

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING PROPERTY LOCATED AT 0 JOHNSON RD SW FROM THE C-2 (GENERAL COMMERCIAL) 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. 2020-06:	Rezoning of 14.59 acres from the C-2 (General Commercial) Zoning District to the RM (Residential Multi-Family) with conditions of zoning and the addition of conditions of zoning on the 3.05-acre portion that remains in the C-2 (General Commercial) Zoning Districts for the purpose of constructing a mixed-use development with townhouses on 14.59 acres and commercial on 3.05 acres.
PROPERTY OWNER:	Sawco Development Co.
LOCATION:	0 Johnson Rd SW, Conyers, GA, 30012 with Tax Parcel No. 0440010044.
LAND LOT(S):	242, 267, and 268
DISTRICT:	16 th
PROPERTY OWNER:	Sawco Development Co.

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, as amended, designates 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 14.59-acre property, more particularly described in the overall legal description attached hereto as Exhibit “A”, depicted as a portion of Tract Two on the survey attached hereto as Exhibit “C”, and depicted as Tract 2A on the Overall Concept Plan attached hereto as Exhibit “D”, from the C-2 (General Commercial) Zoning District to the RM (Residential Multi-Family) Zoning District for the purpose of constructing a townhouse development.

Section II

However, the Official Zoning District Map of Rockdale County, Georgia, established as a part of the Rockdale County Zoning Ordinance, as amended, will continue to reflect the current zoning of C-2 (General Commercial) for the remaining 3.05 acres of said property, more particularly described in the overall legal description attached

hereto as Exhibit "B", depicted as a portion of Tract Two on the survey attached hereto as Exhibit "C", and depicted as Tract 2B on the Overall Concept Plan attached hereto as Exhibit "D".

Section III

The zoning amendment authorized in Section I is approved subject to all conditions, including any conditions of zoning, attached hereto as Exhibit "E", which exhibit is hereby incorporated by this reference and applies to the whole 17.64-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, nor grant any variances from said regulations.

Section IV

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 Sections I and II, along with the conditions authorized in Section III.

Section V

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

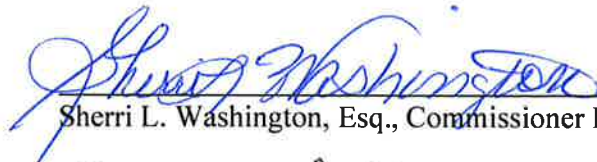
That this Ordinance shall become effective upon adoption.

This _____ day of _____, 2020.

**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

2020-08
Ordinance No. _____
Rezoning Case No. 2020-06

Approved as to Form:

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

First Reading: Ord. 2020-33 on January 28, 2020

Second Reading: 2/28/2020

Exhibit "A"

**Legal Description of the Subject Portion of Tax Parcel No.
0440010044 Being Rezoned to the RM Zoning District**

All that tract or parcel of land lying and being in Land Lots 242, 267 & 268, of the 16th District, Rockdale County, Georgia, and being more particularly described as follows:

Commencing at the intersection south right-of-way of Klondike Road and the we right-of-way of Johnson Road, thence South 08 degrees 08 minutes 16 seconds West for a distance of 1519.91 feet to a point, said point being the TRUE POINT OF BEGINNING:

Thence South 11 degrees 16 minutes 08 seconds East for a distance of 93.17 feet to an IPF ½" RB;

Thence South 75 degrees 27 minutes 34 seconds West for a distance of 305.55 feet to an IPF ½" RB;

Thence South 55 degrees 05 minutes 14 seconds West for a distance of 91.12 feet to an IPF ½" RB;

Thence South 56 degrees 23 minutes 55 seconds West for a distance of 198.70 feet to an IPF ½" RB;

Thence South 29 degrees 49 minutes 34 seconds West for a distance of 182.09 feet to an IPF ½" RB;

Thence South 43 degrees 08 minutes 01 seconds West for a distance of 66.40 feet to an IPF ½" RB;

Thence South 75 degrees 09 minutes 20 seconds West for a distance of 117.32 feet to an IPF ½" RB;

Thence North 61 degrees 33 minutes 21 seconds West for a distance of 133.80 feet to an IPF ½" OTP;

Thence South 69 degrees 40 minutes 38 seconds West for a distance of 133.80 feet to an IPF ½" OTP;

Thence South 36 degrees 23 minutes 23 seconds West for a distance of 87.51 feet to an IPF ½" RB;

Thence South 81 degrees 31 minutes 25 seconds Wet for a distance of 87.51 feet to an IPF ½" RB;

Thence North 00 degrees 59 minutes 39 seconds East for a distance of 794.41 feet to an IPS ½" RB;

Thence North 77 degrees 40 minutes 07 seconds East for a distance of 703.68 feet to appoint;

Thence South 12 degrees 31 minutes 51 seconds East for a distance of 250.76 feet to a point;

Thence North 77 degrees 18 minutes 45 seconds East for a distance of 154.12 feet to a point;

Thence South 12 degrees 41 minutes 45 seconds East for a distance of 154.12 feet to a point;

Thence North 76 degrees 56 minutes 08 seconds East for a distance of 302.45 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said property contains 14.59 acres.

Exhibit "B"

Legal Description of the Portion of Tax Parcel No. 0440010044 Remaining in the C-2 Zoning District

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 268 of the 16th District, Rockdale County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the southerly right-of-way line of Klondike Rd and the westerly right-of-way line of Johnson Rd; thence along the westerly right-of-way line of Johnson Rd a distance of 1285 feet more or less to a point, said point being the TRUE POINT OF BEGINNING,

Thence continue along said right-of-way line the following courses and distances:

South 7 degrees 31 minutes 18 seconds East a distance of 176.68 feet to a point;

Thence South 11 degrees 16 minutes 8 seconds East a distance of 12.22 feet to a point;

Thence leaving said right-of-way line, South 76 degrees 56 minutes 8 seconds West a distance of 302.45 feet to a point;

Thence North 12 degrees 41 minutes 45 seconds West a distance of 154.12 feet to a point;

Thence South 77 degrees 18 minutes 15 seconds West a distance of 133.33 feet to a point;

Thence North 12 degrees 31 minutes 51 seconds West a distance of 250.76 feet to a point;

Thence North 77 degrees 40 minutes 7 seconds East a distance of 387.22 feet to a point;

Thence South 7 degrees 19 minutes 9 seconds West a distance of 51.23 feet to a point;

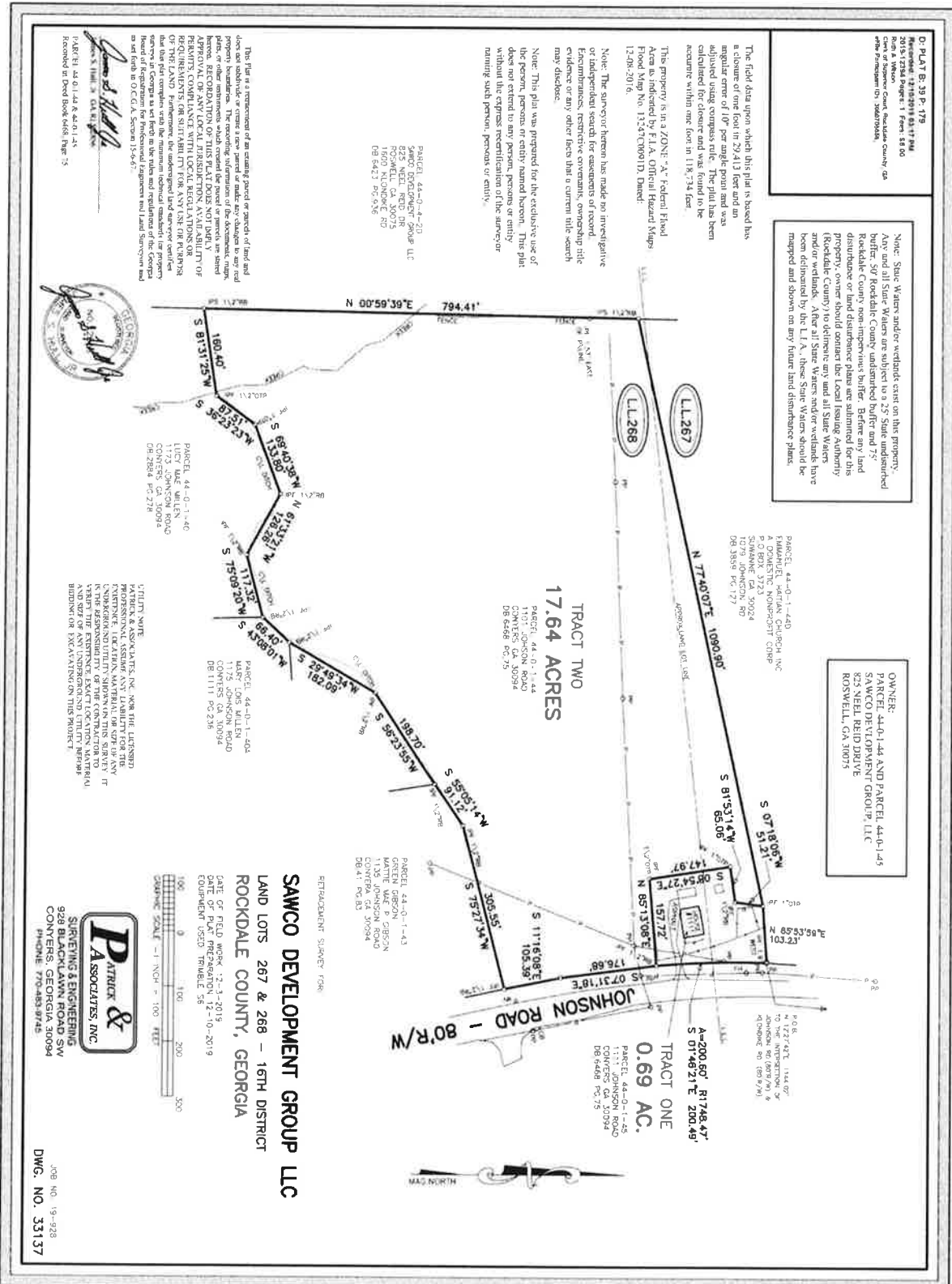
Thence South 81 degrees 54 minutes 7 seconds West a distance of 65.04 feet to a point;

Thence South 8 degrees 54 minutes 27 seconds East a distance of 147.97 feet to a point;

Thence North 85 degrees 13 minutes 8 seconds East a distance of 157.72 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said tract containing 3.05 acres.

Exhibit "C"
Survey



C- PLAT B- 39 P- 178
 Record: 2-12-2019 8:17 PM
 2019 22nd Page: 1 Feet 80 00
 City of Walker County, Rockdale County, GA
 The Platsman: G. 2000000.

Note: State Waters and/or wetlands exist on this property. Any and all State Waters are subject to a 25' State undisturbed buffer; 50' Rockdale County undisturbed buffer and 75' Rockdale County non-impermeable buffer. Before any land disturbance or land disturbance plans are submitted for this property, owner should contact the Local Issuing Authority (LIA) for the State Waters and all State Waters and/or wetlands. If the State Waters and/or wetlands have been delineated by the LIA, these State Waters should be mapped and shown on any future land disturbance plans.

OWNER:
 PARCEL 44-0-1-44 AND PARCEL 44-0-1-45
 SAWCO DEVELOPMENT GROUP, LLC
 825 NEEL REID DRIVE
 ROSWELL, GA 30074

The field data upon which this plat is based has a closure of $1/10000$ or 0.0001 feet. The angular error of 10" per angle point and an adjusted using compass rule. The plat has been calculated for closure and was found to be accurate within one foot in 118,734 feet.

This property is in a ZONE "X" Federal Flood Area as indicated by F.I.A. Official Hazard Maps Flood Map No. 132400901D, Dated: 12-08-2016.

Note: The surveyor herein has made no investigative independent search for encumbrances of record. Encumbrances of record, easements, or other title evidence or any other facts that a current title search may disclose.

Note: This plat was prepared for the exclusive use of the person, persons or entity named herein. This plat does not extend to any person, persons or entity without the express recertification of the surveyor naming said person, persons or entity.

PARCEL 44-0-1-43
 GREEN OBERSON
 1125 JOHNSON ROAD
 CONYERS, GA 30094
 DB 6468 PG. 25

This plat is a recertification of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any and property boundaries. The recording of this plat does not constitute an approval of any local jurisdiction, availability of public utilities, or the suitability of the land for any particular use. The plat is prepared for the exclusive use of the person, persons or entity named herein. This plat does not extend to any person, persons or entity without the express recertification of the surveyor naming said person, persons or entity.

James S. Hill, C.A. S.L.C.
 JAMES S. HILL, C.A. S.L.C.
 1172 JOHNSON ROAD
 CONYERS, GA 30094
 DB 2884 PG. 27B



UTILITY NOTE:
 PATRICK & ASSOCIATES, INC. NOR THE LICENSEE
 PROFESSIONAL ENGINEER ASSUME ANY LIABILITY FOR THE
 CORRECTNESS OF THE UTILITY SHOWN ON THIS SURVEY. IT
 IS THE RESPONSIBILITY OF THE CONSULTOR TO
 OBTAIN ALL NECESSARY UTILITY RECORDS AND TO
 LOCATE AND SET OF ANY UNDERGROUND UTILITIES BEFORE
 BIDDING OR EXCAVATING ON THIS PROJECT.



JOB NO. 19-928
 DWG. NO. 33137

Exhibit "E"
Conditions Attached

A. Townhouses on 14.59 acres as described in Exhibit "A":

1. All exterior facades shall be substantially clad in a variety of high-quality materials that could include brick, stone, board and batten, and cementitious siding that complements the character of the overall mixed-use development and surrounding developments;
2. Townhome units shall have varied facades that could include different architectural accents, design elements, undulation, and color schemes to create visual diversity within the residential development. The overall appearance and architecture of the townhome development shall be compatible with those of surrounding developments, and greater Rockdale County;
3. As noted on the concept plan by Planners and Engineers Collaborative dated June 2020, the townhouse buildings interior to the site shall be rear loaded with alley access and the townhouse buildings around the exterior of the site can be front or rear loaded.
4. The amenity shall include a minimum of a children's playground, a dog park, and a family gathering area to include a covered seating area having architectural features matching the exterior façade materials above;
5. Internal sidewalks shall be installed;
6. Decorative lighting along all public streets, private streets, and internal resident areas shall be installed.;
7. The Covenants, Conditions, and Restrictions shall include a clause to limit the maximum number of homes that can be rented or leased within the development at any one time to be no more than fifteen (15) percent; and
8. Contingent upon approval of the rezoning, there shall be no request made to annex any part of the RM site for 30 years from the date of the approval.

B. Commercial on 3.05 acres as described in Exhibit "B":

1. All exterior facades shall be constructed with brick, stone, or other cementitious material that matches the character of the overall mixed-use development and surrounding developments;
2. Retail and commercial structures on the site shall be configured to promote a built environment conducive for neighborhood/ local commercial and retail uses. Square footage for individual retail and commercial uses on the site may not exceed 6,000 square feet each, unless approved by the Director;
3. Should a hotel be proposed for the site, said hotel shall comply with the exterior façade requirements above;
4. Internal sidewalks shall be installed;
5. Decorative lighting along all public streets, private streets, and internal parking areas shall be installed.; and
6. Contingent upon approval of the rezoning, there shall be no request made to annex any part of the C-2 site (that which is proposed to be rezoned as a result of this application and that portion which is already zoned C-2) for 30 years from the date of the approval.