

## APPLICATION

APPLICANT INFORMATION	OWNER INFORMATION
NAME: <u>ARCO National Construction</u>	NAME: <u>Stone Mountain Industrial Park, Inc</u>
ADDRESS: <u>900 N. Rock Hill Road</u>	ADDRESS: <u>1000 Abernathy Road NE</u> <u>Suite 325</u>
CITY: <u>St. Louis</u>	CITY: <u>Atlanta</u>
STATE: <u>MO</u> ZIP: <u>63119</u>	STATE: <u>GA</u> ZIP: <u>30328</u>
PHONE: <u>(314) 963-0715</u>	PHONE: <u>(678) 926-5932</u>
CONTACT PERSON: <u>Andrew Campbell</u> PHONE: <u>(314) 914-5397</u>	
CONTACT'S E-MAIL: <u>acampbell@arco1.com</u>	

**APPLICANT IS THE:**

OWNER'S AGENT    
  PROPERTY OWNER    
  CONTRACT PURCHASER

PRESENT ZONING DISTRICT(S): C-1 REQUESTED ZONING DISTRICT: M (Light Industrial)

PRESENT LAND USE CATEGORY: C-1 (LIND) REQUESTED LAND USE CATEGORY: LIND

LAND DISTRICT(S): 18 LAND LOT(S): 169 ACREAGE: 10.54

ADDRESS OF PROPERTY: 4473 Sarr Parkway Tucker, GA 30084

PROPOSED DEVELOPMENT: 118,892 SF Furniture Distribution Warehouse

CONCURRENT VARIANCES: \_\_\_\_\_

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units _____	No. of Buildings/Lots: <u>1</u>
Dwelling Unit Size (Sq. Ft.): _____	Total Building Sq. Ft. <u>205,862 SF</u>
Density: _____	Density: <u>N/A</u>

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**LEGAL DESCRIPTION**

All that tract or parcel of land lying and being in land lot 169 of the 18th Land District of Dekalb County, City of Tucker, Georgia, and being more particularly described as follows:

Beginning at a 0.5"rbs where eastern right of way of Greer Circle intersects with southern right of way of Sarr Parkway,

Thence run easterly along southern right of way of Sarr Parkway South 88 degrees 57 minutes 20 seconds East a distance of 739.00 feet to a 0.5"rbs,

Thence leaving said right of way of Sarr Parkway run South 02 degrees 44 minutes 38 seconds West a distance of 622.12 feet to a 0.5"rbs located on the northern right of way of Greer Circle,

Thence run westerly along northern right of way of Greer Circle North 84 degrees 49 minutes 45 seconds West a distance of 636.65 feet to a point,

Thence continue along said right of way of Greer Circle run North 05 degrees 10 minutes 51 seconds East a distance of 10.00 feet to a point,

Thence continue along said right of way of Greer Circle run North 84 degrees 49 minutes 45 seconds West a distance of 98.00 feet to a 0.5"rbs,

Thence continue along said right of way of Greer Circle run North 55 degrees 12 minutes 08 seconds West a distance of 52.00 feet to a 0.5"rbs,

Thence continue along said right of way of Greer Circle run North 02 degrees 44 minutes 38 seconds East a distance of 477.00 feet to a 0.5"rbs,

Thence continue along said right of way of Greer Circle run North 38 degrees 18 minutes 18 seconds East a distance of 67.00 feet to a 0.5"rbs, said point being the True Point of Beginning.

Land Area 10.536 AC

The End

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**APPLICANT'S CERTIFICATION**

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 24 MONTHS FROM THE DATE OF LAST ACTION BY THE MAYOR AND CITY COUNCIL.

*Andrew Campbell*  
Signature of Applicant

*2/19/2018*  
Date

*Andrew Campbell*      *Project Manager ARCO National Construction*  
Type or Print Name and Title

*Kari L. Jacobs*  
Signature of Notary Public

*2-19-18*  
Date

KARI L. JACOBS  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for St. Charles County  
My Commission Expires: August 15, 2019  
Commission Number: 15420572

Notary Seal

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**PROPERTY OWNER'S CERTIFICATION**

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of DeKalb County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Tucker, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning (RZ), Comprehensive Plan Amendment (CA), Special Land Use Permit (SLUP), & Concurrent Variance (CV) in request of the items indicated below.

I, Stone Mountain Industrial Park, Inc., authorize, ARCO National Construction,  
(Property Owner) (Applicant)

to file for RZ, at 4473 Sarr Pkwy, Tucker, GA 30084  
(RZ, CA, SLUP, CV) (Address)

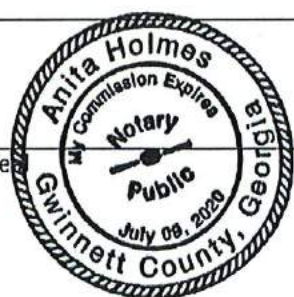
on this date February 22<sup>nd</sup>, 202018  
(Month) (Day)

- I understand that if a rezoning is denied or assigned a zoning classification other than the classification requested in the application, then no portion of the same property may again be considered for rezoning for a period of twenty-four (24) months from the date of the mayor and city councils' final decision.
- I understand that if an application for a special land use permit affecting all or a portion of the same property for which an application for the same special land use was denied shall not be submitted before twenty-four (24) months have passed from the date of final decision by the mayor and city council on the previous special land use permit.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Tucker Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange additional permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

Joshua W. Harrison 2-22-2018  
Signature of Property Owner Date

Joshua W. Harrison, COO ICFO  
Type or Print Name and Title

Anita Holmes 2-22-2018  
Signature of Notary Public Date Notary Seal



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R2-18-002

February 26, 2018.

City of Tucker  
4119 Adrian Street  
Tucker, GA 30084

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**STATEMENT OF INTENT**

Rezoning Application

of

**4473 Sarr Parkway, LLC**

for

+/- 10.54 acres

located in

Land Lot 169 of the 18<sup>th</sup> District, City of Tucker, GA

Address:

4473 Sarr Parkway

Submitted for Applicant by:

Andrew Campbell  
ARCO National Construction, Inc.  
900 North Rock Hill Road  
St. Louis, MO 63139  
314-963-0715  
314-914-5397  
acampbell@arco1.com

This application is in the intent to rezone the 10.54 acre parcel of land (ID: 18 169 06 001) located in Land Lot 169 of the 18<sup>th</sup> District, DeKalb County, City of Tucker from Local Commercial (C-1) to Light Industrial (M). The property is currently vacant with no existing development. A comprehensive boundary survey has been prepared with legal description and is being submitted with this application.

The subject property is currently encroached by an existing detention structure and wet water drainage ditch serving the neighboring property. A stream analysis performed by Corblu Ecology group observed no flowing water and determined that the drainage of concern is ephemeral and can be relocated. There are no environmental concerns regarding the impacts of the proposed development. The findings report of the stream analysis shall be included as an exhibit to this application.

The contract purchaser proceeds with the intention to develop a 118,892 SF Furniture warehouse and distribution center for Underpriced Furniture with a future expansion area of 86,970 SF for a full buildout of 205,862 SF. Underpriced Furniture is a local business seeking to expand its current operating capabilities within the local area. Their primary operating facility is located only 11.8 miles north of the subject property and will generate considerable consumer traffic through the city of Tucker's business corridor.

The rezoning of this property and subsequent development will support the growth of a local business, bolster the local economy in Tucker, and comply with the comprehensive plan for the corridor along Mountain Industrial Boulevard. We look forward to working with the City and local community to develop this addition to the Industrial District.

Thank you for your consideration,

Andrew Campbell

Project Manager

CASE #

**4473 SARR PARKWAY REZONING**

**ANALYSIS OF ZONING STANDARDS**

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The proposed rezoning meets the standards of *Section 27-7.3.5* as follows:

**A. Is the zoning proposal in conformity with the policy and intent of the comprehensive plan?**

Yes, the proposed rezoning shall facilitate development of a 205,862 SF warehouse and distribution facility within the Mountain Industrial Boulevard district. The proposed rezoning complies with the light industrial future land use as depicted on the comprehensive plan.

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

Yes. The proposed light industrial zoning will allow a use that is complementary to the adjacent uses and the area as a whole. The site abuts light industrial properties to the west and south. The majority of the Mountain Industrial Boulevard is currently zoned for light industrial with exception of the properties to the immediate east and north of the subject property.

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

No. The current zoning of the subject property does not comply with the future land use and is unlikely to be developed to be local commercial within the Mountain Industrial Boulevard district.

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

The rezoning proposal will have no adverse effect on the existing use or usability of adjacent or nearby properties. The proposed development includes measures to maintain existing buffers, walls, fences or berms, lighting control; noise control; aesthetic control; limitations on building location and orientation; location of or restrictions upon accessory uses; and prohibition of certain uses or hours of use normally permitted for that district. The proposed development will comply with buffering, setbacks, and landscaping to complement adjacent developments.

**E. Are there 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?**



CASE #

Yes, despite its current zoning condition of local commercial, the trend in the surrounding area has been toward Light Industrial development. This trend satisfies the future land use along Mountain Industrial Boulevard. The subject property and the properties to the immediate north and east are some of the last-remaining tracts to be zoned local commercial within this corridor.

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

The Applicant is not aware of any historic buildings, sites, districts, or archaeological resources on the Subject Property.

**G. 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?**

No. The proposed development shall only have two curb cuts, both along Greer Circle, away from Sarr Parkway and Mountain Industrial Boulevard. The spacing of the curb cuts shall ensure commercial vehicle/pedestrian interactions remain minimal. The proposed development shall only have approximately 5,000 SF of office space, minimizing the impact on local utilities.

**H. Does the zoning proposal adversely impact the environment or surrounding natural resources?**

The Applicant will comply with all federal, state, and City regulations relating to environmental protection to ensure that the proposed development will not adversely affect the environment. The Applicant has performed a stream assessment on the existing wet water ditch that runs through the site. Corblu ecology group has determined that the drainage of concern is not located within a natural valley and exhibits Ephemeral characteristics. The ditch does not require a protected buffer and may be relocated to facilitate the proposed development.

**Environmental Site Analysis**  
4473 Sarr Parkway

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**1. Conformance to the Comprehensive Plan**

The Subject Property is located in the Mountain Industrial Boulevard Overlay District and is zoned C-1 (Local Commercial). The lot is currently vacant. The Comprehensive Plan shows the Subject Property is having a land use designation of LIND (Light Industrial). Therefore it is the Applicant's belief that the rezoning proposal of the Subject Property as a warehouse/distribution facility will allow for a use that is more compatible with the future land use.

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

- a. **Wetlands** – No jurisdictional wetlands exist on the subject property as confirmed by field assessment by Corblu Ecology Group on February 9, 2018.
- U.S. Fish and Wildlife Service, National Wetlands Inventory
  - Georgia Geologic Survey (404-656-3214)
  - Field observation and subsequent wetlands delineation/survey if applicable
- b. **Floodplain** – No floodplain areas are located on the property as confirmed by FIRM Panel 13089C0079K and further noted on the zoning site plan.
- c. **Streams/stream buffers** – No state waters that would require a protected buffer exist on the subject property as confirmed by field assessment by Corblu Ecology Group on February 9, 2018.
- d. **Slopes exceeding 25 percent over a 10-foot rise in elevation** – Based on the Dekalb County GIS topographic survey of the property, no slopes exceeding 24% over a 10' rise exist on the property.
- e. **Vegetation** – The project site is comprised of early-successional mixed-pine hardwood forest. The eastern portion is primarily medium density sweetgum (*Liquidambar styraciflua*) and yellow poplar (*Liriodendron tulipifera*) in the 6-10" diameter range. The remainder of the site is primarily low-density sweetgum and loblolly pine (*Pinus taeda*) in the 12-16" diameter range. A few large red maples (*Acer rubrum*) (i.e., greater than 15" diameter) were observed in the western portion of the site. Understory vegetation is dominated by Chinese privet (*Ligustrum sinense*), Japanese honeysuckle (*Lonicera japonica*), muscadine (*Vitis rotundifolia*), and Christmas fern (*Polystichum acrostichoides*).
- f. **Wildlife Species** – The applicant is not aware of any wildlife species occupying the property.
- United States Fish and Wildlife Services
  - Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
  - Field observation

- g. **Archeological/Historical Site** – The applicant is not aware of any historical or archeological significance to the property.
- Historic Resources Survey
  - Georgia Department of Natural Resources, Historic Preservation Division
  - Field observation and verification

3. **Project Implementation Measures**

a. **Protection of environmentally sensitive areas-**

No environmentally sensitive areas exist on the property.

b. **Protection of Water Quality-**

As described on the zoning site plan, stormwater management will be provided in accordance with the City of Tucker regulations. Water quality is proposed to be provided through the use of a Stormwater Pond, or an alternative approved method pursuant to applicable City of Tucker regulations.

c. **Minimization of negative impacts on existing infrastructure-**

Access to water and sanitary sewer is provided along the property frontage. Sewer capacity is being confirmed with DeKalb County. The applicant does not anticipate any negative impacts on existing infrastructure based on the sewer action plan that will be required.

d. **Minimization on archeological/historically significant areas-**

No archeological or historically significant areas exist on the property.

e. **Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses-**

To the applicant's knowledge, the property is not part of an environmentally stressed community.

f. **Creation and preservation of green space and open space-**

At minimum, the required 20% green space will be maintained on the Subject Property.

g. **Protection of citizens from the negative impacts of noise and lighting-**

All lighting on the Subject Property will be in compliance with the County rules and regulations, and in accordance with the County'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, no wildlife habitats exist on the property.

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### DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4); NO (if NO, complete only point 4)

1. CIRCLE ONE: Party to Petition (If party to petition, complete sections 2, 3 and 4 below)

In Opposition to Petition (If in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

- |    |    |
|----|----|
| 1. | 5. |
| 2. | 6. |
| 3. | 7. |
| 4. | 8. |

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Michael J Hall PRESIDENT 4473 SAN ANTONIO PKW LLC.  
 Signature: *Michael J Hall* Date: 2-19-18

**DISCLOSURE REPORT FORM**

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WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

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4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Joshua W. Harrison

Signature: *Joshua W. Harrison*

Date: 2.22.2018

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**WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.**

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Name (print) Andrew Campbell  
 Signature: Andrew Campbell Date: 2/14/2018



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February 13, 2018

Mr. Andrew Campbell  
Project Manager  
ARCO National Construction  
900 N. Rock Hill Rd.  
St. Louis, MO 63119

VIA E-MAIL

**Subject: Jurisdictional Waters Assessment Report  
4473 Sarr Parkway  
DeKalb County, Georgia  
Corblu Project 02-020618**

Dear Mr. Campbell:

In response to your request, Corblu Ecology Group, LLC (Corblu) is pleased to submit this letter report detailing our field assessment of the drainage feature located on the 4473 Sarr Parkway parcel in DeKalb County, Georgia (Figure 1). The field assessment was conducted to determine the presence/absence of state waters that require a buffer.

### **Background**

The drainage of concern originates at a detention basin adjacent to the eastern portion of the site and extends to the western property boundary where it flows under Greer Circle via a 36-in corrugated metal pipe. On February 9, 2018, Mr. Neil Blackman of Corblu performed a field assessment of the subject drainage feature. I have provided the following discussion to document the methods and results from the field assessment.

### **Methods**

The field assessment was conducted in accordance with the Georgia Department of Natural Resource, Environmental Protection Division (EPD), Watershed Protection Branch *Field Guide for Determining the Presence of State Waters that Require a Buffer*<sup>1</sup>. The EPD Field Guide assesses evidence of base flow, wretched vegetation, and other visual evidence to determine whether a drainage is perennial, intermittent, or ephemeral. Base flow is defined as the discharge that enters a stream channel mainly from

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<sup>1</sup> Georgia Department of Natural Resources Environment Protection Division Watershed Protection Branch Non-Point Source Program. September 2006.



groundwater or from lakes during dryer periods. According to the EPD Field Guide, perennial and intermittent streams require contain evidence of base flow and wretched vegetation and therefore require a state-mandated 25-foot vegetative buffer; ephemeral streams lack base flow and do not require a buffer.

## Results

The drainage of concern is not located within a natural valley as depicted on the U.S. Geologic Survey topographic quadrangle map (Figure 1). As previously mentioned, the site is located down-gradient of a stormwater detention pond, and ultimately drains toward Peachtree Creek to the west. At the time of the survey, the site had experienced multiple significant rainfalls totaling 3.79 inches for the month of February. Approximately 48 hours prior to the survey, the site experienced approximately 1 inch of rainfall according to Stone Mountain, Georgia records. The subject drainage feature contained standing water in several areas; however, no flowing water was observed.

Based on the EPD Field Guide, the drainage exhibits Ephemeral characteristics, including: 1) poorly developed stream banks; 2) absence of riffles/pools; 3) low sinuosity and a flow area that "flattens out" at the bottom of the slope; 4) absence of sediment transport and fluctuating high water marks; 5) evidence of leaf litter; 6) absence of hydrophytic vegetation; and 7) absence of rock or gravel substrates (Photograph Nos. 1-4). Due to these characteristics and the lack of base flow evidence determine the drainage of concern is ephemeral and does not require a protected buffer.

## Conclusion

Corblu appreciates the opportunity to assist you with this project. If you have any questions regarding this report, please contact me at (770) 591-9990.

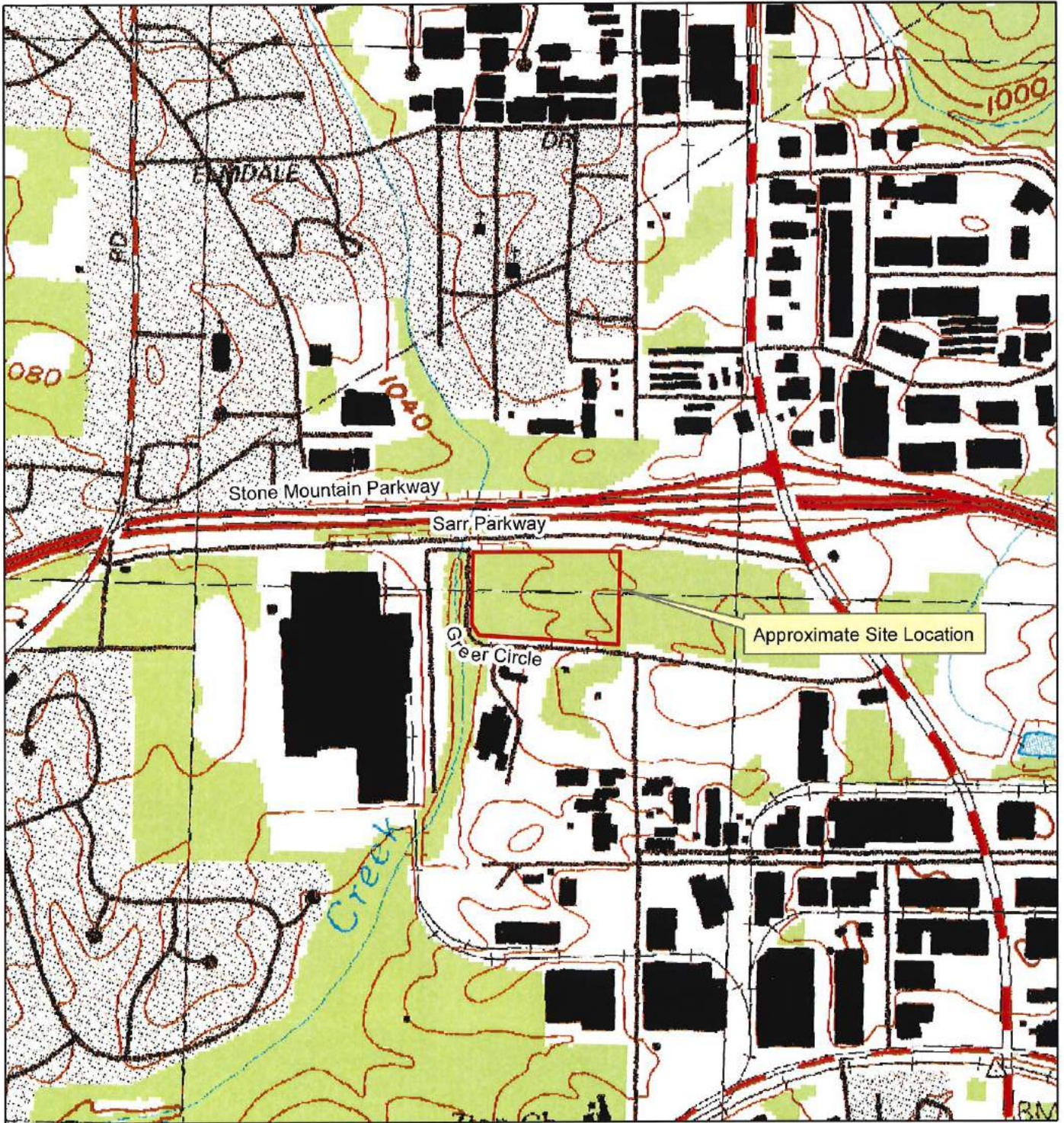
Sincerely,

CORBLU ECOLOGY GROUP, LLC

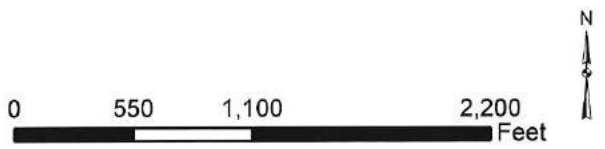


Neil E. Blackman, CWB  
Principal

Enclosures: Figure 1 – Site Location  
Photograph Nos. 1-4



Base Map Source: USGS 7.5-Minute Topographic Quadrangle - Stone Mountain, GA.



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Photograph No. 1: Detention pond located adjacent to eastern boundary of project site.



Photograph No. 2: Detention pond outlet on eastern boundary of project site.

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Photograph No. 3: Subject drainage feature in central portion of the site.



Photograph No. 4: Subject drainage feature in western portion of the site adjacent to Greer Circle.

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