

Resolution of the Rockdale County Board of Commissioners to Accept the Withdrawal
of Rezoning Case #2025-09 Without Prejudice and Waive the 12-Month Prohibition on
Subsequent Amendment Applications on the Subject Site

Rezoning Case #2025-09 – An Ordinance to Amend the Official Zoning District Map of Rockdale County, Georgia, As Amended, By Rezoning 2880 SW HWY 212 from C-1 (Local Commercial District) to C-2 (General Commercial District) – Axis Infrastructure c/o Teresa Curry; to convert vacant restaurant and adjacent suites (located at the far right of the site) into an AutoZone retail location.

WHEREAS, Rockdale County Code Section §238-4 authorizes an application to amend the official zoning map of Rockdale County by the owner of the property or an authorized agent of the owner; and

WHEREAS, Rockdale County Code Section §238-4 authorizes an application to amend the official zoning map of Rockdale County to be withdrawn by the owner of the property of an authorized agent of the owner prior to publication of the required legal advertisement; and

WHEREAS, the public hearing notice for Rezoning Case #2025-09 was properly noticed and published for consideration by the Rockdale Planning Commission and the Rockdale County Board of Commissioners; and

WHEREAS, the request to withdraw Rezoning Case #2025-09 was submitted by the authorized agent of the owner at the public hearing on October 13, 2025 after the publication of the legal advertisement; and

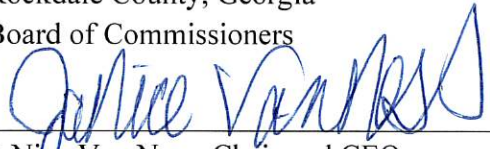
WHEREAS, Rockdale County Code Section §238-4 prohibits an application to amend the official zoning map within 12 months from the date of the final decision of the Board of Commissioners, unless the Board of Commissioners waives the 12 month interval by Resolution; and

NOW, THEREFORE, BE IT RESOLVED, by the Rockdale County Board of Commissioners that Rezoning Case #2025-09 be formally withdrawn from further consideration and the 12 month interval prohibiting subsequent application on the subject property if hereby waived.

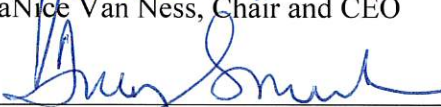
Approved this 10 Day March of 2025.

Rockdale County, Georgia

Board of Commissioners



JaNice Van Ness, Chair and CEO

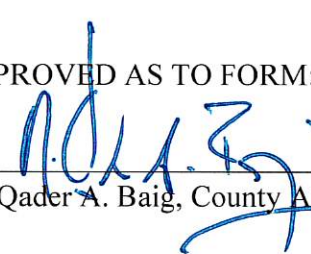


Tuwanya Smith, Commissioner Post I



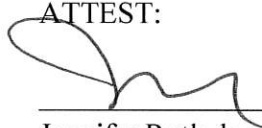
Doreen Williams, Commissioner Post II

APPROVED AS TO FORM:



M. Qader A. Baig, County Attorney

ATTEST:



Jennifer Rutledge, County Clerk
Director of Government
Affairs



October 14, 2025

Rockdale County Planning and Development
1117 West Avenue SW
Conyers, GA 30012

Re: REZ2025-09
Rezoning Application
2880 SW HWY 212
Parcel 003001014D

To whom it may concern,

Based on community opposition and recommendation of denial from the Planning Commission, we request that our rezoning application be withdrawn so that we can re-evaluate the best use of this property and come back before the Board at a later date. Thank you for all your help to date.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Teresa Curry'.

Teresa Curry

BOARD OF COMMISSIONERS

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



DEPARTMENT OF PLANNING & DEVELOPMENT

LARA PARKER, DEPUTY DIRECTOR
PHONE: (770) 278-7100
planningandzoning@rockdalecountyga.gov

OCTOBER 23, 2025
ROCKDALE COUNTY BOARD OF COMMISSIONERS MEETING
COVER SHEET
REZ2025-09
2880 SW HWY 212

REQUEST:	To rezone 13.85 acres from C-1 (Local Commercial District) to C-2 (General Commercial District) to convert vacant restaurant and adjacent suites (located at the far right of the site) into an AutoZone retail location
TAX PARCEL #:	003001014D
SIZE:	13.85 acres parcel
OWNER:	BDB Smyrna Crossing LLC
APPLICANT:	Axis Infrastructure c/o Teresa Curry
PURPOSE:	To convert vacant restaurant and adjacent suites (located at the far right of the site) into an AutoZone retail location

Summary

To rezone 13.85 acres from C-1 (Local Commercial District) to C-2 (General Commercial District) to convert vacant restaurant and adjacent suites (located at the far right of the site) into an AutoZone retail location

Staff Recommendation

Staff recommend **Approval with Conditions** of the request to rezone 13.85 acres from C-1 (Local Commercial District) to C-2 (General Commercial District) to convert vacant restaurant and adjacent suites (located at the far right of the site) into an AutoZone retail location

Planning Commission Recommendation

On Thursday, October 9, 2025, the Rockdale County Planning Commission voted unanimously to recommend **Denial** of the request.

Applicant Action

Following further consideration, the applicant has elected to **Withdraw** their rezoning application. The request will not proceed through the remaining stages of the review process, and the case will be closed accordingly.

BOARD OF COMMISSIONERS

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



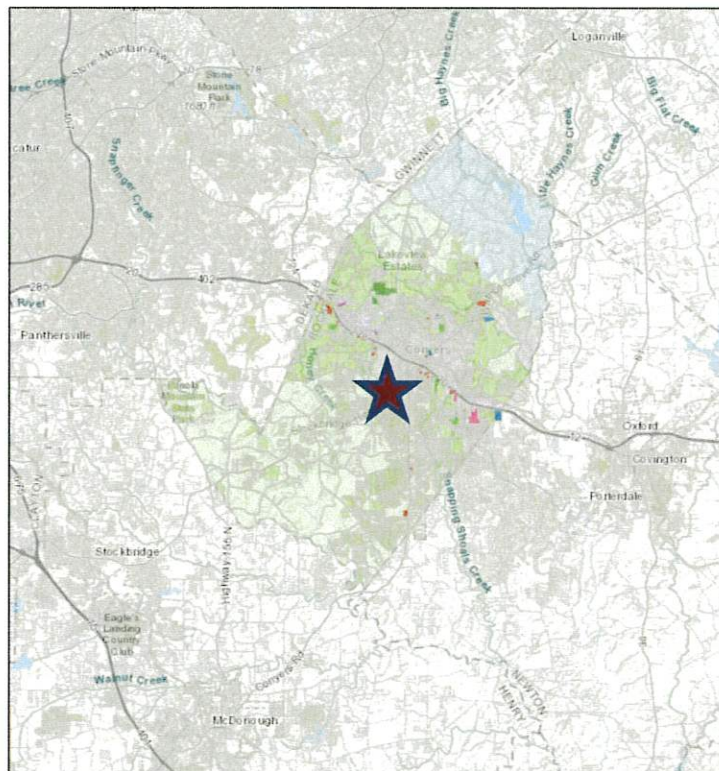
DEPARTMENT OF PLANNING & DEVELOPMENT

LARA PARKER, DEPUTY DIRECTOR
PHONE: (770) 278-7100
planningandzoning@rockdalecountyga.gov

PLANNING COMMISSION AND BOARD OF COMMISSIONERS
ROCKDALE COUNTY PLANNING STAFF REPORT

Case Number: REZ2025-09
Address: 2880 SW HWY 212
Tax Parcel ID: 003001014D
Site Area: 13.85 acres
Current Zoning: C-1 (Local Commercial District)
Existing Conditions: Publix Shopping Center and other small retail shops
Request: To rezone 13.85 acres from C-1 (Local Commercial District) to C-2 (General Commercial District) to convert vacant restaurant and adjacent suites (located at the far right of the site) into an AutoZone retail location.
Applicant: Axis Infrastructure c/o Teresa Curry
Owner: BDB Smyrna Crossing LLC
Staff Recommendation: *Approval with Conditions*

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



ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT

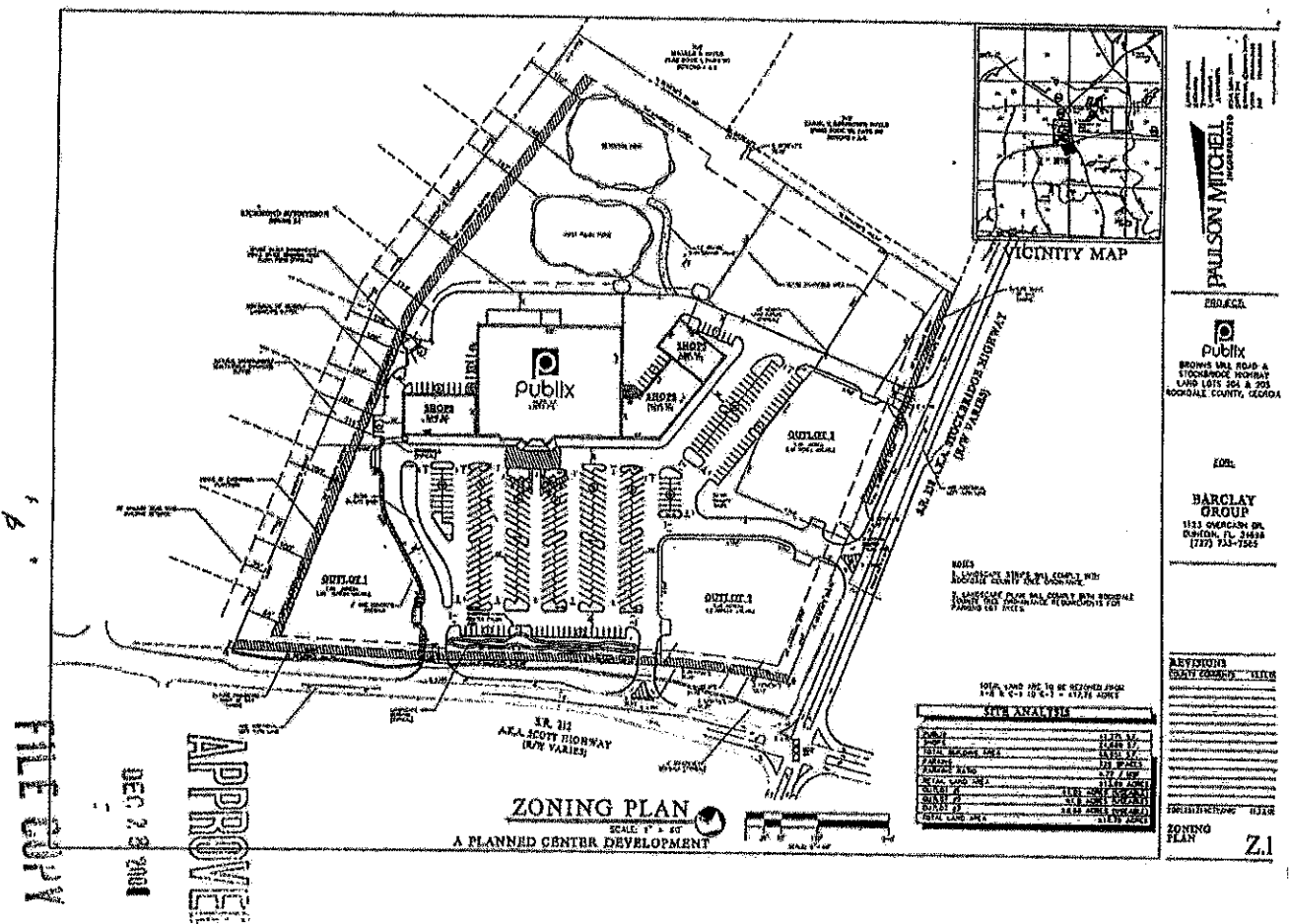
ZONING HISTORY

The subject site is located at 2880 SW HWY 212 and is zoned C-1 (Local Commercial District). This property was zoned C-1 on December 28, 2001 with the following conditions:

1. Approval of C-1 zoning conditioned to a site plan for a Publix Shopping Center; (**Exhibit A**)
2. Incorporation of a letter dated December 11, 2001 from Paulson Mitchell to Rockdale County and the covenants contained therein.

This property is currently developed with a Publix Supermarket and other small retail shops. No variances or special use permits have been granted for this property.

EXHIBIT A



EXISTING SITE CONDITIONS

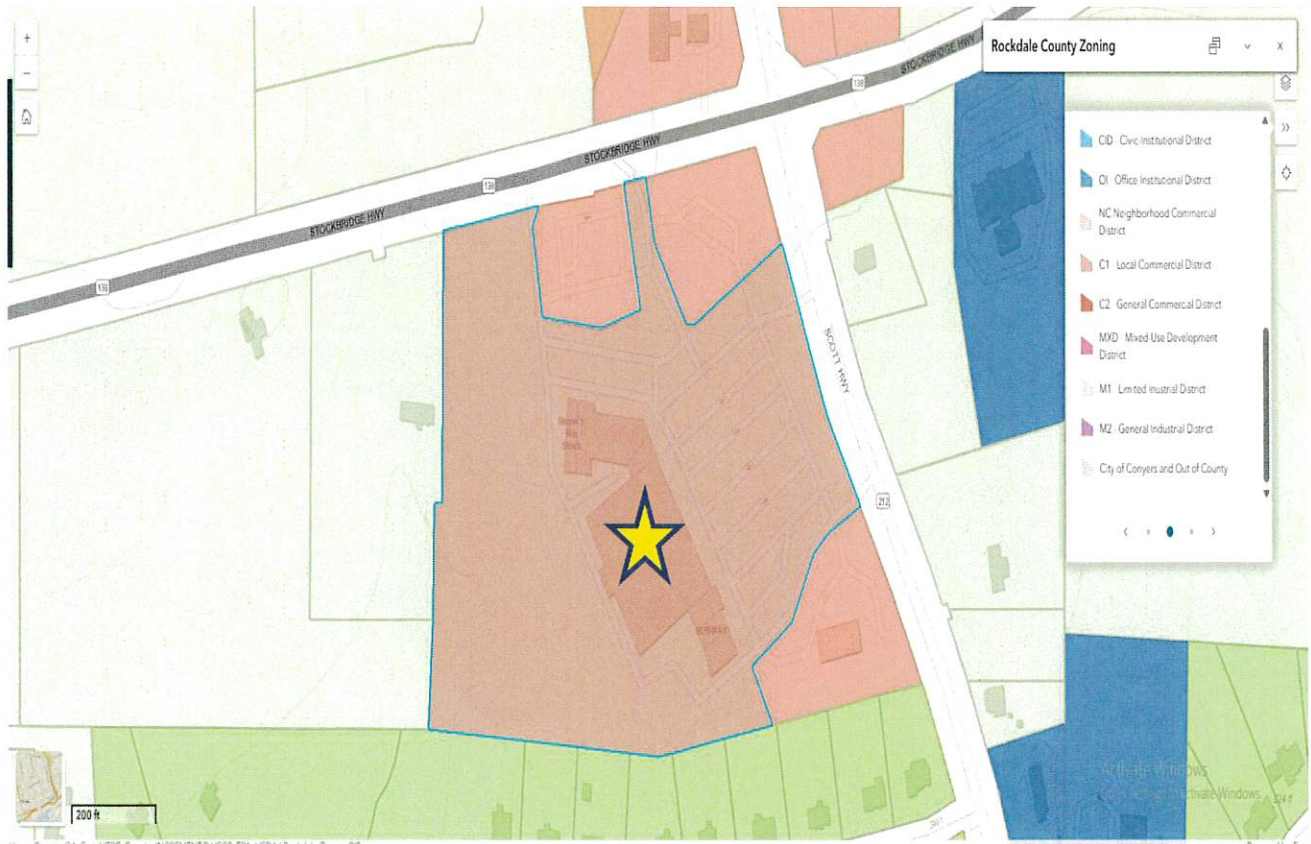
The subject site is a 13.5-acre developed property. The property has approximately 410 +/- feet of road frontage along Highway 212. A sidewalk is present along the property's frontage.

SURROUNDING USE AND ZONING

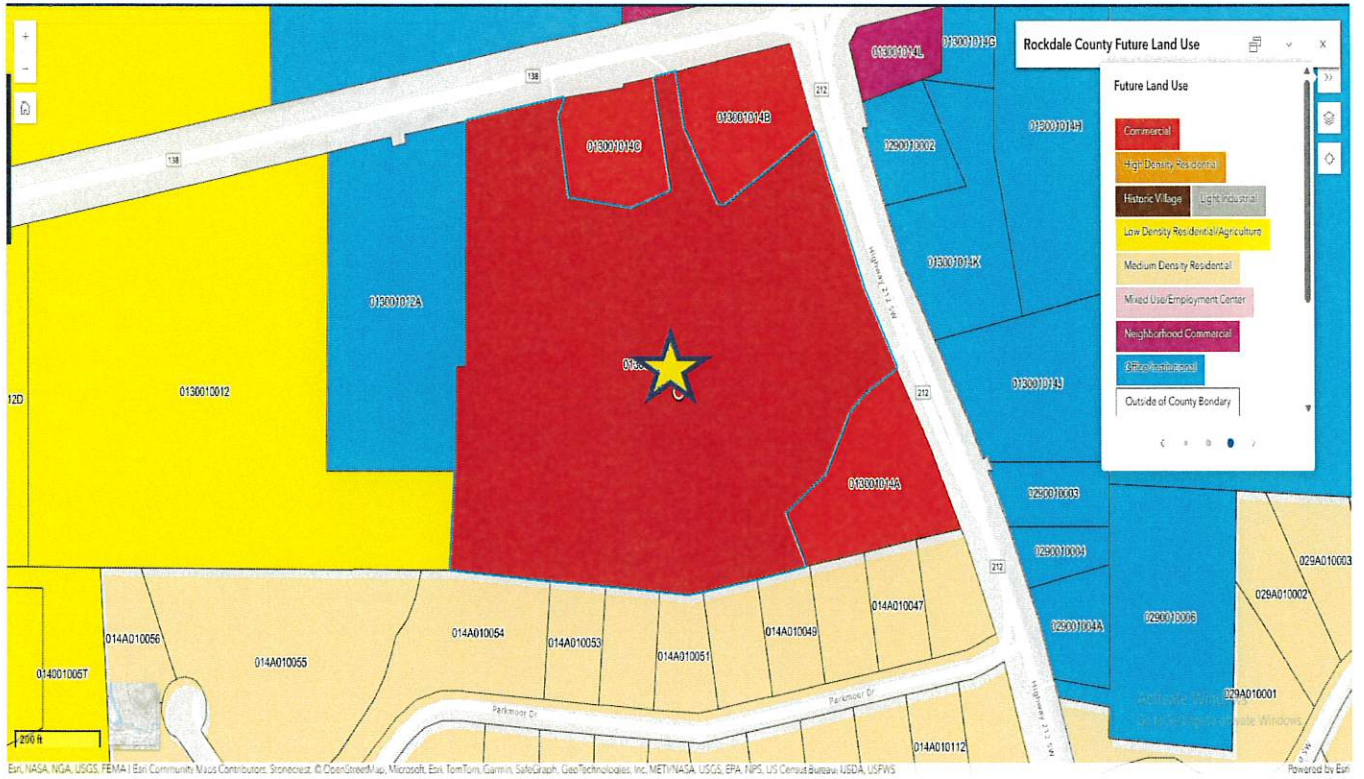
The following is a summary of surrounding uses and zoning:

ADJACENT ZONING AND CURRENT LAND USE			
Direction	Address	Zoning District	Current Land Use
North	2930 HIGHWAY 138	C-1	Fast Food Restaurant
East	2825 HIGHWAY 212	A-R	Single Family Structure
South	2860 GA-212	R-1	Single Family Neighborhood
West	2946 HIGHWAY 138	A-R	Single Family Structure

ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
ZONING MAP



ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
FUTURE LAND USE MAP



PROJECT SUMMARY

The applicant is requesting a rezoning of a 13.85-acre parcel from Local Commercial District (C-1) to General Commercial District (C-2) to allow for the sale of automotive parts by AutoZone, a use not permitted under the current C-1 zoning. The property is currently developed with a Publix Supermarket and several small retail shops, totaling approximately 70,162 square feet of building area with 316 parking spaces.

No changes to the overall site layout, parking, or building footprint. The rezoning is intended to allow AutoZone to occupy a space previously used as a sit-down restaurant. The applicant proposes to combine three existing tenant suites, two measuring 3,000 square feet each and one measuring 1,400 square feet into a single 7,400-square-foot retail space. Exterior modifications will be minimal and limited to storefront and signage updates to reflect the new tenant. Below are the proposed suite combinations (**EXHIBIT B**).

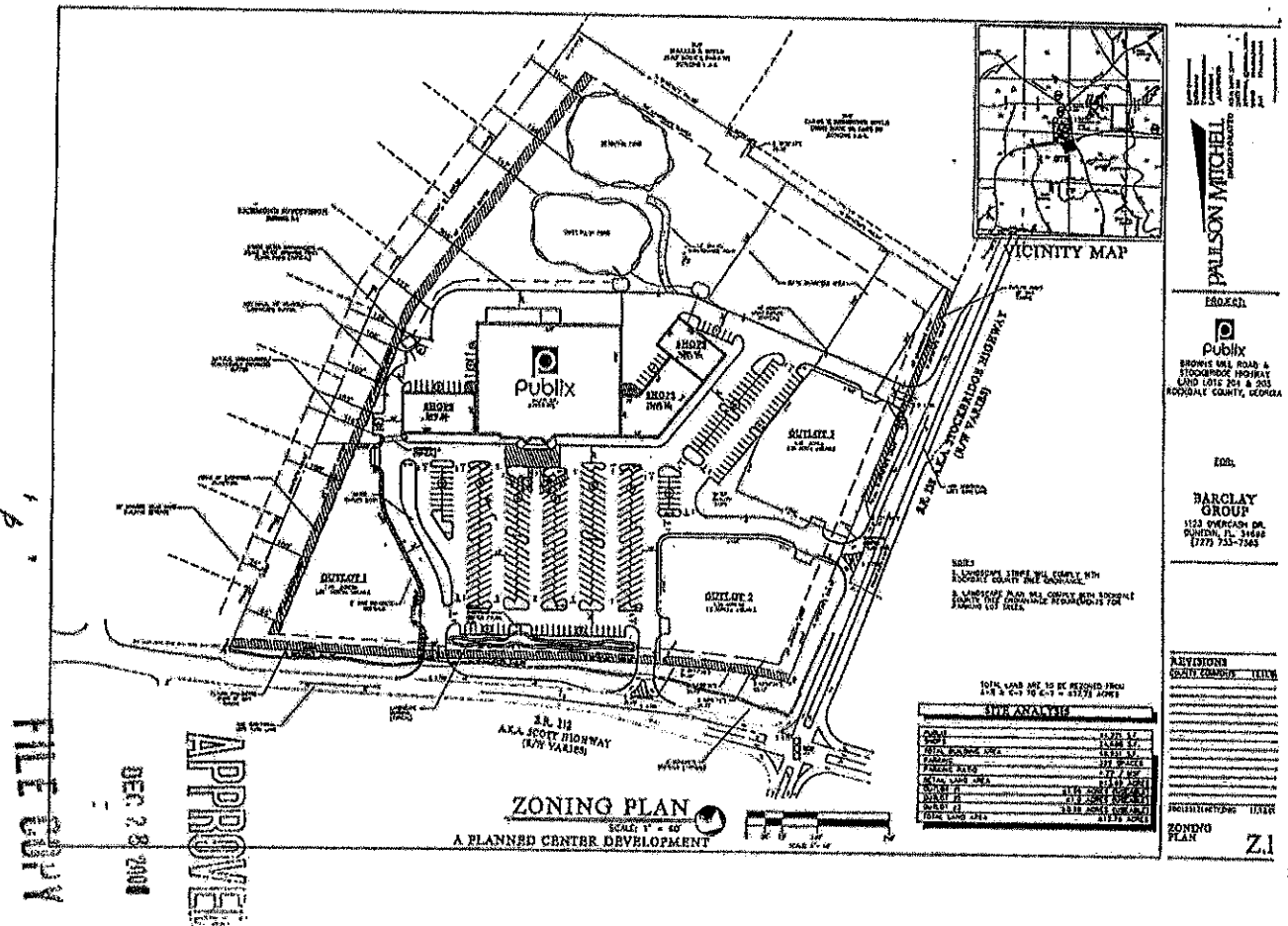
The proposed 7,400 square foot building is subject to the parking requirement of 4.5 spaces per 1,000 square feet of gross floor area. Based on this standard, the development is required to provide a minimum of 34 off-street parking spaces with 2 handicap-accessible parking spaces, totaling 36 off-street parking spaces.

EXHIBIT B



ROCKDALE COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT

PROPOSED SITE PLAN



SITE PHOTOS



AERIAL



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

The proposed location has an existing fire sprinkler system which is an added benefit seeing the proposed use will house various motor vehicle supplies. Any enhancements or modifications to the sprinkler system will be addressed during the formal plan review. If this location will have a waste oil collection tank, ensure that the tank is a double-walled tank.

Rockdale Board of Education

No impact on Rockdale County Public Schools.

Stormwater Department

Based on the submitted rezoning documents, there are no existing State waters and Wetlands requirements. Tree protection will not be required for this project.

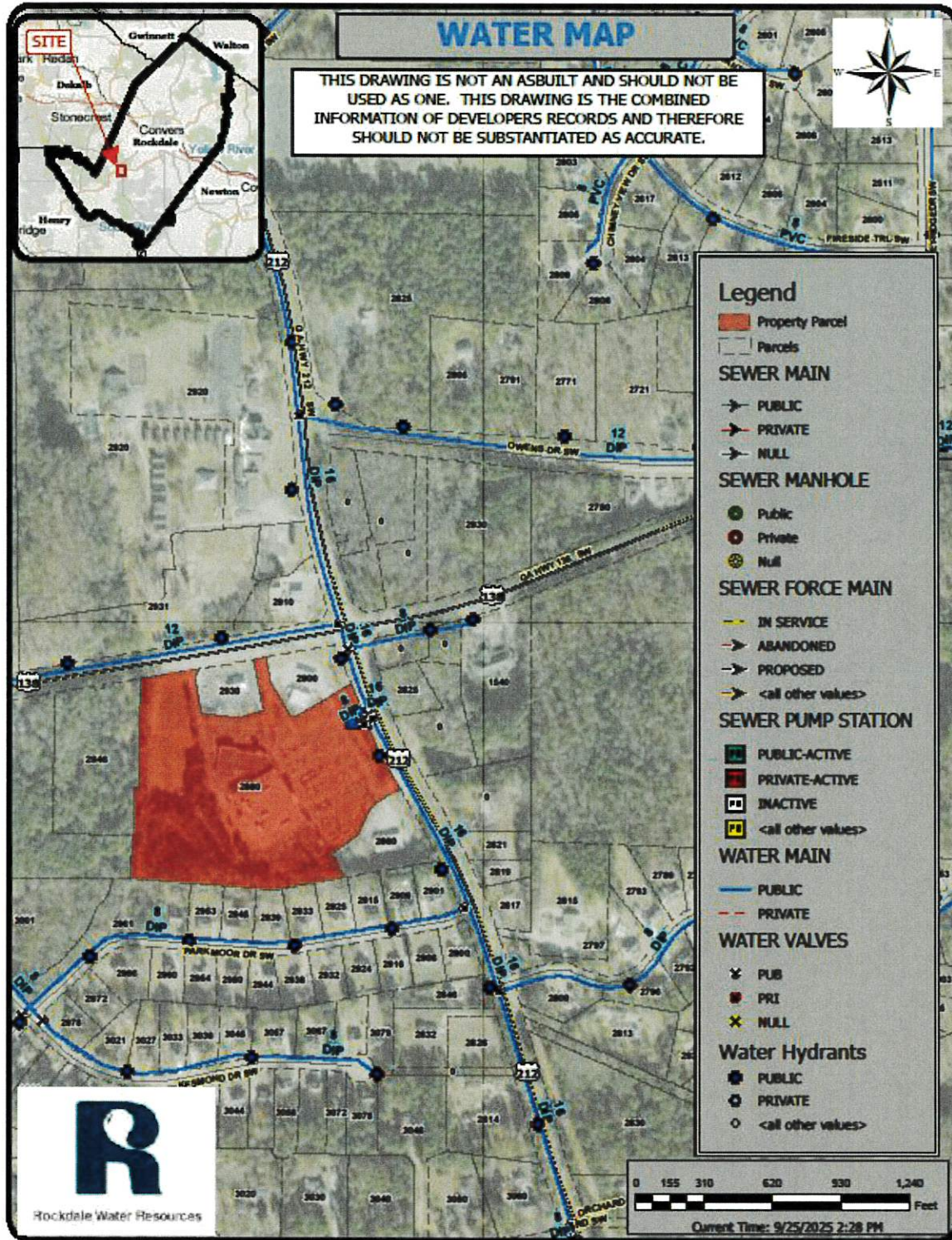
Transportation Department

The transportation department request for a traffic impact study will remain.

Water/Sewer

Existing 16" DIP water main along GA Hwy 212 SW and existing 12" DIP water main along GA Hwy 138 SW. Public wastewater is not available. See Map (**EXHIBIT C**)

EXHIBIT C



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 proposed zoning is appropriate given the surrounding land uses. This is an existing developed parcel with a Publix Shopping Center, and several outparcels. The outparcels include a fast-food restaurant, a gas station, and a package store. These nearby uses reflect a commercial character that supports high-traffic, service-oriented businesses. The zoning proposal complements this established pattern and is not anticipated to introduce any significant changes that would be out of scale or incompatible with adjacent properties.

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 impacted by the requested zoning change. The proposed sale of automotive parts is not anticipated to negatively impact adjacent or nearby property owners. The use is consistent with the character of the surrounding area and is compatible with other permitted uses within the C-2 (General Commercial) zoning district.

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

The subject property maintains reasonable economic viability under its current zoning designation. However, a rezoning to C-2 (General Commercial) would permit a broader range of commercial uses, which could enhance the site's overall economic utility and development potential in the future.

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

If all land development regulations are permitted in accordance with code requirements, the proposed rezoning would likely not increase adverse impacts on public facilities. 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 with the intent of the Comprehensive Land Use Plan?

The request to rezone the subject property to C-2 (General Commercial) is in conformance with the Future Land Use category of Commercial. This category includes standard retail and commercial services activities. These establishments should be located along transportation corridors to easily serve the public. Visual impacts should be minimized through design controls and landscaping. This request conforms with the policy intent of commercial in the Comprehensive Land Use Plan.

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 subject property is currently zoned Local Commercial, which is intended for neighborhood-serving retail and services. However, the property's location along a major roadway (HWY 212 & SR 138), combined with existing infrastructure and strong visibility, enhances its suitability for a regional commercial use and supports the proposed rezoning. The proposed AutoZone retail use aligns with other existing businesses in the vicinity and is not anticipated to negatively impact adjacent land uses, given the existing site design and buffering.

PLANNING AND DEVELOPMENT STAFF RECOMMENDATIONS

Based on the 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 request to rezone from C-1 (Local Commercial) to C-2 (General Commercial) with the following conditions:

1. No major or minor automobile repair activities shall be permitted on-site, except for limited services directly related to an auto parts store, including batteries, windshield wiper replacement, diagnostic testing, and light bulb replacement.
2. No land disturbance activity allowed. Current stormwater management was met during the development of the Publix Plaza.
3. No overnight parking of vehicles, trailers, or delivery trucks shall be permitted on-site.
4. There shall be no dismantling of vehicles on the premises to obtain auto parts.
5. No outdoor display of parts, scrap, or junk vehicles.
6. Batteries, used oil, and hazardous materials must be stored indoors and in compliance with state/federal law.
7. All storage, handling, and disposal of motor oil, lubricants, and other hazardous fluids shall comply with all applicable federal, state, and local regulations.
8. The tenant shall provide spill containment measures, including but not limited to oil-resistant flooring, secondary containment for storage areas, and absorbent cleanup materials kept on-site at all times. Any spills shall be cleaned immediately and disposed of in accordance with EPA and Georgia EPD requirements.
9. No discharge of oil, grease, or other automotive fluids shall be permitted into the stormwater system, sanitary sewer, or the ground.
10. The applicant shall comply with all County regulations prior to issuance of a Certificate of Occupancy.
11. If this location will have a waste oil collection tank, ensure that the tank is a double-walled tank.

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



Type of Request: Resolution of the Rockdale County Board of Commissioners to Accept the Withdrawal of Rezoning Case #2025-09 Without Prejudice and Waive the 12 Month Prohibition on Subsequent Amendment Applications on the Subject Site.

County Clerk Use Only

Resolution #: *R-2025-25*

Submission Information:

Contact Name:

Lara Parker, Deputy Director

Department:

Planning & Development

Information:

Summary of Request:

Resolution to accept withdrawal of rezoning case #2025-09

Notes and Comments:

The applicant has chosen to withdrawal their application for rezoning case #2025-09 for the property located at 2880 HWY 212.

September 9, 2025: First Read BOC Meeting

October 9, 2025: Planning Commission

October 23, 2025: BOC Zoning Public Hearing

November 10, 2025: Second Read BOC Meeting