



## **DeKalb County Department of Planning & Sustainability**

**330 Ponce De Leon Avenue, Suite 300  
Decatur, GA 30030  
(404) 371-2155 / plandev@dekalbcountyga.gov**

**Planning Commission Hearing Date: September 1, 2020, 6:30 P.M.  
Board of Commissioners Hearing Date: September 22, 2020, 6:30 P.M.**

### **STAFF ANALYSIS**

<b>Case No.:</b>	LP-20-1244114	<b>Agenda #:</b> N.5
<b>Location/Address:</b>	8400 Pleasant Hill Way Lithonia, GA 30058	<b>Commission District:</b> 5 Super District:7
<b>Parcel IDs:</b>	16 252 02 002	
<b>Request:</b>	Future Land Use Plan Map Amendment	
<b>Property Owner(s):</b>	DeKalb County	
<b>Applicant/Agent:</b>	Battle Law Group	
<b>Acreage:</b>	8.548	
<b>Existing Land Use:</b>	Conservation Open Space (COS)	
<b>Proposed Land Use:</b>	Suburban (SUB)	
<b>Surrounding Properties:</b>		
<b>Adjacent Zoning:</b>	North:MZ (SUB) South: R-85 (SUB) East: RNC (SUB) West: RNC (SUB) Northeast: MZ (SUB) Northwest: MZ (SUB) Southeast: R-85 (SUB) Southwest: R-85 (SUB)	
<b>(Adjacent Land Use):</b>		
<b>Comprehensive Plan:</b>		

☐

Consistent

☐

Inconsistent

**Proposed Density:** 4.21 units/acre

**Existing Density:** N/A

**Proposed Units/Square Ft.:** 36 units

**Existing Units/Square Feet:** N/A

**Proposed Lot Coverage:** N/A

**Existing Lot Coverage:** N/A

#### **Companion Application:**

The applicant has filed a companion application (Z-20-1244113) to amend the Zoning of the parcel from R-85 (Single-Family Residential) to R-NC (Residential Neighborhood Conservation).

#### **STAFF RECOMMENDATION:**

**Attachments:**

1. Department and Division Comments
2. Application
3. Site Plan
4. Zoning Map
5. Land Use Plan Map
6. Aerial Photograph
7. Previous Case Maps for context.

Chief Executive Officer  
Michael Thurmond

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

Director  
Andrew A. Baker, AICP

**APPLICATION TO AMEND COMPREHENSIVE LAND USE PLAN  
OF DEKALB COUNTY, GEORGIA**

Application No.: \_\_\_\_\_ Date Received: \_\_\_\_\_

Applicant's Name: D.R. Horton - Crown LLC E-Mail: mlb@battlawpc.com

Applicant's Mailing Address: c/o Battle Law PC, One West Court Square, Suite 750, Decatur, GA 30030

Applicant's Daytime Phone #: 404.601.7616 Fax: 404.745.0045  
\*\*\*\*\*

(If more than one owner, attach information for each owner as Exhibit "A")

Owner's Name: D.R. Horton - Crown, LLC E-Mail: JRCoombe@drhorton.com

Owner's Mailing Address 1371 Dogwood Drive, SW, Conyers, GA 30012

Owner's Daytime Phone # 678.509.0555 Fax: 866.658.1753

**Address/Location of Subject Property:** 8400 Pleasant Hill Way, Lithonia, GA 30058

District(s): 16th Land Lot(s): 252 Block(s): 02 Parcel(s): 002

Acreage: 8.548 Commission District(s): District 5 & 7

Current Land Use Designation: COS Proposed Land Use Designation: SUB

Current Zoning Classification(s): R-85  
\*\*\*\*\*

**PLEASE READ THE FOLLOWING BEFORE SIGNING**

- I. **This application form must be completed in its entirety. In addition, any application that lacks any of the required attachments or payment of the filing fee shall be determined to be incomplete and shall not be accepted.**
- II.
- III. **Disclosure of Campaign Contributions:** In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered: Have you, the applicant, made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes XX No
- IV.

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

Shawna E. Avila D.R. Horton - Crown LLC  
NOTARY By: [Signature]

3-16-24 SIGNATURE OF APPLICANT

EXPIRATION DATE / SEAL Check One: Owner X Agent        July 2, 2020  
DATE

**SHAWNA E. AVILA  
NOTARY PUBLIC**

Gwinnett County  
State of Georgia  
My Commission Expires March 16, 2024

June 12, 2020

**RE:** Proposed Rezoning Project at 8400 Pleasant Hill Way, Lithonia, Georgia 30058

Dear Property Owner:

We would like for you to join our Zoom Video Meeting Monday, June 29, 2020 from 6:00 pm – 7:00 pm to discuss the proposed rezoning of the property at 8400 Pleasant Hill Way, Lithonia, Georgia 30058. My client, D. R. Horton, is seeking to rezone the property from R-85 to RNC for the development of a Residential Community with single family homes.

Below are the meeting instructions. There are multiple ways for you to join the meeting, including via your computer, tablet, or cell phone, with or without video. If you are unable to make it, but would like to learn more, please contact our office at (404) 601-7616 ext. 2 or email us at [hdc@battlelawpc.com](mailto:hdc@battlelawpc.com) and we'll send you a summary of the meeting.

**Zoom Meeting Details**

**Meeting ID:** 883 9355 6604

**Password:** 630934

Internet: <https://otago.zoom.us/join>

Telephone: (646) 558-8656

Please contact our offices if you have any questions regarding the meeting.

Sincerely,

*Michèle Battle*

Michèle L. Battle



## **Zoom Step by Step Instructions**

Go to <https://otago.zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click “Join” (the meeting ID will be a 9 digit or 10 digit number)

### **If joining from a mobile Device**

If you are joining from a mobile device (Android smartphone/tablet, Apple iPhone/iPad) then it will simply prompt you to download the Zoom Cloud Meeting app from the App/Play Store.

### **If joining from a computer**

When entering a Zoom meeting for the first time from a computer you may need to download a small application file. This process is easy to complete on all commonly used browsers. Google Chrome should automatically download the file.

Just before Entering the meeting you will be prompted to enter a display name. This name is simply to identify you in the meeting.

### **Join Audio via Computer**

You will then be prompted how you wish to join your audio. If you wish to join audio via the telephone, follow the instructions further down, otherwise simply select Join Computer by Audio

### **Join Audio via Telephone**

Dial in as using the number provided, however after entering the Meeting ID, you will be prompted to enter your Participant ID/Password. Simply enter this number followed by # and the video audio will then be synchronized.

### **Raising Your Hand**

As the non-speaker if you wish to ask a question or make a point during the meeting it's good protocol to use the “Raise Hand” facility.

If the tool bar is not showing at the bottom of the Zoom window, place your cursor over the Zoom window so it appears and select the “Participants” icon.

A window listing other participants will appear, there is also a “Raise Hand” icon, click the icon to make it known to the Host that you would like to raise your hand.

If you wish to lower your hand, click the “Lower Hand” icon that will have replaced the “Raise Hand” icon,

### **Leave Meeting**

To leave a meeting from Zoom on your desktop, select “End Meeting” then “Leave Meeting.”











## LP-20-1244114 Aerial

0 0.0075 0.015 0.03 0.045 0.06  
mi

Date Printed: 7/27/2020



### DeKalb County GIS Disclaimer

The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.



NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION SUPPLIED AND TO THE SURVEYOR'S BEST KNOWLEDGE ARE APPROXIMATELY AS SHOWN. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR DEKALB COUNTY, GEORGIA AND INCORPORATED AREAS, COMMUNITY PANEL NUMBERS 13089C0181K, PANEL 181 OF 201, AND 13089C0118K, PANEL 118 OF 201 EFFECTIVE DATE DECEMBER 8, 2016 AND FOUND NO PORTION OF THE PROPERTY SHOWN HEREON TO FALL WITHIN A DESIGNATED FLOOD ZONE "AE" (AREAS OF 100 YEAR FLOOD).
3. THIS SITE IS TIED TO A GRID NORTH BASED ON GPS OBSERVATIONS AND WERE ADJUSTED BY PLANNERS AND ENGINEERS COLLABORATIVE IN MAY 2018. NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), GEORGIA WEST ZONE STATE PLANE COORDINATES.
4. THE TERM "CERTIFICATION" RELATING TO PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
5. NO ZONING INFORMATION PROVIDED FOR BUILDING SETBACKS.
6. THERE IS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
7. A COMPREHENSIVE FIELD REVIEW OF THE WETLANDS, INTERMITTENT STREAMS, PERENNIAL STREAMS AND OPEN WATERS WAS COMPLETE ON MAY 17, 2018 BY TUPELO ECOLOGICAL ASPECTS, INC.
8. THIS SURVEY IS A RETRACEMENT OF EXISTING PROPERTY.
9. PLEASANT HILL WAY HAS AN APPARENT 50 FOOT WIDE RIGHT OF WAY. THE RIGHT OF WAY FOR PLEASANT HILL WAY WAS ESTABLISHED BY A BEST FIT, CALCULATED CENTERLINE USING THE EXISTING ROAD LOCATION.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 228, 229, 252, 253, 257 AND 258 OF THE 16<sup>TH</sup> DISTRICT DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE FROM AN IRON PIN FOUND AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF NORRIS LAKE DRIVE (60' R/W) WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF PLEASANT HILL ROAD (60' R/W); THENCE LEAVING SAID INTERSECTION AND FOLLOWING ALONG SAID RIGHT-OF-WAY LINE OF PLEASANT HILL ROAD, THE FOLLOWING COURSES AND DISTANCES: SOUTH 43 DEGREES 28 MINUTES 35 SECONDS WEST A DISTANCE OF 327.61 FEET TO AN IRON PIN FOUND; THENCE SOUTH 43 DEGREES 03 MINUTES 03 SECONDS WEST A DISTANCE OF 156.12 FEET TO A POINT AT THE INTERSECTION OF THE NORTHERN RIGHT-OF-WAY LINE OF PLEASANT HILL ROAD AND THE NORTHERN RIGHT-OF-WAY LINE OF PLEASANT HILL WAY (50' R/W); THENCE LEAVING SAID RIGHT-OF-WAY LINE OF PLEASANT HILL ROAD AND FOLLOWING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF PLEASANT HILL WAY THE FOLLOWING COURSES AND DISTANCES: THENCE SOUTH 75 DEGREES 25 MINUTES 50 SECONDS WEST A DISTANCE OF 606.01 FEET TO A POINT; THENCE SOUTH 76 DEGREES 4 MINUTES 34 SECONDS WEST A DISTANCE OF 447.46 FEET TO A POINT; THENCE SOUTH 83 DEGREES 33 MINUTES 41 SECONDS WEST A DISTANCE OF 121.33 FEET TO A POINT; THENCE SOUTH 87 DEGREES 59 MINUTES 32 SECONDS WEST A DISTANCE OF 215.09 FEET TO A POINT; THENCE SOUTH 79 DEGREES 49 MINUTES 0 SECONDS WEST A DISTANCE OF 95.31 FEET TO A POINT; THENCE SOUTH 84 DEGREES 5 MINUTES 22 SECONDS WEST A DISTANCE OF 119.53 FEET TO A POINT; THENCE SOUTH 89 DEGREES 39 MINUTES 29 SECONDS WEST A DISTANCE OF 60.23 FEET TO A POINT; THENCE NORTH 89 DEGREES 18 MINUTES 57 SECONDS WEST, A DISTANCE OF 67.15 FEET TO A POINT; ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 31.08 FEET, SAID CURVE HAVING A RADIUS OF 399.99 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 88 DEGREES 27 MINUTES 29 SECONDS WEST, AND A CHORD LENGTH OF 31.07 FEET, TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF PLEASANT HILL WAY THE FOLLOWING COURSES: A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 37.56 FEET, SAID CURVE HAVING A RADIUS OF 399.99 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 83 DEGREES 32 MINUTES 31 SECONDS WEST, AND A CHORD LENGTH OF 37.54 FEET, TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 106.80 FEET, SAID CURVE HAVING A RADIUS OF 988.10 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 83 DEGREES 59 MINUTES 54 SECONDS WEST, AND A CHORD LENGTH OF 108.74 FEET, TO A POINT; THENCE WITH A COMPOUND CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 26.27 FEET, SAID CURVE HAVING A RADIUS OF 97.04 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 85 DEGREES 11 MINUTES 57 SECONDS WEST, AND A CHORD LENGTH OF 26.19 FEET, TO A POINT; THENCE NORTH 77 DEGREES 26 MINUTES 34 SECONDS WEST, A DISTANCE OF 37.19 FEET TO A POINT; THENCE NORTH 75 DEGREES 29 MINUTES 08 SECONDS WEST, A DISTANCE OF 66.16 FEET TO A POINT; ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 42.70 FEET, SAID CURVE HAVING A RADIUS OF 639.92 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 77 DEGREES 23 MINUTES 51 SECONDS WEST, AND A CHORD LENGTH OF 42.69 FEET, TO A POINT; THENCE NORTH 79 DEGREES 18 MINUTES 33 SECONDS WEST, A DISTANCE OF 94.85 FEET TO A POINT; THENCE NORTH 77 DEGREES 43 MINUTES 59 SECONDS WEST, A DISTANCE OF 54.01 FEET; THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 51.67 FEET, SAID CURVE HAVING A RADIUS OF 339.03 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 73 DEGREES 22 MINUTES 00 SECONDS WEST, AND A CHORD LENGTH OF 51.62 FEET, TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 131.45 FEET, SAID CURVE HAVING A RADIUS OF 675.56 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 74 DEGREES 34 MINUTES 30 SECONDS WEST, AND A CHORD LENGTH OF 131.25 FEET, TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 67.78 FEET, SAID CURVE HAVING A RADIUS OF 261.53 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 72 DEGREES 43 MINUTES 29 SECONDS WEST, AND A CHORD LENGTH OF 67.59 FEET, TO AN IRON PIN FOUND; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE OF PLEASANT HILL WAY NORTH 01 DEGREES 56 MINUTES 30 SECONDS WEST, A DISTANCE OF 251.82 FEET TO AN IRON PIN SET; THENCE NORTH 03 DEGREES 17 MINUTES 54 SECONDS WEST, A DISTANCE OF 291.25 FEET TO AN IRON PIN FOUND; THENCE NORTH 89 DEGREES 11 MINUTES 19 SECONDS EAST, A DISTANCE OF 500.16 FEET TO AN IRON PIN FOUND; THENCE SOUTH 18 DEGREES 27 MINUTES 10 SECONDS EAST, A DISTANCE OF 705.31 FEET TO A POINT FOUND ON THE NORTHERLY RIGHT-OF-WAY LINE OF PLEASANT HILL WAY, WHICH IS THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINING 8.548 ACRES, MORE OR LESS.

TITLE EXCEPTIONS

Old Republic National Title Insurance Company Commitment no. 2-37520(B) with an effective date of April 9, 2019 at 5:00 p.m. was used in the preparation of this survey and the listed exceptions are as follows:

Special Exceptions:

(d) Boundary Line Agreement by and between Nationwide Holding Corporation and Jessie H. Smith, individually, and as executor under the last will and testament of Mrs. Romie Tuck Smith, dated November 28, 1973, filed for record January 7, 1974 at 4:03 p.m., recorded in Deed Book 3118, Page 310, Records of Dekalb County, Georgia.

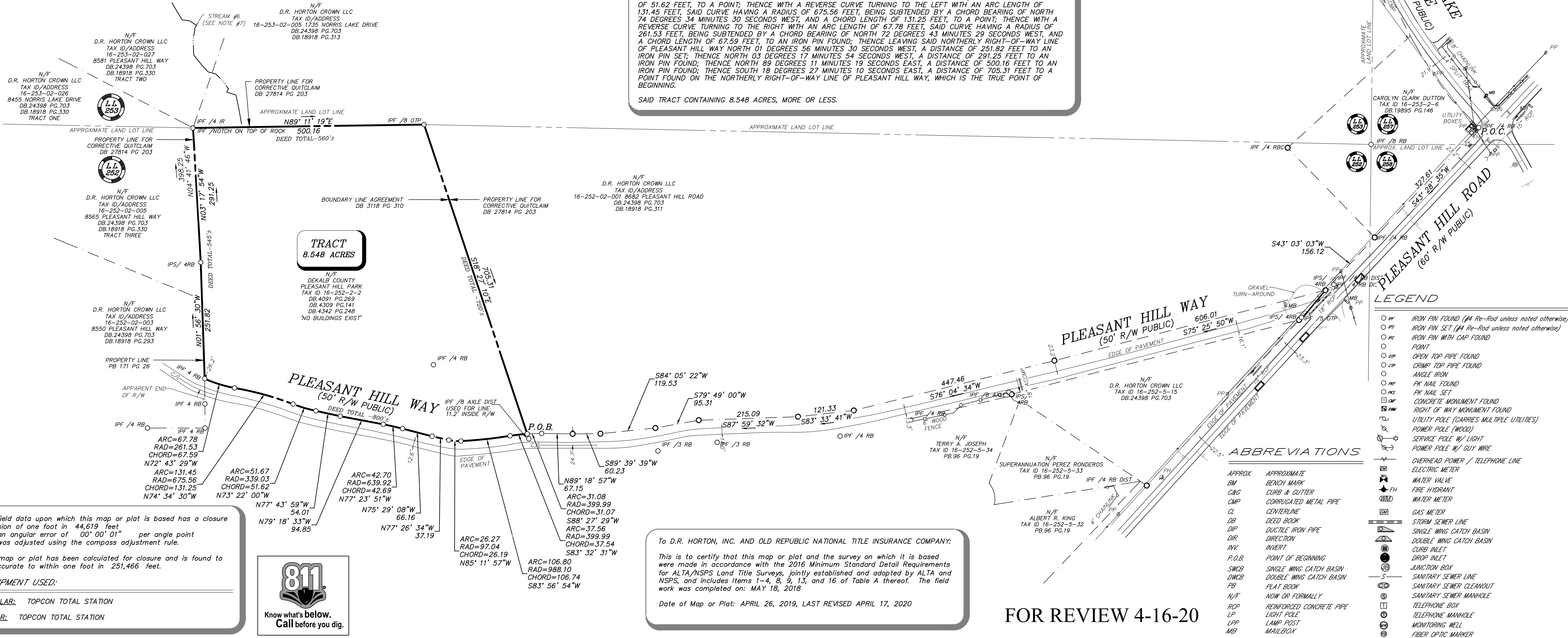
Affects East Property Line as shown on survey.

(e) All those matters as disclosed by that certain plat recorded in Plat Book 171, Page 26, aforesaid records.

Affects a portion of the West Property Line as shown on survey.



SITE MAP (NTS)



The field data upon which this map or plat is based has a closure precision of one foot in 44,619 feet, and an angular error of 00' 00" 01" per angle point and was adjusted using the compass adjustment rule.

This map or plat has been calculated for closure and is found to be accurate to within one foot in 251,466 feet.

EQUIPMENT USED:

ANGULAR: TOPCON TOTAL STATION  
LINEAR: TOPCON TOTAL STATION



To D.R. HORTON, INC. AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 8, 9, 13, and 16 of Table A thereof. The field work was completed on: MAY 18, 2018

Date of Map or Plat: APRIL 26, 2019, LAST REVISED APRIL 17, 2020

FOR REVIEW 4-16-20

PLANNERS AND ENGINEERS COLLABORATIVE  
"WE PROVIDE SOLUTIONS"

■ SITE PLANNING ■ LANDSCAPE ARCHITECTURE  
■ CIVIL ENGINEERING ■ LAND SURVEYING  
350 RESEARCH COURT PEACHTREE CORNERS, GEORGIA 30092  
(770)451-2741 ■ WWW.PECAT.COM  
C.O.A.-LSF00004

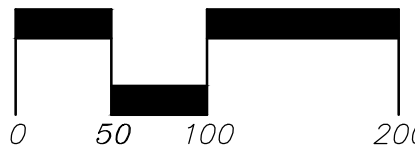
5				
4				
3				
2	04/17/20	REMOVE GAP AREA		MN
1	08/26/19	REVISE LAND LOT LINE AND ADJOINERS		MN
REV	DATE	DESCRIPTION		BY

LAND LOT(S) 252 & 253  
DISTRICT 16<sup>th</sup>

ALTA/NSPS LAND TITLE SURVEY  
FOR  
D.R. HORTON, INC. AND  
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

DEKALB COUNTY  
GEORGIA

DRAWN BY: MN  
CHECKED BY: JHN  
FILE NO.: 16309.00  
DATE: 04/26/2019  
SCALE: 1"=100'



DATE OF FIELD WORK: 05/18/2018











N.17

Z-18-1235046

Site Parcel Map

