

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING 0 GLENN RD NE FROM R1 (SINGLE-FAMILY RESIDENTIAL) TO RM (RESIDENTIAL MULTIFAMILY); 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. 2022-12	Rezone 0 Glenn Rd NE from R-1 (Single Family Residential) to RM (Residential Multifamily) to allow a single-family attached development with no more than 148 units.		
APPLICANT:	Moore Bass Consulting, Inc		
PROPERTY OWNER:	Clinch River Holdings, Inc.		
LOCATION:	0 Glenn Rd NE		
LAND LOT(S):	247	DISTRICT:	10
TAX PARCEL NO.:	0740010021	TOTAL ACREAGE:	37.2

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 designate said property as Medium Density Residential, which pursuant to Section 202-6 permits the RM 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 37.2-acre property, more particularly described in the Legal Description attached hereto as Exhibit "A," depicted in the Boundary Exhibit attached hereto as Exhibit "B," and the Site Plan attached hereto as "Exhibit C" from R-1 (Single Family Residential) to RM (Residential Multifamily).

Section II

The zoning amendment authorized in Section I is approved subject to all conditions, including any conditions of zoning, attached hereto as Exhibit "D", which exhibit is hereby incorporated by this reference and applies to the 37.2-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 13 day of December, 2022.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



Oz Nesbitt, Sr., Chairman

OPPOSED

Sherri L. Washington, Esq., Commissioner Post I

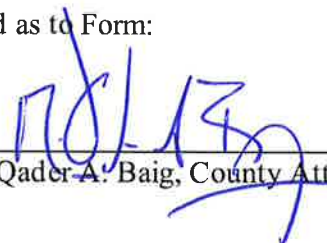


Dr. Doreen Williams, Commissioner Post II

Attest:

By: 
Jennifer Rutledge, County Clerk

Approved as to Form:

By: 
M. Qader A. Baig, County Attorney

First Reading: 08/23/2022

Second Reading: 12/13/2022

EXHIBIT "A"

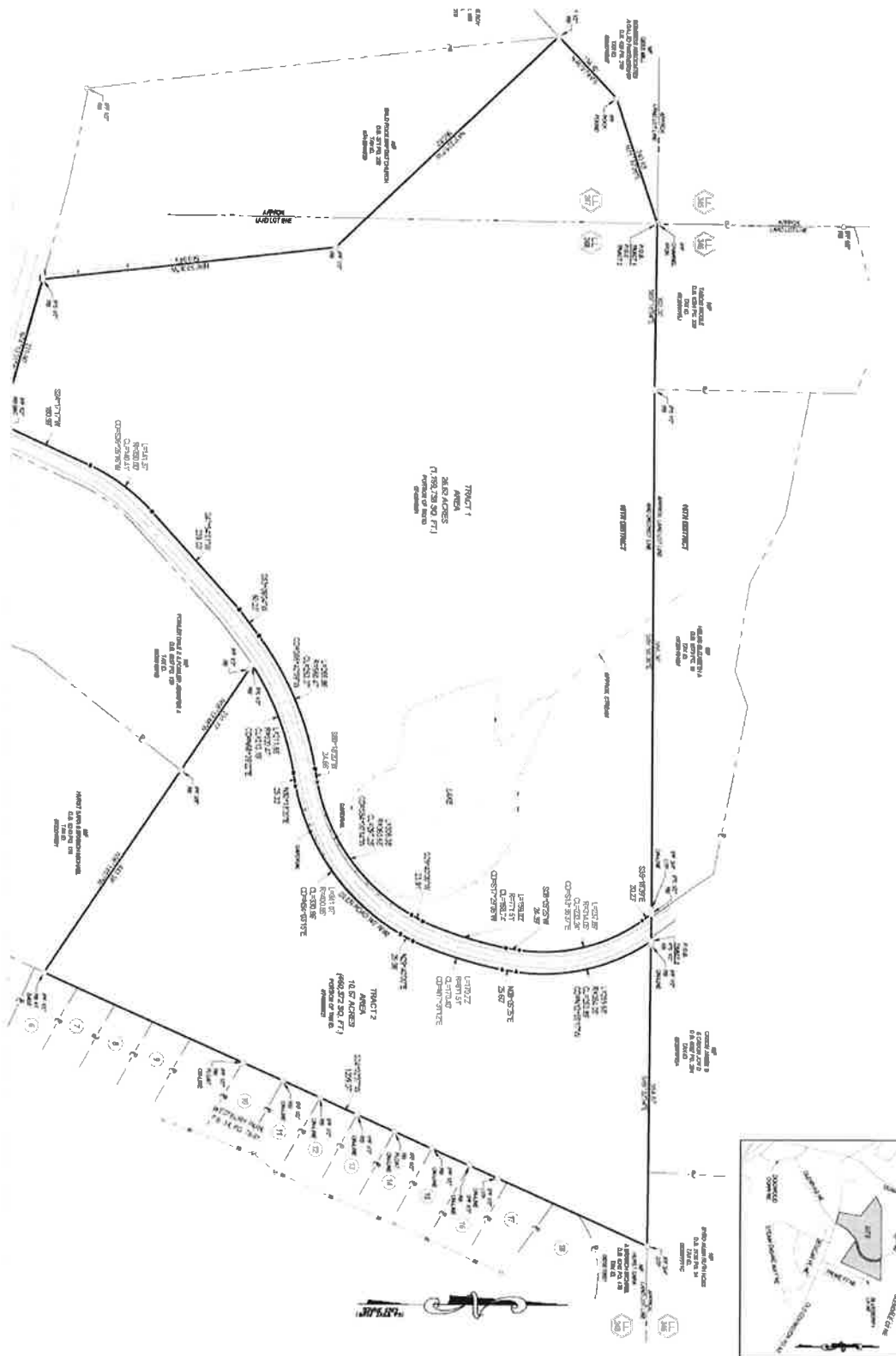
**LEGAL DESCRIPTION
TRACT ONE – PORTION OF TAX ID. 0740010021
WEST SIDE OF GLEN ROAD (40' R/W)
BLUE RIVER DEVELOPMENT, LLC**

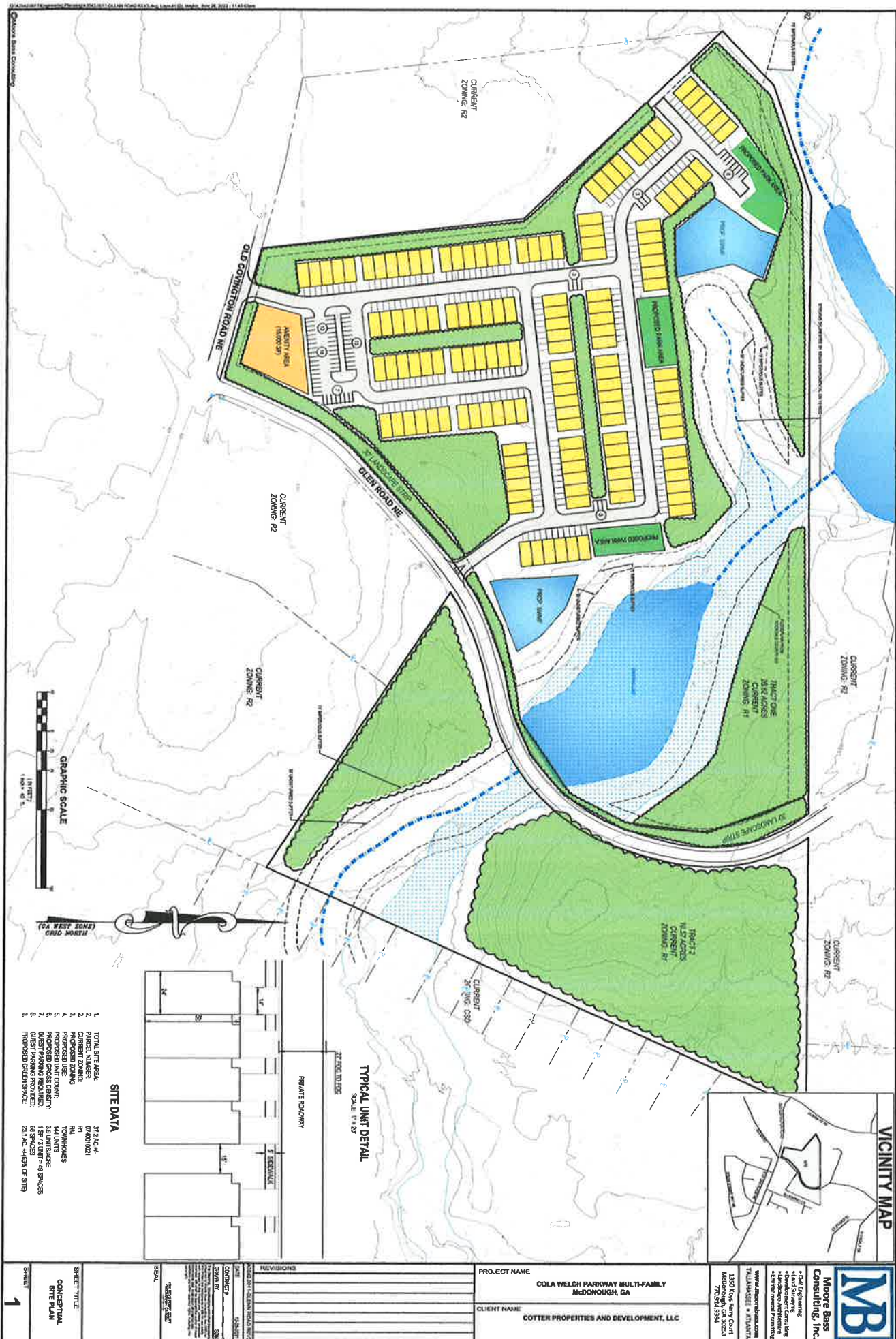
ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN LAND LOTS 247 & 248 OF THE 10TH DISTRICT OF ROCKDALE COUNTY, GEORGIA, CONTAINING 26.62 ACRES (1,159,738 SQ. FT.) PER THAT CERTAIN BOUNDARY SURVEY FOR BLUE RIVER DEVELOPMENT, LLC PREPARED BY MOORE BASS CONSULTING, INC., TIMOTHY M. WORLEY, GEORGIA RLS #3360, DATED 06/22/2022 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A CHANNEL IRON FOUND AT THE INTERSECTION OF COMMON LAND LOT 247, 248, 345 & 346, SAID CHANNEL IRON BEING THE POINT OF BEGINNING; THENCE ALONG COMMON LAND LOT LINE 248 & 346 THE FOLLOWING COURSES AND DISTANCES S89°18'04"E, A DISTANCE OF 303.00 FEET TO A 1/2" REBAR SET; THENCE S89°55'38"E, A DISTANCE OF 955.36 FEET TO A 1/2" REBAR SET ON WESTERLY RIGHT-OF-WAY OF GLEN ROAD (40' R/W); THENCE LEAVING SAID LAND LOT LINE AND ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES S35°18'39"E, A DISTANCE OF 20.23 FEET TO A POINT, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 237.89 FEET (SAID ARC HAVING A RADIUS OF 314.05 FEET AND BEING SUBTENDED BY A CHORD BEARING S13°36'37"E WITH A CHORD DISTANCE OF 232.24 FEET) TO A POINT; THENCE S08°05'25"W, A DISTANCE OF 24.39 FEET TO A POINT, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 159.02 FEET (SAID ARC HAVING A RADIUS OF 771.51 FEET AND BEING SUBTENDED BY A CHORD BEARING S17°29'06"W WITH A CHORD DISTANCE OF 158.74 FEET) TO A POINT; THENCE S29°40'00"W, A DISTANCE OF 23.91 FEET TO A POINT, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 306.38 FEET (SAID ARC HAVING A RADIUS OF 360.65 FEET AND BEING SUBTENDED BY A CHORD BEARING S54°00'14"W WITH A CHORD DISTANCE OF 297.25 FEET) TO A POINT; THENCE S80°18'20"W, A DISTANCE OF 24.66 FEET TO A POINT, THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 265.86 FEET (SAID ARC HAVING A RADIUS OF 560.47 FEET AND BEING SUBTENDED BY A CHORD BEARING S66°42'59"W WITH A CHORD DISTANCE OF 263.37 FEET) TO A POINT; THENCE S53°09'04"W, A DISTANCE OF 60.23 FEET TO A POINT; THENCE S47°54'51"W, A DISTANCE OF 239.03 FEET TO A POINT, THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 141.37 FEET (SAID ARC HAVING A RADIUS OF 350.00 FEET AND BEING SUBTENDED BY A CHORD BEARING S36°26'16"W WITH A CHORD DISTANCE OF 140.41 FEET) TO A POINT; THENCE S24°17'17"W, A DISTANCE OF 180.99 FEET TO A 1/2" BENT REBAR FOUND AT THE INTERSECTING RIGHT-OF-WAYS OF NORTHERLY OLD COVINGTON ROAD (30' R/W) & WESTERLY GLEN ROAD (40' R/W); THENCE LEAVING RIGHT-OF-WAY OF GLEN ROAD (40' R/W) AND ALONG NORTHERLY RIGHT-OF-WAY OF OLD COVINGTON ROAD (30' R/W) N74°13'31"W, A DISTANCE OF 275.00 FEET TO A 1/2" REBAR SET; THENCE LEAVING SAID RIGHT-OF-WAY N06°30'26"W, A DISTANCE OF 540.04 FEET TO A 1/2" REBAR FOUND; THENCE N43°32'57"W, A DISTANCE OF 560.82 FEET TO A 1/2" REBAR FOUND; THENCE N46°27'49"E, A DISTANCE OF 154.82 FEET TO A ROCK FOUND; THENCE N71°32'26"E, A DISTANCE OF 240.83 FEET TO A CHANNEL IRON FOUND, SAID CHANNEL IRON BEING THE **TRUE POINT OF BEGINNING**.

LEGAL DESCRIPTION
TRACT TWO – PORTION OF TAX ID. 0740010021
EAST SIDE OF GLEN ROAD (40' R/W)
BLUE RIVER DEVELOPMENT, LLC

ALL THAT TRACT OR PARCEL OF LAND LYING OR BEING IN LAND LOT 248 OF THE 10TH DISTRICT OF ROCKDALE COUNTY, GEORGIA, CONTAINING 10.57 ACRES (460,372 SQ. FT.) PER THAT CERTAIN BOUNDARY SURVEY FOR BLUE RIVER DEVELOPMENT, LLC PREPARED BY MOORE BASS CONSULTING, INC., TIMOTHY M. WORLEY, GEORGIA RLS #3360, DATED 06/22/2022 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT A CHANNEL IRON FOUND AT THE INTERSECTION OF COMMON LAND LOT 247, 248, 345 & 346; THENCE ALONG COMMON LAND LOT LINE 248 & 346 THE FOLLOWING COURSES AND DISTANCES S89°18'04"E, A DISTANCE OF 303.00 FEET TO A 1/2" REBAR SET; THENCE S89°55'38"E, A DISTANCE OF 955.36 FEET TO A 1/2" REBAR SET ON THE WESTERLY RIGHT-OF-WAY OF GLEN ROAD (40' R/W); THENCE CROSSING SAID RIGHT-OF-WAY S89°32'34"E, A DISTANCE OF 49.17 FEET TO A 1/2" REBAR SET ON THE EASTERLY RIGHT-OF-WAY OF GLEN ROAD (40' R/W), SAID REBAR THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID RIGHT-OF-WAY AND CONTINUING ALONG LAND LOT LINE 248 & 346 S89°32'34"E, A DISTANCE OF 554.87 FEET TO A 3/4" OPEN TOP PIPE FOUND; THENCE LEAVING SAID LAND LOT LINE S24°02'57"W, A DISTANCE OF 1,209.07 FEET TO A 1/2" REBAR AT BASE FOUND; THENCE N56°14'07"W, A DISTANCE OF 443.98 FEET TO A 3/8" REBAR FOUND; THENCE N56°13'48"W, A DISTANCE OF 231.77 FEET TO A 1/2" REBAR FOUND ON EASTERLY RIGHT-OF-WAY OF GLEN ROAD (40' R/W), THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES ALONG THE ARC OF A CURVE TO THE RIGHT, A DISTANCE OF 211.65 FEET (SAID ARC HAVING A RADIUS OF 520.47 FEET AND BEING SUBTENDED BY A CHORD BEARING N68°39'22"E WITH A CHORD DISTANCE OF 210.19 FEET) TO A POINT; THENCE N80°18'20"E, A DISTANCE OF 25.33 FEET TO A POINT, THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 341.07 FEET (SAID ARC HAVING A RADIUS OF 400.65 FEET AND BEING SUBTENDED BY A CHORD BEARING N54°03'15"E WITH A CHORD DISTANCE OF 330.86 FEET) TO A POINT; THENCE N29°40'00"E, A DISTANCE OF 26.08 FEET TO A POINT, THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 170.72 FEET (SAID ARC HAVING A RADIUS OF 811.51 FEET AND BEING SUBTENDED BY A CHORD BEARING N17°31'12"E WITH A CHORD DISTANCE OF 170.40 FEET) TO A POINT; THENCE N08°05'25"E, A DISTANCE OF 25.60 FEET TO A POINT, THENCE ALONG THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 259.68 FEET (SAID ARC HAVING A RADIUS OF 354.05 FEET AND BEING SUBTENDED BY A CHORD BEARING N12°55'17"W WITH A CHORD DISTANCE OF 253.89 FEET) TO A 1/2" REBAR SET, SAID REBAR BEING THE **TRUE POINT OF BEGINNING**.

EXHIBIT "B"
BOUNDARY SURVEY





1.	TOTAL SITE AREA	37.5 AC. ±
2.	PAVED DRIVEWAY	0.75 AC. (002)
3.	CURRENT ZONING	R1
4.	PROPOSED ZONING	RM
5.	PROPOSED USE	TOWNHOMES
6.	PROPOSED UNIT COUNT	16 UNITS
7.	PROPOSED GROSS DENSITY	15.0 UNITS/AC
8.	GUEST PARKING REQUIRED	1 SP. / UNIT ± 48 SPACES
9.	GUEST PARKING PROVIDED	62 SPACES
10.	PROPOSED GREEN SPACE	23.1 AC. ± (60% OF SITE)

 Moore Bass Consulting, Inc. 13401 Highway 101, Suite 100 Dallas, Texas 75244 Phone: (214) 343-7300 Fax: (214) 343-7301 Email: info@moorebass.com Website: www.moorebass.com	PROJECT NAME COLA WELCH PARKWAY MULTI-FAMILY McDONOUGH, GA
	CLIENT NAME COTTER PROPERTIES AND DEVELOPMENT, LLC

BOARD OF COMMISSIONERS

OZ NESBITT, SR., CHAIRMAN

SHERRI L. WASHINGTON, COMMISSIONER POST I

DR. DOREEN WILLIAMS, COMMISSIONER POST II



DEPARTMENT OF PLANNING & DEVELOPMENT

JENNIFER RUTLEDGE, INTERIM DIRECTOR

CHRISTOPHER WHEELER, DEPUTY DIRECTOR

PHONE: (770) 278-7100

planning@rockdalecountyga.gov

Exhibit "D"

PLANNING COMMISSION RECOMMENDATION

Rockdale County - Conyers Planning Commission recommends Approval with Conditions of the requests to amend the Future Land Use Map from Medium Density to High Density and from R-1 (Single-Family Residential) to RM (Residential Multifamily) with the following conditions:

1. The site plan prepared by Moore Bass Consulting 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.
2. The site shall be restricted to a multi-family development, not to exceed 148 units, and permitted accessory uses.
3. 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.
4. Building size: No building shall contain more than six dwelling units.
5. Buildings shall be separated by a minimum of 15 feet side-to-side, 40 feet front to back, front to front, or back to back.
6. The building shall be placed on a permanent foundation, either slab or pier, which meets the requirements of the Standard Building Code. A permanent foundation wall, or curtain wall, unpierced, except for required ventilation and access, shall enclose the area located under the home to the ground level. Such a wall shall have a minimum thickness of 3.5 inches and shall be constructed of masonry, brick, or similar material. Installation shall meet or exceed any applicable rules or regulations promulgated by the Georgia Fire Safety Commissioner and shall be completed prior to permanent electrical service.
7. Must provide 400 square feet of landscaped outdoor recreation space per unit in the development.
8. Where abutting incompatible uses or districts, a buffer is required in conformance with chapter 328, article I of the UDO 25 feet when abutting R1 zoning district
9. Landscaping. Front yards shall be sodded, and sites shall provide landscaping and tree protection and replacement as provided in article II of chapter 328 of the UDO.
10. 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 predominate masonry building material used on the front elevation. The balance of the side elevations and rear elevation shall be Painted Cement Siding.

11. 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.
12. All exterior lighting fixtures directly attached to the dwelling units shall be "carriage style" and comcomplemente building architecture.
13. Any exterior exposed chimneys shall be finished with Brick, Indigenous Rock, Natural Stone, Synthetic Stone, or a combination of the same, and shall extend to the ground.
14. 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.

BOARD OF COMMISSIONERS

OZ NESBITT, SR., CHAIRMAN

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DR. DOREEN WILLIAMS, COMMISSIONER POST II

**DEPARTMENT OF PLANNING & DEVELOPMENT**

JENNIFER RUTLEDGE, INTERIM DIRECTOR

CHRISTOPHER WHEELER DEPUTY DIRECTOR

PHONE: (770) 278-7100

planning@rockdalecountyga.gov

OCTOBER 13, 2022**CONYERS/ROCKDALE PLANNING COMMISSION MEETING****OCTOBER 27, 2022****BOARD OF COMMISSIONERS ZONING PUBLIC HEARING****STAFF REPORT****REZONING CASE No. 2022-12****0 GLENN ROAD****CONYERS, GA*****STAFF REPORT UPDATED FOR NOVEMBER 13, 2022, BOC VOTING SESSION**

REZ REQUEST:	A request to rezone from R-1 (Single-Family Residential) to RM (Residential Multifamily)				
FLU REQUEST	Amend the Future Land Use Map from Medium Density Residential to High Density Residential				
TAX PARCEL #:	0740010021				
ACREAGE:	37.2	LAND LOT:	247	DISTRICT:	10
OWNER:	Clinch River Holdings, Inc.				
APPLICANT:	Moore Bass Consulting, Inc.				
PURPOSE:	Allow a multifamily residential development with 148 attached units				
EXISTING SITE CONDITIONS:	Undeveloped				

Zoning History

The subject property is zoned R-1 (Single-Family Residence District). No prior zoning requests are on record for this property.

Existing Site Condition

The subject site is a 37.2-acre undeveloped lot with frontage along Old Covington Road and Glenn Road NE. The topography is even throughout the site. The subject property has an existing flood plain and a lake on the property

running from Northwest to Northeast along the northern portion of the site and flows under Glen Road to the adjoining property.

Due to the existing floodplain and waterbodies located on the property the applicant submitted an environmental report for the development. The Rockdale County Stormwater Department reviewed the report and determined that there won't be any adverse impact on the existing state waters, flood plains, or wetlands.

Surrounding Use and Zoning

The surrounding properties are residentially zoned properties. The following is a summary of surrounding uses and zoning:

<u>Adjacent Zoning and Current Land Use</u>			
Direction	Address	Zoning District	Current Land Use
West	2284 NE Old Covington Rd	R1	Church
North	285 NE Glenn Rd	R1	Single Family Home
East	2138 Blueberry Lane	R2 & R3	Two-Family Homes & Single-Family Homes
South	156 Glenn Road	R1	Single-Family Home

EVALUATION OF THE REZONING REQUEST

O.C.G.A. Chapter 36-66: Zoning Procedure Act

When considering an application to amend the current zoning designation of a property, the Board of Commissioners, the Planning Commission, and the Planning & Development Department shall consider the following:

1. Is the zoning proposal permitted as a use that is suitable in view of the use and development of adjacent and nearby property?

The property immediately to the East and a few properties North of this site are zoned as R3 and RM, respectively. The nearby residential properties may benefit from this project, as the development will likely increase property value in the area

2. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

The proposed RM zoning is not expected to adversely impact the nearby properties. There are other RM Zoned properties nearby to this site.

3. Will the property to be affected by the zoning proposal have a reasonable economic use as

currently zoned?

The property as it is currently zoned (R1) may have reasonable economic use. However, considering the location of this property and its proximity to the other RM and R3 zoned properties, this property may be best used as a multifamily residential development.

4. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation, facilities, utilities, or schools?

The existing infrastructure and proximity to Old Covington Road will provide considerable support for this project.

5. Is the zoning proposal in conformity with the Future Land Use Map and the policy intent of the Comprehensive Land Use Plan?

The Future Land Use Category of this property is currently Medium Density Residential, which is compatible with the proposed RM zoning. Additionally, the property is adjacent to other high density and multifamily residential properties.

6. Are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval, or disapproval of the zoning proposal?

There are not currently any known existing conditions or extenuating circumstances that would affect the approval or denial of the proposal.

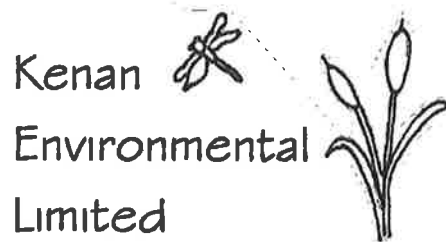
PLANNING & DEVELOPMENT STAFF RECOMMENDATION

Staff recommends Approval with Conditions of the requests to rezone from R-1 (Single-Family Residential) to RM (Residential Multifamily).

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

- A. The site plan prepared by Moore Bass Consulting 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 a multifamily development, not to exceed 148 units, and permitted accessory uses.
- 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. Building size: No building shall contain more than six dwelling units.
- E. Buildings shall be separated by a minimum of 15 feet side-to-side, 40 feet front to back, front to front, or back to back.
- F. The building shall be placed on a permanent foundation, either slab or pier, which meets the requirements of the Standard Building Code. A permanent foundation wall, or curtain wall, unpierced, except for required ventilation and access, shall enclose the area located under the home to the ground level. Such a wall shall have a minimum thickness of 3.5 inches and shall be constructed of masonry, brick, or similar material. Installation shall meet or exceed any applicable

- rules or regulations promulgated by the Georgia Fire Safety Commissioner and shall be completed prior to permanent electrical service.
- G. Must provide 400 square feet of landscaped outdoor recreation space per unit in the development.
 - H. Where abutting incompatible uses or districts, a buffer is required in conformance with chapter 328, article I of the UDO 25 feet when abutting R1 zoning district
 - I. Landscaping. Front yards shall be sodded, and sites shall provide landscaping and tree protection and replacement as provided in article II of chapter 328 of the UDO.
 - J. 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 predominate masonry building material used on the front elevation. The balance of the side elevations and rear elevation shall be Painted Cement Siding.
 - K. 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.
 - L. All exterior lighting fixtures directly attached to the dwelling units shall be "carriage style" and comcomplemente building architecture.
 - M. Any exterior exposed chimneys shall be finished with Brick, Indigenous Rock, Natural Stone, Synthetic Stone, or a combination of the same, and shall extend to the ground.
 - N. 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.



November 18, 2022, 2022

Jennifer Christman P.E.
Moore Bass Consulting
1350 Keys Ferry Court,
McDonough, GA 30253

Re: Site Assessment Report
Glenn Road
Rockdale County Georgia

Dear Mr. Christman:

Kenan Environmental Limited has completed a delineation and Permit Review of the Glenn Road Site located in Rockdale County, Georgia. This letter report summarizes our finding of the delineation and permit review.

Project Intent

Moore Bass Consulting contracted Kenan Environmental to identify any environmental features within the Glenn Road project boundaries, including wetlands and streams. Kenan Environmental also identified any environmental permitting issues within the project boundaries. This includes any regulation/permitting required by the U.S. Army Corps of Engineers, the Georgia Department of Natural Resources Environmental Protection Division, and Rockdale County.

Location and Environmental Features

The Glenn Road Site is a proposed townhome site located in Rockdale County Georgia. The site is located just east of the intersection of Sigman and Old Covington Roads in Rockdale County Georgia. Glenn Road bisects the eastern one-third of the parcel.

Stream and Wetland Assessment

Kenan Environmental assessed the site on November 10, 2022. The assessment entailed visual inspections of the entire length of each stream, buffer area, and wetland areas. This was accomplished by inspecting the stream within its thalweg (deepest channel), pools, and bar areas at random spots along the stream. Kenan Environmental also noted any best management practices for sediment and erosion control that could violate State or Municipality regulations.

Findings

Two jurisdictional streams and one pond (open waters) were located within the parcel boundaries. Stream A is a 2nd order unnamed intermittent tributary of the Yellow River. It flows in a southeastern direction from the north border of the site, through the pond, and the parcel on the east side of Glenn Road. Stream B is a 1st order unnamed intermittent tributary of the Yellow River that flows northeast and into Stream A. The pond is an impoundment of Stream A. Stream A, Stream B, and the pond all fall under the parameters of Waters of the United States and Water of the State of Georgia. No jurisdictional wetland were located within the project boundaries.

Environmental Regulations

This project falls under the auspices of three governmental agencies; the U.S. Army Corp of Engineers (ACOE), the Georgia Department of Natural Resources, the Environmental Protection Division and the Rockdale County Government. The U.S. Army Corps of Engineers has jurisdiction over Waters of the United States via the guidance in the Clean Water Act. Waters of the U.S. include streams and wetland areas. It is important to note that they only have jurisdiction over the bed and bank of the stream, not the buffer area. The U.S. Corp of Engineers regulates dredge and fill activities and authorizes permitted activities within these waters. Impacts under ½ acre of wetland or stream can be authorized using the Nationwide Permit Program. Notification and application for a permit is required the proposed activity will result in the loss of greater than 1/10-acre of wetlands or 3/100-acre of stream bed. This streamlined permitting process typically takes 60-90 days for approval. Impacts to larger areas (greater than ½ acre of wetland or stream) can be authorized using the Individual Permit Program. This permitting tract typically takes 6-9 months for approval. Both programs require compensatory mitigation (replacement of lost function) for any impacts over 0.10 acre of wetlands and 0.03 acre of stream impacts.

The Georgia Department of Natural Resources, Environmental Protection Division had jurisdiction over Waters of the State. Waters of the State include streams and sometimes lakes and ponds, but do not include wetlands. The state enforces a 25-foot buffer from the point of wrested vegetation on each side of a stream. The point of wrested vegetation is the point along the bank of a stream where no vegetation grows. The state has a variance process if the development proposes encroachment in to their 25-foot buffer. Compensatory mitigation to replace the impacted buffer area is required.

Rockdale County regulations require an undisturbed natural vegetative buffer that is maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.

An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

Conclusion

Kenan Environmental performed an assessment of the site on November 10, 2022. Two jurisdictional streams and one pond (open waters) were located within the parcel boundaries. No jurisdictional wetland were located within the project boundaries.

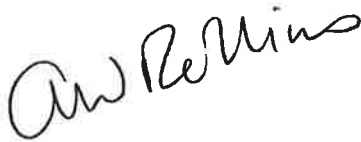
Impacts to the streams or their buffer areas would require a variance from EPD or Rockdale County, depending upon the amount of encroachment.

Limitations

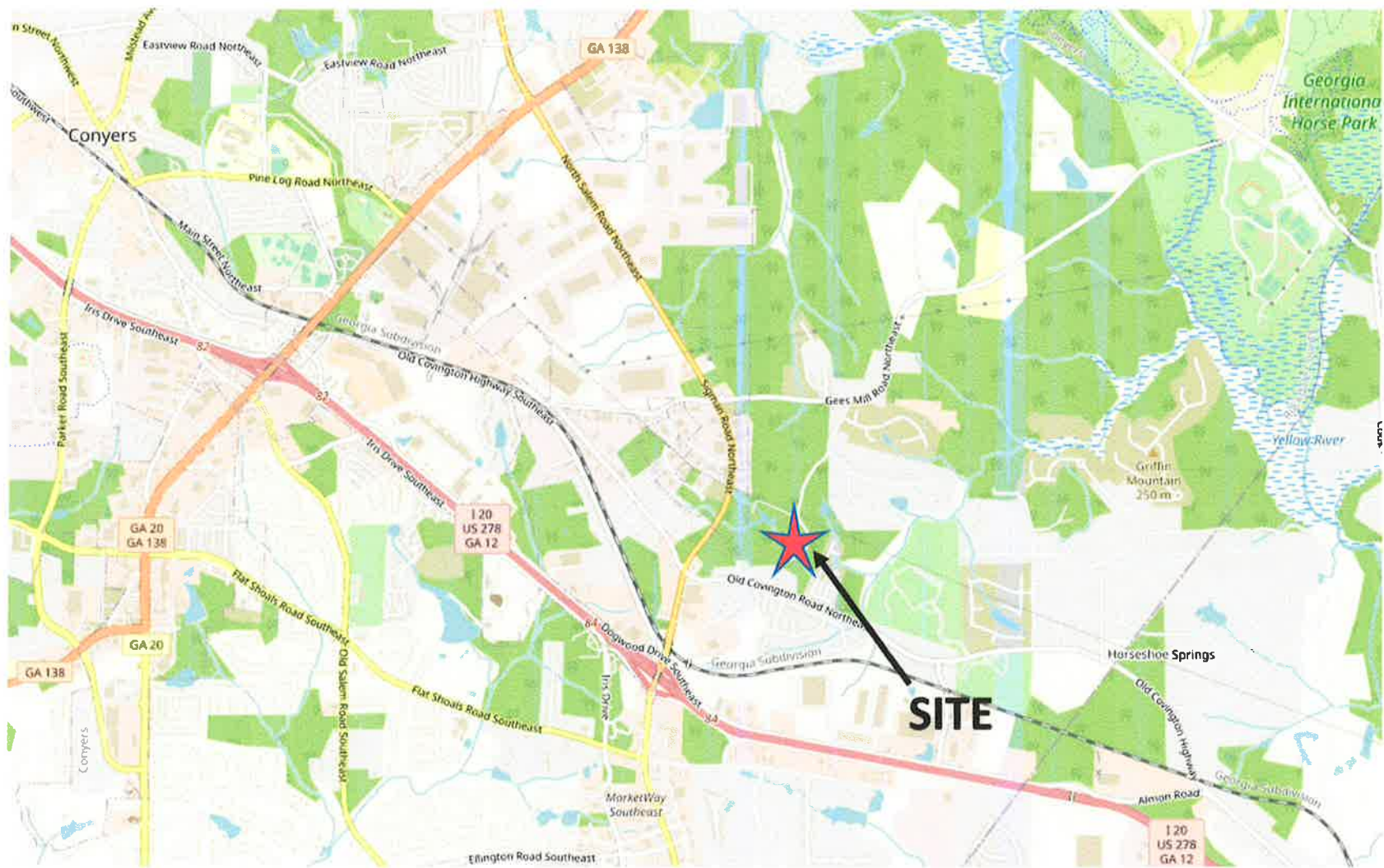
KE would like to note that our conclusions are based on our best scientific judgments and data that we have at the time of the assessment. This includes the raw data that we collected and our site evaluations. Any further data collection or calculations would require additional studies and was not part of the scope of this work. KE retains all raw data, photographs, and field notes as needed for any future evaluations or analysis which may be required.

As always we appreciate the opportunity to be of service to you on this project and look forward to working with you in the future. Please contact us at your earliest convenience if you have any questions or can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Wolf Rollins". The signature is written in a cursive, flowing style.

Amy Wolf Rollins, M.S., S.P.W.S.
President/Senior Biologist



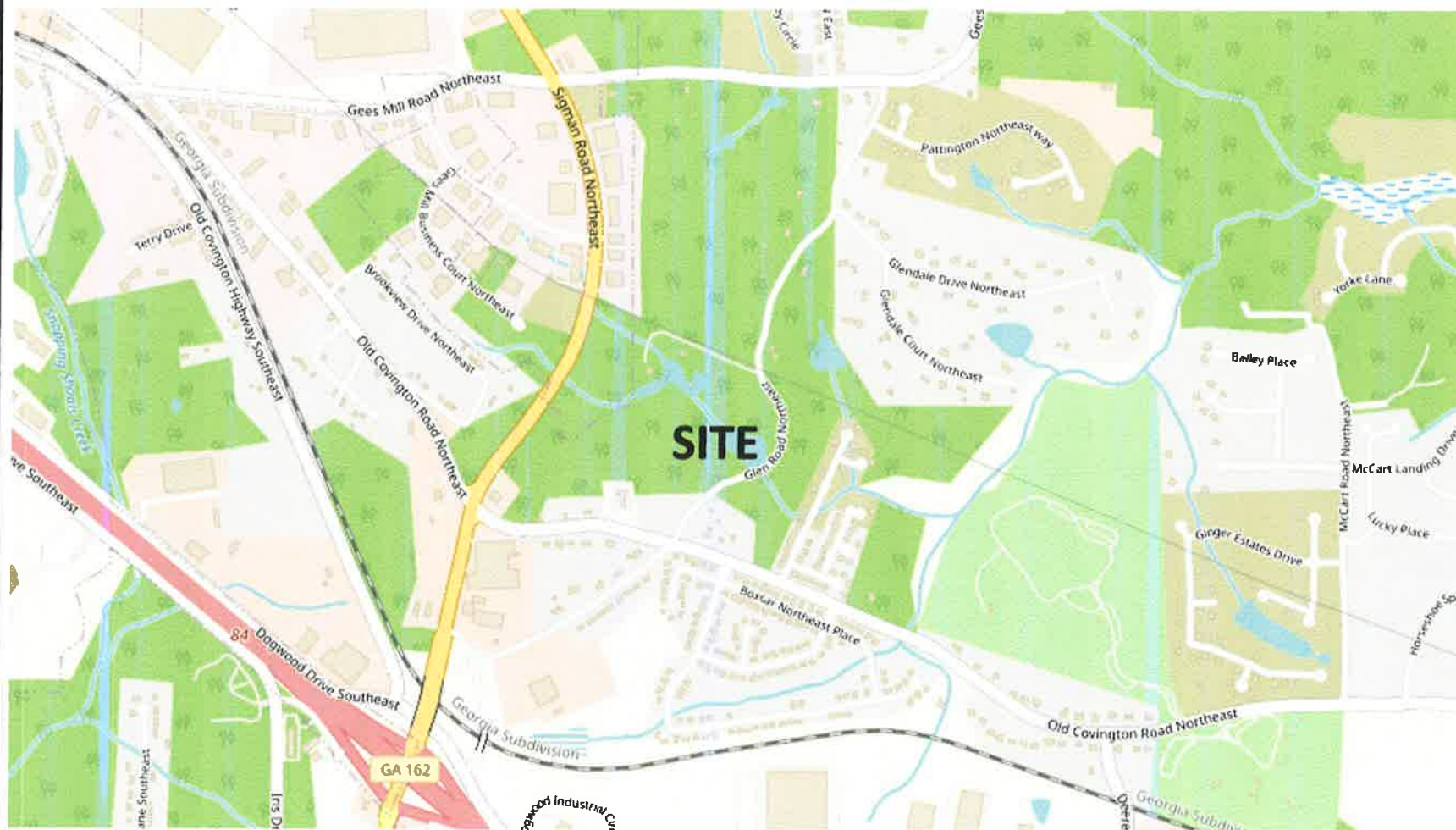
Kenan
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52 New Hope Drive
McDonough, GA
(678) 502-8231

Vicinity Map
Glenn Road
Rockdale County, GA

Figure 1





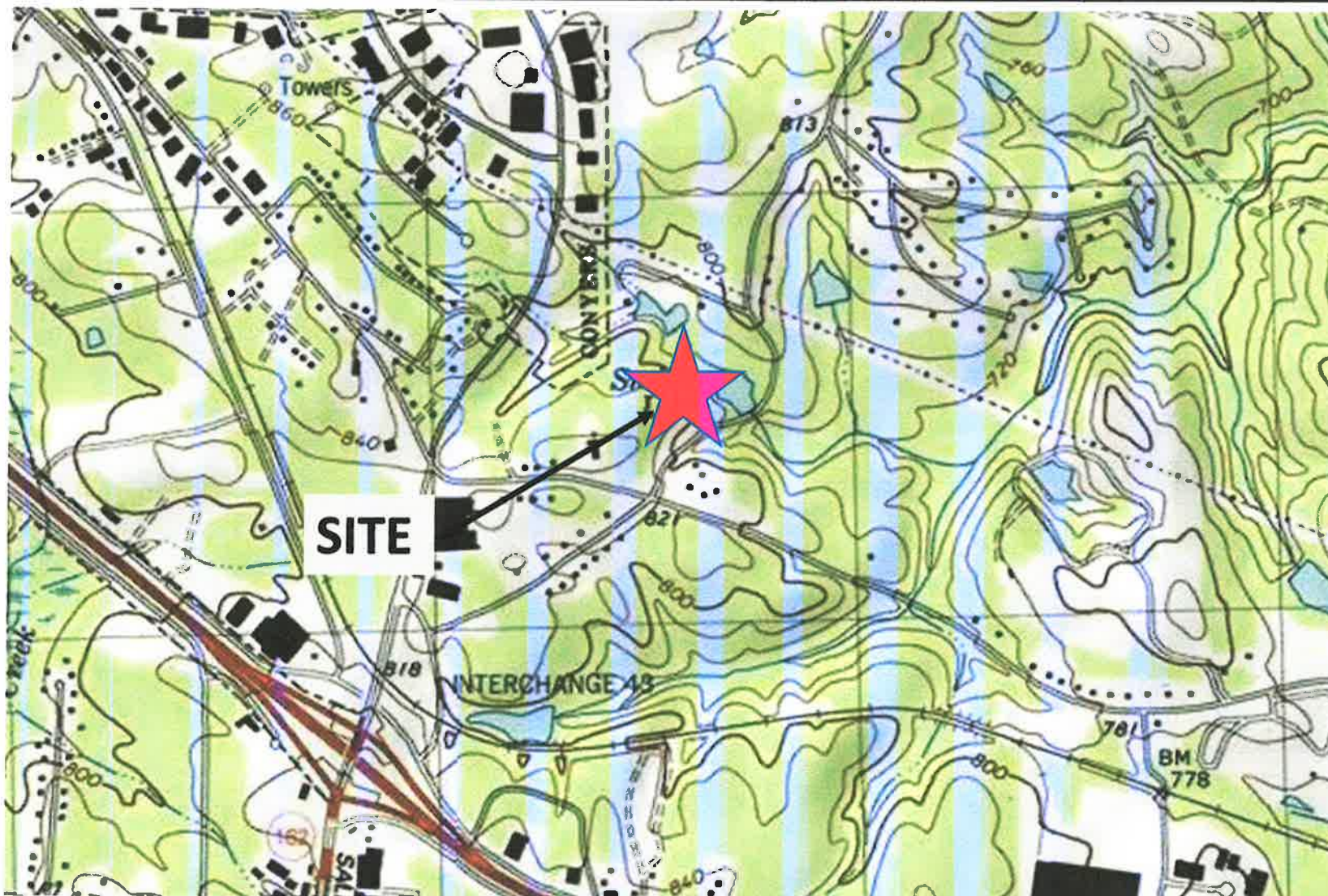
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Location Map
Glenn Road
Rockdale County, GA

Figure 2





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Quadrangle Map
Glenn Road
Rockdale County, GA

Figure 4



Soils Key

CCA	Cartecay and Chewacla soils
CfB2	Cecil sandy clay loam
CfC2	Cecil sandy clay loam
CuC	Cecil-Urban land complex
MdD2	Madison sandy clay loam
Pa	Pacolet sandy loam
W	Water
WeC	Wedowee sandy loam



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Soils Map
Glenn Road
Rockdale County, GA

Figure 3



BOUNDARY SURVEY FOR:
BLUE RIVER DEVELOPMENT, LLC
LAND LOTS 247 & 248 - 10TH DISTRICT
ROCKDALE COUNTY, GEORGIA



• Civil Engineering
• Land Surveying
• Development Consulting
• Historic Architecture
• Environmental Planning

www.moorebass.com

3350 Keys Ferry Court
McDonough, GA 30253
770.514.9354

PROJECT NAME: BLUE RIVER DEVELOPMENT, LLC
CLIENT NAME: BLUE RIVER DEVELOPMENT, LLC
3810 WINDHAM PARKWAY, SUITE 304
CUMMING, GEORGIA 30041

DATE: 03/22/2011
DRAWN BY: J. BASS
CHECKED BY: M. BASS
DATE: 03/22/2011

SCALE: AS SHOWN

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Jurisdictional Map
Glenn Road
Rockdale County, GA

Figure 5



REFERENCES

1. Final Survey of the 10th District, Rockdale County, Georgia, 1990.

FLOOD NOTE

1. The survey was conducted on a dry day. No flood waters were observed.

SURVEY NOTES

1. The survey was conducted on a dry day. No flood waters were observed.

LEGEND

1. Stream A
2. Stream B
3. Pond (open waters)