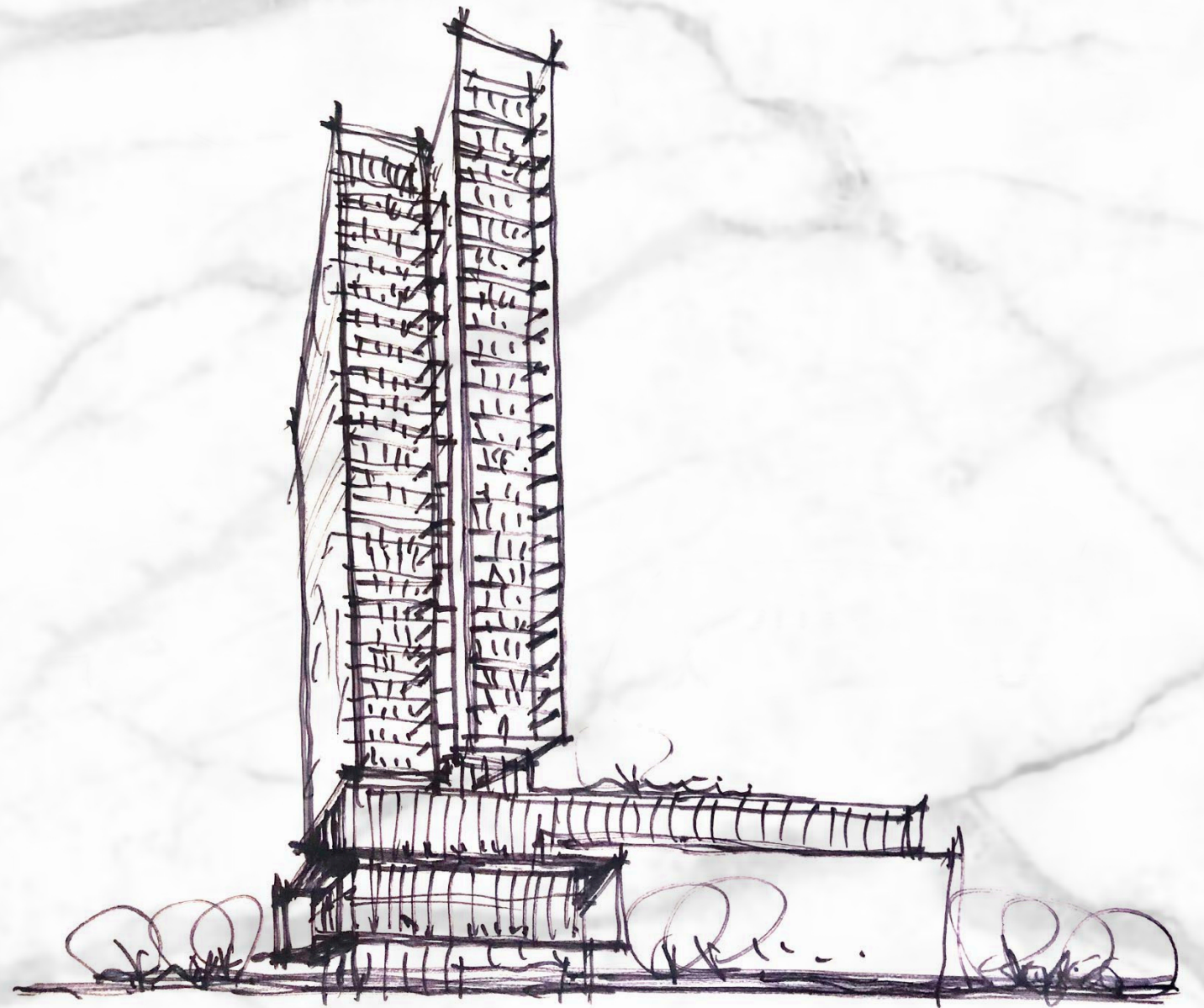


Buckhead Ritz-Carlton

HOTEL AND RESIDENCES

3650 PEACHTREE ROAD NE
DEVELOPMENT REVIEW COMMITTEE PRESENTATION
3630 NORTH LLC
8.5.2020



Elevate The Exceptional

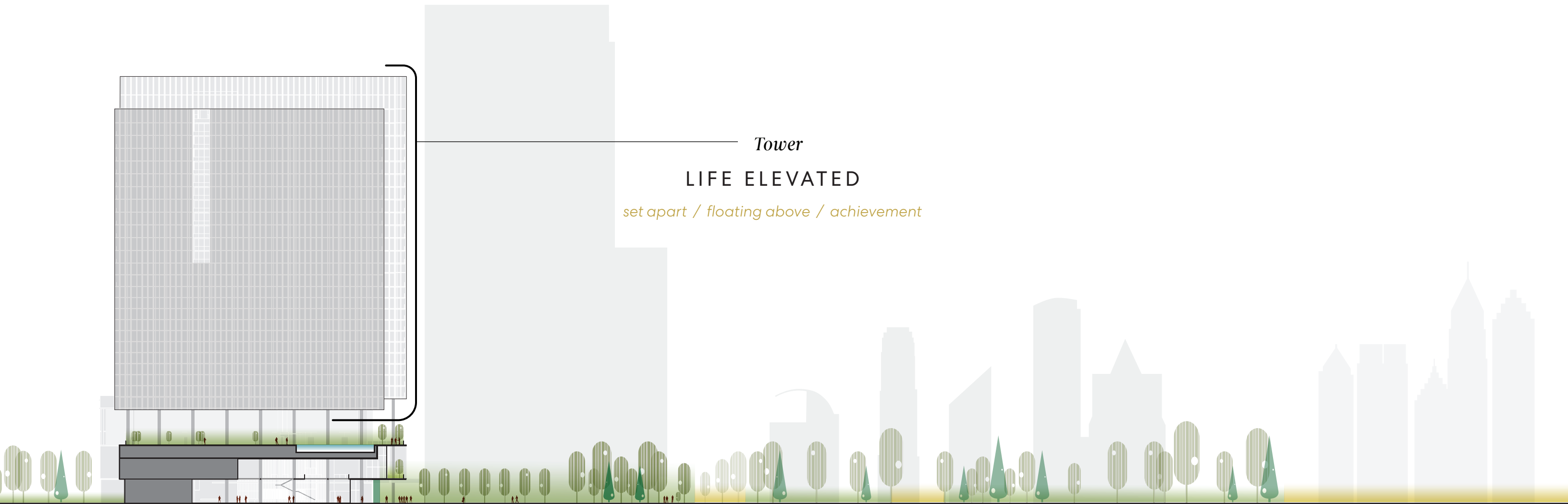
RISE THROUGH THE CANOPY

The Buckhead Ritz-Carlton Hotel and Residences is the epitome of an immersive escape--facilitating the departure from the hustle and bustle of Atlanta, through a garden of delight, and ultimately to a haven full of exceptionally imaginative experiences.

In an industrial journal of 1859, Atlanta was described as “The City in the Woods” that emerges out of a lush tree canopy. Since then, it has been know as a thriving and verdant city in the forest. As the city has become more and more urban, greenery and the natural serenity that it represents has remained an important pillar to the culture of Atlanta. In the early 20th century, Buckhead, north of the city, served as a destination of respite for Atlanta’s wealthy, home to many country estates, hunting land, and horse paths. Over the years, these country estates transformed from seasonal homes to a full-time community where Atlanta’s wealthy lived and socialized.

Referencing the local stories of Atlanta and specifically Buckhead, the Buckhead Ritz-Carlton Hotel and Residences crafts a meaningfully imaginative journey, bringing this heritage to life with modern design as you experience the building from the very beginning--arriving through a serene and delightful garden. Embark on this journey to both discover private, meaningful moments as well as to see and be seen in the vibrant social atmosphere.

PROGRESSION FROM CITY TO FOREST



Tower

LIFE ELEVATED

set apart / floating above / achievement

Ritz-Carlton

ELEVATED LIFESTYLE

exclusive / protected / idealized

Buckhead

ESCAPE

*relief from the city / other worldly /
amongst the forest*

The City

BURDEN

*complexity / everyday /
cacophony*

BUCKHEAD CONTEXT



Ritz-Carlton
Hotel and Residences

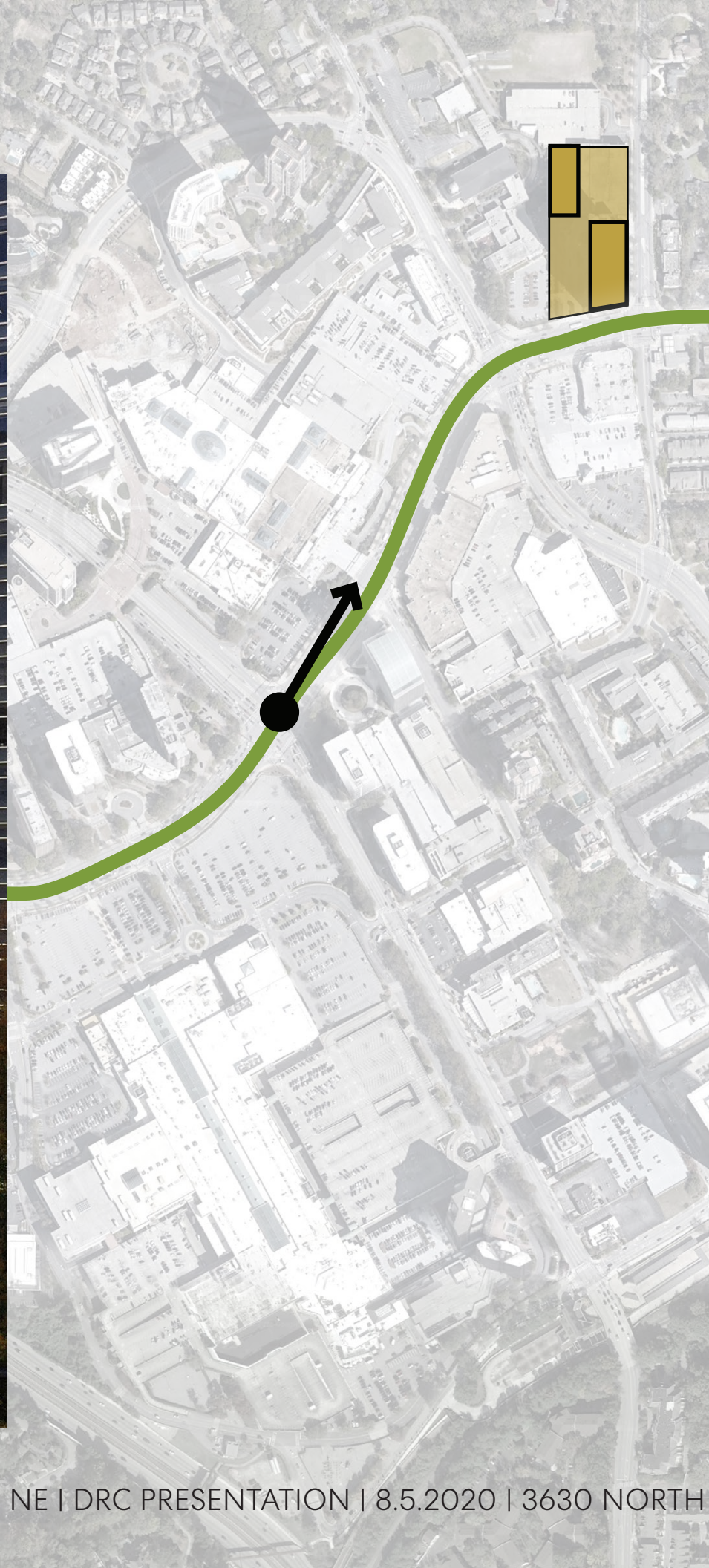
Phipps Plaza

Lenox Square



Peachtree Road

APPROACH



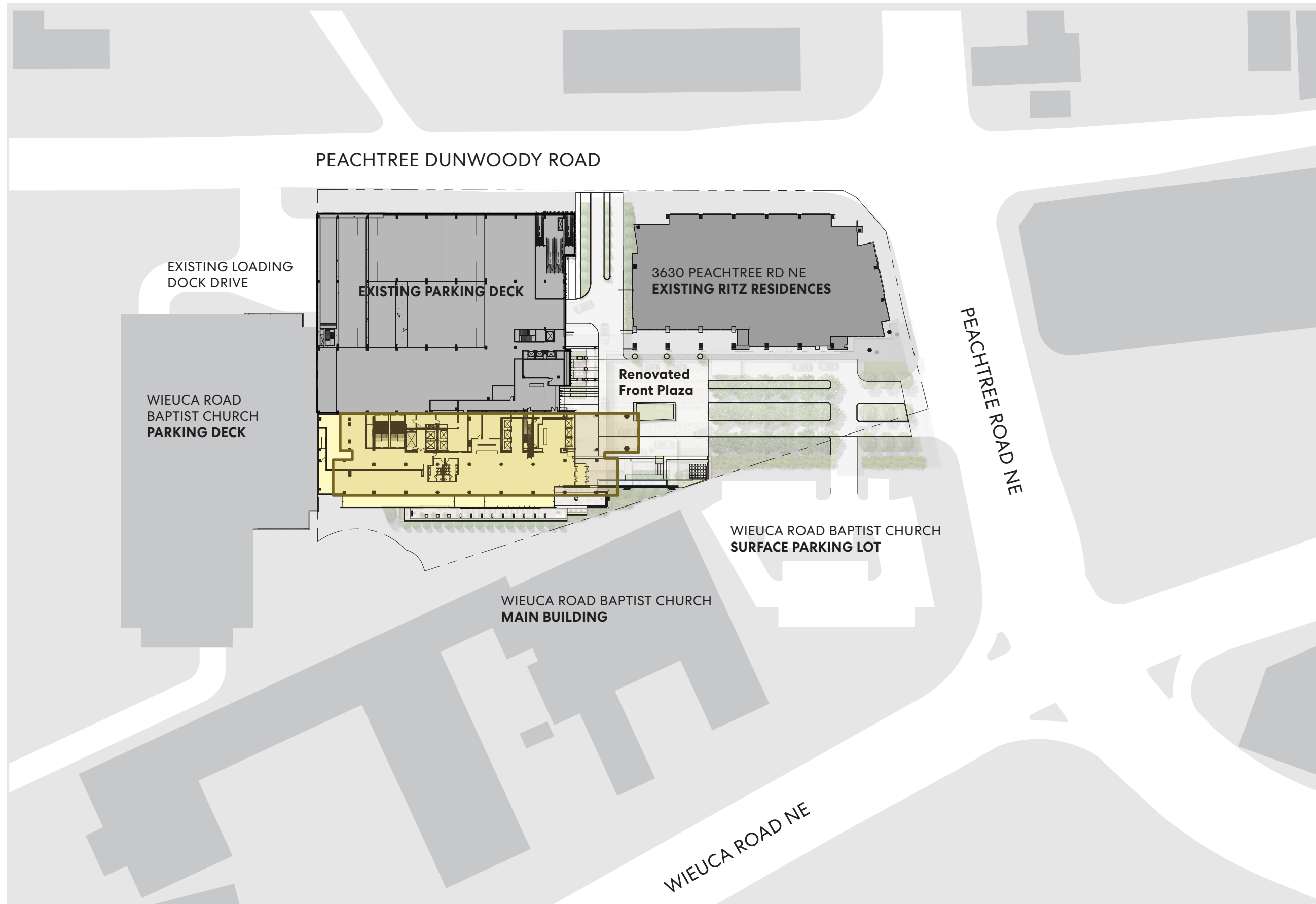
Peachtree Road



ARTISTIC INTERPRETATION OF ARCHITECTURAL CONCEPT

W. Wines Road Baptist Church

CONTEXT PLAN

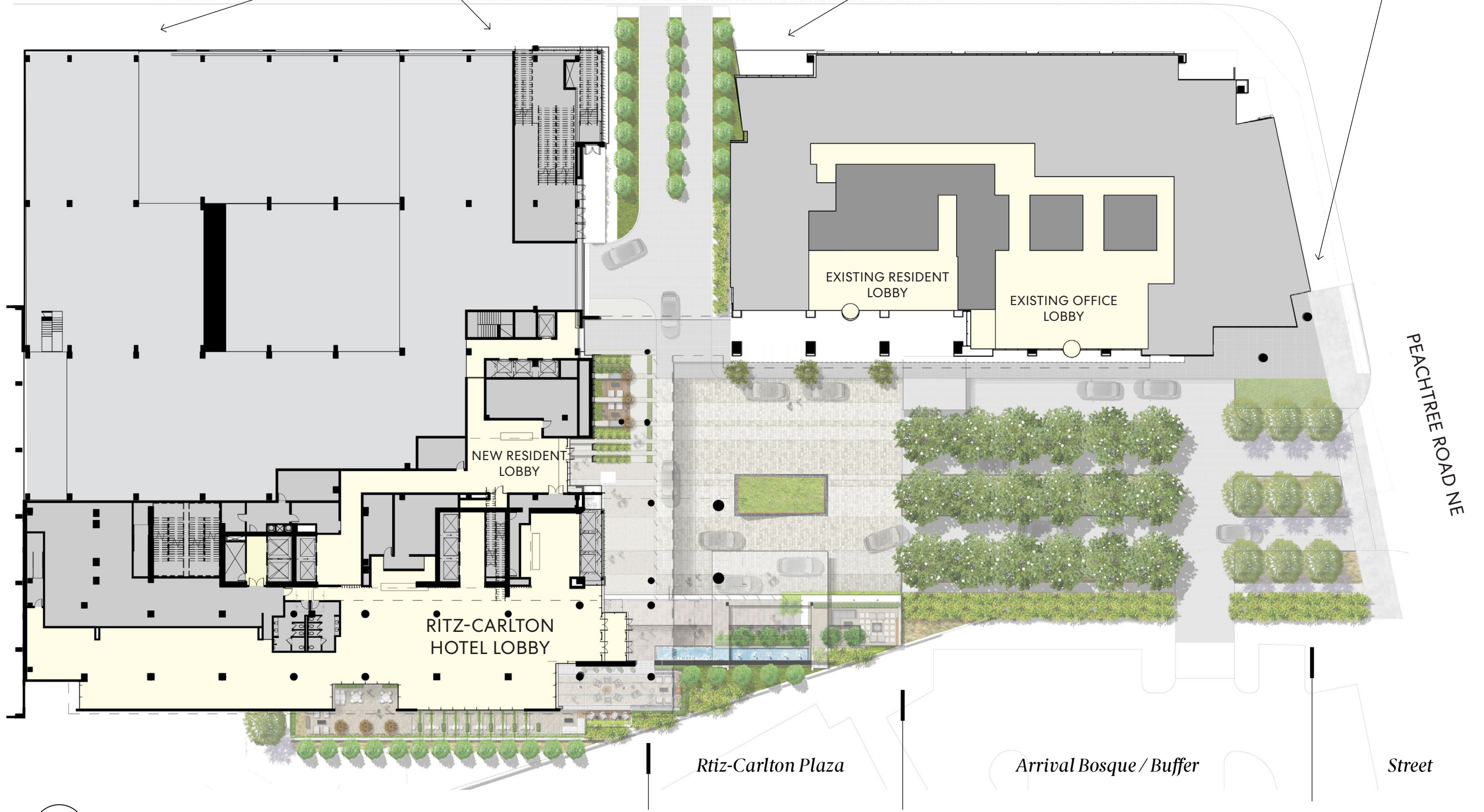


OVERALL SITEPLAN

PEACHTREE DUNWOODY ROAD

(EXISTING FRONTAGE AND LANDSCAPING TO REMAIN)

(EXISTING FRONTAGE AND LANDSCAPING TO REMAIN)



Rtitz-Carlton Plaza

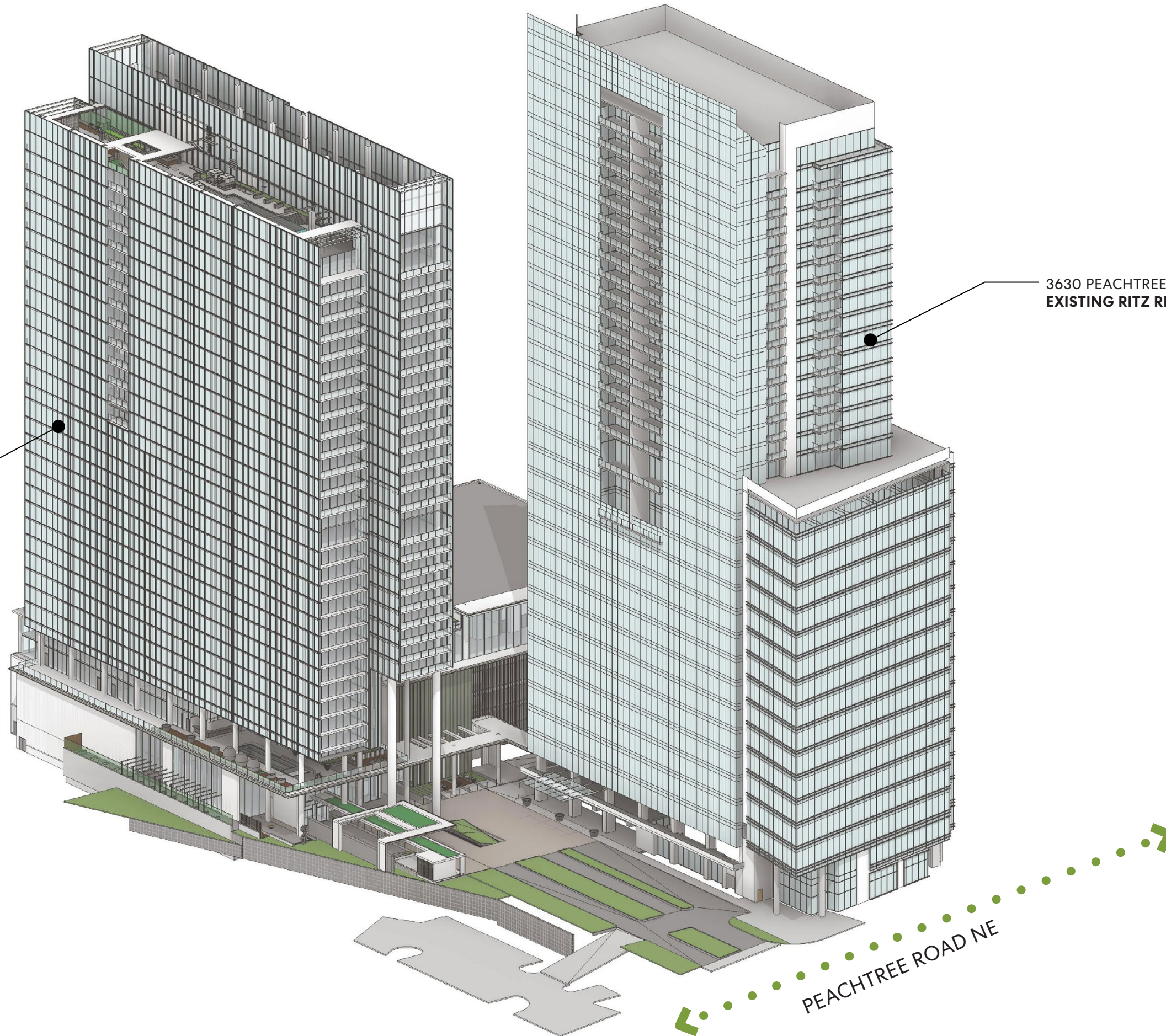
Arrival Bosque / Buffer

Street

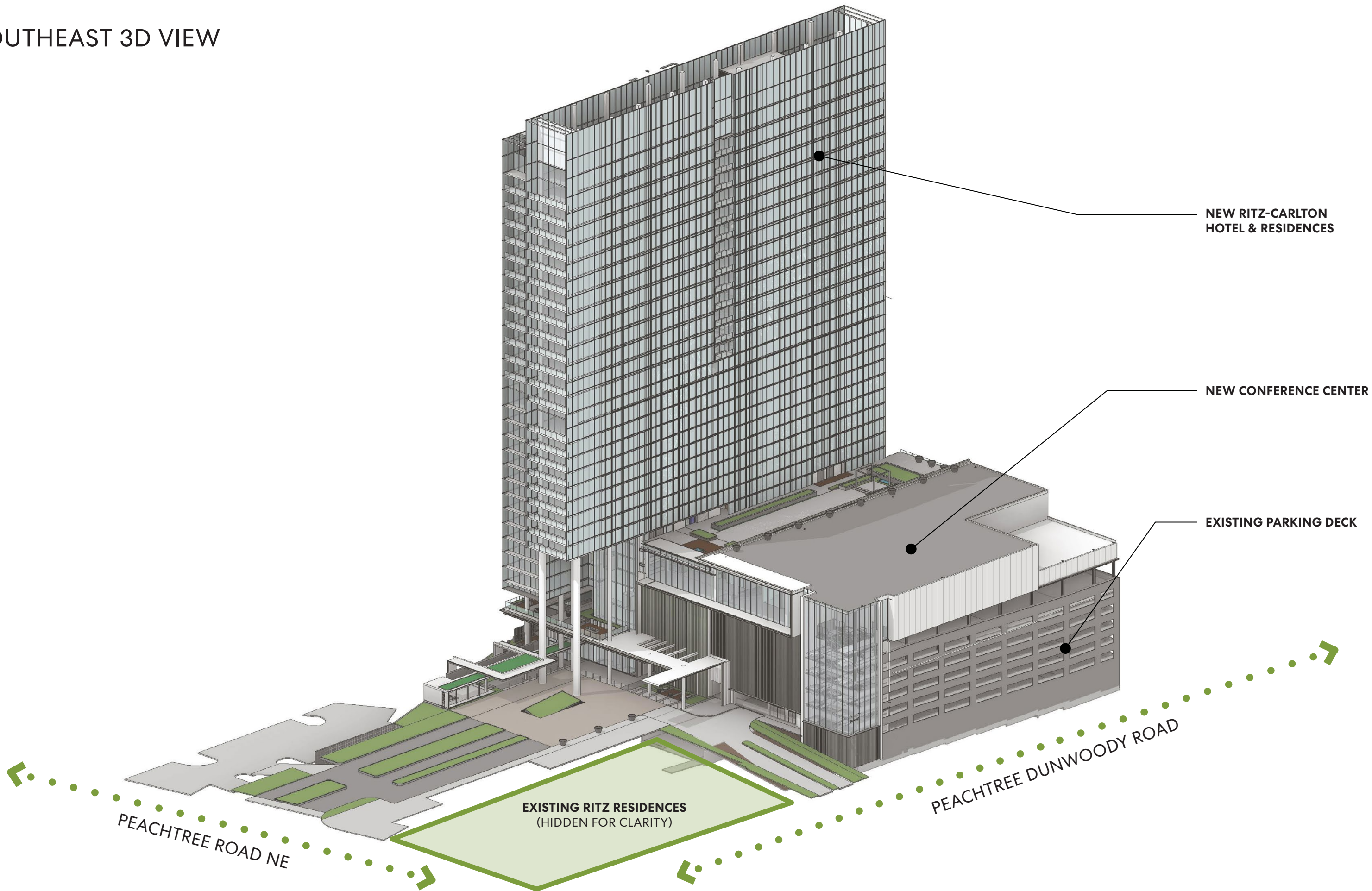
SOUTHWEST 3D VIEW

NEW RITZ-CARLTON
HOTEL & RESIDENCES

3630 PEACHTREE RD NE
EXISTING RITZ RESIDENCES



SOUTHEAST 3D VIEW



NEW RITZ-CARLTON
HOTEL & RESIDENCES

NEW CONFERENCE CENTER

EXISTING PARKING DECK

EXISTING RITZ RESIDENCES
(HIDDEN FOR CLARITY)

PEACHTREE ROAD NE

PEACHTREE DUNWOODY ROAD

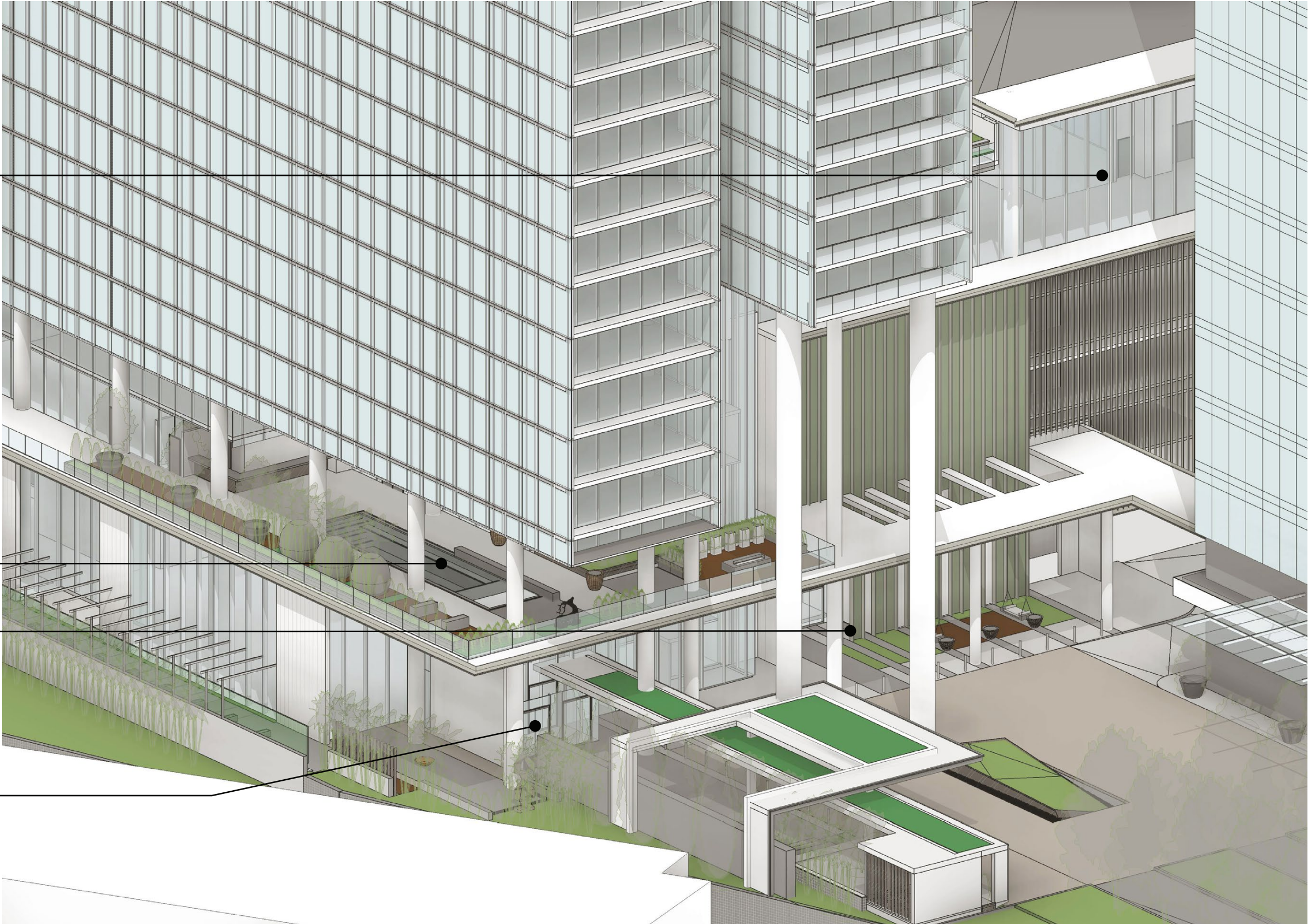
SOUTHWEST PLAZA 3D VIEW

CONFERENCE

POOL DECK

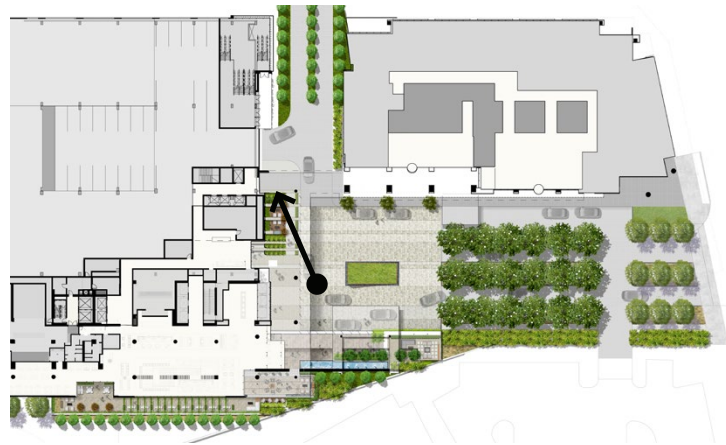
RESIDENTIAL ENTRY

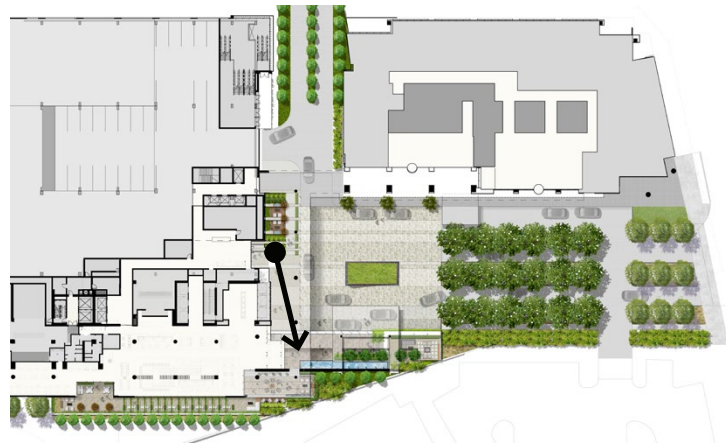
HOTEL ENTRY

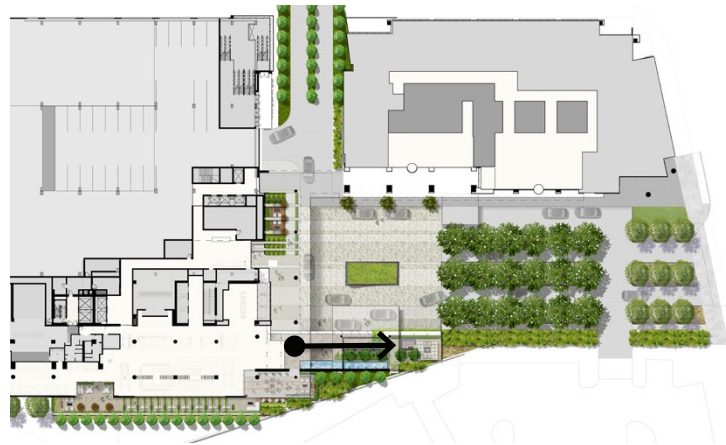






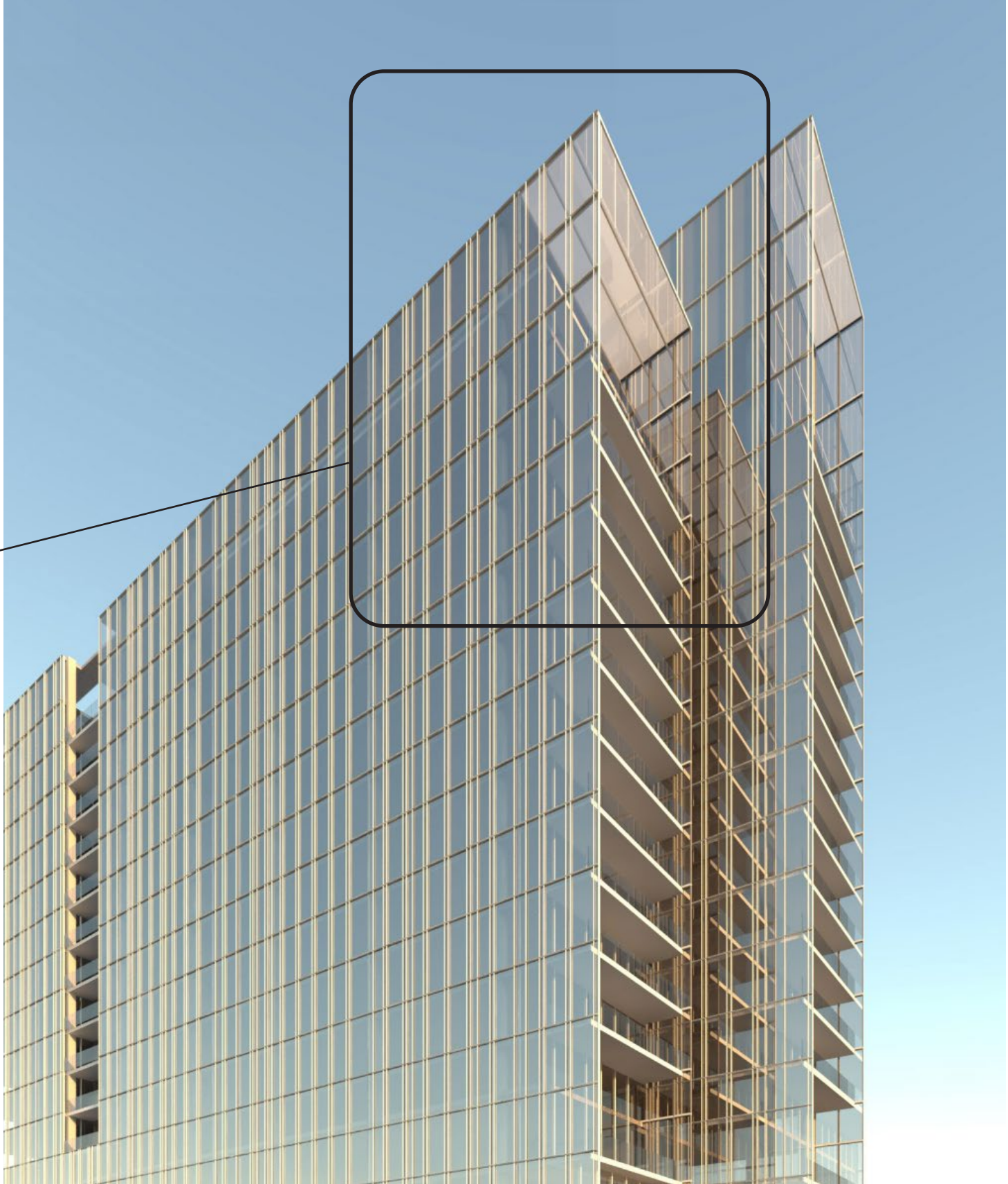
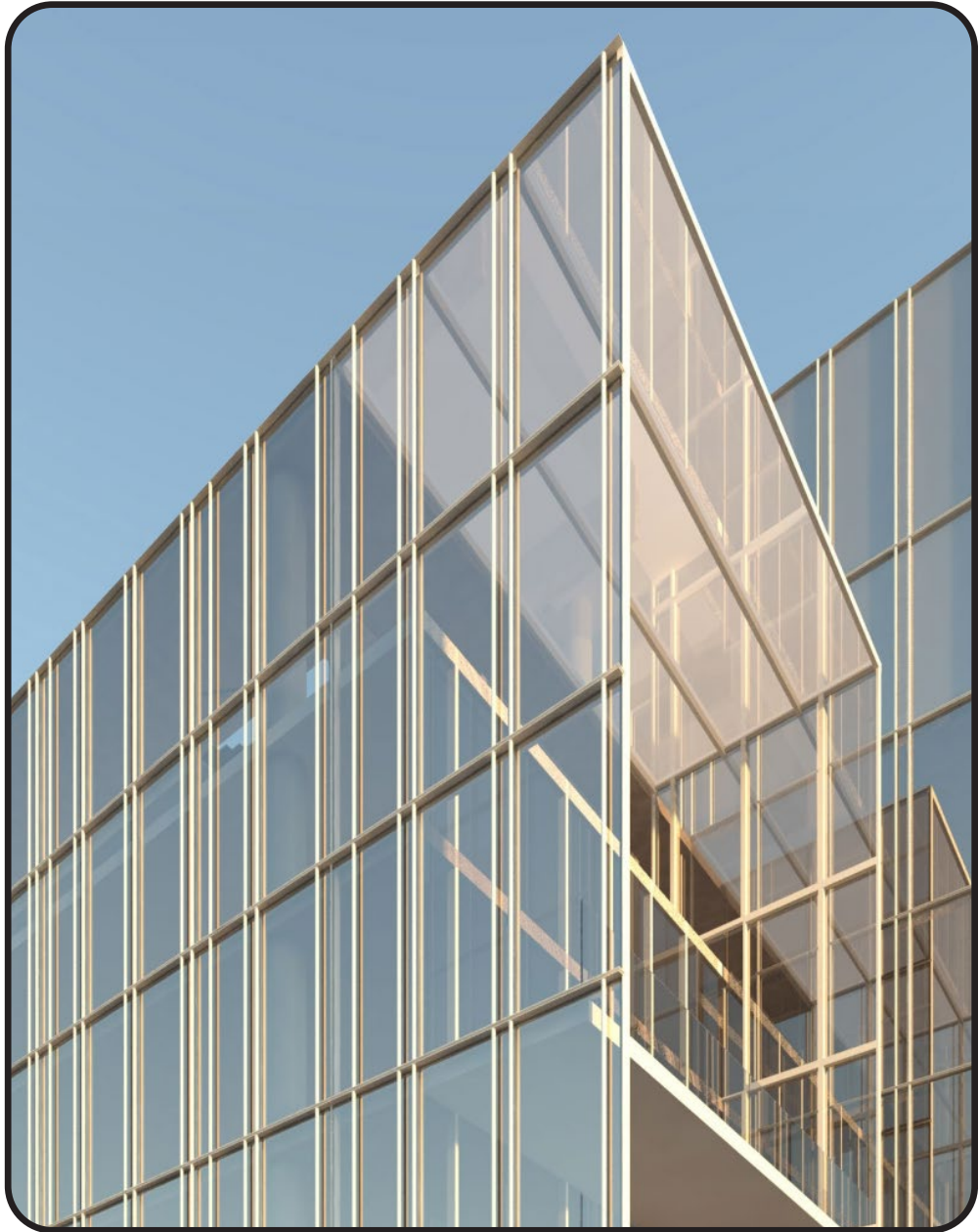




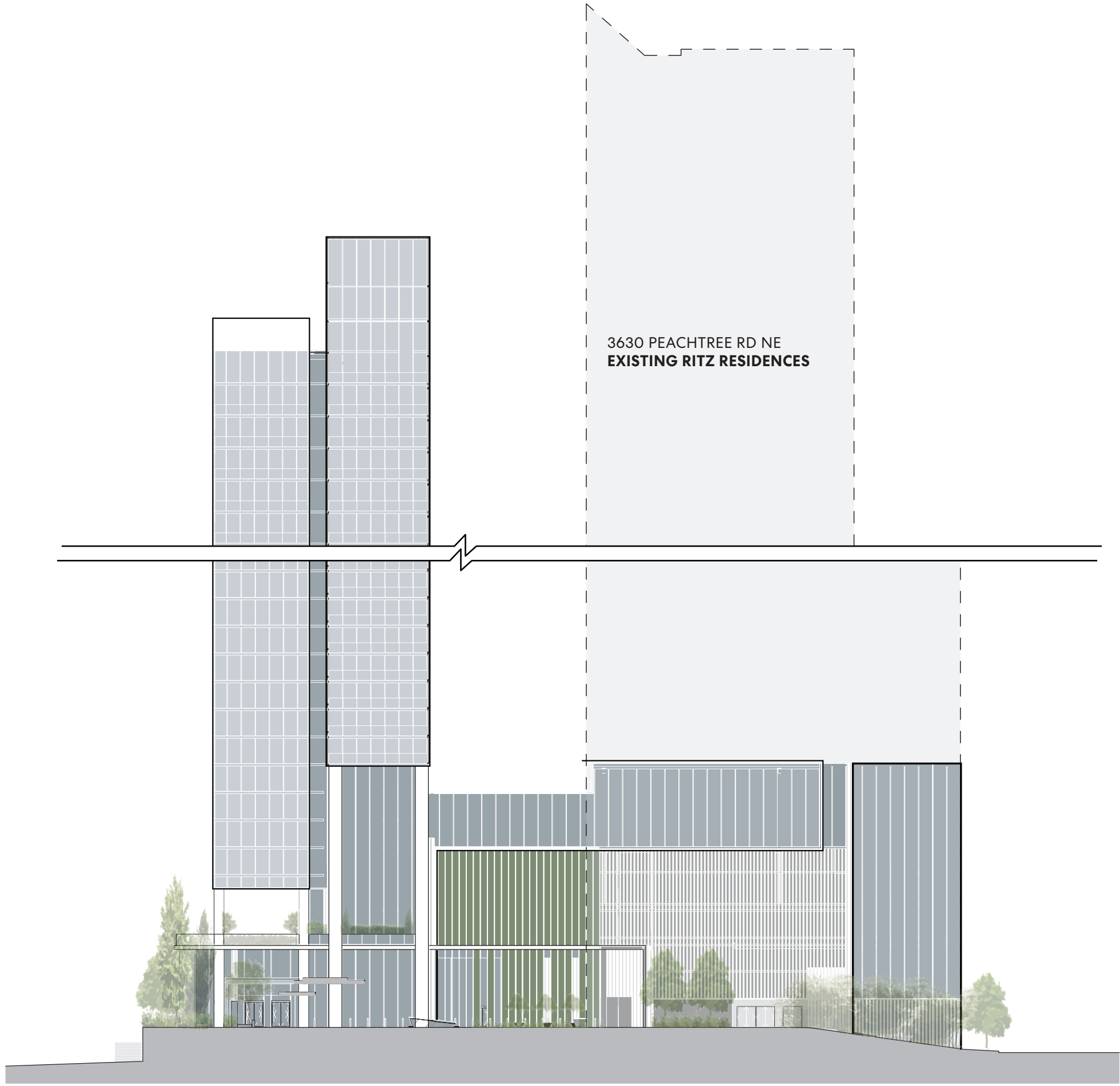


TOWER FACADE

Exquisite Curtain

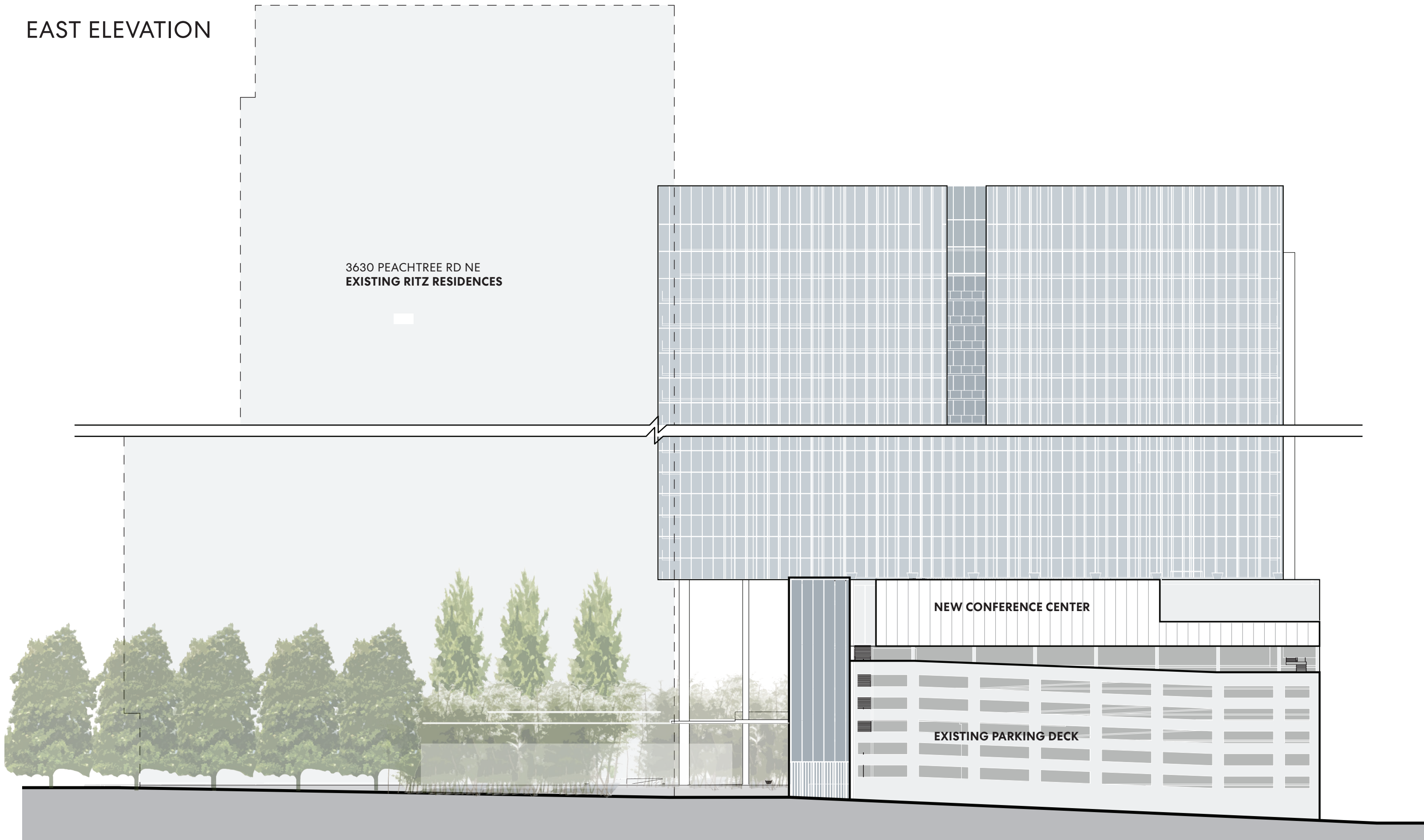


SOUTH ELEVATION



3630 PEACHTREE RD NE
EXISTING RITZ RESIDENCES

EAST ELEVATION

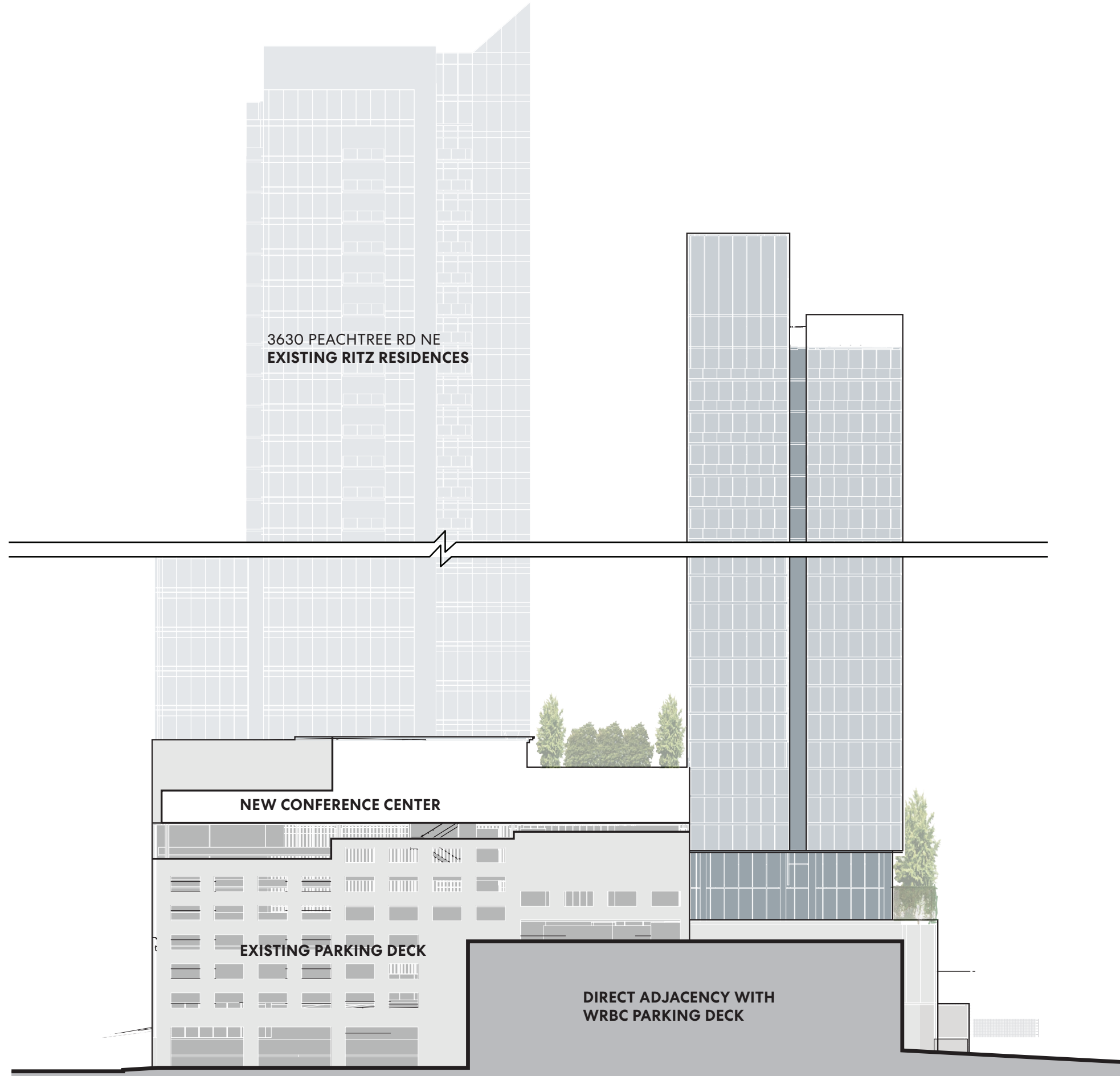


3630 PEACHTREE RD NE
EXISTING RITZ RESIDENCES

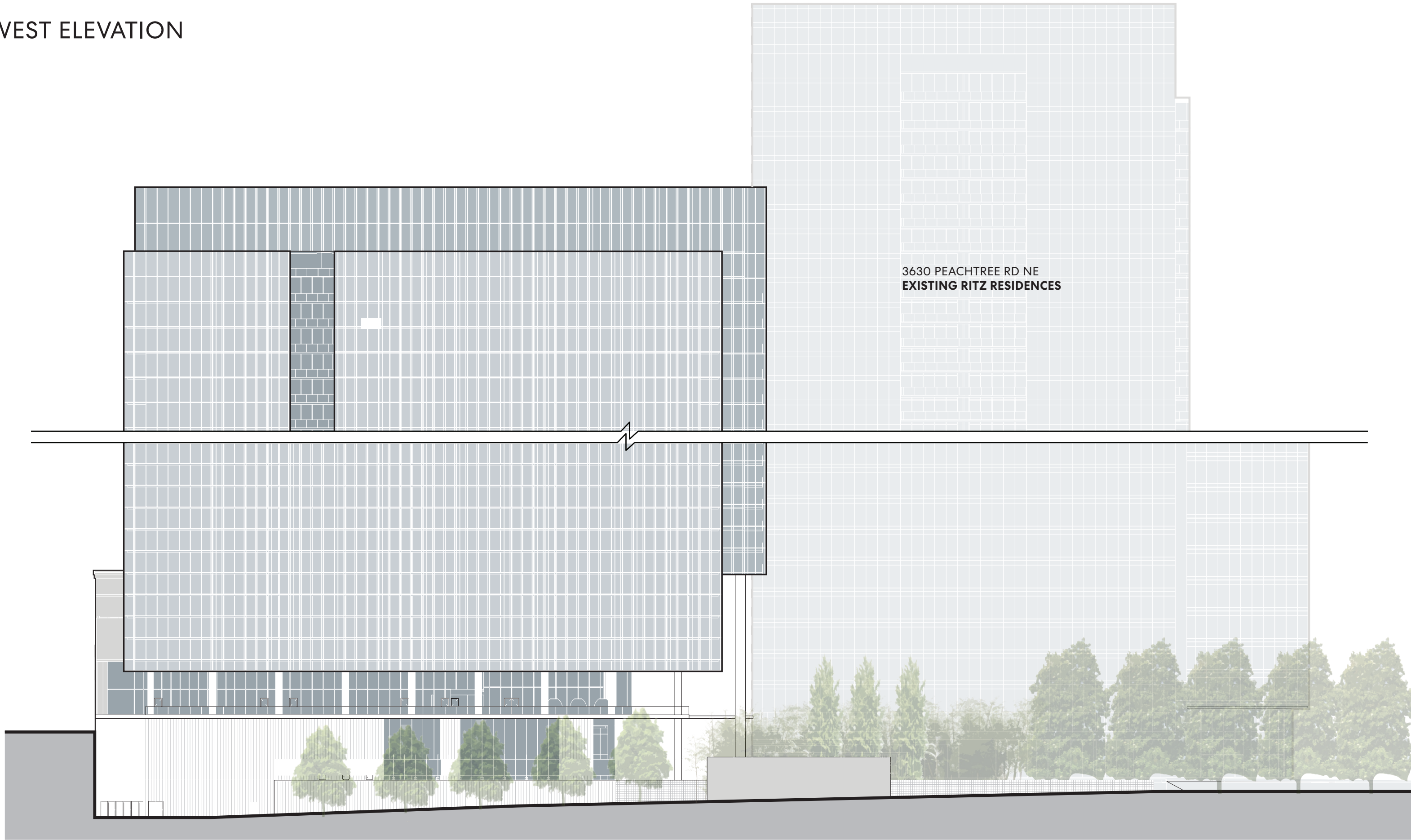
NEW CONFERENCE CENTER

EXISTING PARKING DECK

NORTH ELEVATION



WEST ELEVATION



3630 PEACHTREE RD NE
EXISTING RITZ RESIDENCES

Thank You.

05-0-1113

(Do Not Write Above This Line)

AN ORDINANCE Z-05-44
BY: ZONING COMMITTEE

An Ordinance to rezone from PD-OC (Planned Development-Office-Commercial to O-I (Office-Institutional) District, property located at 3630 Peachtree Road and 3690 Peachtree Dunwoody Road, N.E. fronting approximately 232.40 feet on the north side of Peachtree Road and approximately 648 feet on the west side of Peachtree Dunwoody Road. Property is located at the northwest intersection of Peachtree Road and Peachtree Dunwoody Road. Depth: varies; Area: 3.98 acres; Land Lot 44 17th District, Fulton County, Georgia. OWNER: MILLENIUM BUCKHEAD ASSOCIATES, LLC. APPLICANT: MILLENIUM BUCKHEAD ASSOCIATES, LLC. NPU-B COUNCIL DISTRICT 7

Substitute

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred *6-20-2005*

Referred To: *ZOB & Zoning*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee *Zoning*
Date *Nov. 22, 2005*
Chair *[Signature]*
Referred To *[Signature]*

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

ADOPTED BY

NOV 21 2005

COUNCIL
Refer To

FINAL COUNCIL ACTION

2nd

1st & 2nd

3rd

Readings

Consent

V Vote

RC Vote

CERTIFIED

NOV 21 2005

MAYOR'S ACTION

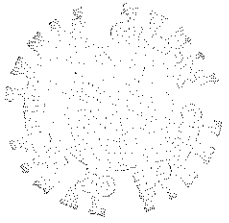
APPROVED
NOV 22 2005
[Signature]
MAYOR

ZONING REVIEW BOARD	
DEFERRED	
ON	9-8-05
UNTIL	10-05
CHM.	F. M. Frasier

ZONING REVIEW BOARD	
DEFERRED	
ON	10-13-05
UNTIL	11-05
CHM.	F. M. Frasier

ZONING REVIEW BOARD	
FAVORABLE <i>Conditional</i>	
CHM.	F. M. Frasier
11-10-05	

DEPARTMENTAL AUTHORIZATION



City Council
Atlanta, Georgia

05-0-1113

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-05-44
Date Filed: 5-10-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **3630 Peachtree Road, 3626 Peachtree Road (small triangular portion) and 3690 Peachtree Dunwoody Road, N.E.** be changed from the PD-OC (Planned Development-Office-Commercial) District to O-I-C (Office -Institutional-Conditional)/SPI-12 District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 44 of the 17th District, Fulton County, Georgia by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

City Council
Atlanta, Georgia

05- 0 -1113

AN ORDINANCE
BY: ZONING COMMITTEE

Z-05-44
Date Filed: 5-10-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **3630 Peachtree Road and 3690 Peachtree Dunwoody Road, N.E.** be changed from the PD-OC (Planned Development-Office-Commercial) District to O-I (Office -Institutional) District, to wit:

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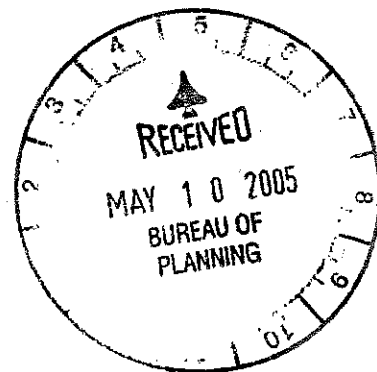
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Legal Description
For
3630 Peachtree Road and
3690 Peachtree Dunwoody Road

All that tract or parcel of land being and lying in Land Lot 44 of the 17th District of Fulton County, Georgia. Said tract being more particularly described as follows:

Beginning at a concrete Right of Way Monument found at the intersection of the west Right of Way of Peachtree Dunwoody Road with the north Right of Way of Peachtree Road; thence south 22 degrees 30 minutes 55 seconds west along the north Right of Way of Peachtree Road a distance of 34.73 feet to a point;
thence south 48 degrees 55 minutes 16 seconds west continuing along said Right of Way a distance of 37.44 feet to a point;
thence south 77 degrees 58 minutes 17 seconds west continuing along said Right of Way a distance of 232.40 feet to a point;
thence north 01 degrees 17 minutes 12 seconds east leaving the north Right of Way of Peachtree Road a distance of 161.41 feet to a point;
thence north 17 degrees 56 minutes 47 seconds west a distance of 440.37 feet to a 5/8-inch rebar;
thence north 89 degrees 55 minutes 20 seconds east a distance of 398.99 feet to a 1-inch open-top pipe on the west Right of Way of Peachtree Dunwoody Road;
thence south 00 degrees 01 minutes 26 seconds west along the west Right of Way of Peachtree Dunwoody Road a distance of 100.02 feet to a 1/2-inch rebar;
thence south 00 degrees 03 minutes 29 seconds west continuing along said Right of Way a distance of 475.67 feet to a concrete Right of Way Monument and the point of beginning.
Said tract containing 3.98 acres (173,529 sf) of land area.



Z-05-44

RCS# 6790
6/20/05
6:24 PM

Atlanta City Council

Regular Session

MULTIPLE

05-O-1109 05-O-1110 05-O-1111
05-O-1112 05-O-1113 05-O-1114 05-O-1115
REFER

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
NV Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	B Shook	NV Maddox	Y Willis
NV Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

RCS# 7235
11/21/05
4:44 PM

Atlanta City Council

REGULAR SESSION

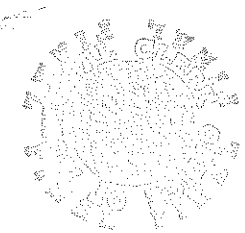
05-O-1113

Z-05-44 REZONE F/PD-OC TO O-I 3630
P'TREE RD & 3690 P'TREE-DUNWDY RD
ADOPT ON SUB

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 2
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	E Norwood
Y Young	Y Shook	Y Maddox	NV Willis
NV Winslow	NV Muller	E Sheperd	NV Borders

05-O-1113



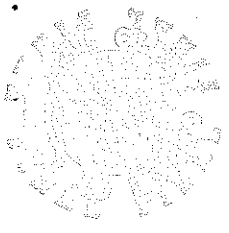
Conditions for Z-05-44
3630 Peachtree Road and 3690 Peachtree Dunwoody Road, N.E.

7. The point of access for service vehicles to the development shall be the service entrance located on Peachtree-Dunwoody Road and signage will be installed at that point of access disallowing left turns north onto Peachtree-Dunwoody Road by service vehicles.
8. These conditions of zoning shall be binding upon all successors and assigns of the Applicant. The subdivision, sale, or partition of all or any part of this property shall not alter the obligation of all owners of the property to comply with these conditions of zoning.
9. The Applicant will not request any administrative site plan amendment which seeks to change any of the conditions contained herein without first giving notice of such request to the president of each of the SPI-12 neighborhoods and the Chair of the Zoning Committee of NPU-B. The president of each SPI-12 neighborhood and the Chair of the Zoning Committee of NPU-B will be notified thirty (30) days prior to making any requests for an administrative site plan amendment. However, the applicant will have the right to request administrative changes in the site plan without such notification so long as such changes are required to comply with technical permitting requirements of the City of Atlanta and do not: (a) increase the height in stories or square footage of any building or the number and/or location of parking spaces; (b) change any of the uses or location of said uses specified on the site plan; (c) decrease any exterior setback or the amount of landscaped area; (d) materially reduce public access or public spaces; or (e) otherwise materially alter these conditions.

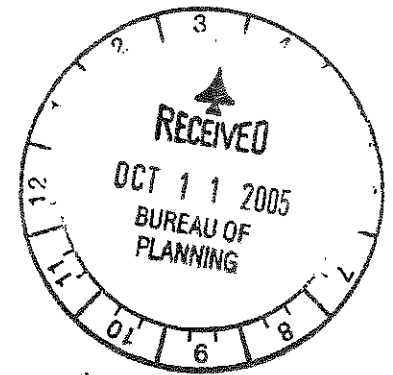
Conditions for Z-05-44

3630 Peachtree Road and 3690 Peachtree Dunwoody Road, N.E.

1. A site plan entitled "Zoning Plan-3630 Peachtree Road" by Long Engineering dated October 27, 2005 and marked received by the Bureau of Planning on October 28, 2005.
2. The Applicant shall provide the maximum of either (a) 25 bicycle parking spaces or (b) the number of bicycle parking spaces required by the City of Atlanta based on the number of automobile parking spaces, whichever number is greater. The number of bicycle parking spaces installed shall meet the City's minimum requirements during each phase of the development. These spaces shall be located as close as practicable to the buildings while, in the developer's sole discretion, maintaining the architectural integrity of the buildings and their landscaping and hardscaping schemes.
3. All stormwater detention facilities shall be enclosed and located below grade or within structured areas. The project shall release stormwater runoff at a rate equal to 80% or less of the current stormwater runoff rate. During construction, stormwater runoff shall be limited to a rate not greater than the current rate. The SPI-12 neighborhoods reserve the right to review and inspect hydrology studies and obtain independent reports and opinions.
4. All dumpsters and service facilities shall be screened or shall be located completely within the enclosed area of the parking deck labeled loading dock as set forth on the site plan. Dumpsters shall only be emptied between the hours of 8 a.m. and 5 p.m. on non-holiday week days. Signage stating hours, no idling outside loading dock, and no queuing for space into loading dock shall be conspicuously posted at the loading dock.
5. All exterior lighting (excluding street lights) including parking deck lighting shall be designed, shielded and constructed so as to limit the light trespass off site (other than onto property of the Wieuca Road Baptist Church) to a level of two foot-candles. Vehicle headlights shall be blocked from shining on surrounding residential property (excluding Church property) when operating within the parking decks.
6. The development shall comply with existing City of Atlanta ordinances with regard to hours of construction and noise limitations. During construction, all construction vehicles will be parked on-site and not on the surrounding public streets. No construction parking shall be allowed on the Church soccer/playing fields. Fencing around the Church soccer/playing fields will remain during construction. Also, during the period of construction, the developer will notify the presidents of each of the SPI-12 neighborhoods and the Chair of the Zoning Committee of NPU-B of a contact name and telephone number which will be answered 24 hours a day, 7 days a week regarding problems with the construction. Said person shall be a human and not a recorded voice on an answering machine.

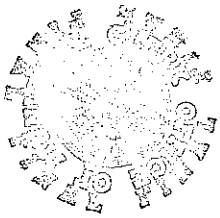


Legal Description
For
3630 Peachtree Road and
3690 Peachtree Dunwoody Road



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thence South 48 degrees 55 minutes 16 seconds West continuing along said Right of Way a distance of 37.44 feet to a point;
thence South 77 degrees 58 minutes 17 seconds West continuing along said Right of Way a distance of 176.69 feet to a 5/8-inch rebar;
thence South 77 degrees 58 minutes 17 seconds West a distance of 75' to a point
thence North 7 degrees 17 minutes 09 seconds East leaving the north Right of Way of Peachtree Road a distance of 175 feet to a point;
thence North 17 degrees 56 minutes 47 seconds West 431.24 feet to 1/2" rebar;
thence North 89 degrees 55 minutes 20 seconds East a distance of 398.98 feet to a 1-inch open-top pipe on the west Right of Way of Peachtree Dunwoody Road;
thence South 00 degrees 03 minutes 29 seconds West continuing along the west of Right of Way of Peachtree Dunwoody Road a distance of 475.67 feet to a concrete Right of Way Monument and the point of beginning.
Said tract containing 4.02 acres (175,054 sf) of land area.



City Council
Atlanta, Georgia

05-0-1113

A SUBSTITUTE ORDINANCE
BY: ZONING COMMITTEE

Z-05-44
Date Filed: 5-10-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

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SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Doughtin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

November 21, 2005
November 22, 2005

EDGE OF PAVEMENT

PEACHTREE DUNWOODY ROAD

6" GRANITE CURB

R/W VARIES → 475.67'

500'03'29"W

S00°01'57"E 19.81'
N00°05'24"W 100.18'
S00°16'08"E 100.01'

PROPOSED R/W

17-044-11-28-4
N/F
WIEUCA ROAD BAPTIST CHURCH, INC.

EXISTING ZONING
PD-OC

PROPOSED ZONING
O&I

PARKING DECK

NORTH TOWER

EXISTING ZONING
R3

VARIANCE REQUEST
ELIMINATE TRANSITIONAL
HEIGHT PLANE &
SCREENING REQUIREMENTS

EAST WING

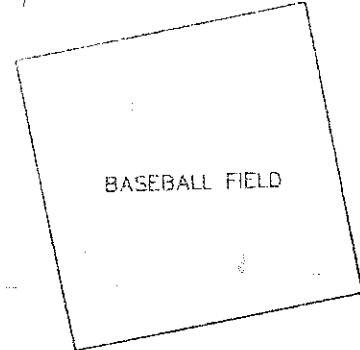
1ST. FLOOR	ELEV. 904.18
2ND. FLOOR	ELEV. 1006.74
ROOF	ELEV. 1010.06
PARAPET	ELEV. 1020.17

FELLO

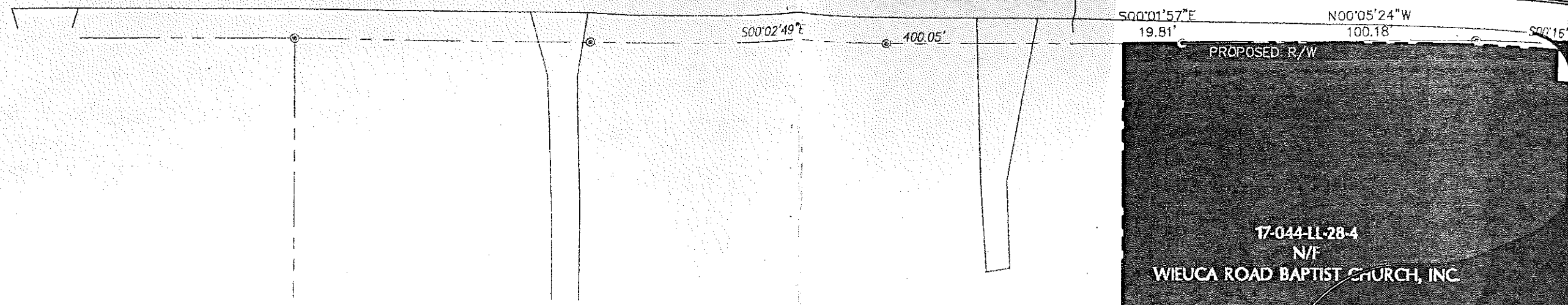
ROOF

PARAPET

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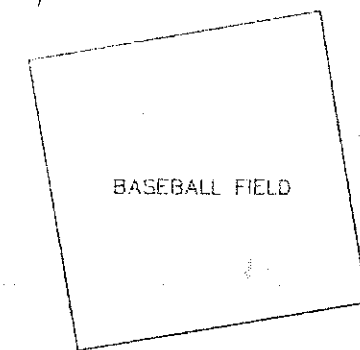
N89°55'20"E
469.52'



ZONING CONDITIONS FOR
Z-05-44

To the extent that the conditions of this Agreement are more restrictive than or are not reflected in conditions applied to the Property by the Atlanta City Council, the conditions in this Agreement will control. The proposed development shall be restricted as follows:

1. The north tower, as shown on the site plan attached hereto as Exhibit "A" (the "Site Plan"), shall not exceed 340 feet in height as measured at the final elevation of the plaza at the front entrance of the building (plaza elevation not to exceed 1010 feet MSL). The south tower, as shown on the Site Plan, shall not exceed a height of 438 feet as measured above the grade of the plaza at the front entrance of the building. No more than 399 residential units shall be constructed on the Property. The maximum amount of office space on the Property shall not exceed 425,000 rentable square feet. The development, including both office and residential space, shall not exceed 920,000 rentable/saleable square feet. No hotel use shall be permitted. The maximum amount of parking spaces, including office, residential and spaces shared with Wieuca Road Baptist Church, shall not exceed 1860. Parking in the shared Church/office deck shall not exceed 700 spaces.
2. The elevation of the Church parking garage facing Peachtree-Dunwoody Road will be conceptually similar as shown on the elevation by Handel Architects, dated September 27, 2005.
3. Landscaping will be provided as indicated on the approved applicable site plan and written conditions hereinafter defined for each of the above zoning applications. Balconies, roof gardens, and similar non-ground level spaces shall not be included in calculating minimum landscape requirements. Pervious paving material will be utilized where feasible. Pervious joints shall be provided between all pavers on grade. Buffer areas and protected trees shall be marked using temporary chain link construction fencing no less than four feet in height prior to and maintained during the period of construction. All erosion control measures shall be installed outside any undisturbed buffer. The top deck of parking facilities will have tree planters and trellises with appropriate materials. Landscaped buffer between parking deck and Peachtree-Dunwoody Road will consist of a variety of evergreen and hardwood shrubs and trees, generally as indicated on the landscape plan by Smallwood, Reynolds, Stewart and Stewart Architects, dated September 27, 2005. Applicant shall provide adequate irrigation for all landscaping modules.
4. Applicant will become a member of the Buckhead Area Transportation Management Association (BATMA) prior to the issuance of a certificate of occupancy for the office building in the development and will pay its prorata contribution to the Buckhead Community Improvement District to fund BATMA (that percentage of the BCID contribution which goes to BATMA) at such time as BATMA shuttle service is provided to the property. Parking garages and parking decks shall contain Van Pool accessible areas.
5. The Applicant shall provide the maximum of either (a) 25 bicycle parking spaces or (b) the number of bicycle parking spaces required by the City of Atlanta based on the number of automobile parking spaces, whichever number is greater. The number of bicycle parking spaces installed shall meet the City's minimum requirements during each phase of the development. These spaces shall be located as close as practicable to the buildings while, in the developer's sole discretion, maintaining the architectural integrity of the buildings and their landscaping and hardscaping schemes.
6. At such times as access to sidewalks which are located along the Peachtree Road frontage are temporarily closed due to construction of this development, the applicant shall comply with Atlanta City Codes regarding sidewalk closure, including, in particular, the signage requirements of Section 138-65 and 138-67.
7. All stormwater detention facilities shall be enclosed and located below grade or within structured areas. The project shall release stormwater runoff at a rate equal to 80% or less of the current stormwater runoff rate. During construction, stormwater runoff shall be limited to a rate not greater than the current rate. The SPI-12 neighborhoods reserve the right to review and inspect hydrology studies and obtain independent reports and opinions.
8. Any flooding to the adjacent neighborhoods caused by development activity on the subject property during or after construction will be corrected immediately to the neighborhood's satisfaction at the expense of the Applicants. Silt run-off shall be limited during construction using more than adequate silt fencing.
9. No building permit (other than a permit limited to grubbing, grading, the installation of new or changes in modifications to existing site infrastructure, including alteration of existing interior roadways) shall be issued permitting the construction of any buildings without written assurance from the City of Atlanta's Commissioner of Public Works that sewer capacity is available and reserved for the site, or will be available to and reserved for the site prior to the completion of construction. Under no circumstances will a Certificate of Occupancy or temporary Certificate of Occupancy be issued unless sewer capacity is confirmed to be available and reserved for the site in writing by the proper City authority. An ingress and egress driveway from the shared parking deck located on the Church property shall be located as shown on the attached site plan, subject to necessary governmental approvals. Signage will be installed at the driveway disallowing left turns in (from southbound Wieuca Road) during the morning peak hour on weekdays.
10. All dumpsters and service facilities shall be screened or shall be located completely within the enclosed area of the parking deck labeled loading dock as set forth on the site plan. Dumpsters shall only be emptied between the hours of 8 a.m. and 5 p.m. on non-holiday week days. Signage stating hours, no idling outside loading dock, and no queuing for space into loading dock shall be conspicuously posted at the loading dock.
11. All exterior lighting (excluding street lights) including parking deck lighting shall be designed, shielded and constructed so as to limit the light trespass off site (other than onto property of the Wieuca Road Baptist Church) to a level of two foot-candles. Vehicle headlights shall be blocked from shining on surrounding residential property (excluding Church property) when operating within the parking decks.
12. All restaurants shall be required to install grease traps or some other device approved by the City and Fulton County that substantially



S00°01'57"E 19.81'
N00°05'24"W 100.18'
S00°16'0"



3630 PEACHTREE ROAD TRACT

1. ZONING CLASSIFICATION:

2. SQUARE FOOTAGE OF BUILDINGS & STRUCTURES:

3. SQUARE FOOTAGE & USE OF ACCESSORY SPACE:

4. NUMBER OF DWELLING UNITS:

5. HEIGHT OF BUILDING & STRUCTURES IN FEET:

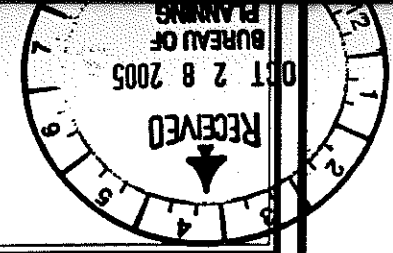
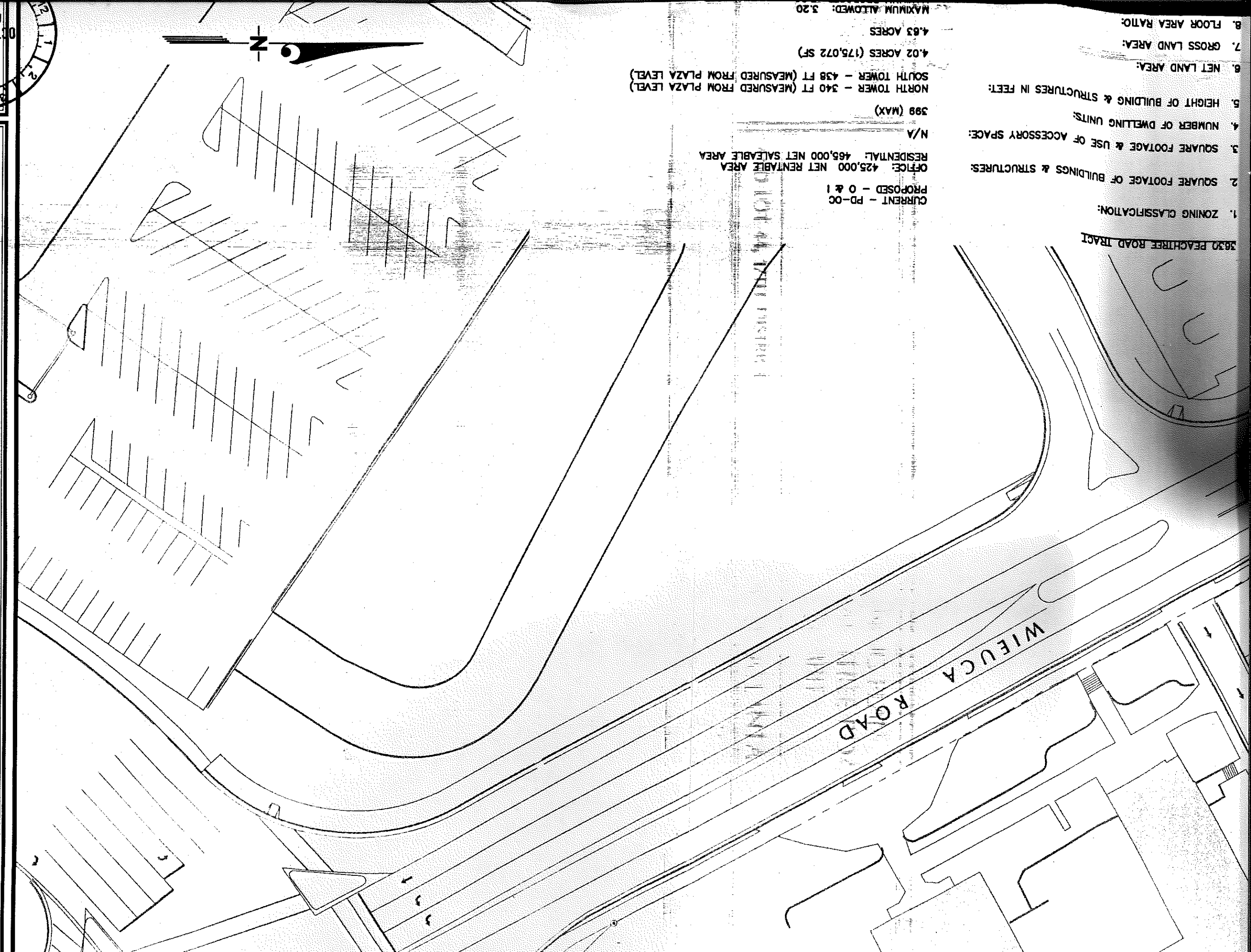
6. NET LAND AREA:

7. GROSS LAND AREA:

8. FLOOR AREA RATIO:

CURRENT - PD-OC
PROPOSED - O & I
OFFICE: 425,000 NET RENTABLE AREA
RESIDENTIAL: 465,000 NET SALEABLE AREA
N/A
399 (MAX)
NORTH TOWER - 340 FT (MEASURED FROM PLAZA LEVEL)
SOUTH TOWER - 438 FT (MEASURED FROM PLAZA LEVEL)
4.02 ACRES (175,072 SF)
4.63 ACRES

MAXIMUM ALLOWED: 3.20



ZONING PLAN
3630 PEACHTREE ROAD
EXHIBIT

LAND LOT 44, 17TH DISTRICT

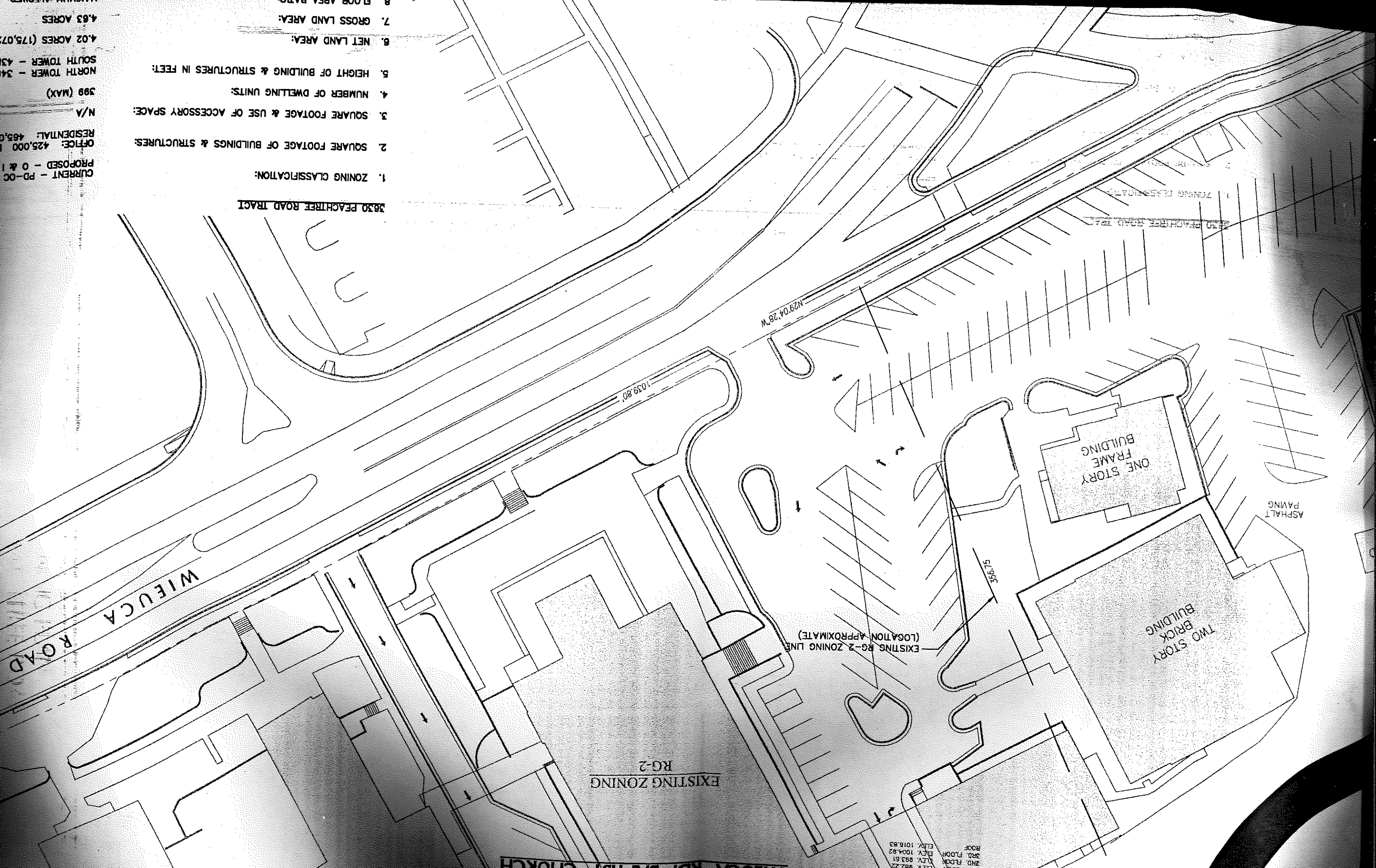
CITY OF ATLANTA

FULL

CURRENT - PD-0C
 PROPOSED - 0 & 1
 OFFICE: 425,000
 RESIDENTIAL: 455,000
 N/A
 399 (MAX)
 NORTH TOWER - 34
 SOUTH TOWER - 43
 4.02 ACRES (175,077)
 4.63 ACRES
 MAXIMUM ALLOWED:

1. ZONING CLASSIFICATION:
2. SQUARE FOOTAGE OF BUILDINGS & STRUCTURES:
3. SQUARE FOOTAGE & USE OF ACCESSORY SPACE:
4. NUMBER OF DWELLING UNITS:
5. HEIGHT OF BUILDING & STRUCTURES IN FEET:
6. NET LAND AREA:
7. GROSS LAND AREA:
8. FLOOR AREA RATIO:

3630 PEACHTREE ROAD TRACT



2ND FLOOR
 ELEV. 982.22
 1004.92
 1018.83
 1018.83

CHURCH
 1039.80

WILSON BROCK & IRBY, L.L.C.

ATTORNEYS AT LAW

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July 29 2020

VIA ELECTRONIC SUBMITTAL

Ms. Keyetta M. Holmes, AICP
Planning Director
City of Atlanta Bureau of Planning
55 Trinity Avenue, Suite 3350
Atlanta, GA 30303

Re: Special Administrative Permit Project Summary for Development
Proposal by 3630 North, LLC for a Mixed-Use Tower on Property
Located at 3630 Peachtree Road (the "Site").

Dear Keyetta:

The Site is part of a larger planned development at the intersection of Peachtree Road and Peachtree Dunwoody Road (the "Planned Development") that was never completed. This partially built Planned Development currently consists of a 438-foot existing mixed-use tower that houses office space, The Ritz-Carlton Residences, Buckhead, street level retail facilities, and a parking deck. 3630 North desires to complete the Planned Development by developing a second mixed use tower on the Site, with approximately 243,192 square feet of residential space and a 334,667-square-foot hotel. The hotel's ballroom would be located on top of the existing parking deck.

The City Council approved the Planned Development via ordinance 05-O-1113 (Z-05-44), which rezoned the Site from PD-OC (Planned Development – Office Commercial) and O-I-C (Office – Institutional – Conditional) to the O-I-C and SPI-12 zoning classifications. This zoning action capped the Planned Development's overall permissible density at 920,000 square feet of floor area, with 495,000 square feet of that overall density dedicated to residential floor area. The Site's existing mixed-use tower was constructed pursuant to SAP-06-11, which approved two towers for permitting on the Site.

At the time the City Council approved Z-05-44, SPI-12 was an overlay zoning district, but the city subsequently changed it from an overlay zoning district to a standalone zoning district. This change replaced the Site's floor-area ratio zoning restrictions with a form-based regulatory scheme, which used setbacks and building height limits to constrain development densities. Consequently, the Site's current zoning became legally nonconforming because, unlike the new SPI-12 zoning regulations, it still imposed maximum floor-area restrictions.

WILSON BROCK & IRBY, L.L.C.

3630 NORTH, LLC SAP

July 29, 2020

Page 2

Pursuant to SAP-06-11, the existing south tower only incorporated 250,000 square feet of residential floor area, leaving the remaining 245,000 square feet of approved residential floor area unbuilt. 3630 North respectfully requests a special administrative permit to allow the addition of a hotel on the Site, in addition to the unbuilt development entitlements from SAP-06-11 that remain unbuilt. This approach is necessitated by the fact that Z-05-44 and SAP-06-11 were rendered legally nonconforming by the City Council's adoption of the current SPI-12 regulations.

Finally, Georgia courts have long held that a zoning applicant must present any potential constitutional objections to the local government during the zoning review process. Applicants who fail to do so substantially deprive themselves of a legal basis to appeal adverse zoning decisions.¹ Therefore, to satisfy mandatory requirements of Georgia law, 3630 North respectfully advises the planning staff of its constitutional objections.

3630 North's proposed improvements meet the requirements of SPI-12 so this application does not include any variation requests. Therefore, any failure or refusal by the planning staff to approve this application would inherently arbitrary, in violation of 3630 North's constitutionally guaranteed rights to due process of law and equal protection under the law.

Thank you for your consideration of this request. We look forward to working with you and the Design Review Committee on the special administrative permit. Please let me know if I may provide you with any additional information.

Sincerely,

WILSON BROCK & IRBY, L.L.C.



By: Harold Buckley, Jr., AICP
Attorneys for 3630 North, LLC

HB:

¹ DeKalb County v. Bemby, 252 Ga. 510, 314 S.E.2d 900 (1984) (Held that the trial court erred in failing to grant DeKalb County's request for summary judgment because the applicant's constitutional objections were not first raised before the county commission).