

Planning Commission Hearing Date: September 9, 2025
Board of Commissioners Hearing Date: November 20, 2025

STAFF ANALYSIS

CASE NO.:	SLUP-25-147635	File ID #: 2025-0970
Address:	4280 & 4358 Loveless Place, Ellenwood Georgia 30294	Commission District: 3 Super District: 6
Parcel ID(s):	15 11 01 062, 263, & 45	
Request:	A Special Land Use Permit (SLUP) to allow utility structures for the transmission or distribution of services in the RSM (Small Lot Residential Mix) and MU-1 (Mixed-Use Low Density) zoning districts, Tier 5 of the Bouldercrest Overlay District, and the Soapstone Historic District.	
Property Owner(s):	PCC-DeKalb LLC	
Applicant/Agent:	PCC-DeKalb LLC c/o Steven L Jones, Taylor Duma LLP	
Acreage:	95.57	
Existing Land Use:	Vacant	
Surrounding Properties:	North: Single-Family Residential; South: Single-Family Residential; East: Single-Family Residential; West: Single-Family Residential	
Adjacent Zoning:	North: MU-1/BOD Tier 5 South: Clayton County East: R-100 West: MU-1	
Comprehensive Plan:	SUBURBAN _____ Consistent <u> X </u> Inconsistent	

STAFF RECOMMENDATION: DENIAL (REVISED 11/10/25)

This case was deferred from the September 30, 2025 Board of Commissioners meeting to allow time for the Law Department to review allegations from the applicant's legal counsel regarding whether a major modification of conditions to the 2018 zoning conditions of the property was required. At the time of this writing the Law Department was still in review of this item. Additionally, Staff had requested additional information related to "employment traffic" referenced in the SLUP application as well as requested a copy of their proposed SLUP conditions that they discussed at the Sept 30th public hearing. The applicant has submitted the proposed zoning conditions from the September 30th BOC meeting as well as more information regarding their proposed sound attenuation fences (see attached). However, at the time of this writing Staff had not received the requested employment traffic information.

The subject properties fall within Tier 5 of the Bouldercrest Overlay District (BOD), the Soapstone Historic District, and the MU-1 and RSM underlying zoning districts. Additionally, the Board of Commissioners (BOC) approved zoning conditions on the subject properties as well as a portion of the properties to the north (see attached CZ-17- 21828) in 2018. These 2018 zoning conditions were based on a site plan which designates the subject properties in this utility structure application for residential units.

The applicant's site plan depicts a one (1) million square foot "Data Center" campus with an outdoor electric substation on a 95-acre site. While the BOD land use table does not include a "Data Center" land use category, it appears that the applicant has indicated the most similar land use in the BOD is "utility structure for transmission

of service". Staff contends that given the proposed site plan for 1 million square feet of building area, the proposed use is most similar to "Warehousing and Storage" which is a prohibited use in Tier 5. Additionally, there is no "utility structure" land use in the underlying land use table of Article 4 of the Zoning Ordinance, but the most similar land uses are "electric transformer station" and "warehousing and storage".

An electric transformer station is not defined in the Zoning Ordinance, however based on research it is essentially the same as an electric substation and is only allowed in M and M-2 industrial zones. "Warehousing and storage" is only allowed in OD (office distribution), M and M-2 industrial zoning districts.

The proposed one (1) million square foot campus with an outdoor electric substation would fall under the "Data Center, Campus" land use category of the data center text amendment proposed by Planning Department Staff since the proposed use is larger than 20,000 square feet (1 million square feet proposed) and requires an electric substation. While this SLUP application is not subject to the proposed standards of the data center text amendment since that amendment has not been adopted by the Board of Commissioners, it should be noted that the proposed text amendment would require all "Data Center, Campus" land uses to locate in industrial zoning districts (M & M-2) with a SLUP.

The property falls within a Suburban (SUB) Character Area of the 2050 Comprehensive Plan, which calls for preservation of established subdivisions and small-scale infill such as cottage court development, accessory housing units and other innovative housing types to increase housing choice and income diversity without significantly altering established neighborhood development patterns (Suburban Character Area, Land Use Compatibility, page 41). The properties fall within Tier 5 of the BOD. Tier 5 is a predominantly single-family residential area, and the purpose and intent of the BOD is to protect established residential areas from encroachment of incompatible or adverse uses, and to protect the health, safety, and welfare of the citizens of DeKalb County (Sec 3.39.1.A.18). Tier 5 prohibits all office, transportation, storage (including self-storage, storage yard, and warehousing and storage"), service, commercial, and industrial uses, as those uses due to their intensity and/or form are deemed to not be compatible with single-family residential uses. While "utility structures" are allowed as a SLUP in Tier 5 of the Bouldercrest Overlay (BOD), the proposed planned data center as noted on the applicant's site plan is not a utility structure as the word is commonly understood, since it appears to require much larger building footprints and a much larger strain on community resources (electricity and water) to operate than standard utility structures.

Additionally, the existing zoning conditions (CZ-17-21828) on the subject properties are based on a site plan which call for residential uses. Residential is more consistent with the SUB Character Area of the DeKalb County 2050 Comp Plan to provide more diverse and affordable housing.

Based on the above information, the application does not appear to comply with the SUB Character Area of the 2050 Comprehensive Plan nor the purpose and intent of Tier 5 of the BOD. Furthermore, Staff has not received additional information related to "employment traffic" referenced in the application related to how much building square footage is devoted to office use and how many employees will be working to determine impact on required parking spaces on the subject site and potential traffic impacts on access through the abutting single-family residential area in Clayton County. Therefore, based on review of Sections 7.4.6.B (Compatibility of proposed use with adjacent properties), 7.4.6.D (Adequacy of public street on which the proposed use is to be located), 7.4.6.H (consistency with policies of the comprehensive plan), and Section 7.4.6.N (whether proposed use is consistent with needs of the neighborhood) of the DeKalb County Zoning Ordinance, it is the recommendation of the Planning Department that the application be **"Denied"**.

Proposed Conditions for SLUP – 25 – 1247635

Project Preserve Data Center

1. Setbacks; Buffers. The development shall have a 100 foot setback from adjacent properties outside the development. The first 50 feet of that setback (i.e., the portion of the 100 foot setback adjacent to any property outside the development) shall remain undisturbed, except for fencing and utilities.
2. Maximum Building Square Footage. The development shall have no more than 2,150,000 square feet of two-story building space. The maximum height of any building within the development shall be 90 feet, notwithstanding any provision in the Zoning Ordinance to the contrary.
3. Property Access. There shall be no access to the Property via Loveless Place.
4. Controlled Access. The development may have a guardhouse to restrict access to the Property.
5. Property Dedication. The area denoted as “APPROXIMATELY 40 ACRES OF GREEN SPACE TO REMAIN UNDISTURBED” and north of the dashed line labeled as “APPROXIMATE LOCATION 100 YEAR FLOOD PER FEMA PANEL 13089C0143J DATED MAY 16, 2013 (ZONE AE)” on the Colored Site Plan, prepared by Atlas Development LLC, dated May 22, 2025 and last revised June 19, 2025, shall be placed into a conservation easement after the final certificate of occupancy for the Development has been issued.
6. Archaeological study. The developer shall update the previously performed archaeological study for the Property prior to issuance of a land disturbance permit for the development.
7. Dark sky lighting. Exterior illumination shall be shielded, downcast, and of a luminosity designed to maintain the existing night sky darkness and to prevent light trespass onto adjacent properties. In order to obtain that objective, the developer shall strive to meet following criteria:
 - a. all light fixtures shall be full cut-off type fixtures;
 - b. light poles shall be no taller than 25 feet in height;
 - c. all light poles must be setback a minimum of 50 feet from any exterior property line;
 - d. maximum foot-candles at any exterior property line shall be 0.5; and

- e. the planning director may require a photometric lighting plan which shows conformity with these requirements as part of any building permit application.
- 8. Sound/Noise. In order to ensure that the development does not contribute to noise pollution within the County, operation of data centers within the development shall comply with the following standards:
 - a. Data center operations shall not produce continuous sound that exceeds an average of sixty-five (65) decibels from 8 a.m. to 6 p.m., measured at any property boundary between the Property and a residentially zoned property. Data center operations within the development shall not produce continuous sound that exceeds an average of fifty-five (55) decibels from 6 p.m. to 8 a.m., measured at any property boundary between the Property and residentially zoned property. Violations of these sound level standards may be prosecuted in the same manner as other zoning ordinance violation.
 - b. After issuance of the certificate of occupancy for each data center building, the planning director may obtain sound studies or require the data center operator, up to twice per year, to provide a sound study to verify that the data center operation is in compliance with the requirements of paragraph 8(a) above. If a data center is found to be in violation of the requirements of paragraph 8(a) above, the planning director may issue a notice of violation, which may direct that the data center operator take appropriate steps to operate within the requirements of paragraph 8(a) above. The planning director may require the data center operator to propose a solution and a time period for implementation. If the planning director approves such a solution, and the data center operator fails to successfully implement that solution within the approved time period, the violator shall be subject to a fine up to one thousand dollars (\$1,000.00) for each day that the violation exists until full compliance is obtained.
 - c. The data center operator shall continue to bear the costs of any sound test or study required to monitor violations in paragraph 8(b).
- 9. Repealer; Conflict. All prior zoning conditions related to or imposed on the Property are repealed, and SLUP-25-1247635 and these conditions imposed on that SLUP shall control over any conflicting provision of the Zoning Ordinance of DeKalb County, Georgia, codified at Chapter 27 of the Code of DeKalb County, as Revised 1988, including, but not limited to, all zoning conditions previously imposed on the Property.

Product Name

AcoustiFence® Noise Reducing Fences

For Manufacturer Info:

Contact:

Acoustiblok, Inc.
6900 Interbay Boulevard
Tampa, FL 33616
Call - (813) 980-1400
Fax - (813)849-6347
Email - sales@acoustiblok.com
www.acoustiblok.com

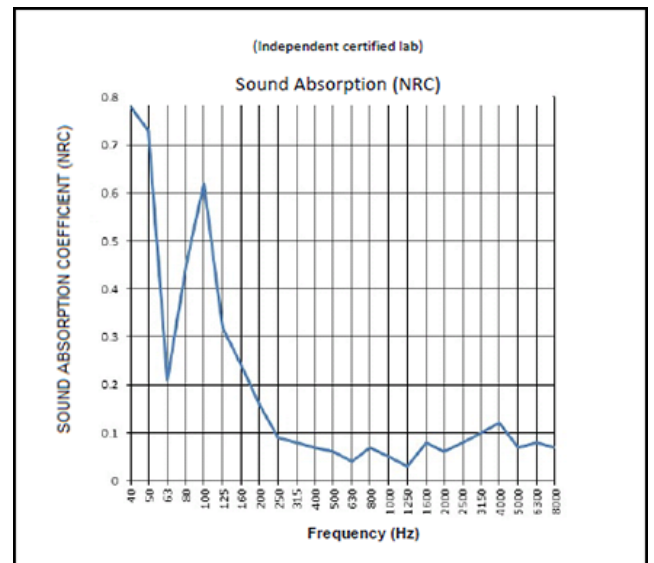
Product Description

Basic Use

AcoustiFence was originally developed by Acoustiblok, Inc. for noise isolation on offshore oil rigs, but has since proven successful in many other demanding outdoor settings, such as construction sites, commercial/industrial facilities, and residential communities.

AcoustiFence Noise Reducing Fences

AcoustiFence is a unique, heavy-mineral filled, barium free, viscoelastic acoustical material that is made in the U.S.A. Unlike fences or shrubs, this material does extraordinarily well in blocking direct sound, and a unique characteristic of the material sets it apart from other sound barriers when dealing with very low frequencies.



Sound Absorption Test Results

Benefits:

- Effectively reduces exterior noise
- Over 300 UL Classifications
- Easy to install
- Resistant to UV, dirt and water
- Resistant to corrosion, mold and mildew



Product Name

AcoustiFence® Noise Reducing Fences

AcoustiFence Noise Reducing Fences continued...

In frequencies of 50Hz and below, the heavy limp AcoustiFence material actually begins to vibrate from low frequency sound waves. In essence it is transforming these low frequency sound waves into mechanical movement and internal friction energy. Laboratory tests indicate that this transformation process inhibits these lower frequencies from penetrating AcoustiFence, reducing their level by over 60 percent relative to the human ear. In addition, AcoustiFence becomes an absorbent material in these frequencies with test results show an NRC (noise reduction coefficient) as high as 0.78 (with 1.00 being the max). As such it is clear that AcoustiFence not only reduces sound as a barrier, but also acts as an acoustical absorbent material in very low frequencies, as opposed to reflecting those frequencies back like most other barriers. It is worth noting that lead sheets (which are toxic) work in the same manner.

Green AcoustiFence has the same sound deadening properties and features as our original black AcoustiFence. In addition, this new version features advanced reinforced edging and stainless steel cable ties. Made and sourced in the USA, It comes in 6x30 foot sections and is one of the most effective first steps in reducing noise for industrial, commercial and residential projects.

Green AcoustiFence

One of Acoustiblok's most popular products, designed as an advanced sound barrier that easily attaches to most types of fencing, is now available in a new green shade that easily blends into the environment. This makes it ideal for landscaping projects, residential home use and any outdoor applications where blending into the natural foliage is a concern.

Product Name

AcoustiFence® Noise Reducing Fences

Sound Transmission Class (STC)

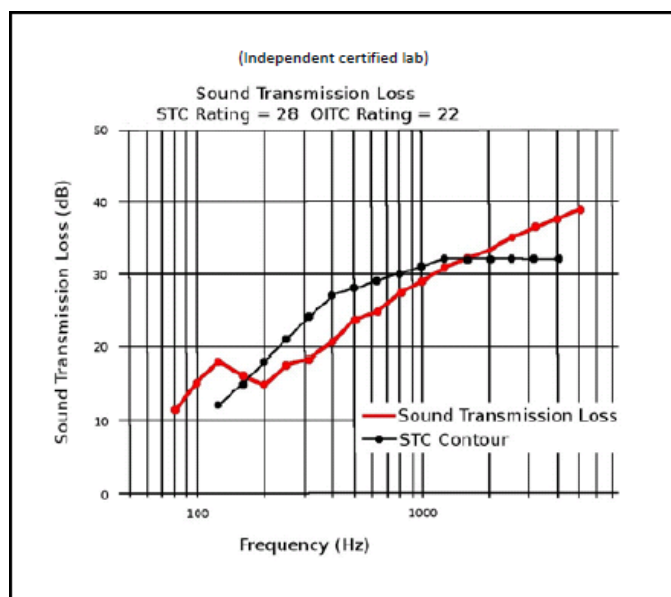
Sound Transmission Class (STC) is a single number that represents the sound blocking capacity of a partition such as a wall or ceiling.

STC numbers are often called out in architectural specifications, to assure that partitions will reduce noise levels adequately. For performance similar to laboratory test numbers, it is necessary to adhere closely to the construction materials and techniques used in the tested partition.

STC is calculated by comparing the actual sound loss measured when 18 test frequencies pass through a partition, with fixed values for each STC level. The highest STC curve that the measured sound loss numbers fit under, determines the STC rating of the partition.

STC calculations emphasize sound frequencies that match the human voice. A high STC partition will block the sound of human speech and block noise that interferes with human speech. To estimate high and low frequency performance, consult the Sound Transmission Loss graph included in STC test reports. Impact Insulation Class (IIC) measure transmitted impact noise and are specified for floor-ceiling assemblies only.

Acoustical test reports for numerous wall and floor/ceiling designs are available from Acoustiblok on request. All our test data is taken directly from independent 3rd party laboratories under NVLAP certification.



Sound Transmission Loss Test Results

Product Name

AcoustiFence® Noise Reducing Fences

Physical Properties

- Barium free
- Minimum STC 28 per ASTM E90-02 & ASTM E413-87
- Minimum sound attenuation 24 dBA @ 100Hz & 16dBA @ 40Hz
- Size - 6 ft.(1.83m) x 30 ft.(9.14m) x 0.125 in. (.3mm) – 180 ft² (16.83m²)
- Color - black or green
- High UV resistance
- Heat tolerance: 200°F (93°C) for 7 days, less than 1% shrinkage with no deformation.
- Freezes at -40°F (-40°C). Do not unroll or flex frozen material. Properties not affected by freeze/thaw cycles.
- No fungal or algal growth and no visible disfigurement, per ASTM D3273 and ASTM D3274 (rating=10)
- Tensile Strength - min. 365 PSI
- Weight per section: 185 lbs. (84Kg)

Material Specifications – Part # “Acoustifence 6x30 Industrial”

Acoustical Rating	STC 28 / OITC 22
Size	6 ft. (1.83m) x 30 ft. (9.14m) x 0.125 in. (.3mm) 180 ft² (16.72m²)
Weight	185 lbs. (84Kg)
Fastening	Black brass grommets every 6 in. (152mm) along top edge with four grommets spaced along the bottom edge. Commonly installed horizontally.
Color	Black
(This is an industrial product and minor surface blemishes are a possibility.)	



6900 Interbay Blvd
Tampa, Florida USA 33616
Telephone: (813)980-1440
www.Acoustiblok.com
sales@acoustiblok.com

Disclaimer – This text will be replaced with canned disclaimer verbiage. This text will be replaced with canned disclaimer verbiage. This text will be replaced with canned disclaimer verbiage. This text will be replaced with canned disclaimer verbiage. This text will be replaced with canned disclaimer verbiage.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief of Executive Officer
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

Zoning Comments September 2025

D1-2024-1442 CZ-25-1247294 (7778 Pleasant Hill Rd & others): Pleasant Hill Road is classified as a Minor Arterial. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. The right-of way dedication of 35 feet minimum from centerline to allow all public infrastructure is within right of way. Requires a 10-foot multiuse path, with pedestrian streetlights. Verify that all access points have intersection and stopping sight distance as described by AASHTO.

D2-2025-0283 Z-25-1247358 (1619 Pleasant Hill Trl): Pleasant Hill Road is classified as a Minor Arterial. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. The right-of way dedication of 35 feet minimum from centerline to allow all public infrastructure is within right of way. Requires a 10-foot multiuse path, with pedestrian streetlights. Verify that all access points have intersection and stopping sight distance as described by AASHTO.

N1-2025-0960 Z-25-1247566 (700 Jordan Lane): Jordan Lane & Reverend D L Edwards are both classified as local roads. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 5-foot landscape strip with a 5-foot sidewalk.

N2-2025-0961 Z-25-1247624 (3507 Chamblee-Tucker Road): Old Chamblee Tucker Road is classified as a local road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 5-foot landscape strip with a 5-foot sidewalk.

N3-2025-0962 CZ-25-1247634 (1849 L'ville Hwy): Lawrenceville Highway is classified as a Major Arterial, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights. Jordan Lane is classified as a local road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 5-foot landscape strip with a 5-foot sidewalk.

N4-2025-0963 SLUP-25-1247632 (1849 L'ville Hwy): Lawrenceville Highway is classified as a Major Arterial, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights. Jordan Lane is classified as a local road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 5-foot landscape strip with a 5-foot sidewalk.

N5-2025-0964 Z-25-1247633 (3048 Lumby Dr.): Lumby Drive is classified as a local road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 5-foot landscape strip with a 5-foot sidewalk.

N6-2025-0965 SLUP-25-1247606 (1766 Big Valley Lane): Big Valley Lane is classified as a Local Road. SLUP does not change the existing shoulders or curb cuts.

N7-2025-0966 SLUP-25-1247611 (1747 Flintwood Dr.): Flintwood Drive is classified as a Local Road. SLUP does not change the existing shoulders or curb cuts. Suggested but not required, (Children at play) signs could be added in advance of subject property in both directions.

N8-2025-0967 SLUP-25-1247631 (4077 Flat Shoals Pkwy): Flat Shoals Pkwy is classified as a Major Arterial. SLUP does not change the existing shoulders or curb cuts.

N9-2025-0968 SLUP-25-1247608 (2339 Brannen Rd, Rear): Brennen Road is classified as a Collector. SLUP does not change the existing shoulders or curb cuts.

N10-2025-0969 SLUP-25-1247629 (538 Burlington Road): Burlington Road is classified as a Local Road. SLUP does not change the existing shoulders or curb cuts.

N11-2025-0970 SLUP-25-1247635 (Loveless Place & Pineview Trl): Loveless Place is classified as a Local Road. Subject in the Bouldercrest Overlay District.



7/11/2025

To: Mr. John Reid, Senior Planner
From: Ryan Cira, Director, Division of Environmental Health
Cc: Alan Gaines, Deputy Director, Division of Environmental Health
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

N10-2025-0969

SLUP-25-1247629

538 Burlington Road, Atlanta, Ga 30307

- See general comments

N11-2025-0970

SLUP-25-1247635

4280 & 4358 Loveless Place; 2281 Pineview Trail, Ellenwood, Ga 30294

- See general comments

LAND DEVELOPMENT ANALYSIS

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

Case # and Address/Parcel: _____

- **Transportation/Access/Row**

- **Stormwater Management**

- **Flood Hazard Area/Wetlands**

- **Landscaping/Tree Preservation**

- **Tributary Buffer**

- **Fire Safety**

DEPARTMENT OF PLANNING & SUSTAINABILITY

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

PUBLIC WORKS – **ROADS & DRAINAGE** - ZONING COMMENTS FORM

Case No.: _____ Parcel ID#: _____

Address: _____

Drainage Basin: _____

Upstream Drainage Area: _____

Percentage of Property in 100-Year Floodplain: _____

Impact on property (flood, erosion, sedimentation) under existing zoning: _____

Required detention facility(s): _____

COMMENTS: _____

Signature: _____ *Akin Akinsola*

DEPARTMENT OF PLANNING & SUSTAINABILITY

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

PUBLIC WORKS – **TRAFFIC ENGINEERING** - ZONING COMMENTS FORM

Case No.: SLUP-25-1247635

Parcel ID#: 15 011 01 045; 15 011 01 062; 15 011 01 263

Address: 4358 & 4280 Loveless Place; 2281 Pineview Trail, Ellenwood 30294

Adjacent Roadway(s):

Classification:

Capacity (TPD): _____

Capacity (TPD): _____

Latest Count (TPD): _____

Latest Count (TPD): _____

Hourly Capacity (VPH): _____

Hourly Capacity (VPH): _____

Peak Hour Volume (VPH): _____

Peak Hour Volume (VPH): _____

Existing number of traffic lanes: _____

Existing number of traffic lanes: _____

Proposed number of traffic lanes: _____

Proposed number of traffic lanes: _____

Proposed right-of-way width: _____

Proposed right-of-way width: _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of traffic (latest edition applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS: Did not see any Traffic engineering concerns
at this time.

Signature: _____

Jerry White

DEPARTMENT OF PLANNING & SUSTAINABILITY

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

PUBLIC WORKS – **WATER & SEWER** - ZONING COMMENTS FORM

Case No.: _____ Parcel ID#: _____

Address: _____

WATER:

Size of existing water main: _____ adequate _____ inadequate _____

Distance of property to nearest main: _____ Size of line required, if inadequate: _____

SEWER:

Outfall Servicing Project: _____

Is sewer adjacent to property? Yes _____ No _____ If no, distance to nearest line: _____

Water Treatment Facility: _____ Adequate? Yes _____ No _____

Sewage Capacity: _____ (MGPD) Current Flow: _____ (MGPD)

COMMENTS: _____

Signature: _____



DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing deadline.

Date Received: _____ Application No: _____

APPLICANT NAME: PCC-Dekalb LLC c/o Steven L. Jones, Taylor Duma LLP

Daytime Phone: 404.218.2756 E-Mail: sjones@taylorduma.com

Mailing Address: c/o Taylor Duma LLP, attn: Steven L. Jones
1600 Parkwood Circle, Suite 200, Atlanta, Georgia 30339

Owner Name: PCC-Dekalb LLC
(If more than one owner, attach contact information for each owner)

Daytime Phone: 404.218.2756 E-Mail: sjones@taylorduma.com

Mailing Address: c/o Taylor Duma LLP, attn: Steven L. Jones
1600 Parkwood Circle, Suite 200, Atlanta, Georgia 30339

SUBJECT PROPERTY ADDRESS OR LOCATION: 4358, 4280, & 0 Loveless Place

Ellenwood DeKalb County, GA 30294

Parcel ID: 15 011 01 062, 15 011 01 045, & 15 011 01 263 Acreage or Square Feet: 95.57 Commission Districts: 3 & Sup. Dist. 6

Existing Zoning: MU-1 Proposed Special Land Use (SLUP): Utility structures for the transmission or distribution of services

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

Owner: X Agent: _____ Signature of Applicant: _____

/s/ Steven L. Jones, with express permission

June 16, 2025

VIA EPERMITS PORTAL

DeKalb County Board of Commissioners
c/o Department of Planning & Sustainability
178 Sams Street
Decatur, Georgia 30030

**RE: DeKalb County Tax Assessor Parcel Identification Numbers (“TPN(s)”) 15 011 01 062, 15 011 01 045, & 15 011 01 263 (the “Property”);
Special Land Use Permit (“SLUP”) Application (the “Application”)**

DeKalb County Board of Commissioners:

Our law firm represents PCC-DeKalb LLC (the “**Owner**”), the owner of the Property and the applicant. This letter serves as the letter of application (this “**Letter of Application**”) and the impact analysis (the “**Impact Analysis**”) for the Application which seeks a SLUP for “utility structures for the transmission or distribution of services” on the Property. Specifically, the Application proposes a data center campus on the Property, as shown on the concept plan and the elevations submitted with the Application.

The Property is presently zoned within the MU-1 (Mixed-Use Low Density) District (“**MU-1**”) under the Zoning Ordinance of DeKalb County, Georgia (the “**Zoning Ordinance**”) which is codified as Chapter 27 to the Code of DeKalb County, as Revised 1988 (the “**Code**”). Additionally, the Property is within Tier 5 of the Bouldercrest-Cedar Grove-Moreland Overlay District (the “**Overlay**”). Zoning Ordinance, Article 3, Division 39.

As required by Section 3.39.1(C) of the Overlay, in the case of conflict between the MU-1 zoning district and the Overlay, the Overlay governs. Additionally, the Applicant proposes as a proffered condition of approval that the proposed use, the development, and buildings, structures, and parking lots/spaces within the development/proposed use, notwithstanding any provision of the Zoning Ordinance to the contrary, be consistent with the concept plan and elevations submitted with the Application.

Importantly, it should be noted that the Property presently is developed with infrastructure for single-family attached and detached dwellings. The Property presently could be developed, as a matter of right, with 204 single-family detached dwellings and 63 townhomes (i.e., single-family attached dwellings). The proposed use of the property as a data center campus will reduce all strain, if any, of public infrastructure that would result from the vertical development of the Property with such dwellings.

Section 7.4.6 of the Zoning Ordinance sets forth standards and factors for evaluation of the Application (collectively, the “**SLUP Factors**” and each a “**Factor**”). Beginning on the next page, this Impact Analysis sets out each Factor and the Owner’s/Applicant’s analysis of each Factor.

A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, transitional buffer zones, and all other applicable requirements of the zoning district in which the use is proposed to be located.

As shown by the concept plan submitted with the Application, the Property is of adequate size for the proposed use. Similarly, the concept plan submitted with the Application shows that there is available land on the Property for the proposed use, including the provision of all required yards, open space, off-street parking, transitional buffer zones, and all other applicable requirements of the Overlay. On the other hand, given that DeKalb County is substantially developed and that acreage parcels similar to that of the Property—i.e., well situated for development of a data center—are rare, there are few (or no other) parcels in unincorporated DeKalb County that could accommodate the proposed use. Thus, this factor supports approval of the Application.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district, and whether the proposed use will create adverse impacts upon any adjoining land use by reason of traffic volume/congestion, noise, smoke, odor, dust, or vibration generated by the proposed use.

The proposed use, once constructed, will have limited to no impact on traffic in unincorporated DeKalb County. Additionally, the proposed use will not produce any smoke, odor, dust, or vibration and it will not produce any noise that will create adverse impacts on adjoining land uses. Accordingly, this factor weighs in favor of approval of the Application.

C. Adequacy of public services, public (or private) facilities, and utilities to serve the proposed use.

As noted above, the proposed use once constructed will not have any impact on transportation facilities. Likewise, the proposed use will not have any adverse impact on the provision of emergency services, as the proposed use will be heavily secured and not visited by or accessible to the public. Additionally, utility providers, including, but not limited to, DeKalb County, Georgia, in fulfilling their responsibility to other utility customers will ensure that utility systems are sufficient to provide the service to the proposed use while not adversely impacting other utility customers. For these reasons, this factor is also supportive of approval of the Application.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

The proposed use will not be directly accessed via DeKalb County public streets. Nonetheless, the proposed use will not be open to the public and will have employment traffic that is extremely low as compared to warehouse, distribution, or manufacturing buildings of similar size. On the other hand, the proposed use will offer high paying jobs to current and future residents of DeKalb County and surrounding areas. Therefore, there is sufficient traffic carrying capacity for the proposed use so as to not unduly increase traffic and create congestion in the area. Thus, this factor also supports approval of the Application.

E. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.

As noted above and as shown on the concept plan submitted with the Application, ingress and egress to the Property and all proposed buildings, structures, and uses thereon is sufficient. As also noted above, since the proposed use will be a secure facility that will not be visited by the public, pedestrian and automobile safety and convenience will be adequate. The vehicular access around all buildings of the proposed use, as shown on the concept plan submitted with Application, will ensure adequate traffic flow and control as well as access in the event of fire or other emergency. Accordingly, this factor also is supportive of approval of the Application.

F. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner and hours of operation of the proposed use.

As shown on the concept plan submitted with the Application, the proposed use will be surrounded by a 100-foot buffer on all sides. Additionally, the northern portion of the Property—i.e., the majority of TPN 15 011 01 062—will remain undisturbed. Thus, the proposed use will be sufficiently buffered from adjoining land uses. Likewise, the proposed use will not generate any perceivable impacts on adjoining land uses such that the manner and hours of operation will not create any adverse impacts upon such adjoining land uses. Therefore, this factor likewise weighs in favor of approval of the Application.

G. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The proposed use is consistent with the requirements of the Overlay. In fact, the proposed use proposes buffers substantially in excess of those required by the Overlay. Consequently, the proposed use is consistent with the requirements of the Overlay. And this factor also supports approval of the Application.

H. Whether the proposed use is consistent with, advances, conflicts, or detracts from the policies of the comprehensive plan.

The proposed uses is consistent with and advances the polices of the comprehensive plan (the “**Comp. Plan**”). For instance, “[t]here is public concern that more innovative economic

development needs to take place.” Comp. Plan, p. 10. Upon information and belief, there is no data center presently operating in unincorporate DeKalb County. The proposed use, therefore, is an innovative economic development project, as it will create substantial real property and personal property ad valorem taxes for the County. Accordingly, the proposed use is consistent with the and advances the policies for economic development of the Comp. Plan. *See also* Comp. Plan., p. 58, *et seq.* (Policy Spotlight – Economic Development).

I. Whether there is adequate provision of refuse and service areas.

As noted above, the proposed use is a data center that will not produce significant by-products as a result of its operation. In other words, the proposed use will not produce regularly refuse that will generate the need for significant refuse service. Likewise, the utility requirements of the proposed use are such that utility service providers will ensure, as is their duty, that the utility requirements of the proposed use will not adversely affect other utility customers. For this reason, this factor likewise supports approval of the Application.

J. Whether the length of time for which the special land use permit is granted should be limited in duration.

The duration of the Special Land Use Permit should not be limited, the proposed use as a data center is not limited in its ability to operate for decades and generations to come providing substantial ad valorem tax revenue for the County with limited to no impact on infrastructure and services. Accordingly, this factor also weighs in favor of the Application.

K. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings; and whether the proposed use will create any shadow impact on any adjoining lot or building as a result of the proposed building height.

As shown by the elevations submitted with the Application and the substantial, self-imposed buffer surrounding the Property, as shown on the concept plan submitted with the application, the proposed use will have no impact to adjacent and nearby properties, such as, shadow impact. For this reason, this factor supports approval of the Application.

L. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

The Property is undeveloped, while most of all the properties surrounding the Property have been developed. Upon information and belief, none of those properties, or the Property, have been identified as having any archaeological resources, sites, or districts. Additionally, since the Property is undeveloped, it does not have any historic buildings thereon. Thus, there is support under this factor for approval of this Application.

M. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

The proposed use will comply with Section 4.2.56 of the Zoning Ordinance, which imposes supplemental regulations regarding the proposed use. Moreover, the proposed use implements lessons learned from other data centers, such as a larger buffer and multiple buildings with vehicular circulation. Accordingly, this factor also weighs in favor of approval of the Application.

N. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, as expressed and evidenced during the review process.

The proposed use would be consistent with the needs of the neighborhood and community as a whole. For instance, traffic infrastructure in the metropolitan Atlanta area and the neighborhood have experienced strain. The proposed use, once constructed, will have little impact on the transportation network, as compared to residential, commercial, and industrial developments of comparable size, such as the residential development that could be developed on the Property presently as a matter of right. Additionally, the proposed use will generate substantial real estate and personal property ad valorem taxes for the County which will help fulfil the needs of the neighborhood and community as a whole by providing County revenues for infrastructure, school, and public improvements that benefit the neighborhood and the community as a whole. Therefore, this factor also supports of approving the Application.

Georgia law and the procedures of DeKalb County require the Applicant/the Owner to raise Federal and State constitutional and other objections during the public hearing application process. While the Owner anticipates a mutually-beneficial application process, failure to raise such objections at this stage may mean that the Owner will be barred from raising important legal claims later in the process. Accordingly, we are required to and hereby raise, on behalf of the Owner, the objections set forth in Exhibit "A" and Exhibit "B" hereto at this time.

Sincerely,



Steven L. Jones

cc: Owner

Enclosures

Exhibit "A" – Constitutional Objection

Exhibit "B" – Objection to Zoning Hearing Based on *York v. Athens College of Ministry, Inc.*

EXHIBIT “A”

CONSTITUTIONAL OBJECTION

As applied to the real property of the PCC-DeKalb LLC (the “Owner”), which property is identified as DeKalb County Tax Parcel Identification Numbers (“TPNs”) 15 011 01 062, 15 011 01 045, & 15 011 01 263 (collectively, the “Property”) and is the subject of the Special Land Use Permit Application (the “Application”), filed contemporaneously herewith by PCC-DeKalb LLC (the “Applicant”) and to which this Constitutional Objection is attached, if the Application is not approved or is approved with condition(s) not consented to by the Applicant/the Owner, the Zoning Ordinance of DeKalb County, Georgia (the “Zoning Ordinance”), which is codified at Chapter 27 to the Code of DeKalb County, as Revised 1988 will be unconstitutional in that the Owner’s/Applicant’s property rights in and to the Subject Property will be destroyed without first receiving fair, adequate, and just compensation for such property rights. As applied to the Subject Property, in such case, such action on the Application as well as the Zoning Ordinance, facially and as applied, will deprive the Owner/the Applicant of constitutionally protected rights in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States of America; Article I, Section I, Paragraphs I-II 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 the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States of America.

If the Application is not approved or is approved with condition(s) not consented to by the Applicant or the Owner, such action on the Application and application of the Zoning Ordinance to the Subject Property, facially and as applied, will be unconstitutional, illegal, arbitrary, capricious, null, and void, constitute a taking of the Subject Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States of America; Article I, Section I, Paragraphs I-II 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 the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States of America thereby denying the Owner/the Applicant an economically viable use of the Subject Property while not substantially advancing legitimate state interests.

Inasmuch as it is impossible for the Owner/the Applicant to use the Subject Property and simultaneously comply with the Zoning Ordinance and in the event the Application is not approved or is approved with condition(s) not consented to by the Applicant or the Owner, such action on the Application and application of the Zoning Ordinance, facially and as applied to the Subject Property, will constitute arbitrary, capricious, and unreasonable acts by the DeKalb County, Georgia (the “County”), by and through the Board of Commissioners of the County (the “BOC”), without any rational basis therefor and constitute abuses of discretion in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States of America; Article I, Section I, Paragraphs I-II 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 the Due Process and Equal Protection Clauses of the Fourteenth Amendment to the Constitution of the United States of America.

If the Application is not approved or is approved with condition(s) not consented to by the Applicant or the Owner, such action on the Application and application of the Zoning Ordinance,

EXHIBIT "A"

facially and as applied to the Subject Property, will be unconstitutional and discriminate against the Owner/the Applicant in an arbitrary, capricious, and unreasonable manner between the Owner/the Applicant and others similarly situated 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 of America.

WHEREFORE, the Applicant/ the Owner requests that the Board of Commissioners of DeKalb County, Georgia approve the Application, as specified and designated therein, with only condition(s) consented to by the Applicant/ the Owner.

Respectfully submitted this 16th day of June 2025.

TAYLOR DUMA LLP
Counsel for the Owner

/s/ Steven L. Jones
Steven L. Jones

1600 Parkwood Circle
Suite 200
Atlanta, Georgia
30339
(678) 336-7282
sjones@taylorduma.com

EXHIBIT “B”

OBJECTIONS TO AND FOR ZONING HEARINGS BASED ON YORK V. ATHENS COLLEGE OF MINISTRY, INC.

Regarding the Special Land Use Permit Application (the “Application”) filed by PCC-DeKalb LLC (the “Applicant”) and to which this objection is attached regarding the real property of the PCC-DeKalb (the “Owner”), which property is identified as DeKalb County Tax Parcel Identification Number (“TPN”) 15 011 01 062, 15 011 01 045, & 15 011 01 263 (collectively, the “Property”) any and every public hearing regarding, and any Board of Commissioners of DeKalb County, Georgia (the “BOC”) action (including, but not limited, any final action) on, the Application and the Zoning Ordinance of DeKalb County, Georgia (the “Zoning Ordinance”), which is codified at Chapter 27 to the Code of DeKalb County, as Revised 1988 (the “Code of Ordinances”), facially and as applied to the Subject Property, the Applicant/the Owner, and the Application, are objected to by Owner based on, but not limited to, the reasons set forth herein (collectively the “York Objection” and each an “Objection”), in accordance with *York v. Athens College of Ministry, Inc.*, 348 Ga. App. 58, 821 S.E.2d 120 (Ga. Ct. App. 2018):

Contemporaneous with the filing of this York Objection, the Owner is filing a Constitutional Objection, and all Objections set forth therein are incorporated herein by reference as if fully restated.

The Applicant/the Owner objects to any and every public and other hearing(s) regarding the Application, including, but not limited to, those before the BOC, because the time limitation, if any, imposed on the presentation of evidence and testimony in support of, as well as in rebuttal to opposition evidence, comments, and/or testimony to, the Application deprive the Applicant/the Owner a meaningful opportunity to be heard and preserve issues, in violation of the Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of Georgia of 1983. Likewise, the Applicant/the Owner objects to any and all members of the public (and/or other persons) who appear (or otherwise give testimony and/or opinion) at any and all public hearing(s) and other meetings, including, but not limited to, before the BOC to the extent that (but not limited to) said individuals (a) do not have standing to appeal the BOC’s decision on the Application (i.e., do not satisfy the substantial interest-aggrieved citizen test); (b) are not under oath; (c) are not subject to cross-examination; (d) present evidence on and/or make statements that qualify as (or must or should be assessed with the aid of) expert opinion testimony without any or all individuals being qualified as expert witnesses; (e) present evidence on and/or make statements that are not germane to the exclusive factors for consideration of the Application set forth in the Zoning Ordinance; (f) present evidence and/or make statements that are founded, wholly or in part, upon inadmissible, hearsay, unreliable, nonprobative, insubstantial, and/or lay, nonexpert opinion evidence; (g) fail to disclose any and every campaign (or other) contribution to any member of the BOC; and/or (h) are not residents of the County.

Additionally, the Applicant/the Owner object to any BOC action that does not approve the Application or approves the Application with conditions not consented to by the Applicant/ the Owner and any other action of the County to the extent that (but not limited to) such action is: (a) in violation of Section 50-13-19(h) of the Official Code of Georgia Annotated or otherwise: (1) in violation of any constitutional, statutory, and/or ordinance provisions; (2) in excess of the

EXHIBIT "B"

constitutional, statutory, and/or ordinance authority of the BOC; (3) made upon unlawful procedure; (4) affected by other error of law; (5) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; and/or (6) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; (b) founded, wholly or in part, upon inadmissible, unreliable, nonprobative, insubstantial, and/or lay, nonexpert opinion evidence; (c) contrary to, or based, in whole or in part, on factors or considerations other than, the exclusive factors or procedure for consideration of the Application set forth in the Zoning Ordinance; (d) based, in whole or in part, on evidence and/or information received by the BOC (1) outside of the public hearing on the Application; (2) by *ex parte* or other similar means; and/or (3) otherwise in a manner which does not afford the Applicant/the Owner a right to respond to or otherwise confront all evidence considered by the BOC in its evaluation of the Application; (e) otherwise not made pursuant and in conformance with the Code of Ordinances; the Zoning Ordinance; the Georgia Zoning Procedures Law, O.C.G.A. § 36-66-1, *et seq.*; and/or any other law, including the Constitutions of the State of Georgia or the United States of America; and/or (f) pursuant to an ordinance, resolution, zoning map, and/or the like not adopted in compliance with the Code of Ordinances; the Zoning Ordinance; the Georgia Zoning Procedures Law, O.C.G.A. § 36-66-1, *et seq.*; and/or any other law, including the Constitutions of the State of Georgia or the United States of America, which the Applicant/the Owner contends is the case for the applicable ordinances, resolutions, and maps, including, but not limited to, the Zoning Ordinance.

By and through this *York* Objection, the Applicant/the Owner hereby preserves all the above and incorporated Objections, and any and all evidence, arguments, and objections made and/or tendered at any hearing, and/or prior to the BOC's final action, on the Application, and asserts them on and within the record before, and for consideration and resolution (prior to any formal decision) by, the BOC.

WHEREFORE, the Applicant/ the Owner requests that the Board of Commissioners of DeKalb County, Georgia approve the Application, as specified and designated therein, with only condition(s) consented to by the Applicant/ the Owner.

Respectfully submitted this 16th day of June 2025.

TAYLOR DUMA LLP
Counsel for the Owner

/s/ Steven L. Jones
Steven L. Jones

1600 Parkwood Circle
Suite 200
Atlanta, Georgia
30339
(678) 336-7282
sjones@taylorduma.com

DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 6-16-2025

TO WHOM IT MAY CONCERN:

(I), (WE) PCC-Dekalb LLC

Name of owners(s) (If more than one owner, attach a separate sheet)

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

Steven L. Jones, Taylor Duma LLP

Name of Agent or Representative

to file an application on (my), (our) behalf.

Terril L. Daniel

Notary Public

Terril L. Daniel

Notary Public



PCC Dekalb LLC

Owner

Owner

Owner

Owner

Owner

Notary Public

Notary Public

Notary Public

DEPARTMENT OF PLANNING & SUSTAINABILITY

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 _____ No X *

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

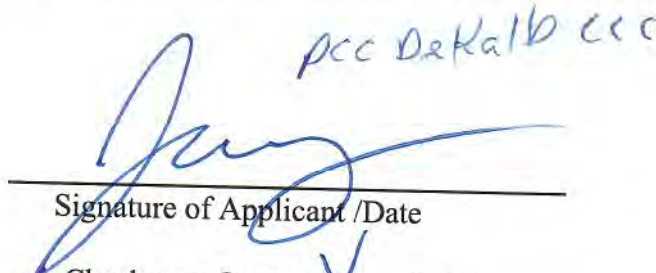
1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

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.



Notary





Signature of Applicant /Date
Check one: Owner ✓ Agent _____

Expiration Date/ Seal

*Notary seal not needed if answer is "no".

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 _____ No X *

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.

Mary Bertrand
Notary

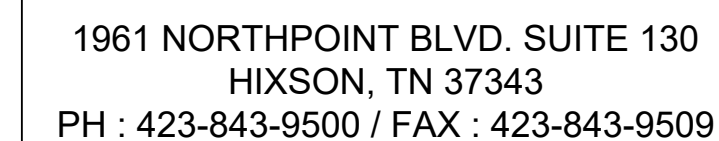
[Signature]
Signature of Applicant /Date

Check one: Owner _____ Agent X

8-16-2027

Expiration Date/ Seal

*Notary seal not needed if answer is "no".



THE INFORMATION CONTAINED IN
THIS SET OF DOCUMENTS IS
PROPRIETARY BY NATURE. ANY USE
OR DISCLOSURE OTHER THAN THAT
WHICH RELATES TO THE CLIENT IS
STRICTLY PROHIBITED.

REVISIONS			
B	05/30/25	TDD	BLDG NOTES ADDED
A	05/22/25	TDD	PRELIMINARY
#	DATE	BY	DESCRIPTION

PROJECT:
CONLEY CREEK
4280 LOVELESS PL
ELLENWOOD, GA 30294
COUNTY: DEKALB

SHEET TITLE:
CONCEPTUAL SITE PLAN

SHEET NUMBER:
C201

DATE:
MAY 22, 2025

GENERAL NOTES:

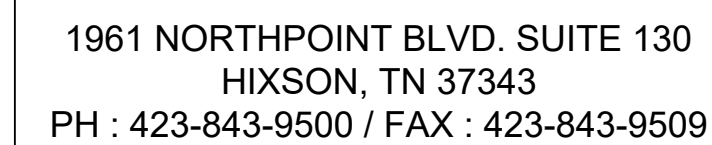
GENERAL NOTES:
TOTAL SITE AREA = 96± ACRES
PARCELS: 15 011 01 045, 15 011 01 062,
15 011 01 263
CURRENT ZONING: MU-1 (MIXED-USE
LOW DESINTY) DISTRICT

PROPOSED DEVELOPMENT

- DATA CENTER
- NUMBER BUILDINGS: 3
- NUMBER OF SUBSTATIONS: 1

SITE SUMMARY

- BUILDING HEIGHT: 65 FEET/TWO STORY
- DENSITY CALCULATION: 32 ACRES PER BUILDING
- IMPERVIOUS AREA TOTAL: 32.8 ACRES
- IMPERVIOUS AREA LOT COVERAGE %: 34.17
- PARKING RATIOS: 25 SPACES PER BUILDING



THE INFORMATION CONTAINED IN
THIS SET OF DOCUMENTS IS
PROPRIETARY BY NATURE. ANY USE
OR DISCLOSURE OTHER THAN THAT
WHICH RELATES TO THE CLIENT IS
STRICTLY PROHIBITED.

REVISIONS			
B	05/30/25	TDD	BLDG NOTES ADDED
A	05/22/25	TDD	PRELIMINARY
#	DATE	BY	DESCRIPTION

PROJECT:
CONLEY CREEK
4280 LOVELESS PL
ELLENWOOD, GA 30294
COUNTY: DEKALB

SHEET TITLE:
COLOR SITE PLAN

SHEET NUMBER:
C202

DATE:
MAY 22, 2025

GENERAL NOTES:

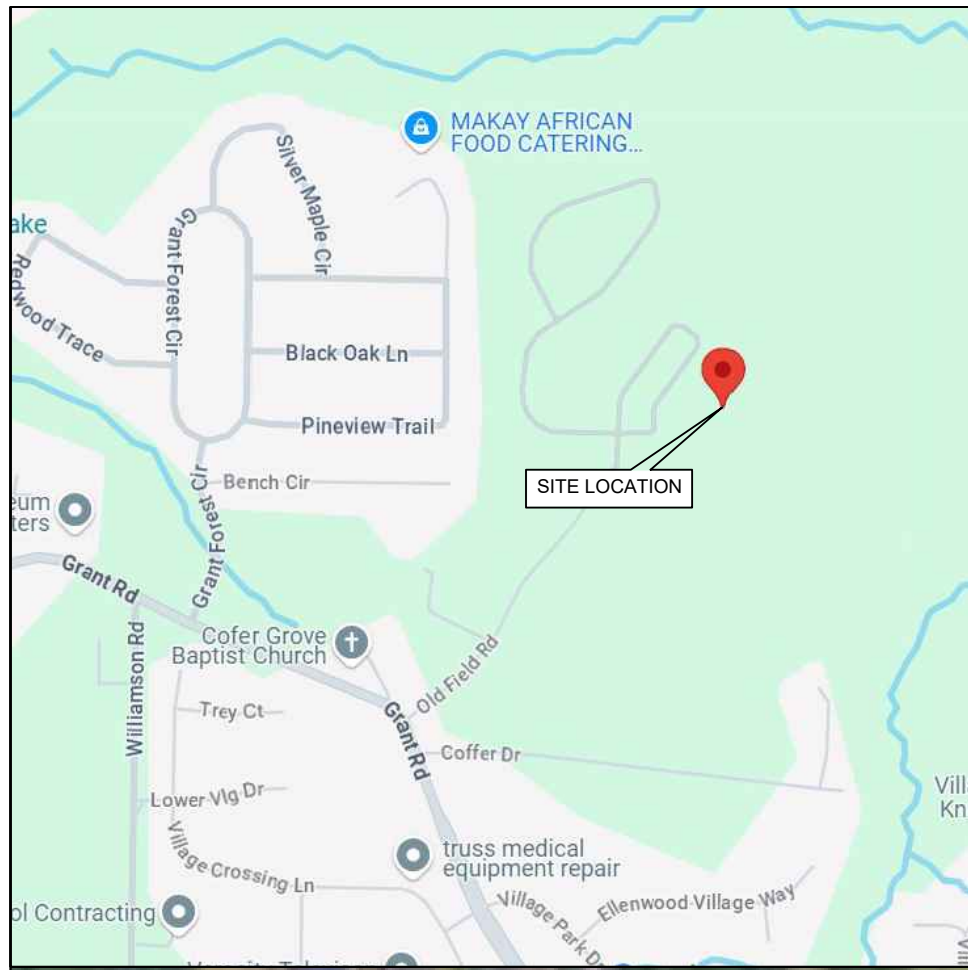
GENERAL NOTES:
TOTAL SITE AREA = 96± ACRES
PARCELS: 15 011 01 045, 15 011 01 062,
15 011 01 263
CURRENT ZONING: MU-1 (MIXED-USE
LOW DESINTY) DISTRICT

PROPOSED DEVELOPMENT

- DATA CENTER
- NUMBER BUILDINGS: 3
- NUMBER OF SUBSTATIONS: 1

SITE SUMMARY

- BUILDING HEIGHT: 65 FEET/TWO STORY
- DENSITY CALCULATION: 32 ACRES PER BUILDING
- IMPERVIOUS AREA TOTAL: 32.8 ACRES
- IMPERVIOUS AREA LOT COVERAGE %: 34.17
- PARKING RATIOS: 25 SPACES PER BUILDING



VICINITY MAP



1961 NORTHPOINT BLVD. SUITE 130
HIXSON, TN 37343
PH : 423-843-9500 / FAX : 423-843-9509

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE CLIENT IS STRICTLY PROHIBITED.

REVISIONS

#	DATE	BY	DESCRIPTION
B	05/30/25	TDD	BLDG NOTES ADDED
A	05/22/25	TDD	PRELIMINARY

PROJECT:
CONLEY CREEK
4280 LOVELESS PL
ELLENWOOD, GA 30294
COUNTY: DEKALB

SHEET TITLE:
AERIAL SITE PLAN

SHEET NUMBER:
C203

DATE:
MAY 22, 2025

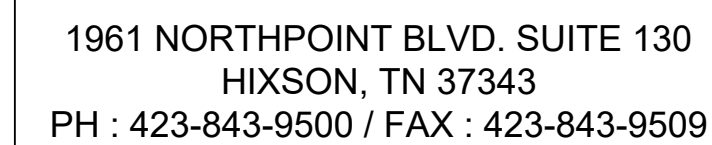
GENERAL NOTES:
TOTAL SITE AREA = 96± ACRES
PARCELS: 15 011 01 045, 15 011 01 062, 15 011 01 263
CURRENT ZONING: MU-1 (MIXED-USE LOW DESINTY) DISTRICT

PROPOSED DEVELOPMENT

- DATA CENTER
- NUMBER BUILDINGS: 3
- NUMBER OF SUBSTATIONS: 1

SITE SUMMARY

- BUILDING HEIGHT: 65 FEET/TWO STORY
- DENSITY CALCULATION: 32 ACRES PER BUILDING
- IMPERVIOUS AREA TOTAL: 32.8 ACRES
- IMPERVIOUS AREA LOT COVERAGE %: 34.17
- PARKING RATIOS: 25 SPACES PER BUILDING



THE INFORMATION CONTAINED IN
THIS SET OF DOCUMENTS IS
PROPRIETARY BY NATURE. ANY USE
OR DISCLOSURE OTHER THAN THAT
WHICH RELATES TO THE CLIENT IS
STRICTLY PROHIBITED.

REVISIONS			
B	05/30/25	TDD	BLDG NOTES ADDED
A	05/22/25	TDD	PRELIMINARY
#	DATE	BY	DESCRIPTION

PROJECT:
CONLEY CREEK
4280 LOVELESS PL
ELLENWOOD, GA 30294
COUNTY: DEKALB

SHEET TITLE:
TOPO SITE PLAN

SHEET NUMBER:
C204

DATE:
MAY 22, 2025

GENERAL NOTES:

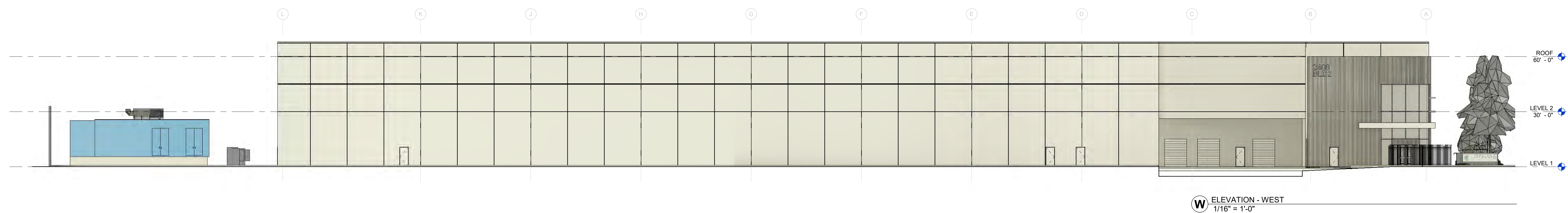
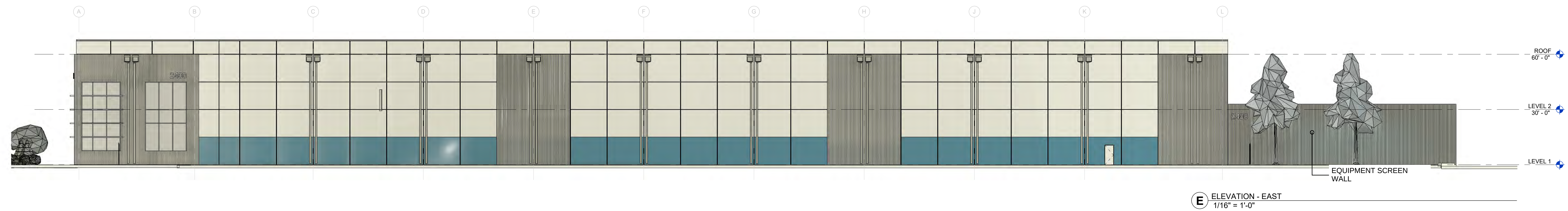
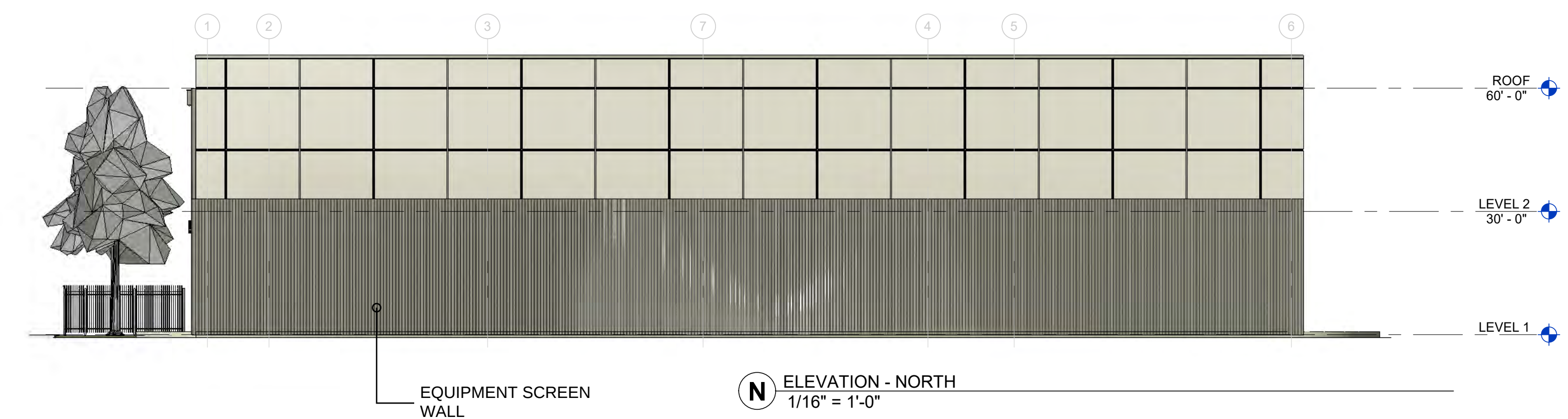
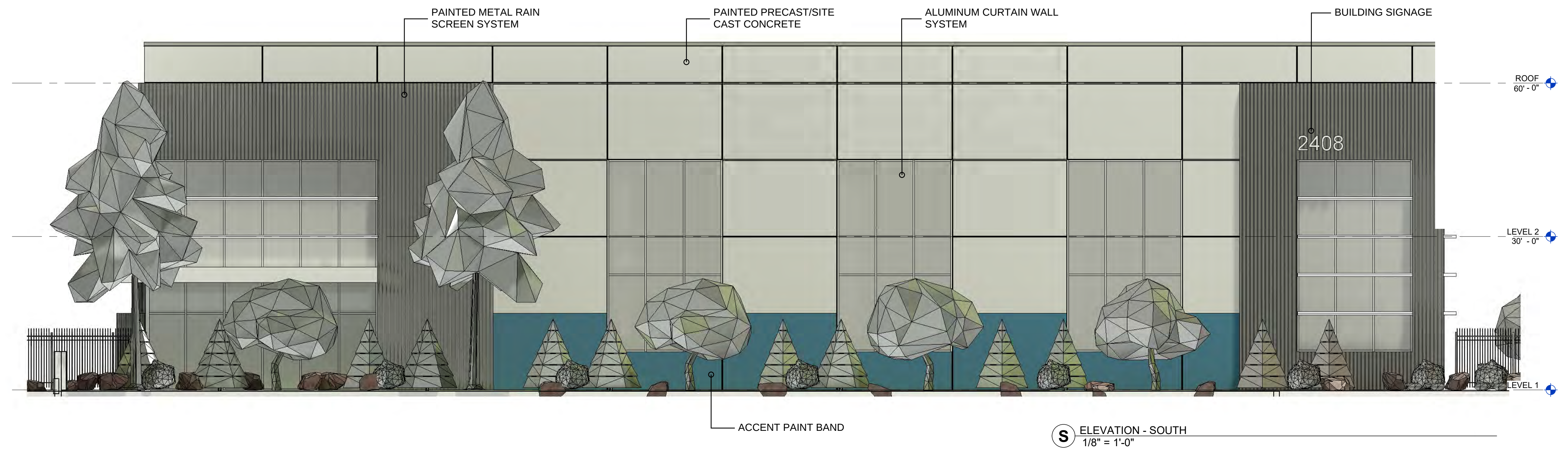
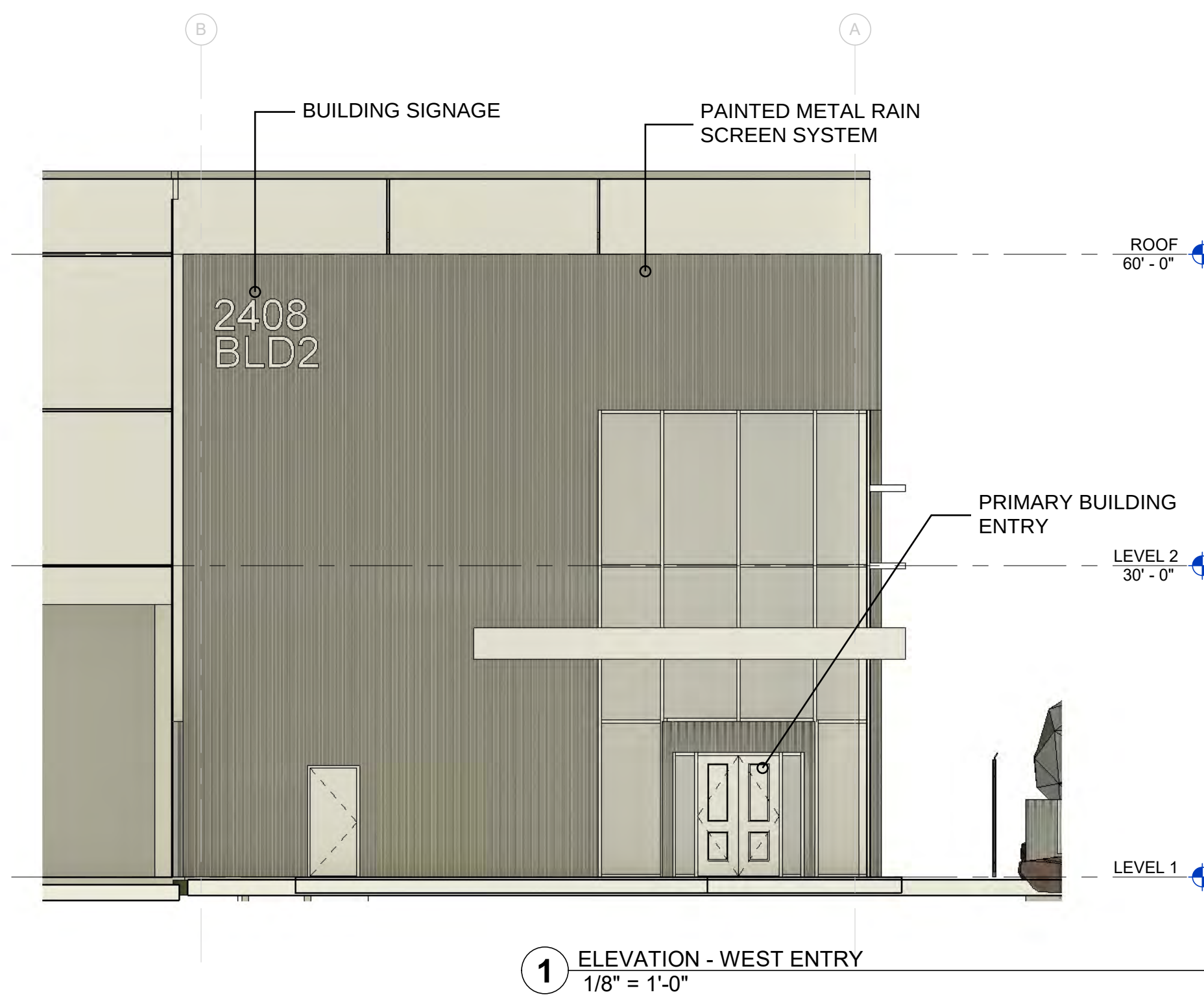
GENERAL NOTES:
TOTAL SITE AREA = 96± ACRES
PARCELS: 15 011 01 045, 15 011 01 062,
15 011 01 263
CURRENT ZONING: MU-1 (MIXED-USE
LOW DESINTY) DISTRICT

PROPOSED DEVELOPMENT

- DATA CENTER
- NUMBER BUILDINGS: 3
- NUMBER OF SUBSTATIONS: 1

SITE SUMMARY

- BUILDING HEIGHT: 65 FEET/TWO STORY
- DENSITY CALCULATION: 32 ACRES PER BUILDING
- IMPERVIOUS AREA TOTAL: 32.8 ACRES
- IMPERVIOUS AREA LOT COVERAGE %: 34.17
- PARKING RATIOS: 25 SPACES PER BUILDING



TOGETHER WITH:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 246, 12TH DISTRICT, CLAYTON COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RIGHT-OF-WAY MONUMENT LOCATED NORTH 88 DEGREES 59 MINUTES 58 SECONDS WEST, 69.92 FEET FROM THE COMMON CORNER OF LAND LOTS 11 AND 12, DEKALB COUNTY AND LAND LOTS 246 AND 247, CLAYTON COUNTY;

THENCE, WITH THE SOUTHERLY LINE OF LAND LOT LINE 11, NORTH 89 DEGREES 13 MINUTES 03 SECONDS WEST, 1,486.75 FEET TO A NAIL AND THE **POINT OF BEGINNING**;

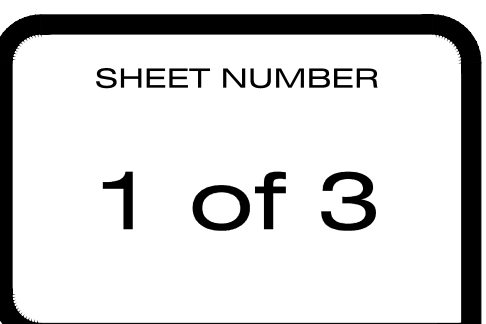
THENCE, LEAVING SAID LAND LOT LINE, SOUTH 34 DEGREES 17 MINUTES 54 SECONDS WEST, 204.86 FEET TO A 1/2 INCH REBAR;

THENCE, NORTH 88 DEGREES 55 MINUTES 35 SECONDS WEST, 29.89 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, NORTH 34 DEGREES 17 MINUTES 54 SECONDS EAST, 204.72 FEET TO A 1/2 INCH REBAR AND CAP SET ON THE SOUTHERLY LINE OF LAND LOT 11;

THENCE, WITH SAID LAND LOT LINE, SOUTH 89 DEGREES 09 MINUTES 11 SECONDS EAST, 29.96 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINING **0.12 ACRES (5,120 SQUARE FEET)**.



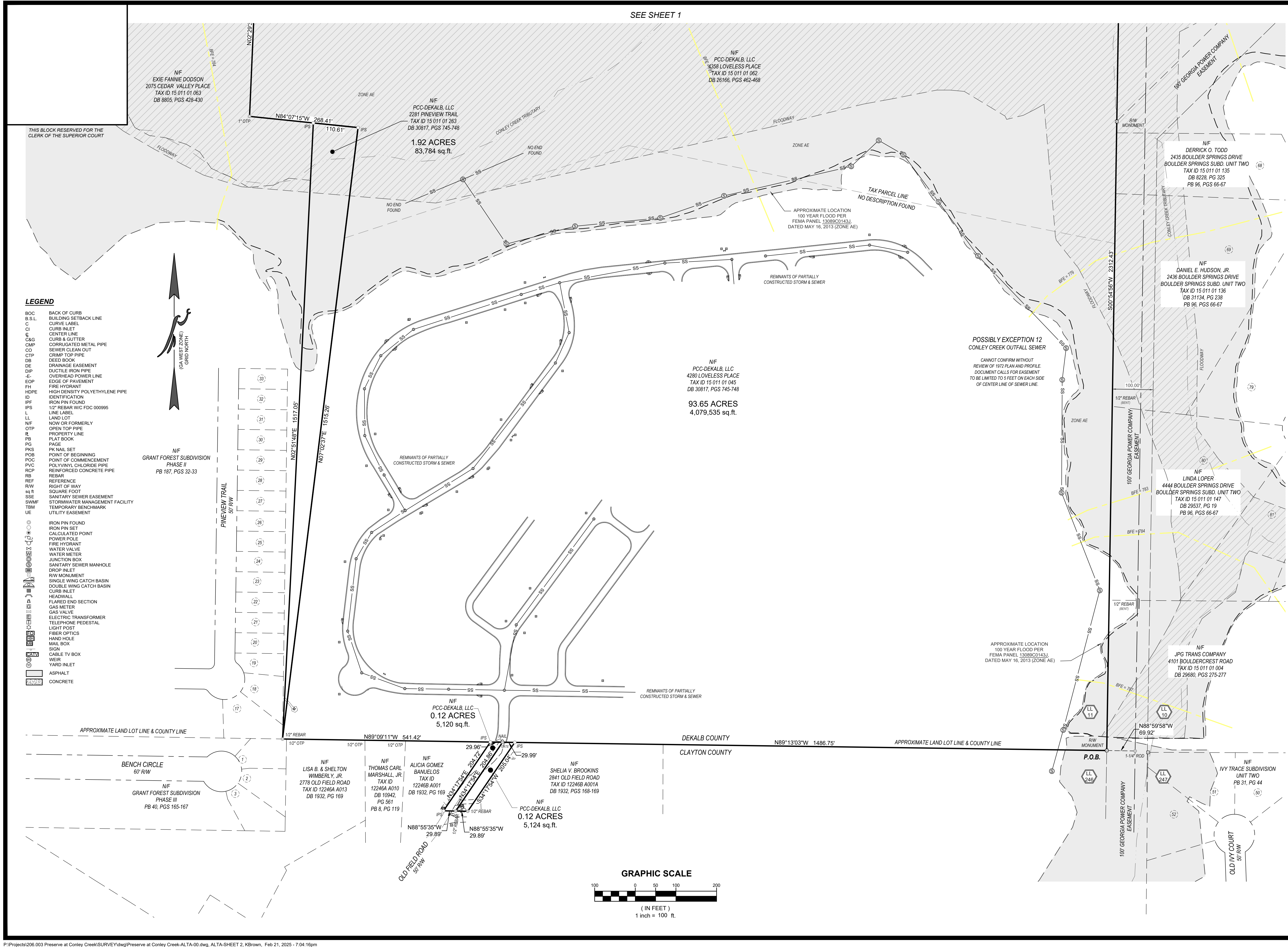
ALTAN/SPS LAND TITLE SURVEY

**PRESERVE AT
CONLEY CREEK**

LAND LOT 11, 15TH DISTRICT, DEKALB COUNTY
LAND LOT 146, 12TH DISTRICT, CLAYTON COUNTY
GEORGIA

REVISIONS	
1.	
2.	
3.	
4.	

DATE:	2-21-2025
SCALE:	1" = 100'
FILE NUMBER:	206.003
DRAWN BY:	K. McMILLAN
REVIEWED BY:	K. BROWN



THIS BLOCK RESERVED FOR THE
CLERK OF THE SUPERIOR COURT

SURVEY NOTES

1. THE FIELDWORK FOR THIS SURVEY WAS COMPLETED FEBRUARY 11, 2025, WITH LINEAR AND ANGULAR MEASUREMENTS OBTAINED BY J. BUTLER USING A SPECTRA PRECISION FOCUS 50 ROBOTIC TOTAL STATION & LEICA GS-18T GPS UNIT.
2. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY OF 0.063 FEET HORIZONTAL AT THE 95% CONFIDENCE LEVEL.
3. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,128.045 FEET USING THE BEARINGS AND DISTANCES SHOWN HEREON.
4. ALL PROPERTY CORNERS REFERENCED AS "IPS" INDICATE A 1/2" REBAR PLACED WITH CAP STAMPED "EDC LSF0000995" UNLESS OTHERWISE NOTED.
5. FALCON DESIGN CONSULTANTS, L.L.C. AND/OR KEVIN M. BROWN DOES NOT GUARANTEE THAT ALL EASEMENTS AND SUB-SURFACE CONDITIONS WHICH MAY AFFECT THIS PROPERTY ARE SHOWN.
6. THIS SURVEY IS REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT (NAD83 (2011)) FOR THE HORIZONTAL DATUM AND THE NORTH AMERICAN VERTICAL DATUM OF 1988 PER THE VIRTUAL REFERENCE SYSTEM CORRECTIONS PROVIDED BY HxGN SMARTNET.
7. UTILITIES SHOWN ARE BASED ON ABOVE GROUND EVIDENCE. ADDITIONAL UTILITIES MAY EXIST ABOVE OR BELOW GROUND. NO CERTIFICATION OR GUARANTEE IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE UTILITIES OR STRUCTURES SHOWN HEREON. PER GEORGIA LAW THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.

RECORD DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 11 of the 15th District of DeKalb County, Georgia, and being more particularly described as follows:

To find the true point of beginning, commence at the Southeast corner of Land Lot 11 of said above referenced district, same being the common corners of Land Lot 11 and Land Lot 10 of DeKalb County and Land Lot 246 and Land Lot 247 of Clayton County; Run thence North 89 Degrees 23 Minutes 48 Seconds West along the South Land Lot line of Land Lot 11 above referenced district a distance of 70.0 feet to a concrete monument and the point of beginning; Run thence North 89 degrees 23 minutes 48 seconds West along the South land lot line of Land Lot 11 a distance of 2,019.98 feet to an iron pin; Thence North 08 Degrees 32 Minutes 50 Seconds East 1515.10 feet to an iron pin; Thence North 84 degrees 09 minutes 32 seconds West 270.0 feet to an iron pin; Said iron pin being located on the East property line of property now or formerly owned by Thompson Harley Realty, Inc.; Run thence North 02 degrees 17 minutes 22 seconds East along the Thompson Harley property line of a distance of 485.84 feet to an iron pin; Thence South 87 Degrees 56 Minutes 15 Seconds East 210.0 feet to an iron pin located on the West Right of Way of Loveless Place (60 foot right of way); Thence South 02 Degrees 17 Minutes 22 Seconds West 86.90 feet along the West right of way of Loveless Place to an iron pin; Thence South 87 degrees 56 Minutes 15 Seconds East 271.13 feet to an iron pin, said iron pin being located at the Southeast corner of Lot 5, Block B, Loveless Property; per survey of plat recorded in Plat Book 45, Page 155, DeKalb County records; Thence South 01 degrees 51 minutes 46 seconds West 87.0 feet to an iron pin; Thence South 88 degrees 06 minutes 43 seconds East 345.82 feet to an iron pin; Thence North 83 degrees 30 minutes 59 seconds east 234.55 feet to an iron pin; Thence North 50 degrees 54 minutes 26 seconds East 149.93 feet to iron pin; Thence North 28 degrees 28 minutes 31 seconds East 167.03 feet to an iron pin; Thence North 77 degrees 37 minutes 21 seconds East 250.19 feet to an iron pin; Thence North 20 degrees 15 minutes 58 seconds East 217.86 feet to an iron pin; Thence South 88 degrees 45 minutes 00 seconds East 128.25 feet to an iron pin; Thence South 73 degrees 35 minutes East 124.35 feet to an iron pin; Thence South 82 degrees 29 minutes 20 seconds East 102.04 feet to an iron pin; Thence North 88 degrees 17 minutes 33 seconds East 160.0 feet to an iron pin; Thence 88 degrees 14 minutes 31 seconds East 50.32 feet to an iron pin; Run thence South 00 degrees 47 minutes 26 seconds West along a power line right of way a distance of 231.66 feet to an iron pin and the Point of Beginning; Said property being shown on plat of survey for Muhanna et al dated March 3, 1989 by S&S Engineers, Inc.

And Also:
All that tract or parcel of land lying and being in Land Lot 11 of the 15th District of Dekalb County, Georgia and more particularly described as follows: To find the True Point of Beginning, commence at the Southeast corner of Land Lot 11 and thence proceeding North 89 Degrees, 11 minutes, 35 seconds West 2,018.56 feet to the True Point of Beginning; From said true point of beginning thence proceed North 6 degrees, 38 minutes 38 seconds East 1,516.07 feet to a 1/2 inch rebar; thence proceeding North 84 degrees, 29 minutes, 26 seconds West a distance of 110.61 feet to a point; thence proceeding South 2 degrees, 27 minutes, 57 seconds West 1517.91 feet to the True Point of Beginning. Said property is known as Tract 3, containing 1.93 acres, more or less per survey of The Preserve at Conley Creek, dated 4/8/2006, DeKalb County, Georgia.

And Also:
All that tract or parcel of land lying or being in Land Lot 246 of the 12th District of Clayton County, Georgia, containing 0.12 acres (5,125 sq. ft.) as shown on a plat entitled, "Right-of-Way Exhibit for Liberty Communities, Inc.", prepared by Moore Bass Consulting, Inc. dated 10/01/2021, last revised 12/15/21 and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at a point (I" solid bar), said point being the common corner of Land Lots 10 & 11 of DeKalb County and Land Lots 246 & 247 of Clayton County, thence proceed west along the north line of Land Lot 246, a distance of 1,508.82 feet to a point (5/8" rebar); thence proceed N89° 10'10"W, a distance of 424.99 feet to a point; thence continue N89° 10'10"W a distance of 29.97 feet to a point and the TRUE POINT OF BEGINNING.

From said point and leaving the north line of Land Lot 246, proceed S34° 17'29"W, a distance of 205.07 feet to a point; thence N88° 56'13"W, a distance of 29.89 feet to a point; thence N34° 17'29"E, a distance of 204.93 feet to a point, said point being on the north line of Land Lot 246; thence proceed along said Land Lot line, S89° 10'10"E, a distance of 29.97 feet to a point and the TRUE POINT OF BEGINNING.

And Also:
All that tract or parcel of land lying or being in Land Lot 246 of the 12th District of Clayton County, Georgia, containing .12 acres (5,129 sq. ft.) as shown on and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at a point (1" solid bar), said point being the common corner of Land Lots 10 and 11 of DeKalb County and Land Lots 246 & 247 of Clayton County, thence proceed west along the north line of Land Lots 246, a distance of 1,508.82 feet to a point (5/8" rebar); thence proceeds N89 degrees 10 minutes 10 seconds West, a distance of 424.98 feet to a point, said point being the TRUE POINT OF BEGINNING.

From said point and leaving said Land Lot Line, proceed S34 degrees 17 minutes 29 seconds West, a distance of 205.22 feet to a point; thence North 88 degrees 56 minutes 13 seconds West, a distance of 13.41 feet to a point; thence North 88 degrees 56 minutes 13 seconds West, a distance of 16.48 feet to a point; thence North 34 degrees 17 minutes 29 seconds East, a distance of 205.07 feet to a point, said point being on the north line of Land Lot 246; thence proceed along said Land Lot line S89 degrees 10 minutes 10 seconds East a distance of 29.97 feet to a point, and the TRUE POINT OF BEGINNING.

SURVEY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 11, 15TH DISTRICT, DEKALB COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A RIGHT-OF-WAY MONUMENT LOCATED NORTH 88 DEGREES 59 MINUTES 58 SECONDS WEST, 69.92 FEET FROM THE COMMON CORNER OF LAND LOTS 11 AND 12, DEKALB COUNTY AND LAND LOTS 246 AND 247, CLAYTON COUNTY;

THENCE, WITH THE SOUTHERLY LINE OF LAND LOT LINE 11, NORTH 89 DEGREES 13 MINUTES 03 SECONDS WEST, 1,486.75 FEET TO A NAIL;
THENCE, NORTH 89 DEGREES 09 MINUTES 11 SECONDS WEST, 541.42 FEET TO A 1/2 INCH REBAR;
THENCE, LEAVING SAID LAND LOT LINE, NORTH 07 DEGREES 02 MINUTES 37 SECONDS EAST, 1,515.26 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, NORTH 84 DEGREES 07 MINUTES 15 SECONDS WEST, 268.41 FEET TO A 1 INCH OPEN TOP PIPE;
THENCE, NORTH 02 DEGREES 29 MINUTES 34 SECONDS EAST, 485.83 FEET TO A 1/2 INCH OPEN TOP PIPE;
THENCE, SOUTH 87 DEGREES 47 MINUTES 10 SECONDS EAST, 210.00 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, SOUTH 01 DEGREES 53 MINUTES 03 SECONDS WEST, 86.90 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, SOUTH 87 DEGREES 45 MINUTES 55 SECONDS EAST, 269.82 FEET TO A 1/2 INCH ROD;
THENCE, SOUTH 02 DEGREES 15 MINUTES 13 SECONDS WEST, 86.86 FEET TO A 1/2 INCH REBAR;
THENCE, SOUTH 87 DEGREES 44 MINUTES 36 SECONDS EAST, 345.93 FEET TO A 1/2 INCH REBAR;
THENCE, NORTH 83 DEGREES 55 MINUTES 29 SECONDS EAST, 234.55 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, NORTH 51 DEGREES 16 MINUTES 09 SECONDS EAST, 149.93 FEET TO A 1/2 INCH REBAR;
THENCE, NORTH 28 DEGREES 55 MINUTES 34 SECONDS EAST, 167.03 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, NORTH 78 DEGREES 02 MINUTES 38 SECONDS EAST, 250.19 FEET TO A 1/2 INCH REBAR;
THENCE, NORTH 20 DEGREES 41 MINUTES 34 SECONDS EAST, 217.86 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, SOUTH 88 DEGREES 20 MINUTES 19 SECONDS EAST, 128.25 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, SOUTH 73 DEGREES 10 MINUTES 19 SECONDS EAST, 124.35 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, SOUTH 83 DEGREES 04 MINUTES 39 SECONDS EAST, 102.04 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, NORTH 88 DEGREES 42 MINUTES 14 SECONDS EAST, 160.00 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, NORTH 87 DEGREES 58 MINUTES 56 SECONDS EAST, 45.04 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, SOUTH 00 DEGREES 54 MINUTES 56 SECONDS WEST, 2,312.43 FEET TO THE **POINT OF BEGINNING**

SAID TRACT OR PARCEL CONTAINING **93.63 ACRES (4,079,535 SQUARE FEET)**

TOGETHER WITH:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 11, 15TH DISTRICT, DEKALB COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RIGHT-OF-WAY MONUMENT LOCATED NORTH 88 DEGREES 59 MINUTES 58 SECONDS WEST, 69.92 FEET FROM THE COMMON CORNER OF LAND LOTS 11 AND 12, DEKALB COUNTY AND LAND LOTS 246 AND 247, CLAYTON COUNTY;

THENCE, WITH THE SOUTHERLY LINE OF LAND LOT LINE 11, NORTH 89 DEGREES 13 MINUTES 03 SECONDS WEST, 1,486.75 FEET TO A NAIL;
THENCE, NORTH 89 DEGREES 09 MINUTES 11 SECONDS WEST, 541.42 FEET TO A 1/2 INCH REBAR AND THE **POINT OF BEGINNING**
THENCE, LEAVING SAID LAND LOT LINE, NORTH 02 DEGREES 51 MINUTES 48 SECONDS EAST, 1,517.05 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, SOUTH 84 DEGREES 07 MINUTES 15 SECONDS EAST, 110.61 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, SOUTH 07 DEGREES 02 MINUTES 37 SECONDS WEST, 1,515.26 FEET TO THE **POINT OF BEGINNING**

SAID TRACT OR PARCEL CONTAINING **1.92 ACRES (83,784 SQUARE FEET)**

TOGETHER WITH:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 246, 12TH DISTRICT, CLAYTON COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RIGHT-OF-WAY MONUMENT LOCATED NORTH 88 DEGREES 59 MINUTES 58 SECONDS WEST, 69.92 FEET FROM THE COMMON CORNER OF LAND LOTS 11 AND 12, DEKALB COUNTY AND LAND LOTS 246 AND 247, CLAYTON COUNTY;
THENCE, ALONG THE SOUTHERLY LINE OF LAND LOT LINE 11, NORTH 89 DEGREES 13 MINUTES 03 SECONDS WEST, 1,486.75 FEET TO A 1/2 INCH REBAR AND CAP SET AND THE **POINT OF BEGINNING**.

THENCE, LEAVING SAID LAND LOT LINE, SOUTH 34 DEGREES 17 MINUTES 54 SECONDS WEST, 205.04 FEET TO A 1/2 INCH REBAR;
THENCE, NORTH 88 DEGREES 55 MINUTES 35 SECONDS WEST, 29.89 FEET TO A 1/2 INCH REBAR;
THENCE, NORTH 34 DEGREES 17 MINUTES 54 SECONDS EAST, 204.86 FEET TO A NAIL ON THE SOUTHERLY LINE OF LAND LOT 11;
THENCE, WITH SAID LAND LOT LINE, SOUTH 89 DEGREES 13 MINUTES 03 SECONDS EAST, 29.99 FEET TO THE **POINT OF BEGINNING**

SAID TRACT OR PARCEL CONTAINING **0.12 ACRES (5,124 SQUARE FEET)**

TOGETHER WITH:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 246, 12TH DISTRICT, CLAYTON COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RIGHT-OF-WAY MONUMENT LOCATED NORTH 88 DEGREES 59 MINUTES 58 SECONDS WEST, 69.92 FEET FROM THE COMMON CORNER OF LAND LOTS 11 AND 12, DEKALB COUNTY AND LAND LOTS 246 AND 247, CLAYTON COUNTY;
THENCE, WITH THE SOUTHERLY LINE OF LAND LOT LINE 11, NORTH 89 DEGREES 13 MINUTES 03 SECONDS WEST, 1,486.75 FEET TO A NAIL AND THE **POINT OF BEGINNING**.

THENCE, LEAVING SAID LAND LOT LINE, SOUTH 34 DEGREES 17 MINUTES 54 SECONDS WEST, 204.86 FEET TO A 1/2 INCH REBAR;
THENCE, NORTH 88 DEGREES 55 MINUTES 35 SECONDS WEST, 29.89 FEET TO A 1/2 INCH REBAR AND CAP SET;
THENCE, NORTH 34 DEGREES 17 MINUTES 54 SECONDS EAST, 204.72 FEET TO A 1/2 INCH REBAR AND CAP SET ON THE SOUTHERLY LINE OF LAND LOT 11;
THENCE, WITH SAID LAND LOT LINE, SOUTH 89 DEGREES 09 MINUTES 11 SECONDS EAST, 29.96 FEET TO THE **POINT OF BEGINNING**

SAID TRACT OR PARCEL CONTAINING **0.12 ACRES (5,120 SQUARE FEET)**

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE B - SECTION II - EXCEPTIONS

Commitment No.: CRE-232418a-1
EFFECTIVE DATE: FEBRUARY 3, 2023 at 09:00 AM

9. Subject to permit to Cut or Trim Trees from L. C. Loveless to Georgia Power Company, dated September 11, 1962, filed for record September 19, 1962, recorded in Deed Book 1699, Page 466, Records of DeKalb County, Georgia.

DOCUMENT CONTAINS NO PLOTTABLE EASEMENT DESCRIPTIONS.
TRANSMISSION LINE IS ADJACENT TO EASTERLY BOUNDARY LINE, AS SHOWN.

10. Subject to Right-of-Way Easement from L. C. Loveless to Georgia Power Company, dated September 8, 1969, filed for record September 26, 1969, recorded in Deed Book 2464, Page 744, Records of DeKalb County, Georgia.

DOCUMENT CONTAINS NO PLOTTABLE EASEMENT DESCRIPTIONS.

11. Subject to that certain easement from Clark & Wall Inc. to Georgia Power Company, dated October 3, 1969, filed for record November 13, 1969, recorded in Deed Book 2481, Page 55, Records of DeKalb County, Georgia.

DOCUMENT CONTAINS NO PLOTTABLE EASEMENT DESCRIPTIONS.

12. Subject to Conley Creek Outfall Sewer from Larry C. Morris and S. Lowell Wannmock to Dekalb County Georgia, dated March 26, 1974, recorded in Deed Book 3171, Page 250, Records of DeKalb County, Georgia.

DOCUMENT CONTAINS NO PLOTTABLE EASEMENT DESCRIPTIONS WITHOUT REVIEW OF 1972 PLAN AND PROFILE DRAWINGS.
OBSERVED SEWER LINES SHOWN.

13. Subject to Stormwater Detection Facilities Inspection and Maintenance Agreement filed for record July 9, 2019, recorded in **Deed Book 27653, Page 246**, Records of DeKalb County, Georgia.

AGREEMENT MENTIONS PARCEL #15-011-01-044 AND DOES NOT AFFECT SUBJECT PROPERTY.

14. Subject to that certain easement in favor of Georgia Power Company, dated March 26, 2020, filed for record June 17, 2020, recorded in **Deed Book 28397, Page 653**, Records of DeKalb County, Georgia.

EASEMENT IS IN PARCEL #15-011-01-044 AND DOES NOT AFFECT SUBJECT PROPERTY.

15. Restrictive Covenants as set forth in Covenant **Deed Book 28041, Page 278** of the DeKalb County, Georgia Records. The policy when issued will insure that all of the date hereof said Restrictive Covenants have not been violated and that a future violation will not result in a reverter or forfeiture of title to the premises. This exception omits any covenant, condition, and/or restriction based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 U.S.C. Section 36-4, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C. Section 3607, or (c) relates to a handicap, but does not discriminate against handicap people.

RESTRICTIVE COVENANTS DESCRIBE AND AFFECT SUBJECT PROPERTY.

16. Subject to Assignment of Rights of Declarant under the Declaration of Protective Covenants, Condition, Restrictions and Easements for Preserve at Conley Creek, dated November 9, 2020, filed for record November 11, 2020, recorded in **Deed Book 28803, Page 90**, Records of DeKalb County, Georgia.

DOCUMENT DESCRIBES AND AFFECTS SUBJECT PROPERTY.

17. Subject to Collateral Assignment of Rights of Declarant under the Declaration of Protective Covenants, Condition, Restrictions and Easements for Preserve at Conley Creek, dated November 9, 2020, filed for record November 11, 2020, recorded in **Deed Book 28803, Page 94**, Records of DeKalb County, Georgia.

DOCUMENT DESCRIBES AND AFFECTS SUBJECT PROPERTY.

TABLE A - OPTIONAL ITEMS

1. PROPERTY CORNER MONUMENTS FOUND OR SET, AS SHOWN.
2. ADDRESS OF THE SUBJECT PROPERTY PER TAX RECORDS.
3. FLOOD ZONE NOTED AND SHOWN GRAPHICALLY.
4. GROSS LAND AREA = 95.81 ACRES
11a. OBSERVED EVIDENCE OF UTILITIES SHOWN.
13. ADJOINING OWNER NAMES SHOWN PER TAX RECORDS.

SURVEYOR'S CERTIFICATION

TO **PARAN HOMES, LLC,**
PCC-DEKALB, LLC
and **CHICAGO 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 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 11a, 13 OF TABLE A THEREOF.

THE FIELDWORK WAS COMPLETED ON FEBRUARY 11, 2025.

DATE OF PLAT OR MAP: FEBRUARY 21, 2025.

 2/21/2025
KEVIN M. BROWN DATE
REGISTERED LAND SURVEYOR #2960

SURVEYOR'S CERTIFICATION

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.

 2/21/2025
KEVIN M. BROWN DATE
REGISTERED LAND SURVEYOR #2960

CIVIL
ENGINEERING
CONSTRUCTION
MANAGEMENT

LAND
SURVEYING
LANDSCAPE
ARCHITECT



FALCON DESIGN
CONSULTANTS

STOCKBRIDGE OFFICE
1301 CORP. CTR. DR., STE. 200
STOCKBRIDGE, GEORGIA 30201
PH: (770) 389-8666 - Fax: (770) 389-8655

SPANAWA OFFICE
40 GREENWAY CTR., STE. A
CUMMING, GEORGIA 30045
PH: (770) 704-0686

CUMMING OFFICE
580 PIERCE DRIVE RD., STE. C
CUMMING, GEORGIA 30048
PH: (770) 807-0380

www.fdc-llc.com

ALTANSPS LAND TITLE SURVEY
**PRESERVE AT
CONLEY CREEK**
LAND LOT 11, 15TH DISTRICT, DEKALB COUNTY,
LAND LOT 146, 12TH DISTRICT, CLAYTON COUNTY,
GEORGIA

REVISIONS				THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON PERSONS, FIRM OR FIRMS NAMED HEREON. IT DOES NOT EXTEND TO ANY UNNAMED PERSON OR PERSONS, AND IS NOT TO BE USED BY THE SURVEYOR NAMING SAID PERSON.
1.	2.	3.	4.	

DATE:	2-21-2025
SCALE:	1" = 100'
FILE NUMBER:	206.003
DRAWN BY:	K. McMILLAN
REVIEWED BY:	K. BROWN

GEORGIA
REGISTERED
PROFESSIONAL
SURVEYOR


KEVIN M. BROWN

2/21/2025

COA# LSF 000095
THIS DOCUMENT IS NOT VALID UNLESS IT BEARS THE
ORIGINAL SIGNATURE OF THE REGISTRANT
ACROSS THE REGISTRANT'S SEAL.

SHEET NUMBER
3 of 3

SURVEY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 11, 15TH DISTRICT, DEKALB COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A RIGHT-OF-WAY MONUMENT LOCATED NORTH 88 DEGREES 59 MINUTES 58 SECONDS WEST, 69.92 FEET FROM THE COMMON CORNER OF LAND LOTS 11 AND 10, DEKALB COUNTY AND LAND LOTS 246 AND 247, CLAYTON COUNTY;

THENCE, WITH THE SOUTHERLY LINE OF LAND LOT LINE 11, NORTH 89 DEGREES 13 MINUTES 03 SECONDS WEST, 1,486.75 FEET TO A NAIL;

THENCE, NORTH 89 DEGREES 09 MINUTES 11 SECONDS WEST, 541.42 FEET TO A 1/2 INCH REBAR;

THENCE, LEAVING SAID LAND LOT LINE, NORTH 07 DEGREES 02 MINUTES 37 SECONDS EAST, 1,515.26 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, NORTH 84 DEGREES 07 MINUTES 15 SECONDS WEST, 268.41 FEET TO A 1 INCH OPEN TOP PIPE;

THENCE, NORTH 02 DEGREES 29 MINUTES 34 SECONDS EAST, 485.53 FEET TO A 1/2 INCH OPEN TOP PIPE;

THENCE, SOUTH 87 DEGREES 47 MINUTES 10 SECONDS EAST, 210.00 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, SOUTH 01 DEGREES 53 MINUTES 03 SECONDS WEST, 86.90 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, SOUTH 87 DEGREES 45 MINUTES 55 SECONDS EAST, 269.82 FEET TO A 1/2 INCH ROD;

THENCE, SOUTH 02 DEGREES 15 MINUTES 13 SECONDS WEST, 86.98 FEET TO A 1/2 INCH REBAR;

THENCE, SOUTH 87 DEGREES 44 MINUTES 36 SECONDS EAST, 345.93 FEET TO A 1/2 INCH REBAR;

THENCE, NORTH 83 DEGREES 55 MINUTES 29 SECONDS EAST, 234.55 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, NORTH 51 DEGREES 16 MINUTES 09 SECONDS EAST, 149.93 FEET TO A 1/2 INCH REBAR;

THENCE, NORTH 28 DEGREES 55 MINUTES 34 SECONDS EAST, 167.03 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, NORTH 78 DEGREES 02 MINUTES 38 SECONDS EAST, 250.19 FEET TO A 1/2 INCH REBAR;

THENCE, NORTH 20 DEGREES 41 MINUTES 34 SECONDS EAST, 217.66 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, SOUTH 88 DEGREES 20 MINUTES 19 SECONDS EAST, 128.25 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, SOUTH 73 DEGREES 10 MINUTES 19 SECONDS EAST, 124.35 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, SOUTH 83 DEGREES 04 MINUTES 39 SECONDS EAST, 102.04 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, NORTH 88 DEGREES 42 MINUTES 14 SECONDS EAST, 160.00 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, NORTH 87 DEGREES 58 MINUTES 56 SECONDS EAST, 45.04 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, SOUTH 00 DEGREES 54 MINUTES 56 SECONDS WEST, 2,312.43 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINING **93.65 ACRES (4,079,535 SQUARE FEET)**.

TOGETHER WITH:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 11, 15TH DISTRICT, DEKALB COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RIGHT-OF-WAY MONUMENT LOCATED NORTH 88 DEGREES 59 MINUTES 58 SECONDS WEST, 69.92 FEET FROM THE COMMON CORNER OF LAND LOTS 11 AND 12, DEKALB COUNTY AND LAND LOTS 246 AND 247, CLAYTON COUNTY;

THENCE, WITH THE SOUTHERLY LINE OF LAND LOT LINE 11, NORTH 89 DEGREES 13 MINUTES 03 SECONDS WEST, 1,486.75 FEET TO A NAIL;

THENCE, NORTH 89 DEGREES 09 MINUTES 11 SECONDS WEST, 541.42 FEET TO A 1/2 INCH REBAR AND THE **POINT OF BEGINNING**;

THENCE, LEAVING SAID LAND LOT LINE, NORTH 02 DEGREES 51 MINUTES 48 SECONDS EAST, 1,517.05 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, SOUTH 84 DEGREES 07 MINUTES 15 SECONDS EAST, 110.61 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, SOUTH 07 DEGREES 02 MINUTES 37 SECONDS WEST, 1,515.26 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINING **1.92 ACRES (83,784 SQUARE FEET)**.

TOGETHER WITH:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 246, 12TH DISTRICT, CLAYTON COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RIGHT-OF-WAY MONUMENT LOCATED NORTH 88 DEGREES 59 MINUTES 58 SECONDS WEST, 69.92 FEET FROM THE COMMON CORNER OF LAND LOTS 11 AND 12, DEKALB COUNTY AND LAND LOTS 246 AND 247, CLAYTON COUNTY;

THENCE, ALONG THE SOUTHERLY LINE OF LAND LOT LINE 11, NORTH 89 DEGREES 13 MINUTES 03 SECONDS WEST, 1,456.76 FEET TO A 1/2 INCH REBAR AND CAP SET AND THE **POINT OF BEGINNING**;

THENCE, LEAVING SAID LAND LOT LINE, SOUTH 34 DEGREES 17 MINUTES 54 SECONDS WEST, 205.04 FEET TO A 1/2 INCH REBAR;

THENCE, NORTH 88 DEGREES 55 MINUTES 35 SECONDS WEST, 29.89 FEET TO A 1/2 INCH REBAR;

THENCE, NORTH 34 DEGREES 17 MINUTES 54 SECONDS EAST, 204.86 FEET TO A NAIL ON THE SOUTHERLY LINE OF LAND LOT 11;

THENCE, WITH SAID LAND LOT LINE, SOUTH 89 DEGREES 13 MINUTES 03 SECONDS EAST, 29.99 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINING **0.12 ACRES (5,124 SQUARE FEET)**.

Pre-Submittal Community Meeting Attendees:

	Steven L. Jones (Me)			
	Juaney Lynn-Rigsby (Host)			
	Elizabeth .Healey			
	Gene Gray			
	Mike Embry			
	Nikki			
	Samie Conyers			
	Jackie Malcom			
	Angela Jackson			
	Brett Embry			
	Cheryl's S23 FE			
	ED iPad			
	Erica			
	iPhone			
	iPhone6783005162			
	Megan			
	Wendell Glenn			

June 16, 2025

Karren Denegall
4437 BOULDER SPRINGS CV
ELLENWOOD,GA 30294

RE: Parcel ID: 15 010 01 144
Property Address: 4437 BOULDER SPRINGS CV

To Whom It May Concern:

A public community meeting will be held to discuss a proposed SLUP (Special Land Use Permit). This meeting and application for SLUP are being held by PCC Dekalb, LLC and is in regard to the property located at 4280 Loveless Pl, 4358 Loveless Pl and 2281 Pineview Trl, with tax parcel identification numbers 15-011-01-045, 15-011-01-062 and 15-011-01-263. The property consists of 96+/- acres and is within District 3 of Dekalb County, Georgia.

The current tax rolls indicate that you own property within 500 feet of the subject property. You are being notified of the nearby request pursuant to Pre-submittal Community Meeting requirements of the DeKalb County zoning ordinance.

The public community meeting will be held virtually on a Microsoft TEAMS at 5:00 p.m. on Wednesday, June 25th.

PCC Dekalb, LLC invited you to a Microsoft Teams Meeting:

PCC Dekalb, LLC - Community Meeting - SLUP

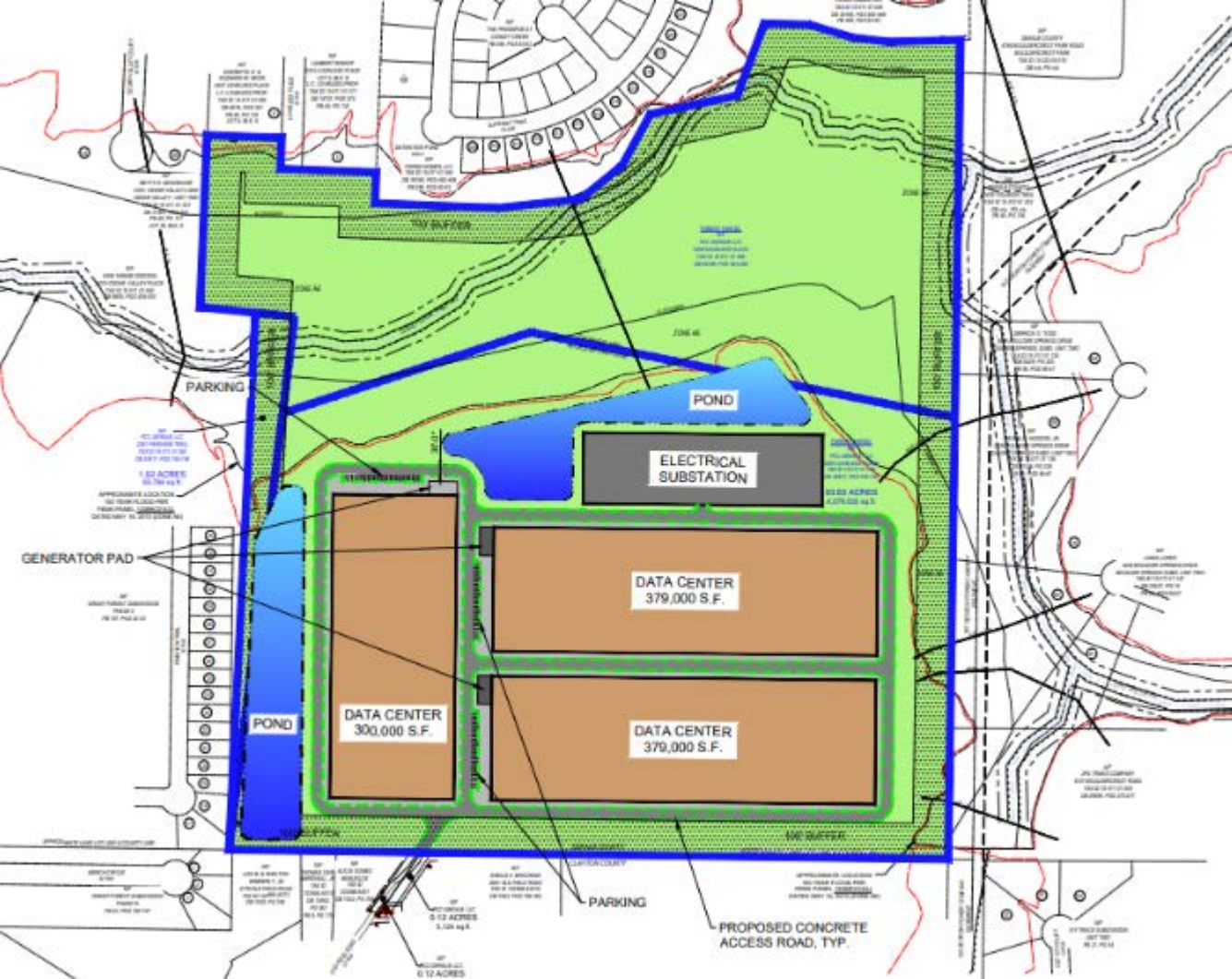
Wednesday, June 25, 2025

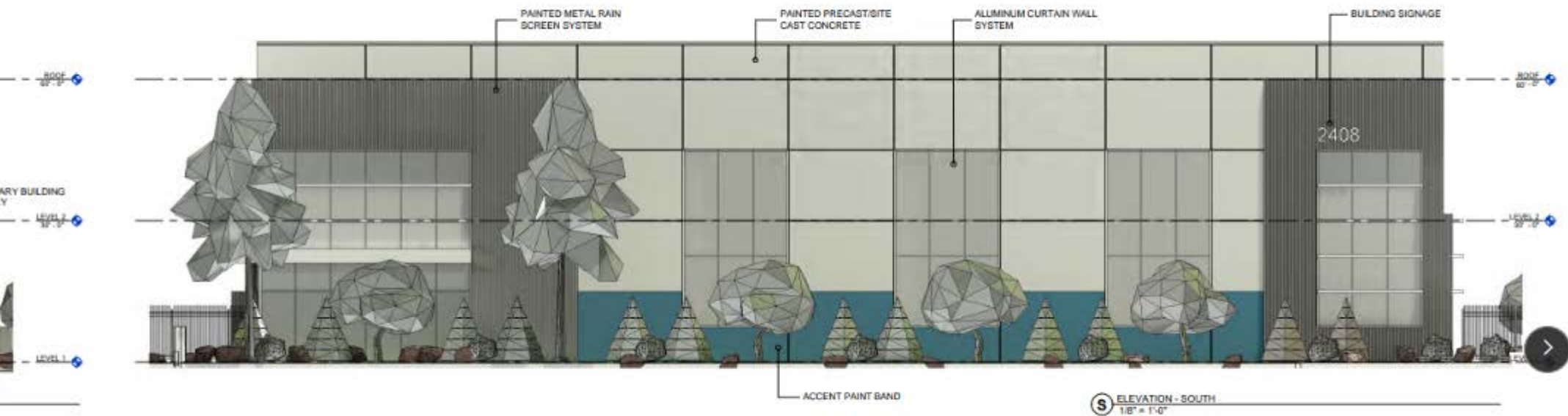
5:00 PM - 6:30 PM (EST)

Meeting link: <https://teams.live.com/join/9362333552708?p=SBb9x8UImv5qAQqNCI>

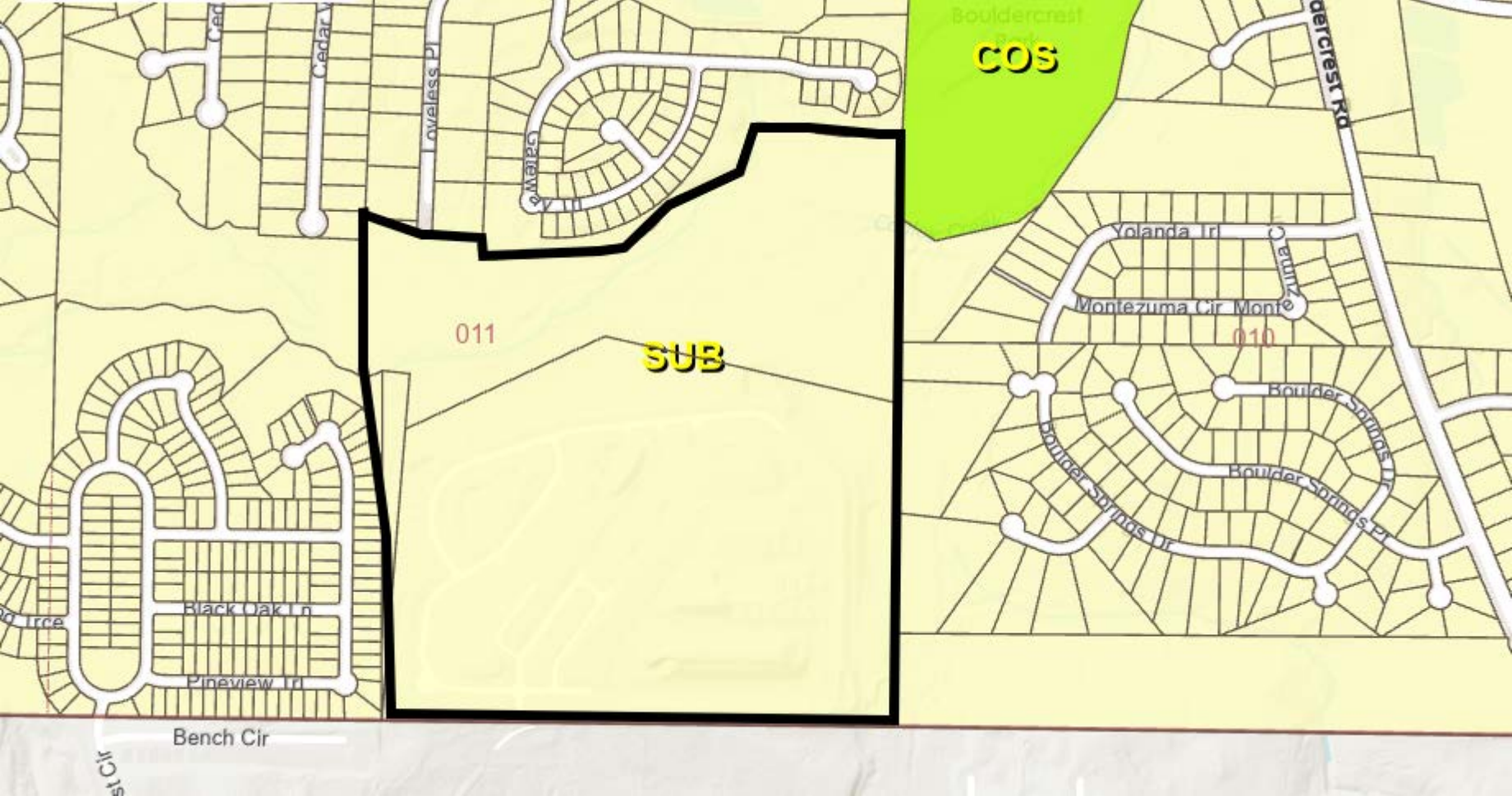
Thank you in advance for your time and consideration,

PCC Dekalb, LLC







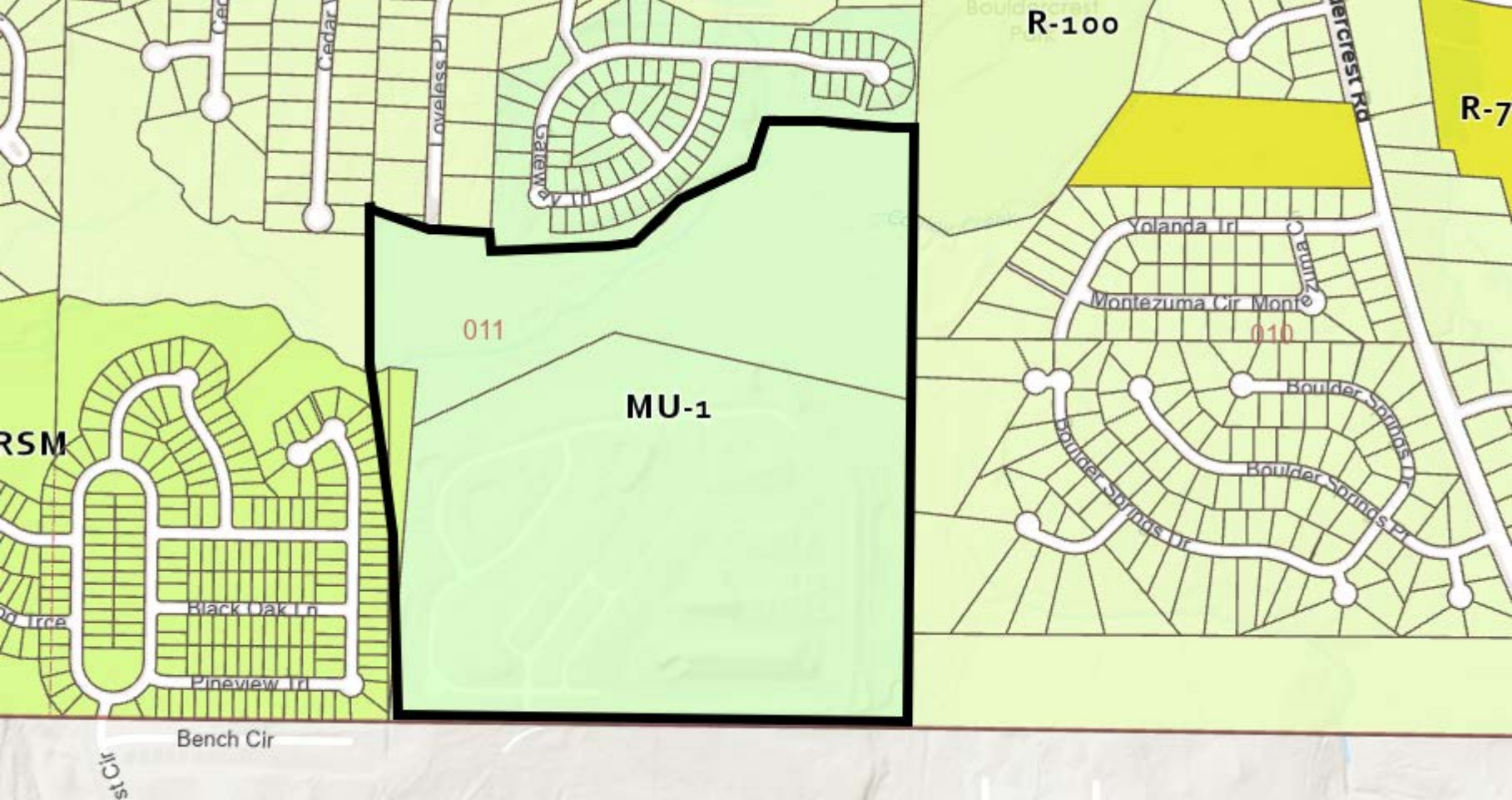


COS

011

SUB

010



R-100

R-7

011

MU-1

010

RSM

Bench Cir

St Cir

Black Oak Ln

Pineview Tr

Lovelass Pl

Mercers Rd

Yolanda Tr

Montezuma Cir

Boulder Springs Tr

Boulder Springs Dr

