

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING 163 & 169 ABBOTT ROAD SW ET AL FROM R-1 (SINGLE FAMILY DISTRICT) TO MRU (MIXED-USE RESIDENTIAL); 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. 2023-03	Rezone from R-1 (Single Family Residential) to MRU(Mixed Residential Use) for residential development with 234 units.		
APPLICANT:	Inline Communities		
PROPERTY OWNER:	Estate of Lewis G Abbott		
LOCATION:	163 & 169 Abbott Road SW		
LAND LOT(S):	204	DISTRICT:	16
TAX PARCEL NO.:	0100030009 AND 0100030009E	TOTAL ACREAGE:	42.852

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 designates said property as Mixed Use/Employment Center, 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 42.852-acre property, more particularly described in the Legal Description attached hereto as Exhibit "A" depicted on the ALTA/NSPS Land Title 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 "D", which is hereby incorporated by this reference and applies to the 35.372-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 11 day of April, 2023.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**


Oz 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: 2/28/2023

Second Reading: 4/11/2023

Exhibit "A"
Legal Description

[illegible]

Exhibit "B"
ALTA/NSPS Land Title Survey

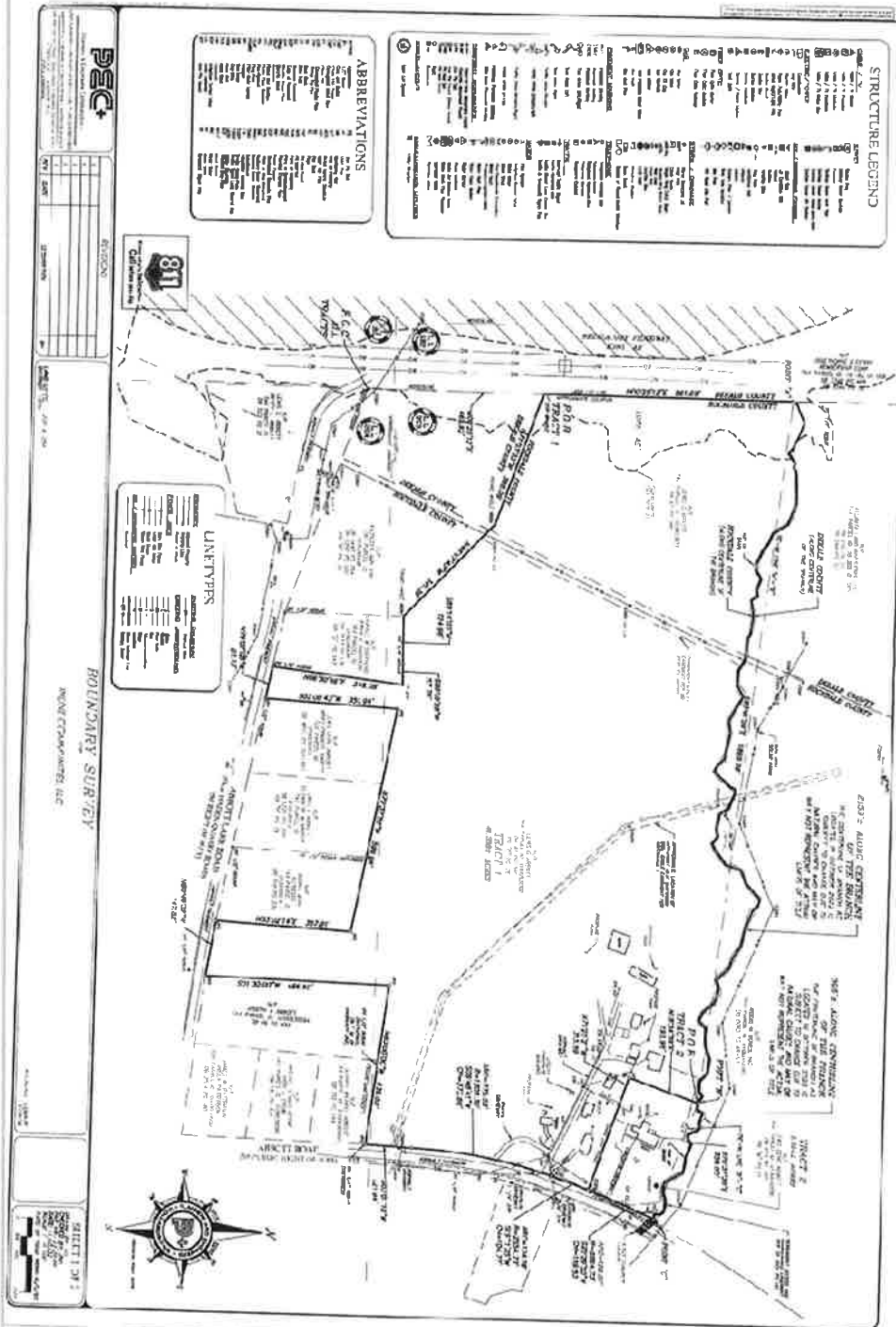


Exhibit "C"
Proposed Site Plan

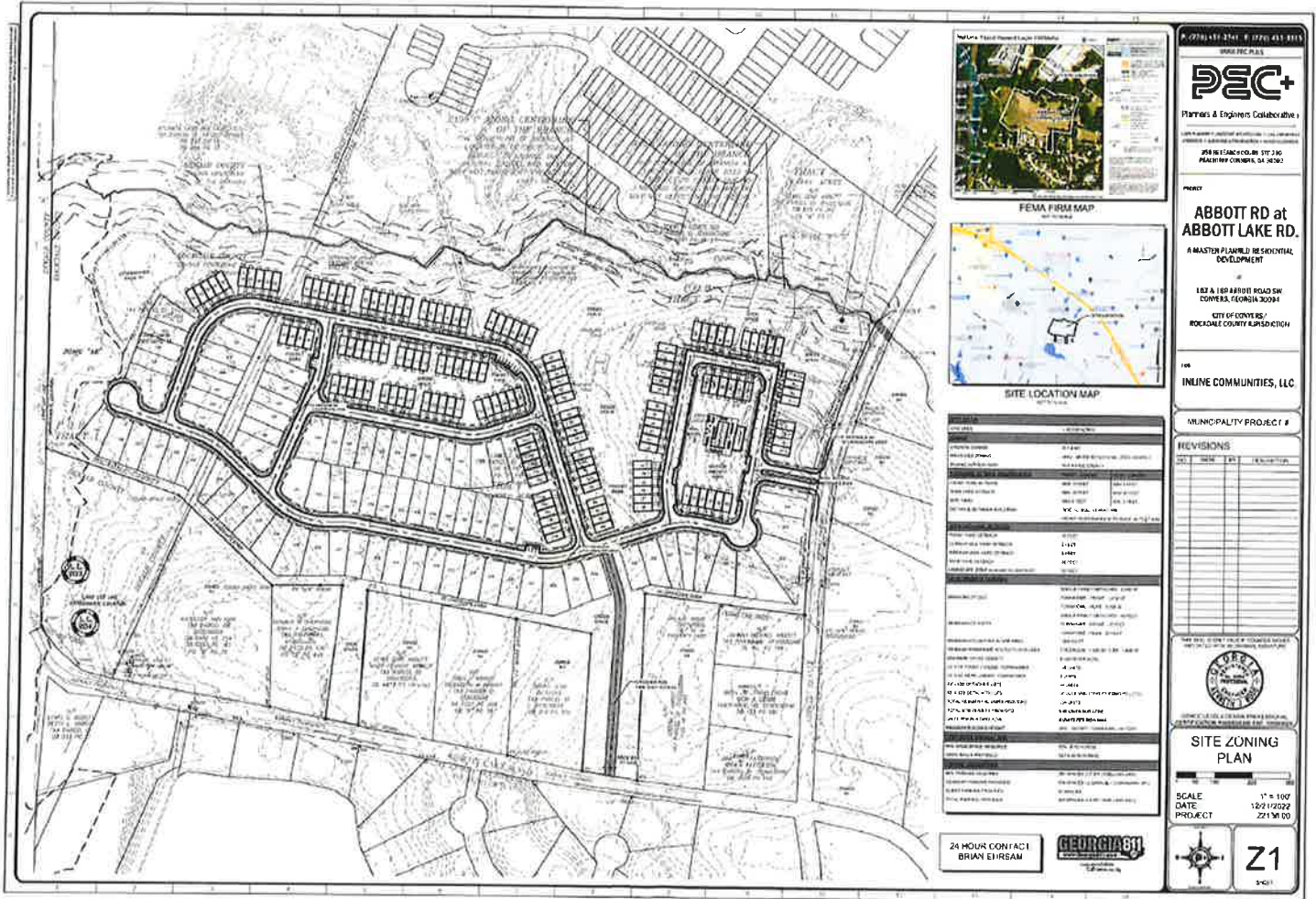


Exhibit "D"

Zoning Conditions

**PLANNING COMMISSION RECOMMENDED CONDITIONS
(INCLUDE STAFF RECOMMEND CONDITIONS AS AMENDED)**

Planning Commission recommends Approval with Conditions of the requests to amend the Future Land Use Map from Medium Density Residential to High Density Residential and to rezone from R-1 (Single Family Residential) to MRU (Mixed Residential Uses).

Proposed conditions:

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 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 234 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 residential units.**
6. **No public street access to Abbott Lake Road shall be permitted with the exception of emergency access.**
7. All single-family detached units and townhome units shall have a two-car garage.
8. Provide a five-foot-wide sidewalk along both sides of the proposed internal streets. Provide a two-foot-wide grass strip on all internal public roads between back of the curb and 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.
9. Provide a five-foot-wide sidewalk along the Abbott Road right-of-way. A ten-foot-wide landscape strip shall be provided along Abbott Road between the roadway and the sidewalk.
10. **Provide a minimum of 51 guest parking spaces throughout the townhome development. Provide EV (electric vehicle) charging stations on site. Minimum of three (3) parking spaces.**
11. All grassed areas shall be sodded.
12. All utilities shall be placed underground.
13. Natural vegetation shall remain on the property until the issuance of a development permit.
14. 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.
15. 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.
16. The development shall include a cabana, pool, and pocket parks within the interior of the property. 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. All amenity areas shall be accessible by five-foot-wide concrete sidewalks.

Ordinance No. #0-2023-02
REZ Case No. 2023-03