



PAID
5-13-19/2 (S)

RZ19-000008

Received 5-07-19

Rezoning Application RZ-19-003

Owner Information	Owner's Name:	Jose Ayala		
	Owner's Address:	2193 Panola Rd. Stonecrest, GA 30058		
	Phone:	404-536-1036	Fax:	
			Email:	joseayala5219@att.net
	Property Address:	2193 Panola Rd. Stonecrest		Parcel Size: 2.691 Ac
	Parcel ID:	16 039 04 020		
Property Information	Current Zoning Classification:	R-100		
	Requested Zoning Classification:	C-1		
	Name:	Jose Ayala		
	Address:	2193 Panola Rd. Stonecrest GA 30058		
	Phone:	404-536-1036	Fax:	
	Cell:		Email:	joseayala5219@att.net
Questionnaire	Is this development and/or request seeking any incentives or tax abatement through the City of Stonecrest or any entity that can grant such waivers, incentives, and/or abatements?			
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
	1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties?			
	yes, there are currently c-1 zoning immediately to the south and west of the property			
	2. Will the affected property of the zoning proposal have a reasonable economic use as currently zoned?			
	yes, but not comparable to adjoining owners			
3. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?				
No, current and future planning for this corridor along Panola Rd. is commercial district				
4. Are other existing or changing conditions affecting the existing use or usability of the development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?				
No.				
5. Will the zoning proposal adversely affect historic buildings, sites, districts, or archaeological resources?				
No. NA				
6. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?				
No.				

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Legal Description

All that tract or parcel of land lying and being in Land Lot 39 of the 16th Land District of DeKalb County Georgia. Said tract is shown as 2.691 acres on a plat prepared for Ayala Partners, LLC, prepared by Four Corners Surveying, dated 9/12/18 and bearing the seal of Ronald T. Godwin, Georgia Registered Land Surveyor No. 2696.

Beginning at an "x" on the curb on the westerly variable right of way of Panola Road and running thence South 89 degrees 39 minutes 33 seconds West a distance of 548.11 feet to a ½" rebar, thence North 01 degrees 05 minutes 08 seconds East a distance of 203.61 feet to a ½" rebar, thence North 89 degrees 02 minutes 33 seconds East a distance of 590.74 feet to a ½" rebar on the westerly variable right of way of Panola Road, running thence along said right of way, South 14 degrees 04 minutes 25 seconds West a distance of 107.54 feet to a point, thence 107.82 feet along the arc of a 1,319.02 foot radius curve to the left, said curve being subtended by a chord of South 10 degrees 50 minutes 05 seconds West a distance of 107.79 feet to an "x" on the curb and the Point of Beginning.



Affidavit	To the best of my knowledge, this zoning application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance.		
	Applicant's Name: <u>Jose Ayala</u>		
Notary	Applicant's Signature: <u>J. Ayala</u>		Date: <u>5/10/19</u>
	Sworn to and subscribed before me this _____ Day of _____ 20____		
	Notary Public:		
Fee	Signature:		
	My Commission Expires:		
	<input type="checkbox"/> Application Fee <input type="checkbox"/> Sign Fee <input type="checkbox"/> Legal Fee		
	Fee: \$	Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> CC	Date:
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		Date:	

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







Property Owner(s) Notarized Certification

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

Property Owner (if Applicable)	Signature: <i>E. E. Ayala</i>		Date: <i>5/10/19</i>
	Address: <i>2193 Panola Rd.</i>		City, State: <i>Stonecrest</i> Zip: <i>30058</i>
	Phone: <i>404 536 1036</i>		
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			
Property Owner (if Applicable)	Signature:		Date:
	Address:		City, State: Zip:
	Phone:		
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			
Property Owner (if Applicable)	Signature:		Date:
	Address:		City, State: Zip:
	Phone:		
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

COMPREHENSIVE PLAN LAND USE MAP AMENDMENTS

Analyze the impact of the proposed rezoning and provide a written point-by-point response to the following questions:

- (A) Whether a proposed rezoning will permit uses that are suitable in view of the use and development of adjacent and nearby property:
The existing uses of nearby property are C-1 to the South and West and R100 to the North of the subject project. The property is bound to the east by Panola Rd.
- (B) Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property:
The proposed land use change represents a fair balance and will not adversely affect the existing use or usability of adjacent or nearby property. This area is emerging as a commercial district, with surrounding tracts are already zoned C1. Furthermore, the adjacent owners to the North of the subject Property has frontage along Panola Rd. and will become commercial tracts in the future.
- (C) Whether the proposed land use change will result in uses that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools:
The proposed use will include restaurant and 10 small retail units, which will have a small increase in demand for utilities and traffic, which comes onto Panola Road which is a Major Collector and will not diminish the current level of service due to the introduction of the proposed development. The existing school system will experience no net increase.
- (D) Whether the amendment is consistent with the written policies in the comprehensive plan text:
The proposed use is a small commercial development which is inline with the comprehensive future land use of neighborhood center.
- (E) Whether there are environmental impacts or consequences resulting from the proposed change:
There are no expected negative impact to any existing sensitive environmental area.
- (F) Whether there are impacts on properties in an adjoining governmental jurisdiction in cases of proposed changes near city boundary lines:
There are no expected negative impact on properties in an adjoining government jurisdiction.
- (G) 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 proposed rezoning:
If rezoned, the property will be developed in accordance to the C1 standard which is consistence with the current surrounding C1 uses.
- (H) Whether there are impacts on historic buildings, sites, districts or archaeological resources resulting from the proposed change:
There are no expected impact on any historic buildings, sites, districts or archaeological resources in the area.

Trip Generation Report For Proposed Panola Center

Land Use (ITE Code)	Intensity	Daily		AM Peak		PM Peak	
		Total	In	Out	In	Out	Total
Quality Restaurant (931)	4,800 Gross Square Feet	432	22	5	27	17	44
Specialty Retail Center (814)	18,000 Gross Square Feet	807	98	106	55	43	98
	Total	1239	120	111	82	60	142

Mailing List of Owners within 500-feet

VICKIE L. CONNER
277 RIVER LAKE DRIVE
EATONTON, GA 31024
TAX PARCEL 16 039 04 021
TAX PARCEL 16 039 04 035

RUTH PICKENS
12961 HIGHWAY 142
NEWBORN, GA 30056
TAX PARCEL 16 039 04 022

ESTELLE RUTHIE CONNER
1808 GREEN STREET NE
CONYERS, GA 30012
TAX PARCEL 16 039 04 029

LAURMARK INVESTMENTS LLC
4413 BLACK STALLION DRIVE NE
ROSWELL, GA 30075
TAX PARCEL 16 039 04 052

PAUL S. ICHORD
2718 CRABTREE ROAD
MANTECA, CA 95336
TAX PARCEL 16 039 04 057

KATRINA GAITHER
5421 MALLARD TRAIL
LITHONIA, GA 30058
TAX PARCEL 16 039 01 013

GRACE GREAVES
72 4TH STREET
BRENTWOOD, NY 11717
TAX PARCEL 16 039 01 014

JOYCE LENOIR
5431 MALLARD TRAIL
LITHONIA, GA 30058
TAX PARCEL 16 039 01 015

MICHAEL THOMAS
2553 OLD COVINGTON ROAD NE
CONYERS, GA 30013
TAX PARCEL 16 039 01 016

TAX PARCEL 16 039 01 018

HOME SFR BORROWER LLC
8300 N MOPAC EXPRESSWAY
AUSTIN, TX 78759
TAX PARCEL 16 039 01 017

CERBERUS SFR HOLDINGS LP
875 THIRD AVENUE
NEW YORK, NY 10022
TAX PARCEL 16 039 01 019

VERONICA STEPHENS ECHOLS
5455 MALLARD TRAIL
LITHONIA, GA 30058
TAX PARCEL 16 05 01 012

NAJMA S HUSAIN
5424 MALLARD TRAIL
LITHONIA, GA 30058
TAX PARCEL 16 039 07 003

RORY C. BURTON
5430 MALLARD TRAIL
LITHONIA, GA 30058
TAX PARCEL 16 039 07 004

DEBRA REYNOLDS
5436 MALLARD TRAIL
LITHONIA, GA 30058
TAX PARCEL 16 039 07 005

JAKE ROG
795 HAMMOND DRIVE
ATLANTA, GA 30328
TAX PARCEL 16 039 08 006

ADOLFO RIVERA ARBELAEZ
822 PISTASE COURT
ALPHARETTA, GA 30022
TAX PARCEL 16 039 07 007

BRANDY FAVORS
100 KEYTON DRIVE
COVINGTON, GA 30016
TAX PARCEL 16 039 07 008

P FIN II LLC
6300 POWERS FERRY ROAD
ATLANTA, GA 30339
TAX PARCEL 16 039 07 011

VINRAL M. GREEN
5451 WOOD DUCK LANE
LITHONIA, GA 30058
TAX PARCEL 16 039 07 012

RODNEY HICKS
5447 WOOD DUCK LANE
LITHONIA, GA 30058
TAX PARCEL 16 039 07 013

GREGORY PRESSLEY
5443 WOOD DUCK LANE
LITHONIA, GA 30058
TAX PARCEL 16 039 07 014

KENNETH RICKS
6302 STABLEWOOD WAY
LITHONIA, GA 30058
TAX PARCEL 16 039 07 015

NARDIA BERNARD
5448 WOOD DUCK LANE
LITHONIA, GA 30058
TAX PARCEL 16 039 07 016

JOEL TOUSSAINT
5452 WOOD DUCK LANE
LITHONIA, GA 30058
TAX PARCEL 16 039 07 017

Environmental Site Analysis

Analyze the impact of the proposed rezoning and provide a written point-by-point response to Points 1 through 3:

1. Conformance to the Comprehensive Plan:

a. Describe the proposed project and the existing environmental conditions on the site.

Existing condition consist of an existing residential and a pole barn at the front of the property and the remainder of the site is wooded in the back.

b. Describe adjacent properties. Include a site plan that depicts the proposed project.

Existing properties to the north are two existing houses with the remainder areas being wooded.

The property to the south and west is a proposed townhouse development.

c. Describe how the project conforms to the Comprehensive Land Use Plan.

The project is proposing a commercial development which consist of a restaurant and several retail spaces, therefore it will conform with the future land use of neighborhood center in this area.

d. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan.

Included. Please see Future Land Use Map

e. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

The proposed project will align nicely with the City of Stonecrest Comprehensive Plan.

2. Environmental Impacts of The Proposed Project

For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).

a. Wetlands

- U. S. Fish and Wildlife Service, National Wetlands Inventory

- (<http://wetlands.fws.gov/downloads.htm>)

- Georgia Geologic Survey (404-656-3214)

- Field observation and subsequent wetlands delineation/survey if applicable

N/A

b. Floodplain

- Federal Emergency Management Agency (<http://www.fema.org>)

- Field observation and verification

N/A

c. Streams/stream buffers

- Field observation and verification

N/A

d. Slopes exceeding 25 percent over a 10-foot rise in elevation

- United States Geologic Survey Topographic Quadrangle Map

- Field observation and verification

N/A

e. Vegetation

- United States Department of Agriculture, Nature Resource Conservation Service

- Field observation

All existing trees shown. Please see conceptual plan

f. Wildlife Species (including fish)

- United States Fish and Wildlife Service

- Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
- Field observation

No known endangered species present.

g. Archeological/Historical Sites

- Historic Resources Survey
- Georgia Department of Natural Resources, Historic Preservation Division
- Field observation and verification

No known archeological or historical site present.

3. Project Implementation Measures Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.

a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.

N/A

b. Protection of water quality

Stormwater facility will be designed and constructed to provide water quality treatment for the site according to GSWM 2016 Edition.

c. Minimization of negative impacts on existing infrastructure

The site will utilize existing curb cut onto Panola Road therefore minimizing impact to existing transportation infrastructure.

d. Minimization on archeological/historically significant areas

N/A

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

The proposed development will result in a fairly minimal impact on exiting infrastructures.

g. Creation and preservation of green space and open space

The project will create a corridor of green space to the north and will tie into existing pedestrian facilities of the proposed neighbor's development.

h. Protection of citizens from the negative impacts of noise and lighting

There are provision for large landscape strips, sidewalk and zoning buffers which will minimize negative impact and further enhance the safety of surrounding citizens.

i. Protection of parks and recreational green space

The project will increase the preservation of green space.

j. Minimization of impacts to wildlife habitats

The project will retain trees and wildlife habitats

REZONE REQUEST: CURRENTLY ZONED R-100
REQUESTING C-1 ZONING TO ALLOW FOR THE
PANOLA CENTER DEVELOPMENT WHICH INCLUDED
4,800SF OF RESTAURANT AND 18,000SF OF RETAIL.

TOTAL SITE AREA = 2.691 ± ACRES

PROPOSED USE = PANOLA CENTER.

NOTES:

- BOUNDARY SURVEY INFORMATION TAKEN FROM A SURVEY BY CHRISTOPHER E. MOORE & ASSOCIATES, INC.
- THERE ARE N/A WETLAND ON THE SITE.
- THERE ARE NO STATE WATER ON SITE.
- A PORTION OF THIS PROPERTY IS IN A DESIGNATED FLOOD HAZARD AREA PER F.I.R.M. PANEL I30B9C0156J DATED MAY, 16, 2013.

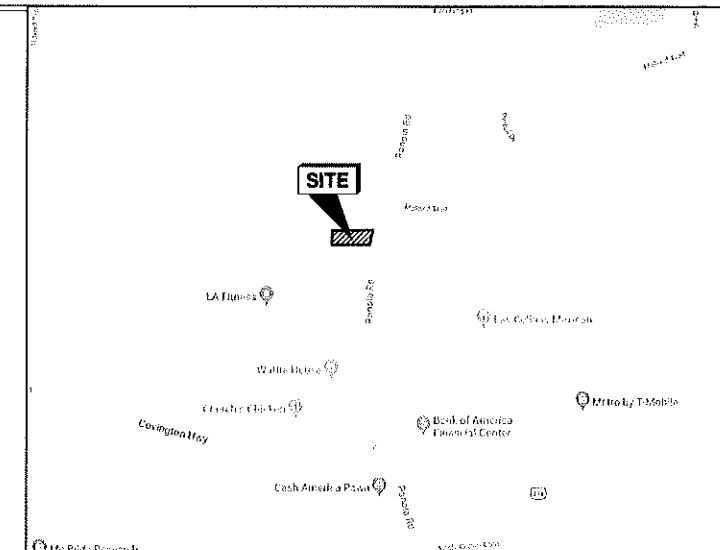
SITE ANALYSIS

TOTAL BUILDING	22,800 S.F.
1 STORY	
RESTAURANT	4,800 S.F.
RETAIL	18,000 S.F.
TOTAL AREA	2.691 AC.

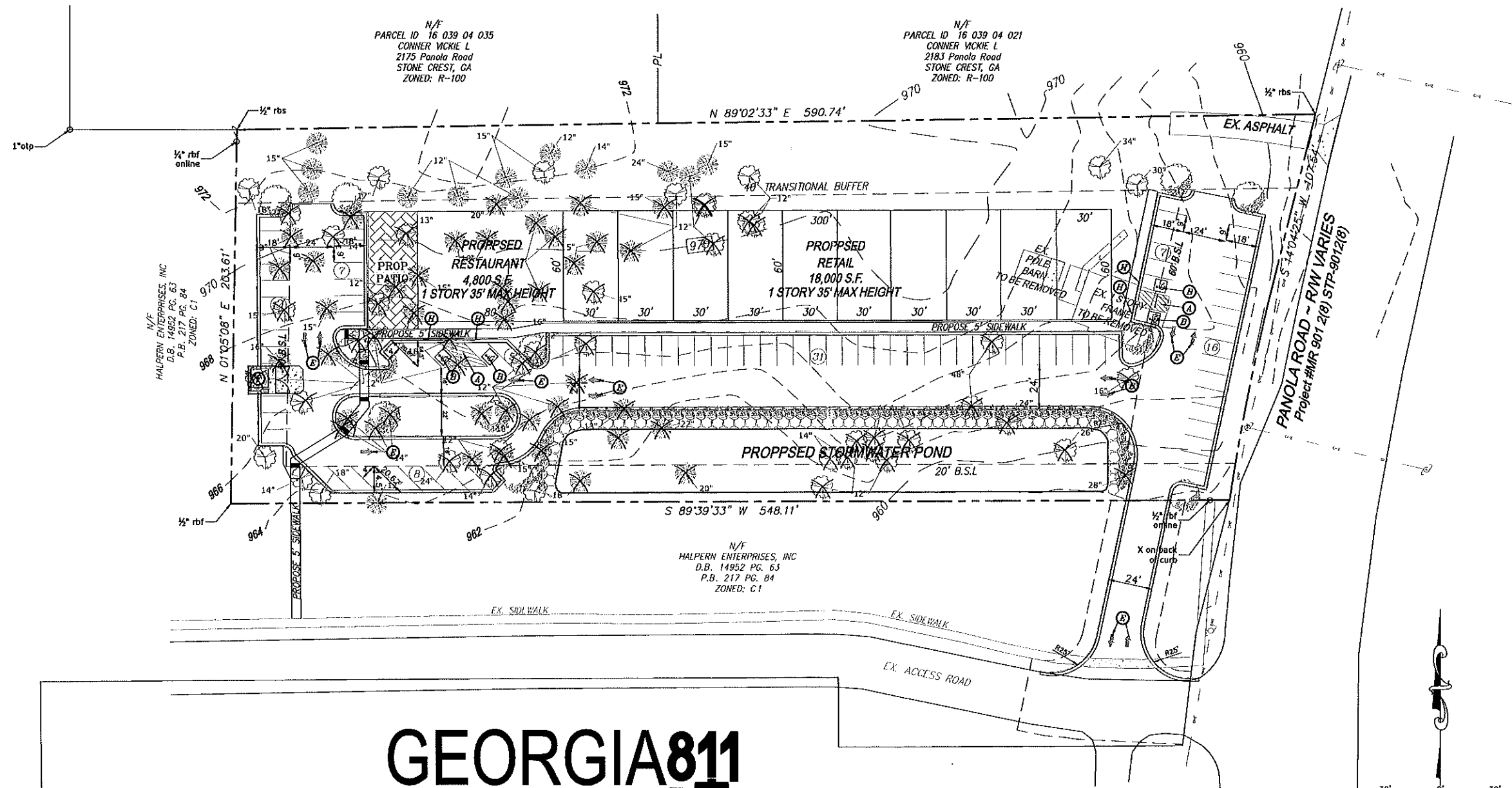
REQUIRED		
1 SP. / 500 S.F. RESTAURANT	10 SPACES	
3.0 SP. / 1,000 S.F. RETAIL	54 SPACES	
TOTAL REQUIRED	64 SPACES	
TOTAL PROVIDED	88 SPACES	
H.C. SPACES REQ.	3 SPACES	
H.C. SPACES PROVIDED	4 SPACES	

SITE PLAN KEYED NOTES

- (A) AREA STRIPED WITH SWSL/4"ACMP @ 45° AT 2'-0" O.C.
- (B) ACCESSIBLE PARKING SPACE TYPICAL. SEE DETAIL SHEET.
- (C) ACCESSIBLE RAMP. SEE DETAIL SHEET CA.2.
- (D) 24" CONCRETE CURB AND GUTTER (TYPE A) TYPICAL. SEE DETAIL SHEET.
- (D1) 24" CONCRETE CURB AND GUTTER (TYPE B) TYPICAL. SEE DETAIL SHEET.
- (E) PAINTED DIRECTIONAL ARROW (TYPICAL). SEE DETAIL SHEET.
- (F) CONCRETE DUMPSTER PAD.
- (G) 5' CONCRETE SIDEWALK.
- (H) HANDICAP SIGN. SEE DETAIL SHEET.



NOT FOR FINAL RECORDING.

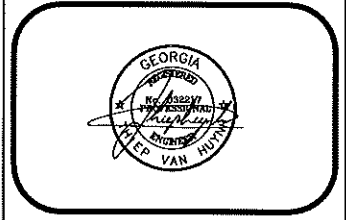


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CONCEPTUAL PLAN

PROPOSED PANOLA CENTER

PARCEL: 16 039 04 020
LAND LOT: 39
DISTRICT 80TH
2193 PONOLA ROAD
CITY OF STONECREST, GA

DATE: 5/10/2019
SCALE: 1"=30'

OWNER / DEVELOPER

JOSE AYALA
2193 PANOLA ROAD
STONECREST, GA 30058

24 HOUR - EMERGENCY CONTACT
JOSE AYALA
404-538-1038
Joseayala6219@att.net

REVISIONS

NO.	DATE	DESCRIPTION

JOB No. # 19-084
RZ-1