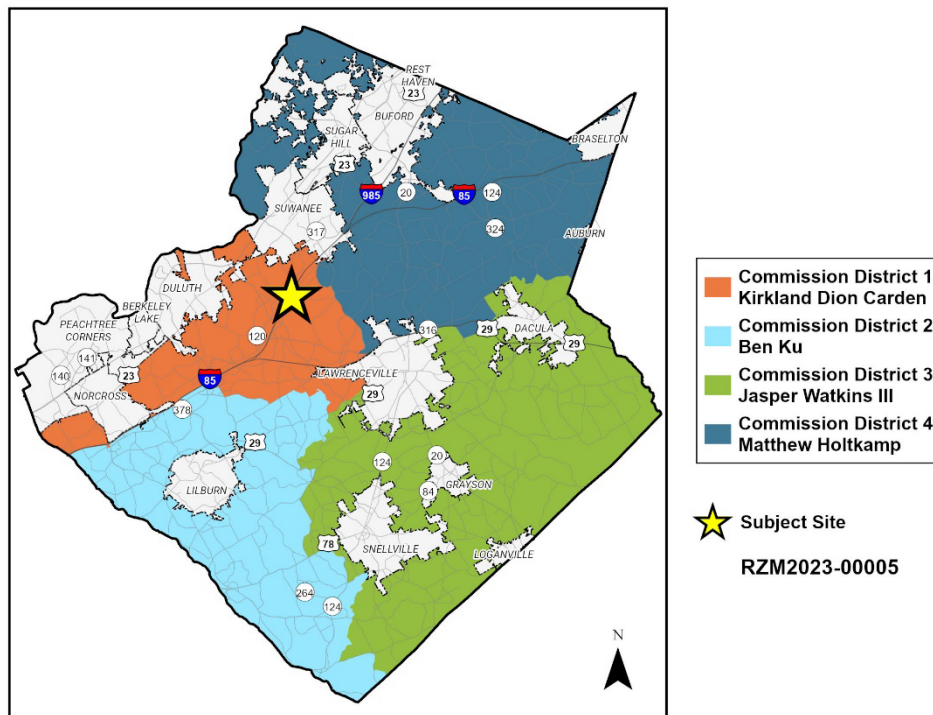


## PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

**Case Number:** RZM2023-00005  
**Current Zoning:** MU-R (Regional Mixed-Use District)  
**Request:** Rezoning to **HRR** (High-Rise Residential District)  
**Overlay District:** Civic Center Overlay District  
**Additional Requests:** Variances  
**Address:** 1000 Block of Old Peachtree Road  
**Map Number(s):** R7124 107  
**Site Area:** 3.65 acres  
**Units:** 100  
**Proposed Development:** Apartments  
**Commission District:** District 1 – Commissioner Carden  
**Character Area:** Workplace Center

**Staff Recommendation:** **APPROVAL WITH CONDITIONS**

**Planning Commission Recommendation:** **APPROVAL WITH CONDITIONS**



**Applicant:** Pioli PSG, LLC  
322 Commercial Avenue, Suite 201  
Palisades Park, NJ 07650

**Owner:** Pioli PSG, LLC  
322 Commercial Avenue, Suite 201  
Palisades Park, NJ 07650

**Contact:** Chris Cho

**Contact Phone:** 201.401.9070

## **Zoning History**

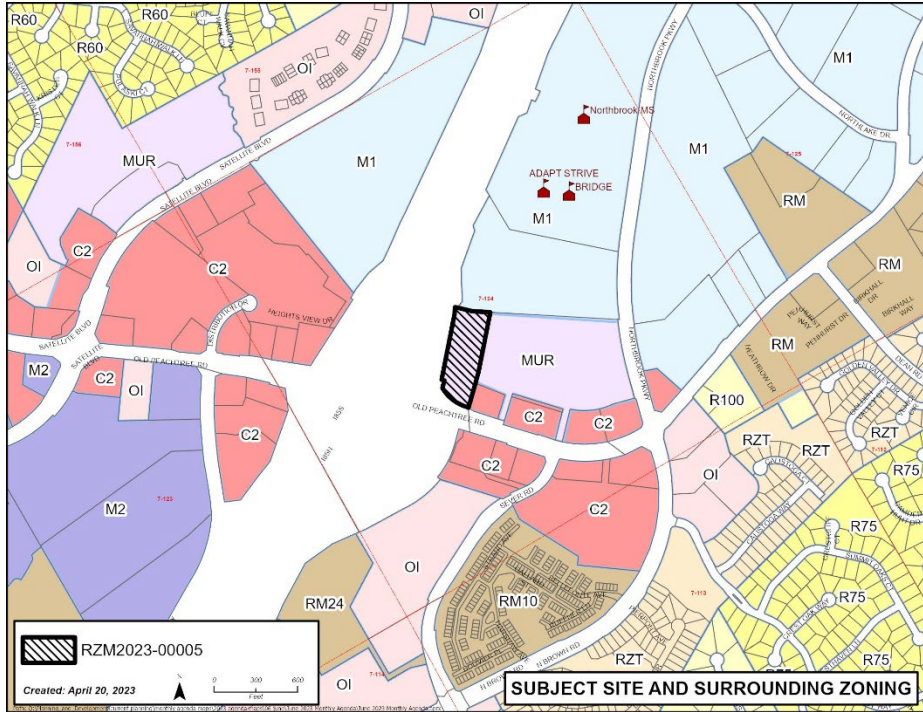
The subject property is zoned MU-R (Regional Mixed-Use District). Two areawide rezoning approvals in 1975 changed the property's zoning from C-1 (Neighborhood Business District) and R-100 (Single-Family Residence District) to C-2 (General Business District). In 1990, a rezoning and special use permit approval allowed for a hotel up to ten stories, pursuant to RZ-43-90 and SUP-19-90. The proposed hotel development was never constructed. In 2018, the subject property and the adjacent property to the east were rezoned from C-2 to MU-R for a regional mixed-use development, pursuant to RZC2018-00004. In June 2022, the Board of Commissioners denied a Change in Conditions request by this applicant to replace a planned 79,000 square foot office building with an apartment building similar to the current request, pursuant to CIC2022-00014. The site is located within the Civic Center Overlay District.

## **Existing Site Condition**

The subject site is a 3.65-acre parcel within a larger MU-R development comprising 18.65 acres on the north side of Old Peachtree Road, between Interstate 85 and Northbrook Parkway. The eastern portion of the development has 300 apartment units in five three-story buildings, whereas the subject site remains graded but undeveloped. The terrain is mostly flat but drops over 20 feet to the rear property line. The site can be accessed through internal drives with two intersections at Old Peachtree Road, one being signalized, and one right-in/right-out intersection at Northbrook Parkway. Stormwater retention facilities are located along Northbrook Parkway and in the rear of the subject site and the apartment property to the east. A sidewalk located along Old Peachtree Road ends at the Interstate 85 northbound on-ramp, and an internal sidewalk along the southern boundary of the apartment property dead ends at the subject's eastern property line. The nearest Gwinnett County Transit stop is 1.7 miles from the site.

## **Surrounding Use and Zoning**

The subject site is located beside the Interstate 85 northbound on-ramp from Old Peachtree Road. The site is part of a larger development with garden-style apartments that are located behind a drive-through restaurant, a bank, and a gas station. To the south across Old Peachtree Road are retail centers and their outparcels and a self-storage facility. To the north along Northbrook Parkway are large light industrial buildings and a middle school. A similar mixture of uses can be found to the west across Interstate 85 from the property. The following is a summary of surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Apartments	HRR	27.62 units per acre
North	Light Industrial	M-1	N/A
East	Apartments Commercial	MU-R C-2	20.13 units per acre N/A
South	Retail	C-2	N/A
West	Apartments Retail	C-2	25.37 units per acre

## Project Summary

The applicant requests rezoning of a 3.65-acre property from MU-R (Regional Mixed-Use District) to HRR (High-Rise Residence) to develop apartments, including:

- 100 units in a single five-story building, yielding a net density of 27.62 units per acre.
- 68 one-bedroom units and 32 two-bedroom units with minimum heated floor areas of approximately 720 square feet and 926 square feet, respectively.
- 7,828 square feet (6% overall) of ground-floor restaurant space located toward the front of the building near Old Peachtree Road.
- Common area throughout the site including walking paths.
- A leasing office and amenities including a pool and fitness center.
- 145 total parking spaces including 103 surface spaces to the east of the building adjacent to the existing apartments, 42 parking spaces within a single level garage beneath the building, 20 compact spaces (13% of overall space) to the north and east of the building, and five electric vehicle spaces with one EV charging station.
- Access provided via internal private streets from Old Peachtree Road and Northbrook Parkway.
- A portion of an existing stormwater facility in the rear of the development along the northern property line.
- Two dumpster enclosures located at the rear of the site near the retention pond.

- An approximate ten-foot-tall retaining wall along the property frontage with Interstate 85.
- Sidewalks connecting the building entrances and parking area to the existing sidewalks along the internal drive.
- Exterior materials comprised of a 2-story stacked stone base with aluminum and metal features around the ground-floor storefront, and upper floors wrapped with fiber-cement siding and panels, metal panels, and split-faced CMU.

**Zoning and Development Standards**

The applicant is requesting a rezoning from MU-R to HRR. The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Non-residential Component	Maximum 40%	6%	YES
Building Height	Minimum 5 stories	4/5 split 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 square feet 2-Bedroom: 1,000 square feet	1-Bedroom: 720 square feet 2-Bedroom: 926 square feet	NO* NO*
Off-Street Parking	Minimum: 202 spaces Maximum: 404 spaces	145 spaces	NO**
Common Area	20%	20%	YES
Density	Determined by BOC	27.62	TBD

\* The applicant is requesting a variance from the minimum heated floor area for 1- and 2-bedroom units.

\*\* The applicant is requesting a variance from the minimum parking requirements.

In addition, the following standard applies to development in the Civic Center Overlay District:

Standard	Meets Standard?
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.	NO***

\*\*\* The applicant is requesting a variance from the maximum distance from the building entrance and the street requirements.

## Variance Requests

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

1. Table 230.2: Minimum Heated Floor Area per Unit for RM, HRR, R-SR, and R-TH Zoning Districts

<b>1-Bedroom</b>	<b>750 square feet</b>
<b>2-Bedroom</b>	<b>1,000 square feet</b>

The applicant is proposing 1-bedroom units with a minimum heated floor area of approximately 720 square feet and 2-bedroom units with approximately 926 square feet.

2. Section 240-20. Table 240.1 Minimum Parking Requirements

<b>Residences (multifamily)</b>	<b>1.5 per dwelling</b>	<b>3 per dwelling</b>
<b>Restaurant, freestanding</b>	<b>1 per 150 sq. ft.</b>	<b>1 per 75 sq. ft.</b>

The applicant is proposing 145 parking spaces where 202 spaces are required.

3. Section 220-30.3 E.4. **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.**

The applicant is proposing primary building facades and entrances be located more than 70 feet from the public right-of-way.

4. Section 230-20.7 **All accessory buildings or structures shall be located in the rear yard unless explicitly stated otherwise in this section.**

The applicant is proposing to locate a swimming pool and deck between the Interstate 85 frontage and the building.

## 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 stormwater, transportation, 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 part of a previously approved mixed-use development that includes the adjacent 300-unit garden-style apartments. Retail outparcels and strip shopping centers are located to the south and southeast on both sides of Old Peachtree Road, an industrial park is located to the north. Interstate 85 is located along the western property line of the site. The proposed rezoning to build additional apartments would be suitable considering the surrounding uses.

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

The addition of an apartment building to an area with existing apartments, retail, and industrial uses would not adversely impact the existing use or usability of adjacent or nearby property. The apartments would provide an additional housing option in an area with ample commercial and service establishments along a major thoroughfare with interstate access.

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

The property has a 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.**

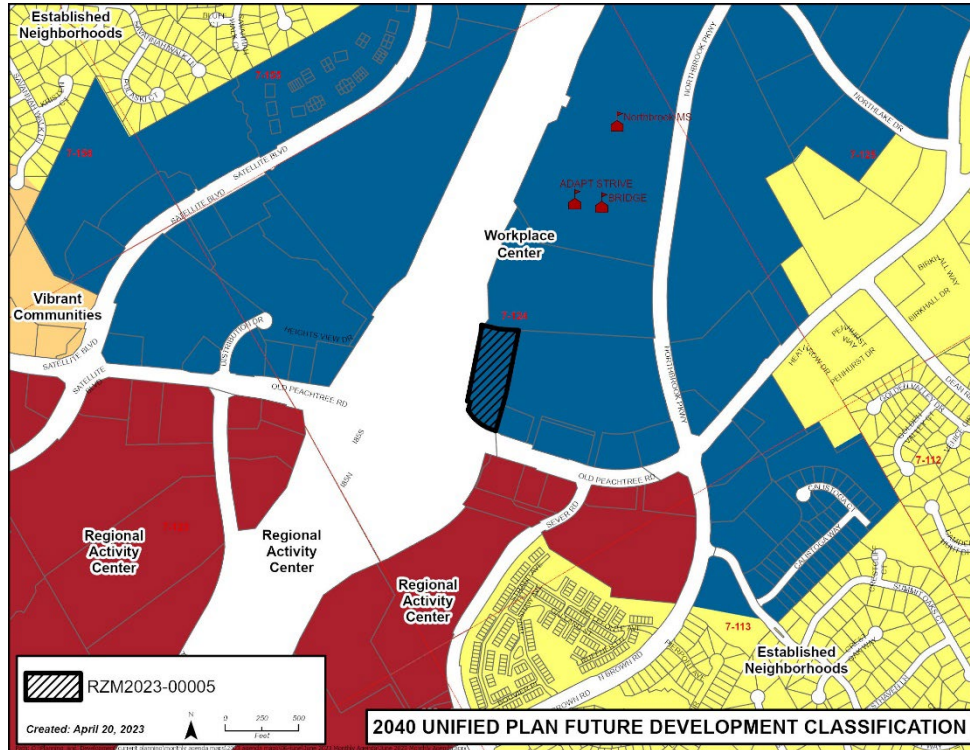
An increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. An increased impact is anticipated on school enrollment. 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; and**

The 2040 Unified Plan Future Development Map indicates the subject property lies within the Workplace Center Character Area. The Workplace Center Character Area is intended to accommodate a mixture of intense non-residential, mixed-use, and high-density residential uses around and near several Regional Activity Centers. Emphasis should be placed on encouraging employment-oriented uses including mid- to high-rise office buildings, industrial parks, and locations for freight oriented and logistic uses, where appropriate. Other areas should provide opportunities for high-density multifamily residential development to support nearby Regional Activity Centers.

A Regional Activity Center focused along Interstate 85 between Duluth Highway and Old Peachtree Road is located to the south across Old Peachtree Road from the site. The Workplace Center Character Area is located along the northern edge of this Regional Activity Center. The approved rezoning to MU-R in 2018 identified the site for a 79,000 square foot office building, which is consistent with the intent to provide both employment-oriented uses and mixed-use development. Due to changing market demand for office space, the applicant proposes a

vertical mixed-use building that aligns with the intent of the Workplace Center Character Area.



**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.**

The subject site was originally approved in 2018 as MU-R for a 79,000 square foot office building as part of a mixed-use development. Section 210-220.6 *Minimum Specifications for development of the MU-R Regional Mixed-Use District* requires a minimum of two or more major land use categories with each land use category constituting at least 20 percent of the gross floor area of the development. The approved rezoning to MU-R was conditioned to allow the proposed office building to constitute 17 percent of the gross floor area instead of the required 20 percent. Since the rezoning as MU-R, the office market has vastly changed due to the lasting adverse impacts of Covid-19 on office demand. A proposed office building in this location may no longer be viable in the current market environment. The need for additional housing in this area to support the existing workplace centers supports approval of this rezoning request.

**Variance Requests Analysis:** When considering variances from Title II 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 variance requests:

The applicant has requested four variances as part of the rezoning request.

The first request to reduce the minimum heated floor area of 1- and 2-bedroom units is reasonable considering that the proposed unit sizes would meet the minimum floor area

requirements for these unit sizes if the building were in an RM-13 or RM-24 zoning district. The HRR zoning district provides for an urban building typology where smaller units are more common.

The second request to allow parking counts below the minimum amount required is reasonable considering that 68 of the proposed 100 units will have only one bedroom and lend themselves to single residents. In addition, best planning practices are moving away from minimum parking requirements so to allow the market to determine the number of necessary parking spaces.

The third request seeks relief from the Civic Center Overlay District that requires the building entrance to be within 70 feet of the street. The location of the building at the edge of an Interstate ramp limits the potential for walkability to the site. Further, the applicant has a predetermined access point from an existing internal driveway, and has made efforts to extend the existing sidewalk to the building entrances with only one parking aisle. The spirit of the overlay district requirements is being met.

The final request is to locate a swimming pool in a front yard between Interstate 85 and the building façade. Considering that Interstate 85 is not considered a street, and the pool would be screened by a 10-foot-tall retaining wall and existing trees, this is a reasonable request.

### **Staff Recommendation**

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

Staff recommends **APPROVAL** of the following Variances:

1. To allow a heated floor area of 720 square feet for 1-bedroom units and 926 square feet for 2-bedroom units.
2. To allow a reduction in the required parking by 57 spaces to 145 spaces.
3. To allow the primary building facade and entrances to be located more than 70 feet from the public right-of-way.
4. To locate a swimming pool and deck between the Interstate 85 frontage and the building.

### **Planning Commission Recommendation**

Based on staff's evaluation of the request, 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 **APPROVAL WITH CONDITIONS** of the rezoning request.

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

1. To allow a heated floor area of 720 square feet for 1-bedroom units and 926 square feet for 2-bedroom units.



2. To allow a reduction in the required parking by 57 spaces to 145 spaces.
3. To allow the primary building facade and entrances to be located more than 70 feet from the public right-of-way.
4. To locate a swimming pool and deck between the Interstate 85 frontage and the building.

**Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)**

Approval as HRR (High-Rise Residential) subject to the following conditions:

1. The proposed development shall be constructed in general conformance with Exhibit B: Site Plan dated received May 4, 2023, and Exhibit C: Building Elevations dated received March 23, 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 property shall be limited to multifamily residential not to exceed 100 units, restaurant, retail, office, and accessory uses.
3. Amenity areas shall consist of, at minimum, a swimming pool and fitness center. The design and location of all amenity areas shall be subject to the review and approval of the Department of Planning and Development.
4. All grassed areas shall be sodded.
5. 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.
6. All unit access shall be from interior corridors with mechanical ventilation. Breezeway and natural ventilation openings in the exterior facades shall be prohibited.
7. Separate water meters shall be installed for the multifamily and retail portions of the development. The developer shall replace the existing 8-inch water main on Old Peachtree Road with a minimum 12-inch water main.
8. A minimum of 7,800 square feet of retail and/or restaurant space open to the general public shall be incorporated into the ground floor of the building.
9. **The apartments will not be occupied until a certificate of occupancy is issued for the 7,800 square foot retail/restaurant space.**
10. **The applicant shall investigate inter-parcel access and an inter-parcel parking easement agreement with the apartment complex next door.**

**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. Maps

**Exhibit A: Site Visit Photos**



View of subject property interior.



View of property from internal drive.



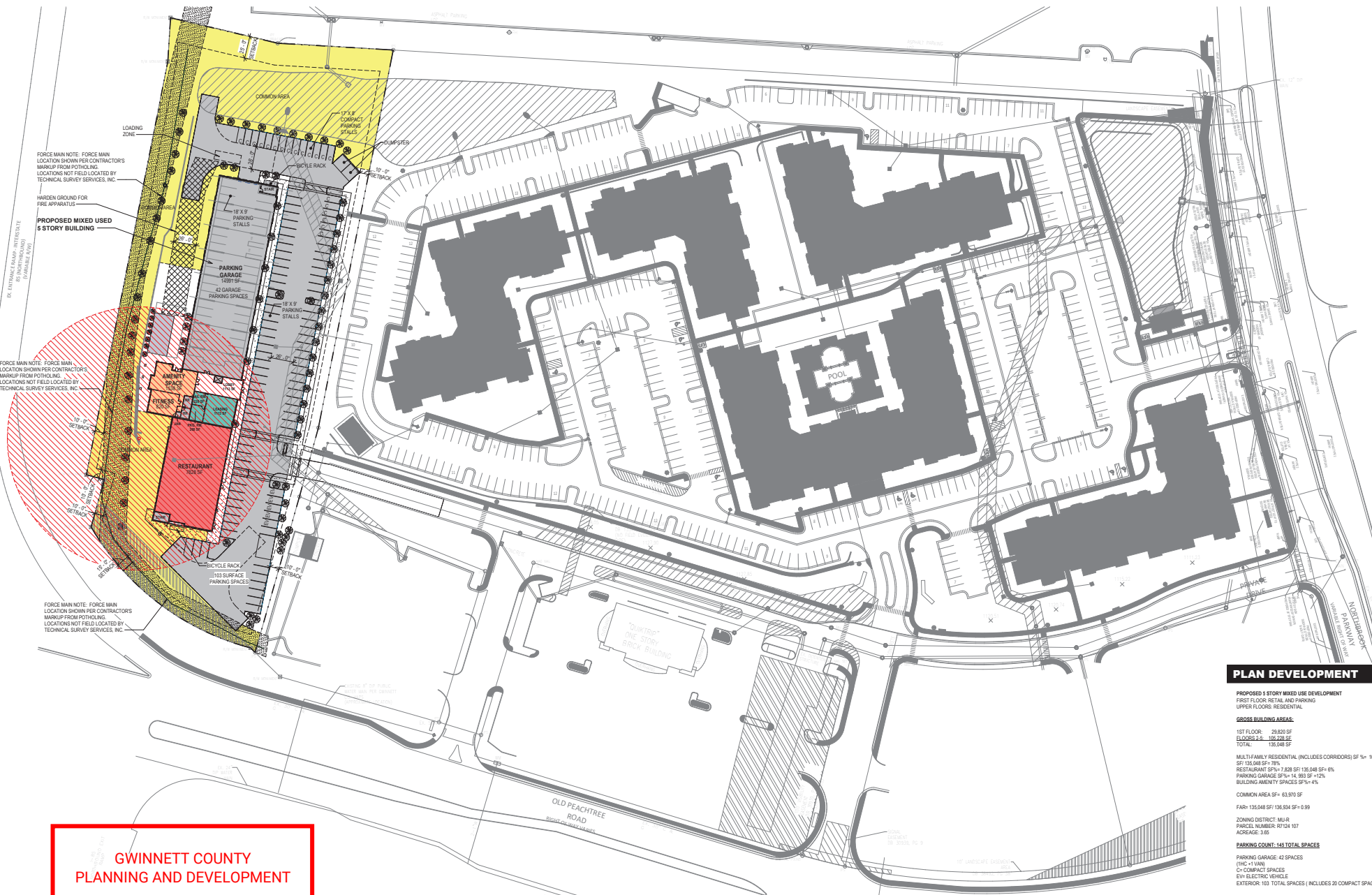
View of Old Peachtree Road at the internal drive.  
(Visibility limited by Bojangles)



View of existing apartments immediately to the east.

**Exhibit B: Site Plan**

**[attached]**



**PLAN DEVELOPMENT**

**PROPOSED 5 STORY MIXED USE DEVELOPMENT**  
 FIRST FLOOR RETAIL AND PARKING  
 UPPER FLOORS RESIDENTIAL

**GROSS BUILDING AREAS:**  
 1ST FLOOR: 20,800 SF  
 FLOORS 2-5: 100,228 SF  
 TOTAL: 121,028 SF

MULTI-FAMILY RESIDENTIAL (INCLUDES CORRIDORS) SF % = 105.228  
 SF: 105,048 SF = 87%  
 RESTAURANT SF % = 7,828 SF / 120,848 SF = 6%  
 PARKING GARAGE SF % = 14,152 SF = 12%  
 BUILDING AMENITY SPACES SF % = 4%  
 COMMON AREA SF = 63,970 SF  
 FAR: 135,048 SF / 138,934 SF = 0.99

ZONING DISTRICT: MUR  
 PARCEL NUMBER: R7124 107  
 ACREAGE: 3.85

**PARKING COUNT: 143 TOTAL SPACES**  
 PARKING GARAGE: 42 SPACES  
 1HC = 1 VAN  
 C = COMPACT SPACES  
 EV = ELECTRIC VEHICLE  
 EXTERIOR: 103 TOTAL SPACES ( INCLUDES 20 COMPACT SPACES)

**APARTMENT COUNTS**

PROPOSED BUILDING  
 TOTAL UNITS PER FLOORS 2-5  
 1 BEDROOM (220 SF): 17 UNITS  
 2 BEDROOM (265 SF): 41 UNITS  
 TOTAL UNITS:  
 1 BEDROOM: 68 UNITS  
 2 BEDROOM: 32 UNITS  
 TOTAL: 100 UNITS

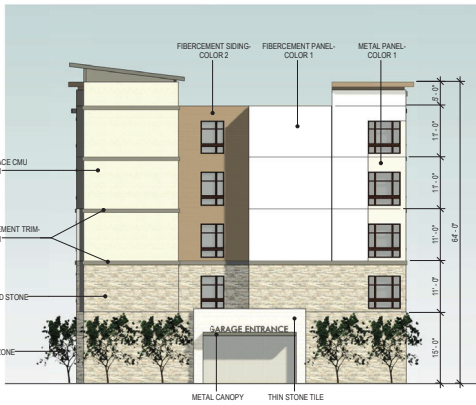
GWINNETT COUNTY  
 PLANNING AND DEVELOPMENT  
  
**RECEIVED**  
 ARCHITECTURAL SITE PLAN  
 T = 40'-0"  
 5/4/2023

**Exhibit C: Building Elevations**

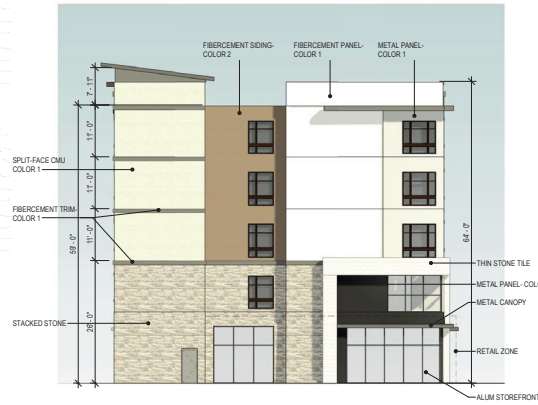
**[attached]**



1 FRONT ELEVATION  
3/32" = 1'-0"



3 GARAGE ENTRANCE ELEVATION (SIDE)  
3/32" = 1'-0"



4 SIDE ELEVATION @ RETAIL  
3/32" = 1'-0"

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03/23/2023



2 REAR ELEVATION  
3/32" = 1'-0"



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1/5/2023



OLD PEACHTREE APARTMENTS  
PERSPECTIVE VIEW

PIEPER O'BRIEN HERR  
ARCHITECTS

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

**[attached]**

GWINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

03/23/2023

March 22, 2022

VIA EMAIL AND ELECTRONIC SUBMITTAL

Gwinnett County Department of Planning and  
Development  
446 West Crogan Street Suite 300s  
Lawrenceville, Georgia 30046

Re: Letter of Intent: Rezoning Application – Old Peachtree Road (Parcel ID: R7124 107)

Dear Sir or Madam,

I, Mi Young Lim, president of Pioli PSG LLC submits this Letter of Intent and attached rezoning application (the "Application") on behalf of Pioli PSG LLC (the "Applicant") relating to a mixed-use development on an approximately 3.65-acre tract located on the northerly side of Old Peachtree Road and bounded by Interstate 85 to the west and Northbrook Parkway to the east (the "Property"). The Property has direct access to Old Peachtree Road but sits behind existing commercial uses including a restaurant, a convenience store with fuel pumps, and a bank.

The property is located within the Workplace center character area “while reserving these lands to focus on employment uses, these elements should be supported where appropriate by opportunities for residential uses and multi-use oriented commercial area”. The proposed development fits this description and would provide the opportunity to develop a multi-use building.

The applicant is proposing to change the zoning from MU-R to HRR to build a 5-story mixed-use residential building on the Property. The HRR (High Rise Residential) zoning classification of the Gwinnett County Unified Development Ordinance (the "UDO") accommodates the development and construction of a mixed-use development consisting of residential and retail uses.

Overall, the proposed development would add approximately 7,828 square feet or 6% of the total gross floor area on the ground floor intended for restaurant or similar type of business in addition to approximately 100 units of multifamily dwellings consisting of 1-, and 2-bedroom residential apartments totaling approximately 105,228 Sq. Ft or 78% of the gross floor area and provide approximately 66,680 Sq. Ft of common area designated for walks, paths and overview of the retention pond. There will be no office space offered for lease, but the applicant proposes a leasing office of approximately 1,118 Sq. Ft in the proposed new building.

The site plan includes description of materials that will be used for the façade. We have changed from the original elevation and concept plan to comply with the Design Category 4.

The proposed building's modern architectural design would provide an attractive accent to the Interstate 85 frontage and would prominently display Gwinnett County's increasing growth and modernization. The applicant proposes 68 1-bedroom units each approximately 720 Sq. Ft and 32 2-bedroom units each approximately 926 Sq. Ft. The applicant is requesting a variance for the minimum requirement of 750 Square Foot per 1 Bedroom and 1,000 Square Feet per 2 Bedrooms.

The applicant also seeks relief from the following requirement: 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 sidewalk connecting the front entrance to a continuous sidewalk placed parallel to the street.

The parcel is currently graded and undeveloped, but the storm drain systems are already in place. The burden of shifting the building to prevent more than 20% parking in front of the building is overwhelming and not feasible. The applicant is seeking relief from this requirement and requests for variance from requirement to have less than 20% of the parking in front of the building. The applicant has provided measures for sidewalks to connect throughout the property and provide crosswalks to insure walkability.

As per recommendation from the planning manager, the applicant was able to add 3 more parking spaces by utilizing up to 15% of parking spaces for compact vehicles, However the project is still short on meeting the parking requirement and seeks relief from requirements of 169.5 parking spaces. Compliance of the fire apparatus requirements will also lose some parking spaces. The applicant is proposing 145 parking spaces and requests for variance for 24.5 spaces. The applicant will comply with the requirements to provide 1 EV charging station per 50 spaces.

The proposed development is located at the corner of I85 and Old Peachtree Rd, so the building has two frontages due to the description and layout of the building. The frontage is towards the I85 side and the Old Peachtree Rd. This prevents us from placing the dumpster on either side of the building and requires a variance to provide a safe and clean environment. The I85 side of the property has a retention wall that is almost 10ft tall and the building will not be visible from I85. The applicant is seeking for variance from the requirement to remove pool and dumpster from this side of the building.

We are working to comply with the fire apparatus as you can see from the site plan, we have included a circular apparatus on the Old Peachtree Rd side and a T shaped turn around for the other side of the building. We are looking to harden the ground for the fire truck to have access to all parts of the building within 150 ft.

The Property is adjacent to land zoned C-2 along Old Peachtree Road and land zoned M-1 to the north along Northbrook Parkway. The proposed development would complement existing commercial uses and provide residential critical mass to support existing businesses. On Old Peachtree Road the Property would be accessed via two driveways including an existing right-in right-out driveway between Bojangles and QuikTrip and a full access driveway at the signalized intersection of Old Peachtree Road and Sever Road. The proposed development would provide an attractive avenue-style internal driveway connecting the proposed mixed-use residential building with existing access drives to Old Peachtree Road and ultimately Northbrook Parkway at the Property's easterly boundary. The proposed development would also be accented by several water quality features improving the aesthetics of the Property while also providing attractive, modern stormwater facilities. The proposed development would provide a series of internal sidewalks and

pedestrian walkways to activate and amenities these proposed water quality features and provide a connection to the existing sidewalk network along Old Peachtree Road and the Shops at Huntcrest shopping center.

Further, the proposed development is consistent with the policy goals set forth in the 2040 Unified Plan. For example, Policy A.5.1 provides that "[q]uality of life in Gwinnett can be enhanced by making it easier for people to walk through their neighborhoods to and from attractions such as local parks, schools, churches, or even neighborhood shopping." The proposed development would enhance the walkability of the surrounding area and residents would have convenient access to shopping and other employment centers along Northbrook Parkway and Sever Road as well as Old Peachtree Road and North Brown Road. As the Property sits behind existing commercial uses along Old Peachtree Road, the proposed mixed-use residential building would further diversify land uses in the area in furtherance of the policies of the UDO and 2040 Unified Plan.

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 Applications filed herewith. The Applicant respectfully requests your approval of this Application.

Sincerely,

Mi Young Lim / President  
Pioli PSG LLC

WINNETT COUNTY  
PLANNING AND DEVELOPMENT

**RECEIVED**

03/27/2026  
RZM2023-00005

Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, and Article 1, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owener viable use of its land.

.....  
PLANNING DIVISION USE ONLY  
CASE NUMBER \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_

GWINNETT COUNTY  
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1/5/2023  
RZM2023-00005

**RECEIVED**

1/5/2023

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

PURSUANT TO REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE, THE BOARD OF COMMISSIONERS FINDS THAT THE FOLLOWING STANDARDS ARE RELEVANT IN BALANCING THE INTEREST IN PROMOTING THE PUBLIC HEALTH, SAFETY, MORALITY OR GENERAL WELFARE AGAINST THE RIGHT TO THE UNRESTRICTED USE OF PROPERTY AND SHALL GOVERN THE EXERCISE OF THE ZONING POWER.

PLEASE RESPOND TO THE FOLLOWING STANDARDS IN THE SPACE PROVIDED OR USE AN ATTACHMENT AS NECESSARY:

- (A) WHETHER A PROPOSED REZONING WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY:

Proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property.

- (B) WHETHER A PROPOSED REZONING WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY:

Proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property

- (C) WHETHER THE PROPERTY TO BE AFFECTED BY A PROPOSED REZONING HAS REASONABLE ECONOMIC USE AS CURRENTLY ZONED:

Post Covid19, development and demand for commercial, especially office space is decreased and not profitable due to increase of construction cost and interest.

- (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:

The applicant does not believe the rezoning will result in or will cause excessive or burdensome use of existing streets, transportation facilities, utilities, or school. Developer will update traffic impact study from previous zoning

- (E) WHETHER THE PROPOSED REZONING IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE LAND USE PLAN:

The Workplace Center Character area are "supported where appropriate by opportunities for residential uses and multi-use oriented commercial area.

- (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:

None

**Exhibit E: Application and Disclosure of Campaign Contributions**

**[attached]**



**RECEIVED**

1/5/2023

**REZONING APPLICATION**

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

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: Pioli PSG LLC	NAME: Mi Young Lim
ADDRESS: 322 Commercial Ave Ste 201	ADDRESS: 322 Commercial Ave Ste 201
CITY: Palisades Park	CITY: Palisades Park
STATE: NJ ZIP: 07650	STATE: NJ ZIP: 07650
PHONE: 201-944-7755	PHONE: 201-944-7755
EMAIL: info@pioliusa.com	EMAIL: mlim@pioliusa.com
CONTACT PERSON: Chris Cho PHONE: 201-401-9070	
CONTACT'S E-MAIL: ccho@pioliusa.com	
<b>APPLICANT IS THE:</b>	
<input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
PRESENT ZONING DISTRICTS(S): MU-R REQUESTED ZONING DISTRICT: HRR	
PARCEL NUMBER(S): R7124 107 ACREAGE: 3.65	
ADDRESS OF PROPERTY: 1000 Old Peachtree Rd,	
PROPOSED DEVELOPMENT: 5 Story - Mixed-use Building with 100 apartments	

RESIDENTIAL DEVELOPMENT	NON-RESIDENTIAL DEVELOPMENT
No. of Lots/Dwelling Units: 100	No. of Buildings/Lots: 0
Dwelling Unit Size (Sq. Ft.): +-720sq.ft 1BED +-926sq.ft 2BED	Total Building Sq. Ft. +- 7,800 sq.ft
Gross Density: 27.62	Density: n/a
Net Density: 31.87	


**PLEASE ATTACH A LETTER OF INTENT EXPLAINING WHAT IS PROPOSED**

**RECEIVED**

1/5/2023

**REZONING APPLICANT'S CERTIFICATION**

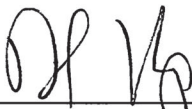
THE UNDERSIGNED BELOW IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE BOARD OF COMMISSIONERS. IN NO CASE SHALL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

1/05/2023  
Date

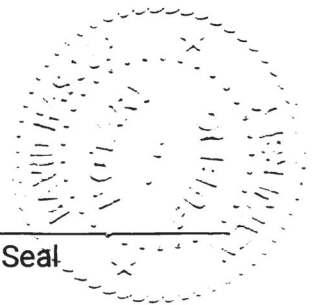
Mi Young Lim – Owner

Type or Print Name and Title

  
Signature of Notary Public

01/05/2023  
Date

Notary Seal



**DAVID HASCUP**  
NOTARY PUBLIC  
State of New Jersey  
My Commission Expires  
January 19, 2027.

**RECEIVED**

1/5/2023

**REZONING PROPERTY OWNER'S CERTIFICATION**

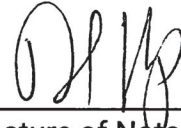
THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE BOARD OF COMMISSIONERS UNLESS WAIVED BY THE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

  
\_\_\_\_\_  
Signature of Property Owner

1/05/2023  
\_\_\_\_\_  
Date

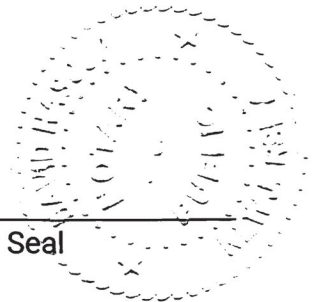
Mi Young Lim - Owner

\_\_\_\_\_  
Type or Print Name and Title

  
\_\_\_\_\_  
Signature of Notary Public

01/05/2023  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Notary Seal




**DAVID HASCUP**  
NOTARY PUBLIC  
State of New Jersey  
My Commission Expires  
January 19, 2027

RECEIVED

1/5/2023

**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.

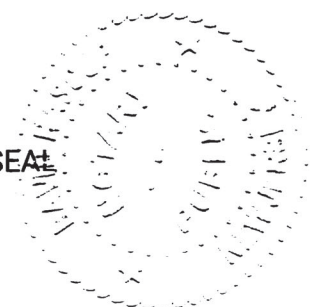
 11/05/2023 Mi Young Lim – Owner  
\_\_\_\_\_  
SIGNATURE OF APPLICANT                      DATE                      TYPE OR PRINT NAME AND TITLE

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

 01/05/2023  
\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC                      DATE

NOTARY SEAL

DAVID HASCUP  
NOTARY PUBLIC  
State of New Jersey  
My Commission Expires  
January 19, 2027



**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

\_\_\_\_\_  
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.

**RECEIVED**

03/23/2023

**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       -       124       -       107        
(Map Reference Number)                      District                      Land Lot                      Parcel

  
Signature of Applicant

1/05/2023  
Date

Mi Young Lim – Owner

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)

Jacqueleen Garcia  
NAME  
03/09/2023  
DATE

Tax Associate I  
TITLE

**Exhibit F: Internal and External Agency Review Comments**

**[attached]**



**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>		05.03.2023	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 1	
Reviewer Email Address:		<a href="mailto:Brent.Hodges@gwinnettcountry.com">Brent.Hodges@gwinnettcountry.com</a>	
Case Number:		RZM2023-00005	
Case Address:		1000 Old Peachtree Road, Suwanee, 30024	
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1	Old Peachtree Road is a minor arterial. ADT = 32,526.		
2	1.5 miles to the nearest transit facility (#2334860) North Brown Road and Sugarloaf Parkway.		
3			
4			
5			
6			
7			
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<b>YES</b>	<b>NO</b>
1			
2			
3			
4			
5			
6			
7			

**Note:** Attach additional pages, if needed

*Revised 7/26/2021*



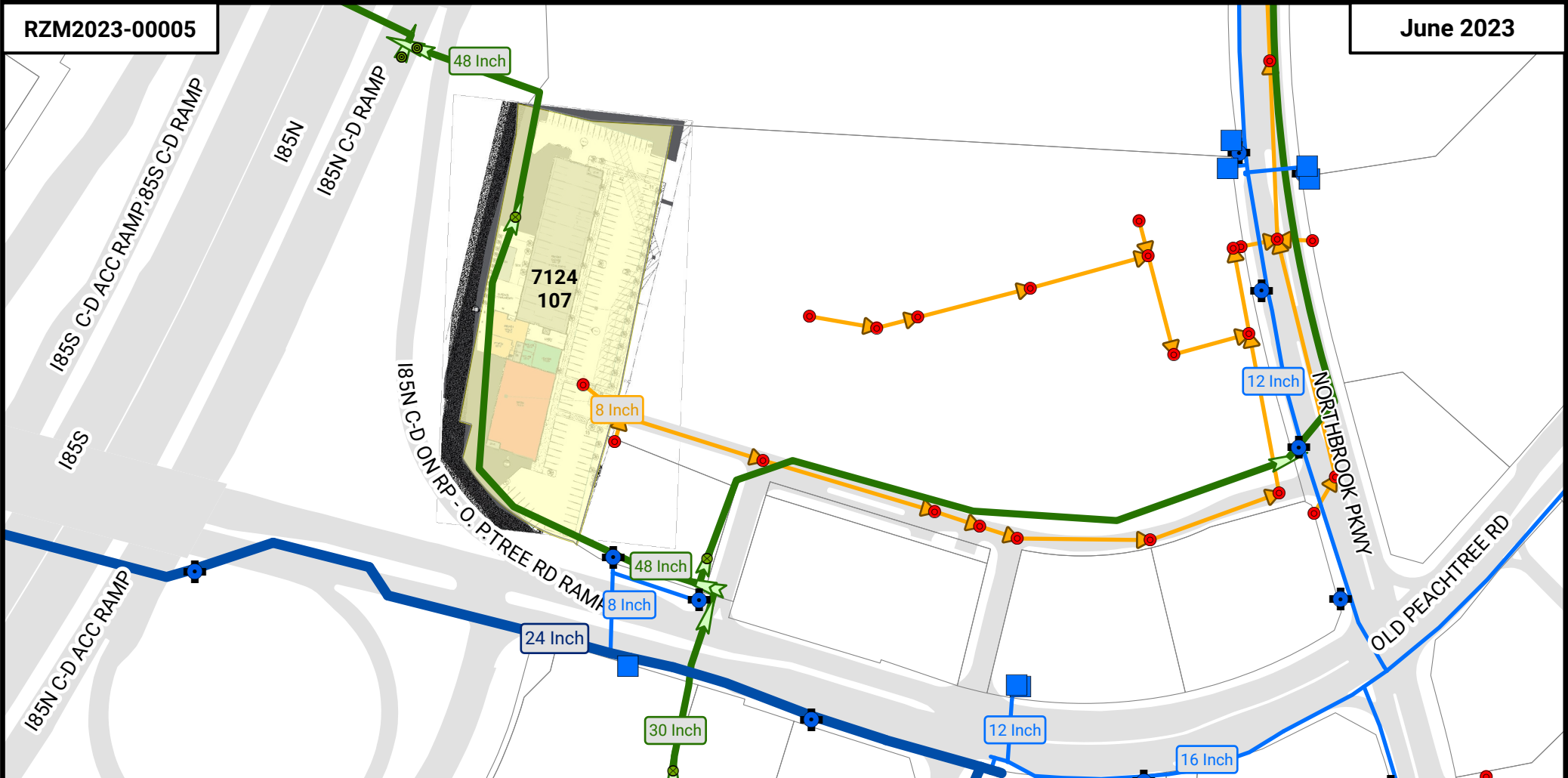
**Department of Planning and Development  
TECHNICAL REVIEW COMMITTEE**

<b>TRC Meeting Date:</b>				
Department/Agency Name:		DWR		
Reviewer Name:		Mike Pappas		
Reviewer Title:		GIS Planning Manager		
Reviewer Email Address:		<a href="mailto:Michael.pappas@gwinnettcountry.com">Michael.pappas@gwinnettcountry.com</a>		
Case Number:		RZM2023-00005		
Case Address:		1000 Old Peachtree Rd		
<b>Comments:</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1</b>	Water: Contact DWR to discuss potential variance to allow connection to an 8-inch water main.			
<b>2</b>	Sewer: A Sewer Capacity Certification is required to confirm capacity. Pending available sewer capacity, the development may connect to an existing 8-inch sanitary sewer main located on the proposed development site. The existing 48-inch sewer force main must be avoided during all phases of construction.			
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				
<b>7</b>				
<b>Recommended Zoning Conditions:</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				
<b>7</b>				

**Note:** Attach additional pages, if needed

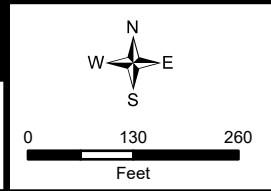
*Revised 7/26/2021*





1000 Old Peachtree Rd  
MU-R to HRR

**Water & Sewer  
Utility Map**



- LEGEND**
- Water Main
  - Sewer Force Main
  - Hydrant
  - Sewer Collector
  - Master Vault
  - Manhole

**LOCATION**

**Water Comments:** Contact DWR to discuss potential variance to allow connection to an 8-inch water main.

**Sewer Comments:** A Sewer Capacity Certification is required to confirm capacity. Pending available sewer capacity, the development may connect to an existing 8-inch sanitary sewer main located on the proposed development site. The existing 48-inch sewer force main must be avoided during all phases of construction.

**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, **June, 2023**

											Proposed Zoning
	School	2023-24			2024-25			2025-26			Approximate Student Projections from Proposed Developments
		Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	Forecast	Capacity	+/- Cap.	
CIC2023-00012 (now a senior development)	<b>Peachtree Ridge HS</b>	3,319	3,050	269	3,263	3,050	213	3,246	3,050	196	0
	<b>Hull MS</b>	1,320	1,750	-430	1,353	1,750	-397	1,399	1,750	-351	0
	Mason ES	955	1,150	-195	960	1,150	-190	991	1,150	-159	0
RZR2023-00012	<b>Seckinger HS</b>	2,004	2,800	-796	2,226	2,800	-574	2,330	2,800	-470	5
	<b>Jones MS</b>	1,699	1,575	124	1,767	1,575	192	1,870	1,575	295	4
	Patrick ES	923	1,025	-102	960	1,025	-65	989	1,025	-36	8
RZC2022-00045 (Same property, Both cases combined)											(Both Phases Combined below)
RZM2022-00047	<b>Seckinger HS</b>	2,004	2,800	-796	2,226	2,800	-574	2,330	2,800	-470	46
	<b>Jones MS</b>	1,699	1,575	124	1,767	1,575	192	1,870	1,575	295	34
	Ivy Creek ES	1,649	1,275	374	1,739	1,275	464	1,795	1,275	520	60
RZM2023-00012	<b>Dacula HS</b>	2,550	2,550	0	2,641	2,550	91	2,755	2,550	205	17
	<b>Dacula MS</b>	1,892	1,900	-8	1,959	1,900	59	2,042	1,900	142	14
	Alcova ES	1,478	1,150	328	1,545	1,150	395	1,612	1,150	462	26
RZM2023-00005	<b>Peachtree Ridge HS</b>	3,319	3,050	269	3,263	3,050	213	3,246	3,050	196	4
	<b>Northbrook MS</b>	918	1,025	-107	948	1,025	-77	979	1,025	-46	4
	Jackson ES	1,504	1,475	29	1,483	1,475	8	1,487	1,475	12	7

**Exhibit G: Maps**

**[attached]**




I85S

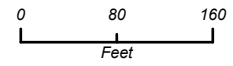
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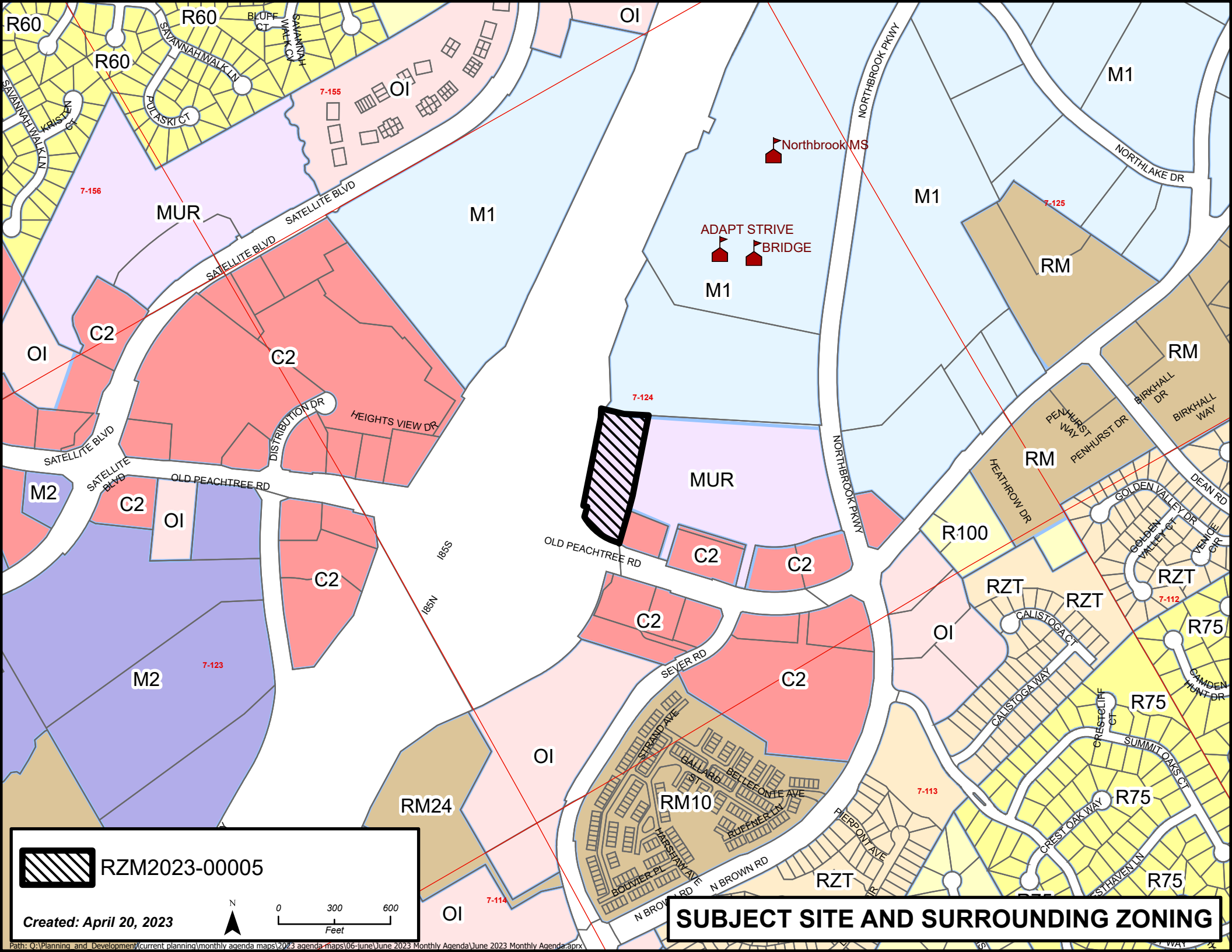
OLD PEACHTREE RD

OLD PEACHTREE RD

 RZM2023-00005

Created: April 20, 2023





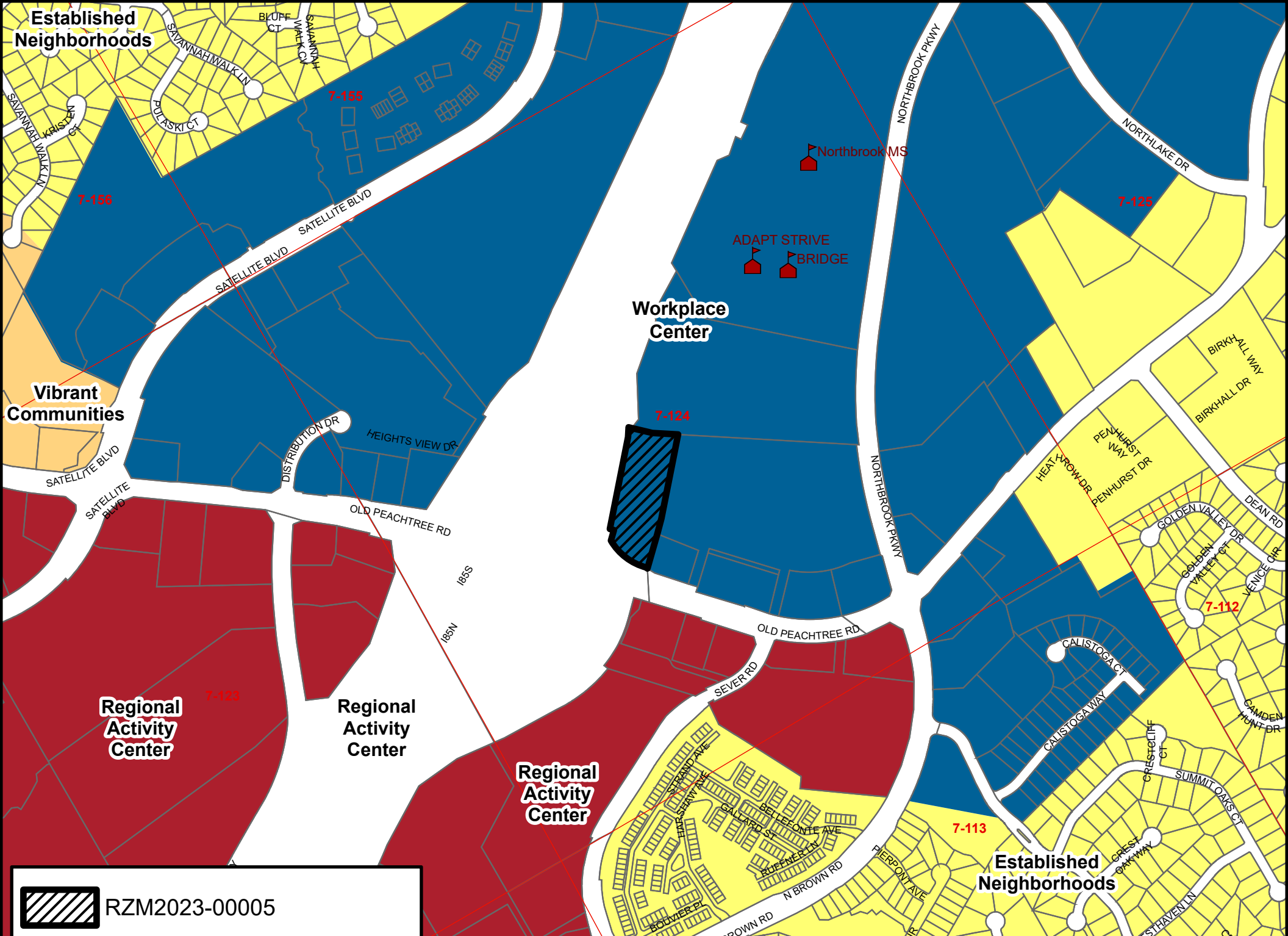
 RZM2023-00005

Created: April 20, 2023

 N



**SUBJECT SITE AND SURROUNDING ZONING**



 RZM2023-00005

Created: April 20, 2023

 N



**2040 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION**