

November 4, 2014

Rebecca Keefer
Dunwoody Planning Department
41 Perimeter Center East
Suite 250
Dunwoody, GA 30346

RE: Spruill Residence Inn
Dunwoody, GA
Rezoning and SLUP Request, Case Numbers RZ 15-011 & SLUP 15-011, 4681 Ashford
Dunwoody Road (Parcel ID 18 350 01 015)

Dear Rebecca,

As discussed with Steve Smith, the project has modified the previously approved zoning and SLUP plan referenced above as follows:

- The Hotel Building changed: a) Square footage; location on the site, orientation on the site and the number of stories increased.
- The existing Right In/Right Out Meadow Lane Driveway is modified to be a full Left/Right Ingress Egress driveway.
- The two Retail/Restaurant Buildings total square footage increased to 16,000 sq.ft.
- The south Sideyard Setback decreased to 8' in width at the proposed Retail/Restaurant at the southwest corner of the property.

Hotel Development Partners is requesting approval of these changes. Please let me know if you have any questions.

Respectfully,
DRB Consulting



Ed Thigpen
Sr. Project Manager

Special Land Use Application



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

A special land use permit is a means by which the City Council gives special consideration, pursuant to a clear set of standards and criteria, to those types of uses which may or may not be compatible with uses and structures authorized by right within a particular zoning district. Special land use permits are required for uses that have operational characteristics and/or impacts that are significantly different from the zoning district's principal authorized uses and therefore require individual review pursuant to the standards and criteria set forth in the City's Zoning Ordinance. Special land use permit applications shall be authorized only for those uses specifically listed in the applicable zoning district regulations as permitted by special land use permit. An applicant desiring to apply for a special land use permit authorized within a district contained within the Zoning Ordinance shall file an application with the Community Development Department. The City Council, following recommendation by the Planning Commission, shall determine whether the proposed use, in the particular location contemplated, meets the standards and criteria set forth in this division and Chapter. Such uses may further require special conditions imposed by City Council in order to assure their compatibility with surrounding uses and to minimize adverse impacts of the use on surrounding property.

No application for an amendment to the land use plan shall be filed and/or accepted for filing until such time as the applicant has conducted neighbor communications. The purpose of neighbor communication summary requirements is to help educate applicants for development approvals and neighbors about one another's interests, to attempt to resolve issues in a manner that respects those interests and to identify unresolved issues. The following information is required to be submitted with an application for special land use permit:

1. Efforts to notify neighbors about the proposal (how and when notification occurred, and who was notified);
2. How information about the proposal was shared with neighbors (mailings, work-shops or meetings, open houses, flyers, door-to-door handouts, etc.);
3. Who was involved in the discussions;
4. Suggestions and concerns raised by neighbors; and
5. What specific changes to the proposal were considered and/or made as a result of the communications.

To initiate a request for a special land use permit within the City of Dunwoody, an applicant must also attend a pre-application conference (Conceptual Review) with key City personnel. Those meetings are scheduled as-needed, but the deadline for having such a meeting is set to ensure the appropriate time for staff review and communication prior to the special land use application deadline. The purpose of the Conceptual Review Process is to establish an expectation on the part of both staff and the applicant for the special land use process. At the meeting(s), the applicant should display any preliminary site plans and/or other illustrative documents as necessary. The applicant will then detail an overview of their proposed application and their reasoning for why the application is necessary. Staff can then inform the applicant of the City's process to effect the change proposed and offer a preliminary analysis of the feasibility of the proposal, including ways upon which the proposal may need improvements or revisions.

Following the Conceptual Review Process, applicants can submit their application and required supplemental materials (detailed in the following checklist) to the Community Development Department, located at 41 Perimeter Center East, Dunwoody, GA 30346. Our mailing address for correspondence is 41 Perimeter Center East, Suite 250, Dunwoody, Georgia 30346.

Special Land Use Application Checklist



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

- Neighbor Communications Summary Report (or site plan indicating no residential zoning within 500 feet of the property).
- Completed application with all applicable information.
- Electronic version of the entirety of your application submittal, saved as a single PDF
- Signed and notarized affidavits of all owners. Use application and attached sheet, as necessary.
- Signed and notarized affidavits of all applicants. Use application and attached sheet, as necessary.
- Complete and detailed site plan of the proposed use prepared, signed and sealed by an architect, landscape architect or engineer licensed in the State of Georgia, showing the following, as relevant:
 - a. All buildings and structures proposed to be constructed and their location on the property;
 - b. Height of proposed building(s);
 - c. Proposed use of each portion of each building;
 - d. All driveways, parking areas, and loading areas;
 - e. Location of all trash and garbage disposal facilities;
 - f. Setback and buffer zones required in the district in which such use is proposed to be located;
 - g. Landscaping plan for parking areas.
- Please respond to the following criteria, in your own words, as required by state law and City of Dunwoody Zoning Ordinance (use additional pages where necessary):
 - a. Whether the proposed use is consistent with the policies of the comprehensive plan;
 - b. Whether the proposed use complies with the requirements of this zoning ordinance;
 - c. Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district;
 - d. Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:
 - e. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the pro-posed use;
 - f. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;
 - g. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;
 - h. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;
 - i. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings;
 - j. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources;
 - k. Whether public services, public facilities and utilities—including motorized and non-

motorized transportation facilities—are adequate to serve the proposed use;

- l. Whether adequate means of ingress and egress are proposed, with particular reference to non-motorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access;
- m. Whether adequate provision has been made for refuse and service areas; and
- n. Whether the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

SPECIAL LAND USE PERMIT APPLICATION



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

* Applicant Information:

Company Name:	HDP Acquisition, LLC, c/o Hotel Development Partners, LLC		
Contact Name:	Steven C. Smith		
Address:	3414 Peachtree Road NE, Suite 1075, Atlanta, GA 30326		
Phone:	(404) 842-1422	Fax:	
Email:	ssmith@ire-capital.com		
Pre-application conference date (required):	10/17/2014		

* Owner Information: Check here if same as applicant

Owner's Name:	Spruill Center for the Arts, Inc.		
Owner's Address:	5339 Chamblee Dunwoody Rd., St. B, Atlanta, GA 30338		
Phone:	770-394-3447 Ext. 223	Fax:	770-394-6179
Email:	rkinsey@spruillarts.org		

* Property Information:

Property Address:	4681 Ashford Dunwoody Road, NE, Dunwoody, GA 30346	Parcel ID:	18-350-01-015
Zoning Classification:	PC-3c		
Requested Use of the Property:	CR-1		

* Applicant Affidavit:

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that I, the applicant (if different), am authorized to act on the owner's behalf, pursuant to this application and associated actions.

Applicant's Name:	Steven C. Smith, Hotel Development Partners, LLC		
Applicant's Signature:		Date:	OCT. 20, 2014

* Notary:

Sworn to and subscribed before me this	20	Day of	OCTOBER	, 20	14
Notary Public:	Katherine E. Fowler				
Signature:		KATHERINE E FOWLER NOTARY PUBLIC FULTON COUNTY STATE OF GEORGIA MY COMMISSION EXPIRES 02-14-2017			
My Commission Expires:	February 14, 2017				

* Owner Affidavit:

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that the applicant(s) (if different) are authorized to act on my behalf, pursuant to this application and associated actions.

Property Owner's Name:	Robert Kinsey, CEO, Spruill Center for the Arts, Inc.		
Property Owner's Signature:		Date:	OCT. 20, 2014

* Notary:

Sworn to and subscribed before me this	20	Day of	OCTOBER, 2014	, 20	
Notary Public:	Katherine E. Fowler				
Signature:		KATHERINE E FOWLER NOTARY PUBLIC FULTON COUNTY STATE OF GEORGIA MY COMMISSION EXPIRES 02-14-2017			
My Commission Expires:	February 14, 2017				

Additional Property Owner(s) Notarized Certification



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

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* Property Owner (If Applicable):

Signature: <u>Robert Kinsey</u>	Date: <u>OCT. 20, 2014</u>	
Address: <u>5339 Chamblee Dunwoody Rd., St. B, Atlanta, GA 30338</u>		
Phone: <u>770-394-3447 Ext. 223</u>	Fax: <u>770-394-6179</u>	Email: <u>rkinsey@spruillarts.org</u>
Sworn to and subscribed before me this <u>20</u> Day of <u>OCTOBER</u> , 20 <u>2014</u>		
Notary Public: <u>Katherine E. Fowler</u>		
<small>KATHERINE E FOWLER NOTARY PUBLIC FULTON COUNTY STATE OF GEORGIA MY COMMISSION EXPIRES 02-14-2017</small>		

* Property Owner (If Applicable):

Signature: _____	Date: _____	
Address: _____		
Phone: _____	Fax: _____	Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20_____		
Notary Public: _____		

* Property Owner (If Applicable):

Signature: _____	Date: _____	
Address: _____		
Phone: _____	Fax: _____	Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20_____		
Notary Public: _____		

Additional Applicant Notarized Certification



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

I hereby certify that to the best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that I, the applicant (if different), am authorized to act on the owner's behalf, pursuant to this application and associated actions.

*** Applicant:**

Signature: <u>[Signature]</u>	Date: <u>OCT. 20, 2014</u>
Address: <u>3414 Peachtree Road NE, Suite 1075, Atlanta, GA 30326</u>	
Phone: <u>(404) 842-1422</u>	Fax: _____ Email: <u>ssmith@ire-capital.com</u>
Sworn to and subscribed before me this <u>20</u> Day of <u>OCTOBER</u> , 20 <u>14</u>	
Notary Public: <u>[Signature]</u>	KATHERINE E FOWLER NOTARY PUBLIC FULTON COUNTY STATE OF GEORGIA MY COMMISSION EXPIRES 02-14-2017

*** Applicant:**

Signature: _____	Date: _____
Address: _____	
Phone: _____	Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____	
Notary Public: _____	

*** Applicant:**

Signature: _____	Date: _____
Address: _____	
Phone: _____	Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____	
Notary Public: _____	

Campaign Disclosure Ordinance



41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

Campaign Disclosure Ordinance

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting a Rezoning, Concurrent Variance, or Conditional Use.

GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

*38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

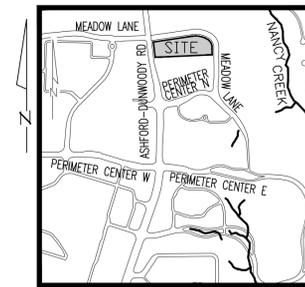
- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
 - 1) The name and official position of the local government official to whom the campaign contribution was made; and
 - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 - 2000 State of Georgia.

ZONING:
C-1

ZONING:
C-1



VICINITY MAP
NOT TO SCALE

SYMBOL LEGEND

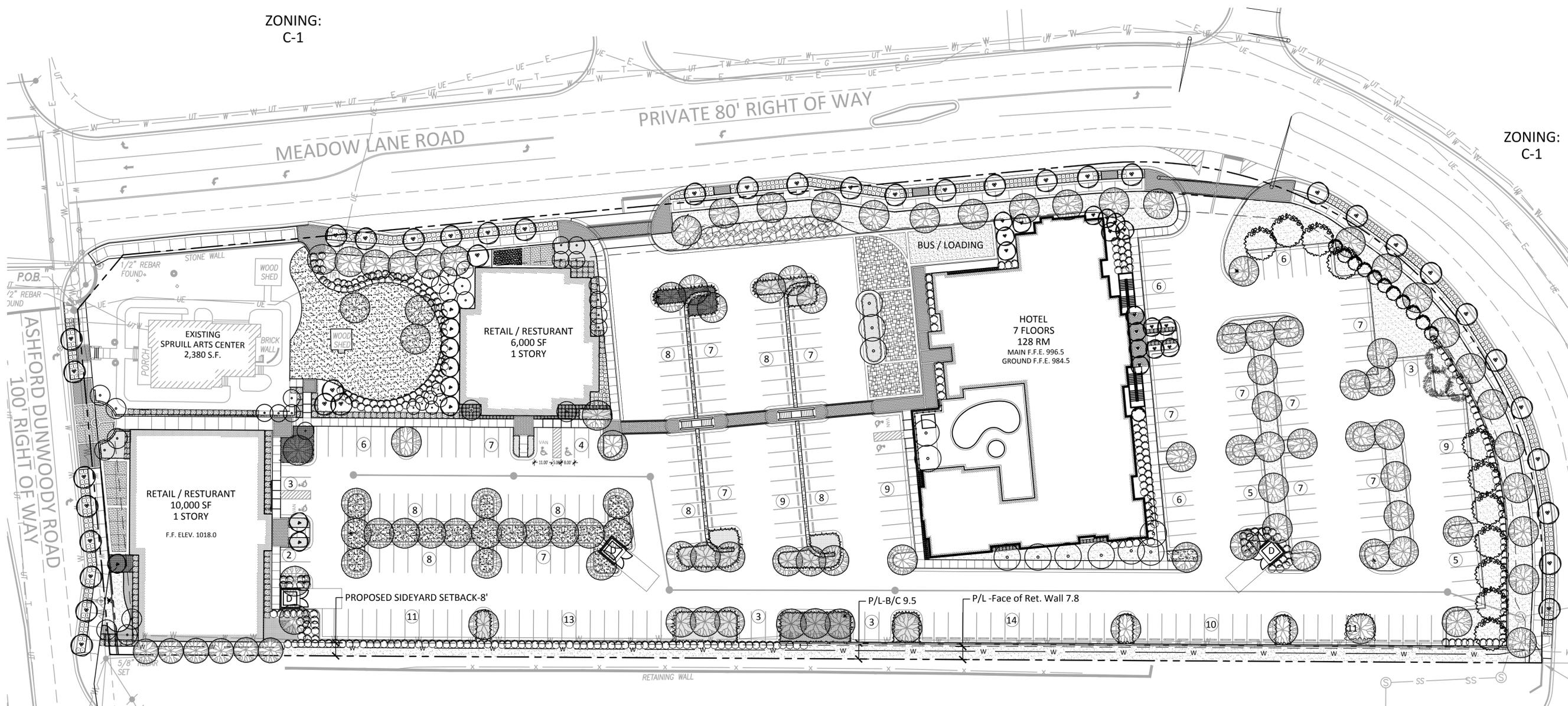
- R/W - Right-of-Way
- P/L - Adjoiner Property Line
- P.O.B. - Place/Point of Beginning
- P.O.C. - Place/Point of Commencement
- (X) - Schedule B-Section II Item
- No. - Number
- Rad - Radius
- Arc - Arc Length
- D - Delta Angle
- ChL - Chord Length
- ChB - Chord Bearing
- Msd. - Measured
- Dd. - Deed
- (Record) Actual
- - Monumentation Found as Noted
- - 5/8" Rebar w/Cap Set or to be Set
- - Iron Nail or Drill Hole Set
- - Monument Box w/Iron Pin
- - Storm Manhole
- - Curb Inlet Basin w/ Grate
- - Square Catch Basin
- - Curb Inlet Basin w/out Grate
- - Sanitary Manhole
- - Fire Hydrant
- - Water Valve
- - Electric Transformer
- - Electric Manhole
- - Telephone Manhole
- - Handicap Space
- - Sign
- - Wall
- - Light Pole
- - Fence
- - Concrete Area
- - No Parking Area
- - Building Area

LEGEND

- STREET LIGHT POLE
- STREET TREE
- SHADE TREE
- UNDERSTORY TREE
- LOW SHRUBBERY
- SHRUBBERY
- GROUND COVER
- SOD / GRASS



MCFARLAND-DYER & ASSOCIATES
4174 SILVER PEAK PARKWAY, SUWANEE, GEORGIA 30024
PHONE (770) 932-6550 FAX (770) 932-6551
WWW.GOMDANET



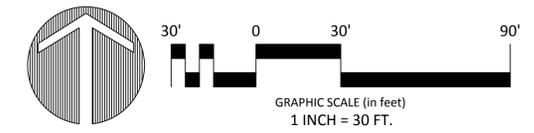
GENERAL NOTES:

1. SITE AREA : 5.212 ACRES
TRACT 1: 4.942 ACRES, TRACT 2: 0.270 ACRES
2. LOCATION : ASHFORD-DUNWOODY ROAD & MEADOW LANE
PARCEL: LANDLOT 350, DISTRICT 18th DeKALB COUNTY
4. LAST EXISTING USE : SPRUILL ARTS CENTER, PARKING LOT & UNDEVELOPED LAND
5. PROPOSED USE: MIXED USE COMPLEX AND PARKING LOT
6. APPLICANT : HDP - ACQUISITIONS, LLC.
c/o HOTEL DEVELOPMENT PARTNERS, LLC
3414 PEACHTREE ROAD NE, SUITE 1075
ATLANTA, GEORGIA 30326
STEVE SMITH, 770-330-3233
- CONTACT PERSON: MCFARLAND - DYER & ASSOCIATES, INC.
4174 SILVER PEAK PARKWAY
SUWANEE, GEORGIA 30024
JEFF DYER (770) 932-6550,
JDyer@gomda.net

7. BOUNDARY & SITE INFORMATION PREPARED BY ARMSTRONG LAND SURVEYING, INC DATED 010/23/2007. TOPOGRAPHY FROM FIELD RUN SURVEY.
8. ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF DUNWOODY DEVELOPMENT REGULATIONS. ALL CONSTRUCTION SHALL ALSO COMPLY WITH ALL APPLICABLE COUNTY, STATE AND FEDERAL CODES, STANDARDS AND REGULATIONS.
9. FIRM MAP NUMBER 13089C0012, EFFECTIVE MAY 16, 2013, INDICATES THAT THIS TRACT DOES NOT LIE IN AN AREA DESIGNATED AS HAVING FLOOD HAZARD. THE SUBJECT SITE IS LOCATED IN A FLOOD ZONE "X" AREA DETERMINED TO BE OUTSIDE OF THE 500 YEAR FLOOD PLAIN.
10. COVERAGE: 80% MAXIMUM, PROPOSED COVERAGE: 73%
11. STORM WATER MANAGEMENT SHALL BE PROVIDED ON SITE IN SUB-SURFACE FACILITIES.
12. THERE ARE NO LAKES, STREAMS, WETLANDS OR WATERS OF STATE OR THEIR ASSOCIATED BUFFERS ON THIS SITE.
13. PROPOSED ZONING: CR-1
 - 13.1. STREET, FRONT AND SIDE: 0 FEET
 - 13.2. SIDE INTERIOR: 20 FEET, VARIANCE TO 8'
 - 13.3. REAR: 30 FEET
 - 13.4. BUILDING HEIGHT: 3 STORIES, 45 FEET (SUBJECT TO SLUP)

PARKING

Required Parking Spaces	
Hotel 128 keys / 1.125 per guestroom (Varied from 1.25 sp/room)	144
Retail/Restaurant 6,000 gsf / (6.67 per 1000 per sf)	40
Retail/Restaurant 10,000 gsf / (6.67 per 1000 per sf)	67
Spruill Center 360 gsf Assembly Area (40 per 1000 sf)	15
Total Required Parking	266
Surface Parking (Standard 8'-6" x 18'-0")	272
Total Parking Provided	272



SPRUILL CENTER
PRELIMINARY REVISED SITE PLAN
MEADOW LANE ROAD, DUNWOODY, GEORGIA
OCTOBER 8, 2014-REV.



1 FRONT ELEVATION (FACING WEST)
 A103 SCALE : 3/32" = 1'-0"



2 STREET ELEVATION (FACING NORTH)
 A103 SCALE : 3/32" = 1'-0"

PRELIMINARY BLOCKOUT / BUILDING MASSING
 BASED ON MARRIOTT GEN 4 "BEACON PROTOTYPE"
 MATERIALS AND COLORS NOT DETERMINED, TO BE NEGOTIATED WITH G.C.

FOR HOTEL DEVELOPMENT PARTNERS LLC
 SHEET 3 OF 4

REVISIONS

- GR MIX REVISED 10.17.14
- GR MIX REVISED 10.18.14

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 FOR SUBSEQUENT DESIGN DOCUMENTATION WITHOUT THE
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 REQUEST.
 RICHARD RAUH & ASSOCIATES, LTD. ARCHITECTS
 TELEPHONE: 604.992.2803 FAX: 604.992.9346

SCHEMATIC ELEVATIONS
 SPRULL RESIDENCE INN, DUNWOODY GA
 PRELIMINARY DRAFT FOR COMPUTATION OF BUILDING AREA

SHEET NUMBER
A-103
 PROJECT NUMBER
 1327
 DATE
 10/13/14

RICHARD RAUH & ASSOCIATES/Architecture 433 BISHOP STREET, N.W. ATLANTA, GEORGIA 30318

NOT RELEASD FOR CONSTRUCTION



1 INTERNAL ELEVATION (FACING SOUTH)
 A103 SCALE : 3/32" = 1'-0"



2 REAR/DOWNHILL ELEVATION (FACING EAST)
 A104 SCALE : 3/32" = 1'-0"

PRELIMINARY BLOCKOUT / BUILDING MASSING
 BASED ON MARRIOTT GEN 4 'BEACON PROTOTYPE'
 MATERIALS AND COLORS NOT DETERMINED, TO BE NEGOTIATED WITH G.C.
 FOR HOTEL DEVELOPMENT PARTNERS LLC
 SHEET 4 OF 4

REVISIONS

- GR MIX REVISED 10.17.14
- GR MIX REVISED 10.18.14

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 RICHARD RAUH & ASSOCIATES, LTD. ARCHITECTS
 TELEPHONE: 604-892-2801 FAX: 604-892-3946

SCHEMATIC ELEVATIONS
 SPRULL RESIDENCE INN, DUNWOODY GA
 PRELIMINARY DRAFT FOR COMPUTATION OF BUILDING AREA

SHEET NUMBER
A-104
 PROJECT NUMBER
 1327
 DATE
 10/13/14

RICHARD RAUH & ASSOCIATES/Architecture 433 BISHOP STREET, N.W. ATLANTA, GEORGIA 30318

NOT RELEASED FOR CONSTRUCTION