

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING 2051 HIGHWAY 138 FROM R1 AND M1 TO RM; 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. 2022-07	Rezone from R1 (Single Family Residential) and M1 (Limited Industrial) to RM (Residential Multifamily) for a residential development with 215 single family attached townhomes.		
APPLICANT:	PEC+		
PROPERTY OWNER:	The Peggy C. Lucas Family		
LOCATION:	2051 Highway 138 NE Conyers, Ga 30013		
LAND LOT(S):	324	DISTRICT:	16
TAX PARCEL NO.:	090001003B and 0900010003	TOTAL ACREAGE:	25.26

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 Ordinance 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 permits the RM (Residential Multifamily) 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 25.26-acre property, more particularly described in the Legal Description attached hereto as Exhibit “A” depicted as the two parcels on the Retracement Survey attached hereto as Exhibit “B” and as seen in the site plan attached hereto as Exhibit “C”.

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 is hereby incorporated by this reference and applies to the 25.26-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.

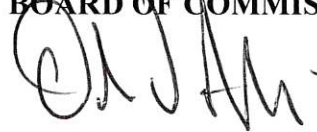
Section IV

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

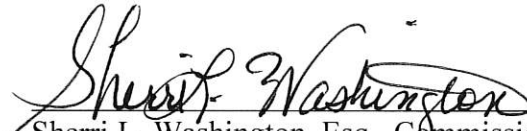
That this Ordinance shall become effective upon adoption.

This 8 day of November, 2022.

**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: 11/14/2022

Second Reading: 11/18/2022

Exhibit "A"

Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in the City of Conyers, Rockdale, Georgia and being more particularly described as follows:

Beginning at the intersection of the southeasterly right-of-way line of Georgia Highway 138 (Variable R/W) with the parcel line common to Tax Parcel Numbers 90-1-16 and Tax Parcel Number 90-1-3B; thence along said common property line South 66 degrees 4 minutes 49 seconds East a distance of 695.21 feet to a point; thence South 4 degrees 41 minutes 45 seconds West a distance of 21.41 feet to a point; thence South 0 degrees 54 minutes 45 seconds West a distance of 124.75 feet to a point; thence South 0 degrees 43 minutes 18 seconds West a distance of 109.85 feet to a point; thence South 01 degree 23 minutes 6 seconds East a distance of 109.88 feet to a point; thence South 2 degrees 01 minute 22 seconds East a distance of 109.64 feet to a point; thence South 0 degrees 16 minutes 2 seconds East a distance of 144.11 feet to a point; thence South 2 degrees 6 minutes 26 seconds East a distance of 123.52 feet to a point; thence South 01 degree 34 minutes 48 seconds West a distance of 165.69 feet to a point; thence South 75 degrees 59 minutes 0 seconds West a distance of 446.19 feet to a point; thence South 76 degrees 30 minutes 9 seconds West a distance of 190.17 feet to a point; thence South 76 degrees 31 minutes 29 seconds West a distance of 232.14 feet to a point; thence North 5 degrees 33 minutes 15 seconds West a distance of 425.59 feet to a point; thence North 5 degrees 36 minutes 25 seconds West a distance of 170.20 feet to a point; thence North 51 degrees 56 minutes 47 seconds West a distance of 319.21 feet to a point on said right-of-way line of Ga. Hwy 138; thence along said right-of-way line the following courses and distances: thence North 37 degrees 2 minutes 23 seconds East a distance of 191.36 feet to a point; thence South 51 degrees 41 minutes 13 seconds East a distance of 56.84 feet to a point; thence North 36 degrees 32 minutes 40 seconds East a distance of 30.34 feet to a point; thence North 53 degrees 39 minutes 30 seconds West a distance of 55.85 feet to a point; thence North 36 degrees 50 minutes 51 seconds East a distance of 553.45 feet to a point; thence South 55 degrees 19 minutes 3 seconds East a distance of 45.92 feet to a point; thence North 39 degrees 10 minutes 24 seconds East a distance of 19.93 feet to a point and the POINT OF BEGINNING.

Said tract containing 25.26 acres.

Exhibit "B"
 Retracement Survey

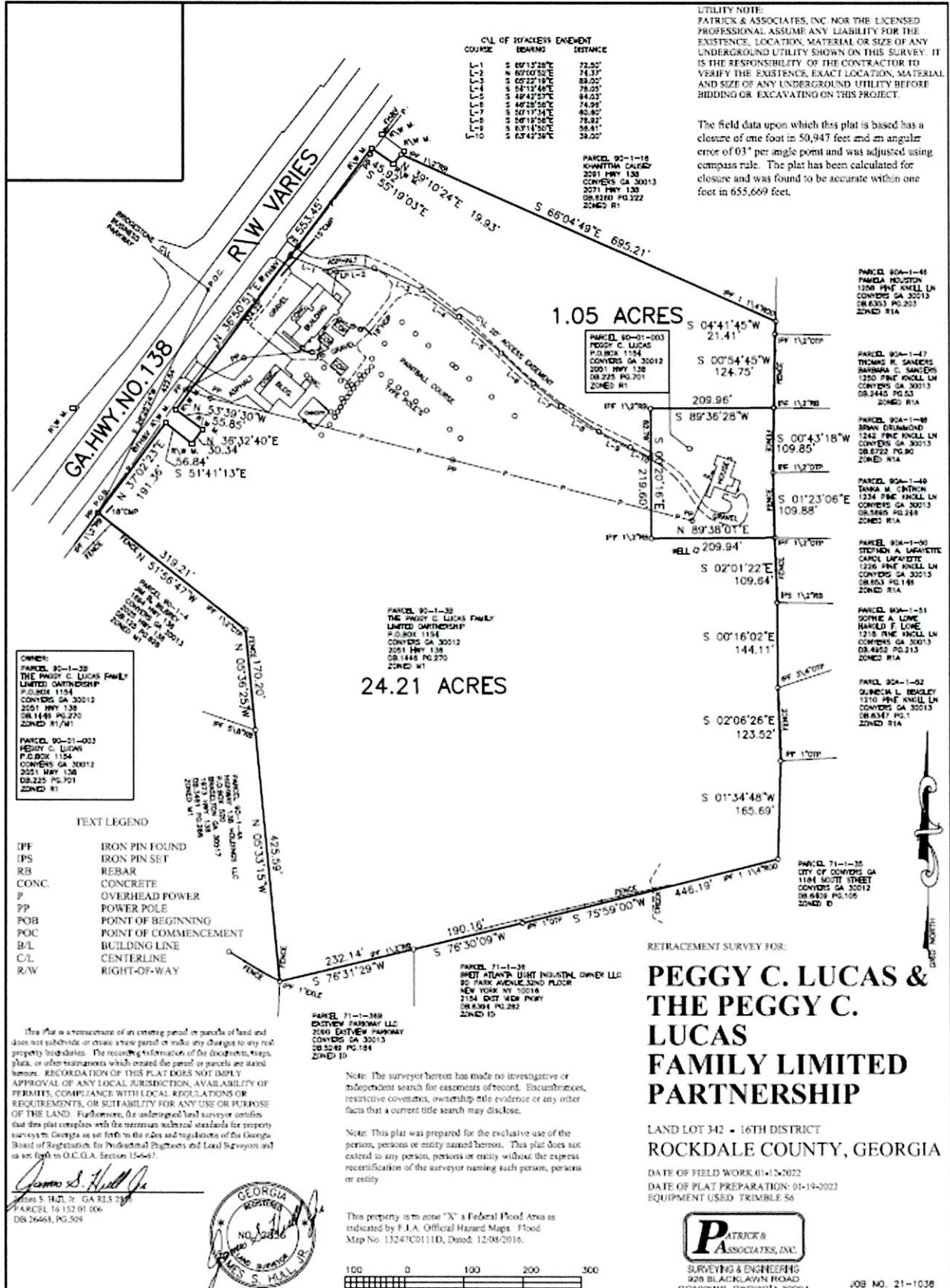
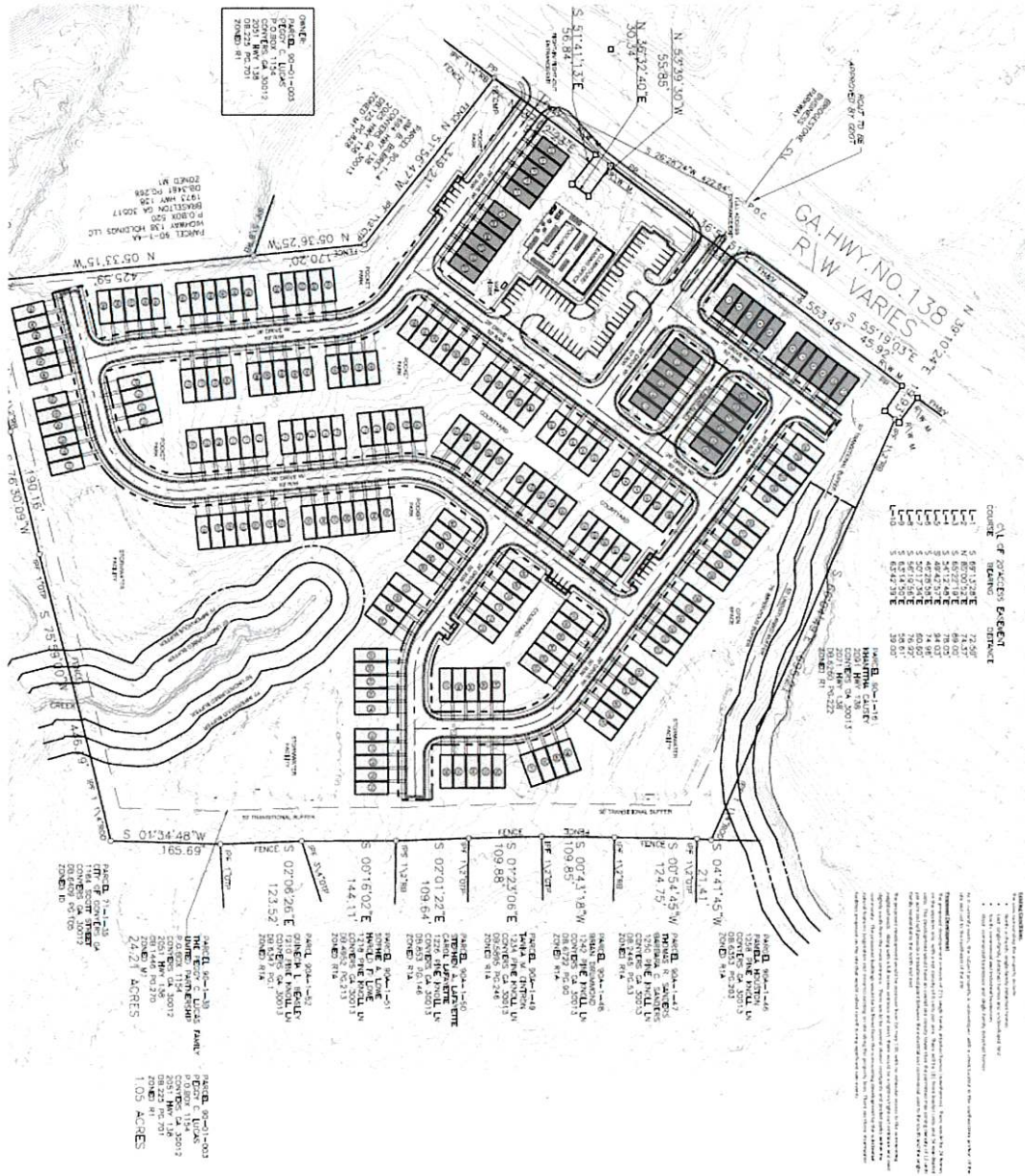


Exhibit "C" Zoning Site Plan



GENERAL NOTES:	1. ALL DIMENSIONS ARE IN FEET AND INCHES.
PROPERTY INFORMATION:	1. TOTAL ACRES: 1.05
ADJACENT PROPERTIES:	1. TO THE NORTH: [Property Name]
UTILITIES:	1. WATER: [Location]
ENVIRONMENTAL:	1. FLOOD ZONE: [Zone]
OTHER:	1. [Additional notes]

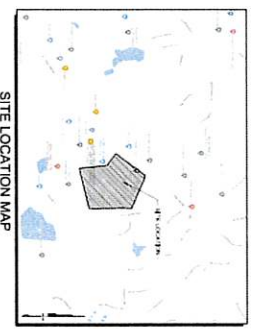


Exhibit "D"
Conditions of Zoning

To restrict the use of the property as follows:

- A. The Rezoning Site Plan prepared by PEC+, dated April 11, 2022, 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 developed in compliance with the Residential Multifamily (RM) Zoning District, if adopted.
- C. The applicant shall provide a Traffic Impact Study with the Preliminary Plat. 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.
- D. The site shall be restricted not to exceed 215 dwelling units.
- E. A minimum of 70 guest parking spaces shall be provided throughout the development. Provide EV (electric vehicles) charging stations on site. A minimum of three (3) parking spaces.
- F. 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. 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. The side elevations and the rear elevation shall have a masonry water table that matches the predominant masonry building material used on the front elevation. The balance of the side elevations and rear elevation shall be Painted Cement Siding.
- G. The development shall include a green space, a community garden, 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. The amenity areas may be in a single area or in multiple areas.
- H. All amenity areas shall be accessible through five (5) foot wide sidewalks.
- I. All units shall have a two-car garage.

- J. At all times, the property must be professionally maintained under a uniform maintenance program, whether directly by the owner and property manager or a third-party maintenance firm, which provides for building and grounds maintenance, repair, insurance, and working capital. Said company must control the following:
- a. Exterior home maintenance to include roofing and painting.
 - b. All grounds and common area maintenance, including detention facilities.
 - c. Fence/wall maintenance to include the requirement that any graffiti shall be repaired and repainted within 72 hours.
 - d. In the event of residential tenant eviction, any belongings of the tenant will be placed on a portion of the subject property that is not visible from the street right-of-way of Laurel Crossing Parkway unless otherwise required by law.
 - e. If the development shall be a gated community, then automated card access gates at all entrances/exits. The access gate system is required to be properly maintained and functional at all times, with any required repairs to be made within one week.