THE CITY OF STONECREST GEORGIA

# Amendment Application

**Owner Information**

Owner's Name: Estate of Melba Harris and Teresa Cato

Owner's Address: See Exhibit A attached hereto for Owner's Contact Information

Phone: | Fax: | Email:

Property Address: 1794, 1800 & 1850 Phillips Road | Parcel Size: 30.10 acres

Parcel ID: 16 101 03 009, 16 101 03 010 and 16 101 03 012

Current Zoning Classification: R100

Requested Zoning Classification: RSM

**Property Information**

Name: Rocklyn Homes, Inc. c/o Battle Law, P.C.

Address: One West Court Square, Suite 750, Decatur, GA 30030

Phone: (404) 601-7616 | Fax: 404-745-0045

Cell: | Email: mlb@battlelawpc.com

Is this development and/or request seeking any incentives or tax abatement through the City of Stonecrest or any entity that can grant such waivers, incentives, and/or abatements?

☐ Yes ☒ No

**Questionnaire**

1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties?

Please see attached Statement of Intent and Impact Analysis.

2. Will the affected property of the zoning proposal have a reasonable economic use as currently zoned?

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

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

5. Will the zoning proposal adversely affect historic buildings, sites, districts, or archaeological resources?

6. 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 CITY OF STONECREST GEORGIA

**Affidavit**

*To the best of my knowledge, this zoning application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance.*

Applicant's Name: Rocklyn Homes, Inc.

Applicant's Signature: Tim Fuller | Date: June 3, 2019

**Notary**

Sworn to and subscribed before me this 3rd Day of June 20 19

Notary Public:

Signature:

My Commission Expires: March 08, 2020

L WATSON
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
MY COMMISSION EXP. MARCH 8, 2020

**Fee**

☒ Application Fee ☒ Sign Fee ☒ Legal Fee

Fee: $ 2,290.00 | Payment: ☐ Cash ☒ Check ☐ CC | Date: June 3, 2019

☐ Approved ☐ Approved with Conditions ☐ Denied | Date:

***One sign is required per street frontage and/or every 500 feet of street frontage**

THE CITY OF STONECREST GEORGIA

# Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this Zoning Map Petition application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for zoning amendment, and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

**Property Owner (If Applicable)**

| | | |
|---|---|---|
| Signature: Estate of Melba Harris By: _____, Executor | | Date: June ___, 2019 |
| Address: 2959 Lenora Rd | City, State: Snellville | Zip: 30039 |
| Phone: | | |
| Sworn to and subscribed before me this 3rD day of June, 20 19 | | |
| Notary Public: | | |
| Signature: | | Date: |
| Address: | City, State: | Zip: |
| Phone: | | |
| Sworn to and subscribed before me this _____ day of _____, 20_____ | | |
| Notary Public: | | |

**Property Owner (If Applicable)**

| | | |
|---|---|---|
| Signature: Teresa Caro, Teresa Caro | | Date: June 3, 2019 |
| Address: 2891 Klondike Rd Apt.A | City, State: Lithonia, GA | Zip: 30038 |
| Phone: | | |
| Sworn to and subscribed before me this 3rD day of June, 20 19 | | |
| Notary Public: | | |

MICHELE L BATTLE NOTARY PUBLIC Exp. May 14, 2022 COBB COUNTY, GA

MICHELE L BATTLE NOTARY PUBLIC Exp. May 14, 2022 COBB COUNTY, GA

THE CITY OF STONECREST GEORGIA

# Applicant/Petitioner Notarized Certification

Petitioner states under oath that: (1) he/she is the executor or Attorney-In-Fact under a Power-of- Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

| | | | |
|---|---|---|---|
| **Applicant / Petitioner** | Signature: Rocklyn Homes, Inc. By: | | Date: 6/3/2019 |
| | Address: 3505 Koger Blvd Suite 275 | City, State: Duluth, GA | Zip: 30096 |
| | Phone: 404-424-6723 | | |
| | Sworn to and subscribed before me this 3rd day of June, 20 19 | | |
| | Notary Public: L WATSON NOTARY PUBLIC GWINNETT COUNTY, GEORGIA MY COMMISSION EXP. MARCH 8, 2020 | | |
| **Attorney / Agent** | Signature: | | Date: 6/3/2019 |
| | Address: One West Court Sq., #750 | City, State: Decatur, GA | Zip: 30030 |
| | Phone: 404-601-7616 | | |
| | Sworn to and subscribed before me this 3rd day of June, 20 19 | | |
| | Notary Public: BATOYA CLEMENTS NOTARY PUBLIC Exp. May 04, 2020 GWINNETT COUNTY, GA | | |

THE CITY OF STONECREST GEORGIA

## Campaign Disclosure Statement

**Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating $250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?**

☐ Yes ☑ No

| Applicant / Owner | | |
|---|---|---|
| | Signature: | Rocklyn Homes, Inc.<br>By: |
| | Address: | 3505 Koger Blvd, Suite 275, Duluth, GA 30096 |
| | Date: | June 3, 2019 |

If you answered yes above, please complete the following section:

| Date | Government Official | Official Position | Description | Amount |
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THE CITY OF STONECREST GEORGIA

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☐ Yes ☑ No

| Applicant / Owner | | |
|---|---|---|
| | Signature: | Battle Law, P.C.<br>By: |
| | Address: | One West Court Sq., Suite 750, Decatur, GA 30030 |
| | Date: | June 3, 2019 |

If you answered yes above, please complete the following section:

| Date | Government Official | Official Position | Description | Amount |
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THE CITY OF STONECREST GEORGIA

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☐ Yes ☑ No

| Applicant / Owner | |
|---|---|
| Signature: | |
| Address: | 2959 Lenora Rd, Snellville, GA 30039 |
| Date: | June 3, 2019 |

If you answered yes above, please complete the following section:

| Date | Government Official | Official Position | Description | Amount |
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THE CITY OF STONECREST GEORGIA

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☐ Yes ☑ No

| Applicant / Owner | |
|---|---|
| Signature: | Teresa Caro. |
| Address: | 2891 Klondike Rd, Apt. A, Lithonia, GA 30038 |
| Date: | June 3, 2019 |

If you answered yes above, please complete the following section:

| Date | Government Official | Official Position | Description | Amount |
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# STATEMENT OF INTENT AND IMPACT ANALYSIS

and

Other Material Required by
City of Stonecrest Zoning Ordinance
for the
Application for Rezoning

of

**Rocklyn Homes, Inc.**
**c/o Battle Law, P.C.**

for

30.10± acres of land located at
**1794, 1800 and 1850 Phillips Road**

City of Stonecrest, Georgia

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
One West Court Square, Suite 750
Decatur, Georgia 30030
(404) 601-7616 Phone
(404) 745-0045 Facsimile
www.battlelawpc.com

## I. STATEMENT OF INTENT

The Applicant, Rocklyn Homes, Inc., is seeking to rezone 30.10 acres of the property located at1794, 1800 and 1850 Phillips Road (the "Subject Property") from R-100 to RSM for the development of 240 fee simple single family attached units at a density of 8 units per acre. The Subject Property has a land use designation of Suburban.

The Subject Property is an assemblage of three residential lots currently improved with a 710 sq. ft. home built in 1935, a 1,161 sq. ft. home built in 1948 and a 2,535 sq. ft. home built in 1940. Moderately vegetated, with a freshwater pond, the Subject Property is ripe for redevelopment. Immediately across from the western boundary of the Subject Property is Redan Park, a +/-70 acre park which includes multiple fields used for baseball, softball, and football, a multi-use field, tennis courts, a disc golf course, playground, picnic area and trails. New Covenant Christian Church located at 1760 Phillips Road abuts the northern boundary of the Subject Property. East of the Subject Property is a 70.71 acre tract of land zoned MR-1 (CZ-07-13333) which is intended to be developed as a mixed use project with townhomes, single family homes, senior apartments, and commercial/retail units with access off of Stone Mountain Lithonia Road. South of the Subject Property is the Woods of Redan subdivision zoned RSM which was built out in the early 1980's with minimum 6,000 sq. ft. lots for single family detached homes. Additionally, in 2007 the DeKalb County Board of Commissioners approved the rezoning of 24.42 acres of land located immediately north of New Covenant Christian Church to RA-8 (now known as RSM) for the development of 173 townhome units at a density of 7.1 units per acre. It is the Applicant's position that all of the surrounding uses and density support the proposed rezoning of the Subject Property to RSM for the development of the proposed townhome community.

The Applicant, Rocklyn Homes, Inc., is a local family owned developer/builder that is committed to developing quality communities in the Metro Atlanta area. Alden Park and Belmont Hills on Covington Highway and The Terraces of Stonecrest adjacent to Stonecrest City Hall, are recent Rocklyn developments in DeKalb County. Their product has been well received by the community which is evidenced by the rate of sales, including 10 units per month at Belmont Hills, and in one weekend alone they sold 17 units in the Alden Park community. It is Rocklyn's desire to build craftsman style townhomes with an emphasis on quality interiors and exterior visual aesthetics that are a giant step above the townhome units currently available in the surrounding area. Rocklyn's primary market is young professionals and empty nesters looking for quality homes with low outdoor maintenance requirements. The Subject Property is ideal as it is a neighborhood that is still growing, with a mixture of housing types and price points which allows for a diversity of residents with verifying socioeconomic statuses. Please visit Rocklyn's website at www.rocklynhomes.com for more information about Rocklyn Homes.

The proposed 240-unit townhome community will be developed at a density of 8 units per acre. The density bonus of 100% above the 4 units per acre base is achieved as follows:

a. 100% Bonus: Enhanced open space of 35% or 10.54 acres as shown on the submitted site plan, and

b. 20% Bonus: Amenity Proximity by being within .25 miles of a public park.

The units will be 2 stories, 20ft in width, with a minimum unit size of 1,450 sq. ft. and a 1-car garage, with a parking pad that can accommodate an additional two cars. The amenity package will be structure around the freshwater pond located on the Subject Property, with a walking trail adjacent to the pond and a community event lawn with benches and other outdoor amenities. It is anticipated that the price point for the units will start at $190,000, unlike the Redan Square units

which start at $120,000. The difference in price stems from the quality of the product being sold, which include granite counter tops, hardwood floors, trim and upgraded fixtures. Please visit the Applicant's website at www.rocklynhomes.com to see examples of the Applicant's interior and exterior looks and designs.

This document is submitted both as a Statement of Intent regarding this Application, a preservation of the Applicant's constitutional rights, and the Impact Analysis of this Application as required by the City of Stonecrest's Zoning Ordinance. A surveyed plat and conceptual site plan of the Subject Property controlled by the Applicant has been filed contemporaneously with the Application, along with other required materials.

## II. IMPACT ANALYSIS

(a) Suitability of use: The proposed rezoning will permit uses that are suitable in view of the uses and developments adjacent and nearby the Subject Property. Additionally, the proposed rezoning is consistent with the Suburban land use designation for the Subject Property.

(b) Effect on adjacent property: The uses of the Subject Property as contemplated in this Application will have no adverse impact on the adjacent property owners.

(c) Economic use of current zoning: The Subject Property has no use as currently zoned. The development of single family detached homes with a minimum lot area of 15,000 sq. ft. is not viable in the area. Any homes built would far outprice the recent sales in the immediate area which is in the mid to low $100K. The proposed project will result in price points which will be at the top end of the market in the area with sells starting at $190,000.

(d) Effect on public facilities: The Subject Property is in an area with public utility availability. The proposed rezoning will not cause excessive use of streets, transportation facilities, or utilities in the area.

(e) Effect on historic building, sites, etc. The approval of this Application will not have any adverse impact on any historic buildings, sites, districts or archaeological resources in the area.

(f) Environmental Impact. Based upon the Environmental Site Analysis, the approval of this Application will not result in any adverse environmental impact.

## IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning Application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of City of Stonecrest so that such recommendations or input might be incorporated as conditions of approval of this Application. Please note that the Applicant's Notice of Constitutional Allegations and Preservation of Constitutional Rights have been submitted with this Application and are attached hereto and by this reference incorporated herein.

This 4th day of June, 2019.

Respectfully submitted,

Michèle L. Battle, Esq.
Attorney For Applicant

NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF

CONSTUTIONAL RIGHTS

The portions of the City of Stonecrest Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the City of Stonecrest Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the Stonecrest City Council to rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the rezoning in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of City of Stonecrest demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

**Public Participation Plan**

Applicant: Rocklyn Homes, Inc.

1. The applicant will send out notices for the proposed community meeting to those property owners identified in the property owner list generated by the City of Stonecrest and provided to the Applicant at the time of submission of this Application.

2. The property owners will be notified of the community meeting by postcard.

3. The Applicant will hold a community meeting at 6:30pm at a location to be determined, which will be at a location within a one to two mile radius of the subject property.

## Environmental Site Analysis (ESA)

1. **Conformance with the Comprehensive Plan**. The Subject Property is located at 1794, 1800 and 1850 Phillips Road across from the Redan Park. The Stonecrest Comprehensive Map shows the Subject Property as having land use designations of Suburban. It is the Applicant's intent to rezone the Subject Property from R-100 to RSM to allow for the development of 241 townhome units.

2. **Environmental Impacts of the Proposed Project.**

   (a) **Wetlands.** According to the National Wetlands Inventory Wetlands Mapper, there is a .94 freshwater pond located in the southwestern corner of the Subject Property which is designated as PUBHh.

   Classification code: PUBHh

   System Palustrine (P) : The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all of the following four characteristics: (1) area less than 8 ha (20 acres); (2) active wave-formed or bedrock shoreline features lacking; (3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and (4) salinity due to ocean-derived salts less than 0.5 ppt.

   Class Unconsolidated Bottom (UB) : Includes all wetlands and deepwater habitats with at least 25% cover of particles smaller than stones (less than 6-7 cm), and a vegetative cover less than 30%.

   Water Regime Permanently Flooded (H) : Water covers the substrate throughout the year in all years.

   Special Modifier Diked/Impounded (h) : These wetlands have been created or modified by a man-made barrier or dam that obstructs the inflow or outflow of water.

   (b) **Floodplain.** According to the FEMA National Flood Hazard interactive mapping system, the Subject Property is in an area of minimal flood hazard Zone X.

   (c) **Streams/stream buffers.** Based on fields observation and verification by the Applicant's surveyor, there is a freshwater pond, and stream located on the Subject Property as shown on the site plan submitted with the Application.

   (d) **Slopes exceeding 33 percent over a 10-foot rise in elevation.** Based on fields observation and verification by the Applicant's surveyor, there are no slopes exceeding 33 percent over a 10-foot rise in elevation on the Subject Property.

   (e) **Vegetation (including endangered species).** The Subject Property is sparsely vegetated, however, to the Applicant's knowledge, based on field observation there are no endangered species located on the Subject Property.

   (f) **Wildlife Species (including fish and endangered species).** Based on field observation, to the Applicant's knowledge, there are no endangered species located on the Subject Property.

(g) **Archeological/Historical Sites.** Based on field observation, to the Applicant's knowledge, there are no archeological or historical sites located on the Subject Property.

3. Project Implementation Measures

(a) **Protection of environmentally sensitive areas.** The freshwater pond located on the Subject Property will be protected and maintained as required under local, State and Federal law, including the maintenance of the 75 ft stream buffer.

(b) **Protection of water quality.** All stormwater runoff generated from a site shall be adequately treated before discharge in accordance with City of Stonecrest development regulations.

(c) **Minimization of negative impacts on existing infrastructure.** The existing infrastructure surrounding the Subject Property will not be negatively impacted by the development of the proposed project. It is the Applicant's intent to comply with all City of Stonecrest development regulations, and to connect into the existing utilities in the area in order to minimize disturbance.

(d) **Minimization on archeological/historically significant area.** To the Applicant's knowledge, there are no archeological/historically significant areas located on or near the Subject Property.

(e) **Minimization of negative impacts on environmentally stressed communities.** The proposed uses in the proposed project will be for residential uses which are generally compatible with nearby communities, as the use will be contained and to the knowledge of Applicant, will not generate any measurable dust, vibrations, odor, glare, emissions or noise beyond the Subject Property.

(f) **Creation and preservation of green space and open space.** The proposed project will result in the removal of trees from the Subject Property. As the proposed project is for a residential use, there will be significant green space area located on the Subject Property as shown on the site plan and required under the City's land development ordinance.

(g) **Protection of citizens from the negative impacts of noise and lighting.** All lighting on the Subject Property will be in compliance with the City's rules and regulations, and in accordance with the City's noise regulations.

(h) **Protection of parks and recreational green space.** To the Applicant's knowledge, there are no parks or recreational green space in the area.

(i) **Minimization of impacts to wildlife habitats.** To the Applicant's knowledge, there are no wildlife habitats on or near the Subject Property.

## Environmental Impact Report

1. **Environmental Adverse Uses.** To the Applicant's knowledge, there will not be any environmentally adverse uses of the Subject Property.

2. **Impact on noise levels of the surrounding area.** The use of the Subject Property will be in compliance with the City rules and regulations regarding noise levels. As the use on the Subject Property will be wholly contained within the proposed improvements with adequate and required noise buffering, there should be no impact on the surrounding area from the proposed use of the Subject Property.

3. **Impact on air quality of surrounding area**. As previously stated, the proposed project will not generate any measurable dust, vibrations, odor, glare, emissions or noise beyond the Subject Property.

4. **Impacts of water quality/resources.** All stormwater runoff generated from a site shall be adequately treated before discharge in accordance with City of Stonecrest development regulations.

5. **Impacts on vegetation, fish and wildlife species**. There is a fresh water pond located on the Subject Property, which will be maintained and protected. To the best of Applicant's knowledge there is no wildlife located on or near the Subject Property. There are trees located on the Subject Property some of which will be removed in accordance with the City's Tree Protection Ordinance.

6. **Impacts of thermal and explosive hazards on the surround areas.** The Subject Property will be used for the development of a townhome community. Currently there is no intent for thermal or explosive hazards to be located on the Subject Property, and to the extent that any such uses may be located on the Subject Property in accordance with the District Regulations, such uses will be conducted in accordance with all Federal, State and local laws and regulations.

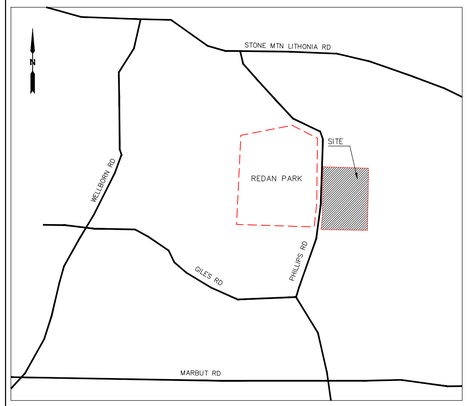
7. **Impacts of hazardous wastes on the surrounding area.** The Subject Property will be used for a townhome community and commercial component, and to the extent that any hazardous waste is generated in connection with the operation of any business to be located on the Subject Property in accordance with the District Regulations, such waste shall be disposed of in accordance with all Federal, State and local laws and regulations.

8. **Minimization of negative impacts on environmentally stressed communities.** The proposed uses in the proposed project are generally compatible with nearby residential communities, as the use will be contained wholly within the properties, and to the knowledge of Applicant, will not generate any measurable dust, vibrations, odor, glare, emissions or noise beyond the Subject Property. Furthermore, to the best of the Applicant's knowledge, there are no environmental stressed communities within the general vicinity of the Subject Property.

**PROPERTY DESCRIPTION EXHIBIT**

All that tract and parcel of Land lying and being in the 16th land district of City of Stonecrest, Dekalb County, Georgia, land lot 101, Containing 30.1 acres more or less, and more fully described as follows:

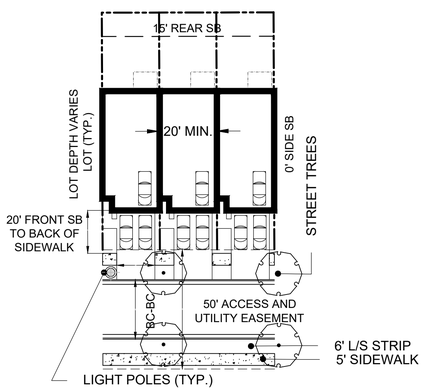
To find the TRUE POINT OF BEGINNING, commence at the Northeast intersection corner of Phillips Road and Phillips Place and along the Eastern Right of Way of Phillips Road, begin North 13 degrees 42 minutes 48.18 seconds East a distance of 109.10' which is, said point being the TRUE POINT OF BEGINNING OF PROPERTY. Begin along said right of way, traveling North 7 degrees 15 minutes 12.06 seconds East a distance of 76.71' to a point; thence traveling North 5 degrees 55 minutes 22.57 seconds East a distance of 76.71' to a point; thence traveling North 4 degrees 35 minutes 33.90 seconds East a distance of 76.71' to a point; thence traveling North 3 degrees 15 minutes 44.34 seconds East a distance of 76.71' to a point; thence traveling North 1 degrees 46 minutes 36.02 seconds East a distance of 54.38' to a point; thence traveling North 0 degrees 51 minutes 54.54 seconds East a distance of 686.19' to a point; thence traveling North 0 degrees 41 minutes 9.87 seconds East a distance of 73.16' to a point; thence traveling North 1 degree 1 minute 34.77 seconds East a distance of 126.84' to a point; thence traveling North 1 degree 1 minute 33.51 seconds East a distance of 104.00' to a point; thence traveling South 88 degrees 7 minutes 22.12 seconds East a distance of 977.00' to a point; thence traveling South 0 degrees 57 minutes 5.16 seconds West a distance of 304.00' to a point; thence traveling South 0 degrees 57 minutes 5.72 seconds West a distance of 1029.71' to a point; thence traveling North 89 degrees 6 minutes 2.81 seconds West a distance of 49.50' to a point; thence traveling North 89 degrees 6 minutes 6.83 seconds West a distance of 80.00' to a point; thence traveling North 89 degrees 6 minutes 4.29 seconds West a distance of 80.00' to a point; thence traveling North 89 degrees 6 minutes 3.45 seconds West a distance of 80.00' to a point; thence traveling North 89 degrees 6 minutes 6.83 seconds West a distance of 80.00' to a point; thence traveling North 89 degrees 6 minutes 4.33 seconds West a distance of 80.00' to a point; thence traveling North 89 degrees 6 minutes 4.29 seconds West a distance of 80.00' to a point; thence traveling North 89 degrees 6 minutes 5.98 seconds West a distance of 80.00' to a point; thence traveling North 89 degrees 6 minutes 6.83 seconds West a distance of 80.00' to a point; thence traveling North 89 degrees 6 minutes 3.80 seconds West a distance of 100.00' to a point; thence traveling North 89 degrees 6 minutes 4.16 seconds West a distance of 70.00' to a point; thence traveling North 89 degrees 6 minutes 4.68 seconds West a distance of 63.63' to a point; thence traveling North 89 degrees 6 minutes 6.66 seconds West a distance of 76.48', to the TRUE POINT OF BEGINNING.




VICINITY MAP - NOT TO SCALE

LAND LOT(S): 101 DISTRICT: 16TH
DEKALB COUNTY, CITY OF STONECREST GA
DATE: MAY 31, 2019

**NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD PLAIN AS PER FEMA MAP NO. 13089C0156J, DATED MAY 16, 2013**




**FRONT ENTRY TOWNHOME TYPICAL LOT DETAIL**

| | |
|---|---|
| GROSS ACRES: | 30.1 AC. (1,311,156 SQ. FT) |
| EXISTING ZONING: | R-100 |
| PROPOSED ZONING: | RSM / FULLY CITY OF STONECREST |
| TOTAL UNITS: | 241 HOMES (2 BEDROOM HOMES W/ SINGLE CAR GARAGE) |
| TOTAL DENSITY: | 8 U/A (BONUS DENSITY) |
| UNIT WIDTH: | 20' MINIMUM |
| MIN. UNIT SQ. FT. | 1,200 |
| PROPOSED DISTRICT: | SUBURBAN |
| BUILDING SETBACKS | |
| FRONT: | 20' (FROM BACK OF SIDEWALK) |
| REAR: | 15' |
| SIDE (INTERIOR): | 0' |
| BETWEEN BUILDINGS: | MIN. 15' (2 STORY) |
| TRANSITIONAL BUFFER: | 20' ADJACENT TO R-100 & 0' ADJACENT TO RSM / MR-1 |
| L/S STRIP: | 10' FRONT |
| BUILDING HEIGHTS: | 2 STORIES |
| PARKING REQUIRED: | 1.5 PER UNIT |
| OPEN SPACE (REQ'D): | 20% OR 6.02 AC. / 35% ENHANCED 10.54 AC. (BONUS DENSITY) |
| OPEN SPACE (PROV.): | 39.9% OR 12.01 ACRES |
| MAX DENSITY: | 8 U/A |
| BLDG COVERAGE: | 60% OF LOT |

PROPERTY OWNERS:
PID 16 101 03 009: HARRIS MELBA H
PID 16 101 03 010: HARRIS MELBA H
PID 16 101 03 012: HARRIS MELBA H

SEWER NOTE:
SEWER WILL BE A GRAVITY LINE AND TIE INTO EXISTING SEWER MANHOLE ALONG PHILLIPS PLACE.

WATER NOTE:
EXISTING WATER LINE LOCATED ALONG PHILLIPS ROAD AND PROVIDED BY CITY OF STONECREST.

VARIANCE:
1. TRANSITIONAL BUFFER VARIANCE AS SHOWN.
2. LANDSCAPE STRIP REPLANTED WHERE SPARSELY VEGETATED.

| PARKING ANALYSIS | | | | | |
|---|---|---|---|---|---|
| LOT TYPE | GARAGE | DRIVEWAY | TOTAL PER HOUSE | TOTAL LOT | TOTAL SPACES |
| FRONT ENTRY | 1 | 2 | 3 | 241 | 723 |
| TOTAL PARKING SPACES REQUIRED FOR RESIDENTIAL | | | | | 362 |
| MAIL KIOSK PARKING | | | | | 39 |
| TOTAL PARKING SPACES PROPOSED FOR RESIDENTIAL | | | | | 762 |

CALL BEFORE YOU DIG


ALLIANCE ENGINEERING+PLANNING LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING ♦ LAND PLANNING ♦ LANDSCAPE ARCHITECTURE
6845 Shiloh Road East #D3 | Alpharetta, GA 30005
770.225.4730 | www.aepatl.com


GEORGIA REGISTERED No. 1774 LANDSCAPE ARCHITECT ROBERT L. WATKINS

ROCKLYN HOMES
The Most Important Home We'll Build Is Yours

# Site Zoning Plans for PHILLIPS ROAD TRACT

1850 PHILLIPS ROAD
DEKALB COUNTY, GA
CITY OF STONECREST
LAND LOT 101, 16TH DISTRICT

| Issue: | Date: | Description: |
|---|---|---|
| Issue: | 6/4/19 | |
| Rev. (1): | | |
| Rev. (2): | | |
| Rev. (3): | | |
| Rev. (4): | | |
| Rev. (5): | | |
| Rev. (6): | | |
| Rev. (7): | | |

Designed by BW
Checked by JJ
Project # 19027

NORTH

Scale: 1" = 60'
0 60

ZONING EXHIBIT

Plot Date: Tuesday, June 4, 2019 2:08:00 PM

File Location: e:\dropbox (aep)\01-civil projects\13-projects\rocklyn homes\19027-phillips\02-design\dwg\02-civil\19027 - phillips road concept2

4185

PRIVATE
RESIDENCE

Kimley»Horn

# MEMORANDUM

To: Mr. Tim Jenkins, Rocklyn Homes

From: Mr. John D. Walker, P.E., PTOE, Kimley-Horn and Associates, Inc.
Mr. Jin Seo, P.E., Kimley-Horn and Associates, Inc.

Date: June 3, 2019

**RE:** ***Phillips Road Tract Development – City of Stonecrest, DeKalb County***
***Trip Generation Memo***

---

Kimley-Horn is pleased to provide this memorandum regarding the project trip generation for the proposed *Phillips Road Tract* development in the City of Stonecrest, DeKalb County, Georgia.

## PROJECT OVERVIEW

The Phillips Road Tract development is a proposed residential development on a 30.1-acre site bordered by Phillips Road to the west and located approximately 0.4 miles south of S Stone Mountain Lithonia Road in the City of Stonecrest, DeKalb County, Georgia. The proposed development consists of approximately 241 townhome units. The project site is currently zoned Residential Medium Lot (R-100) and the proposed development zoning is Small Lot Residential Mix (RSM).

## PROJECT ACCESS

Site access to the proposed development will occur along Phillips Road at 2 locations. These driveways will be approximately 600' apart and will align directly across from 2 existing driveways that serve the Redan Recreation Center.

## TRIP GENERATION

Project traffic, for the purposes of this evaluation, is defined as the vehicle trips expected to be generated by the proposed development. Anticipated trip generation for the Phillips Road Tract development was calculated using rates and equations contained in the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition, 2017. This analysis generated the project trips using the following land use: Multifamily Housing (Low-Rise) (ITE Code 220).

The proposed density and the anticipated project trip generation are summarized in **Table 1**.

**Table 1: Trip Generation**

| Land Use | Density | ITE Code | Daily Traffic | | | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Total | Enter | Exit | Total | Enter | Exit | Total | Enter | Exit |
| *Multifamily Housing (Low-Rise)* | *241 units* | 220 | 1,764 | 882 | 882 | 110 | 25 | 85 | 129 | 81 | 48 |
| ***Total*** | | | ***1,764*** | ***882*** | ***882*** | ***110*** | ***25*** | ***85*** | ***129*** | ***81*** | ***48*** |

*Note: No reductions for alternative transportation modes (walking, cycling, transit, carpooling, etc.) and mixed-use were taken.*

As shown in **Table 1**, the proposed development is projected to generate approximately 1,764 total daily trips (882 in; 882 out), 110 total AM peak hour trips (25 in; 85 out), and 129 total PM peak hour trips (81 in; 48 out).

We hope this information is helpful. If you have any questions concerning this letter or need additional information, please do not hesitate to contact me.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.

John D. Walker, P.E., PTOE
Senior Vice President/Senior Associate

Jin Seo, P.E.
Project Engineer

Attachments:
- Trip Generation Analysis
- Aerial Image
- Proposed Site Plan

**Trip Generation Analysis (10th Ed.)**
**Phillips Road Tract Development**
**DeKalb County, Georgia**

| Land Use | Intensity | Daily Trips | AM Peak Hour | | | PM Peak Hour | | |
|---|---|---|---|---|---|---|---|---|
| | | | Total | In | Out | Total | In | Out |
| **Proposed Site Traffic** | | | | | | | | |
| 220 Multifamily Housing (Low-Rise) - General Urban/Suburban | 241 d.u. | 1,764 | 110 | 25 | 85 | 129 | 81 | 48 |
| **Gross Trips** | | **1,764** | **110** | **25** | **85** | **129** | **81** | **48** |

Kimley»Horn

| | | | |
|---|---|---|---|
| Kimley»Horn | *Phillips Road Tract Development*<br>Trip Generation Memorandum | Site Aerial | Figure 1 |

## 1794, 1800 & 1850 Phillips Road Mailing List

| Name | Address | City | State | Zip |
|---|---|---|---|---|
| 1691 Redan Llc | Po Box 490127 | Atlanta | GA | 30349-0018 |
| 6394 Phillips Place Llc | 161 Mangum St Sw | Atlanta | GA | 30313-1336 |
| Ace Homes Llc | 3755 Namasco Dr | Suwanee | GA | 30024-8441 |
| Adrian S Plummer | 6298 Phillips Pl | Lithonia | GA | 30058-8901 |
| Agnes Clancy | 6377 Redan Sq | Lithonia | GA | 30058-7105 |
| Altomese Sanders | 3026 Parc Lorraine | Lithonia | GA | 30038-1920 |
| American Equity Financial Llc | 241 W Wieuca Rd Ne Ste 240 | Atlanta | GA | 30342-3300 |
| Andrea Williams | 6391 Phillips Pl | Lithonia | GA | 30058-8904 |
| Angella Thafe | 6363 Redan Sq | Lithonia | GA | 30058-7105 |
| Bianca K Munns | 6369 Redan Sq | Lithonia | GA | 30058-7105 |
| Bustinloose Enterprises Llc | 6361 Redan Sq | Lithonia | GA | 30058-7105 |
| Canute D Noble | 2048 Cutleaf Creek Rd | Grayson | GA | 30017-4071 |
| Caroline O Shorter | 6383 Phillips Pl | Lithonia | GA | 30058-8904 |
| Cerberus Sfr Holdings Lp | 875 3rd Ave | New York | NY | 10022-6225 |
| Charles E Caldwell | 6342 Phillips Pl | Lithonia | GA | 30058-8903 |
| Clarendon Holdings Inc | 780 Nandina Dr | Weston | FL | 33327-2403 |
| Collin M Watterton | 6354 Phillips Pl | Lithonia | GA | 30058-8903 |
| Collins Bernard Agyemang | 6334 Phillips Ct | Lithonia | GA | 30058-8922 |
| Cordia Georgia 2 Llc | 736 Ridge Ave | Stone Mou | GA | 30083-3629 |
| Dalvin D Drummonds | 6368 Phillips Ct | Lithonia | GA | 30058-8922 |
| Daniel Fairweather | 6367 Redan Sq | Lithonia | GA | 30058-7105 |
| David E Miller | 1794 Oak Ridge Cir Sw | Stone Mtn | GA | 30087-3288 |
| Debborah M Rhodes | 6337 Phillips Pl | Lithonia | GA | 30058-8904 |
| Deborah A Washington | 6389 Redan Sq | Lithonia | GA | 30058-7105 |
| Dekalb County | 1300 Commerce Dr | Decatur | GA | 30030-3222 |
| Delphine Jackson | 6348 Phillips Pl | Lithonia | GA | 30058-8903 |
| Derek Harper | 6307 Phillips Pl | Lithonia | GA | 30058-8904 |
| Dion N Page | 6316 Phillips Ct | Lithonia | GA | 30058-8922 |
| Dozier Communities Llc | Po Box 921879 | Norcross | GA | 30010-1879 |
| Dwayne P McLaughlin | 6282 Phillips Lake Ct | Lithonia | GA | 30058-3929 |
| Earnestine C Brown | 2422 Parkland Dr | Decatur | GA | 30032-6236 |
| Elaine H Spears | 6313 Phillips Pl | Lithonia | GA | 30058-8904 |
| Emmanuel Haitian Church Inc | 3830 Ansley Park Dr | Suwanee | GA | 30024-6433 |
| Enid L Delpratt | 6295 Phillips Pl | Lithonia | GA | 30058-8902 |
| Eugene Gibbs Jr | 6345 Phillips Pl | Lithonia | GA | 30058-8904 |
| F Cube Llc | Po Box 888774 | Atlanta | GA | 30356-0774 |
| Floyd A Blake Jr | 6372 Phillips Ct | Lithonia | GA | 30058-8922 |
| Franchetta Lowery | 6383 Redan Sq | Lithonia | GA | 30058-7105 |
| Francine Reese Graham | 6331 Phillips Pl | Lithonia | GA | 30058-8904 |
| Fyr Sfr Borrower Llc | 5100 Tamarind Reef | Christianste | VI | 00820-4849 |
| Gagdav 006 Llc | Po Box 803338 | Chicago | IL | 60680-3338 |
| Guy Hendel | 327 South St | Chestnut Hi | MA | 02467-3653 |
| India Ceonna Murray | 6359 Redan Sq | Lithonia | GA | 30058-7105 |
| Jackie Bines | 6338 Phillips Ct | Lithonia | GA | 30058-8922 |

| | | | | |
|---|---|---|---|---|
| Janet L Butts | 6382 Phillips Ct | Lithonia | GA | 30058-8922 |
| Joseph Leighton Edwards | 6377 Phillips Pl | Lithonia | GA | 30058-8904 |
| Keleen A P Ludford | 6371 Phillips Pl | Lithonia | GA | 30058-8904 |
| Kevon Claxton | 6397 Redan Sq | Lithonia | GA | 30058-7105 |
| Kings Key Llc | 2962 Paddock Trl | Duluth | GA | 30096-3710 |
| Leona Jackson | 6351 Phillips Pl | Lithonia | GA | 30058-8904 |
| Madeline Y Evans | 6320 Phillips Ct | Lithonia | GA | 30058-8922 |
| Marcel J Turner | 6357 Phillips Pl | Lithonia | GA | 30058-8904 |
| Margaret Cross Sinclair | 6362 Phillips Pl | Lithonia | GA | 30058-8903 |
| McHaney E Ruth | 6306 Phillips Ct | Lithonia | GA | 30058-8922 |
| Melba H Harris | 1850 Phillips Rd | Lithonia | GA | 30058-5376 |
| Minnie T Collins | 6373 Redan Sq | Lithonia | GA | 30058-7105 |
| Nathel Williams | 6316 Phillips Pl | Lithonia | GA | 30058-8903 |
| New Covenant Christian Ministr | 1760 Phillips Rd | Lithonia | GA | 30058-5378 |
| Nikki Hobson | 6378 Phillips Ct | Lithonia | GA | 30058-8922 |
| Noel Ezekiel Brown | 6310 Phillips Ct | Lithonia | GA | 30058-8922 |
| Oluseyi Kumapayi | 2380 Village Centre Dr | Loganville | GA | 30052-8768 |
| Pauline E Montague | 6388 Phillips Pl | Lithonia | GA | 30058-8903 |
| Pivo Corp | 4544 Devonshire Rd | Atlanta | GA | 30338-5601 |
| Rasheedah Humphrey | 6324 Phillips Ct | Lithonia | GA | 30058-8922 |
| Redan East Llc | 2498 Jett Ferry Rd | Atlanta | GA | 30338-3062 |
| Resi TL1 Borrower Llc | 1110 Strand St Ste 2A | Christianste | VI | 00820-5083 |
| Ricky V Collier | 6398 Redan Sq | Lithonia | GA | 30058-7104 |
| Roger O Howard | 6276 Phillips Lake Ct | Lithonia | GA | 30058-3929 |
| Rolison Sylvia C Patterson | 6325 Phillips Pl | Lithonia | GA | 30058-8904 |
| Rose M Dunn | 6364 Phillips Ct | Lithonia | GA | 30058-8922 |
| Ryan D Stokeling | 3181 Wildberry Run Ln | Snellville | GA | 30078-3097 |
| Sallie F Thomas | 6268 Phillips Lake Ct | Lithonia | GA | 30058-3929 |
| Sandra Jones | 6363 Phillips Pl | Lithonia | GA | 30058-8904 |
| Sharon Cain | 6319 Phillips Pl | Lithonia | GA | 30058-8904 |
| Sheila V Marlow | Po Box 15366 | Atlanta | GA | 30333-0366 |
| Stanley L Jackson | 6371 Redan Sq | Lithonia | GA | 30058-7105 |
| Steve Gallon III | 1695 Redan W | Lithonia | GA | 30058-7107 |
| Tanya M Lang | 6322 Phillips Pl | Lithonia | GA | 30058-8903 |
| Tavers Jose Miguel Acosta | 250 American Way | Oxon Hill | MD | 20745-4500 |
| Telsa Henlon | 1821 Sw 124th Way | Miramar | FL | 33027-2533 |
| Teresa Caro | 2891 Klondike Rd Apt A | Lithonia | GA | 30038-2488 |
| Wanda Jackson | 6344 Phillips Ct | Lithonia | GA | 30058-8922 |
| William Sheppard | 2052 S Deshon Rd | Lithonia | GA | 30058-5364 |
| Word James W | 6357 Redan Sq | Lithonia | GA | 30058-7105 |