

**Board of Commissioners
Agenda Item Transmittal Form
Ordinance Transmittal Form**



Type of Request: Rezoning Request - Case #2021-01		County Clerk Use Only Ordinance #: 2021-
<input checked="" type="checkbox"/> Submission Information	<input checked="" type="checkbox"/> Information	
Contact Name: Kalanos Johnson / Tiras Winn Petrea Department: Planning & Development	Summary of Request: February 9, 2021: Second Reading. A request by Universal Planning & Development, LLC to fully implement Ordinance #O-2020-04 (REZ 2020-03) and to amend the conditions approved on April 14, 2020, which amended the Official Zoning District Map by rezoning 2021 Old Covington Hwy SE and 0 Salem Industrial Pkwy, Conyers, GA, 30013 from M-1 (Limited Industrial) to RM (Residential Multi-Family) with conditions of zoning for the purpose of constructing a townhome development.	
<input checked="" type="checkbox"/> Department Director/Elected Official Signature	<input type="checkbox"/> Chief of Staff Signature	
I have reviewed the attached, and it is approved as to substance. Signature: <i>[Signature]</i> Date: 2-2-21	I have reviewed the attached, and it is approved for processing. Signature: <i>[Signature]</i> Date: 02-03-2021	
<input type="checkbox"/> County Attorney Signature	<input type="checkbox"/> Director of Legislative Affairs/County Clerk Signature	
I have reviewed the attached, and it is approved as to form. Signature: _____ Date: _____	I have reviewed the attached, and it is approved for processing. Signature: <i>[Signature]</i> Date: 02-03-2021 <div style="text-align: right; margin-top: -10px;"><i>CHIEF OF STAFF</i></div>	
Notes and Comments:		
December 8, 2020: First Reading and Referral to Planning Commission; January 14, 2021: Planning Commission; January 26, 2021: Zoning Public Hearing; February 9, 2021: Second Reading.		

2021-69

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING PROPERTY LOCATED AT 2021 OLD COVINGTON HWY SE AND 0 SALEM INDUSTRIAL PKWY SE FROM M-1 (LIMITED INDUSTRIAL) ZONING DISTRICT TO THE RM (RESIDENTIAL MULTI-FAMILY) ZONING DISTRICT; TO IMPOSE CONDITIONS UPON THE PROPERTY; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.

WHEREAS, an application to rezone a certain property was filed with Rockdale County, Georgia, which involved the following:

REZONING CASE No. 2021-01:	Rezoning of 14.826 acres from M-1 (Limited Industrial) to RM (Residential Multi-Family) with conditions of zoning for the purpose of constructing a townhome development.
APPLICANT:	Universal Planning & Development, LLC
LOCATION:	2021 Old Covington Hwy SE and 0 Salem Industrial Pkwy SE, Conyers, GA, 30013 with Tax Parcel Nos. 0740040003 and 073001001A.
LAND LOT(S):	246 and 247
DISTRICT:	10th
PROPERTY OWNER:	DRH PROPERTIES LLC

WHEREAS, said rezoning proposal was reviewed by staff and public hearings were held following public notice and all other requirements of Section 238-4 of The Unified Development Code of Rockdale County, Georgia, as amended;

WHEREAS, the Future Land Use Map of Rockdale County’s Comprehensive Plan was amended to designate said property as High Density Residential, which pursuant to Section 202-6 of The Code of Rockdale County permits the RM (Residential Multi-Family) Zoning District;

NOW, THEREFORE, be it ordained by the Board of Commissioners of Rockdale County, Georgia, and by the authority of same as follows:

Section I

The Official Zoning District Map for Rockdale County, as amended, is hereby further amended so as to rezone the 14.826-acre property, more particularly described in the overall legal description attached hereto as Exhibit “A” and depicted as Tracts 1 and 2 on the survey attached hereto as Exhibit “B”, from the M-1 (Limited Industrial) Zoning District to RM (Multi-Family Residential) Zoning District for the purpose of constructing a townhome development.

Section II

The zoning amendment authorized in Section I is approved subject to all conditions, including any conditions of zoning, attached hereto as Exhibit “C”, which exhibit is hereby incorporated by this reference and applies to the 14.826-acre property. All permits issued pursuant to this change in zoning shall be in strict compliance with these conditions, as well as all other applicable provisions of the Code of Rockdale County. The change in zoning hereby approved does not authorize the violation of any zoning district regulations.

Section III

The Official Zoning District Map of Rockdale County, Georgia, established as a part of the Rockdale County Zoning Ordinance, as amended, is hereby further amended to reflect the change in zoning of said property authorized in Section I, along with the conditions authorized in Section II.

Section IV

All ordinances or parts of ordinances, including Ordinance #O-2020-04 (REZ 2020-03), in conflict with this ordinance are hereby repealed.

That this Ordinance shall become effective upon adoption.

This _____ day of _____, 2021.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

Oz Nesbitt, Sr., Chairman

Sherri L. Washington, Esq., Commissioner Post I

Dr. Doreen Williams, Commissioner Post II

Attest:

By: _____
Jennifer Rutledge, County Clerk

Approved as to Form:

By: _____
M. Qader A. Baig, County Attorney

First Reading: December 8, 2020

Second Reading: _____

Exhibit "A"
Legal Description

Tract 1

All that tract or parcel of land lying and being in Land Lots 246 & 247, of the 10th District, Rockdale County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the westerly right of way of Old Covington Highway #12; thence North 89°56'00" West, a distance of 210.00 feet to a point; thence North 89°56'00" West, a distance of 330.00 feet to a point; thence North 86°20'00" West, a distance of 260.60 feet to a point; thence North 27°05'00" East, a distance of 178.50 feet to a point; thence South 87°51'00" East, a distance of 655.13 feet to a point; thence South 22°57'51" East, a distance of 164.70 feet to a point, being the POINT OF BEGINNING.

Said tract contains 2.698 acres

Tract 2

All that tract or parcel of land lying and being in Land Lots 246 & 247, of the 10th District, Rockdale County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the westerly right of way of Old Covington Highway #12; thence North 87°51'00" West, a distance of 655.13 feet to a point; thence South 27°05'00" West, a distance of 178.50 feet to a point; thence North 87°06'03" West, a distance of 11.98 feet to a point; thence South 86°38'03" West, a distance of 344.43 feet to a point; thence North 54°20'25" West, a distance of 302.20 feet to a point; thence South 41°57'03" West, a distance of 245.92 feet to a point; thence North 50°18'21" West, a distance of 20.02 feet to a point; thence North 41°57'03" East, a distance of 249.84 feet to a point; thence North 82°11'28" East, a distance of 21.37 feet to a point; thence South 54°20'25" East, a distance of 299.14 feet to a point; thence North 86°38'03" East, a distance of 182.23 feet to a point; thence North 07°48'31" West, a distance of 203.35 feet to a point; thence North 21°55'16" East, a distance of 238.95 feet to a point; thence North 07°48'31" West, a distance of 332.81 feet to a point; thence North 82°11'29" East, a distance of 584.29 feet to a point; thence South 23°30'16" East, a distance of 773.93 feet to a point, being the POINT OF BEGINNING.

Said tract contains 12.128 acres

A total combined tract of 14.826 acres.

Exhibit "B"
Survey

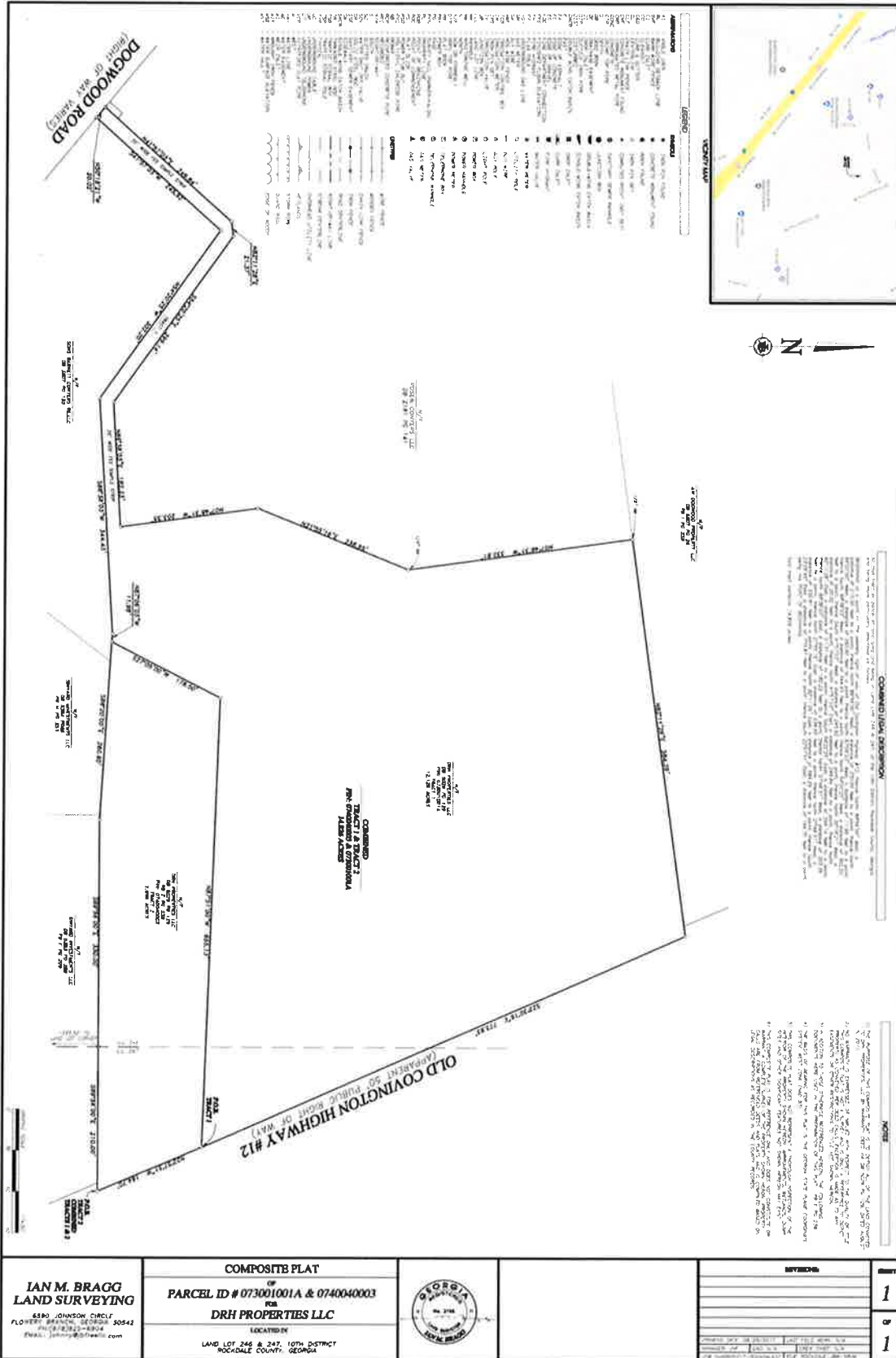


Exhibit "C"
Conditions Attached

1. To restrict the use of the property as follows:

- A. The site is restricted to townhouse development, not to exceed 153 units.
- B. Attached residential townhouse dwellings that are a minimum of twenty (20) feet wide and permitted accessory uses.
- C. The density of the project cannot exceed the underlying RM zoning maximum density of twelve (12) units per acre.
- D. All front building elevations shall be constructed with at least fifty (50) percent of the following building materials: Brick, Indigenous Rock, Natural Stone, and Synthetic Stone, or a combination of Brick, Indigenous Rock, Natural Stone, and Synthetic Stone, with accent building materials that may include but not be limited to Stucco, EIFS, Metal, Painted Cement Siding, and Wood where masonry products are not provided. If Stucco or EIFS is used as an accent building material, those specific building materials shall be limited to a maximum of ten (10) percent of the total building wall, with each elevation being calculated independently. The side elevations and the rear elevation shall have a masonry water table that matches the predominate masonry building material used on the front elevation. The balance of the side elevations and rear elevation shall be Painted Cement Siding.
- E. Rear building elevations facing Old Covington Highway or the internal private driveway connecting Old Covington Highway to the existing BJ's commercial property shall have vertical breaks that either protrude or recede a minimum of one (1) foot for every two (2) residential dwelling units per building.
- F. Front porches and/or stoops shall be a minimum of thirty-six (36) square feet in overall size.
- G. Balconies, covered porches, and/or stoops shall be supported with architectural columns, architectural brackets, or pillars that provide a complimentary architectural appearance to the adjacent building elevation.
- H. All garage doors shall be "carriage style" and accent the adjacent building elevation.
- I. All exterior lighting fixtures directly attached to the dwelling units shall be "carriage style" and compliment the building architecture.
- J. Any exterior exposed chimneys shall be finished with Brick, Indigenous Rock, Natural Stone, Synthetic Stone, or a combination of the same, and shall extend to the ground.
- K. All units shall have a two-car, front entry garage.
- L. Foundations shall be of brick or natural stone. Where another type of structural material is used, it shall be faced with brick, cast stone, or natural stone, no less than six (6) inches in depth.

2. To satisfy the following site development considerations:

- A. All internal streets shall be private, a minimum of twenty-four (24) feet wide from face of curb to face of curb and shall maintained by the homeowner's association.
- B. All vehicular entrances into the proposed residential development shall be gated with access-controlled gates.

- C. All internal concrete sidewalks shall be five (5) feet wide and installed on both sides of the proposed private streets.
- D. All concrete sidewalks provided along the private driveway connecting Old Covington Highway to the existing BJ's property shall be five (5) feet wide and only installed on the residential townhouse side of said private driveway.
- E. All concrete sidewalks provided along the Old Covington Highway right of way shall be five (5) feet wide.
- F. All grassed areas shall be sodded.
- G. All utilities shall be placed underground.
- H. Natural vegetation shall remain on the property until the issuance of a development permit.
- I. Where fencing is provided along either a public street or a private street, it shall be a decorative metal or aluminum type materials that are a minimum of four (4) feet tall. Masonry columns shall be installed every one-hundred (100) feet (maximum spacing) along the proposed fence line, and are constructed with masonry materials consisting of Brick, Indigenous Rock, Natural Stone, Synthetic Stone, or a combination of the same materials.
- J. Provide a twenty (20) foot landscape strip adjacent to the Old Covington Highway right of way. This twenty (20) foot landscape strip shall be planted with street trees and shade trees on fifty (50) foot centers (maximum) in a single row. All trees planted in this landscape strip shall be counted towards any Rockdale County required tree recompense credits or tree density units as mandated by the required development permit.
- K. The amenity areas shall include a minimum of a green space, children's playground, a dog park, and an open-air covered family gathering pavilion within the interior of the property. The open-air covered family gathering pavilion shall be constructed using exterior building materials that complement the adjacent residential townhouse units. Both sides of the existing private driveway shall have at least a green space. The other amenity areas may be in a single area or in multiple areas. Residents of both sides shall have access to the amenity areas on the other side of the existing private driveway.
- L. Streetlights shall be provided throughout the residential development along the internal private streets where residential units directly abut. All streetlights shall be residential in character and meet the minimum lighting standards of Rockdale County, GA as defined in the current edition of the development regulations at the time of development permitting.
- M. A minimum of thirty (30) overflow parking spaces shall be created throughout the development.
- N. All amenity areas shall be accessible through five (5) foot wide sidewalks.

3. To abide by the following restrictions:

- A. As a condition of the Home Owners Association rules and regulations, or the Property Owners Association rules and regulations, the owner(s) of the subject property, the owner(s) of any adjacent residential townhouse unit(s), and the property management association representing the same parties, all fully agree and support a maximum fifty (50) percent buffer reduction for any required buffering on the property side of the future commercial or industrial development that typically would have been imposed by Rockdale County, GA due to the incompatible land uses abutting each other.

- B. On the Final Plat for the residential community, there be a statement that reads as follows (or generally reads): *“It is understood by the residents of this RM zoned Residential Townhouse community that it is located in an area of Rockdale County, GA where other commercial and industrial land uses are also present and were in existence prior to the development of the Residential Townhouse community. The adjacent and nearby commercial and industrial uses do create noises and sounds commonly associated with those types of land uses and the residents of this Residential Townhouse community are fully aware of the existence of the adjacent and nearby commercial and industrial land uses prior to their purchase of the residential townhouse units.”*