

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



Type of Request: Rezone (REZ) 2024-15 - 2 ND Reading of Ordinance	County Clerk Use Only Ordinance #:
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<input checked="" type="checkbox"/> Submission Information	<input checked="" type="checkbox"/> Information
Contact Name: Denise Tugman/Christopher Wheeler Department: Planning & Development	Summary of Request: A request was made by Chandler Cotter/John Andrew Nix to Rezone 53.25 acres of the 69.86-acre property at 2420 Sigman Road SW From C-2 (General Commercial) to MRU (Mixed Residential Uses) for town homes and single family residential.

<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.	I have reviewed the attached, and it is approved for processing.
Signature: <i>Denise Tugman</i> Date: 9/25/2024	Signature: _____ Date: _____
<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.	I have reviewed the attached, and it is approved for processing.
Signature: _____ Date: _____	Signature: _____ Date: _____

Notes and Comments:
 August 27, 2024: First Read Work Session
 August 27, 2024: First Read Voting Session
 September 12, 2024: Planning Commission
 September 26, 2024: BOC Zoning Public Hearing
 October 1, 2024: Second Read Work Session
 October 8, 2024: Second Read Voting Session

2024-508

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, BY REZONING 2420 SIGMAN ROAD FROM C-2 (GENERAL COMMERCIAL) TO MRU (MIXED RESIDENTIAL USES); 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. 2024-15	Rezone 53.25 acres of the 69.86-acre property at 2420 Sigman Road SW From C-2 (General Commercial) to MRU (Mixed Residential Uses) for town homes and single family residential.		
APPLICANT:	Chandler Cotter/John Andrew Nix		
PROPERTY OWNER:	Chalk Creek Holdings LLC, FSHCMP LLC, Coral Bay LLC		
LOCATION:	2420 Sigman Road SW, Conyers, GA 30094		
LAND LOT(S):	212	DISTRICT:	16th
TAX PARCEL NO.:	010010009B		

WHEREAS, said rezoning proposal was reviewed by staff and public hearings 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 designates said property as Medium Density Residential.

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 amended to rezone 53.25 acres of the 69.86-acre property, more particularly described in the legal description attached hereto as Exhibit "A" and depicted on Exhibit "B" attached hereto, from A-R (Agricultural-Residential) to MRU (Mixed Residential Uses).

Section II

The zoning amendment authorized in Section I is approved subject to all conditions, including any conditions of zoning, and applies to 53.25 acres of the 69.86-acre property attached hereto as Exhibit "C". 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 _____ day of _____, 2024.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

Osborn Nesbitt, Sr., Chairman

Sherri L. Washington, 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: _____

Second Reading: _____

EXHIBIT "A"
LEGAL DESCRIPTION

BOOK 3674 PAGE 208

Exhibit A

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 204 and 213 of the 16th District, Rockdale County, Georgia, situated at the southwest corner of the intersection of Sigman Road and Iris Drive west of U.S. Interstate 20 being designated as Tax Parcel 010-0-10-009B (in configuration as shown on the tax map extract attached hereto) upon the taxes records of Rockdale County, GA., and more particularly described in Exhibit B attached hereto and by all those certain tracts or parcels of land lying in said Land Lots and District as set out and described in:

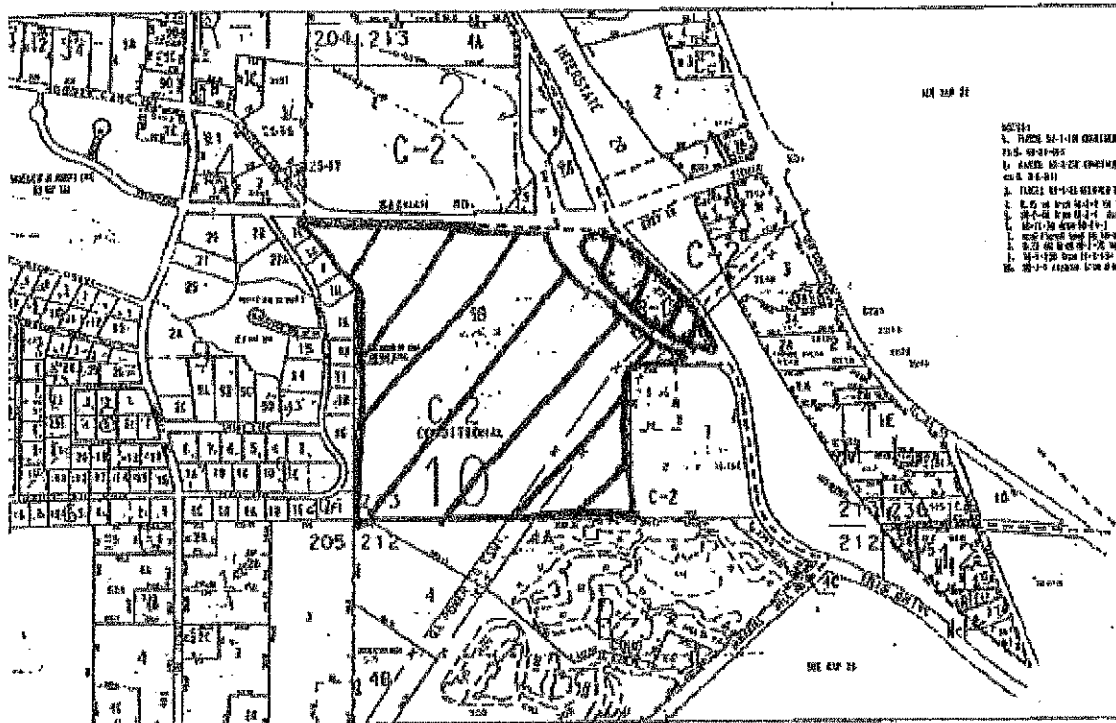
- i. Warranty Deed from Carl Grande and Mrs. Annie Lee Sigman to W. T. Sigman, dated July 16, 1952, recorded in November 12, 1953, recorded in Deed Book 31, page 232, Rockdale County, Georgia Records; and,
- ii. Quitclaim Deed from W. T. Sigman to William G. Gainer, as said grantee's 4% undivided interest, dated October 4, 1994, filed for record October 5, 1994 in Deed Book 1050, page 198 Warranty Deed from Carl Grande to Mrs. Annie Lee Grande Sigman, dated May 28, 1946, recorded November 21, 1947, recorded in Deed Book 27, Page 204, aforesaid Records; and,
- iii. Quitclaim Deed from W. T. Sigman to Sidney L. Nation, as to said grantee's 6% undivided interest, dated October 4, 1994 recorded October 5, 1994 in Deed Book 1050, Page 201, aforesaid Records

LESS and EXCEPT: (a) all conveyances and transfers made by the grantees above named or their successors in title subsequent to the dates of the conveyances above noted; and (b) public right-of-ways whether deeded or condemned by public authorities; and SUBJECT TO all encumbrances, encroachments, matters of survey, easements, right-of-ways and restrictions of record.

**EXHIBIT "B"
SURVEY PLAT**

BOOK **3674** PAGE **209**

TRACTS 2 AND 3:



x Maps\MAP10.DGN 08/03/2006 10:59:05 AM

EXHIBIT B-1

LEGAL DESCRIPTION-TRACT 2

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 204 and 213, of the 16th District, Rockdale County, Georgia and being more particularly described as follows:

BEGINNING at an IPF 1" CTP, being the common corner of Land Lots 204, 205, 212 and 213 in the 16th District and run thence North 01 degrees 43 minutes 08 seconds West a distance of 210.36 feet to an IPF 1" CTP; Thence North 02 degrees 27 minutes 45 seconds East a distance of 468.30 feet to an IPF ½" RB; Thence North 00 degrees 53 minutes 42 seconds West a distance of 153.03 feet to an IPF ½" RB; Thence North 01 degrees 12 minutes 04 seconds East a distance of 149.78 feet to an IPF ½" RB; Thence North 01 degrees 27 minutes 39 seconds East a distance of 149.85 feet to an IPF ½" RB; Thence North 00 degrees 18 minutes 15 seconds East a distance of 254.62 feet to a point, said point being the centerline of creek; Thence along a Tie Line North 87 degrees 11 minutes 44 seconds East a distance of 1234.94 feet to a point on the southwest Right of Way of Iris Drive and the centerline of said creek; Thence continue along said Right of Way along a curve to the left, an arc distance of 2.03 (said arc being subtended by a chord having a bearing of South 34 degrees 58 minutes 14 seconds East and a chord distance of 2.03 feet and the arc having a radius of 731.83 feet) to a point; Thence North 55 degrees 35 minutes 21 seconds East a distance of 51.50 feet to a R/W M.(Right of Way Monument) on the southwest Right of Way of Iris Drive; Thence along a curve to the left, an arc distance of 85.29 feet (said arc being subtended by a chord having a bearing of South 39 degrees 34 minutes 59 seconds East and a chord distance of 85.25 feet and the arc having a radius of 763.59 feet) to a point; Thence North 46 degrees 46 minutes 59 seconds East a distance of 7.00 feet to a point; Thence along a curve to the left, an arc distance of 152.16 feet (said arc being subtended by a chord having a bearing of South 50 degrees 04 minutes 33 seconds East and a chord distance of 151.83 feet and the arc having a radius of 663.69 feet) to a point; Thence North 31 degrees 33 minutes 29 seconds East a distance of 5.67 feet to a point; Thence South 62 degrees 26 minutes 26 seconds East a distance of 82.24 feet to a point; Thence South 32 degrees 31 minutes 35 seconds West a distance of 13.00 feet to a point; Thence South 57 degrees 28 minutes 24 seconds East a distance of 270.00 feet to a point; Thence South 52 degrees 02 minutes 03 seconds East a distance 150.53 feet to a point; Thence South 61 degrees 14 minutes 23 seconds East a distance 83.41 feet to a point; Thence along a curve to the right, an arc distance of 519.39 (said arc being subtended by a chord having a bearing of South 54 degrees 57 minutes 34 seconds East and a chord distance of 73.98 feet and the arc having a radius of 519.39 feet) to an IPS ½" RB on the southwest Right of Way of Iris Drive; Thence leaving said Right of Way South 43 degrees 15 minutes 37 seconds West a distance of 145.61 feet to an IPF ½" RB; Thence South 83 degrees 37 minutes 27 seconds West a distance of 311.84 feet to an IPF 1" CTP; Thence South 01 degrees 33 minutes 16 seconds East a distance of 350.02 feet to an IPS ½" RB; Thence South 01 degrees 47 minutes 41 seconds East a distance of 79.01 feet to an IPF 1" CTP; Thence South 01 degrees 33 minutes 20 seconds East a distance of 405.98 feet to an IPS ½" RB, said point being located on the common Land Lot line of Land Lots 212 and 213; Thence along the common Land Lot line of Land Lots 212 and 213, North 89 degrees 10 minutes 41 seconds West a distance of 1633.90 feet to the True Point of Beginning.

Said Tract contains 53.251 Acres

EXHIBIT "C"
CONDITIONS OF ZONING

1. The site shall be developed in compliance with the Mixed Residential Uses (MRU) Zoning District if adopted.
2. The applicant shall provide the 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 the 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.
3. The site shall be restricted not to exceed 304 residential units.
4. A mandatory Homeowners' Association shall be established and shall be responsible for the maintenance of all common areas and facilities.
5. The Homeowners' Association covenants shall include a rental restriction of five percent (5%) of all single-family residential dwelling units.
6. All single-family detached units and townhome units shall have a two-car garage.
7. Provide a five-foot-wide concrete sidewalk along both sides of the proposed internal streets. Provide a two-foot-wide grass strip on all internal public roads between the back of the curb and the sidewalk. Provide a five-foot-wide landscape strip. 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.
8. Provide a ten-foot-wide, paved multi-use path along the Iris Drive right-of-way in accordance with the submitted site plan. A ten-foot-wide landscape strip shall be provided along Iris Drive between the roadway and the multi-use path.
9. All grassed areas shall be sodded.
10. All utilities shall be placed underground.
11. Natural vegetation shall remain on the property until the issuance of a development permit.
12. 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.
13. Streetlights shall be provided throughout the residential development along the internal streets where residential units directly abut. When internal to the block, 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.
14. Stormwater detention ponds shall be screened from view from adjoining residential properties. Screening plans shall be subject to review and approval of the Director of Planning and Development.
15. Any structures in the amenity areas shall be constructed using exterior building materials that complement the adjacent residential structures. The amenity areas may be in a single area or in multiple areas.