the requirements of the tree board.

(d) If a dead or damaged tree poses an immediate and/or imminent physical threat to the safety of the community, or danger to citizens, historic property or other property as evidenced by appropriate documentation by either a tree removal specialist, the building director or planning director, the planning director may authorize its removal without going before the historic preservation commission, with notification to the HPC, the tree board and the city manager. The city manager will notify council of this action. Documentation shall be in writing with appropriate data as necessary to state the reasons for the immediate removal of the tree(s).

(e) If the tree board is eliminated by direct action of council, all jurisdiction of trees shall be transferred to the HPC. In the event of any conflict with the tree board ordinances, the HPC ordinance shall govern.

### **FROM THE SUBDIVISION ORDINANCE**

Sec. 86-6. - Tree protection plan.

(a) *Protected trees.* On single and subdivided commercial lots, the building and parking area must be identified and all remaining trees on single or subdivided lots shall be protected in a tree protection zone as outlined in this section.

(b) *Protective measures.* In the tree protection zone, protective measures shall be applied to the above ground portion of a tree and to roots within the critical root zone, as follows:

(1) *Damage prohibited.* No person shall:



- a. Cut, carve, transplant or otherwise damage or remove any tree;
- b. Attach any rope, wire, nails, advertising posters or other contrivance to any trees;
- c. Allow any gaseous, liquid or solid substance which is harmful to trees (such as concrete washout, fuel, lubricants, herbicides, paint) to come in contact with them; or
- d. Set a fire or permit any fire to burn when such fire or the heat of the fire will injure any portion of any tree.

(2) *Fence required.* During excavation, filling, construction or demolition operations, each tree or stand of trees shall be protected against damage to bark, roots and low-hanging branches with a fence enclosing the critical root zone (four feet high, two-inch by four-inch posts; with double one-inch by four-inch rails, plastic construction area fencing, or 12-gauge two-inch by four-inch wire mesh). "Tree save area" signs shall be posted on all sides of the fenced area. 'Critical root zone' shall be defined as the drip edge of the tree.

(3) *Compaction prohibited.* All buildings materials, vehicles, construction equipment, dirt, debris or other objects likely to cause soil compaction or above ground damage shall be kept outside the critical root zone. Where a limited amount of encroachment is unavoidable and is approved by the building official, the critical root zone shall first be mulched with a four-inch layer of processed pine bark or wood chips or a six-inch layer of pine straw.

(4) *Grade changes prohibited.* There shall be no raising or lowering of the ground level within the critical root zone. Stripping of topsoil in the critical root zone shall not be permitted. Where necessary, the use of moderate fill is permitted only with prior installation of an aeration system approved by the building official. The depositing of sediment in the critical root zone shall be prevented by placement of Type C sediment barriers, which shall be backed by two-inch by four-inch wire mesh in areas of steep slope.

(5) *Ditches, trenches prohibited.* No person shall excavate any ditch, tunnel or trench within the critical root zone. Where such encroachment is unavoidable and is approved by the building official, tunneling rather than trenching shall be used. If roots must be cut, root pruning procedures approved by the building official must be employed.

(6) *Paving prohibited.* No person shall pave with concrete, asphalt or other impervious material within the critical root zone.

(c) *Plan required; contents.* A proposal for development or improvement of any tract of commercial land shall include a tree protection plan, including trees to be planted in order to repopulate the landscape due to removing trees or due to the lot not having any trees. Such plan shall be submitted to the building official prior to any grading, bulldozing or other removal of the existing vegetation. The plan shall show the following:

- (1) Names and addresses of the owner of record and the applicant.
- (2) Boundary lines of the tract by lengths and bearings, streets adjoining the property, total area of the tract, north point, graphic scale and date.
- (3) All existing specimen trees, including those to be removed, and all other trees ten inches in diameter at a breast height (DBH), measured at 4.5 feet from the ground, or greater which will remain on the site and shall be protected during construction. The owner of the property shall indicate the common and botanical names and the size of each tree. In heavily wooded areas that will not be disturbed, the site plan may show only the boundaries of each stand of trees and a list of the number, size and species of ten inches DBH or larger trees in each stand.
- (4) Locations of all existing and proposed new buildings, structures and paved areas, whether to be removed or to remain.

- (5) Locations of all existing and proposed new utility lines. New utility lines must be placed along corridors between critical root zones of trees which will remain on the site.
- (6) Limits of land disturbance, clearing, grading and trenching.
- (7) Limits of tree protection areas, showing trees to be maintained specifying species and size.
- (8) Grade changes or other work adjacent to a tree which would affect it adversely, with drawings or descriptions as to how the grade, drainage and aeration will be maintained around the tree.
- (9) Planting schedule and site plan showing where and what type vegetation will be planted on cleared land upon completion of construction project. A minimum of one, two-inch or larger DBH tree every ten feet between the commercial building and any roadway must be planted.

(d) *No tree shall be planted closer to a building foundation or water, sewer, electrical or natural gas line than as follows:*

- (1) For a mature small tree, five feet.
- (2) For a mature medium tree, ten feet.
- (3) For a mature large tree, 15 feet.

(e) *No tree shall be planted under overhead utility distribution lines if the average mature height of the tree is greater than the lowest overhead wire.*

(1) Landscape islands shall be provided within parking areas of six or more spaces, but shall not be required within vehicle storage or display areas. Initial designs should take into account any existing trees whenever possible. Refer to chapter 110 article IV [of the St. Marys Code of Ordinances] for additional parking requirements.

a. The total area of all islands shall comprise at least five percent of parking lot area in commercial zoning districts or three percent of parking lot area in industrial zoning district; plus one percent of other vehicle use area on the property (such as loading, storage or display areas).

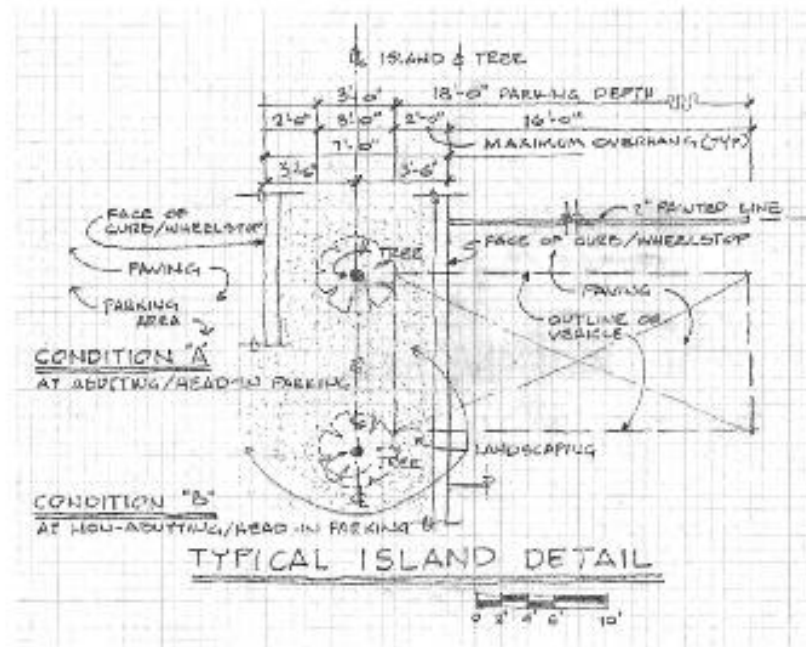
b. Each island shall contain a minimum of 50 square feet. It shall be so shaped that a five-foot diameter circle will fit within the island. No portion of an island less than three feet in width may be counted in the area.

c. Landscape islands shall be located in such a manner as to divide and break up the expanse of paving.

d. Vehicles may overhang the landscape island to a depth of 24 inches provided the island is at least 3.5 feet in depth per each abutting head to head parking space, at least 7.0 feet in depth overall for abutting head to head parking space, and protected by wheel stops or curbing. Two feet of the landscaped area may count as part of the required depth of each abutting head-in parking space. (Condition A of Figure 1). For spaces at the perimeter of the lot, and not abutting head-in parking, the vehicle may overhang the landscape island to a depth of 24 inches with no minimum island dimension. (Condition B of Figure 1).

(2) Distribution of trees shall be as follows:

a. At least one tree, as recommended in the St. Marys Trees and Shrub Ordinance section 102-48, shall be planted in each required landscape island, and at least one tree, as recommended in the St. Marys Trees and Shrub Ordinance section 102-48, shall be planted for every 30 linear feet of length in each required planting strip.



**FIGURE 1 – LANDSCAPE ISLAND DETAIL**

(3) Criteria for replacement trees shall be as follows:

- a. Spacing and the potential size of species chosen shall be compatible with spatial limitations of the site.
- b. The species must be ecologically compatible with the specifically intended growing site.
- c. The trees must have the potential for size and quality comparable to those removed.
- d. Preference shall be given to specimens of no more than three inches DBH.
- e. Authority for questions of tree characteristics shall be City of St. Marys Ordinance sections 102-46 through 102-50; publications of the state forestry commission; publications of the cooperative extension service of the University of Georgia College of Agriculture; or other authority acceptable to the city.

(4) For specimen and nonspecimen trees, emphasis shall be given to the preservation of specimen trees, even isolated individual specimen trees, over retention of other nonspecimen trees. Nonspecimen trees, however, should be saved in stands rather than as individual trees scattered over a site.

(5) The property owner shall maintain trees on the property in accordance with this article and the approved plan, including replacing trees which die or are irreparably damaged.

**THERE ARE OTHER MINOR REFERENCES TO TREES IN OTHER ORDINANCES, BUT THE ABOVE ARE THE MOST IMPORTANT!!**



## **EXHIBIT 9**

### **BACKGROUND AND HISTORY OF THE CITY AND SITE**

**Overview:** St. Marys has always been at the forefront of growth and change from its founding. The French, then the Spanish, then the British and finally the great state of Georgia as part of the United States of America have all influenced and changed the face of what is now St. Marys, Georgia.

With boom and bust always as catalysts for growth and change, St. Marys has survived the changing economic times resulting from war, sailing ships, railroads, paper mills, and as a destination community.

The St. Marys Experience is quiet marsh front vistas, elegant moss covered live oaks, warm steamy summers, cool mild winters, and the ability to rebound from all that Nature and economy can deliver.

**History of St. Marys<sup>2</sup>:** St. Marys has been described at different times over the centuries as a bustling seaport, a sleepy tourist resting place, or a strategic military location.

On the Georgia-Florida state line (on Route 40, off Interstate 95), the site and City is located on the St. Marys River, within six miles of the Atlantic Ocean. It served as Camden County's seat from 1872 until 1924. Today many of its residents earn their livelihood by catering to the tourists who visit the St. Marys National Historic District, which includes beautiful nineteenth century buildings, offices, and shops and the Oak Grove Cemetery. According to the 2000 U.S. census, the population is 13,761. As of the 2010 census, the population has reached 17,121 residents!

Established on the site of an abandoned Timucuan Indian village, Tlathlothlaguphta, St. Marys sits on land confiscated from two brothers of royal governor James Wright. Their Royalist sympathies resulted in their banishment after the American Revolution (1775-83) and the loss of their huge estates.

The history of the town's name is not clear. Accounts differ regarding the origin of the name itself—some say it is named after the St. Marys River, while others say it comes from a seventeenth-century Spanish mission, Santa Maria, on nearby Amelia Island, Florida. After the departure of its royalist owners, the land belonged to Jacob Weed, an early planter and state legislator. Weed sold 1,672 acres along the St. Marys River to nineteen other men, and the twenty laid out the new town together in 1788. Early maps show the streets were 100 feet wide, interspersed with two 16-acre public squares. Each one of the twenty founders was authorized to use the squares and received a mixture of good, marshy land in his purchase.

Soon after the town was laid out, the area became home to Acadian refugees (later called Cajuns). The French-speaking Acadians, having been deported from Canada by the British, had settled in many places, including the French colony of Saint-Domingue on the Caribbean island of Hispaniola. Some fled Toussaint L'Ouverture's slave rebellion there, arriving in St. Marys in 1791. St. Marys was established by an act of the state legislature on December 5, 1792. It was not officially incorporated, however, until November 1802.

The strategic location of St. Marys on the Atlantic Coast just above Florida led to its involvement in several of the major military conflicts in U.S. history. Troops were sent from New York to the area during the American Revolution. It was captured by the British during the War of 1812 (1812-15), and Union gunboats shelled its waterfront buildings during the Civil War (1861-65). The losses to the city's population caused by the calamities of war were serious, a combination of casualties sustained during attacks and the migration of frightened civilians inland to avoid danger. In addition to war, raids by smugglers and Native Americans, and epidemics of yellow fever repeatedly occurred throughout the nineteenth century, killing many and causing others to leave. In one attempt to correct the loss of population, free land was offered to settlers in 1877.

Industrial development had been coming along since the post-Civil War (1861-65) days, initially in the form of a lumber mill built by the company Fox and Burns. More sawmills followed, as well as several canning plants specializing in preserving local shrimp, beans, and sweet potatoes. Lumber and fishing provided the main sources of income for townspeople for decades, supplemented in the twentieth century by fertilizer and chemical plants using menhaden and porgy (two types of Atlantic fish) for raw material. Cotton and tobacco warehouses lined the riverfront.

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<sup>2</sup> Data from New Georgia Encyclopedia, by Elizabeth B. Cooksey, Savannah - updated Dec. 13, 2006 – copied verbatim without pictures and reference materials with minor editing updates to include modern data and remove data not appropriate to this report.

The establishment of the Gilman Paper Company's St. Marys Kraft Corporation plant in 1941 was a welcome impetus to growth. Gilman Paper was purchased by the Durango Paper Company in 1999 and renamed the Durango-Georgia Company in 2000. After sixty-one years in Camden County the plant closed its doors in fall 2002.

Shipbuilding, important in the town's earliest days, again gained importance in the twentieth century. One of the first galleys that the fledgling US Navy built in 1797 was built in St. Marys, and appropriately named *St. Marys*. The opening of Kings Bay Naval Submarine Base in 1979 brought with it a healthy infusion of new residents to complement the hospitality, industry-based population. As of 2010 the Kings Bay workforce included more than 10,000 military and civilian personnel.

Although a hotel built in 1916 catered to such travelers as the author Marjorie Kinnan Rawlings, who wrote the children's book *The Yearling* (1938), and cartoonist Roy Crane, creator of such comics as "Buzz Sawyer," it was not until the 1970s that St. Marys developed its current tourist economy. Calling itself "The Gateway to Cumberland Island," the town is the departure point for those taking regularly scheduled passenger ferries to the Cumberland Island National Seashore or to Fernandina Beach, Florida.

St. Marys is now well known as an ecotourism center, with a reputation for being friendly to newcomers, whether they are settling or just visiting.

## **EXHIBIT 10**

### **CATEGORIZATION OF “HASKELL” VISIONING SESSION COMMENTS**

During a public visioning session facilitated by the Haskell Group, the following items were listed in priority by the attendees. Each attendee had 7 stickers to place on the board, with no limit as to the amount of stickers (up to 7) that an attendee could be on any one item (i.e. 7 on one item, or one on 7 items). The stickers were counted and the following are the results.

### **STATED GOALS**

All items listed had to conform to at least one or more of the stated goals of the project

- I. Public Walkway** (*thru the site + waterfront access/wayfinding*)
- II. Environmental Enhancement** (*Filled-in in the 1950's; wildlife/live oaks; natural and Human; LEED; educational signage*)
- III. Historical Compatibility** (*Aesthetic/Building; theme/businesses*)
- IV. Economic Development** (*Bring people down to enjoy view, as well as enhance the St. Marys Waterfront.*)
- V. Visitor and Citizen Destination**

### **TABULATION OF VOTES CAST**

1. Conference Center (15)
2. Waterfront Restaurant with boat access (13)
3. Hotel (12)
4. Trailhead for walking/biking (8)
5. Charter fishing fleet dock (7)
6. Dock Rental Space (6)
7. Community Building with meeting Rooms (5) and Festival gathering space (5) TIE
9. Walking Path (4)
10. Boater store and facilities (2), Mooring Field (2) and Submarine Tourist Attraction (2) TIE
13. Marina (1)

### **OTHER CHOICES:** Other choices listed, but not receiving votes:

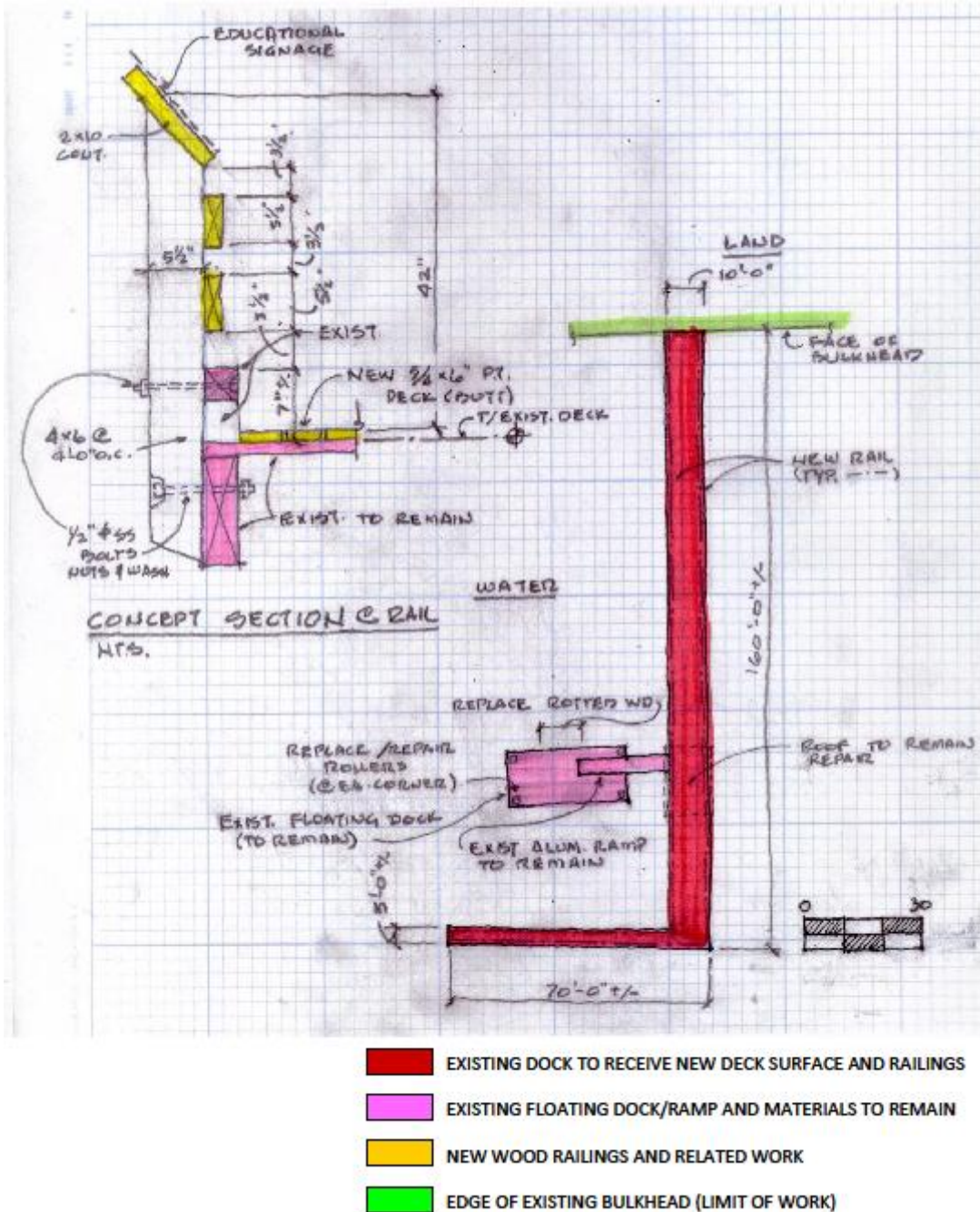
- |   |   |
|---|---|
| • Restaurant  | • Basketball Court                                |
| • Welcome Center                                      | • Pool  |
| • Shops   | • Man Made Public Beach                           |
| • Sidewalk Café                                       | • Quiet Place to Sit, read, meditate & enjoy view |
| • Tiki Bar  | • Marine Eco-Classroom for school kids            |
| • Marine Lab tied to University                       | • “Green Building” information kiosk              |
| • UGA SE GA Campus                                    | • Cruise ship stop                                |
| • Alternative energy think tank with incubation space | • Exercise facility                               |
| • Nuclear energy education and development center     | • Black history/genealogical center               |
| • Nature Education Walk                               | • Teen Center                                     |
| • Butterfly gardens                                   | • Boat Ramp                                       |
| • Flower Gardens                                      | • Fishing Pier                                    |
| • Outdoor workout stations                            | • Public Park, Natural Area                       |



## **EXHIBIT 11**

The City of St. Marys has applied for two grants that MAY affect the overall scope of work for this project.

1. The CIG is a Coastal Improvement Grant which will repair and make safe the existing waterside dock features. Whether the City will be awarded this grant is unknown at this time.



**CONCEPT DRAWING OF WORK AT EXISTING DOCK AT SAFETY AND ADA PROJECT AT 100 READY STREET**

**EXHIBIT 13**



NOTES:



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