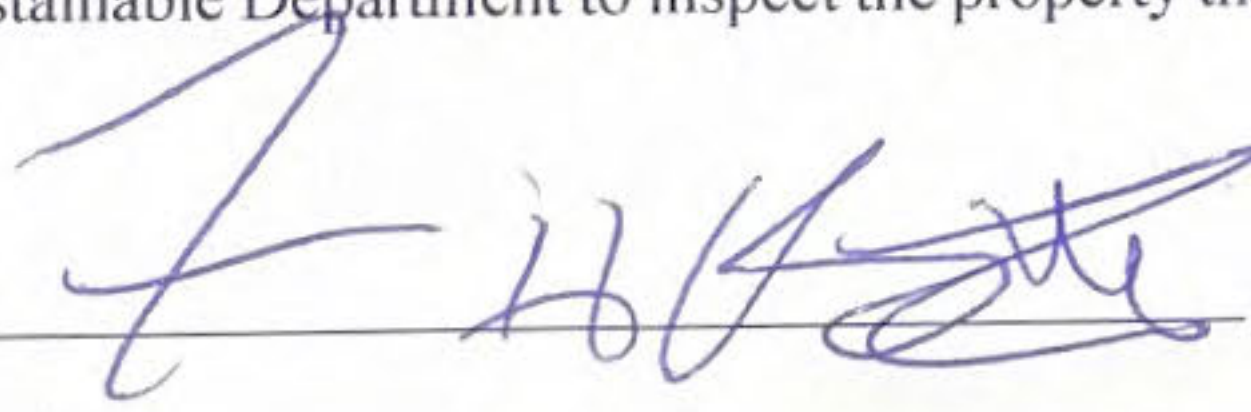


**REZONING APPLICATION****to Amend the Official Zoning Map of DeKalb County, Georgia**APPLICANT/OWNER: Cultivate Communities c/o Battle Law, P.C.Subject Property Address: 5370, 5384, and 5378 Flat Shoals ParkwayCity: Tucker, GA. State: GA Zip: 30084Parcel ID Number(s): 15 066 01 062, 15 066 01 012, 15 066 01 011Acreage: 8.84 Commission District(s): 3 Super District: 7Existing Zoning District(s): R-100 Proposed Zoning District(s): RSMExisting Land Use Designation(s): Suburban Proposed Land Use Designation(s): N/A (if applicable)

I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

☒ Owner ☐ AgentSignature: Date: 8.16.26**NOTE:** PLEASE BE MINDFUL THAT THE APPLICATION AND ALL OF ITS CONTENTS IS A PUBLIC RECORD ONCE SUBMITTED AND ACCEPTED FOR A ZONING CYCLE.**REZONE APPLICATION FEES:****RE, RLG, R-100, R-85, R-75, R-60 MHP, RNC, RSM, MR-1, MR-2** **\$500.00****HR-1, HR-2, HR-3 MU-1, MU-2, MU-3, MU-4,** **\$750.00**  
**MU-5 O-I, OD, OIT, NS, C-1, C-2, M, M-2****DeKalb County does not require payment by wire transfer.**  
Be aware of scammers and fraudulent emails.



## Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100  
Tucker, Georgia 30084

### Zoom Instructions:

Go to <https://battlelawpc.zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click "Join". To join by phone, please dial (646) 558-8656. If you are unable to attend or would like to learn more about the proposed project, please call our office at the number below.

We encourage you to come out and participate!

For More Information Contact  
Jordan Battle at:  
Phone: 404-601-7616 ext. 8  
Fax: 404-745-0045  
Email: [jeb@battlelawpc.com](mailto:jeb@battlelawpc.com)

## COMMUNITY MEETING TO DISCUSS A REZONING APPLICATION FROM R-100 TO RSM

**Project Title: Cultivate Communities-  
5370 Flat Shoals Parkway**

**When: August 5, 2026**

**Time: 6:30PM Eastern (US and Canada)**

**Register in advance for this meeting:**

**<https://battlelawpc.zoom.us/join>**

**Meeting ID: 829 3204 6745**

**Password: 338591**

### PROPOSED LOCATION(S):

Parcel Number - 15 066 01 062, 15 066 01

012, and 15 066 01 011



## Registrants

## Email Address

## Registration Date



Greg Mason

Aug 5, 2026 06:34 PM



Gerald Nales

Aug 5, 2026 06:33 PM



Frank Bailey

Aug 5, 2026 06:28 PM



Mildred Lewis

Aug 5, 2026 06:16 PM



Rochelle Maddox

Aug 5, 2026 04:40 PM



Al Chatman

Aug 5, 2026 04:39 PM



Kenneth Maddox

Aug 5, 2026 04:22 PM



Marcia Jones

Aug 5, 2026 04:10 PM



Deborah  
Wilkerson

Aug 3, 2026 10:31 PM



# Battle Law

## STATEMENT OF INTENT

and

Other Material Required by  
DeKalb County Zoning Ordinance  
For  
A Rezoning to Small Lot Residential Mix (RSM)

of

**Cultivate Communities Real Estate, LLC**  
**c/o Battle Law, P.C.**

for

**+/- 8.84 Acres of Land**  
Being 5370, 5384, and 5378 Flat Shoals Parkway  
Decatur, Georgia and  
Parcel Nos. 15 066 01 062,  
15 066 01 012, and 15 066 01 011

Submitted for Applicant by:

Michèle L. Battle, Esq.  
Joshua S. Mahoney, Esq.  
Battle Law, P.C.  
Habersham at Northlake, Building J, Suite 100  
Tucker, Georgia 300384  
(404) 601-7616 Phone  
(404) 745-0045 Facsimile  
[mlb@battlelawpc.com](mailto:mlb@battlelawpc.com)  
[jsm@battlelawpc.com](mailto:jsm@battlelawpc.com)



# Battle Law

## **I. LETTER OF INTENT**

Cultivate Communities Real Estate, LLC (the “Applicant”) is seeking to develop on +/- 8.84 acres of land being Tax Parcel Nos. 15 066 01 062, 15 066 01 012, & 15 066 01 011 having frontage on 5370, 5384, and 5378 Flat Shoals Parkway (the “Subject Property”) with 50 new homes. The new community will have 13 single-family detached homes and 37 townhomes. The Applicant is seeking a rezoning of the Subject Property from R-100 to RSM.

This document serves as a statement of intent, analysis of the criteria under the DeKalb County Zoning Ordinance and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

## **II. IMPACT ANALYSIS**

### **A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.**

The Applicant’s Proposal for Rezoning conforms with the text and ideals of DeKalb County’s 2050 Comprehensive Plan. The Plan calls for urban infill development of housing in a variety of offerings to increase the overall housing supply. The proposed development includes affordable single-family detached homes and townhomes, an economic and efficient type of housing that satisfies the issues Dekalb’s Comprehensive Plan seeks to remedy. Furthermore, the Comprehensive Plan states that the RSM zoning district is appropriate in the Suburban land use category. The Subject Property has a Suburban land use designation. Therefore, the rezoning to RSM complies with the Comprehensive Plan.

### **B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.**

All adjacent properties are residential. The proposed development is also solely residential. The Applicant intends on developing the property to be entirely cohesive in the use of the surrounding neighborhood. Therefore, the zoning proposal will permit a suitable use in view of the surrounding uses.

### **C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

Because the assemblage of properties is an odd flag-shape, it disallows the large lots currently entitled on the property. It would be an expensive process to modify the site so that it would be economically feasible to build a R-100 lots for either a developer or private individual. Furthermore, one of the large parcels is entirely landlocked without street access. Not only does it make it economically unfeasible, but it also makes it impossible without the assembling of the adjacent property with road access.



## Battle Law

**D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties.**

The proposed development will not adversely affect the existing use of adjacent properties. The largest impacts of a multi-unit development are traffic, encroachment into neighboring properties, and effects to the natural environment. The development will increase trips, but the property fronts on Flat Shoals which a Major Arterial Road, capable of handling the excess trips of the planned units. Additionally, the centralized development of the property must go through the permitting process, in addition to complying with all buffer and related requirements of the RSM zoning. Both of which mitigate external repercussions that will adversely affect the neighbors.

**E. Whether there 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 under contract to be purchased as an assemblage. The assemblage now allows for a centralized, planned development that can better plan for the topography and other features while maximizing the economic viability of the overall project. The zoning proposal should be approved because it allows both the goals of the development and the greater goals outlined DeKalb's Comprehensive Plan.

**F. Whether the zoning proposal will 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. Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The proposed development includes 50 homes. It will increase the use of all public services; however, it will not cause an excessive burden. The Subject Property's only access point is along Flat Shoals Parkway, a Major Arterial Road which is designated to handle the increased load. Additionally, the Applicant intends on developing internal infrastructure that taps into readily available utilities. The addition of 50 units is a small increase of the overall number of homes in the area.

**H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The Subject Property is a small assemblage of parcels. The 8.84 acres are currently surrounded by development. Any impacts to the environment or natural resources have already been created. While the proposed development requires land disturbance, once



## Battle Law

built, the new units only marginally increase the overall impacts to the environment. Additionally, the development's centralized operation allows the Applicant to carefully plan for environmental mitigation unlike the isolated process of building single-family homes.

### **III. CONCLUSION**

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning from R-100 to RSM be approved. The Applicant welcomes any questions and feedback from the planning staff.

### **IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS**

The portions of the DeKalb County 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 DeKalb County 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 DeKalb County Board of Commissioners to amend the land use and/or 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



## Battle Law

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 DeKalb County 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.

---

Joshua S Mahoney, Esq.  
Attorney for the Applicant

DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

The property owner(s) should complete this form or a similar signed and notarized form if the individual filing the application with the County is not the property owner.

Date: \_\_\_\_\_

TO WHOM IT MAY CONCERN:

I/WE: Majesty, Inc.

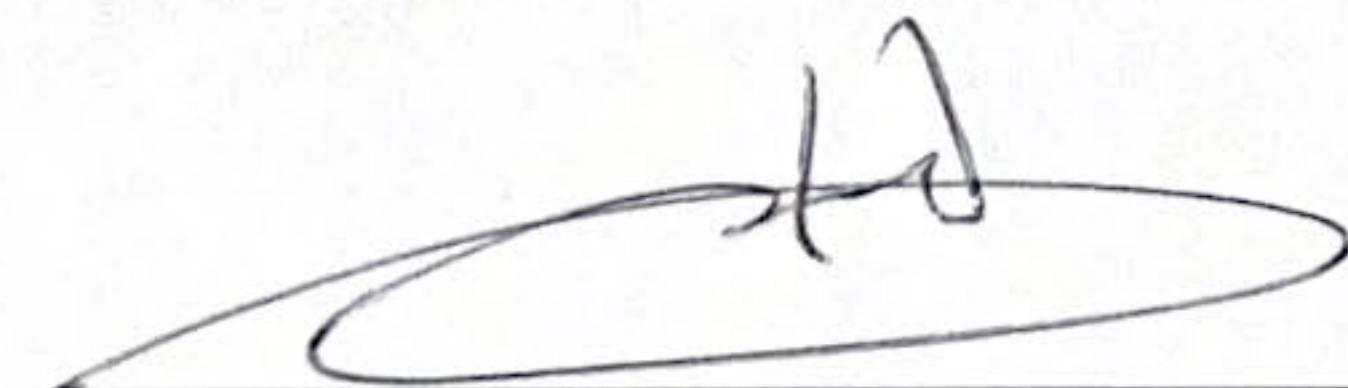
Name of Owner(s)

being owner(s) of the subject property described below or attached hereby delegate authority to:

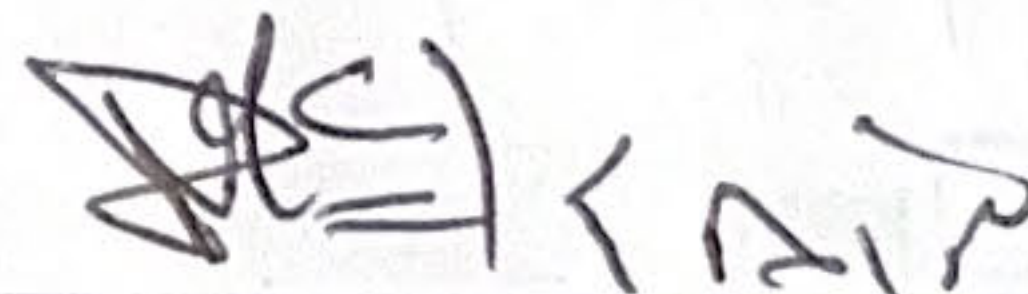
Cultivate Communities and Battle Law, P.C.

Name of Agent or Representative

to file an application on my/our behalf.



Notary Public



Owner

SAUDA ANSARI  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01AN6012752  
Qualified in Nassau County  
My Commission Expires August 31, 2026

Date: Aug. 17, 2026

Aug 17, 2026

## DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filing of this application?

Yes: X No: \_\_\_\_\_\*

\*Notary seal not needed if answer is "No".

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.

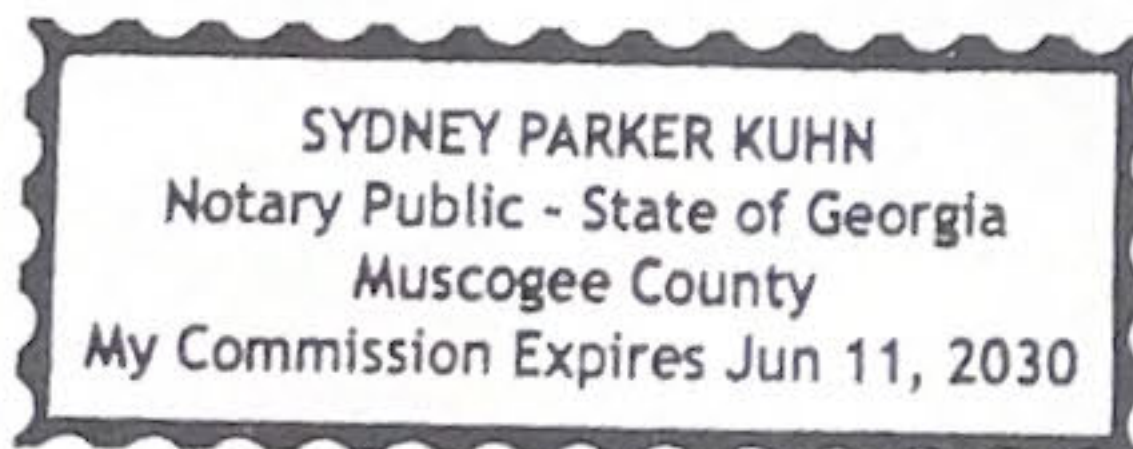
The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Sydney Parker Kuhn  
Notary

[Signature]  
Signature of Applicant /Date

Check one: Owner ☐ Agent ☒

expires 6/11/2030  
Expiration Date/ Seal



DEPARTMENT OF PLANNING & SUSTAINABILITY

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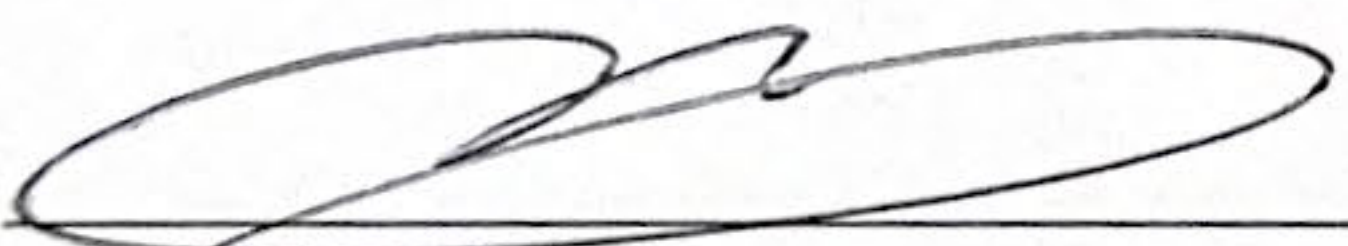
Yes: \_\_\_\_\_ No: \_\_\_\_\_ \*

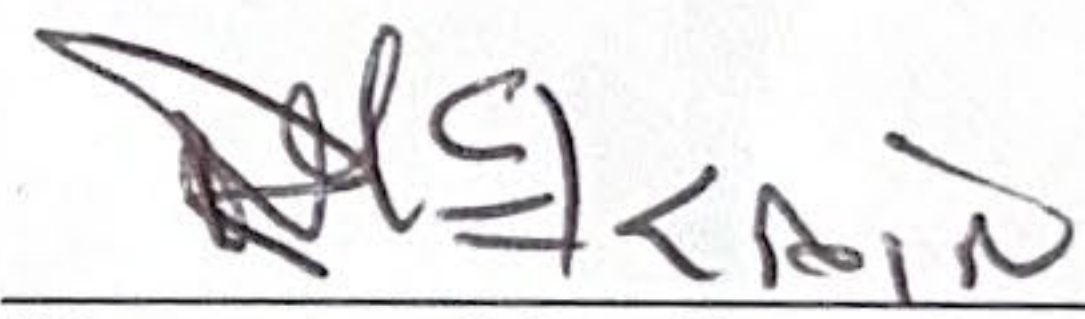
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Notary

  
Signature of Applicant /Date

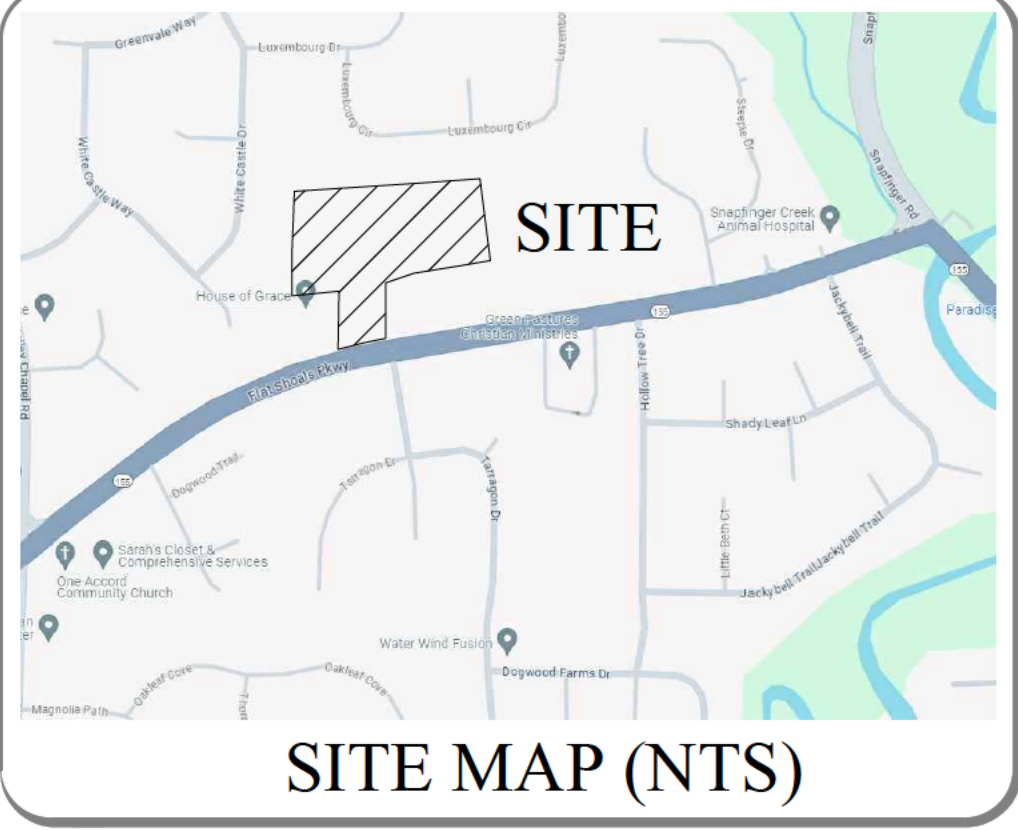
SAUDA ANSARI  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01AN6012752  
Qualified in Nassau County  
My Commission Expires August 31, 2026

Check one: Owner ☒ Agent ☐

Expiration Date/ Seal

August 17, 2026

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SITE MAP (NTS)

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. ALL UTILITIES SERVING THE PROPERTY ENTER THROUGH ADJOINING PUBLIC STREETS AND/OR EASEMENTS OF RECORD.
2. I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR DEKALB COUNTY, GEORGIA AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER 13089C0162J, PANEL 162 OF 201, EFFECTIVE DATE MAY 16, 2013 AND FOUND NO PORTION OF THE PROPERTY SHOWN HEREON TO FALL WITHIN A DESIGNATED FLOOD ZONE "A" (AREAS OF 100 YEAR FLOOD). THE PROPERTY SHOWN HEREON TO FALL WITHIN A DESIGNATED FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD).
3. THIS SITE IS TIED TO GRID NORTH BASED ON GPS OBSERVATIONS ADJUSTED BY PLANNERS AND ENGINEERS COLLABORATIVE IN APRIL 2024. 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. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.
6. NO ZONING INFORMATION PROVIDED FOR BUILDING SETBACKS.
7. THIS SURVEY WAS MADE IN ACCORDANCE WITH LAWS AND/OR MINIMUM STANDARDS OF THE STATE OF GEORGIA.
8. THE PROPERTY HAS DIRECT ACCESS TO FLAT SHOALS PARKWAY, A DEDICATED PUBLIC STREET OR HIGHWAY.
9. THERE IS NO OBSERVED EVIDENCE OF USE OF THE PROPERTY AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 66, of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

BEGIN at a found right of way monument, said monument having coordinates of North: 1,340,503.0 and East: 2,283,210.3, coordinates based on NAD83 State Plane Coordinate system, Georgia West zone, said monument located on the northerly right of way line of Flat Shoals Parkway (variable public right of way), said pipe being the TRUE POINT OF BEGINNING;

THENCE leaving said northerly right of way of Flat Shoals Parkway and proceed North 00 degrees 52 minutes 21 seconds East a distance of 247.43 feet to a found 3/8 inch rebar; thence South 84 degrees 21 minutes 05 seconds West a distance of 201.18 feet to a found 3/8 inch rebar; thence North 00 degrees 15 minutes 59 seconds East a distance of 198.56 feet to a found 3/8 inch rebar; thence North 02 degrees 11 minutes 02 seconds East a distance of 246.00 feet to a point; thence North 86 degrees 12 minutes 40 seconds East a distance of 528.43 feet to a point; thence North 85 degrees 50 minutes 42 seconds East a distance of 262.66 feet to a point; thence South 07 degrees 12 minutes 58 seconds East a distance of 351.55 feet to a found 3/8 inch rebar; thence South 80 degrees 45 minutes 21 seconds West a distance of 29.03 feet to a found 1/2 inch open top pipe; thence South 80 degrees 12 minutes 56 seconds West a distance of 100.71 feet to a found 1/2 inch open top pipe disturbed; thence South 80 degrees 52 minutes 30 seconds West a distance of 199.30 feet to a found 3/8 inch rebar; thence South 71 degrees 17 minutes 02 seconds West a distance of 126.72 feet to a point; thence South 00 degrees 11 minutes 28 seconds West a distance of 236.22 feet to a point located on said northerly right of way of Flat Shoals Parkway; thence along said northerly right of way the following courses and distances: South 78 degrees 28 minutes 38 seconds West a distance of 94.98 feet to a point; South 75 degrees 35 minutes 40 seconds West a distance of 112.25 feet to a point, said pipe being the TRUE POINT OF BEGINNING.

Tract or parcel contains 378,695 square feet or 8,694 acres.

STRUCTURE LEGEND

| ELECTRIC/POWER     |                              | SITE / TOPOGRAPHIC FEATURES |  |
|--------------------|------------------------------|-----------------------------|--|
| Y                  | Gay Wire                     | Street Sign                 |  |
| ⊕                  | Power Pole/Utility Pole      | Mailbox                     |  |
| ☆                  | Street Light/Light Pole      | Satellite Dish              |  |
| PROPERTY MONUMENTS |                              | STORM / DRAINAGE            |  |
| RM                 | Right-of-Way Monument Found  | Storm Structure Lid         |  |
| CM                 | Concrete Monument Found      | Drop Inlet                  |  |
| IP                 | Iron Pin Set                 | Single Wing Catch Basin     |  |
| IPF                | Iron Pin Found (Rebar found) | Double Wing Catch Basin     |  |
| MS                 | PK Nail Set                  | Head Wall                   |  |
| MF                 | PK Nail Found                | Junction Box                |  |
| P                  | Point                        | Curb Inlet                  |  |
| TELEPHONE          |                              | WATER                       |  |
| TM                 | Telephone Terminal Box       | Fire Hydrant                |  |
| M                  | Telephone Manhole            | Water Meter                 |  |
|                    |                              | Water Valve                 |  |

P.O.B.  
RWM  
N: 1,340,503.0  
E: 2,283,210.3

FLAT SHOALS PKWY  
(VARIABLE RIGHT OF WAY)

ABBREVIATIONS

|            |                          |        |                          |
|------------|--------------------------|--------|--------------------------|
| APPROX. #4 | Approximate              | I.E.   | Invert Elevation         |
| C&G        | Curb and Gutter          | IPF    | Iron Pin Found           |
| CLF        | Chain Link Fence         | IPS    | Iron Pin Set             |
| CMP        | Corrugated Metal Pipe    | LP     | Light Pole               |
| CO         | Clean Out                | MW     | Monitoring Well          |
| COP        | Corrugated Plastic Pipe  | N/F    | Now or Formerly          |
| DB         | Dead Book                | OTP    | Open Top Pipe            |
| DI         | Drop Inlet               | PB     | Plot Book                |
| DE         | Drainage Easement        | PG     | Page                     |
| EDP        | Edge of Pavement         | PKF    | PK Nail Found            |
| EDP        | Electric Power Pole      | PKS    | PK Nail Set              |
| EPAN       | Electric Panel           | POB    | Point of Beginning       |
| ESMT       | Easement                 | POC    | Point of Commencement    |
| FES        | Flared End Section       | PVC    | Polyvinyl Chloride Pipe  |
| FTE        | Finish Floor Elevation   | RBC    | Rebar Capped             |
| FI         | Fire Hydrant             | RCP    | Reinforced Concrete Pipe |
| FLGP       | Flag Pole                | RWM    | Right of Way Monument    |
| GA         | Georgia                  | SSE    | Sanitary Sewer Easement  |
| GM         | Gas Meter                | SSMH   | Sanitary Sewer Manhole   |
| GW         | Gay Wire                 | TRAN   | Transformer              |
| HDR        | Hard Road                | VCP    | Vitrified Clay Pipe      |
| H.W.       | Hard Wood                | W.D.F. | Wood Fence               |
| HW         | Headwall                 | WM     | Water Meter              |
| ICV        | Irrigation Control Valve | WV     | Water Valve              |

LINETYPES

| PROPERTY                    |                   | EXISTING OVERHEAD    |                     |
|-----------------------------|-------------------|----------------------|---------------------|
| ---                         | Adjacent Property | OW                   | Overhead Wires      |
| ---                         | Property Line     |                      |                     |
| ---                         | Center of Creek   |                      |                     |
| FENCE LINES                 |                   | EXISTING UNDERGROUND |                     |
| X                           | Barb Wire Fence   | ---                  | Cable               |
| ---                         | Chain Link Fence  | ---                  | Electric            |
| ---                         | Wood Fence        | ---                  | Fiber Optic         |
| ---                         | Woven Wire Fence  | ---                  | Gas                 |
|                             |                   | ---                  | Telecommunications  |
|                             |                   | ---                  | Water               |
| SITE / TOPOGRAPHIC FEATURES |                   | ---                  | Television          |
| ---                         | Guardrail         | ---                  | Storm Drainage Line |
|                             |                   | SS                   | Sanitary Sewer      |

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS COLLECTED USING A TOPCON TOTAL STATION "ESI03", "ESI05", GEOMAX ZOOM90 ROBOTIC STATION, A GEOMAX ZENUS800 SERIES DATA COLLECTOR, eGPS 207L GNSS RECEIVER WITH A SITE-LOCALIZED RTK NETWORK, AND HAS A RELATIVE POSITIONAL ACCURACY OF 0.1 FEET.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN xxxxx FEET.

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A Section 15-6-67. Date of Map or Plat:



SHEET OF 1  
DRAWN BY: MS  
CHECKED BY: MS  
FILE NO: 24001.01  
DATE: 8/10/26  
SCALE: 1" = 40'  
DATE OF FIELD WORK: 8/7/26

BOUNDARY SURVEY  
FOR  
CULTIVATE COMMUNITIES REAL ESTATE  
of  
5370, 5378, 5384 FLAT SHOALS PARKWAY

DEKALB COUNTY  
GEORGIA

LAND LOT(S)  
DISTRICT 66

| REVISIONS |      | DESCRIPTION |    |
|-----------|------|-------------|----|
| REV       | DATE | DATE        | BY |
| 5         |      |             |    |
| 4         |      |             |    |
| 3         |      |             |    |
| 2         |      |             |    |
| 1         |      |             |    |

Planners & Engineers Collaborative+  
LAND PLANNING + LANDSCAPE ARCHITECTURE + CIVIL ENGINEERING  
ARBORETS + SURVEYING & CONSTRUCTION + WATER RESOURCES  
360 RESEARCH COURT PEACHTREE CORNERS, GEORGIA 30092  
(770) 451-2741 WWW.PEC.PLUS  
C.O.A.-LS500004

## LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 66, of the 15th District, Dekalb County, Georgia and being more particularly described as follows:

BEGIN at a found right of way monument, said monument having coordinates of North: 1,340,503.0 and East: 2,283,210.3, coordinates based on NAD83 State Plane Coordinate system, Georgia West zone, said monument located on the northerly right of way line of Flat Shoals Parkway (variable public right of way), said pipe being the TRUE POINT OF BEGINNING;

THENCE leaving said northerly right of way of Flat Shoals Parkway and proceed North 00 degrees 52 minutes 21 seconds East a distance of 247.43 feet to a found 3/8 inch rebar; thence South 84 degrees 21 minutes 05 seconds West a distance of 201.18 feet to a found 3/8 inch rebar; thence North 00 degrees 15 minutes 59 seconds East a distance of 198.56 feet to a found 3/8 inch rebar; thence North 02 degrees 11 minutes 02 seconds East a distance of 246.00 feet to a point; thence North 86 degrees 12 minutes 40 seconds East a distance of 528.43 feet to a point; thence North 85 degrees 50 minutes 42 seconds East a distance of 262.66 feet to a point; thence South 07 degrees 12 minutes 58 seconds East a distance of 351.55 feet to a found 3/8 inch rebar; thence South 80 degrees 45 minutes 21 seconds West a distance of 29.03 feet to a found 1/2 inch open top pipe; thence South 80 degrees 12 minutes 56 seconds West a distance of 100.71 feet to a found 1/2 inch open top pipe disturbed; thence South 80 degrees 52 minutes 30 seconds West a distance of 199.30 feet to a found 3/8 inch rebar; thence South 71 degrees 17 minutes 02 seconds West a distance of 126.72 feet to a point; thence South 00 degrees 11 minutes 28 seconds West a distance of 236.22 feet to a point located on said northerly right of way of Flat Shoals Parkway; thence along said northerly right of way the following courses and distances: South 78 degrees 28 minutes 38 seconds West a distance of 94.98 feet to a point; South 75 degrees 35 minutes 40 seconds West a distance of 112.25 feet to a point, said pipe being the TRUE POINT OF BEGINNING.

Tract or parcel contains 378,695 square feet or 8,694 acres.





# OS

## SHEET







# DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief of Executive Officer  
Lorraine Cochran-Johnson

Director  
Juliana A. Njoku

## PRE-APPLICATION FORM

### REZONE, SPECIAL LAND USE PERMIT, MAJOR MODIFICATION, & LAND USE AMENDMENTS

(Required prior to filing application. Signed copy of this form must be submitted at filing.)

Applicant(s) Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Commission District(s): \_\_\_\_\_

Property Address: \_\_\_\_\_

Tax Parcel ID: \_\_\_\_\_ Acreage: \_\_\_\_\_

Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Supplemental Regs: \_\_\_\_\_ Overlay District: \_\_\_\_\_

Rezoning: Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_

DRI: \_\_\_\_\_ Square Footage/Number of Units: \_\_\_\_\_

Rezoning Request: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Land Use Amendment - Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_ Consistent Inconsistent

Land Use Amendment Request: \_\_\_\_\_

\_\_\_\_\_

Special Land Use Permit Special Land Use Permit Article Number(s) 27- \_\_\_\_\_

Special Land Use Request(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PCH/CCI:** Use both of these links to search & identify other "Personal Care Homes" (PCH) and/or "Child Care Institution" (CCI) [Child Care Distance Measuring Tool](#) and [PCH-CLA Distance Measuring Tool](#) Select both of those types on the left-hand side and then click "search".

Major Modification: Existing Zoning Conditions: \_\_\_\_\_

Major Modification Request: \_\_\_\_\_

\_\_\_\_\_

Condition(s) to be modified (if applicable): \_\_\_\_\_

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting Deadline w/15-day notification: August 10, 2026

Calendar Dates: CC: 10.14.2026 (Zoom) PC: 11.05.2026 (Zoom) BOC: 11.19.2026 (In-Person)

- ☒ Letter of Intent      ☒ Impact Analysis      ☒ Owner Authorization(s)      ☒ Campaign Disclosure  
☒ Public Notice, Signs      ☒ Tree Survey, Conservation (if applicable)

**Submittal Format: ONE (1) COMBINED, PDF DOCUMENT UPLOAD via OUR ONLINE PORTAL.**

Site Plan Checklist, if applicable:

|                       |                                            |                                                        |                  |                       |
|-----------------------|--------------------------------------------|--------------------------------------------------------|------------------|-----------------------|
| *Density              | *Frontage                                  | *Sidewalks                                             | *Density Bonuses | *Street Width         |
| *Fencing/Walls        | *Mix of Uses                               | *Landscape Strips                                      | *Building Height | *Open Space           |
| *Parking - Auto       | *Parking – Bicycle                         | *Building Separation                                   | *Lot Size        | *Screening            |
| *Pedestrian Plan      | *Streetscapes                              | *Enhanced Open Space                                   | *Garages         | *Building Orientation |
| *Perimeter Landscapes | *Setbacks: front, sides, side corner, rear | *Building Materials: Roof, Fenestration, Façade Design |                  |                       |

☐ Possible Variances: \_\_\_\_\_

Comments: Must show compliance with RSM zoning standards and show how property is

consistent with surrounding single-family uses and the SUB CHAracter area. Max density is 8 units per

acre with density bonuses.

Planner: John Reid, Sr. Planner

Date: August 14, 2026