

BOARD OF COMMISSIONERS

JANICE VAN NESS, CHAIR & CEO
TUWANYA C. SMITH, COMMISSIONER POST I
DR. DOREEN WILLIAMS, COMMISSIONER POST II

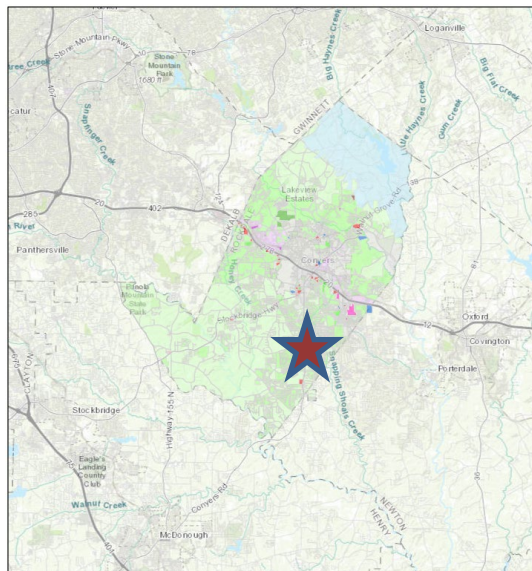


DEPARTMENT OF PLANNING & DEVELOPMENT

JENNIFER RUTLEDGE, INTERIM DIRECTOR
PHONE: (770) 278-7100
planningandzoning@rockdalecountyga.gov

**PLANNING COMMISSION AND BOARD OF COMMISSIONERS
ROCKDALE COUNTY PLANNING STAFF REPORT**

FLU Case Number: FLU2024-08
REZ Case Number: REZ2024-27
Address: 4250 SE Highway 20
Tax Parcel IDs: 080A010014
Site Area: 12.88 acres
Current Zoning: A-R (Agricultural-Residential District)
Existing Conditions: Undeveloped/Wooded
FLU Request: To amend the Future Land Use Map Category from Medium Density Residential to Commercial to allow for commercial uses including a restaurant.
REZ Request: To rezone 12.88 acres from A-R (Agricultural-Residential) to C-2 (General Commercial) to allow the property to be developed with commercial uses including a restaurant.
Applicant: John Andrew Nix / Maddox Nix Firm
Owners: 1618 Land Holdings, LLC
Staff Recommendation: **Approval with Conditions**
PC Hearing Date: January 9, 2025
BOC Hearing Date: January 23, 2025



ZONING HISTORY

The subject site is located at 4250 SE Highway 20 and is zoned A-R (Agricultural-Residential District) with a future land use category of Medium Density Residential. In 2024, requests to amend the future land use category from Medium Density Residential to Commercial and to rezone 12.88 acres from A-R (Agricultural-Residential) to C-2 (General Commercial) were submitted pursuant to cases FLU2024-05 and REZ2024-18, respectively. On November 7, 2024, the Conyers-Rockdale County Planning Commission voted to recommend Denial of the requests due to lack of transportation infrastructure. On December 10, 2024, the Board of Commissioners remanded both requests back to the Planning Commission. County staff required the applicant to submit new applications and assigned new case numbers, FLU2024-08 and REZ2024-27, to be heard by the Planning Commission on January 9, 2025, and by the Board of Commissioners on January 23, 2025. The new applications remained largely the same; however, significant changes to the site plan were made (see below), including a reduction in the number of entrances from three to two, a reduction of buildings from three to two, and a reduction of total square footage from 29,850 square feet to 16,000.

Site Plan Submitted with FLU2024-05/REZ2024-18



Site Plan Submitted with FLU2024-08/REZ2024-27



EXISTING SITE CONDITIONS

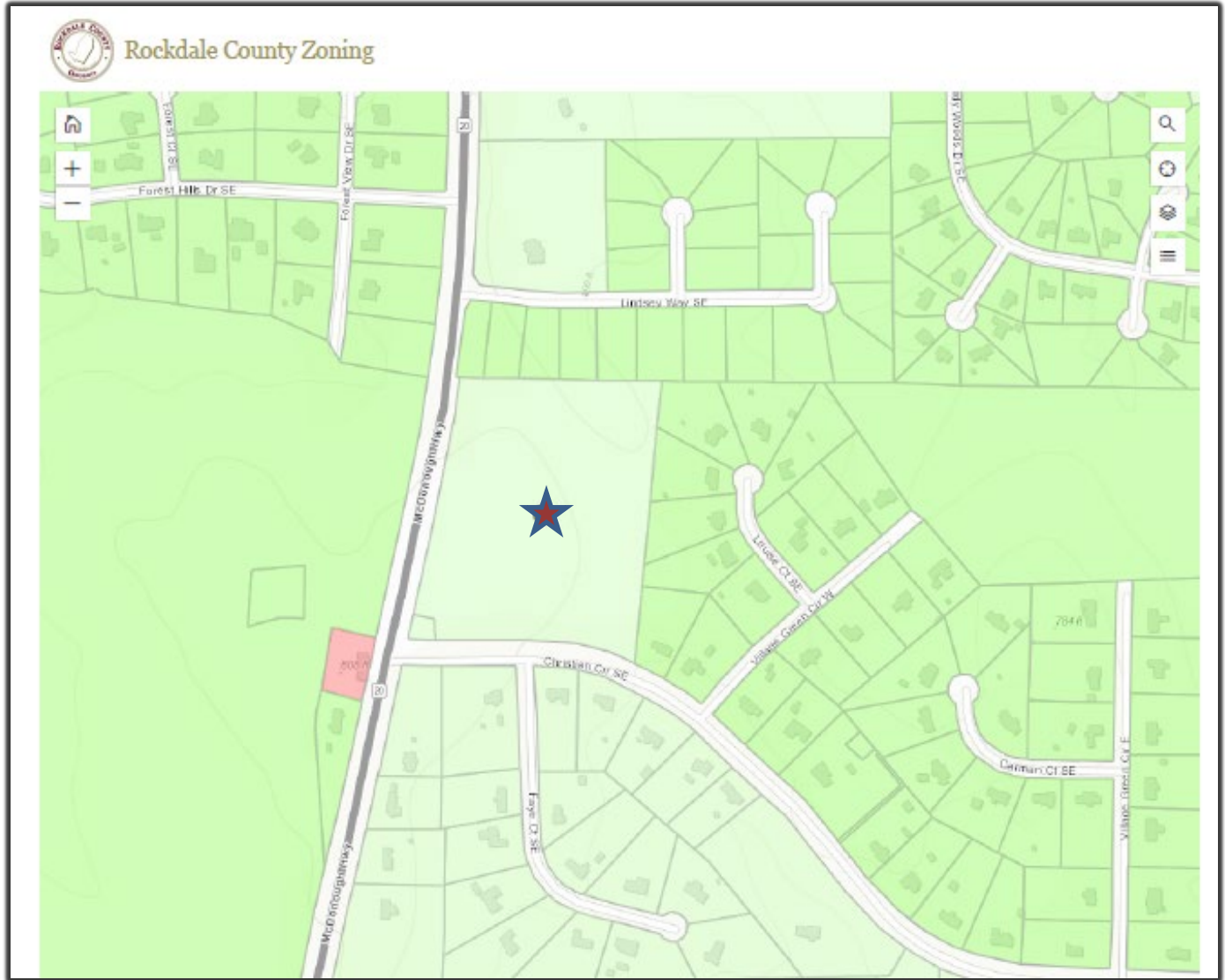
The subject site is a 12.88-acre property along Highway 20 SE. The parcel has road frontage along both Highway 20 SE and S Christian Circle SE. Sidewalks are not present along any of the property's road frontage. There are no streams, wetlands, or flood hazard areas on the property. The parcel is undeveloped and heavily wooded.

SURROUNDING USE AND ZONING

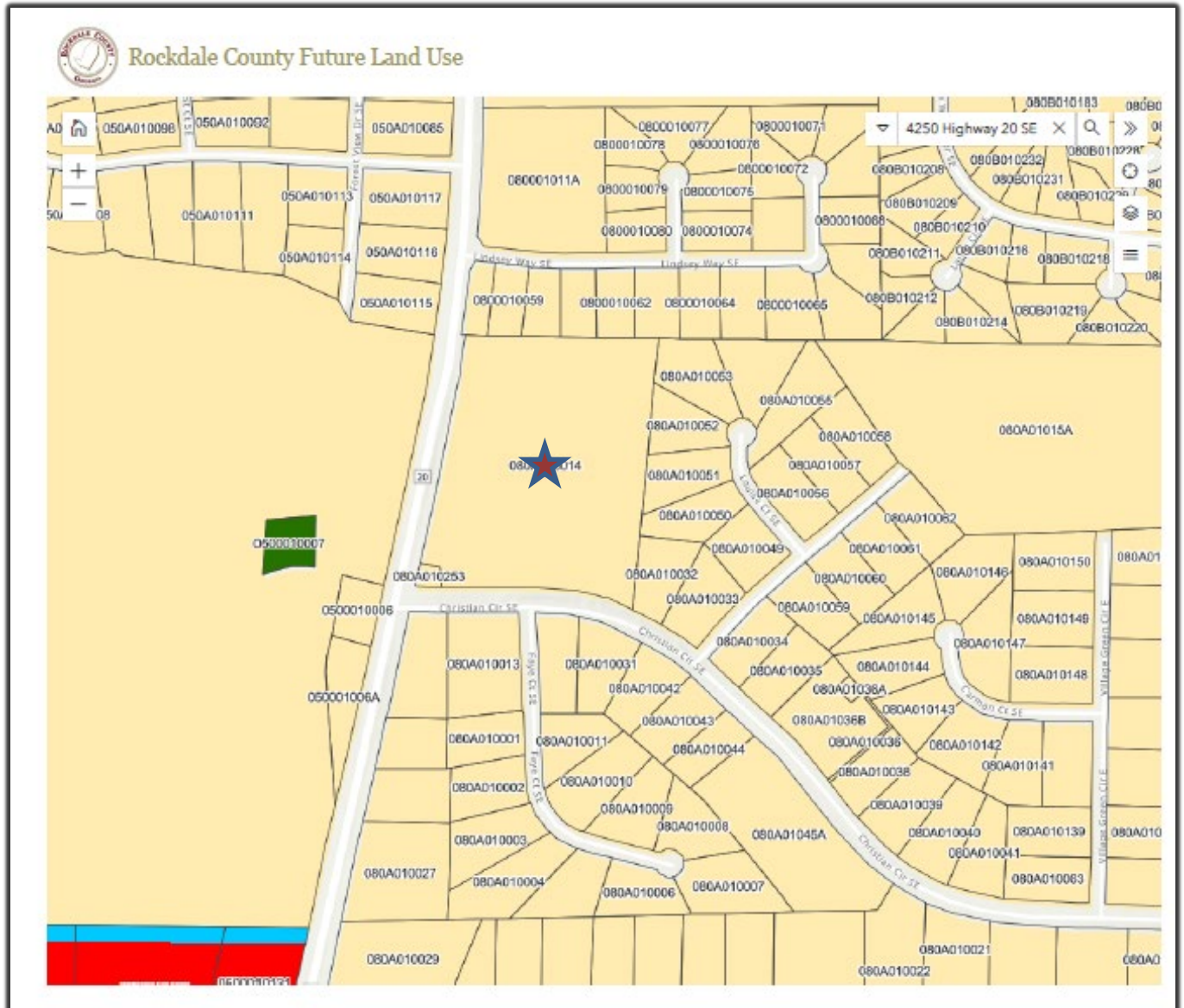
The subject site is surrounded by residential uses. The following is a summary of surrounding uses and zoning:

ADJACENT ZONING AND CURRENT LAND USE			
Direction	Address	Zoning District	Current Land Use
North	4201 SE Lindsey Way	R-1	Single-Family Residence
	4205 SE Lindsey Way	R-1	Single-Family Residence
	4209 SE Lindsey Way	R-1	Single-Family Residence
	4213 SE Lindsey Way	R-1	Single-Family Residence
	4217 SE Lindsey Way	R-1	Single-Family Residence
West	770 SE Oglesby Bridge Road	R-1/Cond	Rural Land
South	4334 SE Highway 20	A-R	Single-Family Residence
	2131 SE Christian Circle	A-R	Single-Family Residence
	2099 SE Christian Circle	A-R	Single-Family Residence
	2089 SE Christian Circle	A-R	Single-Family Residence
East	2084 SE Christian Circle	R-1	Single-Family Residence
	1105 SE Louise Court	R-1	Single-Family Residence
	1111 SE Louise Court	R-1	Single-Family Residence
	1115 SE Louise Court	R-1	Single-Family Residence
	1121 SE Louise Court	R-1	Single-Family Residence

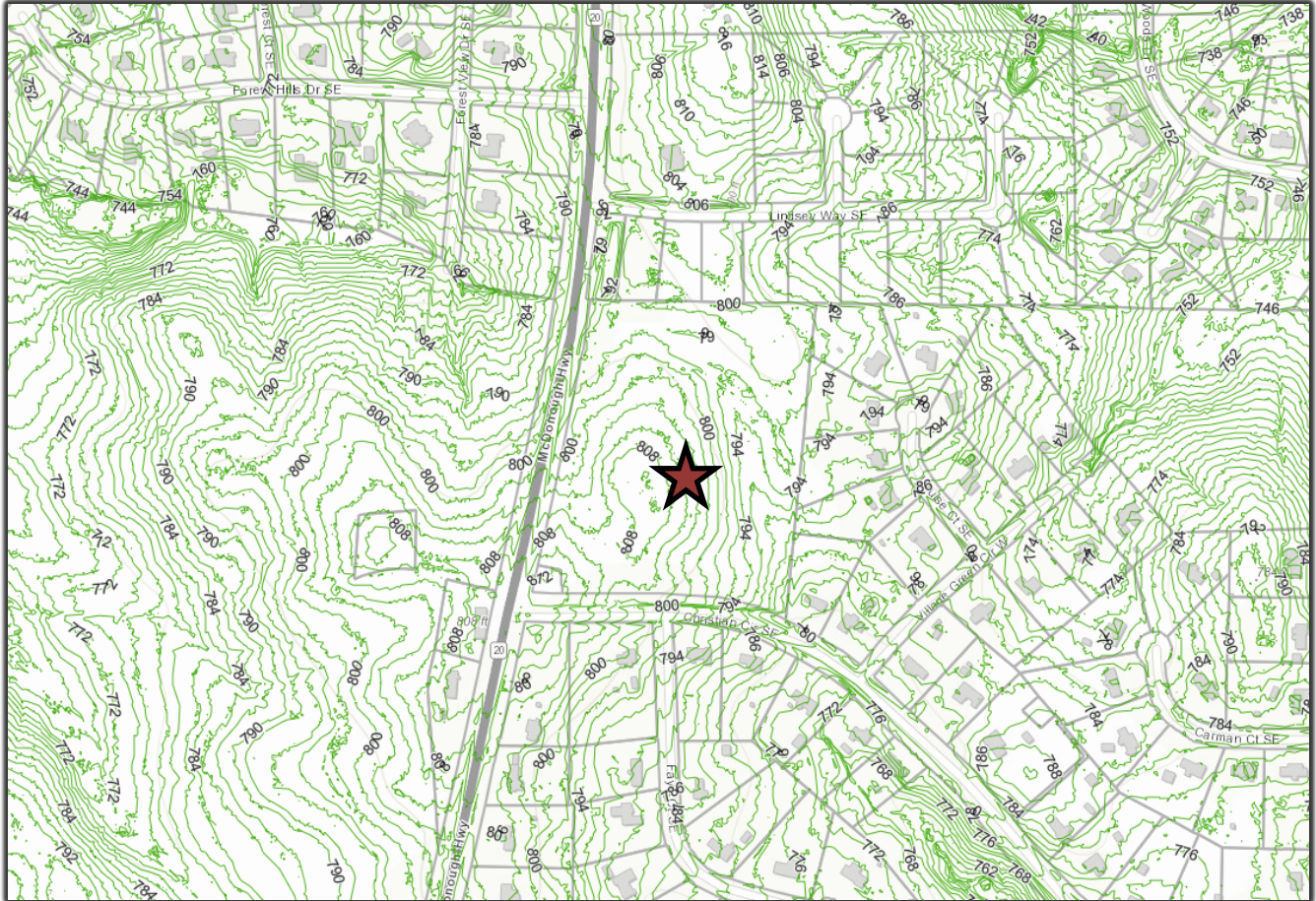
ZONING MAP



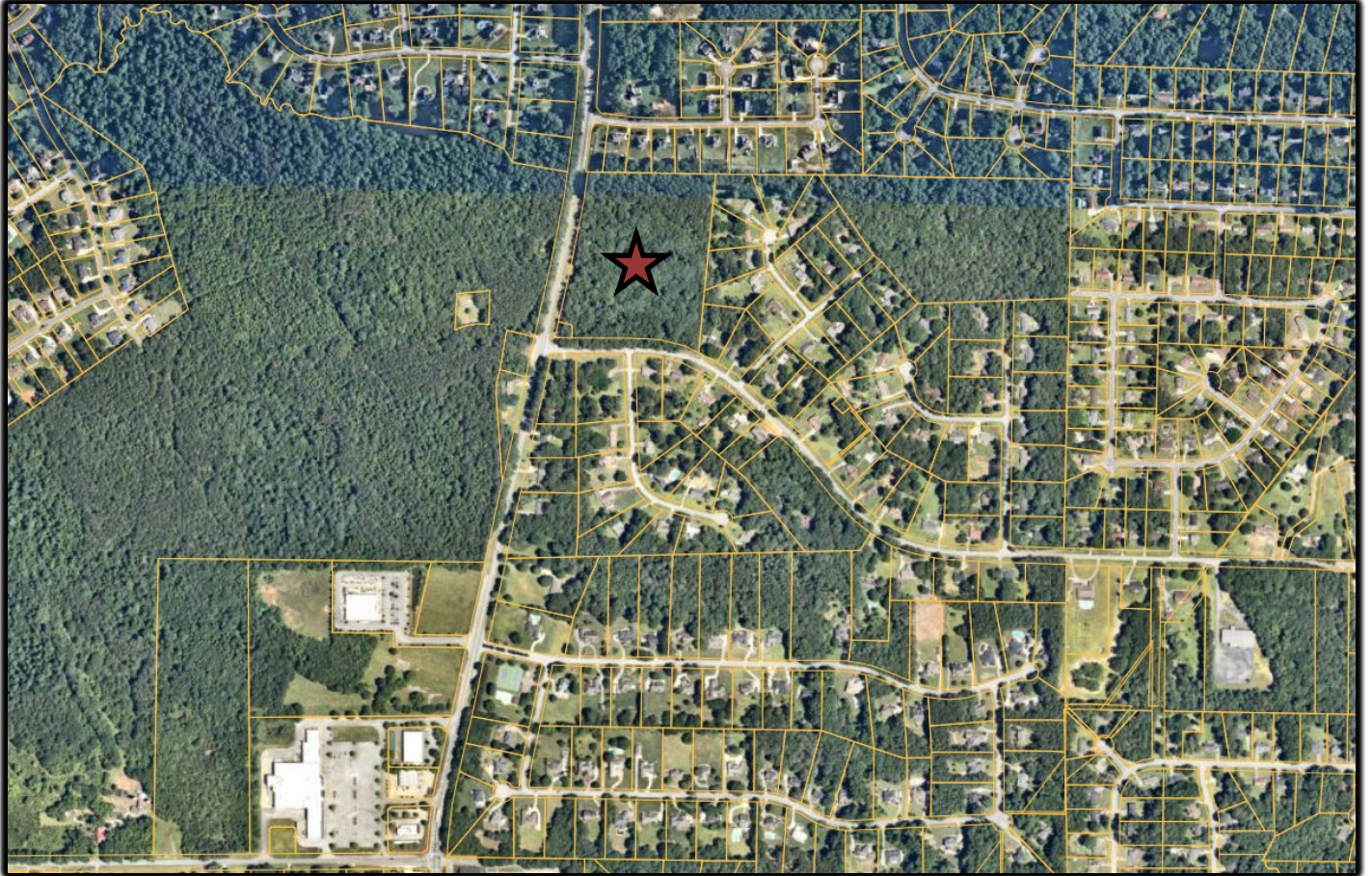
FUTURE LAND USE MAP



CONTOUR MAP



AERIAL MAP



PROJECT SUMMARY

The applicant is requesting a rezoning and a future land use amendment for a 12.88-acre site. The project includes the following:

- A request to rezone the site from A-R (Agricultural-Residential) to C-2 (General Commercial) for the development of a retail commercial complex.
- A request to amend the Future Land Use Map from Medium Density Residential to Commercial.

The site includes the following elements:

- Two buildings totaling 16,000 square feet.
- Two access points to the commercial complex
 - One access point from Highway 20 SE (with deceleration lanes and tapers)
 - One access point from S Christian Circle SE
- Development to be served by septic system.
- Proposed 50-foot-wide transitional buffer adjacent to R-1 zoned properties (meets code requirements)
- Proposed 20-foot-wide landscape strips along frontages of development.



ZONING AND DEVELOPMENT STANDARDS

The following is a summary of applicable development standards from the Rockdale Unified Development Ordinance (UDO):

ZONING AND DEVELOPMENT STANDARDS			
Standard	Required	Proposed	Meets Standard?
Minimum Lot Size	15,000 SF	12.88 acres	YES
Minimum Lot Width	100 Feet	>100 Feet	YES
Front Setback	25 Feet	25 Feet	YES
Rear Setback	35 Feet	>25 Feet (with additional natural buffer)	YES
Side Setback	25 Feet	25 Feet	YES
Gross Density	15,000SF/Acre maximum	450,000 SF	YES
Front Landscape Strip	20 Feet	20 Feet	YES
Side/Rear Landscape Strip	10 Feet	>10 Feet	YES
Transitional Buffer (Adjacent to R-1)	50 Feet	50 Feet	YES

INTERNAL AND EXTERNAL AGENCY REVIEW

In addition to the above referenced development standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency comments are attached and provided below.

Fire

Fire Hydrants shall be spaced a maximum 500 feet apart for non-sprinkled structures and maximum of 600 feet apart for sprinkled structures.

Board of Education

No impact – Commercial property.

Stormwater Department

Based on the submitted rezoning documents, there are no known environmental impacts which still acquire Rockdale County requirements that must be adhered to by Federal, State and County ordinances. Tree protection must be adhered to as it relates to the Stormwater Management Department for Land Disturbance Permitting.

CHAPTER 328 – Buffers, landscaping, and Tree Protection

Sec. 328-15. - Authority, findings, purpose and intent.

(a) *Authority.* This article is enacted pursuant to the county's exclusive planning authority granted by the Constitution of the State of Georgia, including but not limited to Ga. Const. art. IX, § II, para. IV, and Ga. Const. art. IX, § II, para. III, as well as authority granted by the General Assembly of the State of Georgia, including but not limited to O.C.G.A. § [36-70-3](#), as well as 1977 Ga. Laws, page 2817, as amended, and 1969 Ga. Laws, page 3639, as amended, and the general police powers of the county and other authority provided by federal, state and local laws applicable to this article.

(b) *Findings, purpose, and intent.* It is the intent of this article to provide standards for landscaping and for the preservation and replacement of trees as part of the land development and building construction process in unincorporated areas of the county. The county finds that the existence of adequate tree cover and landscaping in the county directly affects the public health, safety and welfare to comprehensively address these concerns through the adoption of the regulations in this article. The purpose and intent of the board of commissioners in enacting this article are as follows:

(1) To protect the health, safety and general welfare of the citizens of the county, and to implement the policies and objectives of the comprehensive plan through the enactment of a comprehensive ordinance governing tree preservation and replacement in the county.

(2) To require landscaping and the preservation and replacement of trees in certain areas within the county in order to ensure the continued health of its citizens through improved air and water quality.

(3) To provide developers and others active in the county with the appropriate guidance to better ensure proper tree preservation and replacement in the course of the land development process in the county.

(4) To preserve property values in the county by maintaining a safe, aesthetically pleasing environment.

(5) To reduce flooding of county rivers and streams by planting trees and other vegetation so as to aid in slowing the rate of stormwater runoff.

(6) To reduce soil erosion in the county by planting trees and other vegetation so as to aid in prevention of soil loss through stormwater runoff and flooding and to promote stormwater infiltration.

(7) To reduce noise and glare on adjacent properties from properties that has been extensively developed.

(8) To conserve energy by cooling surrounding air temperatures through the existence of adequate shade trees.

(9) To provide improved atmospheric quality by reducing airborne particulates and carbon monoxide and by increasing oxygen through adequate tree cover.

(10) To promote the saving of trees in nodes throughout a development, rather than as individual trees scattered over a development or around the periphery of a development.

(11) To prevent clear-cutting and mass grading of land that results in the loss of mature trees, and to ensure appropriate replanting when tree loss does occur.

Sec. 328-25. - Requirements for other developments.

(a) Each new development not covered by [section 328-24](#) shall prepare a landscape and tree protection and replacement plan showing compliance with this section.

(b) The tree protection and replacement plan must, at a minimum, protect or plant 15 units per acre of trees on the land being developed. The tree density calculations shall not utilize trees within required buffers in determining for the overall density factor, existing density factor, or replacement density factor. All new development with eight (8) or more parking spaces, or expanded development that results in eight (8) or more parking spaces, shall provide interior landscaping.

(c) Rockdale County has given priority to the retention and placement of trees in frontage planting strips and parking lot planting islands. Trees retained or placed in these areas may be used to meet the tree density factor for a project. However, if the tree density factor is met with trees saved or planted in other areas, the tree location guidelines outlined below must still be performed with additional tree plantings.

(d) *Required landscape strips and re-vegetated buffers.* Landscape strips shall meet the minimum depth requirements as indicated in the following table. Trees may be planted in groups rather than in a single line. Adjoining residential zoning districts, evergreen trees shall be saved or planted in such density or spacing as to provide an eight-foot tall visual barrier within two years of planting. Required landscaping strips shall not be encroached upon by parking space, driveway surfaces or storm water detention facilities except when complying with requirements below. Driveway crossings may traverse such strip as near to a perpendicular alignment as practical. Signs may be located in the required landscape strip.

Transportation

Sec. 222 – Off Street Parking Standards:

- ☐ Ensure parking space dimensions remain in accordance with Rockdale ordinance and requirements.
- ☐ Appears to have enough parking and ADA parking spaces.
- ☐ Lights will be required if the parking and loading areas are to be used at night.

Sec. 332, Article I – Streets and Sidewalks

☐ Ensure deceleration lane tapers are the appropriate length for posted speed limits on Hwy 20 and if required on Christian Cir.

☐ Provide documentation that site-distance-requirements were considered.

Provide a traffic impact study to consider the change in zoning to accommodate this proposed site.

☐ Provide documentation of GDOT's review and approval of a ROW/driveway encroachment of Highway 20 with future permit submissions to Rockdale County.

☐ Ensure driveway entrance from Christian Cir. has a centerline aligned directly across from Faye Ct.

☐ Developer to provide a lighting plan for the site.

*RDOT comments are not all inclusive and are subject to change or be updated on future submissions, esp. as this conceptual site plan is revised and refined.

Updated RDOT Comments (10/18/2024):

We agree with the findings in the traffic study. Certain turning movements at the intersection of Christian Circle and McDonough Hwy (SR 20) do get worse as a result of the new development but not enough to warrant a signal.

Water/Sewer Department

Existing 8" DIP Water main along GA Hwy 20 SE and South Christian Circle SE. Public Wastewater is not available. See Map Attached.

Legend:

SEWER MANHOLE

 FT 1000

Public

SEWER MAIN

→ 轉運站

→ NB.10

→ HLL.

SEWER PL

SEWER PUMP STATION

 PUBLIC-ACTIVE☐ DETECTIVE ACTIVE=

P-22 INDUCTIVE

P5 **calculus** **analysis**

SEWER FORCE MAIN

— INDEX

→ ABANDONED

➔ PROPOSED

➡ **संकेत मान:**

WATER HYDRANT

 PUBLIC PRIVATE

✪ *val x'c' val u25*

WATER VALVE

50 OPEN

● 236

 NI 1

8) Find the value of x .

WATER MAIN

— R.F. 10

— — ABANDONED

— — PR_05.1

— — DIFFERENTIALS

□ □ Do not

MINERAL

INTERLUDES

COUNTY BOARD

Property Breakdown

EVALUATION OF THE FUTURE LAND USE REQUEST

Sec. 238-4(g)(2) Standards for review of comprehensive plan amendments

When considering an application to amend the future land use map, the Board of Commissioners, the Planning Commission, and the Planning & Development Department shall consider the following:

A. Whether a proposed future land use map amendment would result in a future land use classification that is more consistent with the text and policies of the comprehensive plan than the current classification of the property on the future land use map.

The subject site currently has a future land use designation of Medium Density Residential and is surrounded by other properties with the same future land use designation of Medium Density Residential. The proposed Future Land Use amendment to Commercial may be a viable option for the subject site due to its location along Highway 20 SE—a corridor which will likely experience increased commercial development in the following decades.

B. Whether the proposed amendment would result in a land use that is more compatible with the current and future land use of adjacent and nearby property.

Staff believes that the proposed amendment to allow a commercial complex would be compatible in the area as the site is located along Highway 20 and is within 1,200 feet of an existing commercial node.

C. Whether the proposed amendment would result in more efficient use of publicly financed community facilities and infrastructure.

The proposed commercial complex will be served by public water and a septic system. The project will have an impact on transportation facilities, so the applicant was required to submit a Traffic Impact Study for the project. The study was reviewed by Transportation staff; staff agreed with the findings of the study and stated that though turning movements at Christian Circle would get worse, the new development would not warrant a signal. The development will have no impact on the Rockdale County school system.

D. The extent to which the proposed amendment would increase adverse impacts on the natural environment, especially water quality, green space preservation and air quality.

The proposed commercial development would not increase adverse impacts on the natural environment. Additionally, there are no streams, floodplains, or wetlands on the site that would be impacted from the proposed development.

E. Whether the proposed amendment would reduce dependence on the automobile

The proposed commercial development would not reduce dependence on the automobile due to the development's location along Highway 20 SE.

F. The extent to which the proposed amendment would increase adverse impacts on historic or cultural resources.

There are no known historic or cultural resources in the vicinity of this property; therefore, no adverse impacts are anticipated.

G. If an amendment would affect only a single parcel, whether it should be made part of an area-wide review of future land use that includes review of future land use for the subject parcel and other surrounding property.

The proposed amendment would be compatible with the surrounding properties in the area that have Medium Density Residential and Commercial future land use designations.

H. The degree to which the proposed amendment would have adverse impacts on land in adjacent municipalities and local governments.

This development would have no impact on the City of Conyers as the property is not in proximity to City limits.

I. Whether the proposed amendment would result in any negative impacts on the public water supply and wastewater collection and treatment systems or would conflict with adopted long-term water and sewer plans.

If all land development and stormwater regulations are designed and permitted in accordance with the code requirements, the proposed amendment will not affect the public water supply. Furthermore, the development will be utilizing a septic system.

EVALUATION OF THE REZONING REQUEST

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 standards as described in Section 238-4(G1) of the UDO:

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

The subject site is surrounded by residential uses on all sides. The residential properties adjacent to the site are zoned R-1 (Single-Family Residential) and A-R (Agricultural-Residential). The residences to the south and east of the subject property are within the Village Green Subdivision and were constructed in the 1970's, while the homes in the Stafford Glen Subdivision to the north were constructed throughout the 2010's and 2020's. Though surrounded by residential subdivisions, the subject property is located along Highway 20 SE, which will likely experience commercial growth in the next few decades as the county continues to grow. An existing commercial node along Highway 20 SE is located approximately 1,200 feet to the southwest of the subject site. This commercial complex includes a shopping complex with discount stores, fast-food restaurants, an auto parts store, retail shops, and a lawn and garden supplies store. Property records indicate that these commercial uses were constructed from 1996 to 2018.

As such, the area surrounding the subject site appears to be experiencing residential and commercial growth concurrently. Furthermore, the applicant's site plan provides a viable separation of the proposed shopping complex and surrounding residential properties. The proposed undisturbed transitional buffer meets the required width listed in Sec. 328-6 of the Unified Development Ordinance.

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

The existing uses of adjacent or nearby properties would likely not be adversely impacted by the zoning change. Allowing the rezoning for a commercial complex in accordance with the application would be consistent with existing commercial uses along Highway 20 SE. Proposed landscaping and transitional buffers will buffer the adjacent residential properties. The submitted Traffic Impact Study found that transportation infrastructure is currently operating at low levels of service, and that the proposed project would result in "slightly longer delays" in evening peak hours.

C. Will the property to be affected by the zoning proposal have a reasonable economic use as currently zoned?

The property has reasonable economic use as currently zoned. However, the site would have a greater economic use if rezoned to C-2 (General Commercial) due to the parcel's location; the proposed commercial center's retail and restaurant uses will likely receive foot-traffic from Highway 20 SE.

D. 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?

If all land development and stormwater regulations are designed and permitted in accordance with the

code requirements, the proposed rezoning would likely not increase adverse impacts on public facilities. The proposed commercial complex will be served by public water and a septic system. The project will have an impact on transportation facilities and traffic patterns, and a Traffic Impact Study was provided that evaluated these impacts. A growth factor of approximately 1% was used in the analysis. The analysis included evaluation of “no-build” and “build” conditions, both of which account for the volume increases due to annual growth of through traffic. The results of the “build” conditions indicate that “the stop-controlled approach of Christian Circle will continue to operate at LOS “F” with slightly longer delays in the PM peak hour. The stop-controlled full access driveway at SR 20 will also experience some delays and will operate at LOS “E” and “F” in AM and PM peak hours respectively.” Transportation staff reviewed the study and agreed with the findings that turning movements at Christian Circle would get worse, but not enough to warrant a signal. The development will have no impact on the Rockdale County school system.

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

Concurrent to the rezoning request, the applicant is requesting to amend the Future Land Use Map from Medium Density Residential to Commercial. Staff believes that Commercial would be appropriate in this location along Highway 20 SE. The applicant’s request for a rezoning and future land use map is in conformity with commercial uses in the surrounding area. The Future Land Use Map is a designation of the highest use available; and is utilized for staff and commissioners to consider the most compatible use for the proposed area. In effect, the land use categories proscribed as part of this plan specifies which zoning districts are deemed suitable surrounding uses (Section 206-2), and Commercial is deemed a use that reflects the future zoning for the area.

F. 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?

The area along Highway 20 SE has been experiencing both commercial and residential development in the past several decades, and staff believe that a rezoning of the property from A-R (Agricultural-Residential) to C-2 (General Commercial) would allow the property to be better utilized.

PLANNING AND DEVELOPMENT STAFF RECOMMENDATIONS

Based on staff’s evaluation of the request, and the standards governing exercise of zoning power, the Department of Planning and Development recommends **Approval with Conditions** of the requests to amend the Future Land Use Plan from Medium Density Residential to Commercial and to rezone from A-R (Agricultural-Residential) to C-2 (General Commercial). Should the application be approved, staff recommend the following conditions:

1. The applicant shall abide by all applicable standards of the Unified Development Ordinance for the C-2 Zoning District, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
2. The applicant shall provide the Traffic Impact Study prior to the submittal of an application for a Land Disturbance Permit (LDP). 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 applicant shall provide documentation of GDOT’s review and approval of a ROW/driveway encroachment of Highway 20 with future permit submissions to Rockdale County.

ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT

4. The applicant shall ensure that the driveway entrance from Christian Circle has a centerline aligned directly across from Faye Court.
5. The developer shall provide a lighting plan for the site.
6. No elevations or architectural renderings were provided with this submittal. Buildings shall be of a brick, stacked stone and/or glass finish on all sides. Final building elevations shall be submitted for review by the Director of Planning and Development prior to land development disturbance approval.
7. As indicated on the site plan, the development shall provide a 50-foot-wide natural undisturbed buffer adjacent to all residentially zoned properties. Buffers shall be replanted where sparsely vegetated and shall be subject to the review and approval of the Director of Planning and Development.
8. The applicant shall provide a 20-foot-wide landscape strip adjacent to all rights-of-way.
9. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign walkers and sign-twirlers shall be prohibited.
10. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent properties or rights-of-way.
11. Where infrastructure capacity is later deemed unavailable at the time of application submittal, the applicant shall appear before the Planning Commission (PC) prior to submittal of the Land Disturbance Permit (LDP) with proof of capacity.
12. All utilities shall be placed underground.
13. Natural vegetation shall remain on the property until the issuance of a development permit.