

ORDINANCE 2019-07

AN ORDINANCE TO REZONE 14.88 ACRES FROM SPECIFIC DEVELOPMENT – VARIETY (SD-X) DISTRICT TO SPECIFIC DEVELOPMENT – VARIETY (SD-X 2.02 / 95,618) DISTRICT FOR THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF MURFREESBORO ROAD AND CHESTER STEPHENS COURT, 300 CELEBRATION CIRCLE (SILVER GRACE PUD SUBDIVISION, FOUNTAINS OF FRANKLIN).

WHEREAS, the City of Franklin, Tennessee, encourages responsible growth and the sensible transition of land uses and densities; and

WHEREAS, the Specific Development – Variety (SD-X) district provides zoning for land uses compatible with both the Franklin Land Use Plan and surrounding development; and

WHEREAS, the Board of Mayor and Aldermen (BOMA) of the City of Franklin, Tennessee, adopted Resolution 2019-28, approving a Planned Unit Development (PUD) Development Plan as required by the Franklin Zoning Ordinance; and

WHEREAS, the zoning has been reviewed and approved by BOMA after a public hearing and a recommendation by the Franklin Municipal Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:

SECTION I. That the following described property shall be, and is hereby, rezoned from its present zoning classification of Specific Development – Variety (SD-X) District to Specific Development – Variety (SD-X 2.02 / 95,618) District:

PREMISES CONSIDERED	
Map-Parcel	Acres
079---059.00	13.51
080---039.04	1.37
Total	14.88

SECTION II. That the attached Location Map and Survey shall serve the purpose of further delimiting the geographical boundaries as described by this Ordinance.

SECTION III. BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that this Ordinance shall take effect from and after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

By: _____
Eric S. Stuckey
City Administrator/Recorder

CITY OF FRANKLIN, TENNESSEE:

By: _____
Dr. Ken Moore
Mayor

Approved as to form by:

Shauna R. Billingsley
City Attorney

PLANNING COMMISSION RECOMMENDED:

April 25, 2019

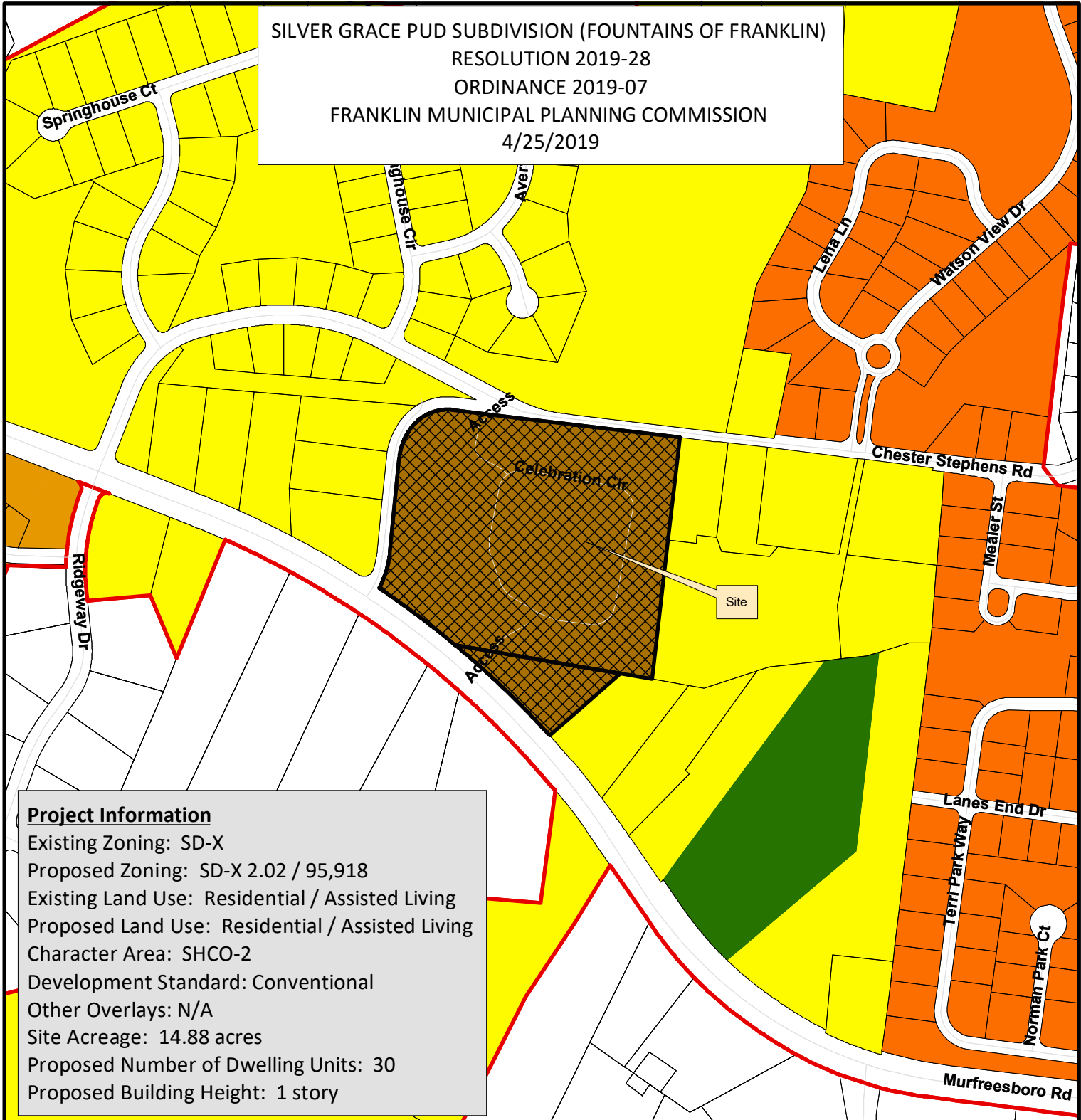
PASSED FIRST READING:

PUBLIC HEARING HELD:

PASSED SECOND READING:

PASSED THIRD READING:

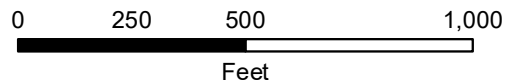
SILVER GRACE PUD SUBDIVISION (FOUNTAINS OF FRANKLIN)
 RESOLUTION 2019-28
 ORDINANCE 2019-07
 FRANKLIN MUNICIPAL PLANNING COMMISSION
 4/25/2019



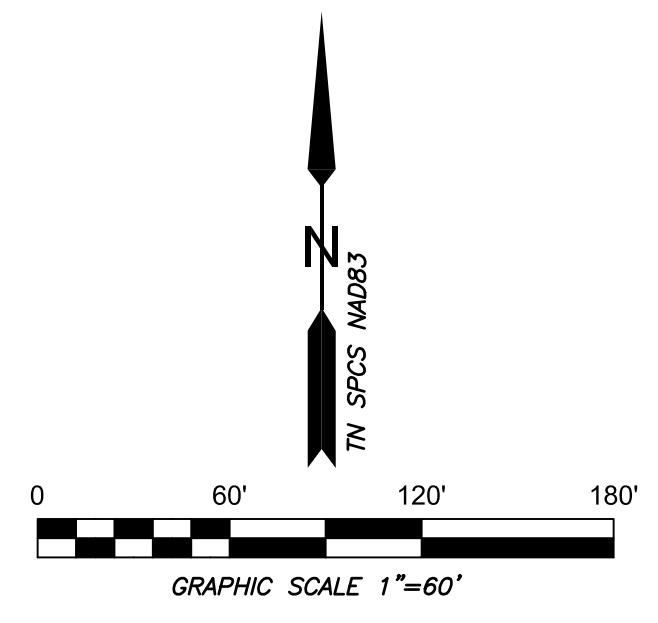
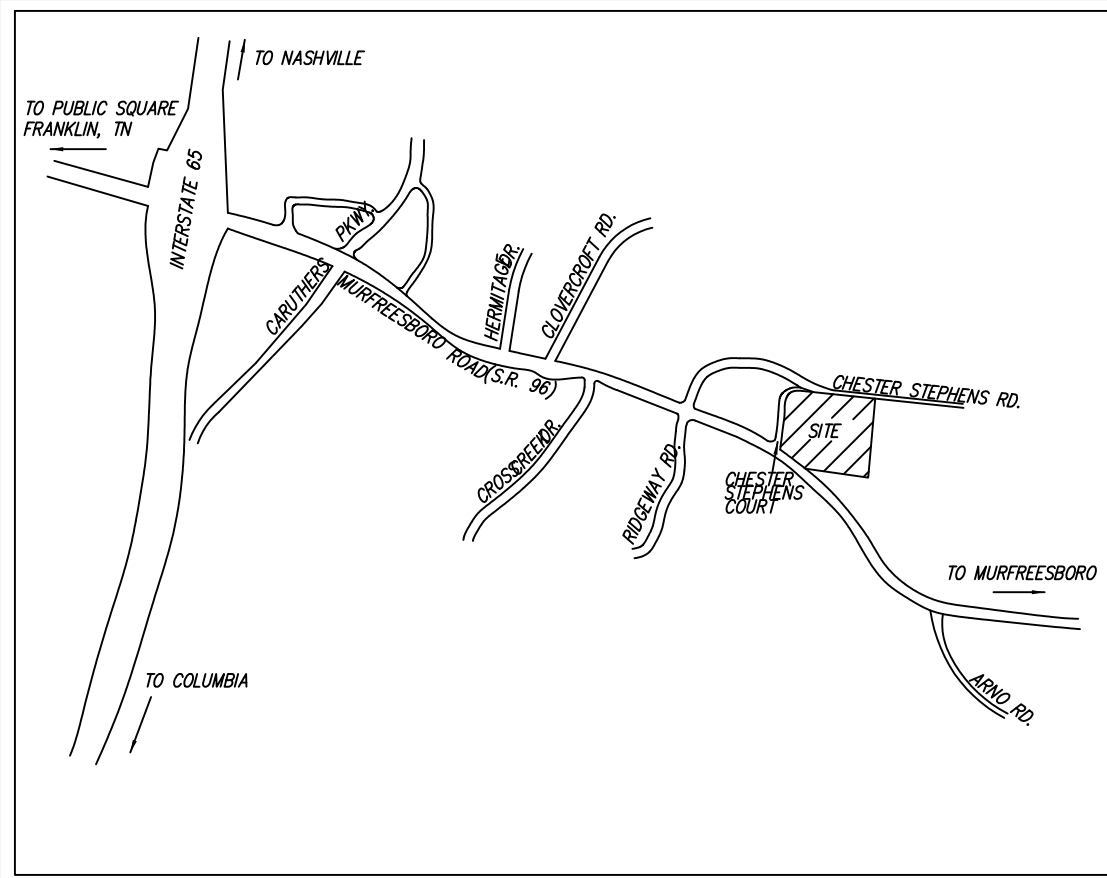
Project Information

Existing Zoning: SD-X
 Proposed Zoning: SD-X 2.02 / 95,918
 Existing Land Use: Residential / Assisted Living
 Proposed Land Use: Residential / Assisted Living
 Character Area: SHCO-2
 Development Standard: Conventional
 Other Overlays: N/A
 Site Acreage: 14.88 acres
 Proposed Number of Dwelling Units: 30
 Proposed Building Height: 1 story

- | | |
|--|---------------------------------------|
| Silver Grace PUD Subdivision, Revision 1 | SD-R Specific Development-Residential |
| AG Agricultural District | SD-X Specific Development-Variety |
| ER Estate Residential | OR Office Residential District |
| R-1 Residential District | GO General Office District |
| R-2 Residential District | CC Central Commercial District |
| R-3 Residential District | NC Neighborhood Commercial District |
| R-6 Residential District | GC General Commercial District |
| RM-10 Attached 10 Residential District | LI Light Industrial District |
| RM-15 Attached 15 Residential District | HI Heavy Industrial District |
| RM-20 Attached 20 Residential District | CI Civic and Institutional District |



This map was created by the Franklin Planning Department. It was compiled from the most authentic information available. The City is not responsible for any errors or omissions contained herein. All data and materials (c) copyright 2019. All rights reserved.



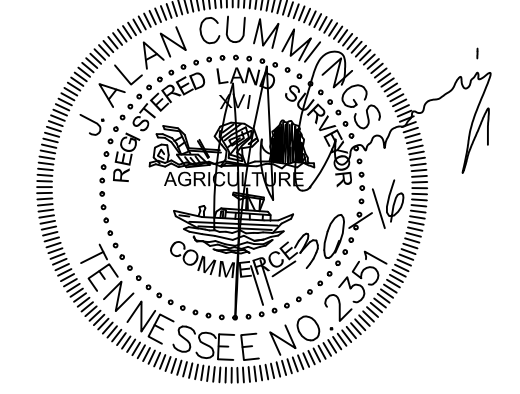
CURVE TABLE				
CURVE	RADIUS	ARC	CHORD DIST	BEARING DELTA ANGLE
C1	2677.16'	287.94'	287.80'	S52°29'06" E 16°09'44"
C2	149.91'	235.11'	211.75'	S52°14'53" W 189°51'47"
C3	2919.00'	376.84'	376.58'	N45°52'57" W 172°3'49"

LINE TABLE		
LINE	BEARING	DISTANCE
LT	S20°32'07" W	111.05'

DEED REFERENCE
 TO: FOUNTAINS OF FRANKLIN, LLC
 FROM: ROBERT STEPHENS LYNCH
 DEED BOOK 5006, PAGE 86, R.O.W.C., TN.
 TO: FOUNTAINS OF FRANKLIN, LLC
 FROM: WELLS & VICTORIA RADFORD
 DEED BOOK 5006, PAGE 89, R.O.W.C., TN.

PREPARED FOR:
 GOODWORKS UNLIMITED LLC,
 2202 JEFFERSON CT,
 FRANKLIN, TN 37064,
 PH: 615 790 7041

SURVEYORS CERTIFICATE
 TO: FOUNTAINS OF FRANKLIN, LLC,
 SUNTRUST BANK, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS.
 FIDELITY NATIONAL TITLE INSURANCE COMPANY,
 BRADLEY, ARANT, BOLT, CUMMINGS, LLP.,
 FIRST TITLE AND ESCROW COMPANY, INC.,
 MUDTER AND PATTERSON



JALAN CUMMINGS
 Registration No. 2351

WARNING
 THIS SURVEY WAS PREPARED FOR THE BENEFIT OF THE PARTY OR PARTIES NAMED HEREON AND IS INTENDED FOR THEIR SOLE USE. OTHER PARTIES ARE ADVISED NOT TO RELY UPON THIS USE OF THIS DRAWING BY PARTIES OTHER THAN THOSE LISTED HEREON IS UNAUTHORIZED AND CONSTITUTES A VIOLATION OF FEDERAL COPYRIGHT LAWS.

PROPERTY MAP REFERENCE
 PARCEL ID: 079059000014079

PLAT REFERENCE
 REVISION LOT 3 OF THE REVISION OF LOT 1 OF THOMAS HAWKINS SUBDIVISION OF RECORD IN PLAT BOOK 29, PAGE 65, R.O.W.C., TN.

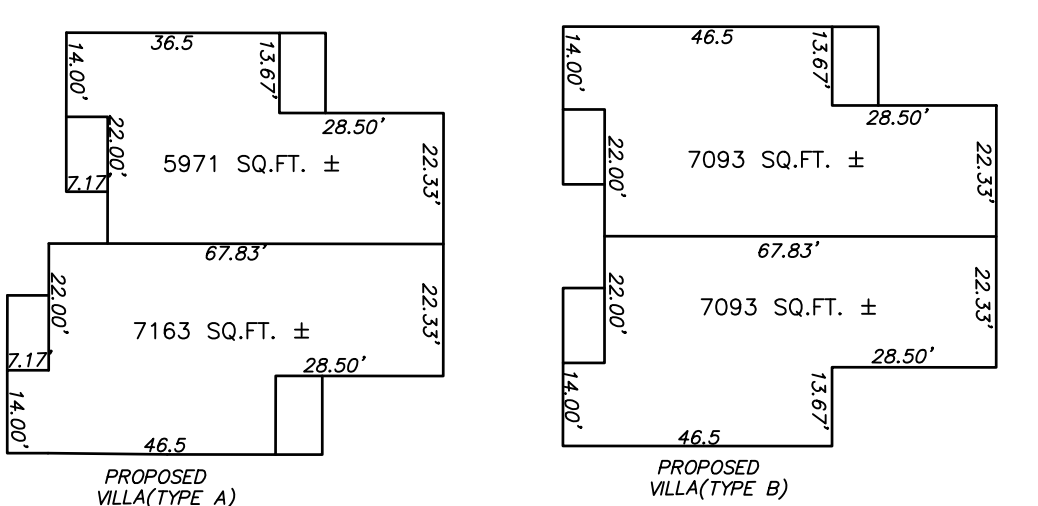
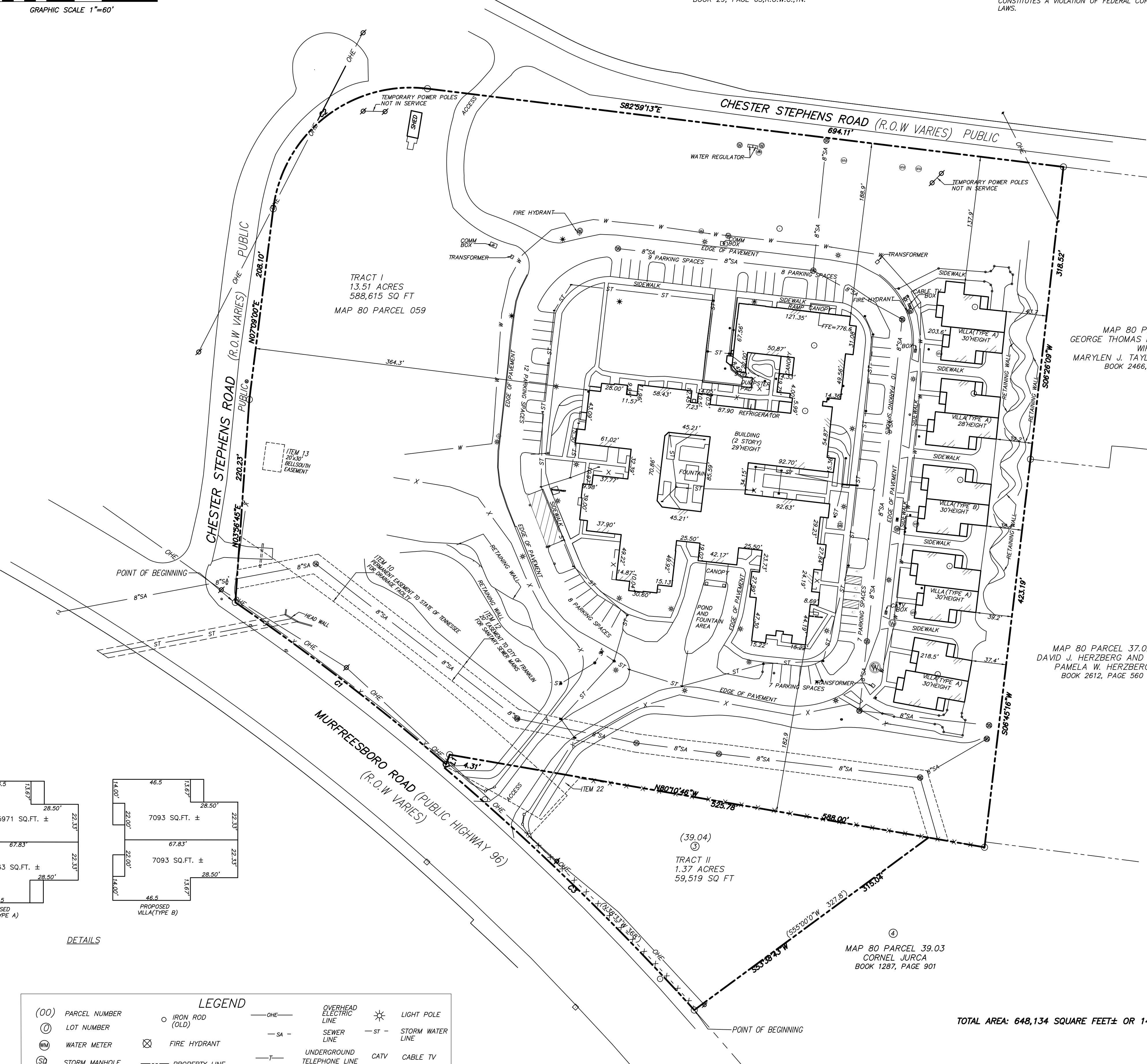
RECORD DESCRIPTION

See Exhibit "A" attached hereto and made a part hereof.
 Being the same property conveyed to Fountains of Franklin, LLC by Special Warranty Deed of record in Book 5006, Page 86, in the Register's Office of Williamson County, Tennessee.
 Tract II:
 See Exhibit "A" attached hereto and made a part hereof.
 Being the same property conveyed to Fountains of Franklin, LLC by Special Warranty Deed of record in Book 5006, Page 89, in the Register's Office of Williamson County, Tennessee.
 EXHIBIT "A"
 TRACT I
 Property situated in the 14th Civil District of Williamson County, Tennessee, described as follows:
 BEGINNING at an iron rod at the intersection of the northerly right-of-way of Tennessee State Route 96 (Murfreesboro Road) with the easterly right-of-way of Chester Stephens Court as depicted on Sheet 10B of the plans for the State of Tennessee Department of Transportation Right-of-Way Layout Project 94011-2244-04, being 52.49 feet from the centerline of said State Route 96, and being the southwest corner of the herein describe tract;
 Thence, with said easterly right-of-way of Chester Stephens Court, as depicted on said Sheet 10B, North 3 degrees 56 minutes 45 seconds East 220.23 feet to an iron rod;
 Thence, continuing with said easterly right-of-way, North 7 degrees 09 minutes 00 seconds East 208.10 feet to an iron rod at the beginning of a curve concave to the southeast and having a radius of 149.91 feet;
 Thence, with said curve, northeasterly an arc distance of 235.11 feet through a central angle of 89 degrees 51 minutes 47 seconds (chord North 52 degrees 04 minutes 53 seconds East 211.75 feet) to an iron rod at the point of tangency on the southerly right-of-way of Chester Stevens Road;
 Thence, with said southerly right-of-way, South 89 degrees 59 minutes 12 seconds East 894.11 feet to an iron rod; Thence, with the westerly boundary line of the George Thomas Monteleone et ux property, of record in Book 2466, page 504 in the Register's Office of Williamson County, Tennessee, South 6 degrees 26 minutes 09 seconds West 318.52 feet to an iron rod;
 Thence, with the westerly boundary line of the David S. Herzberg et ux property, of record in Book 2612 page 560 in said Register's Office, and continuing with the boundary line of Lot 4 on the plan of Revision of Lot 1 of the Thomas Hawkins Subdivision, of record in Plat Book 11 page 117 in said Register's Office, South 6 degrees 45 minutes 16 seconds West 423.19 feet to an iron rod;
 Thence, with said boundary line of said Lot 4, and continuing with the boundary line of the Revision of Lot 3 of the Revision of Lot 1 of the Thomas Hawkins Subdivision, of record in Plat Book 29 page 65 in said Register's Office, as follows: North 80 degrees 10 minutes 46 seconds West 588.00 feet to an iron rod, and South 20 degrees 32 minutes 07 seconds West 11.05 feet to an iron rod intersecting a curve in said northerly right-of-way of Tennessee State Route 96 concave to the southwest and having a radius of 2677.16 feet;
 Thence, with said curve, northwesterly an arc distance of 287.94 feet through a central angle of 6 degrees 09 minutes 44 seconds (chord: North 52 degrees 29 minutes 06 seconds West 287.80 feet) to the Beginning containing 13.51 Acres or 588,615.2 square feet

EXHIBIT "A"
 TRACT II
 BEGINNING at an iron rod on the northerly right-of-way of Tennessee State Route 9 (Murfreesboro Road), as depicted on Sheet 10B of the plans for the State of Tennessee Department of Transportation Right-of-Way Layout Project 94011-2244-04, being the common corner of Lot 3 of the Revision of Lot 1 of the Thomas Hawkins Subdivision, of record in Nat Book 29 page 65 in the Register's Office of Williamson County, Tennessee, and Lot 4 on the plan of Lot 4 on the plan of Revision of Lot 1 of the Thomas Hawkins Subdivision, of record in Plat Book 11, page 117 in said Register's Office, and being 52.49 feet from the centerline of said State Route 96, and being southeasterly 523.05 feet along said right-of-way from its intersection with the easterly right-of-way of Chester Stevens Court;
 Thence, with a curve in said right-of-way concave to the southwest and having a radius of 2677.16 feet, northwesterly an arc distance of 376.20 feet through a central angle of 8 degrees 03 minutes 05 seconds (chord: North 45 degrees 22 minutes 41 seconds West 375.89 feet) to an iron rod;
 Thence, with the boundary line of the Robert Stephens Lynch et al property, of record in Book 83 page 457 in said Register's Office, as follows: North 20 degrees 32 minutes 07 seconds East 11.05 to an iron rod and South 80 degrees 10 minutes 46 seconds East 526.00 feet to an iron rod;
 Thence, with the common boundary line of said Lot 3 and Lot 4, South 54 degrees 02 minutes 54 seconds West 314.54 feet to the BEGINNING containing 1.37 acres or 59,519.8 square feet.

- UTILITY NOTE:**
 THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. IN TENNESSEE IT IS A REQUIREMENT, PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN (3) THREE OR MORE THAN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. TENNESSEE ONE CALL 1-815-366-1987 OR 1-800-351-1111.
- SCHEDULE B SECTION II EXCEPTIONS**
 ITEM 9. Right of Way of record in Book 76, Page 261 and in Book 89, Page 278, in the Register's Office for Williamson County, Tennessee. (Does not affect subject property)
 ITEM 10. Deed of Conveyance to the State of Tennessee of record in Book 2237, Page 616, in the Register's Office for Williamson County, Tennessee. (affects subject property, plotted hereon)
 ITEM 11. Right of Way conveyed to Gulf Interstate Gas Co. of record in Book 96, Page 173, in the Register's Office for Williamson County, Tennessee. (Does not affect)
 ITEM 12. Agreement for Dedication of Easement of record in Book 4011, Page 821, as amended in Book 4217, Page 107, in the Register's Office for Williamson County, Tennessee. (affects subject property, plotted hereon)
 ITEM 13. Easement conveyed to Bellsouth telecommunications, Inc. of record in Book 4084, Page 385, in the Register's Office for Williamson County, Tennessee. (affects subject property, plotted hereon)
 ITEM 14. Inspection and Maintenance Agreement of Private Stormwater Management Facilities of record in Book 5321, Page 435, in the Register's Office for Williamson County, Tennessee. (affects subject property, not plottable.)
 ITEM 15. Right of Way Easement of record in Book 5397, Page 233 and in Book 5512, Page 566, in the Register's Office for Williamson County, Tennessee. (affects subject property, not plottable.)
 ITEM 18. Right of Way Easement of record in Book 6400, Page 371, in the Register's Office for Williamson County, Tennessee. (affects subject property, not plottable)
 ITEM 19. Subject to all matters shown on the Plan of record in Plat Book P29, page 65, said Register's Office. (affects subject property, shown hereon)
 ITEM 20. Easements of record in Deed Book 96, page 175, and Deed Book 151, page 430, said Register's Office. (does not affect subject property)
 ITEM 21. Right of Way conveyed to Columbia Gulf Transmission of record in Book 166, Page 53, said Register's Office. (Document not provided to surveyor)
 ITEM 22. Drainage facility and easements of record in Book 2140, page 143, said Register's Office. (affects subject property, shown hereon)

- NOTES:**
 1. FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 1615806qctn, EFFECTIVE DATE AUGUST 25, 2016 WAS FURNISHED TO THIS SURVEYOR.
 2. THIS SURVEY MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS OF A CATEGORY I SURVEY AS PER THE STANDARDS OF PRACTICE CHAPTER 0820-3-07 (OFFICIAL RULES) ADOPTED BY THE TENNESSEE BOARD OF EXAMINERS FOR LAND SURVEYORS. THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS AT LEAST 1 : 10,000 AS SHOWN HEREON.
 3. BY GRAPHIC PLOTTING ONLY, SUBJECT SITE IS NOT WITHIN A "SPECIAL" FLOOD HAZARD AREA PER F.E.M.A. F.I.R.M. NO. 47187C0220F, EFFECTIVE ON 09/20/2006.
 4. SUBJECT PROPERTY IS CURRENTLY ZONED IN FRANKLIN.
 5. BOOK/PAGE NUMBERS SHOWN HEREON PERTAIN TO THE REGISTER'S OFFICE OF WILLIAMSON COUNTY, TN.
 6. DISTANCES SHOWN HEREON ARE IN U.S. FEET.
 7. LINE OF TRACT II IS NOT SURVEYED, TAKEN FROM PLAT BOOK: 29, PAGE: 65
 8. BEARINGS & DISTANCES SHOWN IN PARENTHESIS ARE TAKEN FROM PLAT BOOK: 29, PAGE: 65
 9. THE PROPERTY SURVEYED AND SHOWN HEREON IS THE SAME PROPERTY AS DESCRIBED IN TITLE COMMITMENT NO. 1615806qctn, WITH AN EFFECTIVE DATE OF AUGUST 25, 2016, PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY.
 10. NO ABOVEGROUND ENCRoACHMENT WAS OBSERVED BY THIS SURVEY AT TIME OF PROPERTY SURVEY.
 11. ALL AREA IN ANY RECIPROCAL EASEMENT AGREEMENTS IDENTIFIED IN THE TITLE COMMITMENTS IF ANY, AND THE LIMITS OF ANY OFFSITE APPURTENANT EASEMENTS, IF ANY, ARE SHOWN ON SURVEY.
 12. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WAS OBSERVED AT THE TIME OF SURVEY.
 13. NO EVIDENCE OF PROPOSED CHANGES IN THE STREET RIGHT OF WAYS LINE OR OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WAS OBSERVED AT THE TIME OF SURVEY.
 14. THIS SURVEYOR HAS NOT BEEN ADVISED OF ANY DESIGNATED WETLAND AREAS ON THE PROPERTY.
 15. NO CEMETERIES OR BURIAL GROUNDS WERE OBSERVED ON THE PROPERTY AT THE TIME SURVEY.
 16. THE SUBJECT PROPERTY ABUTS AND HAS DIRECT, PHYSICAL ACCESS TO MURFREESBORO ROAD AND CHESTER STEPHENS ROAD, EACH A PUBLICLY DEDICATED RIGHT-OF-WAY.
 17. TRACT I IS CONTIGUOUS WITH TRACT II ALONG COMMON BOUNDARIES.
 18. SUBJECT SITE CONTAINS 57 REGULAR PARKING SPACES AND 3 HANDICAP PARKING SPACES.
 19. SUBJECT SITE IS CURRENTLY ZONED SD-X SPECIFIC DEVELOPMENT VARIETY, DATED NOVEMBER 18, 2016 PER THE CITY OF FRANKLIN ZONING ENFORCEMENT.



LEGEND

(00) PARCEL NUMBER	○ IRON ROD (OLD)	—ONE— OVERHEAD ELECTRIC LINE	* LIGHT POLE
① LOT NUMBER	⊗ FIRE HYDRANT	—SA— SEWER LINE	—ST— STORM WATER LINE
⊕ WATER METER	— — — — — PROPERTY LINE	—T— UNDERGROUND TELEPHONE LINE	—CATV— CABLE TV
⊙ STORM MANHOLE	—X— FENCE LINE	R.O.W.C REGISTER OF WILLIAMSON COUNTY	
⊚ SAN. MANHOLE			

TOTAL AREA: 648,134 SQUARE FEET± OR 14.88 ACRES±

ALTA/NSPS
LAND TITLE SURVEY
FOUNTAINS OF FRANKLIN
 4100 MURFREESBORO ROAD, FRANKLIN
 14 TH CIVIL DISTRICT,
 WILLIAMSON COUNTY, TENNESSEE

DATE: 11-04-16 CCPC JOB NO. 16-097
 REVISED: 11-28-16
 REVISED: 11-30-16