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SHARON A. GAY
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EMAIL ADDRESS
sgay@mckennalong.com

October 25, 2013

By hand delivery
Mr. Tshaka Warren
Senior Planner, Office of Planning
City of Atlanta
55 Trinity Avenue, S.W.
Suite 3350
Atlanta, Georgia 30303

Re: SAP 13-113 -- 1000 Park Avenue

Dear Tshaka:

Thank you for your staff comments dated September 24, 2013 regarding the above-referenced application. In response to those comments and based further on your subsequent discussion with the project architect, enclosed please find the following:

1) Eleven (11) copies of the 2001 Site Plan updated with requested details;

2) Five (5) copies of the 2001 Phipps Boulevard Frontage Plan annotated with SPI-12 streetscape details;

3) Five (5) copies of full and partial elevations;

4) Five (5) copies of each of the following: Lower Level Parking and Loading Plan; Full Site Cross Sections; Service Drive Section-Elevation, and Building Sections; and

5) Request for Additional Variations.

With regard to the nine issues enumerated in the staff comments, Items (1) and (2) are addressed on the updated Site Plan. Item (4) is shown on the updated Landscape Plan. Note that Item (4) also is shown on the 2001 Landscape Plan previously approved for the Property. Variations

are requested for Items (3), (5), and (6). To the extent Item (7) applies, it is addressed in the Elevations. Items (8) and (9) are shown on the Lower Level Parking and Loading Plan.

Additionally, we understand that the Office of Buildings will require updating of the lot boundary pursuant to a request for re-platting. We will file the necessary administrative forms prior to applying for a building permit.

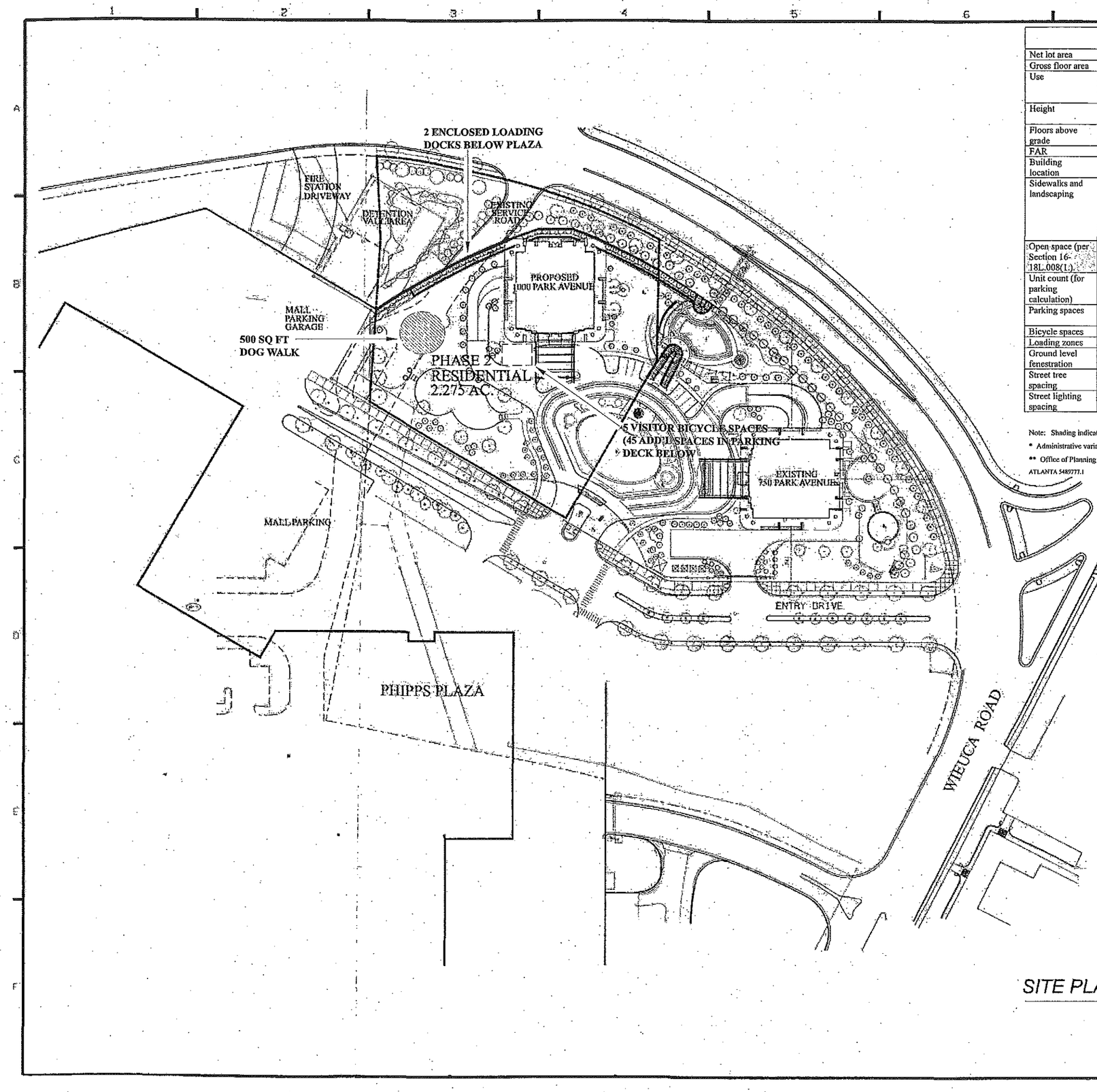
Please let me know if you have questions or need further information.

Thank you for your assistance and consideration.

Very truly yours,

Sharon A. Gay

SAG



	PD-MU	SPI-12	Provided
Net lot area	-	-	99,000 SF
Gross floor area	-	-	482,497 SF
Use	Multifamily residential and structured parking	-	Multifamily residential and structured parking
Height	545 ft.	N/A	540 ft.
Floors above grade	39	-	39
FAR	4.18	N/A	4.07
Building location	2001 Site Plan	N/A	Complies with 2001 Site Plan
Sidewalks and landscaping	2001 Landscape Plan	Min. 5' amenity zone, 10' sidewalk zone; supplemental zone 10' min./25' max.	Complies with 2001 Landscape Plan; also meets SPI-12 requirements for amenity, walk, and supplemental zones
Open space (per Section 16-18L.008(1))	N/A	20% (20,524 SF)	69.56% (71,389 SF)
Unit count (for parking calculation)	N/A	N/A	74 1-BR 222 2-BR
Parking spaces	N/A	No minimum; maximum of 682	450
Bicycle spaces	N/A	50	50
Loading zones	N/A	3	2*
Ground level fenestration	2001 Site and Landscape Plans	20%	400 linear ft. (90%)**
Street tree spacing	N/A	30 ft. max.	30 ft.
Street lighting spacing	N/A	60 ft. max.	60 ft.

Note: Shading indicates controlling requirement per Zoning Code Section 16-18L.001(2.)(a.).

* Administrative variation requested.

** Office of Planning requested that Applicant depict this information.

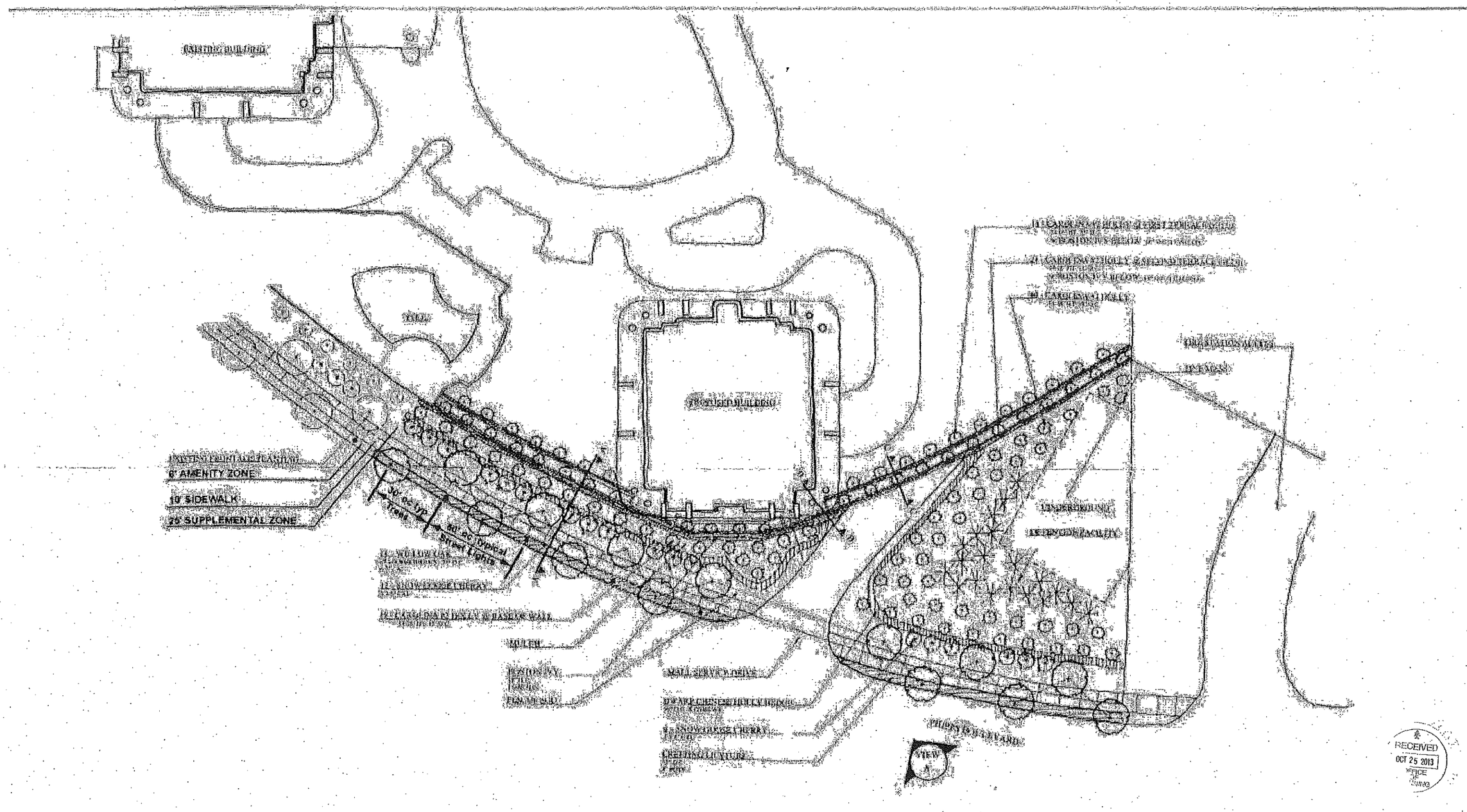
ATLANTA 5489777.1

SITE PLAN 1" = 40'-0"

Burt Hill
Kosar Rittelmann Associates
600 Smithfield Street
Suite 2600
Pittsburgh, PA 15222-2907
412-261-2000
FAX: 412-261-2644

1000 PARK AVENUE

ZONING SITE PLAN



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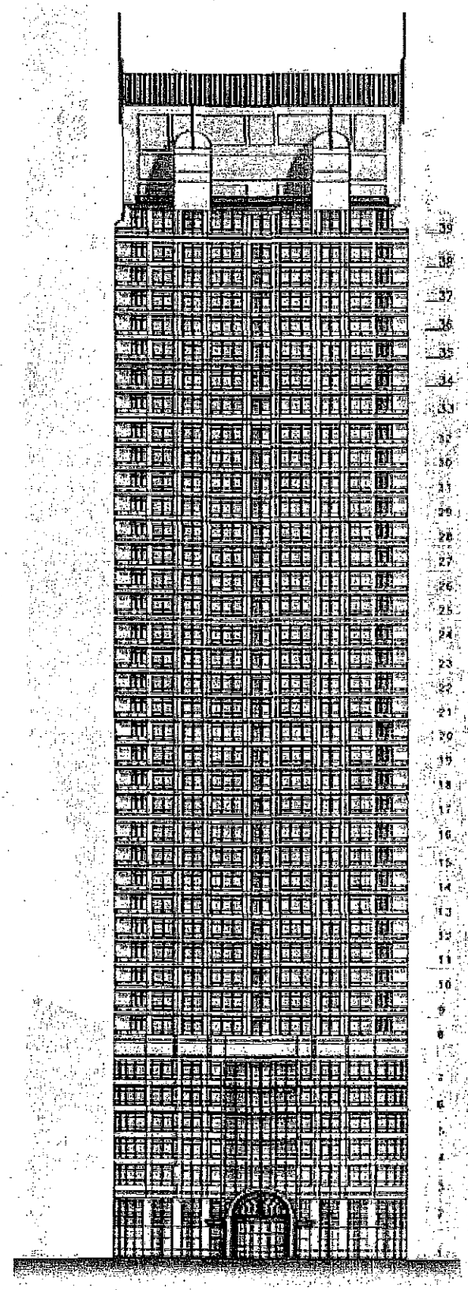
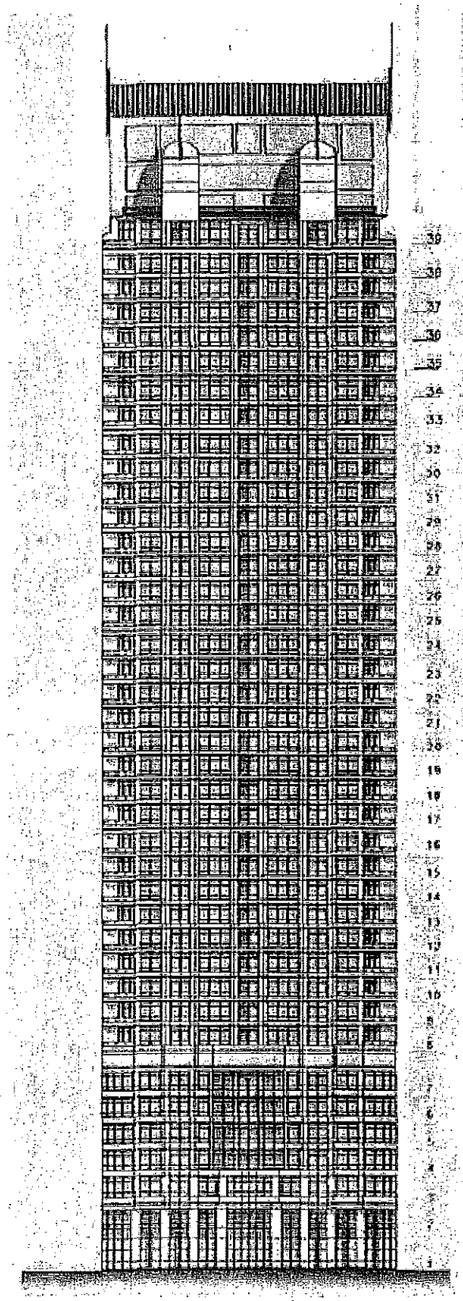
OFFICE OF ZONING

July 10, 2013

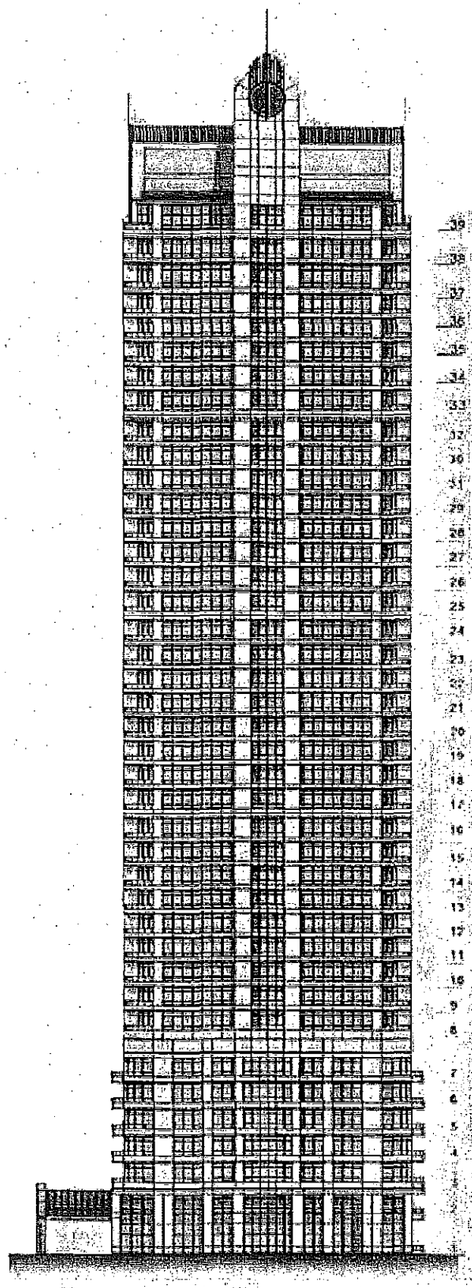
ORIGINAL – PHIPPS BOULEVARD FRONTAGE PLAN | ASK.2a



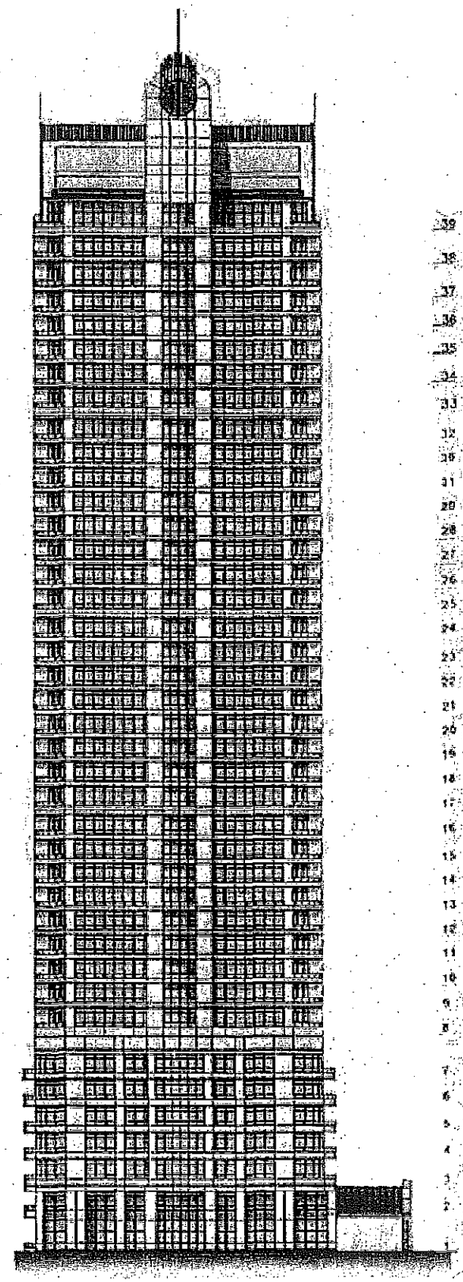
South Elevation



North Elevation



East Elevation



West Elevation

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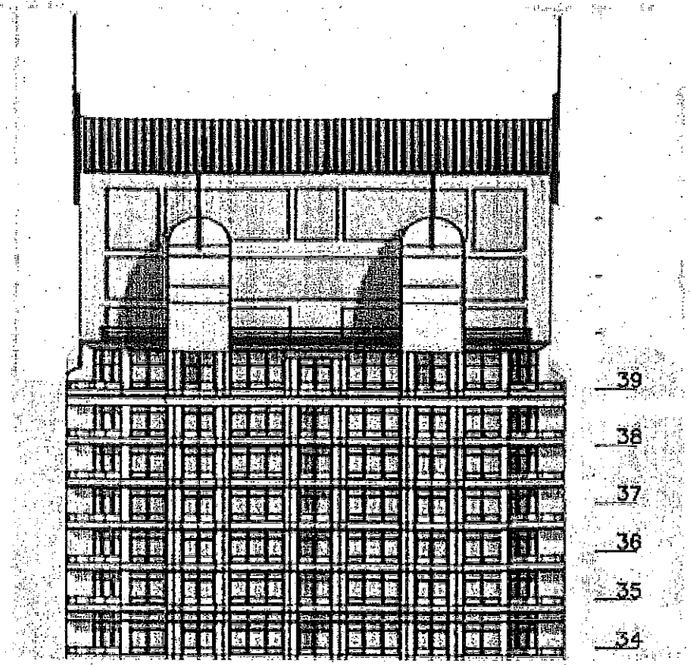

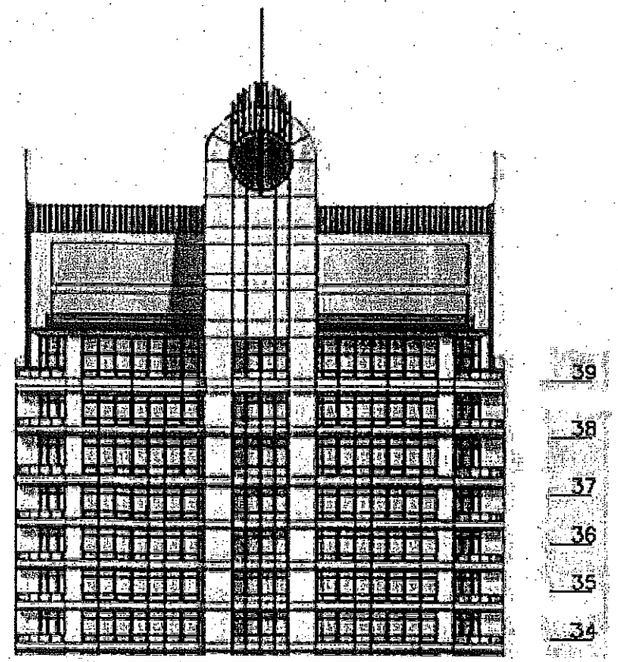

Partial South Elevation
(North Elevation similar w/o Canope)

Partial East Elevation
(West Elevation similar)

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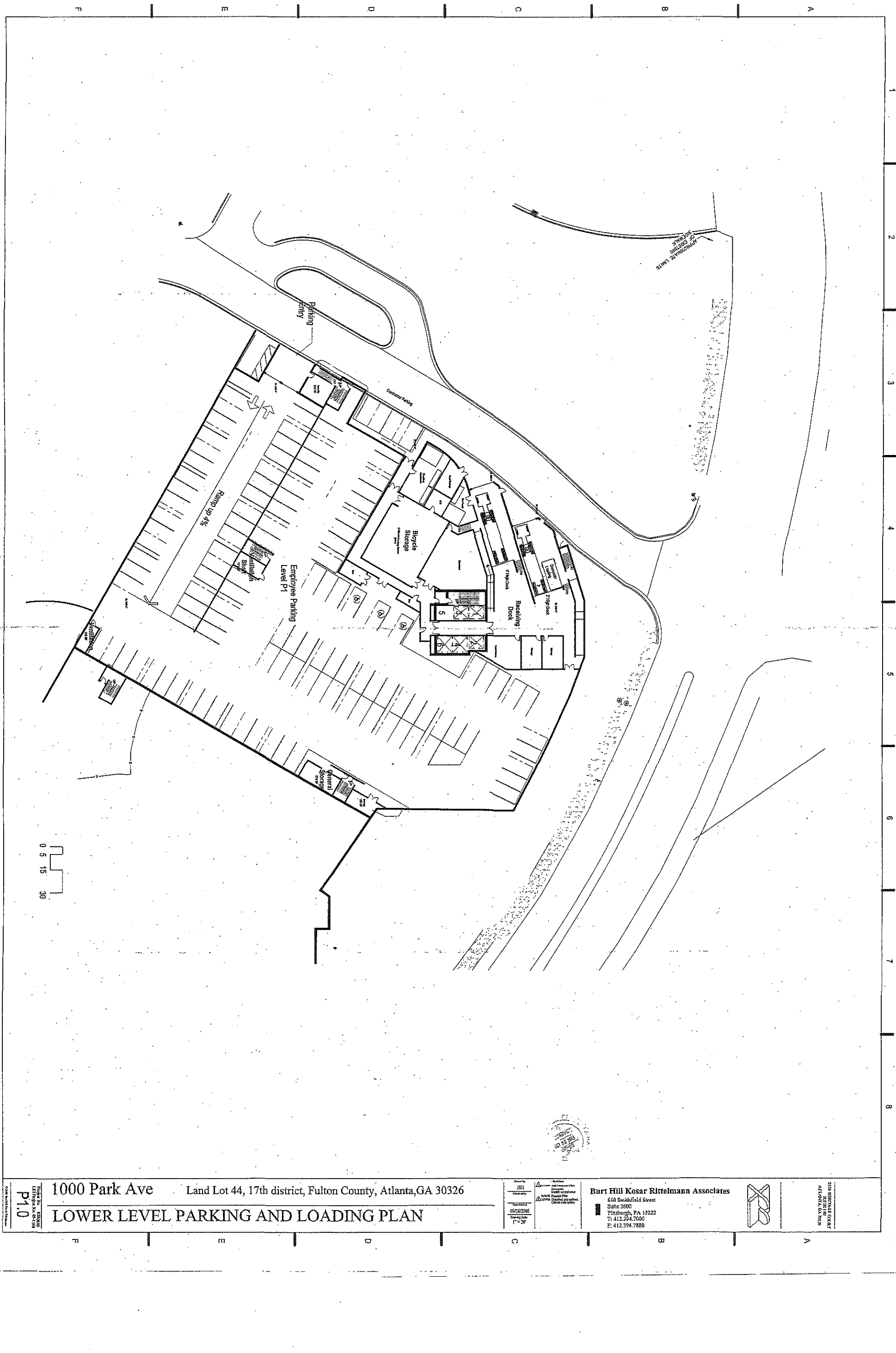

1000 Park Ave — Land Lot 44, 17th district, Fulton County, Atlanta,GA 30326

LOWER LEVEL PARKING AND LOADING PLAN

P1.0

Project No: 650640
LEI Project No: 651164

Drawn by: JSG
Checked by:
Date Printed: 09/26/2006
Drawing Scale: 1" = 20'

1 Revisions
Revised per CDA Comments
10/20/06 Revised site layout
10/27/06 Revised per updated Column grid layout

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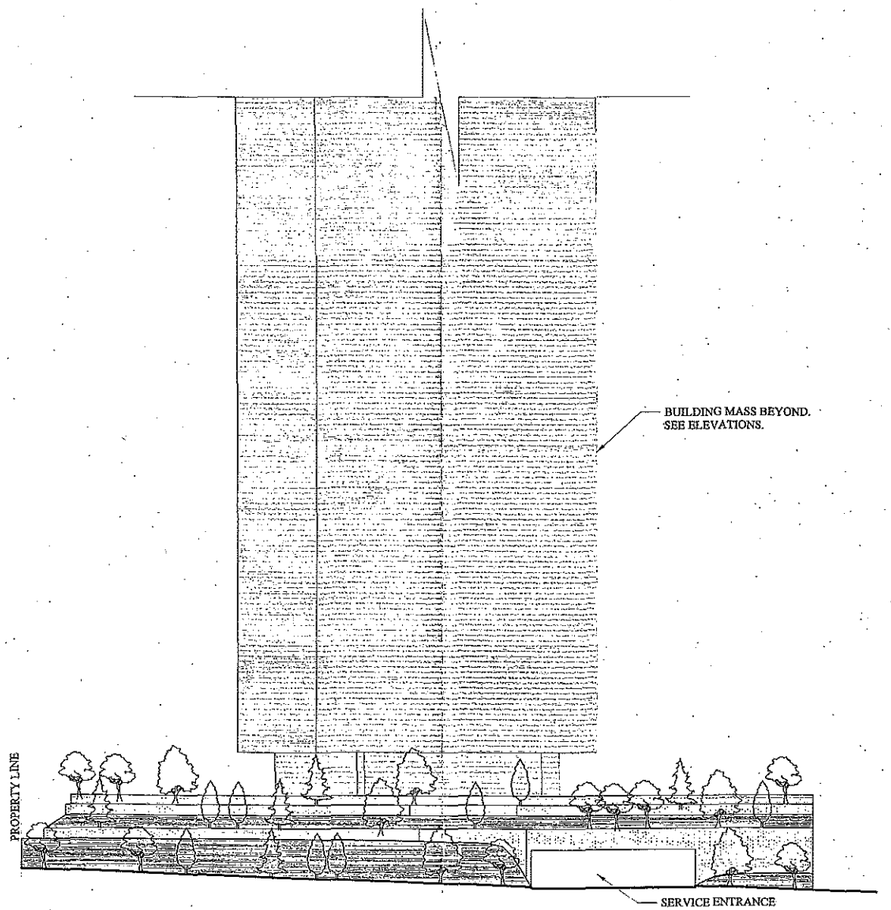
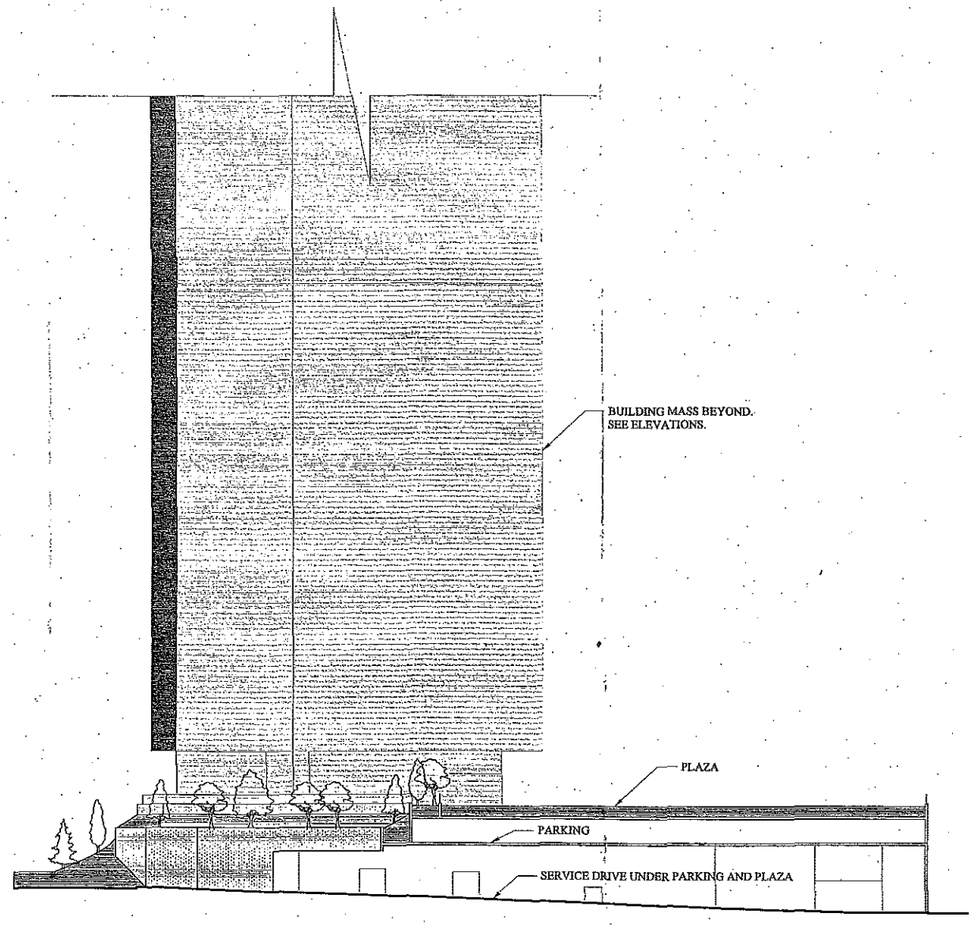


NORTH ELEVATION FROM PHIPPS BOULEVARD



SECTION-ELEVATION THROUGH SERVICE DRIVE

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1000 Park Ave
Land Lot 44, 17th district, Fulton County, Atlanta, GA 30326

SITE SECTIONS

Project No. 050820
LH Project No. 05-1160

S1.0

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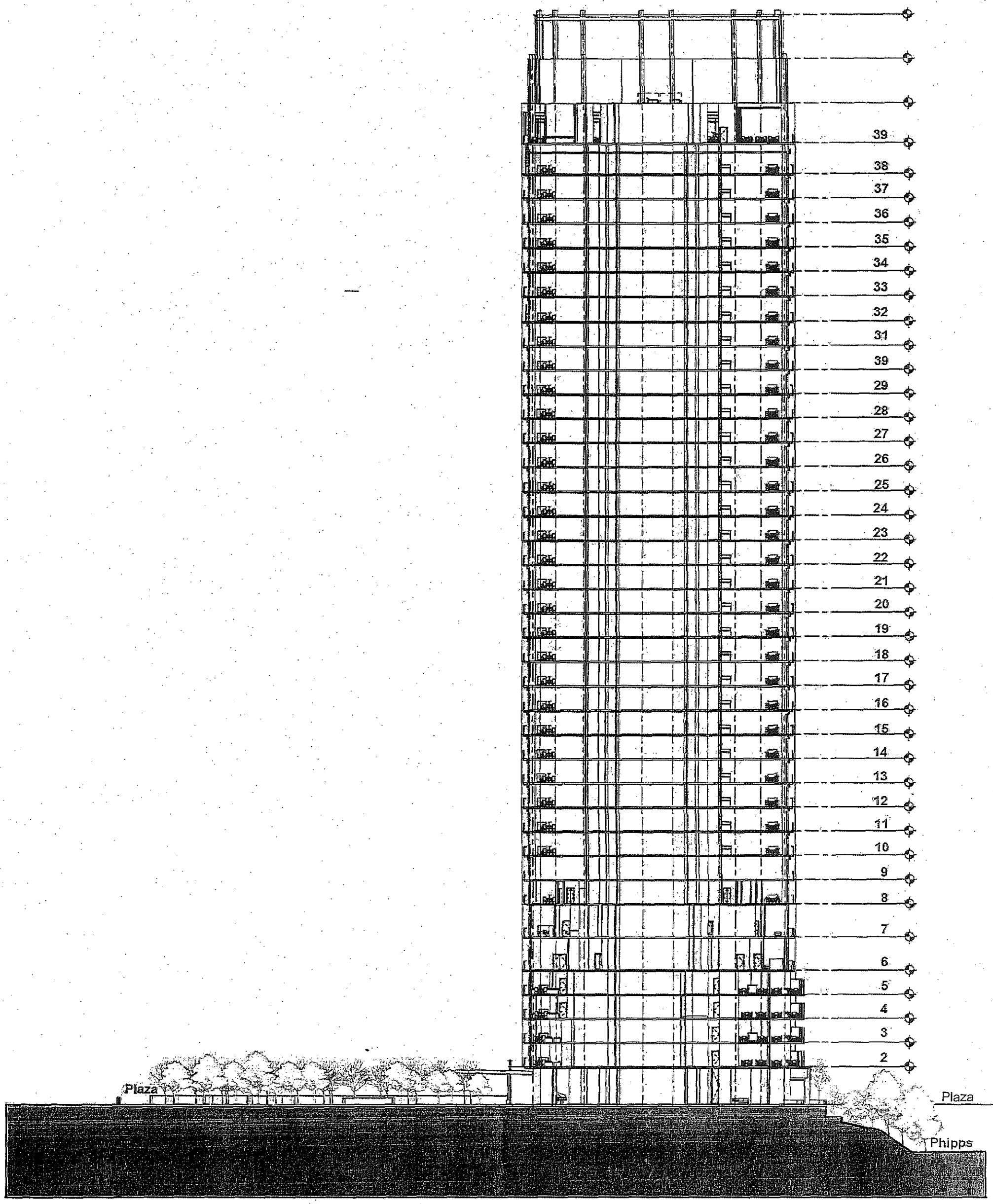

Building Section

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APPLICATION FOR SPECIAL ADMINISTRATIVE PERMIT
SAP 13-113

1000 PARK AVENUE

LAND LOT 44 , 17th DISTRICT OF FULTON COUNTY

SPI-12/SUBAREA 1

REQUEST FOR ADDITIONAL VARIATIONS

100 PARK AVENUE PARTNERS, L.P.
BY SHARON A. GAY

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Introduction

100 Park Avenue Partners, L.P. (the "Owner") has submitted application SAP-13-113 to obtain approval of a special administrative permit ("SAP") to develop a luxury residential tower in accordance with a previously approved site plan and applicable provisions of SPI-12. Zoning Code Section 16-18L.001(2.)(a.), (c.). The 2.275-acre site is located in Land Lot 44 of the 17th District of Fulton County and known as 1000 Park Avenue, N.E. (the "Property"). The Owner proposes to develop a second residential tower as a companion to the existing adjacent tower located at 750 Park Avenue, N.E.

Background

The Property was originally zoned in the 1990s as part of the PD-MU (Planned Development – Mixed Use) classification adopted for Phipps Plaza (Z-96-70). In 2001, the City Council amended the PD-MU zoning for the Property to approve a revised site plan and landscape plan. Ordinance No. 01-O-0588 (Z-01-25), adopted by the Council on July 16, 2001 and approved by operation of law on July 25, 2001(the "2001 Amendment"). The 2001 Amendment approved a site plan prepared by Burt Hill Kosar Rittelmann Associates dated August 16, 1999 (the "2001 Site Plan"). Additionally, the 2001 Amendment adopted landscape and section plans prepared by Hughes, Good, O'Leary, and Ryan dated July 10, 2001 and entitled "View A from Phipps Boulevard to Mall Service Road" and "Phipps Boulevard Frontage Plan" (collectively the "2001 Landscape Plan"). The Landscape Plan was carefully and thoroughly negotiated with the nearby neighborhood leadership and includes elements and characteristics strongly supported by the neighborhood.

An affiliate of the Owner developed the adjacent condominium tower at 750 Park Avenue in 1999. (See Z-96-69 for site plan approved for the first tower.) The PD-MU site plans for the two parcels were designed to connect and coordinate as a unified development pursuant to companion zoning site plans and unified control adopted for the entire Phipps Plaza block. The landscaping, building layouts and orientations, private street and entry court, and walkways were designed to work as a unified development. In accordance with Code Section 16-18L.001(2.), the Owner

submitted this application to develop a second residential tower on the Property in accordance with the use, height, building locations, and density established by the 2001 Site Plan and 2001 Landscape Plan.

The Owner previously requested approval of an administrative variation to reduce the number of required off-street loading zones from 3 to 2. After further consultation with staff in the Office of Planning, the Owner now wishes to request additional variations from SPI-12 regulations to establish clearly the controlling elements of the 2001 Site Plan and Landscape Plan with regard to the street frontage.

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Requested variations

1) Pedestrian walkway in supplemental zone: Section 16-18L.010(3)(a) requires a pedestrian walkway from the Phipps Boulevard sidewalk through the supplemental zone to the building. The Owner requests a variation from this requirement on the grounds that (i) the topography of the Property and the building elevation and landscape berm required by the 2001 Plans make this requirement infeasible; and (ii) if constructed, this steep walkway would require approximately 60 steps, which does not advance the goal of pedestrian connectivity.

The Property drops steeply to the north and west of the building location. As shown on the 2001 Site Plan, the building will be positioned at an angle to the street at a plaza elevation of 995 ft., which is an average of 30 ft. above the grade of Phipps Boulevard. Additionally, the 2001 Landscape Plan requires a heavily landscaped berm between the building and the street. Together, the existing site conditions and required design elements preclude this walkway.

2) Major sidewalk-level façade: Section 16-18L.011(2), (4) sets forth requirements for minimum fenestration and active uses for the facades of buildings facing primary streets such as Phipps Boulevard. The Owner requests a variation from the active use and fenestration requirements along the Phipps Boulevard frontage on the basis that strict application of this requirement to this Property is not needed to accomplish the legislative intent of creating vibrant streets.

The building will be positioned on the site and landscaped in accordance with the 2001 Plans. Commercial uses, particularly retail, are unlikely to be viable on the Phipps Boulevard frontage of this building because of the steep topography, the required position of the building pursuant to the 2001 Site Plan, the landscape berm and extensive plantings dictated by the 2001 Landscape Plan, and the lack of on-street or other visible or readily accessible parking. Moreover, an abundance of retail, restaurant, and other commercial uses already exist in the Phipps Plaza block and immediate vicinity. Additionally, as we discussed with the SPI-12 Development Review Committee, the surrounding residential neighborhood does not support retail uses along this frontage.

3) Minor sidewalk-level facades: The Owner requests a variation from the requirements of Section 16-18L.011(3), (4) as applied to minor sidewalk-level facades on the basis that the development will not have any facades that qualify as minor sidewalk-level facades. Given the location of the building as dictated by the 2001 Site Plan, the closest façade to Park Avenue is over 100 ft. away from this private street and will be separated by required landscaping and fencing. Accordingly, the building is not "sidewalk-level" for the purpose of activating a street.

For these reasons, strict application of the zoning regulations is not necessary for protection of the public or the accomplishment of public purposes. Accordingly, we respectfully request that these variations be granted.

Submitted this 24th day of October, 2013.

Sharon A. Gay
McKenna Long & Aldridge LLP

ATLANTA 5514882.3

LOWER LEVEL PARKING AND LOADING PLAN

1000 Park Ave

Land Lot 44, 17th district, Fulton County, Atlanta,GA 30326

Project No: 6000000
LEED Project No: GS-4.110

P1.0

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SUITE 100
ATLANTA, GA 30339

Revisions	Issued by	Issue Related	Drawing Scale
05/30/06 Add Metro per COA Comments Modify vertical risers. Realign floor. 07/31/06 Transferred exit stairwell. Column redo update.	JSG Checked by	09/28/2005	1" = 20'

0 5 15 30

Ramp up 4%

Employee Parking
Level P1

Receiving
Dock

Bicycle
Storage
40 Bicycle Parking Spaces
Provided

General
Storage
107 SF

Ventilation
Shaft
129 SF

Ventilation
Shaft
129 SF

Parking
Entry

Dumpster/
Loading

Electrical

Fuel Pump

Fuel Storage

Plumbing
Equipment

Trash Room

Storage

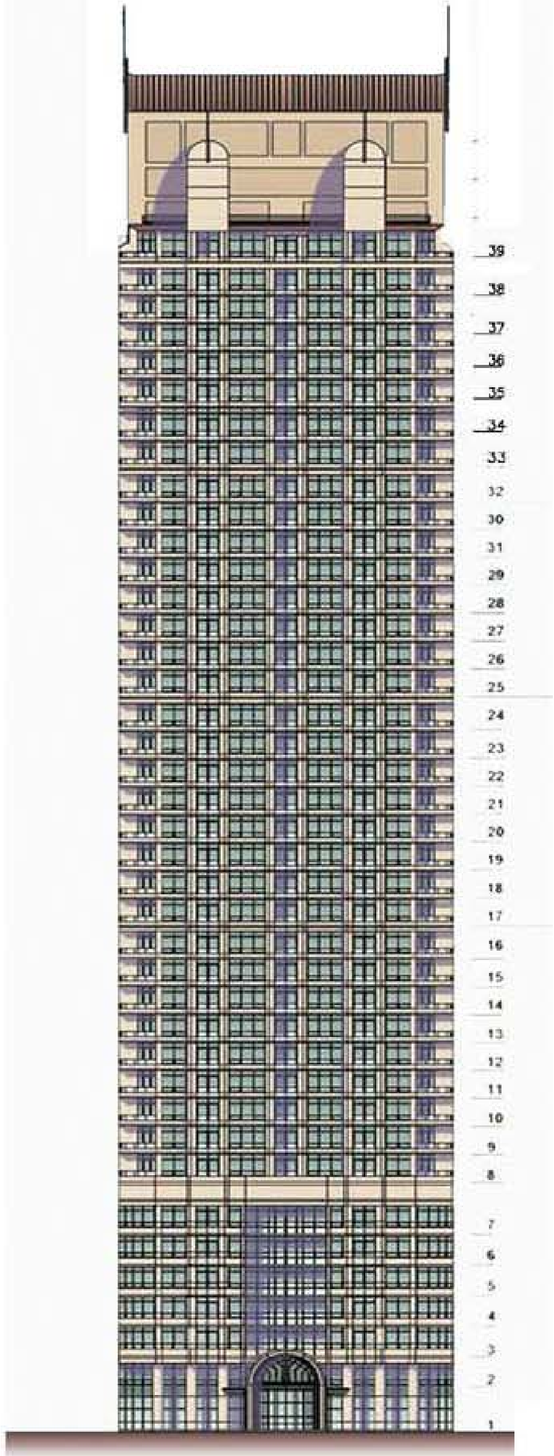
Storage

Storage
165 SF

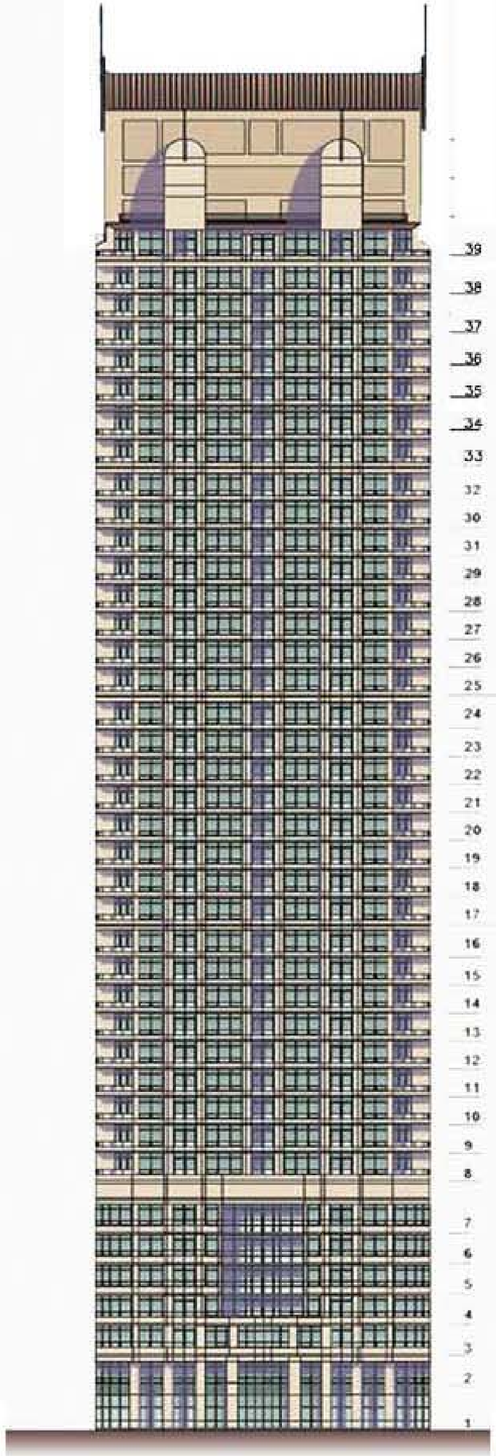
Security
202 SF

Canterbar Parking

APPROXIMATE LIMITS
OF EXISTING
SIDEWALK



South Elevation



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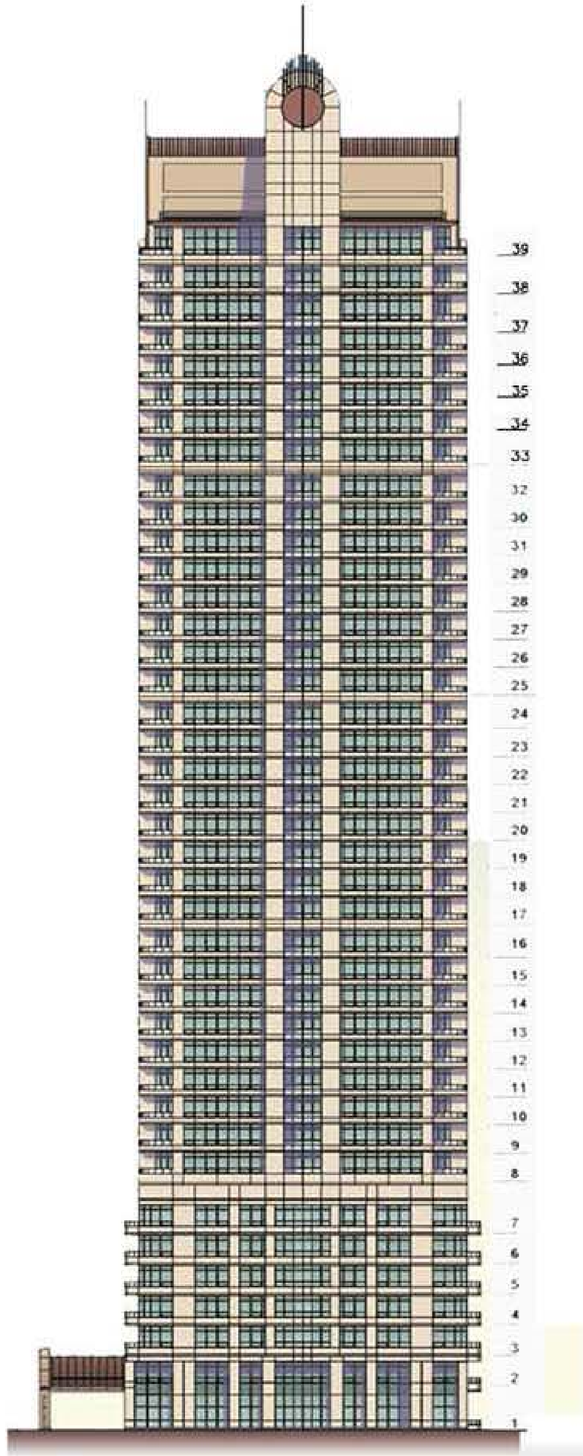
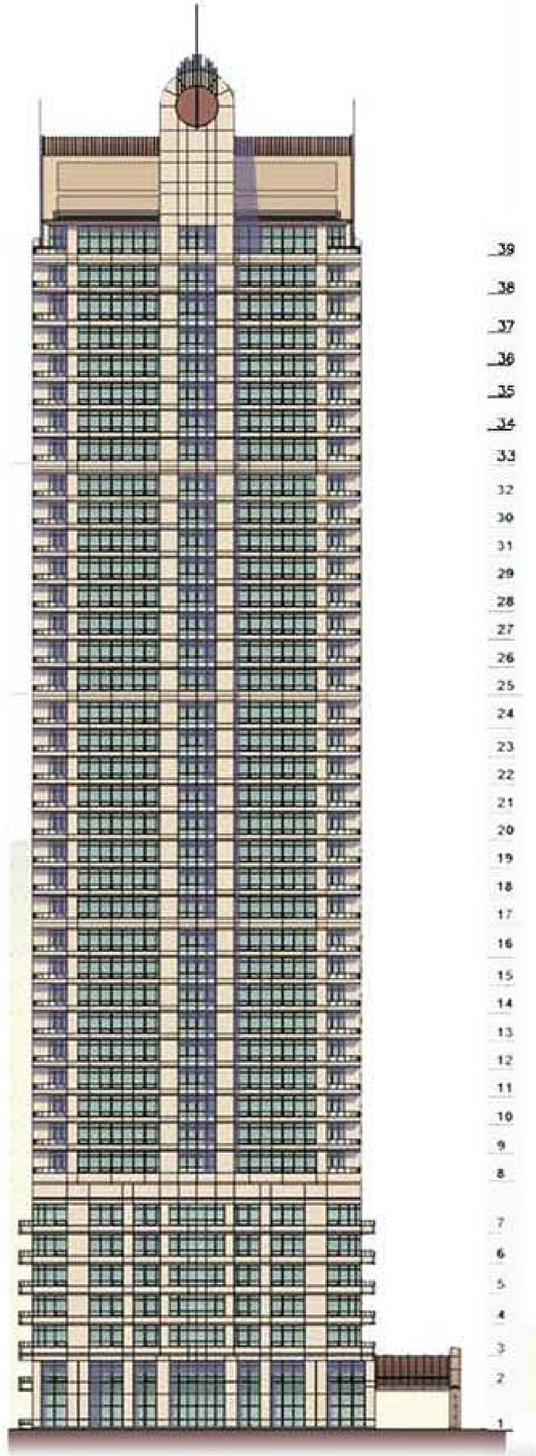


East Elevation



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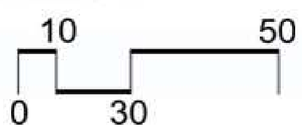
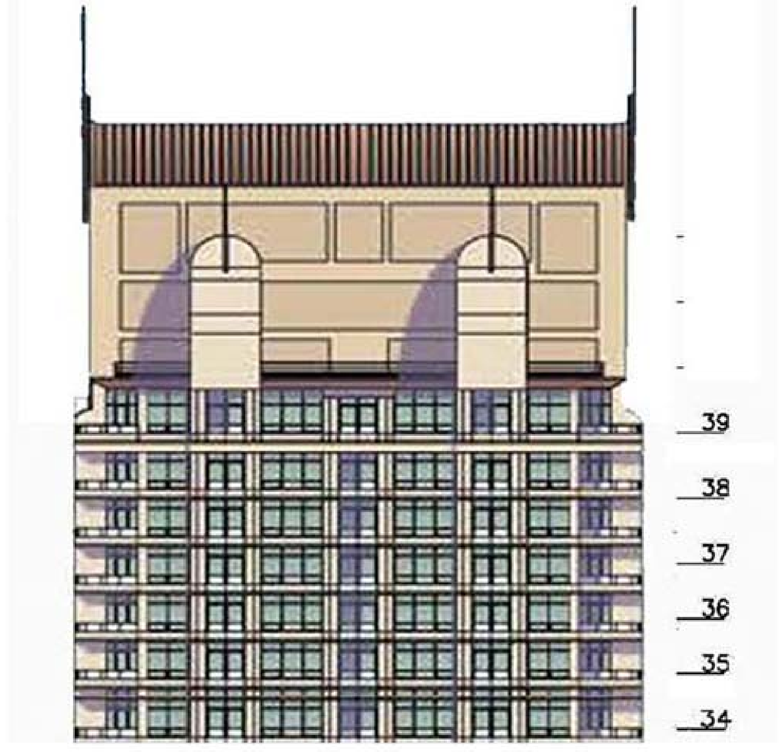
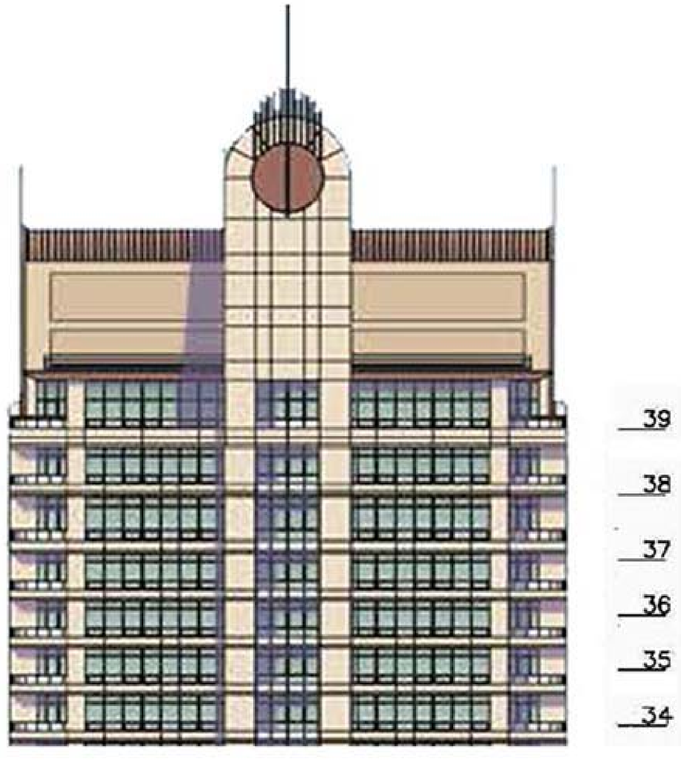
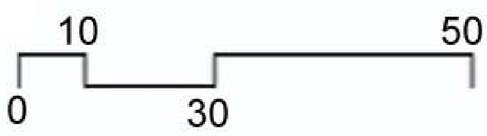


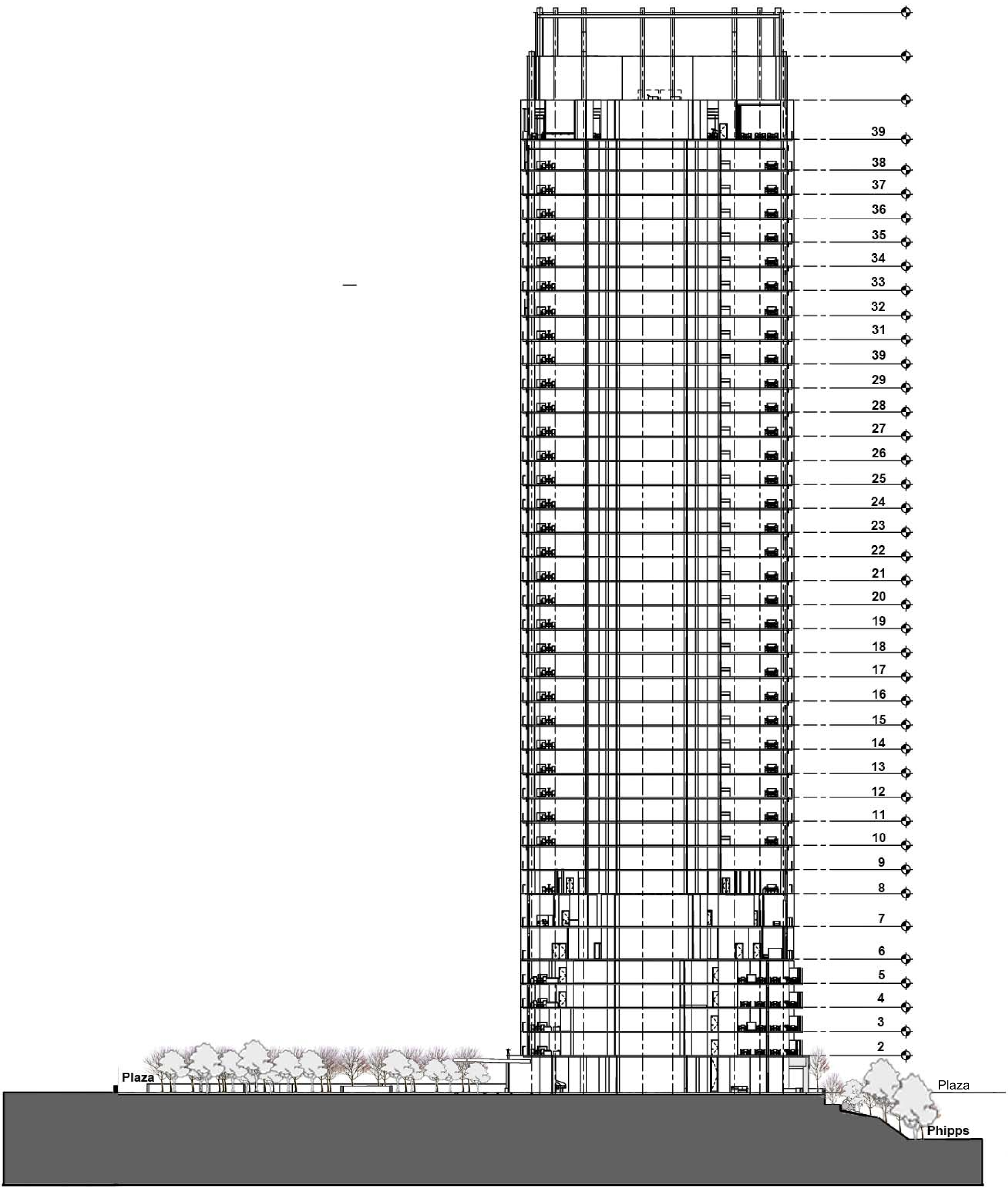




Partial South Elevation
(North Elevation similar w/o Canope)

Partial East Elevation
(West Elevation similar)





Building Section

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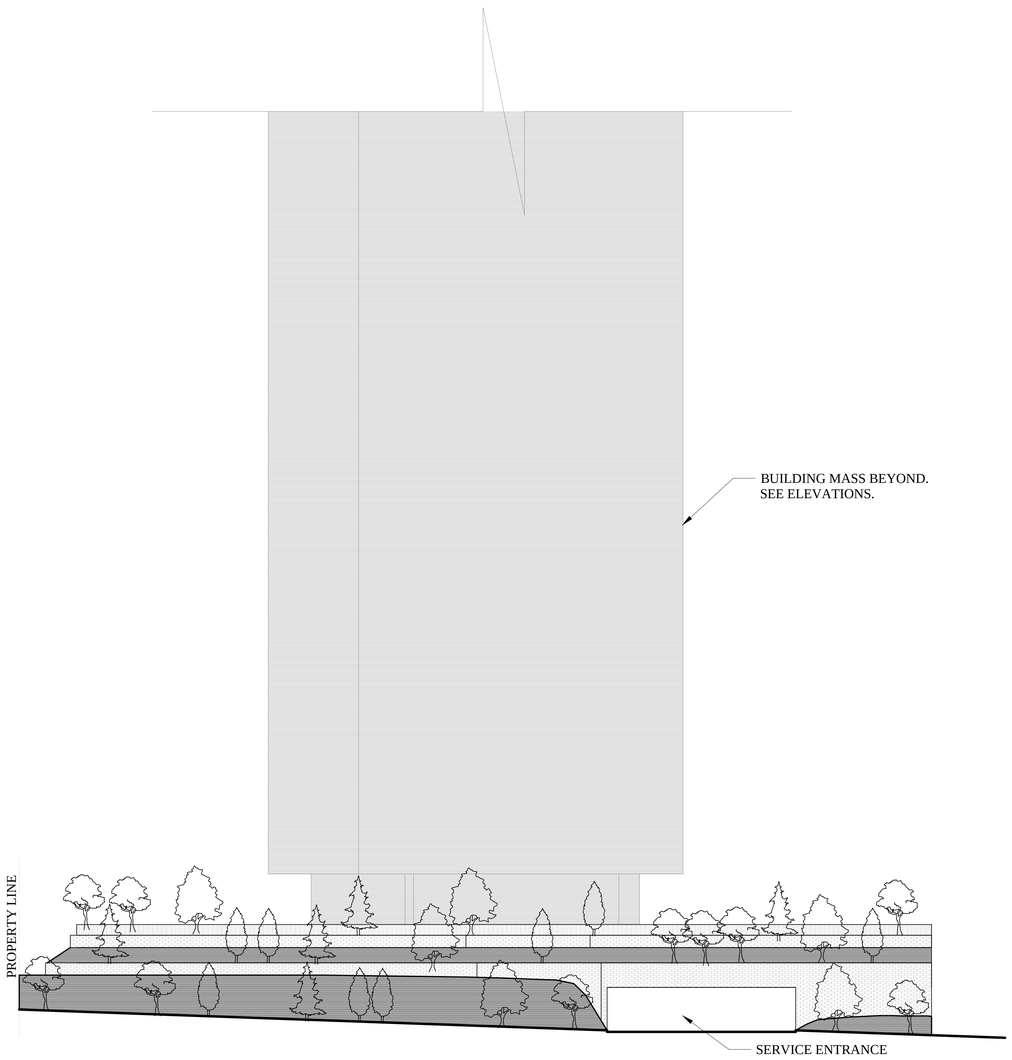
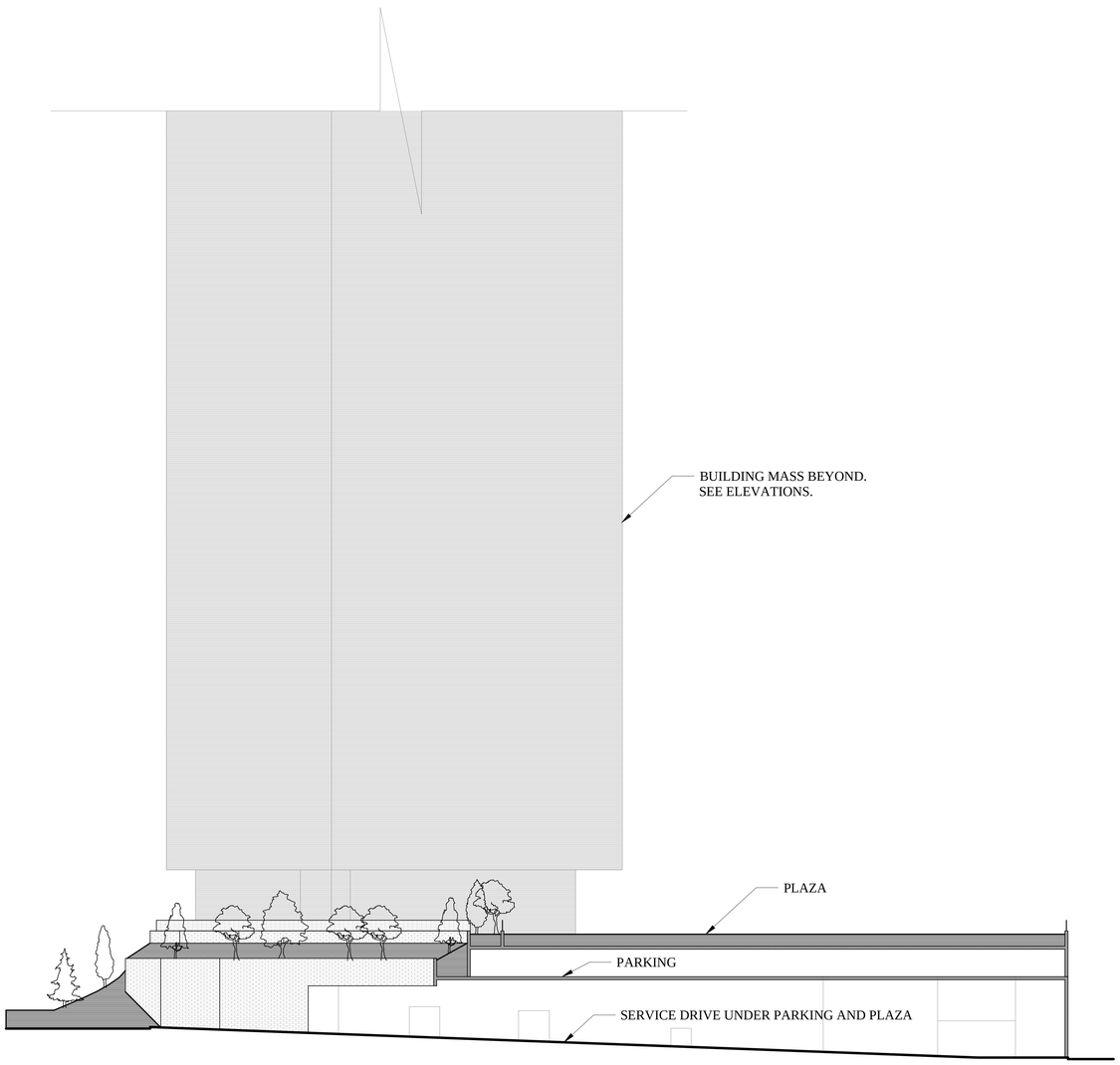


NORTH ELEVATION FROM PHIPPS BOULEVARD



SECTION-ELEVATION THROUGH SERVICE DRIVE

2550 HERITAGE COURT
SUITE 100
ATLANTA, GA 30339

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Revision
1 07/11/05 Add new massing for Phipps property per 06/30/05 Project Plans
2 07/29/05 Revised location of building, added plan

Drawn by: JSG
Checked by:
Date Released: 09/28/2005
Drawing Scale: 1" = 20'

1000 Park Ave
Land Lot 44, 17th district, Fulton County, Atlanta,GA 30326

SITE SECTIONS

Project No. 0500800
LEI Project No. 05-1160

S1.0

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