

GWINNETT COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT

Applicant: Park Place Development, LLC c/o
Mahaffey Pickens Tucker, LLP
1550 North Brown Road, Suite 125
Lawrenceville, GA 30043

Owners: James Appling & Shirley Appling
3110 Financial Center Way
Buford, GA 30519

Contact: Shane Lanham

Contact Phone: 770.232.0000

Zoning History

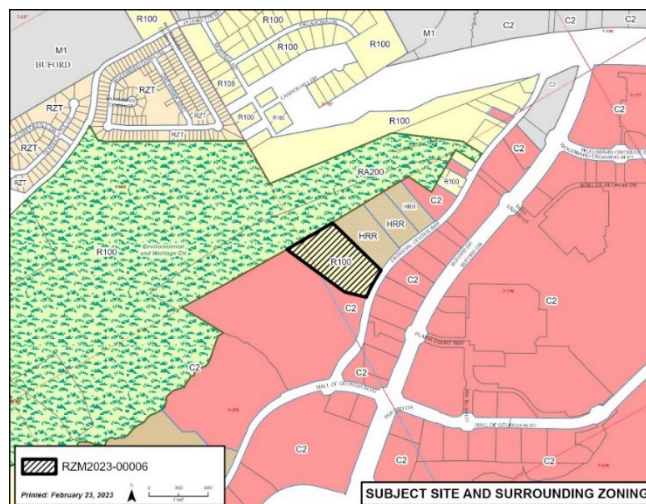
The subject site is zoned R-100 (Single-Family Residence District). There are no previous zoning cases for the subject site. The property is in the Mall of Georgia Overlay District.

Existing Site Condition

The subject site is a 9.55-acre parcel located on Financial Center Way, north of its intersection with Mall of Georgia Boulevard. The site is heavily wooded and is developed with a one-story single-family residence constructed in 1970 and three accessory structures. The site is encumbered with three streams and their associated buffers located on the northern and western portions of the site. The topography varies throughout the site but generally slopes down from the southeastern corner of the property near Financial Center Way to the northwestern corner. The site is accessed via two driveways on Financial Center Way. There are no sidewalks on Financial Center Way. Overhead powerlines are located along the road frontage. The nearest Gwinnett County Transit stop is approximately 2.7 miles from the subject site.

Surrounding Use and Zoning

The subject site is surrounded by residential, institutional, and commercial uses. Market Place at Mill Creek, a large multi-tenant shopping center containing retail, restaurant, and service establishments is located immediately to the south of the subject site. To the east, across Financial Center Way are commercial uses fronting Buford Drive. These commercial uses include restaurants, retail, and hotel developments. The F. Wayne Hill Water Resources Center borders the subject property to the west. A single-family home is located on the property to the north of the subject site which was rezoned in 2022 (RZM2022-00008) from R-100 to HRR to allow for apartments. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	High-Rise Residential	HRR	29.94 units per acre
North	Apartments (Approved)	HRR	29.17 units per acre (RZM2022-00008)
East	Commercial	C-2	N/A
South	Commercial	C-2	N/A
West	Institutional	RA-200 and R-100	N/A

Project Summary

The applicant requests the rezoning of a 9.55-acre site from R-100 to HRR for apartments, including:

- Two, five-story buildings containing a total of 268 apartments, including;
 - 168 one-bedroom units with heated floor areas of 822 and 840 square feet.
 - 100 two-bedroom units with heated floor areas of 1,084 square feet.
 - 18 three-bedroom units with heated floor areas of 1,491 square feet.
- One full access driveway from Financial Center Way.
- Improvements to Financial Center Way with a five-foot-wide sidewalk extending the length of the project road frontage, a left-turn lane, and a deceleration lane.
- Two interparcel access driveways to adjacent properties to the north.
- Amenities including a fitness center, pocket greens, dog walking areas, and a courtyard with a pool, patio, and grilling stations.
- 10 electric vehicle charging stations located behind Building 200.
- 464 parking spaces provided on a slip, or platform parking deck and surface parking spaces at a ratio of 1.62 spaces per dwelling unit. Much of the parking near the front of the site is oddly configured.
- Two stormwater management facilities located toward the western and southwestern side of the development.
- A total of 2.5 acres of common area, representing 26.17 percent of the site.
- Exterior building materials of brick, stone, fiber cement siding, and other accent materials as per Architectural Design Standards for Category 3 of the UDO, instead of Category 4 which is required by the UDO.

Zoning and Development Standards

The applicant is requesting a rezoning to HRR, High-Rise Residence District. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Building Height	Minimum 5 stories	5 stories	YES
Lot Width	Minimum 75'	> 75'	YES
Front Yard Setback	Minimum 15'	>15'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Rear Yard Setback	Minimum 25'	>25'	YES
Minimum Heated Floor Area	1-Bedroom: 750 sq. ft. 2-Bedroom: 1,000 sq. ft. 3- Bedroom: 1,200 sq. ft.	1-Bedroom: 822 and 840 sq. ft. 2-Bedroom: 1,084 sq. ft. 3-Bedroom: 1,491 sq. ft.	YES

Off-Street Parking	Minimum: 429 spaces Maximum: 858 spaces	464 spaces	YES
Landscape Strip	Minimum 10'	10'	YES
Open Space	Minimum 20% (1.91 acres)	26.17% (2.5 acres)	YES
Density	Determined by BOC	29.94 units per acre	YES
Zoning Buffer	85 feet (Adjacent to RA-200)	0'	NO*
Architectural Design Standards	Category 4	Category 3	NO**

* The applicant is requesting a buffer reduction waiver to reduce the required 85-foot-wide undisturbed buffer to a 25-foot-wide landscape buffer.

**Per Appendix Section 3.0.0, Alternate building designs, architectural materials or color selections that vary from the architectural design standards of Category 2, 3, or 4, shall be reviewed and approved by the Planning Commission.

In addition, the proposed site plan does not comply with the following standards within the Mall of Georgia Overlay District:

Standard	Meets Standard?
Primary building facades and entrances of developments exceeding 7,500 square feet shall be located no further than 70 feet from the public rights-of-way, shall be oriented toward the street, and shall provide a sidewalk connecting the front entrance to a continuous sidewalk placed parallel to the street.	NO*
Interparcel vehicle access points between all contiguous commercial, office, industrial or attached residential tracts.	NO*

*The applicant is requesting variances from these requirements.

Alternative Architectural Review Request

In addition to the rezoning request, the applicant is seeking an alternative architectural review from the following provision of Appendix Section 1.0 of the UDO:

1. *Section 7.0.0 - Architectural Design Standards for Category 4.*

The applicant requests a variation from Appendix Section 1.0 of the UDO to construct buildings according to Architectural Design Standards Category 3.

Variance Requests

In addition to the rezoning request, the applicant is seeking variances from the following provision of Title II of the UDO:

1. *Section 220-30.3. E. Parking and Accessory Structures.*

For developments exceeding 7,500 square feet, primary building facades and entrances shall be located no more than 70 feet from the public rights-of-way and shall be oriented toward the street and shall provide a sidewalk connecting the front entrance to a continuous sidewalk placed parallel to the street.

2. Section 240-70.1. Interior Driveways.

Inter-parcel driveway connection or provision of a future inter-parcel driveway stub shall be required between adjacent non-residential properties.

The variance requests are for the design requirements for the Mall of Georgia Overlay District. The Mall of Georgia Overlay District requires buildings larger than 7,500 square feet to have entrances closer than 70 feet from the right-of-way, and a direct sidewalk connection to the sidewalk in the public right-of-way. As proposed, building 100 is approximately 88.28 feet from the right-of-way of Financial Center Way and building 200 is approximately 201.52 feet from the right-of-way. The applicant is also requesting a variance to eliminate the inter-parcel access requirement to the adjacent commercial properties to the south.

Waiver Request

In addition to the rezoning request, the applicant is seeking a waiver from the following provision of Title III of the UDO:

1. Section 610-20.5. Minimum Buffer Requirements:

- A. Required buffers shall be provided in conformity [with] Table 610.0 "Table of Minimum Buffer Requirements".

An 85-foot-wide undisturbed zoning buffer adjacent to RA-200.

An 85-foot undisturbed zoning buffer is required adjacent to all property zoned RA-200 and R-100. The applicant is requesting to reduce the buffer from 85 feet to 25 feet along the property zoned RA-200 to the northwest.

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to transportation, stormwater, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Rezoning Request Analysis: According to the UDO, if a proposed amendment is for the rezoning of property and involves a change in zoning classification, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.5. After this evaluation, staff makes the following findings based on the standards from the UDO:

- A. Whether a proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The site is surrounded by commercial properties to the east and south, the F. Wayne Hill Water Resources Center to the west, and a proposed high-rise residential development approved in

2022 (RZM2022-00008) to the north. Further north is a parcel with a recently approved change in conditions of zoning (CIC2021-00032) that allowed for a proposed hotel. The requested HRR zoning is compatible with the commercial uses as well as the approved multi-family zoning adjacent to the subject site. With conditions of approval, the rezoning request would be suitable in view of the use and development of adjacent and nearby properties.

B. Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby properties. The high-rise apartments would be compatible with the recently approved high-rise apartments on the adjacent property and with the adjacent commercial uses. Additional residents in close proximity to existing businesses would support existing businesses in the area. Furthermore, the surrounding zoning pattern supports the rezoning of the property. Changes to the site plan to improve the building relationship to the street would eliminate potential adverse impacts from the current design.

C. Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.

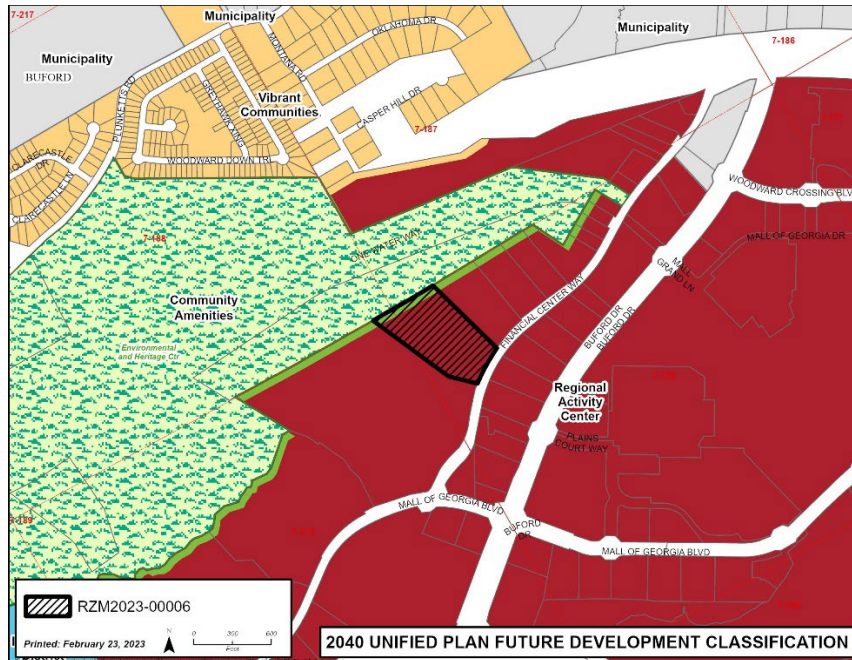
The property has reasonable economic use as currently zoned.

D. Whether the proposed rezoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

This rezoning request would create impacts on public facilities in the form of traffic, utility demand, and stormwater runoff; however, appropriate conditions, site development requirements, and planning would mitigate these impacts. The rezoning would impact school enrollment. Agency review comments related to any potential improvements concerning this rezoning request are attached (Exhibit F).

E. Whether the proposed rezoning is in conformity with the policy and intent of the Unified Plan and Future Development Map.

The 2040 Unified Plan and Future Development Map indicate the subject property is within the Regional Activity Center Character Area. The intent of this character area is to provide a major activity center for Gwinnett County and the broader region with intense commercial, retail, and office uses, as well as residential development that includes mid to high-rise buildings within walking distance of retail and offices. The proposed high-rise apartment buildings would be across from several retail and restaurant establishments along Buford Drive. The proposed apartments would also be adjacent to the Marketplace at Mill Creek shopping center which contains several retail and restaurant establishments. This rezoning request aligns with the policy and intent of the Unified Plan and Future Development Map.



F. 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.

Theme 4 of “Our Vision” of the 2040 Unified Plan is to “Provide More Housing Choices”. The proposed high-rise multifamily development would provide more diversity in housing options for Gwinnett County’s growing population, provide greater density in areas promoted by the Unified Plan, including within the Regional Activity Center Character Area.

Furthermore, additional HRR developments have been approved in the Mall of Georgia Overlay District. In 2019, rezoning case RZM2019-00013 approved high-rise apartments on Woodward Crossing Parkway and in 2022, rezoning case RZM2022-00008 approved high-rise apartments on the adjacent property. The proposed apartments would be consistent with other high-density multifamily residential developments nearby along Woodward Crossing Parkway and Mall of Georgia Boulevard, such as Ariston, Dakota Mill Creek, and The Reserve at Ivy Creek.

Alternative Architectural Review: Alternate building designs, architectural materials or color selections that vary from the architectural design standards of Category 2, 3, or 4, shall be reviewed and approved by the Planning Commission. Creative, innovative, and unique designs are encouraged, but care must be taken to maintain compatibility to surrounding buildings and community features. Staff makes the following findings related to the request:

The alternate building design request for a relief from the standards of the required design category 4 for high rise residential developments to be more aligned with design category 3 in terms of materials, is reasonable given the recent approved elevation for the high-rise residential development on the adjacent lot. The proposed building design would be more compatible with the architectural requirements approved for the adjacent property.

Variance Request Analysis: The standards for granting variances are outlined in Section 270-100.7 of the UDO. Staff makes the following findings:

The variance request is due to the façades of the buildings being located farther than 70 feet from the right-of-way. The building and site design plays a vital role in activating the street. Building setbacks from the street, landscaping, along with building design elements, all contribute to the pedestrian experience. Therefore, placing the buildings far from the street and not orienting the buildings to the streets will discourage pedestrian activities. Moreover, as proposed, the building façades will not align with the facades of recently approved high rise residential development on the adjacent parcel to the north, disrupting the continuation of pedestrian friendly streetscape design along Financial Center Way.

Additionally, severe topography creates challenges to provide a safe vehicular connection with the adjacent parcel to the south. Therefore, the variance to eliminate interparcel access to the south is reasonable.

Waiver Request Analysis: When considering waivers from Title III of the UDO, staff is required to review whether an undue hardship may result from strict compliance with the regulations and that approval would not adversely affect the general public welfare or nullify the intent of the Development Regulations. In addition, there must be a determination that there are unusual topographical or other exceptional conditions. Staff makes the following findings related to the waiver request:

The requested buffer reduction is located along the northwest property line. The applicant proposes a 25-foot landscaped buffer to the northwest. The property to the northwest is primarily wooded and owned by Gwinnett County, and therefore will not be developed with single-family homes. The requested buffer reduction would only be applied to a limited segment of the rear property line. The required stream buffers for two streams would remain undisturbed. Therefore, the requested buffer reduction would not adversely affect the general public welfare or nullify the intent of the Development Regulations.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the rezoning request.

Staff recommends **APPROVAL** of the following Alternative Architectural Review:

1. To allow the design of the buildings according to Architectural Design Standards Category 3 in lieu of Architectural Design Standards Category 4.

In addition, staff recommends **DENIAL** of the following variance:

1. To allow an entrance of a building larger than 7,500 square feet to be located further than 70 feet from the right-of-way, not to be oriented toward the street, nor providing a sidewalk connecting the front entrance to a continuous sidewalk placed parallel to the street.

In addition, staff recommends **APPROVAL** of the following variance:

2. To eliminate the inter-parcel access requirement to the adjacent commercial properties to the south.

In addition, staff recommends **APPROVAL** of the following waiver:

1. To reduce the required buffer along the RA-200 and R-100 property line, at the northwest and southwest corner of the site, from 85 feet to 0 feet.

Staff Recommended Conditions

Approval as HRR (High-Rise Residence District) for apartments, subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit C: Building Elevations dated received February 7, 2023, with revisions required by conditions and the Unified Development Ordinance, subject to the review and approval of the Department of Planning and Development.
2. The final site plan shall be subject to the review and approval of the Director of Planning and Development.
3. The property shall be limited to multifamily residential and accessory uses not to exceed 286 units.
4. The complex shall be limited to a maximum of 10 percent of units as three bedrooms or larger.
5. Apartment building and parking deck structures shall meet the Architectural Design Standards of Category 3 of the Unified Development Ordinance, subject to review and approval of the Department of Planning and Development.
6. Sidewalk connections to pedestrian entrances shall be located along the frontage of Financial Center Way, connecting external sidewalks to internal sidewalks and building entrances.
7. Amenity areas shall consist of, at minimum, a swimming pool, clubhouse, fitness center, and pocket parks, and soft surface trails. The design and location of all amenity areas shall be subject to the review and approval of the Department of Planning and Development.
8. Natural vegetation shall remain on the property until the issuance of a development permit.
9. All grassed areas shall be sodded.
10. No temporary tents, temporary canopies, temporary banners, temporary streamers, or temporary roping decorated with flags, tinsel, or other similar materials shall be displayed, hung, or strung on the site, except within 60 days of the grand opening and during special events which shall cover no more than twice per calendar year and last no longer than seven day each.
11. Per the zoning site plan received by the Department of Planning and Development on February 7, 2023, the developer shall construct a left-turn lane on Financial Center Way into the development.
12. A traffic impact study shall be provided and shall include analysis and impact to the signalized intersection of Mall of Georgia Boulevard and Financial Center Way.
13. The developer shall implement any upgrades recommended per the traffic impact study to the signalized intersection of Mall of Georgia Boulevard and Financial Center Way, subject to the review and approval of the Gwinnett County Department of Transportation.

14. All unit access shall be from interior corridors with mechanical ventilation. Breezeway and natural ventilation openings in the exterior facades shall be prohibited.
15. No more than twenty percent (20%) of the off-street parking spaces shall be provided between the building and the street.
16. The development shall meet all requirements of the Mall of Georgia Overlay District.

Planning Commission Recommendation

Based on the staff's evaluation of the request, the information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **DENIAL** of the rezoning request.

In addition, the Planning Commission recommends **DENIAL** of the following Alternative Architectural Review:

1. To allow the design of the buildings according to Architectural Design Standards Category 3 in lieu of Architectural Design Standards Category 4.

In addition, the Planning Commission recommends **DENIAL** of the following variance requests:

1. To allow an entrance of a building larger than 7,500 square feet to be located further than 70 feet from the right-of-way, not to be oriented toward the street, nor providing a sidewalk connecting the front entrance to a continuous sidewalk placed parallel to the street.
2. To eliminate the inter-parcel access requirement to the adjacent commercial properties to the south.

In addition, the Planning Commission recommends **DENIAL** of the following waiver request:

1. To reduce the required buffer along the RA-200 and R-100 property line, at the northwest and southwest corner of the site, from 85 feet to 0 feet.

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Building Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. Internal and External Agency Review Comments
- G. Traffic Impact Study
- H. Maps

Exhibit A: Site Visit Photos



Southern parcel developed with single-family home



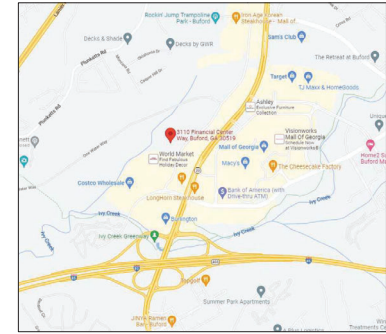
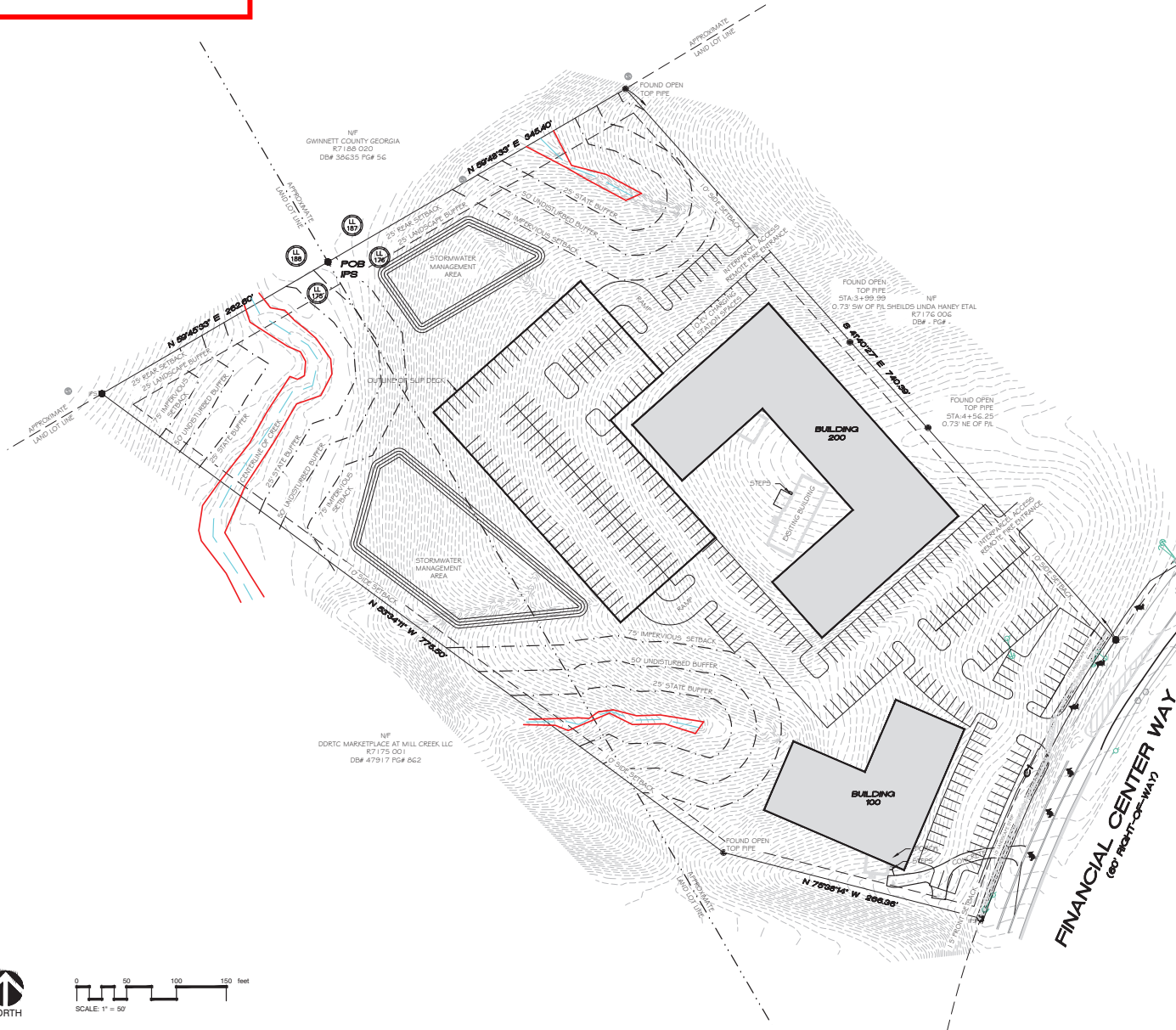
Northern undeveloped parcels

Exhibit B: Site Plan

[attached]

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LOCATION MAP - NT8

SITE AREA (acres)	9.551
CURRENT ZONING	R-100
PROPOSED ZONING	HRR
BUILDING 100	
5 STORY	86 UNITS
FLOORS	5
BUILDING 200	
5 STORY	200 UNITS
FLOORS	5
TOTAL UNITS	286
AVERAGE HEATED AREA	APPROX. 960
PROPOSED DENSITY	
GROSS	29.94
NET	29.94
PARKING	
SURFACE PARKING	178
DECK PARKING	286
TOTAL	464
PARKING RATIO	1.62
EV CHARGING SPACES	10
OPEN SPACE	
OPEN SPACE PROVIDED	2.5
PERCENT OF SITE	26%

HEATED FLOOR AREA PER UNIT TYPE

UNIT TYPE	A1	A2	B1	B2	B3	C1
BED/UNIT	1	1	2	2	2	3
BATH/UNIT	1	1	2	2	2	3
LEVEL	ORF/UNIT	552	840	1,084	1,084	1,084
5		31	3	3	13	5
4		31	3	3	13	5
3		31	3	3	13	5
2		31	3	3	12	4
1		31	3	3	12	4
TOTAL UNIT TYPE	183	15	14	63	32	18
TOTAL BED/TYPE	183	15	28	128	48	94
TOTAL BATH/TYPE	183	15	28	128	48	94
TOTAL SF/TYPE	108,198	12,900	15,176	68,362	34,832	20,038
% OF TOTAL UNITS	63.94%	5.34%	4.89%	22.03%	8.94%	8.94%

464 PARKING SPACES
327,200 TOTAL GSF
286 UNITS
422 BEDS
1.62 RESIDENTIAL PARKING RATIO (PER UNIT)
63.94% RESIDENTIAL EFFICIENCY



PREPARED FOR

FINANCIAL CENTER WAY
3110 FINANCIAL CENTER WAY
BUDFORD, GA 30519
IP# 7175 0058
GWINNETT COUNTY, GEORGIA

RIDGELINE
LAND PLANNING, INC.
1100 BELLVIEW DRIVE, SUITE 100
BUDFORD, GA 30519
TEL: 678-916-1848
WWW.RIDGELINELANDPLANNING.COM

CONCEPT
PLAN
SHEET TITLE

DATE	NO.	REVISION	1/4/2023	1	ADDED NOTES
DATE	NO.	REVISION	2/8/2023	2	ADDED COMMENTS
12/2/2022					

DESIGNED BY: HRP	SCALE
DRAWN BY: HRP	1
CHECKED BY: HRP	SHEET
DATE:	JOB NO.

Exhibit C: Building Elevations

[attached]

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BUILDING 100 PRELIMINARY ELEVATIONS

A-01

SCALE: 1/16" = 1'-0"



BUILDING 100 - EAST ELEVATION

SCALE: 1/16" = 1'-0"



BUILDING 100 - WEST ELEVATION

SCALE: 1/16" = 1'-0"



BUILDING 100 - SOUTH ELEVATION

SCALE: 1/16" = 1'-0"



BUILDING 100 - NORTH ELEVATION

SCALE: 1/16" = 1'-0"

*PRELIMINARY NOT FOR CONSTRUCTION, PERMIT, OR REGULATORY APPROVAL. *RENDERING IS REPRESENTATIVE OF DESIGN INTENT ONLY. IT IS NOT A PHOTOREALISTIC REPRESENTATION OF ACTUAL MATERIALS PROPOSED AND SHOULD BE CONSIDERED PRELIMINARY AT ALL STAGES.
*ALL BUILDING AREAS ARE APPROXIMATE UNTIL BUILDING FOOTPRINT / ENTRY DESIGNS ARE FINALIZED.

3110 FINANCIAL CENTER WAY
A PROJECT FOR
MICHAEL MARR

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02/07/23

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BUILDING 200 PRELIMINARY ELEVATIONS

A-02

SCALE: 1/16" = 1'-0"



BUILDING 200 - EAST ELEVATION

SCALE: 1/16" = 1'-0"



BUILDING 200 - NORTH ELEVATION

SCALE: 1/16" = 1'-0"

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MICHAEL MARR

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2.7.2023
BUILDING 200 PRELIMINARY ELEVATIONS

A-03

SCALE: 1/16" = 1'-0"



BUILDING 200 - WEST ELEVATION

SCALE: 1/16" = 1'-0"



BUILDING 200 - SOUTH ELEVATION

SCALE: 1/16" = 1'-0"

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3110 FINANCIAL CENTER WAY
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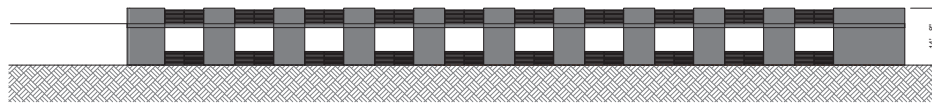
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PARKING DECK PRELIMINARY ELEVATIONS

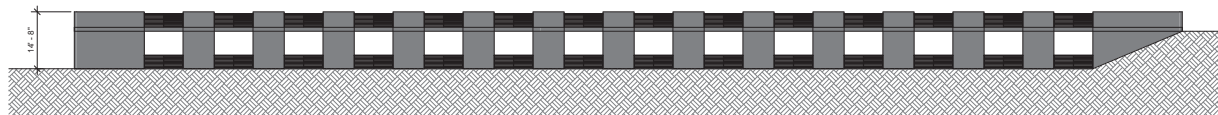
A-04

SCALE: 1/16" = 1'-0"



PARKING DECK - WEST ELEVATION

SCALE: 1/16" = 1'-0"



PARKING DECK - SOUTH ELEVATION

SCALE: 1/16" = 1'-0"

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1/9/2023



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1/9/2023



Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

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3.15.2023

Matthew P. Benson
Catherine W. Davidson
Gerald Davidson, Jr.*
Rebecca B. Gober
Brian T. Easley
Christopher D. Holbrook
Jessica P. Kelly



Shane M. Lanham
Jeffrey R. Mahaffey
Steven A. Pickens
Gabrielle H. Schaller
Andrew D. Stancil
R. Lee Tucker, Jr.

*Of Counsel

LETTER OF INTENT FOR REZONING APPLICATION

Mahaffey Pickens Tucker, LLP submits this Letter of Intent and attached rezoning application (the “Application”) on behalf of Park Place Development, LLC (the “Applicant”) for the purpose of requesting the rezoning of an approximately 9.55-acre tract of land located on the westerly side of Financial Center Way between Mall of Georgia Boulevard and One Water Way (the “Property”). The Property is currently zoned R-100 and is located in the Regional Activity Center Character Area.

The surrounding area is developed with an intense mix of commercial, residential, and employment uses including the Mall of Georgia, the Exchange Mixed-Use Development, and the upcoming medical office uses located just to the south across Interstate 85 at the intersection of Buford Drive and Rock Springs Road. The Property is also located in close proximity to several entertainment and recreational uses including the Gwinnett Environmental and Heritage Center, the Exchange Mixed-Use Development, the Mill Creek Nature Center, and the Ivy Creek Greenway. To the south, the Property is located adjacent to the Marketplace at Millcreek Shopping Center which includes multiple retail stores, restaurants, and a Costco. Additionally, the Property is adjacent to land which was recently rezoned HRR for a multifamily residential community.

The Applicant is proposing to rezone the Property to the HRR zoning classification of the Gwinnett County Unified Development Ordinance (the “UDO”) in order to accommodate the development and construction of an attractive, multifamily residential community with approximately 286 units. The proposed development would include attractive building materials and architectural design meant to complement adjacent commercial and multifamily residential uses. The proposed development would also include multiple on-site amenities for the use and

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enjoyment of residents including a fitness center, pocket greens, dog walking areas, and an amenity courtyard with a pool, patio, and grilling stations. The proposed development would have convenient vehicular and pedestrian access to adjacent and nearby shopping, employment, entertainment, and recreational uses. Specifically, residents of the proposed community would be able to walk to the adjacent commercial development at the intersection of Financial Center Way and Mall of Georgia Boulevard. Residents would also enjoy convenient pedestrian access to the Ivy Creek Greenway, which has multiple access points along Mall of Georgia Boulevard.

The proposed community is also compatible with the land use policies set forth in the 2040 Unified Plan (the “2040 Plan”) which designates the Property as within the Regional Activity Center Character Area. For this character area, the 2040 Plan envisions “a combination of retail, office, high-density residential uses, and transit-oriented development” and encourages a “pedestrian and bicycle-friendly, walkable, live/work/play environment.” The proposed multifamily development would contribute to the surrounding mixed-use environment by adding residential critical mass to support commercial and employment uses as well as enhancing the walkability of Financial Center Way by extending the sidewalk network and providing a missing connection between the adjacent commercial and multifamily developments.

Additionally, the Applicant is requesting a buffer reduction to provide a 25-foot wide landscaped buffer along the rear property line adjacent to land zoned R-100 and RA-200, which is owned by Gwinnett County and is associated with the Gwinnett Environmental and Heritage Center campus. The requested buffer reduction would only be applied to a limited segment of the rear property line as required stream buffers related to two streams would remain undisturbed. That is, the Applicant is not proposing to reduce the required stream buffers or impervious surface setbacks associated with streams at the rear of the Property. The Applicant also requests a variance from Section 220-30(E)(4) in order to locate building facades more than 70 feet from the right-of-way of Financial Center Way. The façade of Building 100 is located between approximately 70 feet and 78 feet from the right-of-way. Financial Center Way curves to the northeast along the Property’s frontage and causes portions of Building 100’s façade to exceed the maximum 70-foot setback. Additionally, all of Building 200 is located more than 70 feet from the right-of-way. The subject property has relatively narrow road frontage on Financial Center Way which forces the “stacked” building layout depicted on the site plan. Moreover, Building 200 is located on the high point of the Property which minimizes land disturbance on the Property during the development

March 15, 2023

Page 2

WINNETT COUNTY
PLANNING AND DEVELOPMENT

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phase. The Applicant is also requesting relief from the requirements of the UDO in order to construct buildings according to Architectural Design Standards Category 3. Given the Property's odd shape and the severe topography of the site, most of the facades of the proposed buildings will not be visible from external right-of-way or adjacent tracts of land. Accordingly, the Applicant is requesting relief from the UDO's requirements for architectural design standards. The proposed building design would be compatible with the architectural requirements approved for the adjacent property (zoned HRR) and would include an attractive mix of brick, stone, fiber cement siding, and other high-quality materials. Building elevations and conceptual renderings are also submitted with the Application. The Applicant is also requesting relief from UDO Section 220-30.3(A)(1) in order to not provide an interparcel vehicle access point to the adjacent commercial development to the south. Severe topography exists in this area of the Property which frustrates such a vehicular connection. Additionally, providing such a connection would create traffic safety issues by inviting more intense commercial traffic into a residential development that is designed to encourage pedestrian activity.

The Applicant and its representatives welcome the opportunity to meet with staff of the Gwinnett County Department of Planning & Development to answer any questions or to address any concerns relating to the matters set forth in this letter or in the Application filed herewith. The Applicant respectfully requests your approval of this Application.

This 6th day of February, 2023

Respectfully Submitted,

MAHAFFEY PICKENS TUCKER, LLP

Shane Lanham

Shane M. Lanham
Attorneys for the Applicant

REZONING APPLICANT'S RESPONSE
STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

- (A) Yes, the proposed development will permit a use that is suitable in view of the use and development of adjacent and nearby property. The proposed development would support and complement adjacent and nearby employment uses by providing necessary residential critical mass. Land to the south is zoned for commercial uses and includes a large shopping center with multiple stores, restaurants, and a Costco. The adjacent property to the north is zoned HRR for a multifamily residential community similar to the proposed development.
- (B) No, the proposed development will not adversely affect the existing use or usability of any of the nearby properties. Rather, the proposed development would enhance surrounding land uses and diversify the land use mix in the area as called for by the 2040 Plan.
- (C) Due to the size, location, and layout of the property, the Applicant submits that the property does not have reasonable economic use as currently zoned.
- (D) No, the proposed development will not result in an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The subject property has direct access to Financial Center Way which connects Mall of Georgia Boulevard and Gravel Springs Road (State Route 324). The Property also enjoys convenient access to Buford Drive (State Route 20) and Interstate 85.
- (E) Yes, the proposed development is in conformity with the policy and intent of the Gwinnett County 2040 Comprehensive Plan. The 2040 Plan encourages high-intensity mixed-use development in the Regional Activity Center. The proposed multifamily residential community would complement the existing high-intensity, mixed-use character of the surrounding area by providing high-quality multifamily residences within walking distance of multiple commercial, employment, entertainment, and recreational uses.
- (F) The Applicant submits that the subject Property's location at the edge of the Regional Activity Center Character Area and the fact that the Property faces the rear of commercial uses located across Financial Center Way to the east provide additional supporting grounds for approval of the application.

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PLANNING AND DEVELOPMENT

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RZM2023-00006

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

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REZONING APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GA.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Park Place Development, LLC c/o Mahaffey Pickens Tucker, LLP</u>	NAME: <u>James & Shirley Appling</u>
ADDRESS: <u>1550 North Brown Road, Suite 125</u>	ADDRESS: <u>3110 Financial Center Way</u>
CITY: <u>Lawrenceville</u>	CITY: <u>Buford</u>
STATE: <u>Georgia</u> ZIP: <u>30043</u>	STATE: <u>Georgia</u> ZIP: <u>30519</u>
PHONE: <u>770 232 0000</u>	PHONE: <u>770 232 0000</u>
CONTACT PERSON: <u>Shane Lanham</u> PHONE: <u>770 232 0000</u>	
CONTACT'S E-MAIL: <u>slanham@mptlawfirm.com</u>	

APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT	<input type="checkbox"/> PROPERTY OWNER <input checked="" type="checkbox"/> CONTRACT PURCHASER
PRESENT ZONING DISTRICTS(S): <u>R-100</u> REQUESTED ZONING DISTRICT: <u>HRR</u>	
PARCEL NUMBER(S): <u>7175 005B</u> ACREAGE: <u>+/- 9.55</u>	
ADDRESS OF PROPERTY: <u>3110 Financial Center Way</u>	
PROPOSED DEVELOPMENT: <u>HRR Multifamily Residential Development</u>	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units <u>286</u>	No. of Buildings/Lots: <u>NA</u>
Dwelling Unit Size (Sq. Ft.): <u>Varies per UDO</u>	Total Building Sq. Ft. <u>NA</u>
Gross Density: <u>+/- 29.94 units per acre</u>	Density: <u>NA</u>
Net Density: <u>+/- 29.94 units per acre</u>	

PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED

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Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.



Signature of Applicant

1/4/23

Date

Shane Lanham, attorney for the Applicant

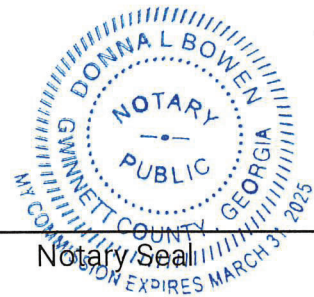
Type or Print Name and Title



Signature of Notary Public

1/4/23

Date



Notary Seal

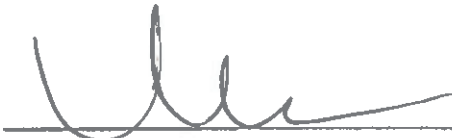
RECEIVED

1/9/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

REZONING APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.



Signature of Applicant

11/28/22

Date

Park Place Development, LLC

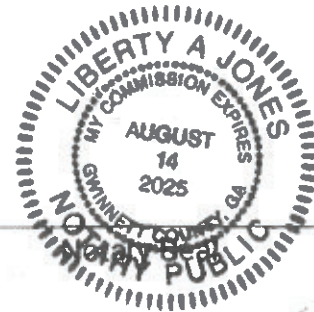
Type or Print Name and Title

Michael Mann
member



Signature of Notary Public

Date



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1/9/2023

Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

REZONING PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION BE ACTED UPON IN LESS THAN SIX (6) MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS.

Janet S. Burrell 11/25/22 / Paula Jamieson, Executor 11/25/22
Signature of Property Owner Date

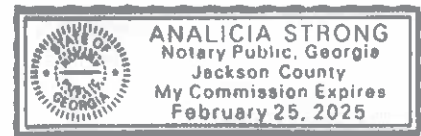
X Janet S. Burrell

X Paula Jamieson - Executor

Type or Print Name and Title

Analicia Strong
Signature of Notary Public

11/25/22
Date



Notary Seal

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1/9/2023

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Rezoning Application
Last Updated 5/2021

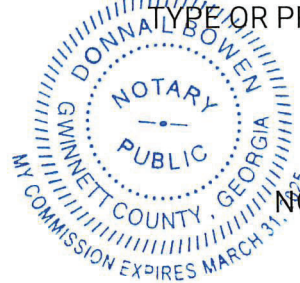
CONFLICT OF INTEREST CERTIFICATION FOR REZONING

The undersigned below, making application for a Rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

Donna L. Bower 1/4/23
SIGNATURE OF NOTARY PUBLIC DATE



NOTARY SEAL

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

☒ YES ☐ NO Please see attached

YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)
Please see attached		

Attach additional sheets if necessary to disclose or describe all contributions.

**CONFLICT OF INTEREST CERTIFICATION FOR REZONING/CHANGE IN
CONDITIONS AND SPECIAL USE PERMIT APPLICATIONS**

MAHAFFEY PICKENS TUCKER, LLP

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS	DATE
Kirkland Carden, Commissioner	\$2,800	11/18/2021
Ben Ku, Commissioner	\$1,500	10/03/2022

GWINNETT COUNTY
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Gwinnett County Planning Division
Rezoning Application
Last Updated 12/2015

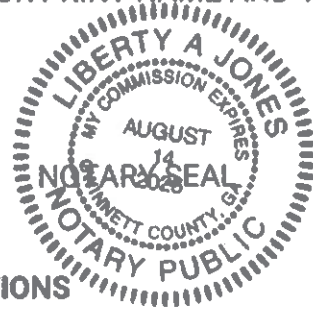
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[Signature] 11/28/22 Park Place Development, LLC
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE
Michael Marr
Member

SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

[Signature] 11/28/22
SIGNATURE OF NOTARY PUBLIC DATE



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners or a member of the Gwinnett County Planning Commission?

☐ YES ☒ NO Michael Marr
YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

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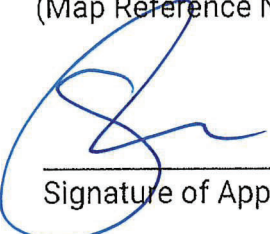
Gwinnett County Planning Division
Rezoning Application
Last Updated 5/2021

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR REZONING

THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED CERTIFIES THAT ALL GWINNETT COUNTY PROPERTY TAXES BILLED TO DATE FOR THE PARCEL LISTED BELOW HAVE BEEN PAID IN FULL TO THE TAX COMMISSIONER OF GWINNETT COUNTY, GEORGIA. IN NO CASE SHALL AN APPLICATION OR REAPPLICATION FOR REZONING BE PROCESSED WITHOUT SUCH PROPERTY VERIFICATION.

***Note: A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE REZONING REQUEST.**

PARCEL I.D. NUMBER: 7 - 175 - 005B
(Map Reference Number) District Land Lot Parcel



Signature of Applicant

1/4/23

Date

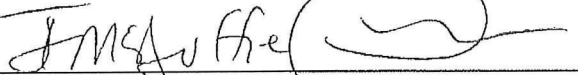
Shane Lanham, attorney for the Applicant

Type or Print Name and Title

*****PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE, FOR THEIR APPROVAL BELOW.*****

TAX COMMISSIONERS USE ONLY

(PAYMENT OF ALL PROPERTY TAXES BILLED TO DATE FOR THE ABOVE REFERENCED PARCEL HAVE BEEN VERIFIED AS PAID CURRENT AND CONFIRMED BY THE SIGNATURE BELOW)



NAME

TSA

TITLE

12/29/22

DATE

Exhibit F: Internal and External Agency Review Comments

[attached]



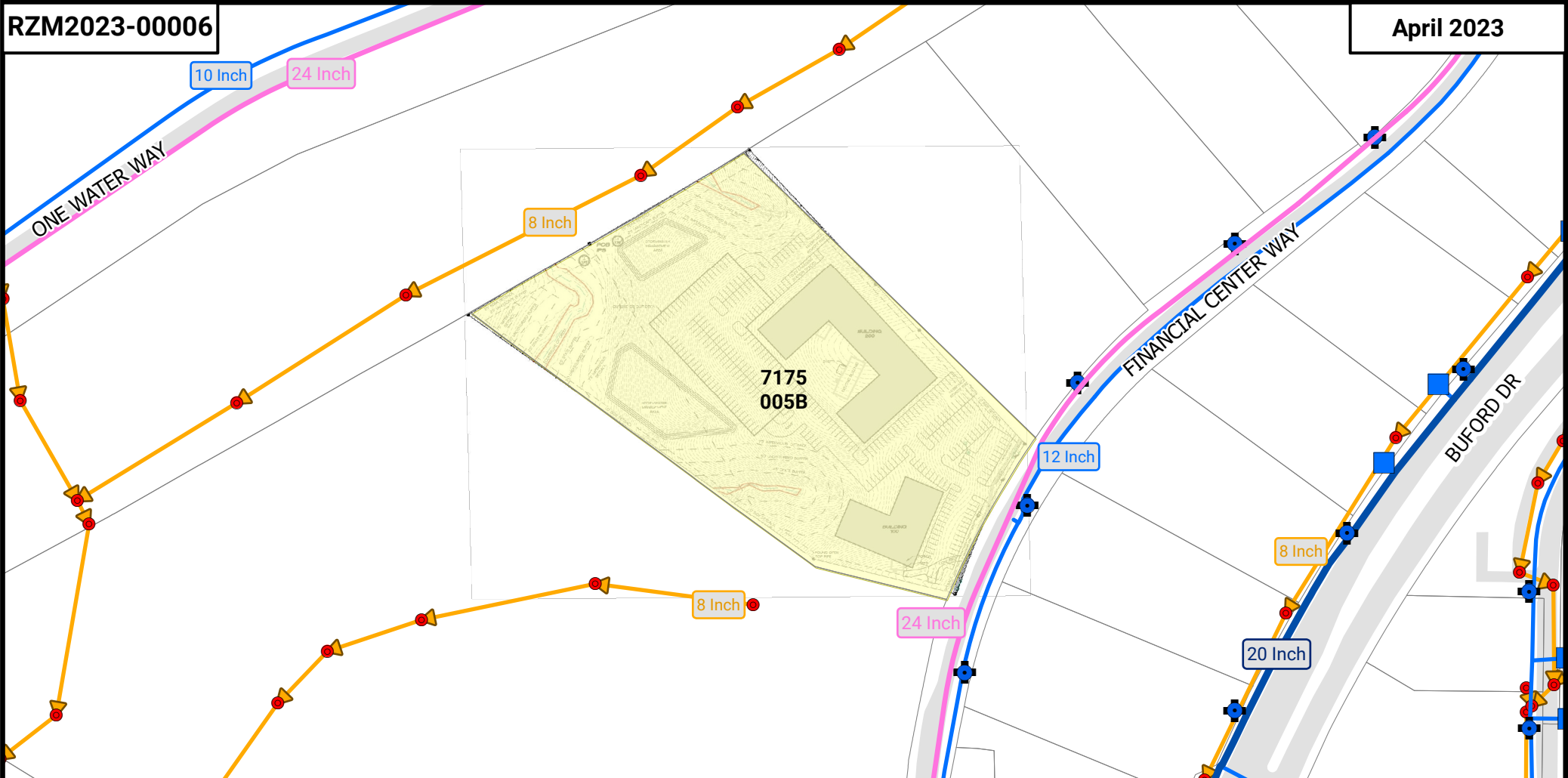
Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		03.08.2023			
Department/Agency Name:		Transportation			
Reviewer Name:		Brent Hodges			
Reviewer Title:		Construction Manager 1			
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com			
Case Number:		RZM2023-00006			
Case Address:		3110 Financial Center Way, Buford, 30519			
Comments:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
1	Financial Center Way is a local road. ADT is not available.				
2	2.7 miles to the nearest transit facility (#2334754) Buford/SR 20 Park and Ride.				
3					
4					
5					
6					
7					
Recommended Zoning Conditions:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
1	Per the zoning site plan received by the Department of Planning and Development on 2.7.2023, the developer shall construct a left-turn lane on Financial Center Way into the development.				
2	The traffic impact study that is to be provided by the developer, shall include analysis and impact to the signalized intersection of Mall of Georgia Boulevard and Financial Center Way.				
3	The developer shall implement any upgrades recommended per the traffic impact study to the signalized intersection of Mall of Georgia Boulevard and Financial Center Way, subject to the review and approval of the Gwinnett County Department of Transportation.				
4					
5					
6					



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com		
Case Number:		RZM2023-00006		
Case Address:		3110 Financial Center Way		
Comments:		<input checked="" type="checkbox"/>	YES	<input type="checkbox"/> NO
1	Water: The proposed development may connect to an existing 12-inch water main along the eastern right-of-way of Financial Center Way.			
2	A Sewer Capacity Certification (C2023-001-03) has been approved for this development. The development may connect to an existing 8-in gravity sewer located north of the proposed site.			
3				
4				
5				
6				
7				
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/> NO
1				
2				
3				
4				
5				
6				
7				

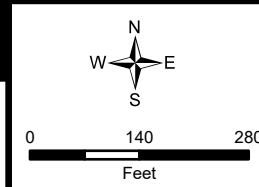


LEGEND		Flow Management		Hydrant		Sewer Force Main
		Pump Station		City		Effluent Outfall
		Regional		Water Main		Sewer Collector
		Manhole		Reuse Main		Sewer Interceptor

3110 Financial Center Way

R-100 to HRR

Water & Sewer Utility Map



LOCATION



Water Comments: The proposed development may connect to an existing 12-inch water main along the eastern right-of-way of Financial Center Way.

Sewer Comments: A Sewer Capacity Certification (C2023-001-03) has been approved for this development. The development may connect to an existing 8-in gravity sewer located north of the proposed site.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

Residential Rezoning Impact on Local Schools Prepared for Gwinnett County BOC, April, 2023											
											Proposed Zoning
	School	Forecast	2022-23 Capacity	+/- Cap.	Forecast	2023-24 Capacity	+/- Cap.	Forecast	2024-25 Capacity	+/- Cap.	Approximate Student Projections from Proposed Developments
RZM2023-00006	Seckinger HS	1,345	2,800	-1,455	1,810	2,800	-990	2,015	2,800	-785	17
	Jones MS	1,568	1,575	-7	1,599	1,575	24	1,623	1,575	48	14
	Patrick ES	896	1,025	-129	923	1,025	-102	951	1,025	-74	26
RZM2023-00008	Meadowcreek HS or McClure Health Science HS	2,570	2,850	-280	2,634	2,850	-216	2,674	2,850	-176	10
		1,130	1,500	-370	1,141	1,500	-359	1,153	1,500	-347	
	Radloff MS	1,377	1,575	-198	1,391	1,575	-184	1,405	1,575	-170	7
	Graves ES	1,163	1,125	38	1,147	1,125	22	1,158	1,125	33	15
RZR2023-00009	Dacula HS	2,565	2,550	15	2,670	2,550	120	2,748	2,550	198	23
	Dacula MS	1,852	1,900	-48	1,906	1,900	6	1,962	1,900	62	18
	Mulberry ES	750	975	-225	773	975	-202	796	975	-179	34
RZR2023-00010	Mill Creek HS	2,915	2,800	115	2,633	2,800	-167	2,596	2,800	-204	2
	Osborne MS	1,658	1,575	83	1,646	1,575	71	1,671	1,575	96	1
	Duncan Creek ES	1,319	1,300	19	1,345	1,300	45	1,372	1,300	72	2

Exhibit G: Traffic Impact Study

[attached]

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MARC R. ACAMPORA, PE, LLC
TRAFFIC ENGINEERING



Memorandum

Date: January 5, 2023

From: Marc R. Acampora, PE

Subject: Trip Generation Study for Proposed Multi-Family Residential Development
Financial Center Way, Gwinnett County, Georgia

The trip generation was calculated for a proposed multi-family residential development in Gwinnett County. The site is located on the west side of Financial Center Way, north of Mall of Georgia Boulevard, as shown in Figure 1.



Figure 1 – Site Location Map

858 Myrtle Street, NE
Atlanta, Georgia 30308

phone (678) 637-1763
e-mail acamporatraffic@comcast.net

The proposed development will consist of 286 multi-family residential units in two mid-rise buildings. Vehicular access will be provided at one access on Financial Center Way. The site plan is presented in Figure 2.

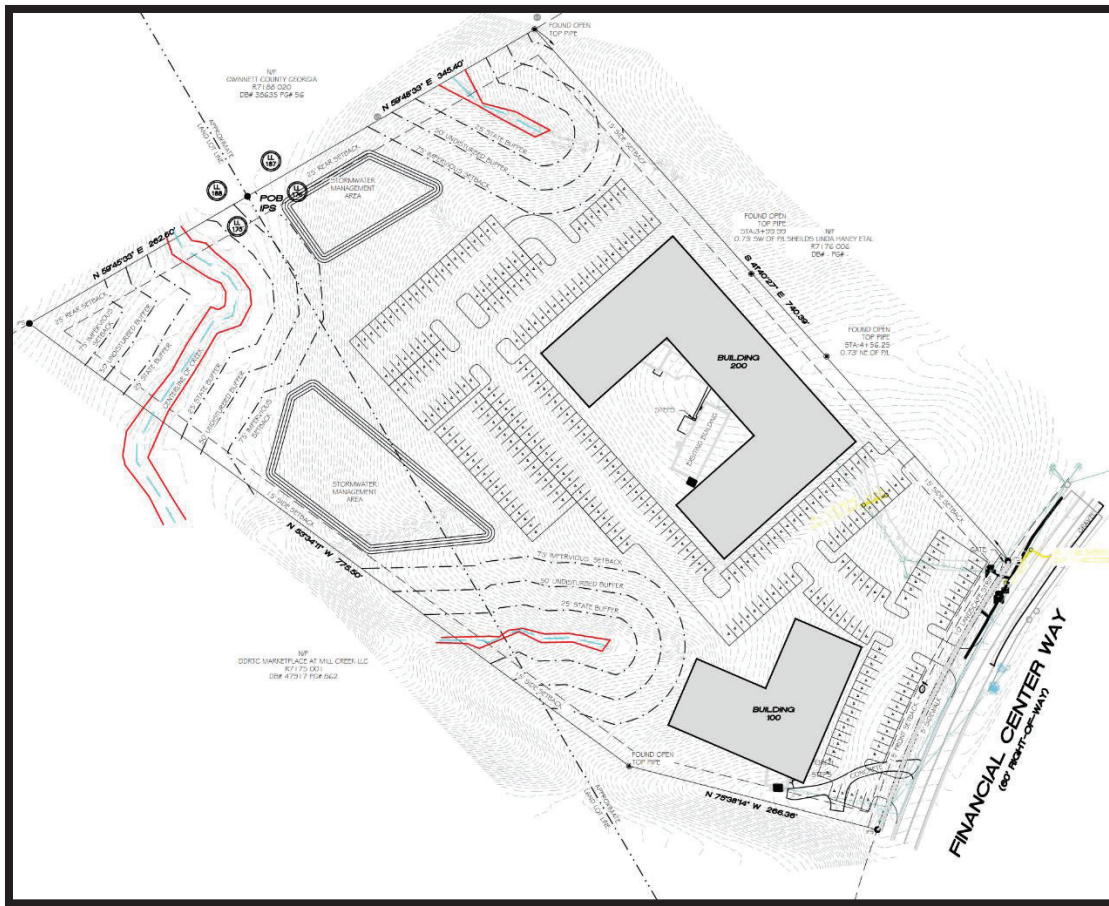


Figure 2 – Proposed Multi-Family Site Plan

The volume of traffic that will be generated by the proposed residential development was calculated using the equations in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition (11.1, the current online edition). ITE Land Use 221 – Multi-Family Housing (Mid-Rise) was chosen as representative of the development. The trip generation is summarized in Table 1.

Table 1 – Proposed Multi-Family Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour
			In	Out	Total	In	Out	Total	2-Way
Multi-Family Housing	221	286 units	26	88	114	68	44	112	1,318

The proposed multi-family development will generate 114 trips in the morning peak hour, 112 trips in the evening peak hour, and 1,318 daily trips.

Exhibit H: Maps

[attached]

ONE WATER WAY

FINANCIAL CENTER WAY



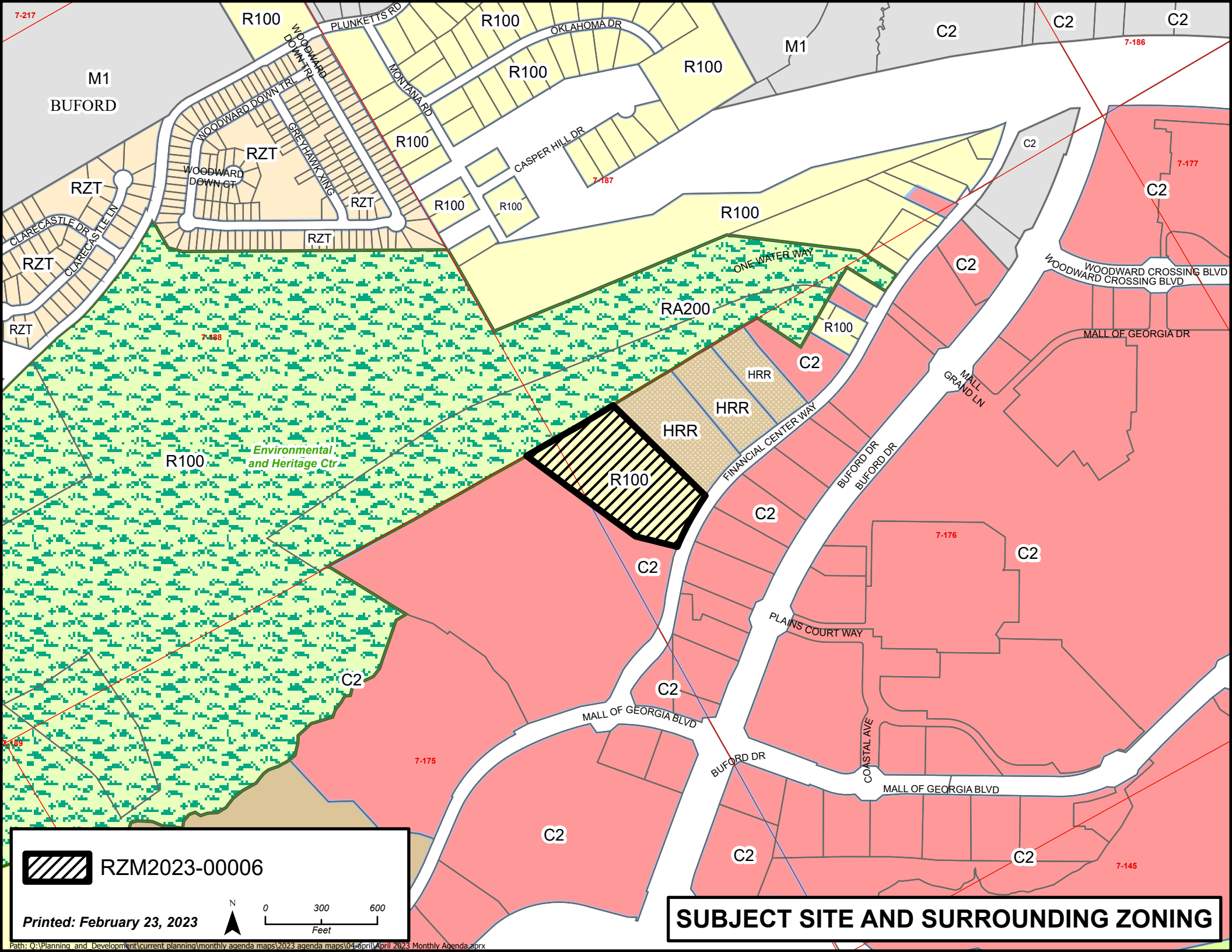
RZM2023-00006


Printed: February 23, 2023



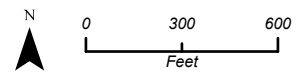
0 80 160
Feet

Gwinnett County GIS

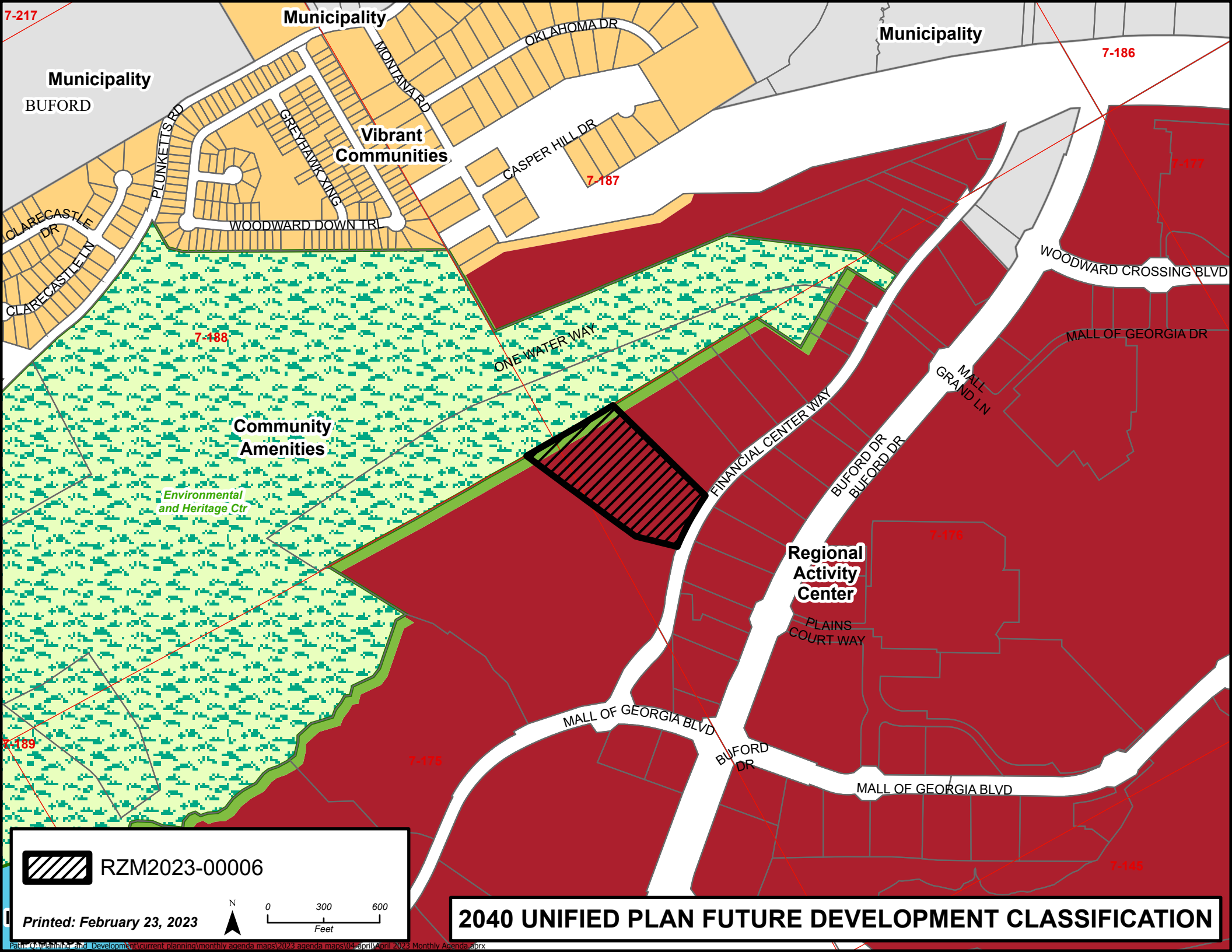


 RZM2023-00006

Printed: February 23, 2023



SUBJECT SITE AND SURROUNDING ZONING



Municipality
BUFORD

Municipality


Municipality

Vibrant
Communities

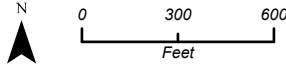
Community
Amenities

Regional
Activity
Center

Environmental
and Heritage Ctr

 RZM2023-00006

Printed: February 23, 2023



2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION