

# Application for "Other Business" Cobb County, Georgia

OB-012-2017

(Cobb County Zoning Division - 770-528-2035)

MAR 14 2017

BOC Hearing Date Requested: 4-18-17

**Applicant:** Hampton Communities, LLC

(applicant's name printed)

**Phone #:** 404-386-0322

**Address:** 701 Whitlock Avenue, Suite K46

**E-Mail:** colby@hseproperties.com

Skip Harper or Colby Henson

**Address:** 701 Whitlock Avenue, Suite K46, Marietta, GA 30064

(representative's name, printed)

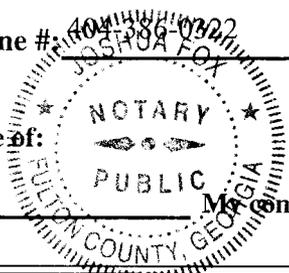
Skip Harper  
(representative's signature)

**Phone #:** 404-386-0322

**E-Mail:** colby@hseproperties.com

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public



My commission expires: 2/24/20

**Titleholder(s):** Hampton Communities, LLC *- See Attached for ADDL. TITLEHOLDERS*

**Phone #:** 404-372-5739

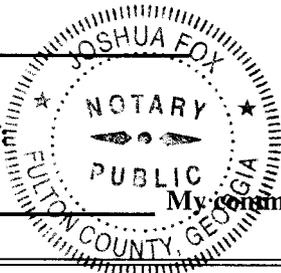
**Address:** 701 Whitlock Avenue, Suite K-46, Marietta, GA 30064

**E-Mail:** skip@hseproperties.com

Skip Harper, manager  
(Property owner's signature)

Signed, sealed and delivered in presence of:

[Signature]  
Notary Public



My commission expires: 2/27/20

**Commission District:** 1

**Zoning Case:** Z197 of 2005, modified 2012

**Size of property in acres:** 11.4 Acres

**Original Date of Hearing:** 12/20/2005

**Location:** Barrett Parkway at Barrett Preserve Court

(street address, if applicable; nearest intersection, etc.)

**Land Lot(s):** 329

**District(s):** 20

**State specifically the need or reason(s) for Other Business:** \_\_\_\_\_

Our request is to delete stipulations 4 & 5 of the letter from Parks Huff, Sams, Larkin & Huff, to John Pederson, Cobb County Zoning Department, dated February 24, 2006, and add a stipulation for the construction of a park with open, outdoor, covered cabana, fireplace and seating area.

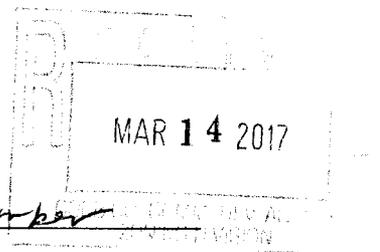
(List or attach additional information if needed)

**Additional Titleholders:**

Fortress Builders, LLC

Titleholder Signature: *[Signature]*

Title: member



Address: 701 Whitlock Avenue, Suite K46

Marietta, GA 30064

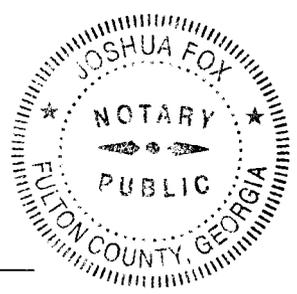
Phone: 404-372-5739

Email: skip@hseproperties.com

Signed, sealed and delivered in presence of :

Notary Public: *[Signature]*

My commission expires: 2/24/20



Sansea Properties, LLC

Titleholder Signature: *[Signature]*

Title: manager

Address: 701 Whitlock Avenue, Suite K46

Marietta, GA 30064

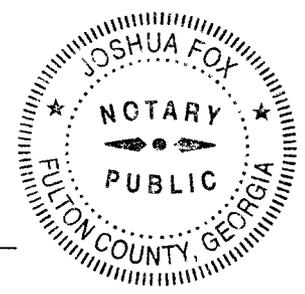
Phone: 404-372-5739

Email: skip@hseproperties.com

Signed, sealed and delivered in presence of :

Notary Public: *[Signature]*

My commission expires: 2/24/20



ADDITIONAL TITLEHOLDER

GRIN, INC.

Titleholder: LaMona Adams

MAR 14 2017

Titleholder Signature: [Signature]

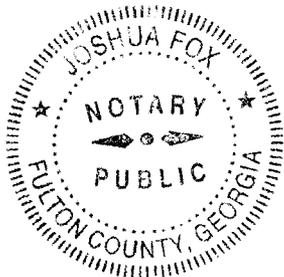
Address: P.O. Box 128  
ACWORTH, GA 30101

Phone: 770-966-5235

Email: GRININC@BELLSOUTH.NET

Signed, sealed and delivered in presence of :

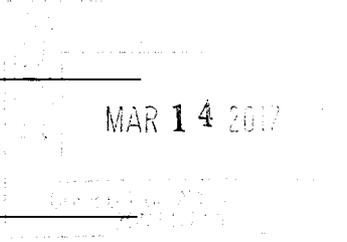
Notary Public: [Signature] My commission expires: 2/24/20



ADDITIONAL Titleholder

Titleholder: S&D Home LLC

Titleholder Signature: 

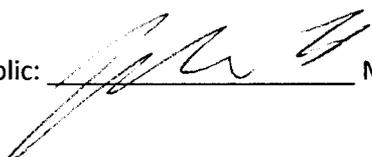


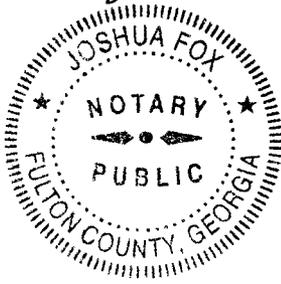
Address: 2048 Arbor Forest Dr  
Maricetta

Phone: 770-319-4759

Email: Duncan - Paul @ Att. net

Signed, sealed and delivered in presence of :

Notary Public:  My commission expires: 2-24-20



ORIGINAL DATE OF APPLICATION: 12-20-05APPLICANTS NAME: SPRINGFIELD PROPERTIES, LLC

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 04-18-06 ZONING HEARING:**

**SPRINGHILL PROPERTIES, LLC** (Cecil R. and Hilda W. Kersey and U. S. Retail Income Fund VIII-C, Limited Partnership a Delaware Limited Partnership, owners) requesting Rezoning from **R-20, NRC** and **CRC** to **RSL** for the purpose of Senior Condominiums in Land Lot 329 of the 20<sup>th</sup> District. Located on the west side of Barrett Parkway at Battle Forest Drive.

MOTION: Motion by Lee, second by Goreham, as part of the Consent Agenda, to **approve** rezoning to the **RSL (Non-Supportive)** zoning district **subject to:**

- **revised site plan received in the Zoning Division February 24, 2006, subject to Plan Review, with final approval by the District Commissioner (copy attached and made a part of these minutes)**
- **maximum of 41 total units, with a maximum of 18 duplex units**
- **letter of agreeable stipulations from Mr. Parks Huff, dated February 24, 2006, not otherwise in conflict, with the following changes: (copy attached and made a part of these minutes)**
  - **Paragraph 5: Add sentence to read: “Interior sidewalks are to connect with street sidewalks along Barrett Parkway.”**
  - **Paragraph 8: Add sentence to read: “The forested appearance of the ridgeline along the northern property line will be preserved.”**
  - **Paragraph 10: Add to the end of the sentence: “and all senior qualifications in the RSL ordinance.”**
  - **Paragraph 11: Add to the end of the sentence: “and any rentals will have a minimum one-year term.”**
  - **Paragraph 12: Add sentence to read: “All deeds will contain a recital notifying purchasers that a day care facility adjoins the property.”**
  - **Paragraph 17: Add a sentence to read: “The buffer area along the road next to the day care facility will contain a vehicle safety berm or other barrier for protection of the children as approved by Cobb DOT.”**
- **no construction on slopes over thirty-five percent (35%)**
- **grading limited to pads, drives, and roadways**
- **thirty foot (30-foot) non-destructive buffer during construction only along property line adjacent to Zachary Woods Subdivision**
- **District Commissioner to approve minor modifications**
- **if Applicant has not begun the project (i.e. installation of curb and gutter) eighteen (18) months from the date of final approval by the Board of Commissioners, the property will revert to the previous zoning district**
- **Fire Department comments and recommendations**

PAGE 8 OF 13

APPLICATION NO. Z-197

ORIGINAL DATE OF APPLICATION: 12-20-05

APPLICANTS NAME: SPRINGFIELD PROPERTIES, LLC

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

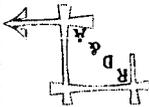
**BOC DECISION OF 04-18-06 ZONING HEARING (CONTINUED):**

- **Historic Preservation comments**
- **Water and Sewer Division comments and recommendations**
- **Stormwater Management Division comments and recommendations**
- **Cobb DOT comments and recommendations, *except inter-parcel access with the adjacent commercial property (restaurant) is not required***
- **owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns**

VOTE: **ADOPTED** unanimously

RUSSELL DAVIS & ASSOCIATES, INC.

2028 Luriana Court  
Tucker, Georgia 30084  
(770) 939-8964 tel  
(770) 939-1950 fax  
Residential & Commercial  
Planning & Due Diligence  
Water Quality Specialists



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No.	Revision/Name	Date
1	OWNER COMMENTS	01-15-06
2	COUNTY COMMENTS	01-15-06
3	OWNER COMMENTS	02-15-06

**HILLSIDE GREENS**  
11,329 SQ. FT. LOT  
COBB COUNTY, GEORGIA

**REZONING PLAN**

Project: 005019  
Date: 09/15/2005  
Scale: 1"=60'  
PAGE 1 OF 1

Min. Bk. 40 Petition No. Z-19905  
Doc. Type Revised Site Plan  
Meeting Date 4/18/06

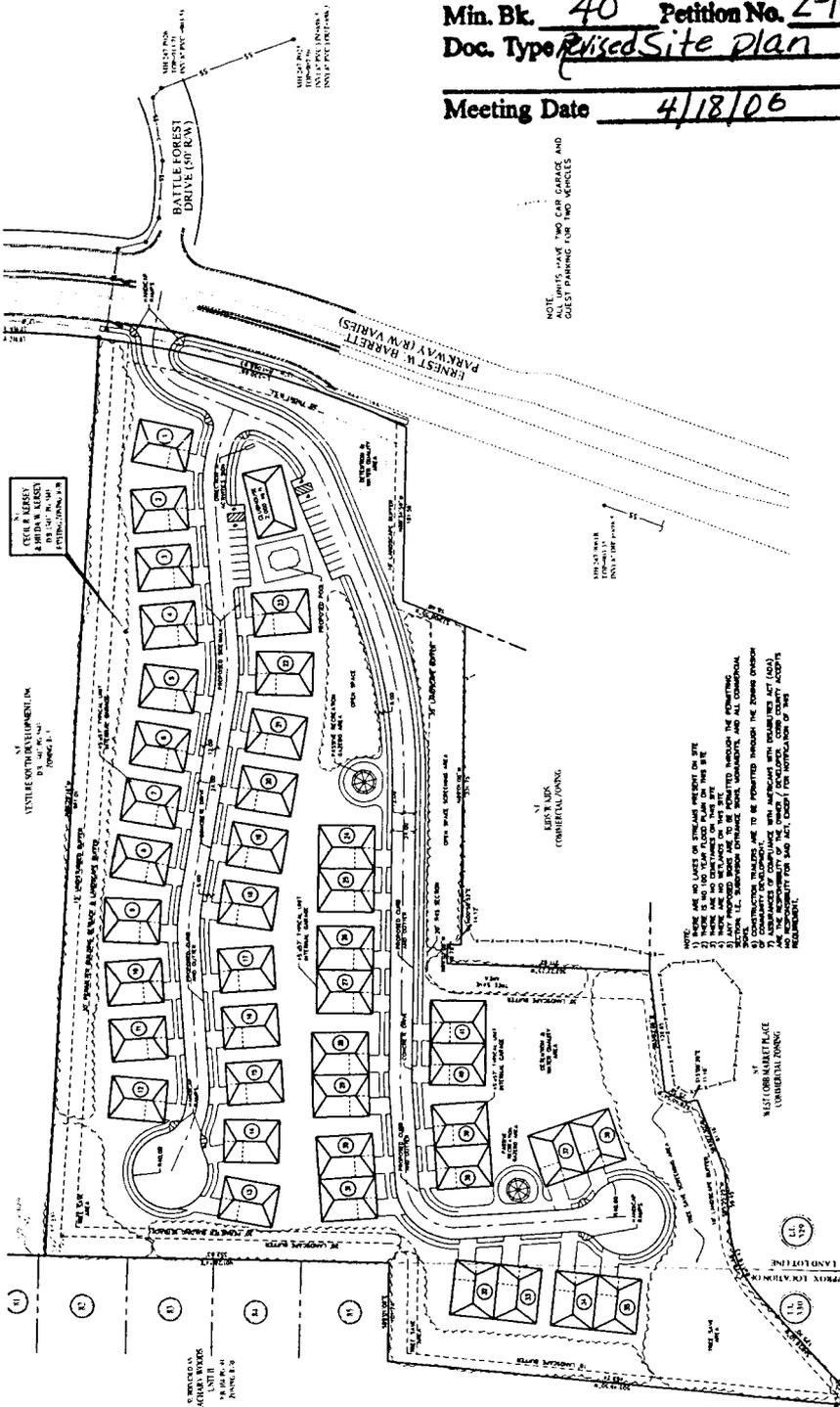
NOTE: LOTS HAVE TWO CAR GARAGE AND GUEST PARKING FOR TWO VEHICLES

OWNER/DEVELOPER:  
SPRING HILL PROPERTIES  
11000 WOODLAND DRIVE  
MARIETTA, GEORGIA 30068  
CONTACT: COPE FRANKS  
ENGINEER:  
RUSSELL DAVIS & ASSOCIATES, INC.  
2028 LURIANA COURT  
TUCKER, GEORGIA 30084  
PHONE: 770-939-8964  
FAX: 770-939-1950  
CONTACT: RUSSELL E. DAVIS, P.E.



FEB 24 2006

COBB COUNTY DIVISION  
PLANNING DEPARTMENT

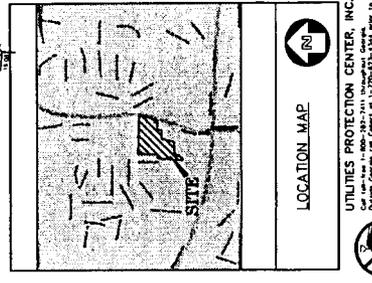
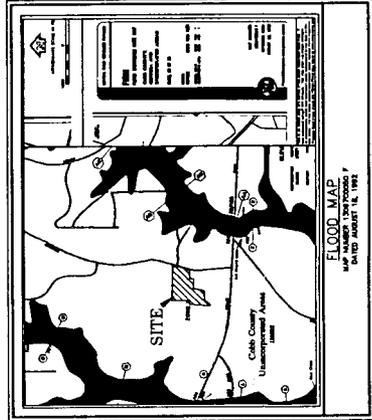


**PROPOSED ZONING**  
RSL - non-supportive  
Residential Senior Living

FRONT S.S.L. = 20'  
PERMETER S.S.L. = 30'  
SIDE BLDG SEP. = 15'  
20' BUFFER ADJ. TO RESIDENTIAL  
10' BUFFER ADJ. TO COMMERCIAL

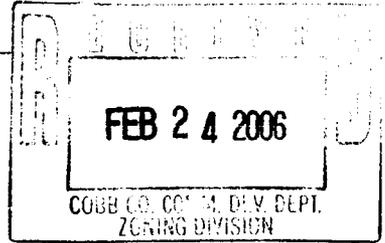
TOTAL NUMBER OF HOMES = 41  
TOTAL NUMBER OF UNITS = 104  
DETACHED HOMES = 23  
DENSITY = 3.60 units/ac  
TOTAL SITE AREA = 11.4 ac

NOTES:  
1) THERE ARE NO LINES OR STREAMS PRESENT ON SITE  
2) THERE IS NO EXISTING FLOOD PLAIN ON THIS SITE  
3) THERE IS NO EXISTING FLOOD PLAIN ON THIS SITE  
4) THERE IS NO EXISTING FLOOD PLAIN ON THIS SITE  
5) THERE IS NO EXISTING FLOOD PLAIN ON THIS SITE  
6) THERE IS NO EXISTING FLOOD PLAIN ON THIS SITE  
7) THERE IS NO EXISTING FLOOD PLAIN ON THIS SITE  
8) THERE IS NO EXISTING FLOOD PLAIN ON THIS SITE  
9) THERE IS NO EXISTING FLOOD PLAIN ON THIS SITE  
10) THERE IS NO EXISTING FLOOD PLAIN ON THIS SITE



UTILITIES PROTECTION CENTER, INC.  
11000 WOODLAND DRIVE  
MARIETTA, GEORGIA 30068  
PHONE: 770-939-8964  
FAX: 770-939-1950  
WWW.UPCENTERS.COM

SAMS, LARKIN & HUFF  
A LIMITED LIABILITY PARTNERSHIP  
ATTORNEYS AT LAW  
SUITE 100  
376 POWDER SPRINGS STREET  
MARIETTA, GEORGIA 30064-3448



GARVIS L. SAMS, JR.  
JOEL L. LARKIN  
PARKS F. HUFF  
JAMES A. BALLI\*  
MELISSA P. HAISTEN  
OF COUNSEL  
DAVID P. HARTIN

Min. Bk. 40 Petition No. Z-19705  
Doc. Type Letter of Agreeable  
Stipulations  
Meeting Date 4/18/06

770-422-7016  
TELEPHONE  
770-426-6583  
FACSIMILE

WWW.SAMSLARKINHUFF.COM

\*ALSO LICENSED TO PRACTICE  
IN ALABAMA

February 24, 2006

**VIA HAND DELIVERY**

Mr. John P. Pederson, Planner III  
Cobb County Zoning Department  
191 Lawrence Street, Suite 300  
Marietta, Georgia 30060-1661

Re: Application of Springhill Properties, LLC to Rezone a 11.4 Acre Tract from R-20, NRC and CRC to Residential Senior Living (RSL), Rezoning No. Z-197 of 2005

Dear John:

Springhill Properties, LLC proposes a residential senior living development close to the intersection of Ernest Barrett Parkway and Dallas Highway. The proposal is consistent with the purpose and intent of the RSL Zoning Ordinance by placing senior housing along traffic thoroughfares. The proposal is also consistent with the Cobb County Comprehensive Land Use Plan placing densities of up to 5 units per acre adjacent to and within activity centers.

Following is a list of agreeable stipulations that are based upon a revised site plan that is being submitted contemporaneously with this letter. These stipulations supercede all previously submitted stipulation letters.

1. The development will have 41 homes yielding a density of approximately 3.6 units per acre as depicted in the attached site plan with a revision date of February 15, 2006.
2. The craftsman style homes will have a minimum of 1,800 square feet.<sup>1</sup>
3. The traditional architecture will use low maintenance quality materials including brick and stone. Any board siding will be a cement based siding product.
4. The development will include a 2,000 square foot climate controlled club house which will provide common recreation and meeting rooms for the development.

<sup>1</sup> It is anticipated that the price points of these homes will be \$350,000 and higher.

Petition No. Z-191<sup>05</sup>  
Meeting Date 4/18/06  
Continued

Mr. John P. Pederson, Planner III  
Cobb County Zoning Department  
February 24, 2006  
Page 2 of 3

5. The development will also have as part of its amenity package two gazebos and a passive recreation area adjacent to the clubhouse as shown on the revised site plan that is submitted contemporaneously with this letter. The development will have sidewalks on both sides of the interior streets to create a walking community.
6. All exterior landscaping shall be commonly maintained which will create a consistent and manicured landscaping throughout the development.
7. The site plan was developed to limit the amount of grading as much as possible. The northern street does not loop around to connect to the southern street so that the street can follow the existing grade as much as possible.
8. Along the entire frontage of Ernest Barrett Parkway there shall be a minimum of a five and half foot estate wall constructed with brick and stone. The developer shall also install landscaping in front of the wall and behind the wall along the entire Ernest Barrett Parkway road frontage. The landscape plan is subject to the review and approval of the District Commissioner with input from People Looking After Neighborhoods (PLAN).
9. The detention pond will shield any concrete structure with appropriate plantings to be approved by the County Arborist.
10. The project will be a deed restricted 55 year and older senior development consistent with the Federal Fair Housing Act.
11. The homes will be sold for owner-occupancy. Any future rentals will be limited to ten percent of the total project.
12. The developer recognizes that along the south and eastern property line the development abuts a Kids R Kids daycare facility. The developer acknowledges that the owner of the Kids R Kids daycare center intends on expanding the facility to accommodate more children and that there will always a large outdoor play area where children will be playing throughout daylight hours.
13. The applicant will comply with the recommendations of the Cobb County Department of Transportation (DOT) regarding lining up the access point with Battle Forest Drive and providing an appropriate deceleration lane. However, the applicant will not comply with the request to provide interparcel access with the commercial restaurant to the south. The applicant will work with the Cobb County DOT and the Battle Forest Subdivision in order to make improvements to the intersection to make it safer. The applicant will donate sufficient right-of-way along Ernest Barrett Parkway for the proposed expansion of Ernest Barrett Parkway. Additionally, the sidewalks, hardscaping and permanent landscaping will be installed so as to accommodate the expanded right of way.

SAMS, LARKIN & HUFF  
A LIMITED LIABILITY PARTNERSHIP

Petition No. 2-19705  
Meeting Date 4/18/06  
Continued

Mr. John P. Pederson, Planner III  
Cobb County Zoning Department  
February 24, 2006  
Page 3 of 3

- 14. The applicant shall provide twenty parking spaces around the clubhouse for visitor parking and for use of the recreation facility.
- 15. The internal streets shall be private and there shall be a master water meter for the entire development.
- 16. No half-way houses will be allowed under any circumstances.
- 17. There shall be a minimum of a 35 foot landscaped buffer on the north line of the Kids R Kids property (except the 20 foot buffer as noted on the attached site plan) and a 30 foot landscaping buffer along the western boundary of Kids R Kids property, again as shown on the revised site plan.

Please contact me if you need any additional information regarding the proposed residential senior living center.

Sincerely,

SAMS, LARKIN & HUFF, LLP



Parks F. Huff  
phuff@samslarkinhuff.com

PFH/klk  
Enclosure

- cc: Cobb County Board of Commissioners – via hand delivery
- Cobb County Planning Commission Members
- Sandra Richardson, Deputy County Clerk – via hand delivery
- Gail Huff, Assistant County Clerk – via hand delivery
- Denise Rose, President PLAN
- Mr. Eddie Francis, Springhill Properties, LLC
- Kelli Gambrill, PLAN
- Debbie Renee, Battle Forest HOA
- Marty Nixon, Kids R Kids

**RUSSELL DAVIS & ASSOCIATES, INC.**  
 CIVIL ENGINEERING  
 2028 Luxuria Court  
 Tucker, Georgia 30084  
 (770) 939-3961 Tel  
 (770) 939-1950 Fax  
 Residential & Commercial  
 Planning & Due Diligence  
 Water Quality Specialists



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No.	Revisions/Notes	Date
1	OWNER COMMENTS	10-17-05
2	COUNTY COMMENTS	31-30-06
3	OWNER COMMENTS	02-15-06

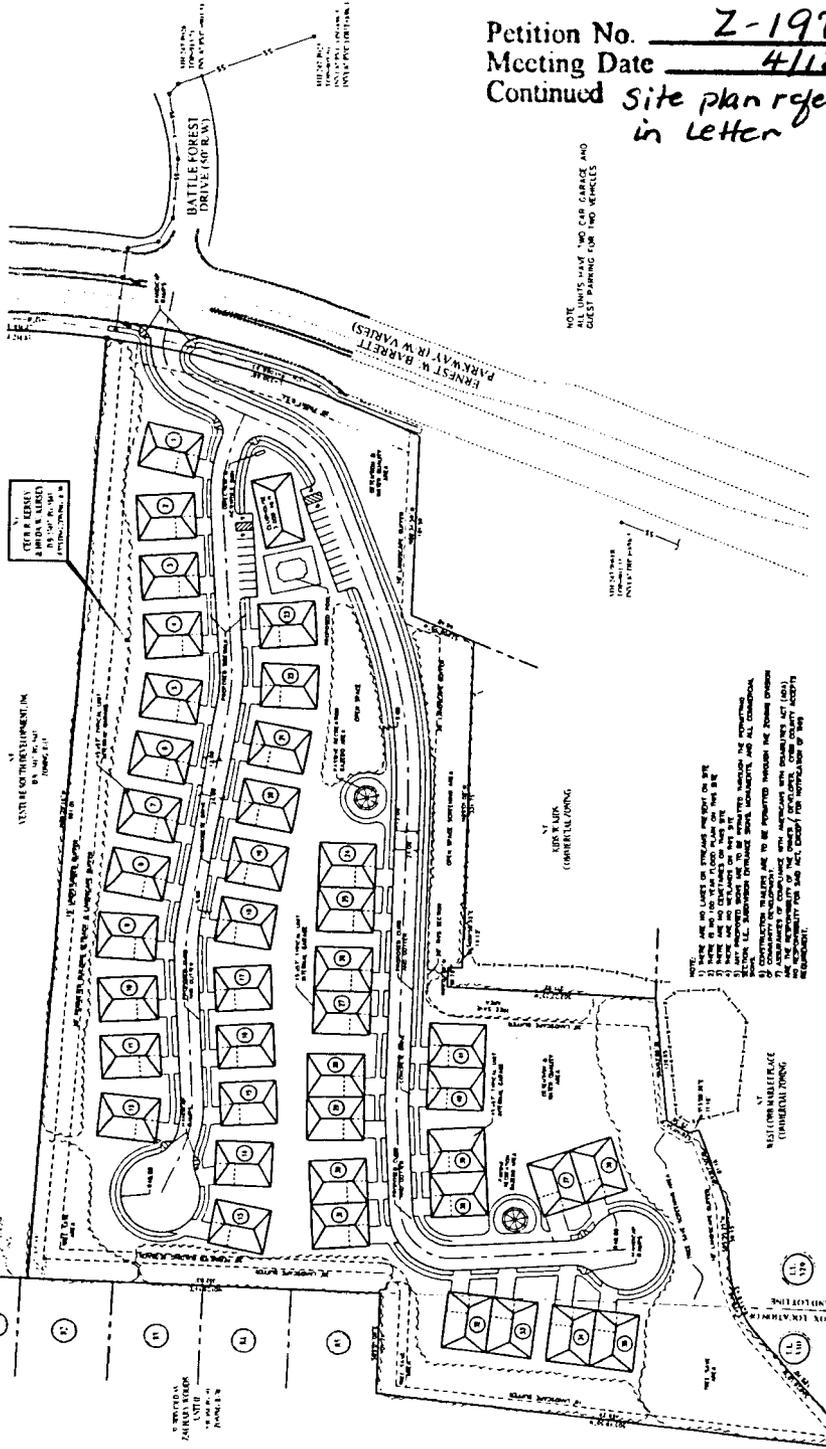
**HILLSIDE GREENS**  
 111 THE PALM ISLANDS  
 LL 329 20th DIST  
 CORN COUNTY, GEORGIA

**REZONING PLAN**

005019  
 09/15/2005  
 1"=60'  
 C1

Petition No. 2-19705  
 Meeting Date 4/18/06  
 Continued *Site plan referenced in letter*

PAGE 13 OF 13



**OWNER/DEVELOPER**  
 SPRING HILL PROPERTIES, LLC  
 111 THE PALM ISLANDS  
 LAWRENCEVILLE, GA 30046  
 PHONE: 770-379-0284  
 CONTACT: EDDIE FRANKS

**ENGINEER**  
 RUSSELL DAVIS & ASSOCIATES, INC.  
 2028 LUXURIA COURT  
 TUCKER, GEORGIA 30084  
 PHONE: 770-939-3961  
 CONTACT: RUSSELL E. DAVIS, P.E.

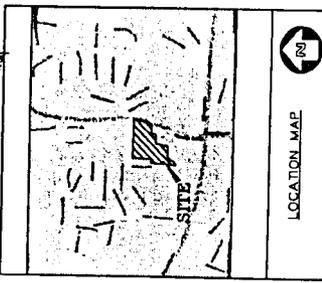
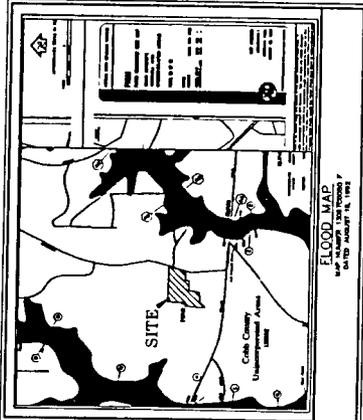
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 RSL - non-supportive  
 Residential Senior Living

FRONT Y.L. = 20'  
 REAR Y.L. = 15'  
 SIDE Y.L. = 15'

20' BUFFER ADJ. TO RESIDENTIAL  
 10' BUFFER ADJ. TO COMMERCIAL

TOTAL NUMBER OF HOMES = 41  
 ATTACHED HOMES = 18  
 DETACHED HOMES = 23  
 DENSITY = 1.42 units/acre

TOTAL SITE AREA = 29.4 ac



**UTILITIES PROTECTION CENTER, INC.**  
 111 THE PALM ISLANDS  
 LAWRENCEVILLE, GA 30046  
 PHONE: 770-379-0284  
 CONTACT: EDDIE FRANKS

FEB 24 2006

CORNER OFFICE BUILDING  
 111 THE PALM ISLANDS  
 LAWRENCEVILLE, GA 30046

ORIGINAL DATE OF APPLICATION: 12-20-05APPLICANTS NAME: SPRINGHILL PROPERTIES, LLC

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE  
COBB COUNTY BOARD OF COMMISSIONERS

**BOC DECISION OF 11-20-12 ZONING HEARING:**

**OTHER BUSINESS ITEM #4 – TO CONSIDER A SITE PLAN AMENDMENT FOR GRIN INCORPORATED REGARDING REZONING APPLICATION Z-197 OF 2005 (SPRINGHILL PROPERTIES, LLC)**

To consider a site plan and stipulation amendment for GRIN Incorporated regarding rezoning application Z-197 of 2005 (Springhill Properties, LLC), for property located on the west side of Barrett Parkway, north of Dallas Highway in Land Lots 317 and 329 of the 20<sup>th</sup> District.

Mr. John Pederson, Zoning Division Manager, provided information regarding a site plan and stipulation amendment to reduce number of roads in subdivision. The public hearing was opened and there being no speakers, the hearing was closed. Following presentation and discussion, the following motion was made:

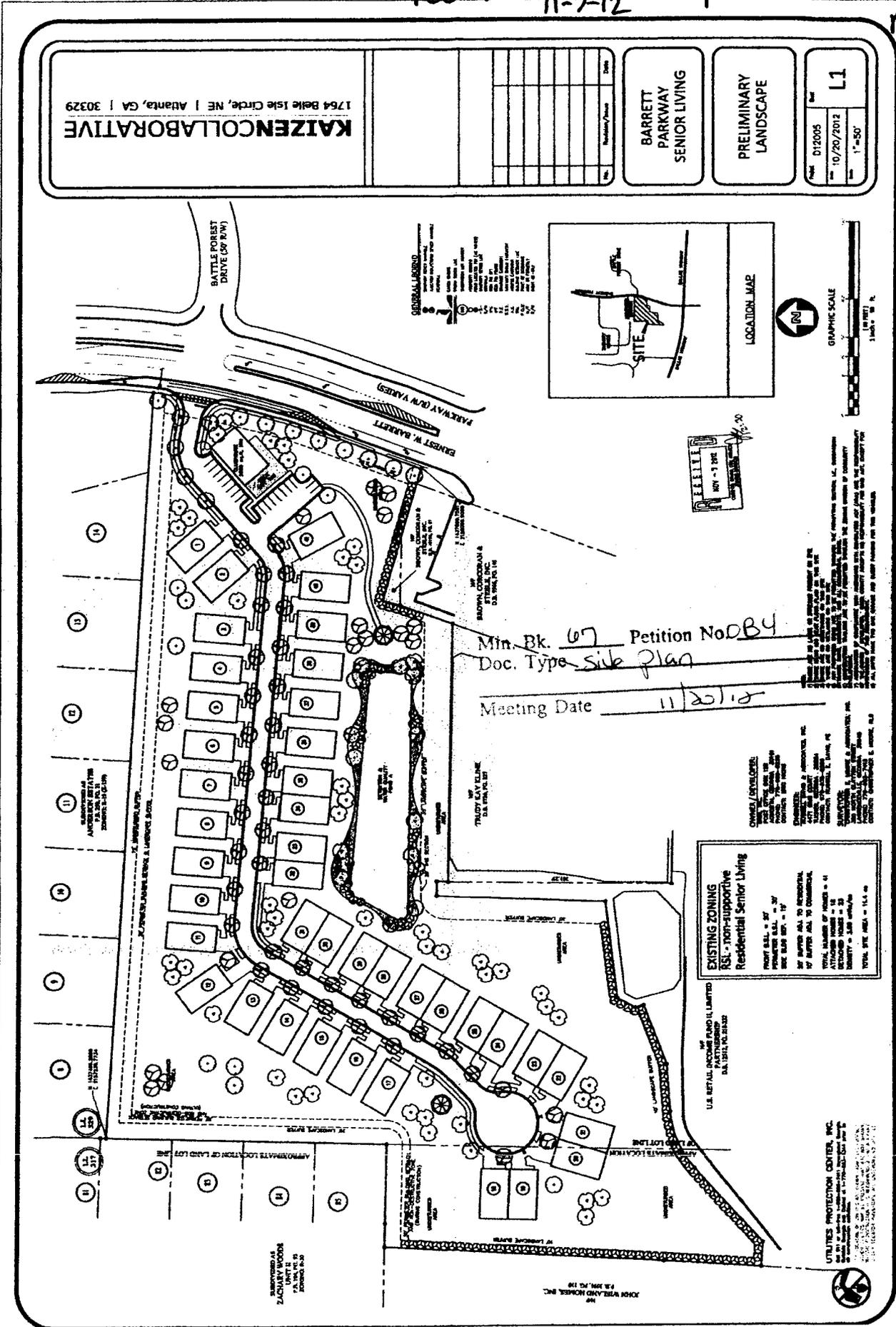
MOTION: Motion by Goreham, second by Lee, to **approve** Other Business Item No. 4 for site plan and stipulation amendment regarding application Z-197 of 2005 (Springhill Properties, LLC), for property located on the west side of Barrett Parkway, north of Dallas Highway in Land Lots 317 and 329 of the 20<sup>th</sup> District **subject to:**

- **Site plan received by the Zoning Division November 7, 2012 (attached and made part of these minutes)**
- **Record to be amended to reflect developer as GRIN Incorporated**
- **Cobb DOT comments and recommendations: *the acceleration lane shown on the plan at the entrance is not recommended.***
- **Fire Department comments and recommendations: *when projects contemplate less than 20 foot separation between units, emergency vehicle access can be accomplished by any of the following methods or combinations of methods:***
  - ***Parking spaces as required by zoning in addition to .50 guest parking per unit.***
  - ***Streets shall be designated as fire lanes, appropriately marked/identified in accordance with Cobb County Code, Section 118-231***
- **All previous stipulations and conditions, *not otherwise in conflict*, to remain in effect**

VOTE: **ADOPTED** unanimously

received 11-7-12

Proposed Landscape plan.



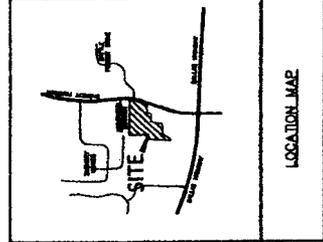
KAIZENCOLLABORATIVE  
1764 Belle Isle Circle, NE | Atlanta, GA | 30329

BARRETT PARKWAY SENIOR LIVING

PRELIMINARY LANDSCAPE

L1

D12005  
10/20/2012  
1" = 50'



Min. Bk. 67 Petition No. BY  
Doc. Type: site plan

Meeting Date 11/20/12

**EXISTING ZONING**  
RSL - non-supportive  
Residential Senior Living

PROJECT AREA = 57  
PARKWAY AREA = 37  
SITE AREA = 17  
OF WHICH IS TO BE USED FOR SENIOR HOUSING = 14  
TOTAL NUMBER OF UNITS = 44  
ATTACHED UNITS = 18  
DETACHED UNITS = 26  
TOTAL SITE AREA = 114.00

U.S. RETAIL INCOME FUND (L) LIMITED PARTNERSHIP  
SAL. TRILL. POLICE

UTILITIES PROTECTION CENTER, INC.  
1000 W. 10TH ST. SUITE 100  
ATLANTA, GA 30316  
404.525.1100  
WWW.UTILITIESPROTECTIONCENTER.COM

JOHN WELLS & ASSOCIATES, INC.  
100 W. 10TH ST. SUITE 100  
ATLANTA, GA 30316  
404.525.1100  
WWW.JWA.COM