

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING A 13.02-ACRE PORTION OF PROPERTY LOCATED AT 0 OLD SALEM RD SE WITH TAX PARCEL NO. 0750010007 FROM THE C-2 (GENERAL COMMERCIAL) ZONING DISTRICT TO THE R-M (MULTI-FAMILY) ZONING DISTRICT; TO IMPOSE CONDITIONS UPON THE AMENDMENT; 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. 2021-03:	Rezone a 13.02-acre portion from C-2 (General Commercial) to R-M (Multi-Family) for the purpose of developing a single-family attached (townhomes) neighborhood.		
APPLICANT:	Matt Retter with Corridor Development		
AGENT:	Mitch Peevy with Alliance Engineering and Surveying		
PROPERTY OWNER:	Jack Davis		
LOCATION:	0 Old Salem Rd SE, Conyers, GA, 30094		
TAX PARCEL NO.:	0750010007		
LAND LOT(s):	298 & 322	DISTRICT:	16 th

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, which is part of The Code of Rockdale County, Georgia, as amended;

WHEREAS, the Rockdale County’s Comprehensive Plan Future Land Use Map was amended to designate said property as High Density Residential, which pursuant to Section 202-6 of The Unified Development Code permits the R-M (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 property, more particularly described in the overall legal description attached hereto as Exhibit “A” and depicted as Tract 2 on the Final Plat attached hereto as Exhibit “B”, from R-1 (Single-Family) to R-M (Multi-Family) for the purpose of developing a single-family attached neighborhood.

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" and the Zoning Master Plan attached hereto as Exhibit “D”, which exhibits are hereby incorporated by this reference. 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, Georgia. The change in zoning hereby approved does not authorize the violation of any zoning district regulations, nor grant any variances from said 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.

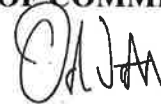
Section IV

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

EFFECTIVE DATE: This Ordinance shall become effective as of the date hereof.

ADOPTED AND APPROVED THIS 27TH **DAY OF** April, 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: January 26, 2021

Second Reading: 4/27/2021

Exhibit "A"

Legal Description

ALL THAT TRACT OR PARCEL OF LAND laying and being in land lots 298 and 322 of the 16th District of Rockdale County, Georgia, being shown as Tract 2 containing 13.023 acres according to a final plat for Southern Empire Egg Farm, Inc., dated 9/22/1998, prepared by Robert McCollum Buhler, Georgia Land Surveyor No. 1403, recorded in Plat Book 28, Page 120, Office of the Clerk of Superior Court of Rockdale County, Georgia, and being more particularly described as follows,

TO FIND THE TRUE POINT OF BEGINNING, BEGIN AT A POINT FORMED BY THE INTERSECTION OF THE LINE COMMON TO LAND LOTS 298 AND 322 OF THE 16TH DISTRICT, WITH THE NORTHERN 80 FOOT R/W OF OLD SELEM ROAD, THENCE PROCEEDING NORTH ALONG THE LAND LOT LINE COMMON TO LAND LOT 298 AND 322, A DISTANCE OF 414.60 FEET TO A 1" CRIMP TOP PIPE FOUND, THE TRUE POINT OF BEGINNING:

THENCE North 55 degrees 02 minutes 00 seconds West for a distance of 181.48 feet to a 12/" ReBar;

THENCE South 52 degrees 40 minutes 27 seconds West for distance of 86.77 feet to a IRON PIN SET ON THE 80' R/W OF OLD SALEM ROAD;

THENCE along a curve to the left having a radius of 1098.32 feet and an arc length of 184.90 feet, being subtended by a chord of North 40 degrees 23 minutes 52 seconds West for a distance of 184.68 feet to a CALCULATED R/W POINT;

THENCE along a curve to the left having a radius of 2084.43 feet and an arc length of 227.69 feet, being subtended by a chord of North 48 degrees 20 minutes 59 seconds West for a distance of 227.58 feet to a CALCULATED R/W POINT;

THENCE North 51 degrees 28 minutes 45 seconds West for a distance of 373.52 feet to a CALCULATED R/W POINT;

THENCE along a curve to the right having a radius of 654.07 feet and an arc length of 48.17 feet, being subtended by a chord of North 49 degrees 22 minutes 10 seconds West for a distance of 48.16 feet to a IRON PIN SET ON THE 80 FT. R/W OF OLD SALEM ROAD;

THENCE, Leaving the Right-of-Way of Old Salem Road, North 57 degrees 00 minutes 08 seconds East for a distance of 238.42 feet to a IRON PIN SET.

THENCE North 62 degrees 56 minutes 08 seconds East for a distance of 54.80 feet to a IRON PIN SET; THENCE North 51 degrees 13 minutes 26 seconds West for a distance of 50.86 feet to a IRON PIN SET;

THENCE along a curve to the right having a radius of 139.38 feet and an arc length of 94.42 feet, being subtended by a chord of North 33 degrees 24 minutes 47 seconds West for a distance of 92.63 feet to a R/W MONUMENT found of the Southern Right-of-Way of Salem Gate Drive, a variable Right-of-Way;

THENCE, the following courses and distances along the Southern variable Right-of-Way of Salem Gate Drive, North 66 degrees 50 minutes 28 seconds East for a distance of 70.95 feet to a P-K nail set in a concrete spillway;

THENCE North 80 degrees 00 minutes 45 seconds East for a distance of 101.31 feet to a BASE of a R/W MONUMENT;

THENCE South 89 degrees 59 minutes 01 seconds East for a distance of 54.23 feet to a R/W MONUMENT;

THENCE North 59 degrees 22 minutes 02 seconds East for a distance of 56.13 feet to a IRON PIN SET;

THENCE North 50 degrees 32 minutes 04 seconds East for a distance of 111.68 feet to a IRON PIN SET;

THENCE North 42 degrees 31 minutes 19 seconds East for a distance of 50.99 feet to a IRON PIN SET;
THENCE North 53 degrees 49 minutes 54 seconds East for a distance of 195.45 feet to a IRON PIN SET;
THENCE North 69 degrees 09 minutes 41 seconds East for a distance of 120.28 feet to a IRON PIN SET ON
THE R/W OF SALEM GATE DRIVE;

THENCE, leaving the Right-of-Way of Salem Gate Drive, South 30 degrees 18 minutes 13 seconds East for a
distance of 176.48 feet to a IRON PIN SET,

THENCE South 70 degrees 38 minutes 12 seconds West for a distance of 77.20 feet to a IRON PIN SET;

THENCE South 00 degrees 11 minutes 38 seconds East, running along the West property line of Tall Oaks
Apartments and then Continuing along the West property line of lots 11 through 6, Block "A" of Oak Forest
Subdivision for a distance of 1034.03 feet to a 1" CRIMP TOP PINE FOUND, THE TRUE POINT OF
BEGINNING;

Together with and subject to covenants, easements, and restrictions of record.

Exhibit "C"
Conditions of Zoning

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

- A. The Zoning Plan prepared by Alliance Engineering + Planning, dated February 15, 2021 attached hereto as Exhibit "D", shall become the guiding layout and design. The actual location of the water quality area, detention, streets, sidewalks, amenity areas, and other depicted improvements shall be subject to actual site conditions and the requirements of the Code of Rockdale County.
- B. The site shall be restricted to townhouse development, not to exceed 105 units, and permitted accessory uses.
- C. All townhomes shall have two-car garages.
- D. All garage doors shall be "carriage style".
- E. 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. The elevations shall be in compliance with those provided by the applicant attached hereto as Exhibit "E".
- F. All exterior lighting fixtures directly attached to the dwelling units shall be "carriage style" and compliment the building architecture.
- G. 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.
- H. 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.
- I. On the Final Plat for the residential community, there shall 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 land uses are also present and were in existence prior to the development of the Residential Townhouse community. The adjacent and nearby commercial 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 land uses prior to their purchase of the residential townhouse units."*

2. To satisfy the following site development considerations:

- A. Five (5) foot wide concrete sidewalks shall be provided along the Old Salem Rd right-of-way.
- B. All internal concrete sidewalks shall be five (5) feet wide and installed on both sides of the proposed streets.
- C. A ten (10) foot landscape strip shall be provided within Old Salem Rd right-of-way, between roadway and sidewalk. A five (5) foot landscape strip shall be provided on all internal public roads between roadway and sidewalk, except where sidewalk is adjacent to parallel parking. All trees planted in this landscape strip or in the front yard(s) shall be counted towards any Rockdale County required tree recompense credits or tree density units as mandated by the required development permit.

- D. All internal streets shall be a minimum of twenty-four (24) feet wide from face of curb to face of curb.
- E. Private alleys shall be 18 feet wide.
- F. Driveways for front and rear loaded townhomes shall maintain a minimum of 18 feet between the garage and the back of the sidewalk and shall be 16 feet wide.
- G. All grassed areas shall be sodded.
- H. All utilities shall be placed underground.
- I. Natural vegetation shall remain on the property until the issuance of a development permit.
- J. The amenity areas shall include a minimum of green space and dog park. The amenity areas shall be in general compliance with the Zoning Plan prepared by Alliance Engineering + Planning, dated February 15, 2021 attached hereto as Exhibit "D".
- K. All amenity areas shall be accessible through five (5) foot wide concrete sidewalks.
- L. Streetlights shall be provided throughout the residential development along the internal 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.

Exhibit "E"
Elevations

