

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING PROPERTY LOCATED AT 1774 AND 1806 FLAT SHOALS RD SE FROM THE R-1 (SINGLE-FAMILY RESIDENTIAL) 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. 2021-07	Rezone 43.95 acres from R-1 (Single-Family Residential) to RM (Multi-Family Residential) for the purpose of developing a single-family attached (townhomes) neighborhood.		
APPLICANT:	InLine Communities, LLC		
PROPERTY OWNER:	Susan Gilbert and Wesley Stephen Williams		
LOCATION:	1774 and 1806 Flat Shoals Rd SE, Conyers, GA, 30013 with Tax Parcel No. 0760010001 and 0760010002.		
LAND LOT(S):	235	DISTRICT:	10th

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 a 43.95-acre property, more particularly described in the legal description attached hereto as Exhibit “A” and depicted as Tracts 1 and 2 on the Zoning Plat attached hereto as Exhibit “B”, from the C-2 (General Commercial) Zoning District to the RM (Residential Multi-Family) Zoning District.

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 43.95-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.

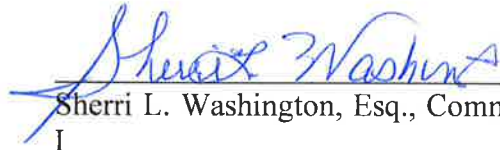
That this Ordinance shall become effective upon adoption.

This 10th day of August, 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: April 21, 2021

Second Reading: August 10, 2021

Exhibit "A"

Legal Description

ALL THAT TRACT or parcel of land lying and being in land lot 235 of the 10th district Rockdale County, Georgia and being more particularly described as follows:

Commencing at the land lot corner between land lots 235, 236, 245 & 246, thence North 89 degrees 22 minutes 24 seconds East of a distance of 68.17 feet to an IPF 1/2"rb at the TRUE POINT OF BEGINNING.

THENCE North 89 degrees 22 minutes 24 seconds East for a distance of 754.59 feet to an IPF 1/2"rb;

THENCE North 89 degrees 21 minutes 47 seconds East for a distance of 91.25 feet to an IPF 1/2"rb;

THENCE North 88 degrees 01 minutes 14 seconds East for a distance of 346.52 feet to a RR AXLE:

THENCE South 00 degrees 01 minutes 11 seconds East for a distance of 109.84 feet to an IPF 1/2"rb;

THENCE South 00 degrees 28 minutes 31 seconds West for a distance of 298.21 feet to an IPF 1/2"rb;

THENCE South 00 degrees 02 minutes 07 seconds East for a distance of 420.42 feet to an IPF 1/2"rb;

THENCE South 00 degrees 02 minutes 57 seconds West for a distance of 204.32 feet to an IPF 1/2"rb;

THENCE South 00 degrees 02 minutes 36 seconds East for a distance of 239.56 feet to an IPF 1/2"rb;

THENCE South 00 degrees 14 minutes 11 seconds East for a distance of 119.60 feet to an IPF 1/2"rb;

THENCE South 00 degrees 21 minutes 04 seconds West for a distance of 119.09 feet to an IPF 1/2"rb;

THENCE South 00 degrees 31 minutes 51 seconds West for a distance of 120.68 feet to an IPF 1/2"rb;

THENCE South 00 degrees 17 minutes 27 seconds West for a distance of 119.18 feet to an IPF 1/2"rb;

THENCE North 79 degrees 12 minutes 28 seconds West for a distance of 509.75 feet to a point;

THENCE along a curve to the right having a radius of 2629.40 feet and an arc length of 466.01 feet, being subtended by a chord of North 75 degrees 10 minutes 16 seconds West for a distance of 465.40 feet to a point;

THENCE North 70 degrees 25 minutes 08 seconds West for a distance of 360.52 feet to an IPF 1"rb;

THENCE North 05 degrees 04 minutes 56 seconds East for a distance of 631.76 feet to an IPS 1/2"rb;

THENCE North 05 degrees 42 minutes 44 seconds East for a distance of 177.46 feet to an IPS 1/2"rb;

THENCE South 66 degrees 05 minutes 27 seconds East for a distance of 178.05 feet to an IPS 1/2"rb;

THENCE North 23 degrees 15 minutes 33 seconds East for a distance of 361.52 feet to an IPS 1/2"rb;

THENCE South 87 degrees 42 minutes 03 seconds West for a distance of 311.18 feet to an IPS 1/2"rb;

THENCE North 05 degrees 42 minutes 44 seconds East for a distance of 342.60 feet to an IPF 1"otp at the TRUE POINT OF BEGINNING.

Said property contains 43.95 acres.

The property is further identified as 1774 & 1806 Flat Shoals Rd SE, Conyers, GA, 30013 with Tax Parcel ID #'s 0760010002 & 0760010001.

Exhibit "C"
Conditions of Zoning

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

- A. The Rezoning Site Plan prepared by Planners and Engineers Collaborative, dated March 22, 2021, shall become the guiding layout and design as noted in Exhibit "D". 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 not to exceed 145 townhome units and permitted accessory uses.
- C. All townhomes shall have two-car garages.
- D. 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".
- E. 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 five (5) percent.
- F. 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.
- G. On the Final Plat, Covenants, Conditions, and Restrictions 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 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."*

2. To satisfy the following site development considerations:

- A. Five (5) foot wide concrete sidewalks shall be provided along the Flat Shoals 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 minimum landscape strip shall be provided within Flat Shoals Rd right-of-way, between roadway and sidewalk. A five (5) foot minimum landscape strip shall be provided on all internal public roads between roadway and sidewalk. 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 and shall maintained by the homeowner's association.
- 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 have a width minimum that is equivalent to the width of the garage.
- 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. All amenity areas shall be accessible through five (5) foot wide concrete sidewalks.
- K. The amenity areas shall include a minimum of green space, mulched walking trails, swimming pool with cabana, and a dog park. The cabana shall be constructed using exterior building materials that complement the adjacent residential townhouse units.
- L. Provide a 50' transitional buffer between the project and the adjacent Teri Lane properties – within the transitional buffer and outside the floodplain, the developer shall install a double row evergreen trees and 6' privacy fence, which shall be maintained by the HOA. The attached “Exhibit F” shall become the guiding layout and design.
- M. 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.
- N. The applicant provided a Traffic Impact Study prepared by A&R Engineering Inc. dated June 9, 2021 for the development of 43.95 acres with 145-townhome units attached hereto as Exhibit “G”. Any recommendations for improvements shall be required to be shown on the Land Disturbance Permit (LDP). Additionally, as determined by Rockdale County Department of Transportation, a new study may be required for the development. Any recommendations for improvements from any new studies shall be required to be shown on the LDP.
- O. Per the Traffic Study, provide a left-turn lane at the full access driveway along Flat Shoals Road.
- P. Reserve ROW for future Flat Shoals Road widening/expansion.
- Q. Donation of “Woodlands/Open Space” portion if requested by Rockdale County Board of Commissioners prior to Final Plat.

Exhibit "D"
Rezoning Master Plan

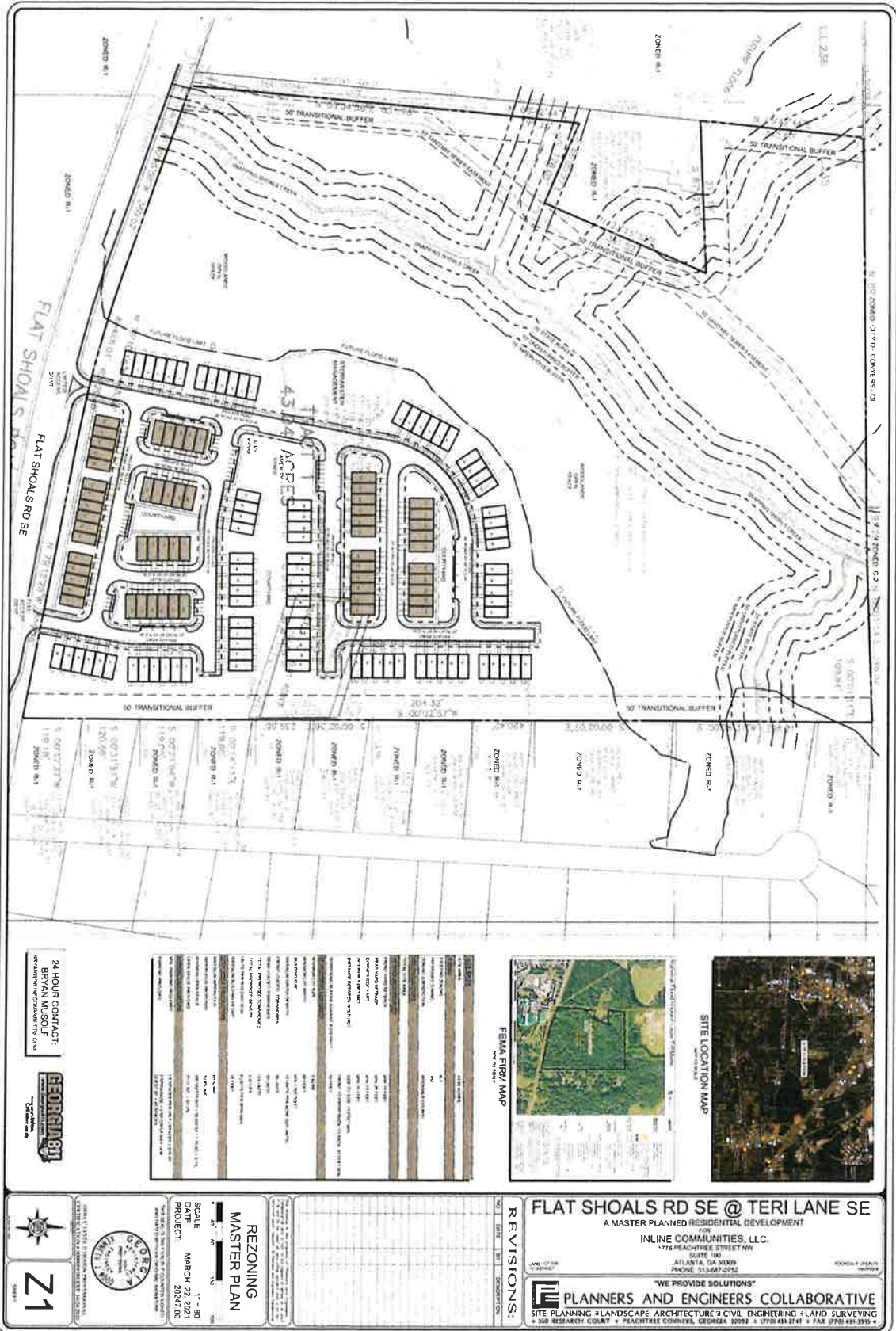


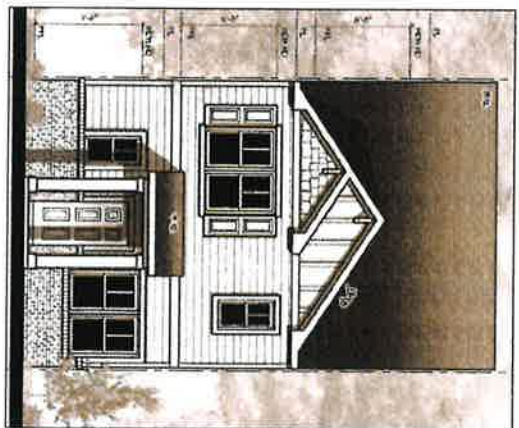
Exhibit "E"
Elevations

Elevations – Front-Entry



IN LINE
COMMUNITIES

Elevations – Rear-Entry



IN LINE
COMMUNITIES

Exhibit "F"

50' Transitional Buffer between the Project and the Adjacent Teri Lane Properties

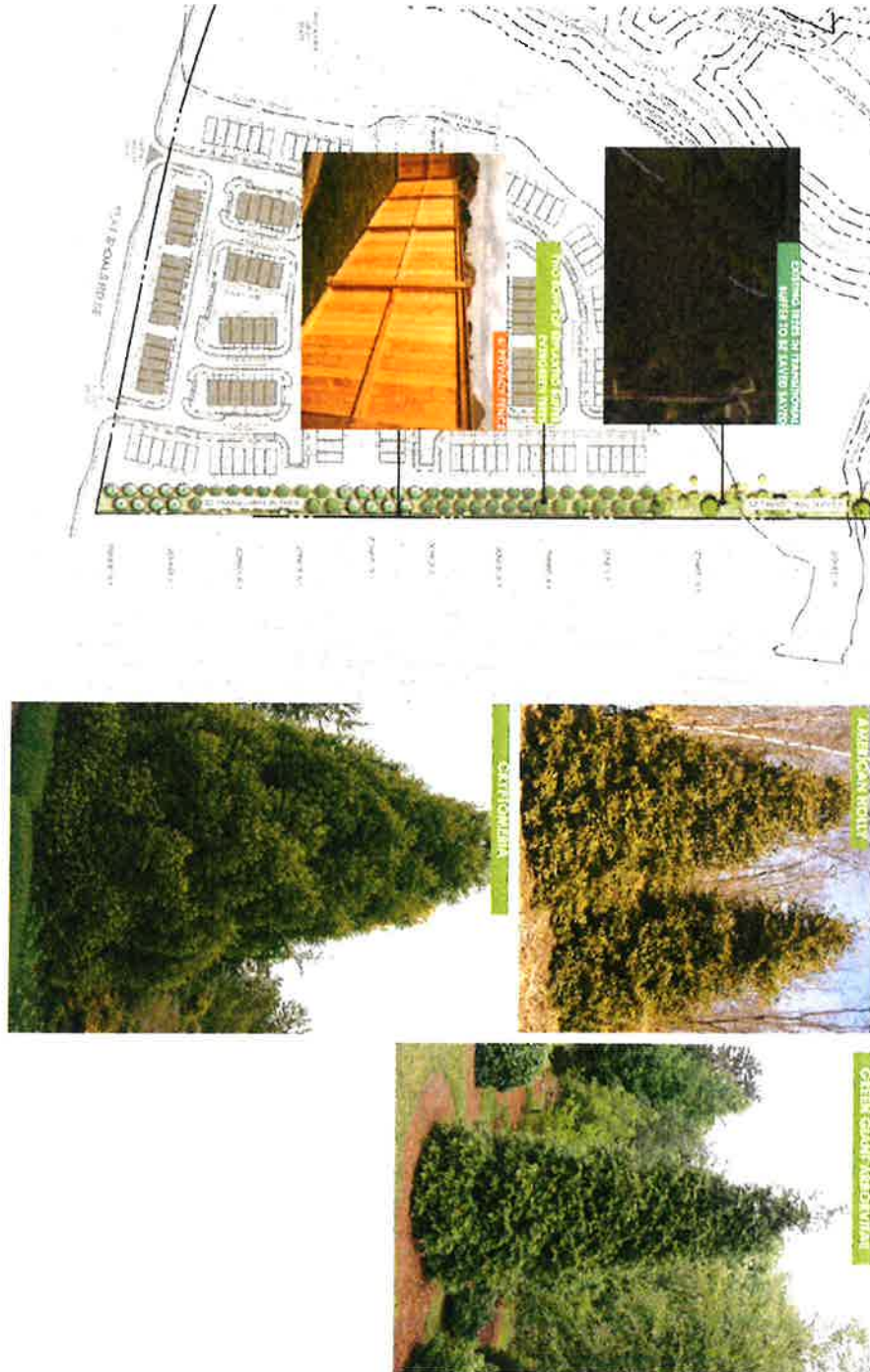


Exhibit "G"
Traffic Impact Study

The Cover Sheet of the 128-page Traffic Impact Study is placed in this Ordinance as a reminder that the full Traffic Impact Study is part of this Ordinance. The full Traffic Impact Study is available with the Planning & Development Department.

TRAFFIC IMPACT STUDY
FOR
RESIDENTIAL DEVELOPMENT ON FLAT SHOALS ROAD,
ROCKDALE COUNTY, GEORGIA



Prepared for:

InLine Communities
1776 Peachtree Street
Suite 260 S
Atlanta, GA 30309

Prepared By:



A&R Engineering Inc.

2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.areng.com

June 9, 2021
A & R Project # 21-081

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



Type of Request: REZ Case #2021-07		County Clerk Use Only Ordinance #: #0-2021-27	
<input checked="" type="checkbox"/> Submission Information Contact Name: Kalanos V. Johnson Department: Planning & Development		<input checked="" type="checkbox"/> Information Summary of Request: Second Reading: 1774 and 1806 Flat Shoals Rd SE. A request by InLine Communities, LLC. to rezone the property from R-1 (Residential) to RM (Multifamily Residential) for the purpose of developing a single-family attached (townhomes) neighborhood.	
<input checked="" type="checkbox"/> Department Director/Elected Official Signature I have reviewed the attached, and it is approved as to substance. Signature: <i>Klanos V. Johnson</i> Date: 7-23-21		<input type="checkbox"/> Chief of Staff Signature I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____	
<input type="checkbox"/> County Attorney Signature I have reviewed the attached, and it is approved as to form. Signature: _____ Date: _____		<input type="checkbox"/> Director of Legislative Affairs/County Clerk Signature I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____	

Notes and Comments:

April 20: First Reading Work Session;
 April 27: First Reading Voting Session;
 July 8: Planning Commission;
 July 22: Board of Commissioners' Zoning Public Hearing;
 August 3: Second Reading Work Session;
 August 10: Second Reading Voting Session.