



APPLICATION FOR A SPECIAL ADMINISTRATIVE PERMIT (SAP)

For SPI, Beltline, LW, MR, MRC & NC Zoning Districts

City of Atlanta, Office of Zoning and Development (404-330-6145)

File No.: _____

APPLICANT (name) Dee Wickersham

ADDRESS 7811 Cheviot Rd, Unit A, Cincinnati, OH 45247

PHONE NO. 812.560.9881 **EMAIL** deew@idealdd.com

PROPERTY LANDOWNER EDENS / Matt Schell

ADDRESS 3050 Peachtree Road, NW Suite 580

PHONE NO. 678.527.0401 **EMAIL** mschell@edens.com

ADDRESS OF PROPERTY 3535 Peachtree Rd

Land District _____ **Land Lot** _____ **Council District** _____ **NPU** _____

Is property within the BeltLine Overlay District? Yes No **Zoning Classification** _____

Is Inclusionary Zoning applicable to this project? Yes No (See additional requirements below)



Submittal Checklist (See detailed checklist on page 2):

- Project Summary:** Provide cover letter describing new construction, alterations, repairs or other changes to the exterior of existing structures and/or the site. Requests for administrative variations must be accompanied by a written justification for each.
- Property Survey:** Submit two (2) copies. Lot consolidation, replatting or subdivision may be required prior to approval of SAP.
- Site Plan** (released for construction and sealed) **and Building Elevations:**
 - a. **Initial Submission:** **Four (4)** Site plans & **Two (2)** Elevations; with two (2) more copies if DRI or NPU review is required.
 - b. **Other information:** Copies of applicable Rezoning Legislation, Special Use Permit and any letters for Variance or Special Exception. Note: additional plans or documents may be required at the discretion of the Office of Zoning and Development.
- Property Owner Authorization:** Submit required notarized owner consent per attached form.
- Notice to Applicant:** Submit attached form with signature and date.
- Development Controls Specification Form**

Fees (non-refundable): Payable to the "City of Atlanta" in the form of cash, credit card, personal or cashier check, or money order.

- Exterior demo, outdoor dining new/expansion, or non-expansion: \$250.
- Developments < 50,000 sq.ft. of floor area: \$500.
- Developments 50,000 to 250,000 sq.ft. of floor area: \$1,000.
- Developments ≥ 250,000 sq.ft. of floor area: \$1,500.

I HEREBY AUTHORIZE CITY STAFF TO INSPECT PREMISES OF ABOVE DESCRIBED PROPERTY. I HEREBY DEPOSE THAT ALL STATEMENTS HEREIN ATTACHED & SUBMITTED ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Date 08/02/19 **Signature of Applicant** [Signature]

Additional Submittal Requirements (as applicable):

- **Inclusionary Zoning:** All new or conversion multifamily residential rental projects with 10 or more units in the Beltline Overlay District OR Westside neighborhoods of English Avenue, Vine City, Ashview Heights, or AUC must complete and submit the Inclusionary Zoning Certification Form with their application. Certification: <https://www.atlantaga.gov/home/showdocument?id=33627>
- **Beltline, NC-2, NC-6, NC-10, NC-11, NC-12, & NC-14 Districts:** Pre-application conference with Zoning and Development Staff is recommended **prior** to SAP submittal. To arrange such a meeting contact Krishanna Marie Newton at 404-330-6065 or knewton@atlantaga.gov. **INCLUDE EXTRA COPY OF SUBMITTAL PACKAGE** for the required 21-day NPU review period as detailed below. Submit (1) one application and (3) three sets of drawings, staff will make copies of the received SAP for you.
 - Mail a copy of the **submitted SAP application & drawings stamped received by the Office of Zoning and Development** to the NPU.
 - Submit a copy of U.S. Postal Service Certificate of Mailing and notarized Affidavit of NPU Notification as soon as possible to complete the application submission and begin the SAP review period.
- **Development Review Committee (DRC)*:** Projects in the Beltline & SPIs 1, 9, 12, 15, 16, 17 districts may require DRC review.
- **Development of Regional Impact (DRI) Study:** Developments either over 500,000 s.f. or having greater than 600 residential units may require a DRI approval by GRTA and ARC. For full thresholds and rules contact GRTA and/or ARC.
 - Initial submission: DRI Form 1 with the SAP application. Zoning and Development staff will then submit information to GRTA and ARC.
- **Watershed Management (DWM) Requirements (Section 74-504(a)):** Consultation meeting with DWM is **REQUIRED** for any site disturbance to determine applicable storm water work. Call 404-330-6249 or visit: www.atlantawatershed.org/greeninfrastructure

(FOR OFFICE OF ZONING AND DEVELOPMENT OFFICE USE ONLY)

The above request for a Special Administrative Permit (SAP) was **approved** or **denied** on _____
See attached **Special Administrative Permit Approval Form(s)** for detailed approval information.

Signed for Director, Office of Zoning & Development _____

Staff Reviewer - Print Name _____



The following checklist is designed to assist those in preparing required materials for SPI, Beltline Overlay, NC, LW, MRC, and MR districts. **Items omitted will delay applicant's review process.** The following items are required as part of a complete application for a Special Administrative Permit. **NPU Notification and DRC review, as applicable, are required as a part of a completed SAP application.** Please note: * FINAL APPROVED SAP PLANS ARE REQUIRED WITH THE PERMIT APPLICATION SUBMITTAL TO THE OFFICE OF BUILDINGS.

- 1. **SAP Application Form and Property Landowner Authorization Form:** completed with notarized signatures.
- 2. **Notice to Applicant Form:** with signature and date.
- 3. **Project Summary:** Provide cover letter clearly describing all new construction, alterations, repairs or other changes to the exterior appearance of existing structures or site. **Any administrative variations ARE REQUIRED to be accompanied by a written justification for each variation requested.**
- 4. **Property Survey:** Two (2) copies of survey (for new single-family and duplex construction, show existing footprints of principal structures on adjoining lots fronting the same street).
- 5. **Site Plan** (drawn to scale, released and sealed for construction) of proposed improvements showing items listed below*. **Initial Submission:** Four (4) copies for initial staff review. If DRI or NPU review is required: one (1) extra copy per review. **Final Submission (after staff review): Six (6) copies.**
 - a) Date, north arrow, and graphic scale.
 - b) Adjacent streets, with street names, property lines and dimensions, and easements.
 - c) **Existing conditions to remain: identify all overhead utility poles, transformers, above ground stormwater detention areas and inlets.**
 - d) **Proposed new installations: Identify the number, type and location of new street lights, transformers, AC units and other similar mechanical/accessory equipment at or above grade. Identify such items in the public right-of-way which final approval by Department of Public Works or GDOT is required.**
 - e) Specify location and widths for all Sidewalks (street furniture and clear zones) and Supplemental Zones.
 - f) Ground floor layout plan with building and tenant entrances also shown
 - g) Street-front ground floor façade fenestration – vertical/horizontal window dimensions and % of façade length
 - h) Outdoor dining – seating plan, dimensions, and % of business establishment floor area
 - i) Height of structures (including fences/walls)
 - j) Parking, driveway and curb cut layout and dimensions (auto, truck loading, & bicycle/moped)
 - k) Location of parking deck light fixtures. Also indicate amount of foot-candles, and type of light fixture
 - l) **Landscape plan:** Planting locations including street trees (with tree species and calipers indicated), parking lot and other on-site landscaped areas (with the dimensions and percentage of lot calculated).
 - m) **Site Plan Specifications Table*** (show specifications in table form on site plan):
 - Zoning Classification, Net Lot Area & Gross Land Area, Floor Area Ratio (FAR), square footage of structures & individual uses
 - Number of minimum and maximum required parking spaces (auto & bicycle/moped), & loading spaces**
 - For commercial** uses:
 - Maximum building coverage
 - Public space area (PSR)
 - For residential** uses:
 - Number of total dwelling units and bedroom count per unit.
 - Total open space (TOSR) as applicable
 - Total useable space (UOSR) – amount specified for balconies, rooftop terraces, plazas/parks, etc.
- * As applicable per scope of work on project ** Show required and proposed (where applicable measure in square footage)
- 6. **Rooftop plan** when counted towards open space requirements.
- 7. **Elevations of building facades** Two (2) copies for initial staff review. **Final Submission: Three (3) copies.**
- 8. **Section drawing(s)** as needed showing required sidewalks, supplemental zones (with retaining walls), and building façade & finished floor-level dimensioned within 5 feet above the adjacent sidewalk-level.
- 9. **DRI conditions of approval, rezoning legislation, variance or special exception letters** printed on site plan.
- 10. **Beltline Overly District, NC-2, NC-6, NC-10, NC-11, and NC-12** properties:
 - Notarized Affidavit of NPU Notification, and Copy of U.S. Postal Service Certificate of Mailing.
- 11. Photographs (buildings/site): Show existing conditions for alterations to existing building facades and/or site modifications.
- 12. Shared Off-site Parking: Requests for approval of off-site parking submit materials on Shared Off-site Parking checklist.
- 13. **Other information** necessary for the SAP as requested by staff.

The City Code provides that Zoning and Development Director shall review each request for an SAP within 30 days of a filing of a **completed*** application. (Atlanta Code Chapter 16, Section 16-25). * **Note: NPU/DRC notification and review, as applicable, are required to complete the SAP application.**



City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
DEVELOPMENT/DESIGN REVIEW COMMITTEES (DRC)
In Beltline Overlay and Special Public Interest (SPI) Districts

Development / Design Review Committees (DRC) have been established as an advisory group for the purpose of providing to the Director of the Office of Zoning and Development formal comments on Special Administrative Permit (SAP) applications within the Beltline Overlay and particular SPI zoning districts. Applicants are required to make a presentation of their project to the applicable DRC committee. DRC review is required as part of a completed SAP application.

Each DRC shall consist of committee members representing the corresponding district stakeholders including: property owner(s), business owner(s) or resident(s), and applicable neighborhood organization(s), among others.

The DRC convenes monthly (or as needed) to comment on SAP applications within a particular district. Each DRC shall provide recommendations to the Office of Zoning and Development Staff and the applicant within 7 business days, unless the applicant is requested to return to the applicable DRC and/or present to respective neighborhood organization(s), or NPU.

DRC Committees (established by City Council Resolution)

- SPI-1 Downtown (2007)
- SPI-9 Buckhead Village (2010)
- SPI-12 Buckhead/Lenox Stations (2012)
- SPI-15 Lindbergh (2001)
- SPI-16 Midtown (2001)
- SPI-17 Piedmont Avenue (2001)
- Beltline Overlay (2015)

Meeting Dates and Locations

Downtown SPI-1

Meetings held the 4th Thursday morning monthly
 Central Atlanta Progress, 84 Walton Street NW, Suite 500
 Contact Audrey Leous: ALeous@atlantadowntown.com
 (404) 658-5911

Midtown SPI-16 & Piedmont Avenue SPI-17

Meetings held the 2nd Tuesday evening monthly
 Midtown Alliance, 999 Peachtree Street NE, Suite 730
 Contact Ginny Kennedy: Ginny@midtownalliance.org
 (404) 892-4782

Buckhead Village SPI-9 & Buckhead/Lenox SPI-12

Meeting held 1st Wednesday afternoon monthly
 BATMA, 3340 Peachtree Road NE
 Tower Place Bld. 100, Suite 1515
 Contact Denise Starling: Denise@batma.org
 (404) 842-2680

Beltline Overlay

Meeting held the 3rd Wednesday evening monthly
 Atlanta Beltline Inc.
 100 Peachtree Street NW, Suite 2300
 Contact Lynnette Reid: LReid@atlbeltline.org
 (404) 477-3551

Lindbergh SPI-15: Meetings coordinated by City of Atlanta Zoning and Development Staff: (404) 330-6145.

Application Submittal and Review Process

- 1) Pre-application meeting with Office of Zoning and Development staff. To arrange such a meeting contact Facia Brown at 404-330-6636 or flbrown@atlantaga.gov.
- 2) Notify the applicable DRC contact (as listed above) to arrange placement on the next scheduled DRC meeting agenda.

DRC Submittal Requirements

- 1) Written summary of proposed scope of work (include applicable project information such as total square footage, # and breakout of residential units, and square footage of each commercial use, building height, parking and loading provided, etc.).
- 2) Identification of all administrative variations requested and written justification for each requested.
- 3) PDF Digital drawings (to-scale) of site plans and building elevations as applicable to the scope of work.
- 4) Photographs of the existing property.
- 5) Contact DRC representative to e-mail project information (prior to meeting) and confirm DRC meeting date and time.
- 6) At the DRC meeting:
 - a. Provide hardcopies of cover letter and drawings (in 11"x17" size) for distribution to each committee member.
 - b. Provide drawings on boards for project presentation to committee members or digital PowerPoint presentation (coordinate with DRC representative on the latter).

Committee Review Responsibilities

- 1) Make recommendations on project concerning zoning requirements and administrative variations requested.
- 2) Make other design recommendations for consideration concerning an application. Note: these other recommendations are not code requirements.



City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP)
AFFIDAVIT OF NPU NOTIFICATION

(*APPLICABLE ONLY FOR BELTLINE, NC-2, NC-6, NC-10, NC-11, NC-12 & NC-14 DISTRICT)

File # _____

This Affidavit form and a copy of the **United States Postal Service Certificate of Mailing** are required by owner and applicant of the property subject to the Special Administrative Permit application. Submit within FIVE (5) days of application submittal.

The **Neighborhood Planning Unit (NPU)** has **TWENTY ONE (21)** days from the date of the associated certificate of mailing to provide one (1) set of written comments to the Office of Zoning and Development prior to any SAP approval.

LOCATION OF SUBJECT PROPERTY:

Street Address(es): _____

Zoning Classifications _____ Land District ____ Land Lot _____ Council District ____ NPU ____

APPLICANT:

Name: _____

Company: _____

Address: _____

Telephone: _____ Email: _____

As the APPLICANT, I, _____ swear and affirm that I have notified the NPU(s) to which this Special Administrative Permit (SAP) affects, and am aware of the applicable requirements of the City of Atlanta Zoning Ordinance Sections 16-36.004, 16-32J.002(1), 16-32K.002(1), and 16-32L.002(1).

NPU Contact Information

 Name of Contact Person(s) Phone Number(s) Email Address (es)

Adjacent NPU(s) Contact Information

 Name of Contact Person(s) Phone Number(s) Email Address (es)

(To be completed by Notary):

Personally Appeared Before Me this _____ day of _____, **20** _____.

Who Swears That the Information Contained In this Authorization Is True and Correct To the Best of His or Her Knowledge and Belief.

 Signature of Notary Public

 Date

(To be completed by Applicant & Staff):

 Signature of Applicant

 Printed Name of Applicant

 Office of Zoning & Development Staff
Signature of Staff only represents that the required notification to the NPU has been completed and does not indicate any position of the Office of Zoning and Development on the application.



City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP)
NPU Notification Form
(*APPLICABLE FOR BELTLINE ONLY)

File # _____

NPU Chairperson or Designee:

Enclosed is a copy of a Special Administrative Permit (SAP) application for a property located within the Beltline Overlay Zoning District. As part of the SAP application, applicants are required to submit site plans and building elevations, as applicable to the scope of work, to the Office of Zoning & Development for approval prior to obtaining a building permit. Per **Section 16-36.004** of the Beltline district regulations SAP approval is required for:

“All exterior demolition, new construction (including additions to existing buildings), expansions of outdoor dining or any construction which results in increased lot coverage, modification of the building footprint, or modification of building facades that alters the configuration of openings. “

In addition to the SAP submittal as specified above, per **Section 16-36.004** the applicant is also required to send a full copy of the SAP application to the respective NPU chair or their designee, evidenced with a certificate of mailing, so that the NPU has an opportunity to review and provide written comments to the Office of Zoning and Development regarding an application prior to any SAP approval. Please note, where underlying regulations require Variance, Special Exception or Special Use Permit action, the SAP shall not be issued until the necessary approval has been obtained.

The time period for NPU comment is 21 days from the date of the postage receipt. If the NPU has no comments, or feels they are unnecessary, the Office of Zoning & Development should receive such written notification as soon as possible within the 21-day period. Comments received after the designated review period cannot be considered in the Office’s project review or approval.

The BeltLine Zoning Overlay District primarily has design requirements that prescribe parameters for site layout and building elevations. The district regulations do not address issues related to land use or density (building square footage or number of units) as these are addressed by the underlying zoning district regulations. Therefore, NPU review should primarily focus on the following items as addressed in the Beltline Zoning District including:

- Building placement
- Building setbacks adjacent to streets (pertaining to minimum sidewalks and supplemental zones widths), and transitional yards
- Provision of sidewalks and street trees
- Provision of parking, loading and bicycle spaces
- Location of parking and driveways
- Parking lot landscaping
- Parking deck façade elevations
- Building façade elevations related to entrances and windows
- ...and other BeltLine regulations

For questions, ask for a SAP staff member at 404-330-6145.

Please send your written comments and or questions referencing the SAP case number and address to:

BeltlineBOP@atlantaga.gov

Applicant shall submit this form letter as the cover page to the package mailed to NPU chair or designee.



City of Atlanta Bureau of Planning
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
NOTARIZED AUTHORIZATION BY PROPERTY OWNER

(Required only if applicant is not the owner of the property subject to the application)

TYPE OF APPLICATION: **Special Administrative Permit**

I, Ryan Halberg SWEAR THAT I AM THE OWNER
owner(s) name

OF THE PROPERTY LOCATED AT: 3535 Peachtree Rd.
Atlanta, GA 30326


AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA
WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE
PERSON NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS
APPLICATION.

NAME OF APPLICANT:

Dee Wickersham / Ideal Due Diligence

ADDRESS: 7811 Cheviot Rd, Unit A, Cincinnati, OH 45247

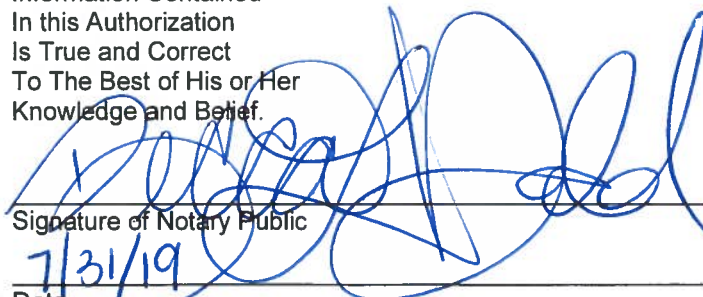
TELEPHONE: 812.560.9881


Signature of Owner
Ryan M HALBERG
Print Name of Owner

Personally Appeared
Before Me

Becca Dodd

Who Swears That The
Information Contained
In this Authorization
Is True and Correct
To The Best of His or Her
Knowledge and Belief.


Signature of Notary Public
7/31/19
Date





City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
Notice to Applicant

File # _____

The applicant hereby acknowledges notification that in the process of design review in connection with the issuance of a **Special Administrative Permit (SAP)**, the City of Atlanta Office of Zoning & Development (OZD) will only review such documents as are deemed necessary for the approval of a project concept in compliance with the district regulations set forth in the City of Atlanta Zoning Code. Such documents may include, without limitation, the elevations of the structures proposed and site plans specifying the arrangement of such structures and other features of the project, but generally will not include a full set of construction drawings. This level of review is for the purpose of determining compliance with those sections of the Zoning Code applying to the district where the project is located or to be located and to allow the applicant the flexibility to receive approval for a project concept without the requirement that a full set of construction drawings, that would otherwise be necessary to obtain a building permit, be prepared, presented and reviewed.

It is the applicant's duty to ensure that all drawings or plans, that may be required for further permitting of the actual construction of the project, will result in a finished project that complies with the elevations, site plan and other plans on which the SAP was granted. The applicant is further notified that neither the Office of Buildings nor any of the other City of Atlanta agencies that review any other part of the overall project plans for compliance to building codes, zoning codes, the tree preservation, the riparian buffers ordinance, land disturbance regulations, drainage and sewer capacity or any other regulations in effect at the time of plan review have the authority to approve any changes to the exterior appearance of structures or site plans in a SAP.


It is the responsibility of the applicant to ensure that any changes required, requested, or allowed by any other City agency or any other agency reviewing the plans during any part of the building permit process will not alter the exterior appearance of any structure or cause the relocation, rearrangement and/or reorientation of any feature of the site plan. Therefore, it is important for the applicant to be aware that even changes which may be in compliance with other codes, including without limitation, an increase to the height of the structure, whether resulting from changes to the foundation plan or the grading plan of the site, alterations to the interior layout of the structure that affect the location or size of exterior doors or windows, or changes to the method of construction for any floor of a structure or the roof of any structure, may affect the exterior appearance in a manner which could cause the finished structure to be out of compliance with the elevations approved by the OZD.

The applicant is further put on notice that the location of any feature specified on the site plan is not to be changed from that location which is specified on the site plan approved by the OZD. This includes, without limitation, any such changes that might affect the setbacks of any structure, the orientation of structures or features on the lot, including, without limitation, accessory buildings, the location and size of driveways, walkways, fences, parking pads, parking spaces, loading zones and service areas. It shall be the responsibility of the applicant to ensure that any changes required by any agency reviewing plans for the project remain consistent with the site plan and elevations approved by the OZD

It shall be the responsibility of the applicant, not the OZD, to monitor any plan changes during the permitting of the project to be sure that such changes do not affect the elevations and site plan approved by the OZD at the time of issuance of the SAP.

It is also the responsibility of the applicant to ensure that any changes made on site during the construction of the project, regardless of whether such changes are approved by a City building inspector, or representative of another City agency as being in compliance with the building codes or other applicable codes, do not result in a change to the exterior appearance of a structure or in a change to the site plan. The City of Atlanta Zoning Ordinance provides a process under which changes to the elevations and site plan in a SAP may be approved, however such approval is not guaranteed and the applicant is hereby notified that such changes are based on the application of the district regulations and not on the fact that a hardship, financial or otherwise may result if such permission is not given. The duty to adequately monitor the construction of the project to ensure compliance to the approved SAP and or any other City permit shall at all times be on the applicant, who assumes all risk of loss, financial or otherwise, from enforcement actions that result from the failure to comply with the SAP or any other City permit.

The applicant acknowledges that relief from any stop work order or other enforcement action, whether resulting from action taken by the OZD staff, the Office of Buildings staff or by the staff of any other City agency, must be appealed within the time and in the manner provided by the City Code. The applicant further acknowledges that the decision to apply to the OZD for permission to alter the approved plans is not an appeal of a stop work order or other enforcement action. The applicant acknowledges that it is solely within their own discretion to choose a process to resolve any dispute arising from the interpretation of any ordinance, the issuance of a stop work order or any other enforcement action and that the resolution of any such matter shall be made in compliance with the City Code and other applicable laws. The applicant further acknowledges that no written or oral representation of any City officer, employee, agent or elected official can waive or modify the City Code.

<p>Dee Wickersham _____ Applicant Printed Name</p>	 _____ Applicant Signature	<p>7/26/19 _____ Date</p>
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City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
Development Controls Specifications (Required)

File # _____

Developmental Controls forms are required to be completed by the applicant, and all applicable specifications should be shown on the **site plan in chart form**. Items omitted will delay the plan review process. Refer to City of Atlanta Zoning Code (Chapters 8, 19, and 28) for clarification.

Definitions and Methods of Calculation						
<ul style="list-style-type: none"> <u>Net Lot Area (NLA)</u> = length of property line X width of property line <u>GLA for corner lots</u> = (NLA) + [(street "A" right-of-way width ÷2) X (street "A" length of property line)] + [(street "B" right-of-way width ÷2) X (street "B" length of property line)] + [(street "A" right-of-way width ÷2) X (street "B" right-of-way width ÷2)] <u>GLA (with only one front yard adjacent to street)</u> = (NLA) + [(street right-of-way width ÷2) X (length of front property line)] GLA may include half of the right-of-way (including streets, parks, lakes and cemeteries) up to 50 feet in width. GLA shall not be used for calculating FAR for properties within single-family or two-family-zoned subareas of SPI districts. <u>Building Lot Coverage provided</u> = (net lot area minus area of building footprint) ÷ (net lot area) 						
Lot Size (in square footage)						
Gross Land Area (GLA)						
Net Lot Area (NLA)		410, 197 S.F. (SEE ATTACHED SURVEY)				
Floor Area Ratio (FAR) – as applicable. Check which used for residential: <input type="checkbox"/> GLA, or <input type="checkbox"/> NLA						
	Residential FAR Ratio	Residential Square Footage	Non-Residential FAR Ratio	Non-Residential Square Footage		
Base Allowed			NO MAXIMUM / NA (FOR SPI-12 SA1)			
Base Provided						
Bonus Allowed						
Bonus Provided						
Bonus FAR Program (check bonus utilized if applicable)						
Transit Station <input type="checkbox"/>	Ground Floor Retail <input type="checkbox"/>	Open Space and New Streets <input type="checkbox"/>	Community Center Facilities <input type="checkbox"/>	Workforce Housing <input type="checkbox"/>		
Residential Units			Total Provided: _____			
Number of Units Provided (without bonus)						
Number of Bonus Units Provided (without workforce housing)						
Number of Bonus Workforce Housing Units Provided (20% required)						
Total Number of Units per Acre						
Building Coverage <input type="checkbox"/> or Lot Coverage <input type="checkbox"/> (check applicable as required per zoning district)						
	Percentage (%)		Square Footage			
Max. Permitted						
Provided	NO CHANGE					
Fenestration (% of each street-fronting facade calculated separately, per district regulations)						
	Residential Façade Percentage (%)			Non-residential Façade Percentage (%)		
	Local Street	Arterial/Collector	Beltline Corridor	Local Street	Arterial/Collector	Beltline Corridor
Min. Required					65%	65%
Provided (specify for each street)				PEACHTREE RD & OAK VALLEY: 86% (RE: DRAWINGS, PAGE 5)		



City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
Development Controls Specifications (Required)

File # _____

Non-Residential Public Space Requirements (refer to Chapter 28 for clarification)

PSR: Public Space Requirements for Non-residential & Mixed-use Developments		
<i>(These are areas not counted towards UOSR)</i>		
Public Space provided = (square footage area of exterior space) + (square footage area of interior space)		
	Percentage (%)	Total Square Footage
Minimum Required		
Provided		
Square Footage Breakdown of PSR amounts provided by the following:		NA
EXTERIOR (accessible to general public such as landscaped areas, plazas, terraces, patios, observation decks, fountains, sidewalks, common areas, open recreational spaces, etc.)		
INTERIOR (ground-level area accessible to the general public during normal business hours such as malls, galleries, atria, lobbies, concourses, plaza, walkways, fountains, landscape areas for public recreation, pedestrian seating, or eating and similar public amenities)		

Parking and Loading Requirements (refer to district regulations and Chapter 28 for clarification)

Residential Unit Breakout				
Number of Studios	Number of 1 BR	Number of 2 BR	Number of 3 BR	Number of 4 BR
On-site Parking Spaces	Residential		Non-residential Uses	
Minimum Required			NO CHANGE	
Provided				
Maximum Allowed				
Bicycle Parking Spaces	Residential		Non-residential Uses	
Minimum Required				
Provided			6 - FOR IRONHILL BREWERY ONLY	
On-site Loading Spaces (see applicable zoning district requirements or Section 16-028.015)				
	Residential/Hotel		Non-residential Uses (break out by use)	
Minimum Required (specify for each use)				
Provided (specify for each use)			NO CHANGE	



City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
Notice to Applicant

File # _____

The applicant hereby acknowledges notification that in the process of design review in connection with the issuance of a **Special Administrative Permit (SAP)**, the City of Atlanta Office of Zoning & Development (OZD) will only review such documents as are deemed necessary for the approval of a project concept in compliance with the district regulations set forth in the City of Atlanta Zoning Code. Such documents may include, without limitation, the elevations of the structures proposed and site plans specifying the arrangement of such structures and other features of the project, but generally will not include a full set of construction drawings. This level of review is for the purpose of determining compliance with those sections of the Zoning Code applying to the district where the project is located or to be located and to allow the applicant the flexibility to receive approval for a project concept without the requirement that a full set of construction drawings, that would otherwise be necessary to obtain a building permit, be prepared, presented and reviewed.

It is the applicant's duty to ensure that all drawings or plans, that may be required for further permitting of the actual construction of the project, will result in a finished project that complies with the elevations, site plan and other plans on which the SAP was granted. The applicant is further notified that neither the Office of Buildings nor any of the other City of Atlanta agencies that review any other part of the overall project plans for compliance to building codes, zoning codes, the tree preservation, the riparian buffers ordinance, land disturbance regulations, drainage and sewer capacity or any other regulations in effect at the time of plan review have the authority to approve any changes to the exterior appearance of structures or site plans in a SAP.

It is the responsibility of the applicant to ensure that any changes required, requested, or allowed by any other City agency or any other agency reviewing the plans during any part of the building permit process will not alter the exterior appearance of any structure or cause the relocation, rearrangement and/or reorientation of any feature of the site plan. Therefore, it is important for the applicant to be aware that even changes which may be in compliance with other codes, including without limitation, an increase to the height of the structure, whether resulting from changes to the foundation plan or the grading plan of the site, alterations to the interior layout of the structure that affect the location or size of exterior doors or windows, or changes to the method of construction for any floor of a structure or the roof of any structure, may affect the exterior appearance in a manner which could cause the finished structure to be out of compliance with the elevations approved by the OZD.

The applicant is further put on notice that the location of any feature specified on the site plan is not to be changed from that location which is specified on the site plan approved by the OZD. This includes, without limitation, any such changes that might affect the setbacks of any structure, the orientation of structures or features on the lot, including, without limitation, accessory buildings, the location and size of driveways, walkways, fences, parking pads, parking spaces, loading zones and service areas. It shall be the responsibility of the applicant to ensure that any changes required by any agency reviewing plans for the project remain consistent with the site plan and elevations approved by the OZD

It shall be the responsibility of the applicant, not the OZD, to monitor any plan changes during the permitting of the project to be sure that such changes do not affect the elevations and site plan approved by the OZD at the time of issuance of the SAP.

It is also the responsibility of the applicant to ensure that any changes made on site during the construction of the project, regardless of whether such changes are approved by a City building inspector, or representative of another City agency as being in compliance with the building codes or other applicable codes, do not result in a change to the exterior appearance of a structure or in a change to the site plan. The City of Atlanta Zoning Ordinance provides a process under which changes to the elevations and site plan in a SAP may be approved, however such approval is not guaranteed and the applicant is hereby notified that such changes are based on the application of the district regulations and not on the fact that a hardship, financial or otherwise may result if such permission is not given. The duty to adequately monitor the construction of the project to ensure compliance to the approved SAP and or any other City permit shall at all times be on the applicant, who assumes all risk of loss, financial or otherwise, from enforcement actions that result from the failure to comply with the SAP or any other City permit.

The applicant acknowledges that relief from any stop work order or other enforcement action, whether resulting from action taken by the OZD staff, the Office of Buildings staff or by the staff of any other City agency, must be appealed within the time and in the manner provided by the City Code. The applicant further acknowledges that the decision to apply to the OZD for permission to alter the approved plans is not an appeal of a stop work order or other enforcement action. The applicant acknowledges that it is solely within their own discretion to choose a process to resolve any dispute arising from the interpretation of any ordinance, the issuance of a stop work order or any other enforcement action and that the resolution of any such matter shall be made in compliance with the City Code and other applicable laws. The applicant further acknowledges that no written or oral representation of any City officer, employee, agent or elected official can waive or modify the City Code.

Dee Wickersham



08/02/19

Applicant Printed Name

Applicant Signature

Date



City of Atlanta Office of Zoning & Development
SPECIAL ADMINISTRATIVE PERMIT (SAP) APPLICATION
Chapter 158 Vegetation: Parking Land Landscape Requirements*

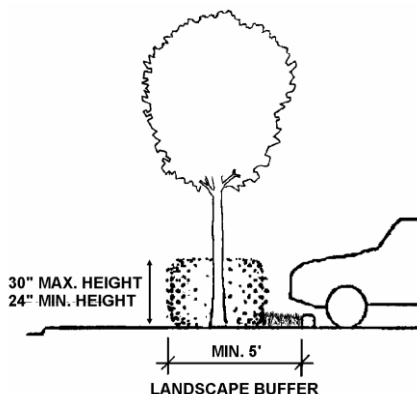
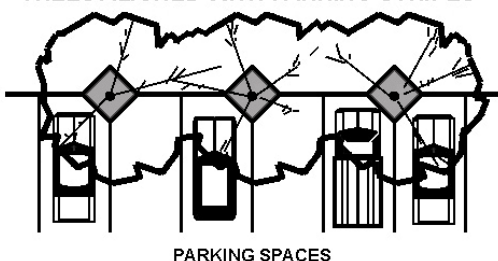
* In SPIs 1, 9, 15, 16, 17, 18, 20, 21, 22, the Beltline Overlay District, and MR, LW, NC, MRC districts these requirements shall apply to all surface parking lots regardless of size. Refer to the zoning district regulations for any other requirements which may also be applicable, in addition to those in Chapter 158 (noted below).

Section 158-30. Parking lot requirements.

The owner of any surface parking lot that is being built and/or resurfaced, and that will have a total of 30 or more parking spaces, whether primary or accessory in use, and whether commercial or noncommercial, must present a plan to the city arborist for approval, indicating that the parking lot will meet the minimum barrier curb and landscaping requirements as follows:

- (1) **Barrier curbs shall be installed around the perimeter of the parking lot and around landscaped areas** that are required in this article, except where the perimeter abuts an adjacent building or structure and at points of ingress and egress into the facility, so as to prevent encroachment of vehicles onto adjacent property, rights-of-way and landscaped areas.
- (2) **Barrier curbs shall be a minimum of six inches in height and a minimum of eight inches in width and permanent in nature.** Barrier curbs shall be concrete or stone. Such curbs shall be securely installed and maintained in good condition.
- (3) Where the end of a parking space abuts a landscaped area, barrier curbs may be placed in the parking space at a maximum of two feet from the end of the parking space. This two-foot wide area may have the pavement removed and be developed as part of the required landscaped area.
- (4) **Surface parking lots shall have a minimum landscaped area equal to at least 10% of the paved area within such lot.** In no case shall a parking lot owner be required to provide landscaped areas that exceeds ten percent of the paved area. The director of the bureau of buildings, in consultation with the city arborist, shall have the authority to grant a variance from the requirements of this subsection if: the parking lot existed prior to 1977; and the director of the bureau of buildings finds that the applicant's circumstances meet the requirements set forth in subsection 158-30(15); and the director of the bureau of buildings finds that it is impossible to achieve the minimum landscaping requirement. For surface parking lots with fewer than 30 spaces, this variance may reduce or completely eliminate the amount of landscaped area required. For surface parking lots with 30 or greater spaces, this variance may reduce the landscaping requirement, but in no event shall the parking lot be permitted to have landscaped area that is less than ten percent of the paved area.
- (5) **A minimum of one (1) tree per eight (8) parking spaces shall be included in the required landscaped areas.** For the purpose of satisfying this requirement, existing trees that are two and one-half inches or more in caliper as measured at a height of 36 inches above ground level shall be considered to be equivalent to one or more newly planted trees on the basis of one tree for each two and one-half inches of caliper.
- (6) In addition to trees, ground cover shall also be provided in order to protect tree roots and to prevent erosion. Ground cover shall consist of shrubs, liriopse, pine bark mulch and other similar landscaping materials.
- (7) **Shrubs shall be maintained at a maximum height of two and one-half (2.5) feet, except where such shrubs are screening the parking surface from an adjacent residential use. (Minimum height of 2 feet is required in SPI, BL, LW, MR, NC, and MRC districts).**
- (8) If landscaped areas are in the interior of a parking lot they shall be a minimum of six (6) feet in width and six (6) feet in length with a minimum area of 36 square feet.
- (9) **Continuous landscaped buffer strips shall be constructed along sidewalks and public rights-of-way where surface parking lots are adjacent to such sidewalks or public rights-of-way except at points of ingress and egress into the facility.** Such landscaped buffer strips shall be a minimum of five (5) feet in width and shall contain, in addition to ground cover, trees planted a maximum of 42 1/2 feet on center along the entire length.
- (10) **Newly planted trees shall be a minimum of two and one-half (2.5) inches in caliper as measured at a height six inches above ground level,** shall be a minimum of ten feet in height, shall have a 40-foot minimum mature height and shall be drought-tolerant. Trees shall be planted at a minimum of 30 inches from any barrier curb so as to prevent injury to trees from vehicle bumpers.
- (11) **Where landscaped area is located adjacent to vehicle overhangs, the trees shall be planted in line with the side stripes between parking spaces in order to avoid injury to trees by vehicle bumpers.**
- (12) All landscaped areas, including trees located in the public right-of-way that are counted in the fulfillment of this requirement, shall be properly maintained in accordance with approved landscape plans. If a tree or any plant material dies, it shall be replaced within six months so as to meet all requirements of this section and to allow for planting in the appropriate planting season.
- (13) If it is determined by the city arborist that implementation of these regulations will result in the loss of parking spaces in existing lots, the director of the bureau of traffic and transportation may increase the allowable percentage of compact car spaces from 25 percent up to 35 percent so as to minimize the loss of parking spaces, but only with the approval of the city arborist.
- (14) Notwithstanding subsection (13) of this section, existing parking lots shall not be required to reduce the number of parking spaces by more than three percent as a result of implementing these landscaping regulations.
- (15) Upon written application by any person subject to the provisions of this section, the director of the bureau of buildings is hereby authorized to grant administrative variances to the requirements of this section only upon making all of the following findings:
 - a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, topography, subsurface conditions, overhead structures or the existence of sufficient trees in the public right-of-way within ten feet of the property line.
 - b) Such conditions are peculiar to the particular piece of property involved; and
 - c) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this article and of part 16 of this Code.

TREES ALIGNED WITH PARKING STRIPES



BRAY
Architecture, Inc

August 1, 2019

City of Atlanta
**Office of Zoning and Development
& Livable Buckhead, Inc.**

**RE: Special Administrative Permit narrative for a new Iron Hill Brewery and Restaurant
at 3535 Peachtree Rd**

Iron Hill Brewery is a small brewery/ restaurant group from Delaware that is expanding with this being their second store in the south east area. They are working with EDAN, the local property owner, to redevelop this tenant space that was previously a Pirch home retail store. The brewery restaurant redevelopment will only take the first floor of the previous retail space, leaving the second floor to be redeveloped by others. There is no new square footage or significant change to the existing building proposed.

The restaurant will be served by the existing services available on site along with ample parking. Minor modifications are needed at the Peachtree façade to incorporate an indoor/outdoor bar and secondary entrances to the space. The primary entrance to the project is through the parking garage which is internal the project. In addition to the façade improvements at Peachtree, we wish to improve the sidewalk area with a patio to help animate the corner and also allow for entry along the street. Improvements here are all limited within the property line and include enhanced landscaping, railings, furniture, relocated light poles, overhead shade structure and added bike parking.

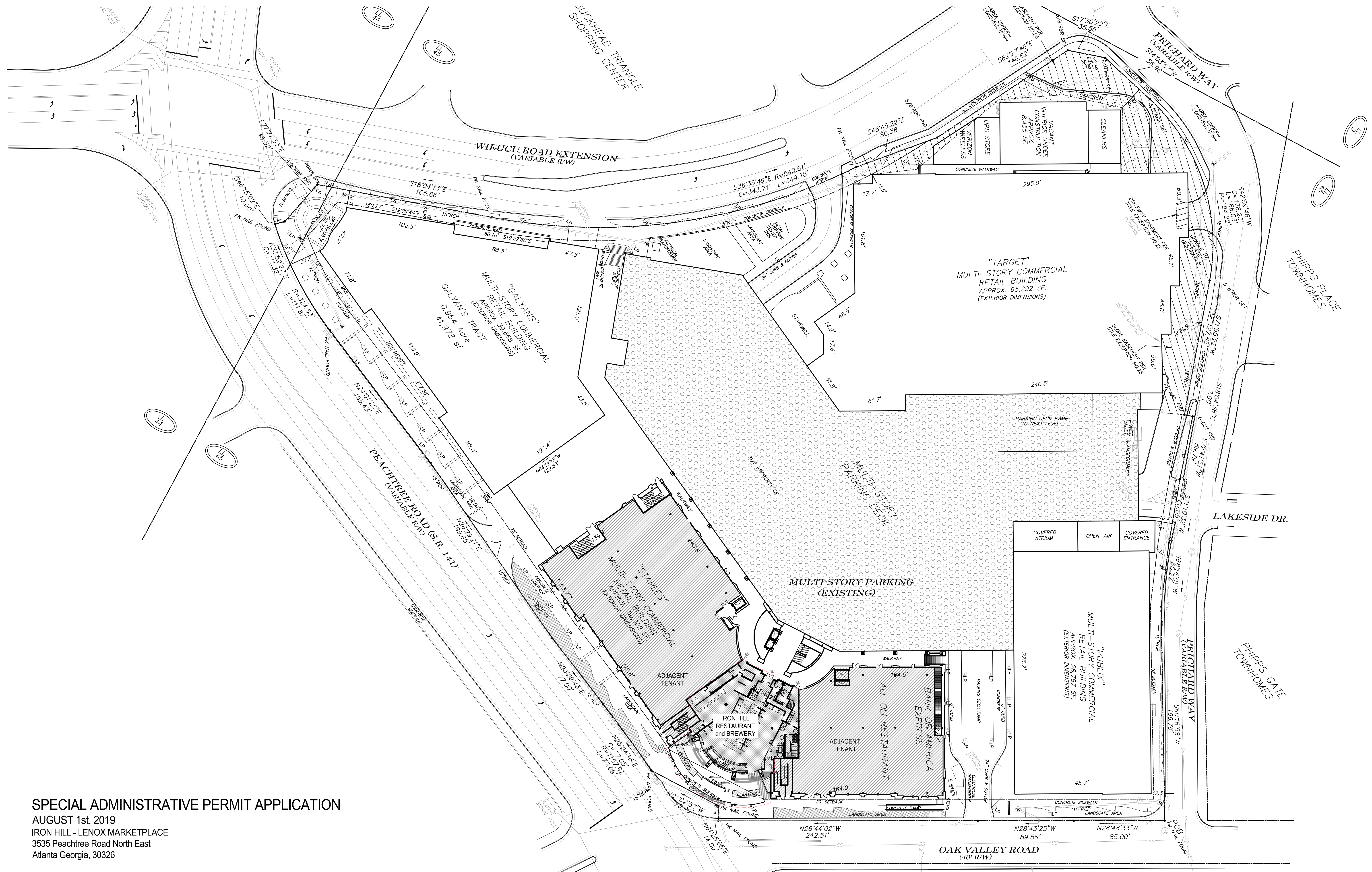
While the façade changes are fairly minor, the patio improvements will provide significantly more pedestrian scale and activity to the area enhancing the experience for the patrons and residence of the area. Note that the patio does not adjoin any residential areas.

We look forward to further discussion on the project. Please let us know if there are any additional questions or material needed in the interim.

Sincerely,

James A. Bray,
AIA, Leed AP, NCARB

BRAY ARCHITECTURE, INC.
1300-C Yellow Pine
Boulder, CO 80304
303.444.1598
www.brayarchitecture.net



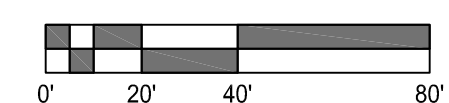
SPECIAL ADMINISTRATIVE PERMIT APPLICATION

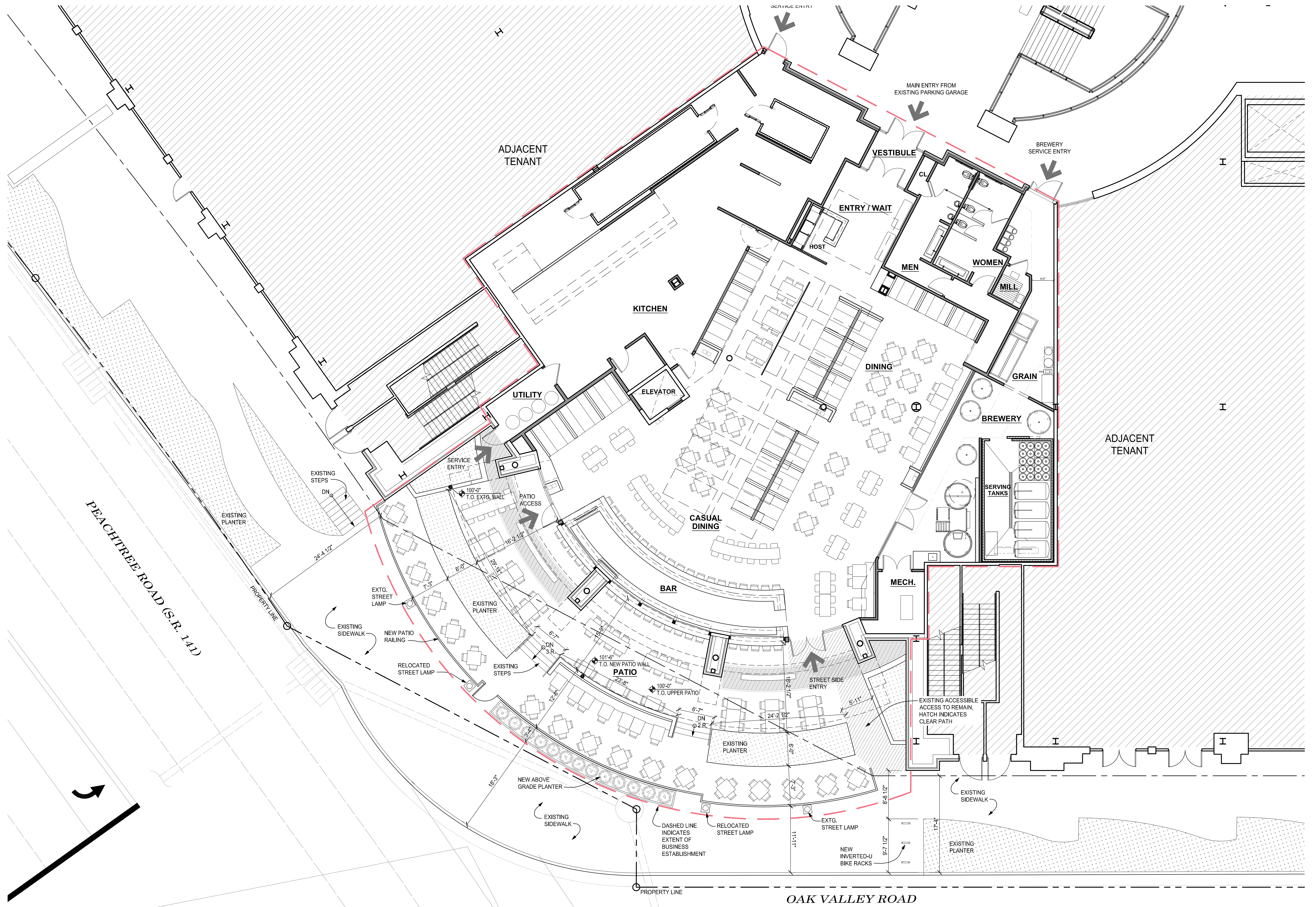
AUGUST 1st, 2019
 IRON HILL - LENOX MARKETPLACE
 3535 Peachtree Road North East
 Atlanta Georgia, 30326

BRAY
 Architecture, Inc.

IRON HILL
 BREWERY & RESTAURANT

1 OVERALL REFERENCE SITE PLAN
 1" = 40'-0"



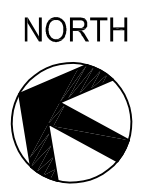
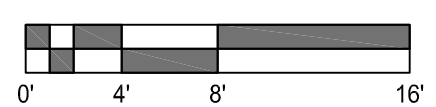


AREA BREAKDOWN	
TOTAL GROSS INTERIOR sf	8,055
OUTDOOR PATIO GROSS sf	2,356
Outdoor % of business floor area	29%

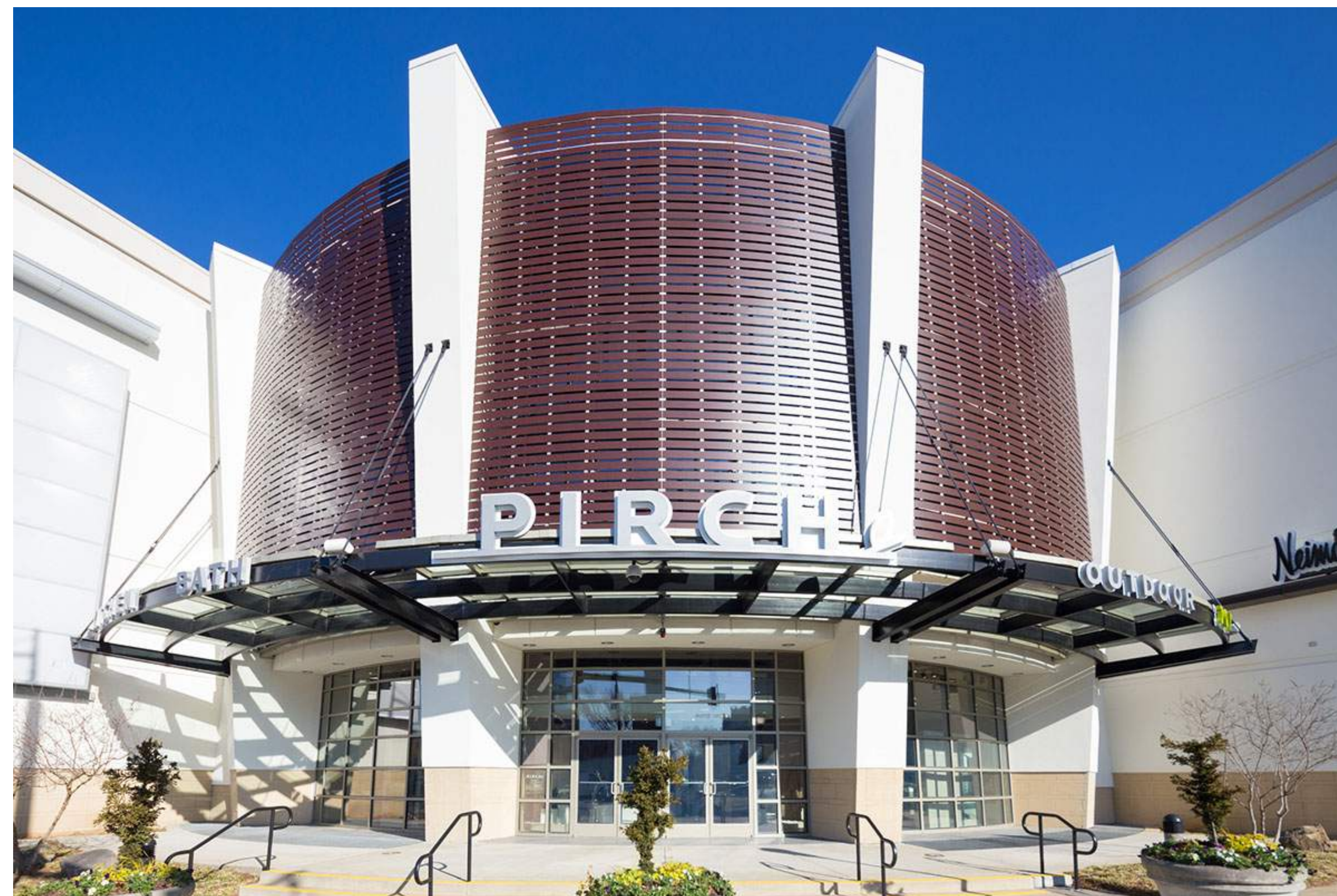
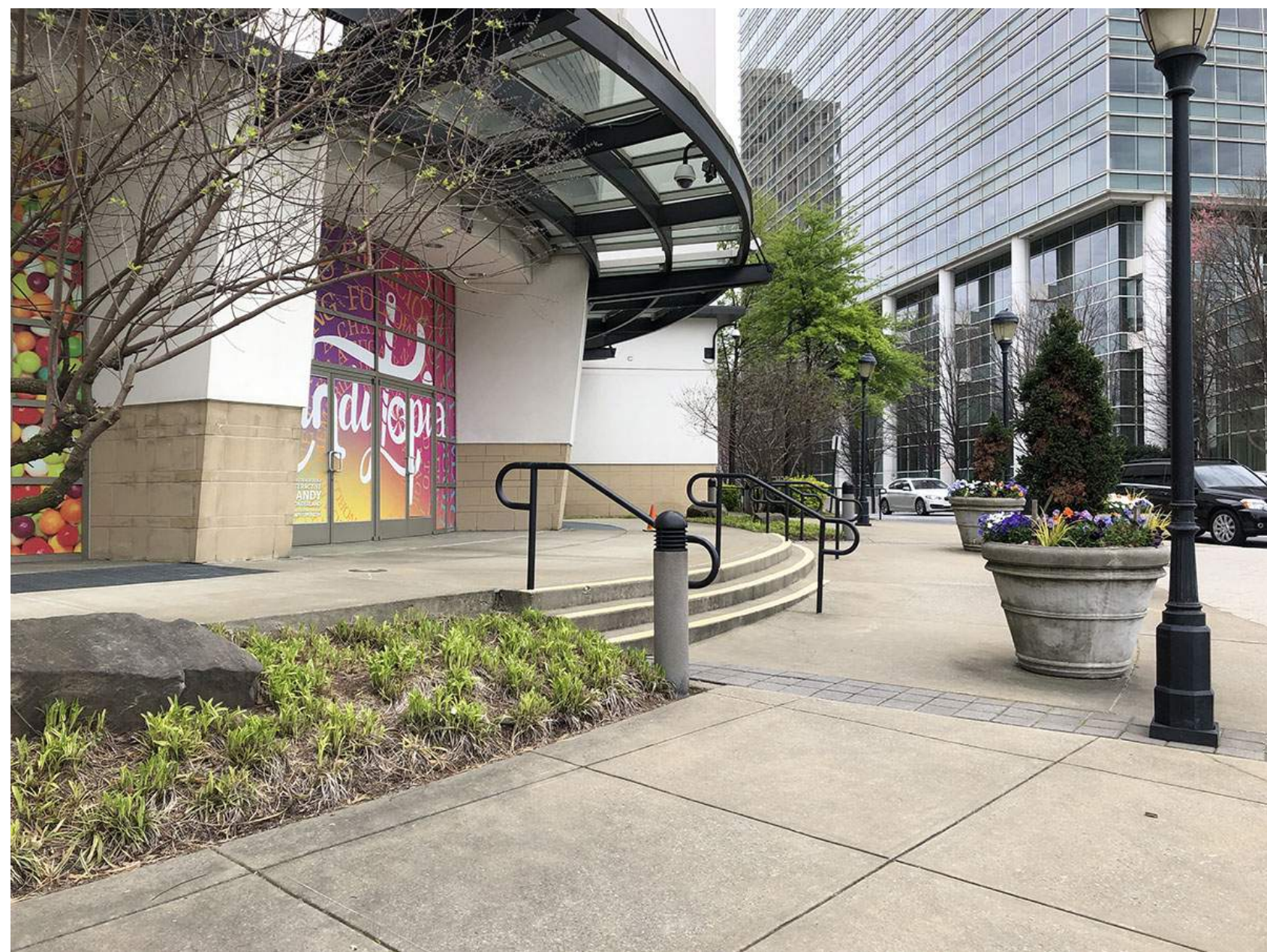
BRAY
Architecture, Inc.

IRON HILL
BREWERY & RESTAURANT

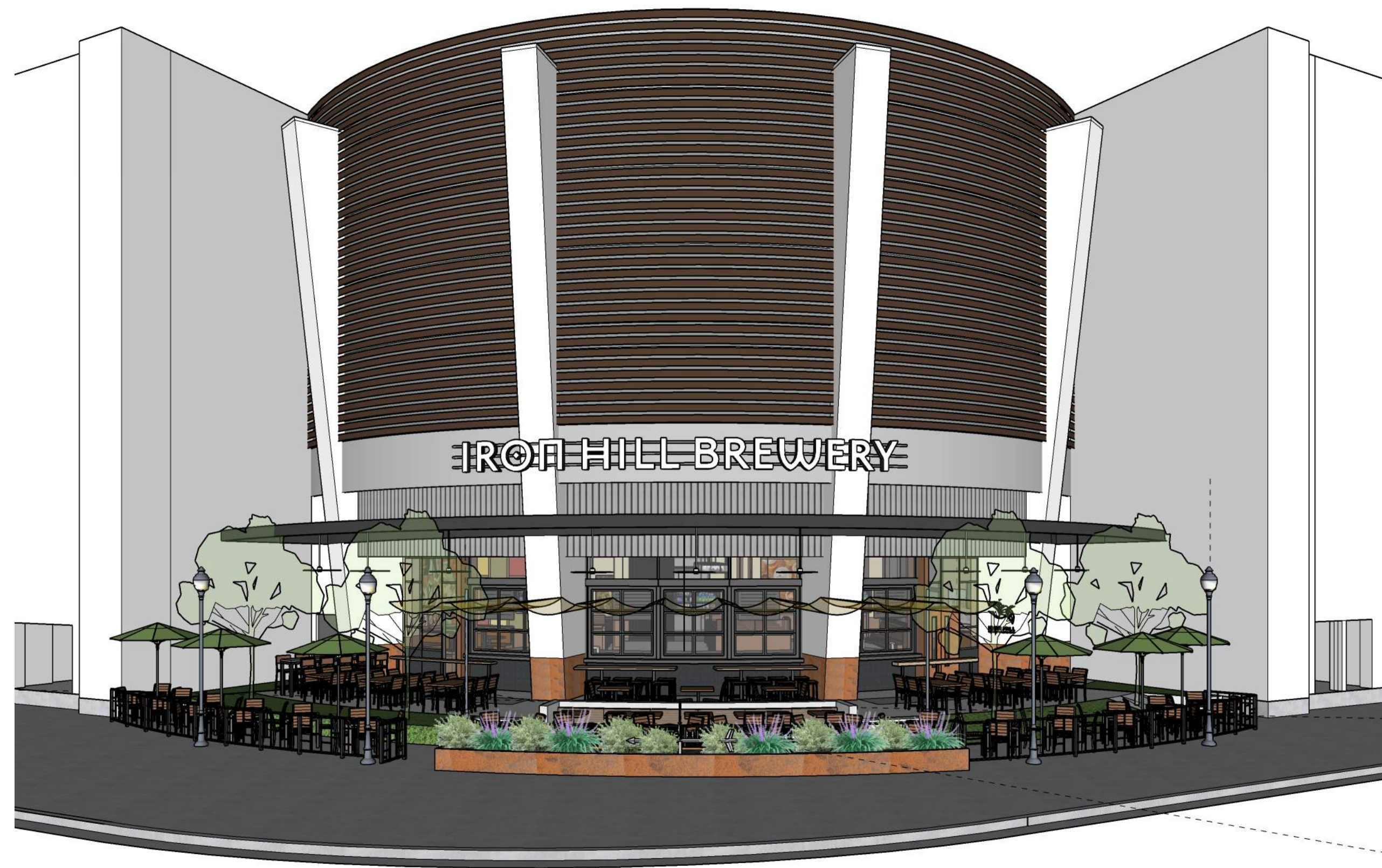
2 FLOOR PLAN
1/8" = 1'-0"



2



EXISTING PHOTOS



2 EXTERIOR (STREET) AERIAL PERSPECTIVE - OVERALL
NTS



PTD. STEEL FASICA
CORRUGATED METAL
CORTEN CLAD MAIN ENTRY DOORS
EXISTING CANOPY TO REMAIN
OVERHEAD DOORS (5 LOCATIONS)
OUTDOOR FANS, TYP. UNDER CANOPY

IN-GROUND PLANTERS, EXISTING
ALUM. STOREFRONT SYSTEM WITH SECONDARY DOOR
NEW METAL RAILING AND GATES, TYP. BOTH SIDES
COR-TEN BASE, TYP. AT COLUMNS
RECLAD EXISTING BASE UNDER WINDOWS WITH DARK BRICK OR METAL FINISH
BRANDED WEATHERVANE BUILT-IN BANQUETTE
RAISED METAL PLANTER
(4) EXISTING LIGHTPOLES, RELOCATED FOR BETTER CLEARANCE AT ACCESS POINTS
NEW POLES (NO LIGHTS) TO SUPPORT AWNING, TYP. BOTH SIDES (NOTE: AWNING NOT SHOWN FOR CLARITY - REFER TO ELEV.)

1 EXTERIOR (STREET) AERIAL PERSPECTIVE
NTS

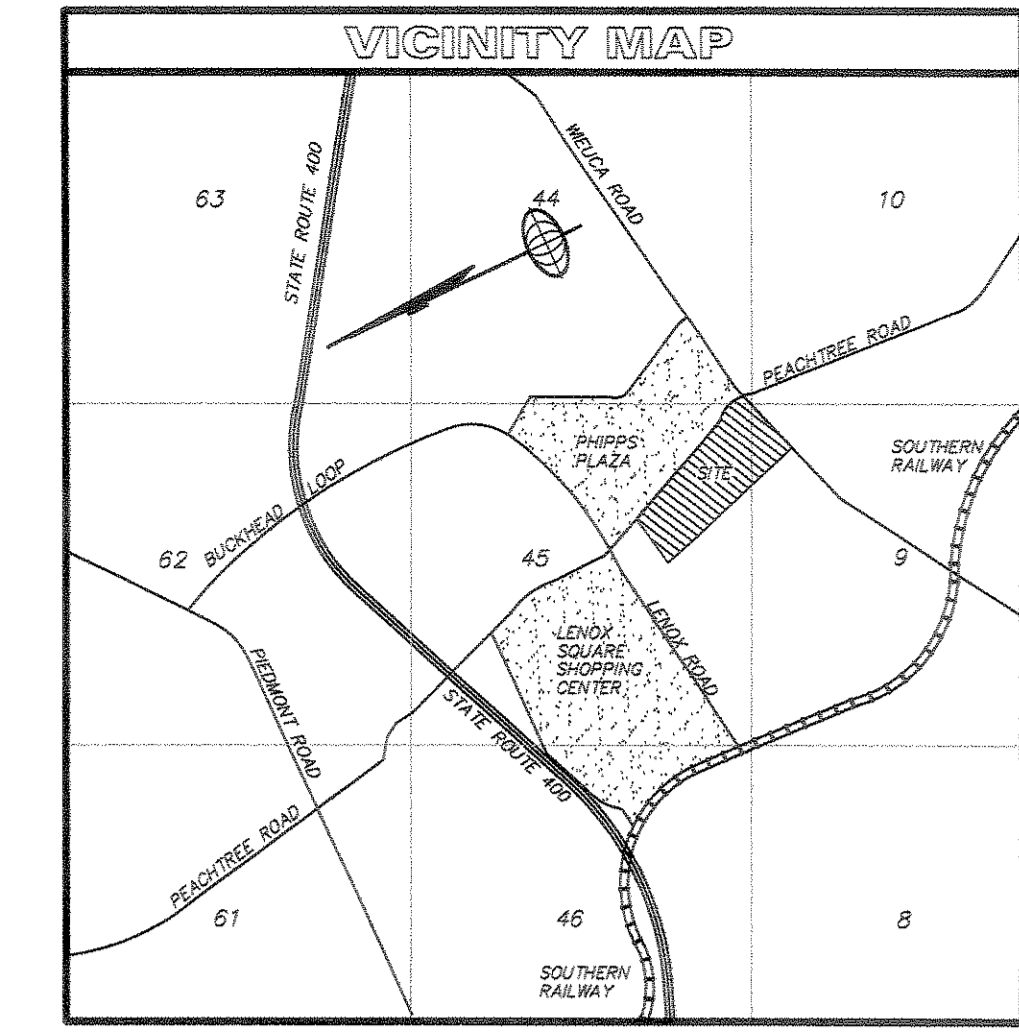
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 44, & 45 of the 17th District, City of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

Beginning at a point marked by a PK nail set, said point formed by the intersection of the Northern right-of-way of Peachtree Way (Variable R/W) and the Eastern right-of-way of Oak Valley Road (40 foot R/W), said point being the TRUE POINT OF BEGINNING, thence proceeding along the Eastern right-of-way of Oak Valley Road the following courses and distances, North 28 degrees 48 minutes 33 seconds West, 65.00 feet to a point; North 28 degrees 43 minutes 25 seconds West, 26.50 feet to a point; and North 28 degrees 44 minutes 02 seconds West, 242.51 feet to a PK nail set on the Southern right-of-way of Peachtree Road (S.R. 141) (Variable R/W), thence leaving the right-of-way of Oak Valley Road and proceeding along the Eastern right-of-way of Peachtree Road the following courses and distances: North 01 degrees 25 minutes 00 seconds East, 14.00 feet to a PK nail set; North 01 degree 02 minutes 53 seconds West, 70.79 feet to a PK nail set; along the arc of a curve to the left, on an arc distance of 77.00 feet, said curve having a radius of 1157.82 feet and being subtended by a chord of 77.00 feet, with a bearing of North 25 degrees 24 minutes 18 seconds East, to a point; North 28 degrees 29 minutes 43 seconds East, 77.00 feet to a point; North 28 degrees 29 minutes 21 seconds East, 199.55 feet to a point; North 24 degrees 01 minutes 25 seconds East, 155.43 feet to a point; and along the arc of a curve to the right, on an arc distance of 111.87 feet, said curve having a radius of 324.53 feet and being subtended by a chord of 111.32 feet, with a bearing of North 33 degrees 52 minutes 27 seconds East, to a PK nail found on the Western right-of-way of Wacoa Road Extension (Variable R/W), thence leaving the right-of-way of Peachtree Road and proceeding along the Western right-of-way of Wacoa Road Extension the following courses and distances: North 48 degrees 15 minutes 02 seconds East, 10.00 feet to a PK nail found; South 77 degrees 22 minutes 53 seconds East, 45.52 feet to a 5/8" rebar found; South 18 degrees 04 minutes 13 seconds East, 165.86 feet to a PK nail found; along the arc of a curve to the left, on an arc distance of 340.78 feet, said curve having a radius of 840.81 feet and being subtended by a chord of 343.71 feet, with a bearing of South 38 degrees 45 minutes 49 seconds East, to a point; South 48 degrees 45 minutes 22 seconds East, 80.36 feet to a 5/8" rebar found; South 52 degrees 27 minutes 48 seconds East, 146.82 feet to a 5/8" rebar set; South 17 degrees 50 minutes 29 seconds East, a distance of 33.55 feet to a 5/8" rebar set on the Northern right-of-way line of the re-aligned Prichard Way (having a variable right-of-way); thence along said right-of-way line, South 14 degrees 01 minutes 57 seconds West, 56.98 feet to a 5/8" rebar set; thence along the arc of a curve to the right, on an arc distance of 186.03 feet, said curve having a radius of 184.22 feet and being subtended by a chord of 178.23 feet, with a bearing of South 42 degrees 59 minutes 46 seconds West, to a 5/8" rebar set; South 71 degrees 55 minutes 22 seconds West, 127.63 feet to a PK nail found; South 18 degrees 04 minutes 38 seconds East, 7.90 feet to a 5/8" rebar found; South 72 degrees 41 minutes 51 seconds West, 59.79 feet to a point; South 71 degrees 10 minutes 32 seconds West, 60.05 feet to a point; South 88 degrees 14 minutes 01 second West, 80.27 feet to a point; and South 80 degrees 16 minutes 58 seconds West, 199.78 feet to a PK nail found, said point being the TRUE POINT OF BEGINNING. Said tract of land contains 9.417 Acres.

TITLE EXCEPTIONS

- THE FOLLOWING ARE SPECIAL EXCEPTIONS AS LISTED IN PART II, SCHEDULE B, OF COMMITMENT FOR TITLE INSURANCE PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK, COMMITMENT NUMBER 99-93(6), DATED APRIL 7, 2004.
- INDEMNITY AGREEMENT FROM JAMESTOWN TO CITY OF ATLANTA, GEORGIA, RECORDED IN DEED BOOK 23181, PAGE 300, FULTON COUNTY, GEORGIA RECORDS.
 - NOT PLOTTABLE, AFFECTS SITE.
 - UNRECORDED LEASE AS REFERRED TO IN THAT CERTAIN SHORT FORM OF GROUND LEASE BY AND BETWEEN JAMESTOWN LAND INVESTORS, III, L.P., AND DAVID HUBSON CORPORATION, RECORDED IN DEED BOOK 23282, PAGE 111, AFORESAID RECORDS, AS AFFECTED BY RENT COMMENCEMENT DATE, AFORESAID RECORDS, AND BETWEEN JAMESTOWN LAND INVESTORS, III, L.P., AND DAVID HUBSON CORPORATION, RECORDED AT DEED BOOK 23288, PAGE 65, AFORESAID RECORDS.
 - NOT PLOTTABLE, AFFECTS SITE.
 - UNRECORDED LEASE AND OPERATING AGREEMENT BY AND BETWEEN JAMESTOWN LAND INVESTORS, III, L.P., AND NATIONS BANK, N.A., DATED OCTOBER 1997.
 - NOT PLOTTABLE, AFFECTS SITE.
 - UNRECORDED LEASE AS REFERRED TO IN THAT CERTAIN MEMORANDUM OF LEASE BY AND BETWEEN JAMESTOWN LAND INVESTORS, III, L.P., AND PUBLIC SUPERMARKETS, INC., RECORDED IN DEED BOOK 23282, PAGE 139, AFORESAID RECORDS.
 - NOT PLOTTABLE, AFFECTS SITE.
 - BROKERAGE/LEASING COMMISSION OBLIGATION OWED TO THE SEMBLER COMPANY PURSUANT TO INSTRUMENTS REFERRED TO IN THOSE CERTAIN NOTICE OF COMMISSION RIGHTS, RECORDED IN DEED BOOK 23282, PAGE 163, 169, 169 AND 172, AFORESAID RECORDS.
 - NOT PLOTTABLE, AFFECTS SITE.
 - UNRECORDED LEASE AS REFERRED TO IN THAT CERTAIN MEMORANDUM OF LEASE BY AND BETWEEN JAMESTOWN LAND INVESTORS, III, L.P., AND STAPLES THE OFFICE SUPERSTORE EAST, INC., RECORDED IN DEED BOOK 28652, PAGE 335, AFORESAID RECORDS, AS AFFECTED BY SUDIA AGREEMENT, RECORDED IN DEED BOOK 30454, PAGE 21, AFORESAID RECORDS.
 - NOT PLOTTABLE, AFFECTS SITE.
 - EASEMENT FROM JAMESTOWN LAND INVESTORS, III, L.P., TO BELLSOUTH TELECOMMUNICATIONS, INC., RECORDED IN DEED BOOK 28946, PAGE 49, AFORESAID RECORDS.
 - NOT PLOTTABLE, AFFECTS SITE.
 - EXCLUSIVE LEASING AGREEMENT BY AND BETWEEN JAMESTOWN LAND INVESTORS, III, L.P., AND THE SEMBLER COMPANY, RECORDED IN DEED BOOK 23282, PAGE 163, AFORESAID RECORDS.
 - DECLARATION OF RESTRICTIONS AND EASEMENTS FOR LENOX COURTYARD BY JAMESTOWN LAND INVESTORS, III, L.P., RECORDED IN DEED BOOK 23282, PAGE 11, AFORESAID RECORDS, AS AMENDED BY FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS AND EASEMENTS FOR LENOX COURTYARD, RECORDED IN DEED BOOK 28946, PAGE 29, AFORESAID RECORDS.
 - NOT PLOTTABLE, AFFECTS SITE.
 - UNRECORDED GROUND LEASE BETWEEN GALYAN'S TRADING COMPANY, INC. AND JAMESTOWN LAND INVESTORS, III, L.P., AS EVIDENCED BY THAT CERTAIN MEMORANDUM OF GROUND LEASE AGREEMENT BY AND BETWEEN JAMESTOWN LAND INVESTORS, III, L.P., AND GALYAN'S TRADING COMPANY, INC., RECORDED IN DEED BOOK 28282, PAGE 125, AFORESAID RECORDS.
 - NOT PLOTTABLE, AFFECTS SITE.
 - UNRECORDED SUB-GROUNDLEASE AGREEMENT BY AND BETWEEN GALYAN'S TRADING COMPANY, INC. AND JAMESTOWN 19, L.P., AS REFERRED TO IN THAT CERTAIN MEMORANDUM OF SUB-GROUNDLEASE AGREEMENT BY AND BETWEEN GALYAN'S TRADING COMPANY, INC. AND JAMESTOWN 19, L.P., RECORDED IN DEED BOOK 28196, PAGE 246, AFORESAID RECORDS.
 - NOT PLOTTABLE, AFFECTS SITE.
 - UNRECORDED STORE LEASE AGREEMENT BY AND BETWEEN JAMESTOWN 19, L.P., AND GALYAN'S TRADING COMPANY, INC., REFERRED TO IN THAT CERTAIN MEMORANDUM OF STORE LEASE AGREEMENT RECORDED IN DEED BOOK 28196, PAGE 257, AFORESAID RECORDS.
 - NOT PLOTTABLE, AFFECTS SITE.
 - UNRECORDED LEASE FROM JAMESTOWN LAND INVESTORS, III, L.P., TO UPTONS, INC., AS AMENDED AND ASSIGNED AS PER MEMORANDUM OF LEASE RECORDED IN DEED BOOK 28824, PAGE 153, AFORESAID RECORDS.
 - MAY AFFECT SITE, REFERENCED DOCUMENT NOT PROVIDED.
 - UNRECORDED LEASE AGREEMENT BETWEEN JAMESTOWN LAND INVESTORS, III, L.P., AND OSCAR THOMPSON, INC., DATED MARCH 16, 1999.
 - MAY AFFECT SITE, REFERENCED DOCUMENT NOT PROVIDED.
 - UNRECORDED LEASE AGREEMENT BETWEEN JAMESTOWN LAND INVESTORS, III, L.P., AND BHASKAR N. PREMA, DATED APRIL 7, 1999.
 - MAY AFFECT SITE, REFERENCED DOCUMENT NOT PROVIDED.
 - SLOPE EASEMENT CONTAINED IN THAT CERTAIN CONDEMNATION ORDER AND JUDGMENT RECORDED IN DEED BOOK 30453, PAGE 309, AFORESAID RECORDS.
 - AFFECTS SITE AS PLOTTED.



GENERAL NOTES

THIS PROPERTY IS NOT LOCATED IN A 100 YEAR FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 13157-0000-0 AND THE DATE OF SAID MAP IS MAY 7, 2001. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

INTERIOR BUILDING LINES SHOWN HEREON ARE APPROXIMATE. THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED ON SURVEY REFERENCE NO. 4.

THE SITE IS ZONED PD-00(SPI)-12 (PLANNED DEVELOPMENT, OFFICE COMMERCIAL) BUCKHEAD-LENOX SPECIAL PUBLIC INTEREST, PER ZONING ORDINANCE Z-86-72, ADOPTED AS AMENDED ON FEBRUARY 03, 1997.

ALL BUILDING SQUARE FOOTAGES ARE CALCULATED BASED UPON THE EXTERIOR DIMENSIONS OF THE BUILDING AT ADJACENT GRADE LEVEL.

THE LOCATION OF UTILITIES SHOWN HEREON ARE BASED UPON OBSERVED, ABOVE GROUND EVIDENCE, ANY MAPS OR PLANS READILY AVAILABLE FROM THE GOVERNING AUTHORITIES AND SITE PLAN FOR LENOX MARKETPLACE, PREPARED BY LRE ENGINEERING INC., DATED APRIL 24, 1999.

SURVEY REFERENCES

- BOUNDARY AND TOPOGRAPHIC SURVEY FOR THE SEMBLER COMPANY, PREPARED BY WATTS & BROWNING ENGINEERS, INC., DATED FEBRUARY 26, 1997.
- SURVEY BY GEORGIA DOT, FOR FULTON COUNTY, GEORGIA, LAST REVISED MARCH 10, 1996, PROJECT NUMBER F-104-19, PAGES 1-8 AND 8A.
- SURVEY BY GEORGIA DOT, FOR FULTON COUNTY, GEORGIA, LAST REVISED SEPTEMBER 7, 1993, PROJECT NUMBER TSAP-141(34), PAGES 1-3.
- AS-BUILT SURVEY OF LENOX COURTYARD FOR JAMESTOWN LAND INVESTORS III, PREPARED BY GEOSURVEY, LTD., DATED NOVEMBER 28, 1999.
- STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAPS FOR PROJECT STP-9219(4), DATED JANUARY 15, 1999.
- AS-BUILT SURVEY OF LENOX MARKETPLACE FOR JAMESTOWN LAND INVESTORS III, PREPARED BY GEOSURVEY, LTD., DATED MARCH 20, 2002.

LEGEND

STANDARD ABBREVIATIONS	STANDARD SYMBOLS
BM BENCH MARK	⊕ POWER POLE
CB CATCH BASIN	⊗ SANITARY MANHOLE
CMF CONCRETE MONUMENT FND	⊕ WATER VALVE
CMF CORRUGATED METAL PIPE	⊕ FIRE HYDRANT
CD CLEAN-OUT	⊕ WATER METER
CIP CRIMPED TOP PIPE	⊕ POWER METER
DI DROP INLET	⊕ GAS METER
DWCB DOUBLE WING CATCH BASIN	⊕ GAS VALVE
FC FENCE	⊕ FINISHED FLOOR ELEVATION
FND FOUND	⊕ GUY WIRE
GA GAS	⊕ UNDER-GROUND GAS LINE
INVERT	⊕ UNDER-GROUND POWER LINE
JB JUNCTION BOX	⊕ WATER LINE
LLI LAND LOT LINE	⊕ OVERHEAD UTILITY LINE
MR MANHOLE	⊕ MET AREA
OTR OPEN TOP PIPE	⊕ TRAFFIC FLOW ARROW
POB POINT OF BEGINNING	⊕ POINT OF COMMENCEMENT
RRR RIBON REINFORCING BAR	⊕ LIGHT POLE
SS SANITARY SEWER	⊕ REINFORCED CONCRETE PIPE
W WATER	⊕ SANITARY SEWER
MGR METAL GUARD RAIL	⊕ TELEPHONE MANHOLE
	⊕ POWER MANHOLE

SURVEYORS CERTIFICATION

To: Jamestown 19, L.P. and Fidelity National Title Insurance Company of New York.

This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys", jointly established and adopted by ALTA, ACSM and NSPS in 1999, and include items 1, 2, 3, 4, 6, 7(a), 7(b), 8, 9, 10, 11(b), 13, 14, 15 and 16 of Table A thereof.

Pursuant to the Accuracy Standards as adopted by ALTA, NSPS and ACSM and in effect on the date of this certification, undersigned further certifies that the survey measurements were made in accordance with the "Minimum Angle, Distance and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys".

Date: August 5, 2004

Trenton D. Turk, PLS
Georgia Registered Surveyor #28197, TULSA

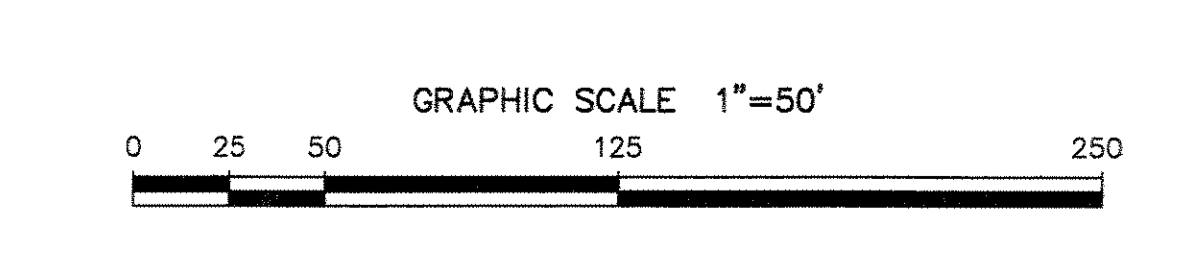
PARKING SUMMARY 1099 REGULAR 27 HANDICAP 1126 TOTAL	SITE AREA 9.417 Acres 410,197 SF 3535 PEACHTREE ROAD
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CLOSURE INFORMATION

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 92.13". AN ANGULAR ERROR OF 01 SECONDS PER SETUP, AND WAS NOT ADJUSTED. A LEICA ELECTRONIC TOTAL STATION AND HEWLETT PACKARD 489C DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

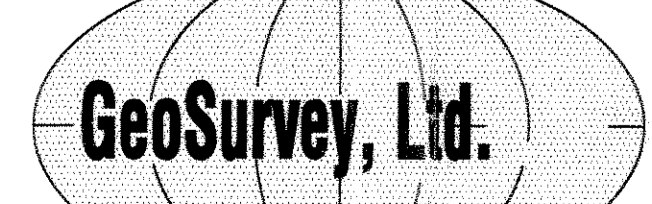
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 226.639 FEET, 322 INCHES.

GRAPHIC SCALE



REVISIONS

No.	Date	Description



Land Surveying & Mapping
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Suite 104
Marietta, Georgia 30066
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ALTA/ACSM LAND TITLE SURVEY OF
LENOX MARKETPLACE
FOR
JAMESTOWN 19, L.P.
FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK

SITE LOCATION	
CITY: ATLANTA	COUNTY: FULTON STATE: GEORGIA
LAND LOTS: 44, & 45	DISTRICT: 17th
SURVEY DATE: AUGUST 5, 2004	DRAWING SCALE: 1" = 50'
FIELD WORK: CW	PM: JDW
REVIEWED: TDT	
GS Dwg File: 20042031.dwg	GS Job No.: 20042031

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PLEASE NOTE

INFORMATION REGARDING THE INTERFERENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES IS SHOWN HEREON. THIS INFORMATION HAS BEEN SHOWN BASED ON THE LOCATION OF ABOVE GROUND UTILITIES, AVAILABLE DESIGN PLANS, AND FLAGS AND PAINT PLACED BY THE UNDERGROUND UTILITY SERVICE. NO CERTIFICATION IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND THEIR SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.