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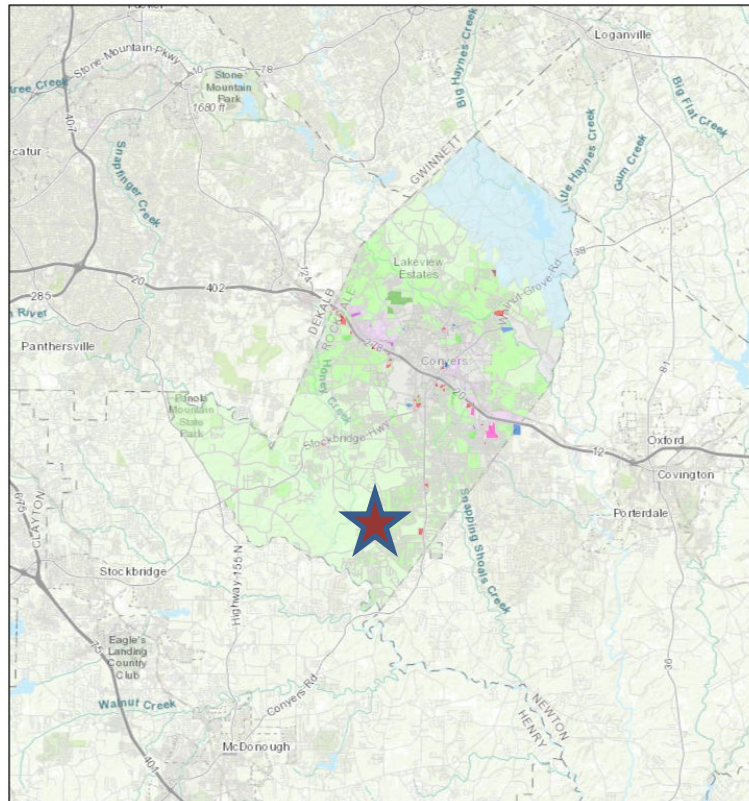
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**PLANNING COMMISSION & BOARD OF COMMISSIONERS
ROCKDALE COUNTY PLANNING STAFF REPORT**

Case Numbers: REZ2024-28
Address: 1929 SW Oglesby Bridge Road
Tax Parcel: 032002004C
Site Area: 10.00 acres of a 44.76 acre parcel
Current Zoning: A-R (Agricultural-Residential)
Existing Conditions: Woods/Fields
Request: To rezone 10.00 acres from A-R (Agricultural-Residential) to C-1 (Local Commercial) for a neighborhood commercial development.
Applicant: Stephen A. Goodsell
Owner: Benjamin Willis Seay III

Staff Recommendation: **Approval with Conditions**

PC Hearing Date: January 9, 2025
BOC Hearing Date: January 23, 2025



Zoning History

10.00 acres of 1929 SW Oglesby Bridge Road are zoned A-R (Agricultural-Residential) and the other 34.76 acres are zoned R-1 (Single-Family Residential) pursuant to REZ2024-16. In conjunction with REZ2024-16, the applicant had submitted a separate request to rezone 10.00 acres of 1929 SW Oglesby Bridge Road from A-R (Agricultural-Residential) to C-1 (Local Commercial) pursuant to REZ2024-24. On November 7, 2024, the Planning Commission recommended Denial of both requests. On December 10, 2024, the Board of Commissioners approved REZ2024-16 for an R-1 (Single-Family Residential) Subdivision but remanded REZ2024-24 back to the Planning Commission. County staff required the applicant to submit a new application and assigned a new case number, REZ2024-28, to be heard by the Planning Commission on January 9, 2025, and by the Board of Commissioners on January 23, 2025. The application that was resubmitted is largely the same as the original application.

Existing Site Conditions

The subject site is 10.00 acres of a 44.76-acre property located west of the intersection of GA Highway 212 SW and Oglesby Bridge Road SW. The property is developed with a single-family residence that was constructed in 1980. Apart from the residence, the site is characterized by wooded areas and open fields. The subject property has road frontage along both GA Highway 212 SW and Oglesby Bridge Road SW; sidewalks are not present along the frontages. Tributaries of Honey Creek, ponds, freshwater forested/shrub wetlands, and floodplains are present on the property.

Surrounding Use and Zoning

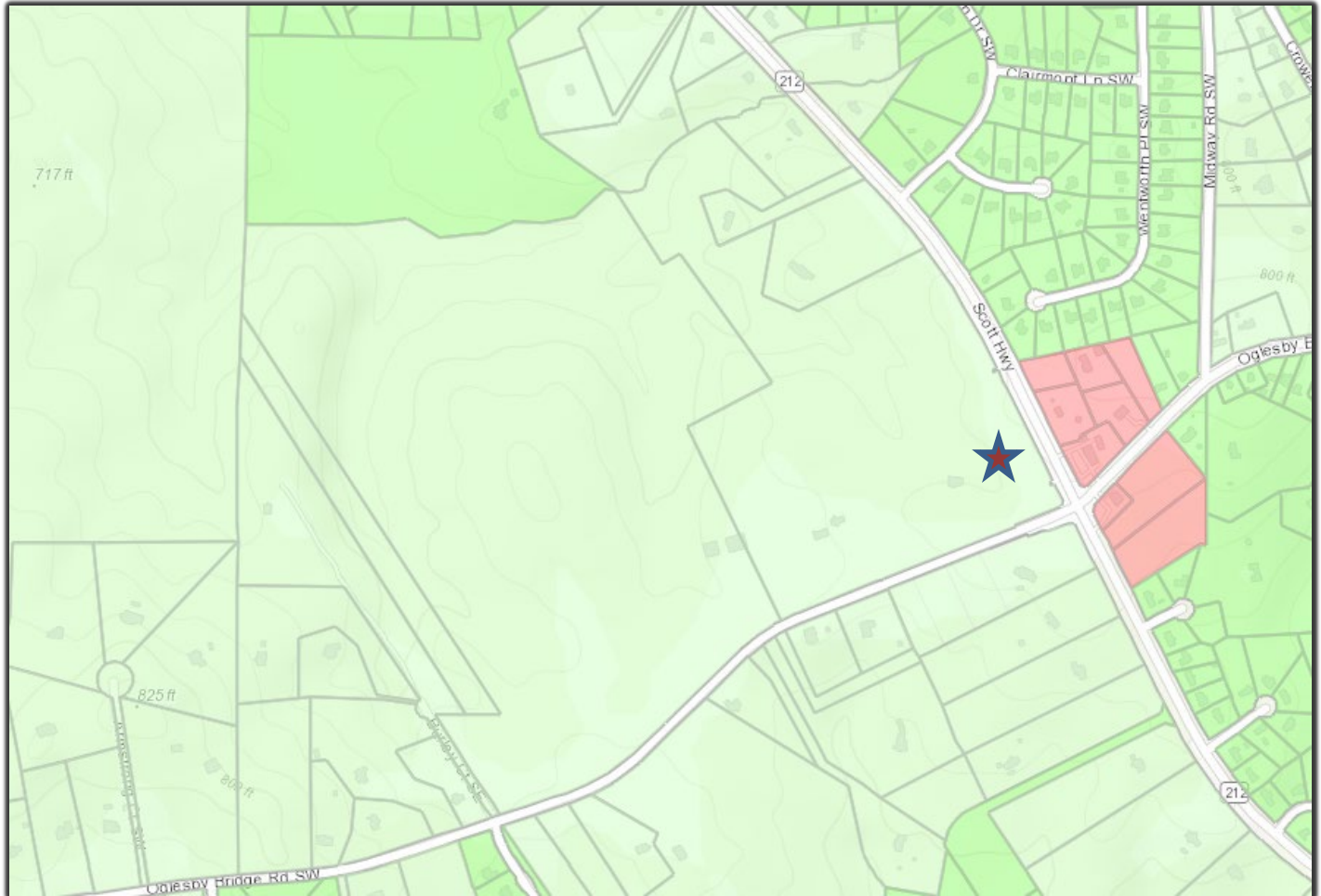
The subject site is adjacent to residential and commercial properties. The following is a summary of surrounding uses and zoning:

Adjacent Zoning and Current Land Use			
Direction	Address	Zoning District	Current Land Use
West	2471 SW Oglesby Bridge Rd 2165 SW Burley Ct	A-R A-R	Monastery of the Holy Ghost Single-Family Residence
North	1529 SW Devonshire Way 1994 SW Highway 212 1956 SW Highway 212 1938 SW Highway 212	R-1 A-R A-R A-R	Single-Family Residences
East	4801 SW Camden Dr 1800 SW Francon Ct 1802 SW Francon Ct 1804 SW Francon Ct 1865 SW Highway 212 4555 SW Wentworth Pl 4556 SW Wentworth Pl 1837 SW Highway 212 1835 SW Highway 212 1827 SW Highway 212	R-1 R-1 R-1 R-1 R-1 R-1 R-1 C-1 C-1 C-1	Single-Family Residence Single-Family Residence Single-Family Residence Single-Family Residence Single-Family Residence Single-Family Residence Single-Family Residence Office Building Single-Family Residence Gas Station/ Convenience Store
South	1926 SW Oglesby Bridge Rd 1910 SW Oglesby Bridge Rd 1920 SW Oglesby Bridge Rd 1928 SW Oglesby Bridge Rd 1930 SW Oglesby Bridge Rd 1936 SW Oglesby Bridge Rd	A-R A-R A-R A-R A-R A-R	Single-Family Residence Vacant Vacant Vacant Single-Family Residence Single-Family Residence

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	1946 SW Oglesby Bridge Rd	A-R	Single-Family Residence
	1942 SW Oglesby Bridge Rd	A-R	Single-Family Residence
	1944 SW Oglesby Bridge Rd	A-R	Single-Family Residence
	1950 SW Oglesby Bridge Rd	A-R	Single-Family Residence

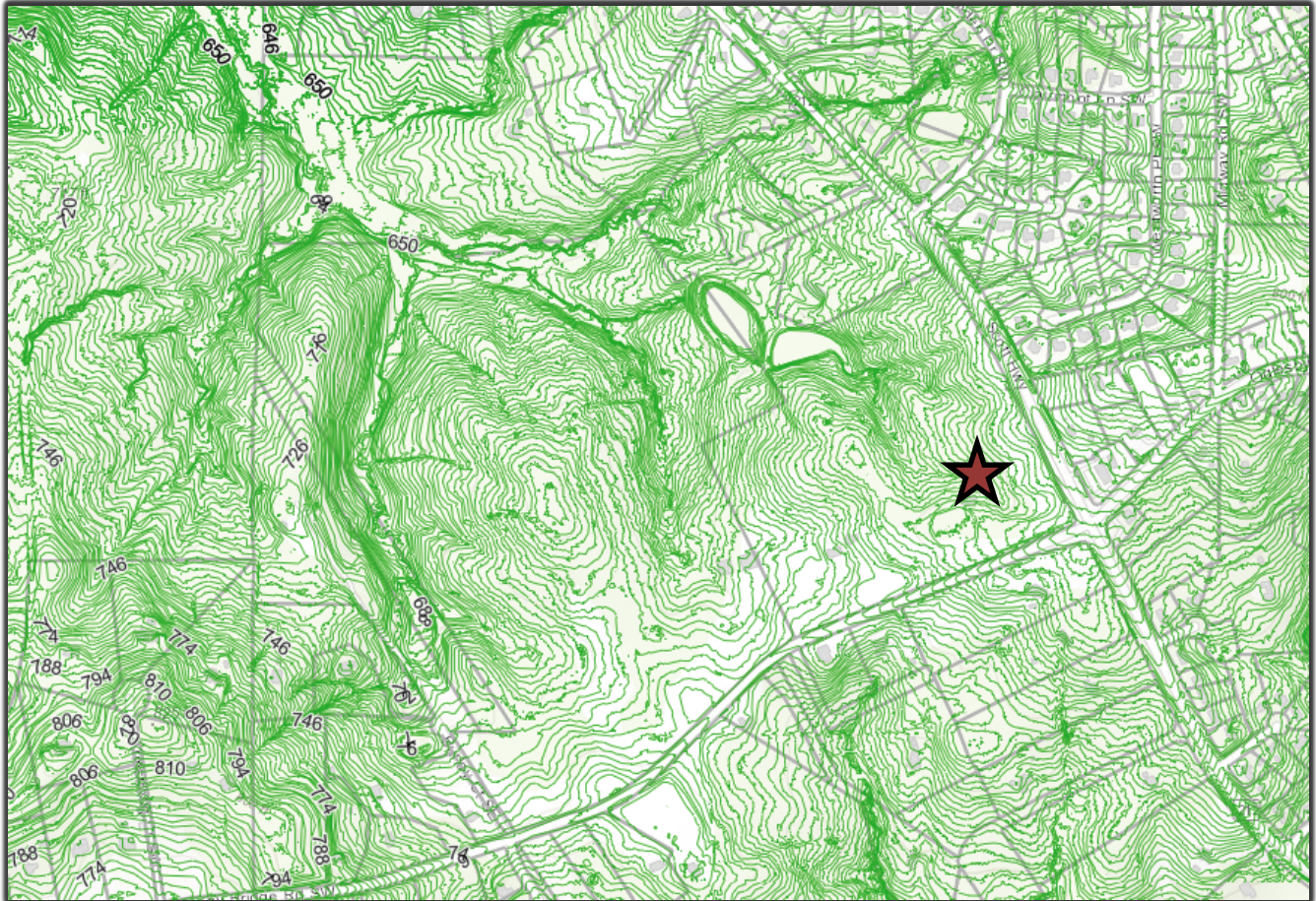
ZONING MAP



- AR - Agricultural Residential District
- R1 - Single-Family Residential District
- C1 - Local Commercial District

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CONTOUR MAP



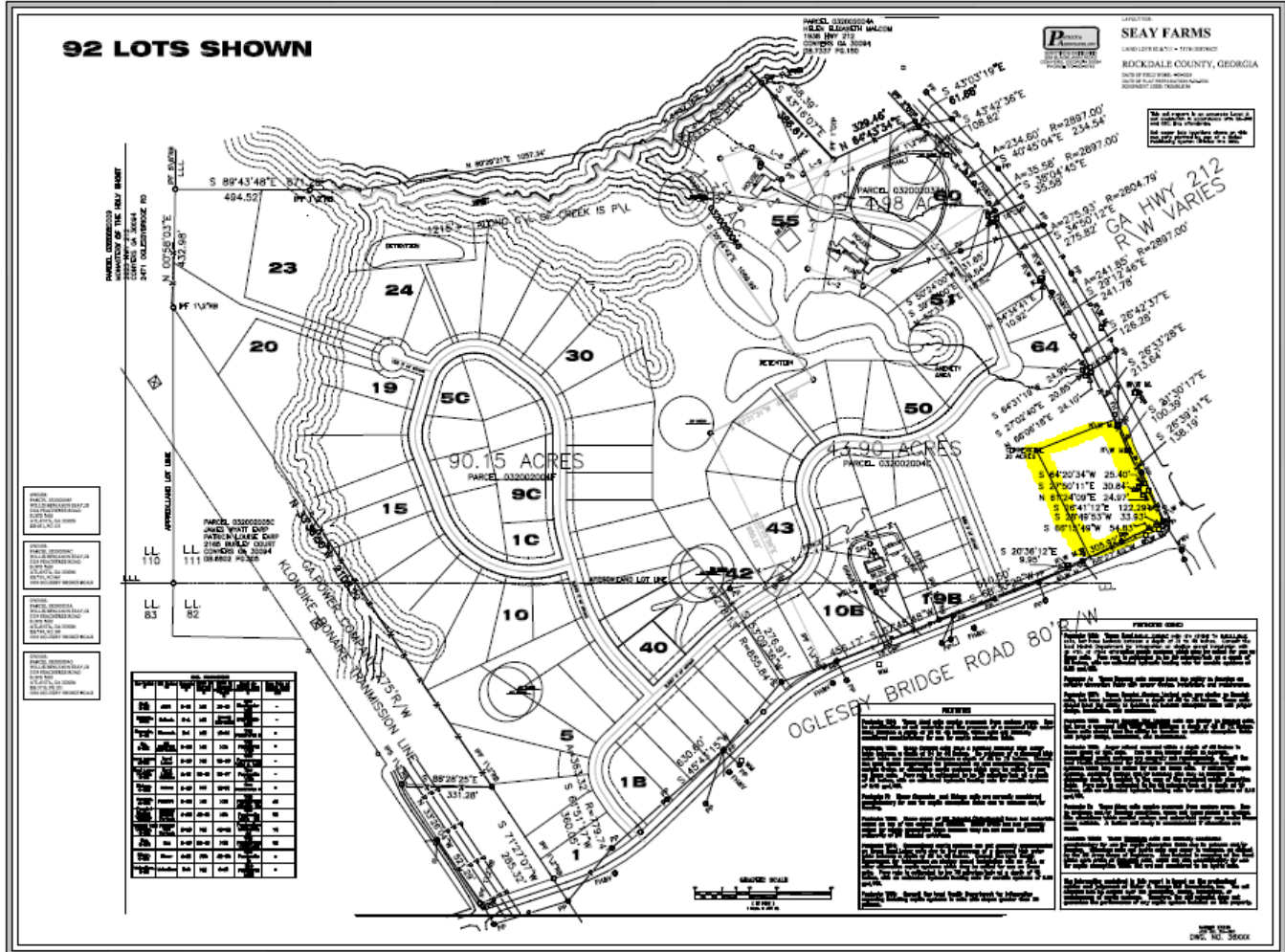
AERIAL MAP



ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT

Project Summary

The applicant is requesting to rezone 10.00 acres (highlighted below) of 1929 Oglesby Bridge Road from A-R (Agricultural-Residential) to C-1 (Local Commercial) for a neighborhood commercial development.



INTERNAL AND EXTERNAL AGENCY REVIEW

The applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency comments are attached and provided below.

Fire

No comments.

Rockdale Board of Education

School	Projected Enrollment	Current Enrollment	Current Capacity
LES	575	574	820
DMS	895	865	1104
SHS	799	866	1600

The lack of data on predicted per unit average student occupancy prohibits predicting the school's full occupancy dateline.

Multi developments within a school's zone within the same development period will impact capacity timelines. This month's list: DMS has two developments under consideration.

RCPS first steps to address impactful student numbers is to add mobile units to the site campus affected. Second step to consider will be larger class sizes. Third possible step, rezoning.

Transportation Department

Coordinate with GDOT on GA Hwy 212, Oglesby Bridge needs decel lane 175' travel lane and 100' taper.

Stormwater Department

Based on the submitted rezoning documents, there are existing State waters, Wetlands, and Rockdale County Future floodplain 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.

ARTICLE IV – STREAM BUFFER PROTECTION Sec. 310 – 103 Land development stream buffer requirements.

(a) All land development activity, including subdivisions of land and platting activities governed by chapter 302 of the UDO, shall meet the following buffer and setback requirements unless otherwise exempted in this article:

(1) An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.

(2) 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.

(3) No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback.

(b) Any land development activity within a buffer established hereunder or any impervious cover within a setback established hereunder is prohibited unless a variance is granted pursuant to sections 310-105.

CHAPTER 324 – ENVIRONMENTAL PLANNING CRITERIA

Sec. 324-2. - Protection of wetlands.

(a) *Purpose and intent.* Pursuant to O.C.G.A. 12-2-8 and the DNR, environmental protection division's Rules for Environmental Planning Criteria chapter 391-3-16, this section establishes regulations to promote the wise use of wetlands and protect them from alterations that will significantly affect or reduce their primary functions for water quality, floodplain and erosion control, groundwater recharge, aesthetic natural areas, and wildlife habitat areas.

(b) *Wetlands development permit requirements.* No activity or use, except those identified in subsection (c), shall be allowed in the wetlands without the issuance of a local development permit. Local permits will be issued only if the proposed use is in compliance with the requirements of the underlying zoning district and this section. Furthermore, if the area of proposed development is located within 100 feet of the wetlands boundaries, as established by Figure IV-2 of the Rockdale County Comprehensive Land Use Plan, a U.S. Army Corps of Engineers delineation is required under Section 404 of the Clean Water Act. If wetlands are altered or degraded, mitigation to offset losses may be required as a condition of a Section 404 permit. Local development permits will not be issued until after any necessary Section 404 permits have been secured.

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 by 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 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 the 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 have 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 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 spaces, driveway surfaces, or storm water detention facilities except when complying with the requirements below. Driveway crossings may traverse such strips as near to a perpendicular alignment as practical. Signs may be located in the required landscape strip.

ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT

Sec. 320-1. - Introduction.

(a) It is hereby determined that:

(1) The flood hazard areas of Rockdale County, GA are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

(2) Flood hazard areas can serve important stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation, and ecological purposes when permanently protected as undisturbed or minimally disturbed areas.

(3) Effective floodplain management and flood hazard protection activities can:

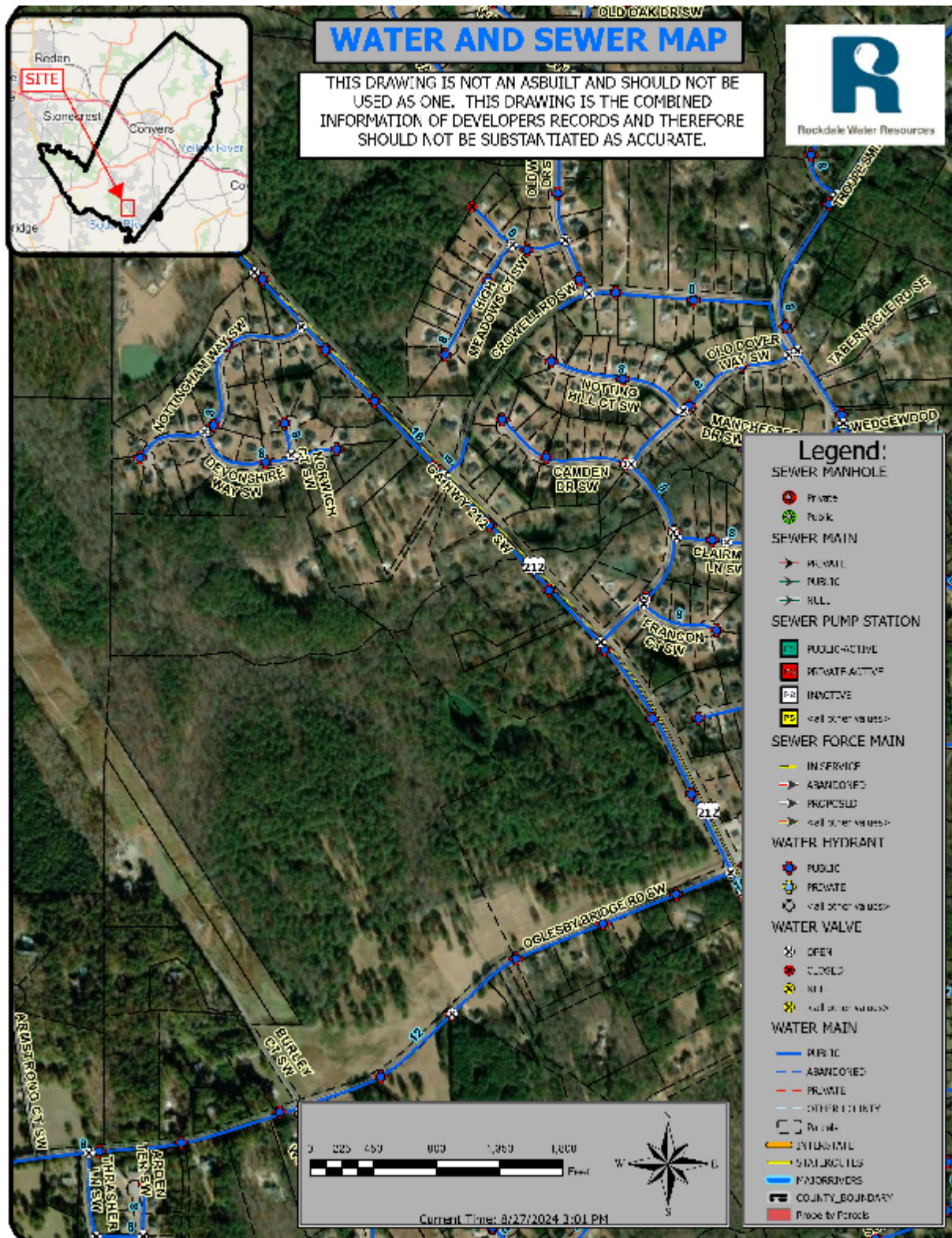
- a. Protect human life and health,
- b. Minimize damage to private property,
- c. Minimize damage to public facilities and infrastructure such as water and gas mains, electric, telephone, and sewer lines, streets and bridges located in floodplains, and
- d. Minimize expenditure of public money for costly flood control projects associated with flooding and generally undertaken at the expense of the general public.

(b) Article IX, Section II of the Constitution of the State of Georgia and Section 36-1-20(a) of the Official Code of Georgia Annotated have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, Rockdale County, GA, does ordain this chapter and establishes this set of floodplain management and flood hazard reduction provisions for the purpose of regulating the use of flood hazard areas. It is determined that the regulation of flood hazard areas and the prevention of flood damage are in the public interest and will minimize threats to public health and safety, as well as to private and public property.

Water/Sewer

Existing 16" DIP Water main along GA Hwy 212 SW and an existing 16" DIP Water main along Oglesby Bridge RD SW. No Public Wastewater. See Map Attached

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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:

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 applicant's request for rezoning from AR (Agriculture-Residential) to C-1 (Local Commercial) for a neighborhood commercial development is proposed on a largely undeveloped area of 10.00 acres. Properties across the street are zoned C-1 and developed with a gasoline station, a print shop, a service repair garage, a restaurant, and a fitness center. As such, a neighborhood commercial development would be suitable in view of the adjacent uses.

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

The proposed neighborhood commercial development will not likely have negative effects on the surrounding properties, so long as the uses are restricted so as to not disrupt the quality of life of the future residents of the proposed adjacent R-1 residential community.

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

The property would have better economic use if rezoned to C-1 (Local Commercial).

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

The neighborhood commercial development will likely have minimal impact on existing streets. Rockdale Water Resources (RWR) has indicated that public water is available at the site location, but public wastewater is not available. Schools in the area would not be impacted.

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

Approximately 10 acres at the intersection of Highway 212 SW and Oglesby Bridge Road SW have a future land use map category designated as Neighborhood Commercial.

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?

A neighborhood commercial development would be compatible with the small commercial node that has developed at the intersection of GA Hwy 212 SW and Oglesby Bridge Road SE.

PLANNING & DEVELOPMENT STAFF RECOMMENDATIONS

Staff recommends **Approval with Conditions** of the request to rezone from A-R (Agricultural-Residential) to C-1 (Local Commercial). Should the rezoning request be approved, staff recommends the following conditions.

Proposed conditions:

1. The site shall be developed in general conformance with the submitted site plan and comply with the Local Commercial (C-1) 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. Applicant must provide proof of sewer capacity before proceeding to preliminary plat phase.
4. Provide a five-foot-wide concrete sidewalk along Oglesby Bridge Road SW and GA Highway 212 SW rights-of-way. A strip of grass or other approved landscape material at least four feet in width shall separate sidewalks from adjacent curbs on public streets.
5. All grassed areas shall be sodded.
6. All utilities shall be placed underground.
7. Natural vegetation shall remain on the property until the issuance of a development permit.
8. Stormwater detention ponds shall be screened from view from adjoining residential properties. Screening plans shall be subject to review and approval by the Director of Planning and Development.
9. General commercial uses shall be permitted with the exception of the following uses:
 - a. Vape stores.
 - b. Liquor stores.
 - c. Gas stations.
 - d. Dollar stores.
 - e. Barber shops and beauty salons.
 - f. Beauty supply stores.