



Meeting Agenda

Board of Zoning Appeals

Thursday, July 6, 2023

6:00 PM

Board Room

Notice is hereby given that a meeting of the Board of Zoning Appeals will be held on the date, time, and location listed above. Additional information can be found at www.franklintn.gov/planning. For accommodations due to disabilities or other special arrangements, please contact the Human Resources Department at (615) 791-3216, at least 24 hours prior to the meeting. Accommodations have been made to ensure that the public is able to participate in the meeting. The public may participate in the following ways:

- Watch the meeting on FranklinTV or the City of Franklin website.
- Watch the live stream through the City of Franklin Facebook and YouTube accounts.
- Email comments to planningintake@franklintn.gov to be provided in full to the Commission and included in the minutes, but not read aloud in their entirety during the meeting. Emailed comments are accepted until 12:00 PM (noon) on the day before the meeting.
- Comment in-person in the Board Room. Speakers will be asked to fill out a speaker card prior to the meeting starting. Speakers may sit in the Boardroom or wait in the lobby.

CALL TO ORDER

CITIZEN COMMENTS (Open for citizens to be heard on any issue or concern, including those related to items on the agenda. Please submit a Speaker Card at the beginning of the meeting if you would like to address the Commission. If you would like to speak on an agenda item, the Chair will hold your comment until the public comment period associated with the item. As provided by law, the Commission shall make no decisions or consideration of action of citizen comments for items not on the agenda, except to refer the matter to the Planning Director/Staff for administrative consideration, or to a schedule the matter for consideration at a later date. Those addressing the Commission are requested to come to the microphone and identify themselves by name and address for the official record. The Chair may restrict the period for public comment, including the length of the public comment period, the number of individuals who can speak and the length of time each individual may speak. When time allows, the standard individual public comment time is two minutes.)

Comments on agenda items may be made in person at city hall or by emailing planningintake@franklintn.gov by noon on the day prior to the meeting. Emailed comments will be provided to the Commission and included in the minutes, but not read aloud in their entirety during the meeting.

APPROVAL OF MINUTES

1. Consideration Of Approval Of The May 4, 2023 BZA Minutes.

ANNOUNCEMENTS

APPLICATIONS

2. A **Variance Request** To Allow A 21-Foot Encroachment Into The Required 35-Foot Side Yard Setback For An Existing Principal Building, For The Property Located At 328 Franklin Road (F.Z.O. 3.3.5).

Sponsors:

Emily Wright, Amy Diaz-Barriga, Ariella Stanford

3. A **Variance Request** To Allow Four Wall Signs To Be Placed Above The Main Roofline Of A Principal Building, For The Property Located At 5019 Aspen Grove Drive (F.Z.O. 15.15).

Sponsors:

Emily Wright, Amy Diaz-Barriga, Ariella Stanford

4. An **Appeal Of Administrative Decision** Classifying A Use As Clinic, And Thereby Prohibiting The Use In The Downtown District, For The Property Located At 212 E Main Street (F.Z.O. 5.1.3).

Sponsors:

Emily Wright, Amy Diaz-Barriga, Ariella Stanford, Shanna McCoy

OTHER BUSINESS

ADJOURN

Anyone needing accommodations due to disabilities please contact the ADA Coordinator at 615-791-3277 at least 24 hours prior to the meeting.



DRAFT Meeting Minutes

Board of Zoning Appeals

Thursday, May 4, 2023

6:00 PM

Board Room

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CALL TO ORDER

Commissioners Present:

Greg Caesar

Jeff Fleishour

Jonathon Langley, Chair

William Scales

Commissioners Absent:

Lee Reeves

Staff Present:

Amy Diaz-Barriga

Ariella Stanford

Lori Jarosz

Bill Squires

APPROVAL OF MINUTES

1. Consideration Of Approval Of The March 2, 2023 BZA Minutes.

Sponsors:

Commissioner Greg Caesar motioned to approve the minutes from the March 2, 2023, BZA meeting, seconded by Commissioner William Scales.

Vote Tally: 4-0

Motion passes

ANNOUNCEMENTS

Ms. Diaz-Barriga stated that an invitation for a one-hour training would be sent to members of the Board.

APPLICATIONS

2. Variance Request To Allow Parking To Extend Beyond The Rear Of A Nonresidential Principal Building With Yard Frontage, For The Property Located At 264 Natchez Street (F.Z.O. §7.3).

Sponsors: Emily Wright, Amy Diaz-Barriga, Ariella Stanford

Staff Presenting: Ariella Stanford. Ms. Stanford stated that the subject parcel is located at 264 Natchez Street and is zoned CI Civic and Institutional District. The property is located within the Historic Preservation Overlay and the Central Franklin Overlay District. The African American Heritage Foundation is proposing to renovate the historic Merrill Williams Home to its original condition and use the facility as a Community Center. The existing structures on the property are a 2-story home located at the center of the lot, and a detached garage in the northern corner of the lot. The home is a historic structure and cannot be relocated or rebuilt without jeopardizing its status on the National Register of Historic Places. To comply with the existing structures, the proposed location of parking extends beyond the rear of the principal building. Nonresidential properties with Yard Frontage are required to locate parking to the rear of the principal building. For this reason, the applicant is requesting a Variance to allow parking to extend beyond the rear of the principal building. The applicant has also provided a parking chart which displays the number of parking spaces that are needed according to their building use; however, the building use listed is not correct. The building use listed is Office, but Office is not a permitted use in the Civic Institutional Zoning District. While no Zoning Determination has been formally provided, it is likely that the proposed Community Center would fall under Charitable, Fraternal, or Social Organization as its building use. The parking requirement for this use is listed as 'variable'. The property was recently rezoned, which may explain the discrepancy. For this reason, Staff is under the

assumption that the parking chart is inaccurate, and the amount of parking provided in the plans is the amount needed for the Community Center. In addition, this project has received approval with conditions from the Historic Zoning Commission. The proposal is the most sensitive to the architectural qualities of the site's contributing structure and presents the least amount of adverse impact on the contributing status of the historic structure and the context of the overall historic site. The BZA may authorize a variance only when the request has met all three criteria in accordance with F.Z.O §20.10.6 and State law. The staff has completed an analysis of the request in light of these criteria:

1. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the Zoning Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such a piece of property is not able to accommodate development as required under this Ordinance.

The property is exceptional due to its historical condition. Because the home and the detached garage are historic structures, they cannot be relocated or rebuilt without jeopardizing their status on the national registry of historic places. This extremely limits the possible location for necessary parking. The amount of parking provided in the plan is required to accommodate parking for the existing historic structure, and the location of parking is the most logical orientation, given the location of the existing structures. The distance between the rear of the structure and the back lot line can only accommodate one drive aisle and a single row of parking. The parking must extend beyond the rear of the building to accommodate the ADA required parking spaces, and to allow for ADA access to the structure's rear door and ramp. Staff finds this criterion is met.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties for or exceptional or undue hardship for the owner of the property. Staff finds that the application of a provision enacted under the Zoning Ordinance would result in undue hardship upon the owner of the property. According to the Zoning Ordinance, the parking must be located to the rear of the principal building. With the location of the existing structures, and their Page 8 of 14 inability to move the structures, the applicant is not able to comply with this requirement of the Zoning Ordinance. The only plausible location for ADA parking extends beyond the rear of the principal building, as shown in the proposed layout. This regulation of the Zoning Ordinance creates an exceptional hardship for the owner of the property. Staff finds this criterion is met.

3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the Zoning Ordinance. Staff finds that this proposed plan would not cause substantial detriment to the public good. The intent of the Zoning Ordinance in this case is for parking to be secondary to the building and its relationship to the street, so that views from the street are not of parking lots. The proposed plan locates parking as far to the rear as possible. The proposed plan also includes landscaping to provide a buffer between the parking and 11th Avenue. Because the proposed parking is situated as far from Natchez Street as it can be, staff finds this proposal to meet the intent of the Ordinance. Staff finds this criterion is met.

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to approve the variance request to allow parking to extend beyond the rear of a nonresidential principal building with yard frontage, for the property located at 264 Natchez Street, because the criteria for granting a variance have been met.

Applicant: Greg Gamble representing the African American Heritage Foundation. Mr. Gamble is consulting for this foundation as they transition this once residential home into a community center on Natchez Street. Mr. Gamble stated that the focus of discussions had been centered around possible uses for the Merrell Williams House, which helped them determine the necessary amount of parking spaces for those uses. Mr. Gamble then introduced Mary Pearce, who would explain what the foundation is intending to use the building for.

Citizen Comments:

Mary Pearce. Ms. Pearce stated that the African American Heritage Society was founded 20 years ago by herself, Rick Warrick, Bazelia Harris, Mary Mills and Louise Patton. The first housing project was the restoration of the McLemore house that was built by an emancipated person. Ms. Pearce explained that the Natchez Street historic district is on the National Register of Historic Districts but is not protected by historic overlay zoning and as a result some of the historically important buildings are being lost to build large homes. Action should be taken to save Natchez Street, which is a cornerstone of Franklin's black history. The Fred and Maggie Williams home was purchased by the African American Heritage Society. Members have raised 1.2 million dollars and have established a partnership with Middle Tennessee State University. Graduate students and preservation students will be present in the house to tell the story and history of Natchez Street. There will be small meeting rooms available for the community to reserve. The walls of the home will also tell the story of Natchez Street and its historical significance. A room upstairs will show what the room of a young girl in that period would have looked like. Ms. Pearce stated that a parking variance would be needed to support the use of the house and she thanked the city staff for their support.

Mr. Gamble stated that the project has received a certificate of appropriateness from the Historic Zoning Commission with the location of parking where they are showing it in their proposal and the team has been working closely with the city staff and the HZC to meet all modifications and conditions.

Motion to close public comment:

Commissioner Scales motioned to close public comment, seconded by Commissioner Caesar.

Vote Tally: 4-0

Motion Passes

Commissioner Scales asked Mr. Gamble to elaborate on their landscaping plans, and how the landscaping will obscure the parking.

Mr. Gamble explained that there will be 30-36" tall evergreen landscaping that will be alongside the parking lot to screen the parking area.

Commissioner Scales asked if they intend to maintain that landscaping at that height.

Mr. Gamble responded that they would like to maintain the landscaping at that height. It allows for safety in the parking lot, so people can see over the landscaping into the parking lot, but it screens the cars.

Commissioner Caesar asked staff how the current ordinance interprets placement of parking areas, seeing as this is a corner lot.

Ms. Diaz-Barriga explained that because the building's use is non-residential and is treated as non-residential, the language regarding yard frontage of the ordinance states that the parking be behind the rear façade of the building. There are parking spaces beyond the rear façade creating the need for the variance request.

Commissioner Fleishour noted that the area has mixed parking configurations where spaces are even or slightly in front of the buildings.

Mr. Gamble stated that the issues involve the space between the rear of the structure to the rear property line. To create enough ADA parking spaces with access to the ramp, all parking spaces not completely behind the building.

Commissioner Fleishour stated that he is in support of the project.

Commissioner Caesar stated that this property should be held to a high standard, to preserve this prized community. He requested confirmation that Staff had not received any citizen comments in opposition to the request.

Staff confirmed that there were not any citizen comments received in opposition to the request.

Motion on item:

Commissioner Fleishour motioned to approve the variance request to allow parking to extend beyond the rear of a nonresidential principal building with yard frontage, for the property located at 264 Natchez Street because the criteria for a variance request have been met, seconded by Commissioner Scales.

Vote Tally: 4-0

Motion Passes

OTHER BUSINESS

No Other Business.

ADJOURN

Commissioner Caesar motioned to adjourn the May 4, 2023 BZA Meeting, seconded by Commissioner Fleishour.

Vote Tally: 4-0

Motion Passes

There being no further business, the meeting adjourned at 06:17 PM p.m.

Chair

Date



File #: 21-04825

DATE: June 16, 2023
TO: Board of Zoning Appeals
FROM: Emily Wright, Director of Planning and Sustainability
Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A **Variance Request** To Allow A 21-Foot Encroachment Into The Required 35-Foot Side Yard Setback For An Existing Principal Building, For The Property Located At 328 Franklin Road (F.Z.O. 3.3.5).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 8222
Applicant: Matt Christensen
Owner: Lee Ann James

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: Estate Residential / Residential Estate

North: Estate Residential / Residential Estate

South: Civic and Institutional / Institutional

East: Estate Residential and R4 Residential / Residential Estate and Residential Single Family

West: Civic and Institutional / Recreation

Applicable Zoning Ordinance Provisions

20.10 Variance

A. The purpose of a variance is to:

1. Provide limited relief from the requirements of this Ordinance in cases where strict application of a particular requirement would create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance; and
2. Address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission.

B. Variances are not intended merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

3.3.5 Zoning Districts, Estate Residential District, Dimensional Standards

Principal Building Setbacks	Minimum
Front Yard	150 Feet
Side Yard	35 Feet
Rear Yard	65 Feet

Background

The subject property is located at 328 Franklin Road and is zoned ER Estate Residential. This property is located within the Central Franklin Overlay, Historic Preservation Overlay, and the 500 foot Buffer of Hillside Overlay. Because the property is within the Historic Preservation Overlay, the proposed additions will need to be approved by the HZC. The Variance Request is regarding the side yard setback for the existing principal building. The principal building was built in the 1950s on 3 lots that were each 70 feet wide. The principal building was originally built approximately 14 feet from the side lot line, and the proposed addition to the principal building would not bring the building any closer to that side lot line. The existing detached garage and car port in the backyard meet the side yard setback requirements for an accessory structure, and the proposed addition to the detached garage also meets the side yard setbacks for accessory structures.

Staff Analysis

The BZA may authorize a variance only when the request has met all three criteria in accordance with F.Z.O §20.10.6 and State law. The staff has completed an analysis of the request in light of these criteria:

1. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the Zoning Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such a piece of property is not able to accommodate development as required under this Ordinance.

The principal building was built in the 1950s across three narrow lots, and the plat for this property did not list side yard setbacks. The principal building was built much closer to the side lot line than the current Zoning Ordinance allows, and they are not requesting that the principal building move any closer to that side lot line. Because the house was built in the 1950s and is within the Historic District, it will need to get recommendation from the HZC. The HZC will likely not permit the property owner to move the existing house, given its historic nature. Staff finds this criteria is met.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties for or exceptional or undue hardship for the owner of the property.

Provided the applicant is given the predicted recommendation from the HZC, they will likely not be able to move the existing principal building. This means the principal building would not be able to comply with the 35-foot side yard setback requirement for Estate Residential Zoning. Staff finds this criteria is met.

3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the Zoning Ordinance.

Staff finds that this request would not be a detriment to the public good and would not substantially impair the purpose and intent of the Zoning Ordinance. The proposed renovations and additions will not encroach any closer to the side lot line than the existing principal building and detached garage already are.

For this reason, the request would not negatively affect the nature of the neighborhood and views from the street. Staff finds this criteria is met.

FINANCIAL IMPACT:

None.

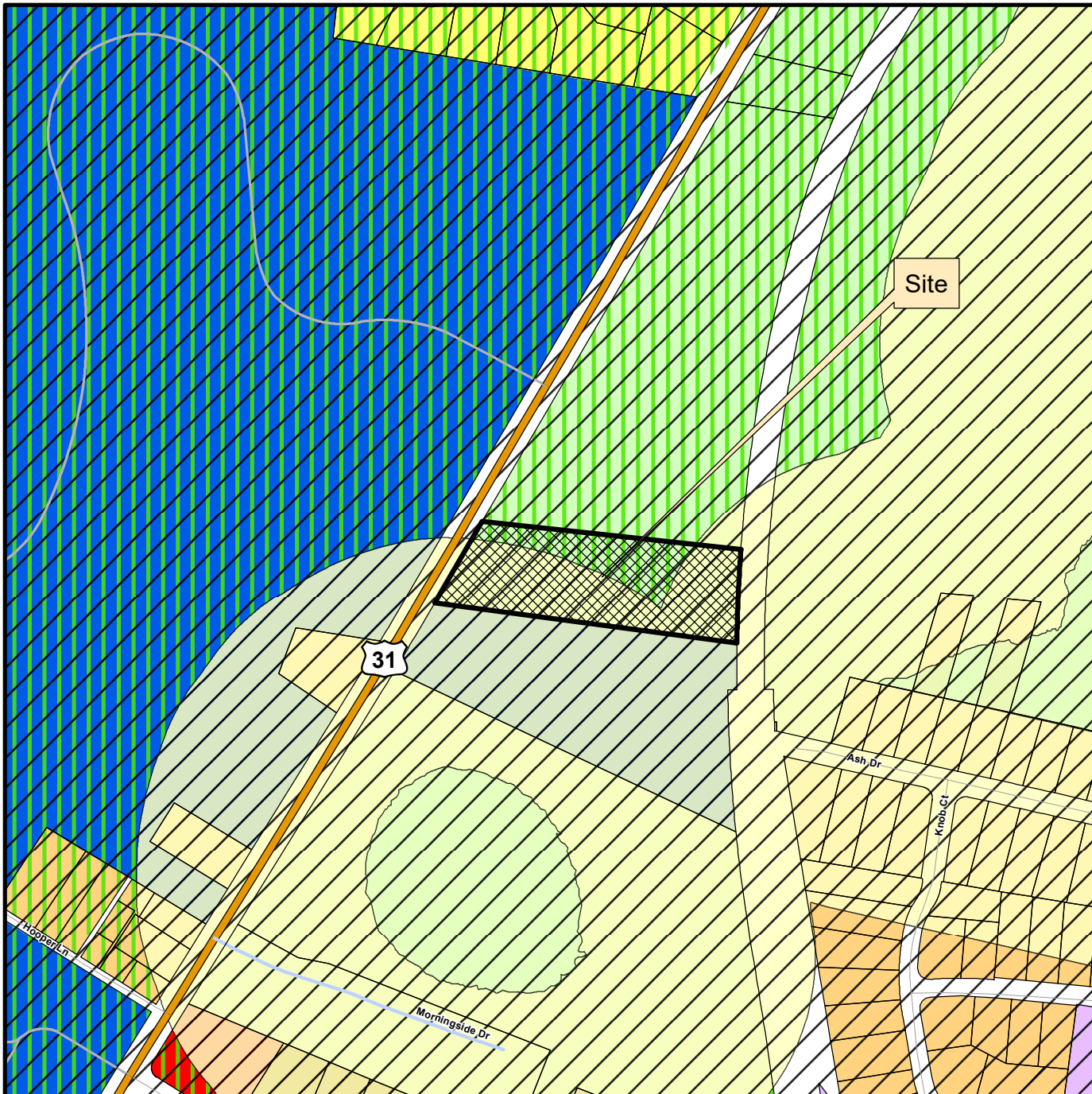
RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to approve the **Variance Request** To Allow A 21-Foot Encroachment Into The Required 35-Foot Side Yard Setback For An Existing Principal Building, For The Property Located At 328 Franklin Road, because the criteria for granting a variance have been met.

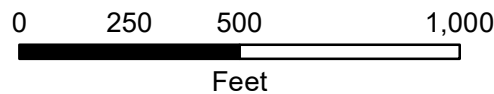
328 FRANKLIN ROAD
TAX MAP 063, PARCEL 03000
BOARD OF ZONING APPEALS
JULY 6, 2023

Legend

-  328 Franklin Road
-  Central Franklin Overlay
-  Hillside/Hillcrest Overlay
-  500 Ft Buffer of Hillside
-  Historic Preservation Overlay
-  AG Agricultural District
-  ER Estate Residential District
-  R1 Residential 1 District
-  R2 Residential 2 District
-  R3 Residential 3 District
-  R4 Residential 4 District
-  R6 Residential 6 District
-  MR Mixed Residential District
-  PD Planned District
-  OR Office Residential District
-  CI Civic Institutional District
-  NC Neighborhood Commercial
-  CC Central Commercial District
-  DD Downtown District
-  1ST Avenue District
-  5TH Avenue District
-  RC6 Regional Commerce 6 District
-  RC12 Regional Commerce 12 District
-  GO General Office District
-  LI Light Industrial District
-  HI Heavy Industrial 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.
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HISTORIC
FRANKLIN
TENNESSEE



GARDEN GATE HOMES

328 FRANKLIN RD.
FRANKLIN, TN 37069

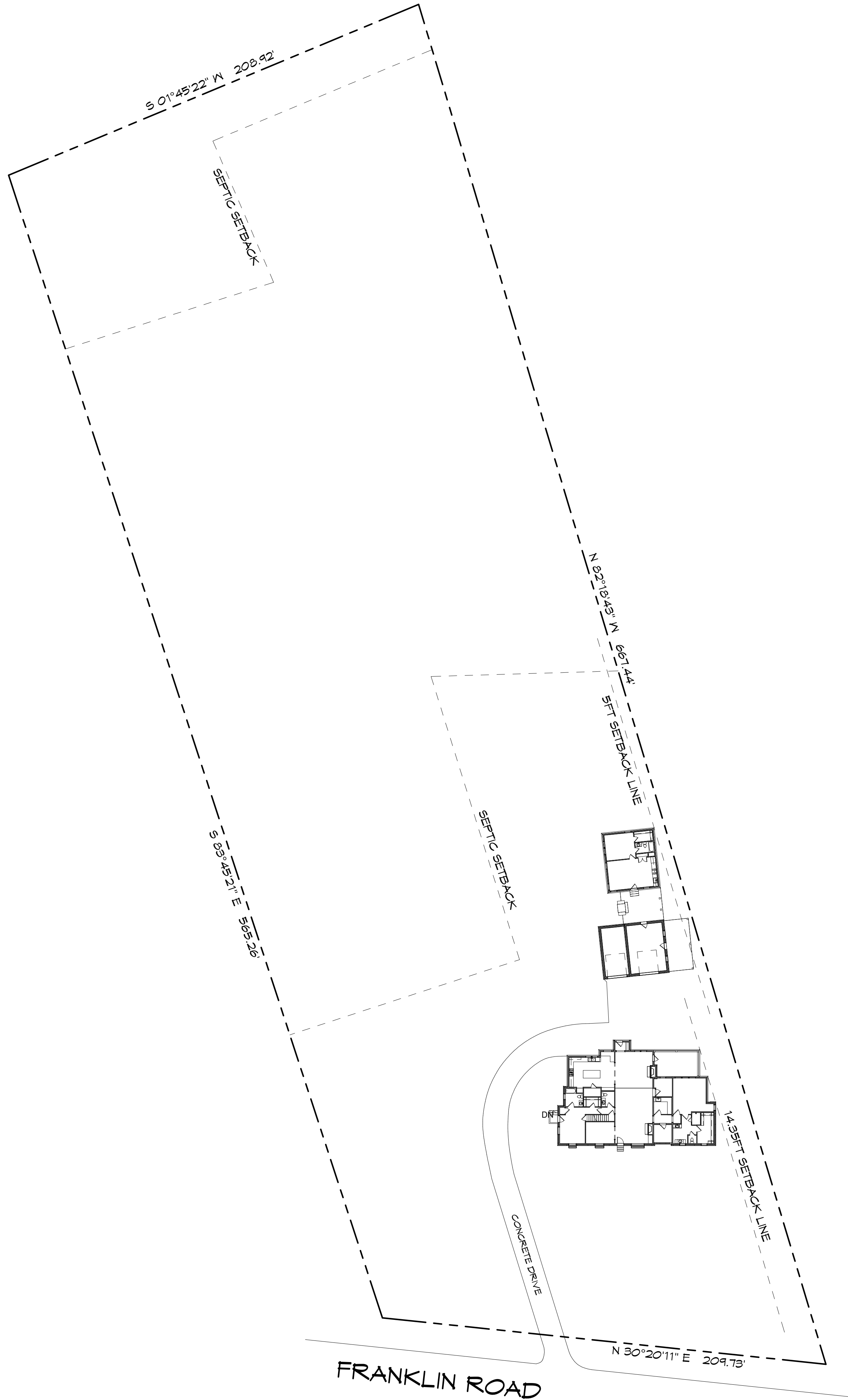
BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174
PHONE: 615.626.9230
TURNER@BINKLEYDESIGNED.COM

GARDEN GATE HOMES

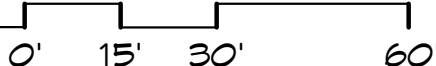
328 FRANKLIN RD.

REV.	DATE
DATE:	05/03/2023
PROJECT NUMBER:	
DRAWN BY:	KC
CHECKED BY:	TB
SHEET TITLE:	COVER
SHEET NUMBER:	AO

BUILD SET



1 OVERALL SITE PLAN
1" = 30'-0"



GARDEN GATE HOMES

328 FRANKLIN RD.

BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174
PHONE: 615.626.9230
TURNER@BINKLEYDESIGNED.COM



REV.	DATE
DATE:	05/03/2023
PROJECT NUMBER:	
DRAWN BY:	KC
CHECKED BY:	TB
SHEET TITLE:	SITE PLAN
SHEET NUMBER:	A1

A1

BUILD SET

DEMOLITION WALL TYPES

EXISTING WALL, MATERIAL, FIXTURES, ETC TO BE REMOVED - - - - -

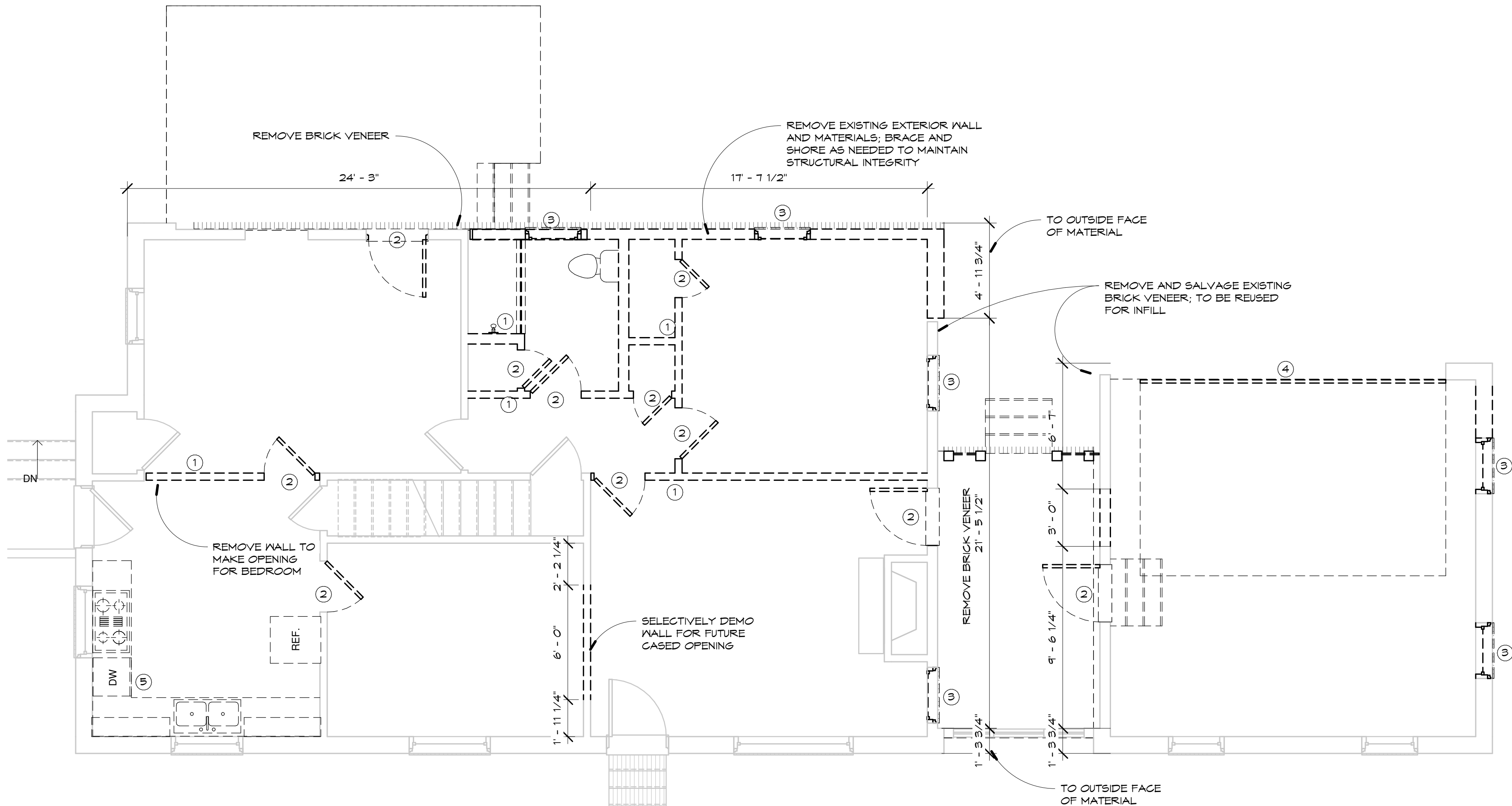
EXISTING WALL TO REMAIN - = = = =

DEMOLITION KEY NOTES

- 1. REMOVE ENTIRETY OF WALL DOWN TO SUB-FLOOR, BRACE AND SHORE AS NEEDED TO MAINTAIN STRUCTURAL INTEGRITY.
- 2. REMOVE EXISTING DOOR AND DOOR FRAME.
- 3. REMOVE EXISTING WINDOW AND ANY ASSOCIATED TRIM, REFRAME WALL SO AS TO CREATE A FLUSH, SMOOTH SURFACE WITH INTERIOR AND EXTERIOR FACE OF FINISH.
- 4. REMOVE EXISTING GARAGE DOOR AND ANY ASSOCIATED TRIM, INFILL EXISTING WALL AS REQ'D. TO CREATE A FLUSH, SMOOTH SURFACE WITH INTERIOR AND EXTERIOR FACE OF FINISH.
- 5. REMOVE EXISTING KITCHEN CABINETRY AND SALVAGE ANY KITCHEN APPLIANCES.

DEMOLITION NOTES

- 1. THE CONTRACTOR SHALL COORDINATE WITH LOCAL CODE OFFICIALS TO ENSURE THAT DEMOLITION OPERATIONS ARE CONDUCTED IN COMPLIANCE WITH ALL APPLICABLE CODES.
- 2. THE CONTRACTOR SHALL BE RESPONSIBLE TO CONDUCT DEMOLITION OPERATIONS TO PREVENT DAMAGE TO ADJACENT BUILDINGS, STRUCTURE, AND OTHER ADJACENT FACILITIES TO REMAIN AND INJURY TO PERSONS. THE CONTRACTOR IS TO PROVIDE SUFFICIENT PROTECTION WITHIN AND BEYOND DEMOLITION AREAS TO ELIMINATE ANY RISK TO CONTRUCTION PERSONNEL AND/OR OTHER THIRD PARTY INDIVIDUALS.
- 3. LIMIT USE OF THE PREMISES TO CONSTRUCTION ACTIVITIES IN AREAS INDICATED AS SCOPE OF THE PROJECT. ALL DRIVEWAYS AND CIRCULATION PATHS SHALL REMAIN OPEN AND AVAILABLE TO OWNER.
- 4. OWNER WILL ARRANGE TO SHUT OFF UTILITIES WHEN REQUIRED BY CONTRACTOR. DO NOT START DEMOLITION UNTIL UTILITY DISCONNECTING AND SEALING HAVE BEEN COMPLETED AND VERIFIED IN WRITING.
- 5. CONTRACTOR TO PERFORM SURVEYS AS THE WORK PROGRESSES TO DETECT HAZARDS RESULTING FROM THE SELECTIVE DEMOLITION.
- 6. WHEN UNANTICIPATED MECHANICAL, ELECTRICAL, OR STRUCTURAL ELEMENTS THAT CONFLICT WITH THE INTENDED FUNCTION OR DESIGN ARE ENCOUNTERED, INVESTIGATE AND MEASURE THE NATURE AND EXTENT OF THE CONFLICT. PROMPTLY SUBMIT A WRITTEN REPORT TO THE ARCHITECT BEFORE PROCEEDING WITH DEMOLITION ACTIVITIES.
- 7. IT IS NOT EXPECTED THAT ASBESTOS WILL BE ENCOUNTERED IN THE WORK. IF ANY MATERIALS SUSPECTED OF CONTAINING ASBESTOS ARE ENCOUNTERED, DO NOT DISTURB THE MATERIALS. IMMEDIATELY NOTIFY THE ARCHITECT AND OWNER.
- 8. DEMOLISH AND REMOVE EXISTING CONSTRUCTION ONLY TO THE EXTENT REQUIRED BY NEW CONSTRUCTION AND AS INDICATED. USE METHODS REQUIRED TO COMPLETE WORK WITHIN LIMITATION OF GOVERNING REGULATIONS AND AS FOLLOWS:
 - A. NEATLY CUT OPENING AND HOLES PLUMB, SQUARE, AND TRUE TO DIMENSIONS REQUIRED.
 - B. USE CUTTING METHODS LEAST LIKELY TO DAMAGE CONSTRUCTION TO REMAIN OR ADJOINING CONSTRUCTION.
 - C. CUT OR DRILL FROM THE EXPOSED OR FINISHED SIDE INTO CONCEALED SURFACES TO AVOID MARRING EXISTING FINISHES SURFACES.
- 9. MAINTAIN THE STRUCTURAL INTEGRITY OF THE BUILDING. PROVIDE AND MAINTAIN INTERIOR SHORING, BRACING, OR STRUCTURAL SUPPORT TO PROVIDE STABILITY AND PREVENT MOVEMENT, SETTLEMENT, OR COLLAPSE OF ITEMS TO BE SELECTIVELY DEMOLISHED AND ITEMS WHICH ARE IMMEDIATELY ADJACENT TO THOSE BEING REMOVED.
- 10. REMOVE DECAYED, VERMIN-INFESTED, OR OTHERWISE DANGEROUS OR UNSUITABLE MATERIALS AND PROMPTLY DISPOSE OF OFF-SITE.
- 11. PROTECT WALLS, CEILING, FLOORS, AND OTHER EXISTING FINISH WORK THAT ARE TO REMAIN AND ARE EXPOSED DURING DEMOLITION. COVER AND PROTECT EQUIPMENT AND FIXTURES TO REMAIN FROM SOILING OR DAMAGE WHEN DEMOLITION WORK IS PERFORMED IN AREAS WHERE SUCH ITEMS HAVE NOT BEEN OR CANNOT BE REMOVED.
- 12. PROMPTLY PATCH AND REPAIR HOLES AND DAMAGED SURFACES CAUSED TO ADJACENT CONSTRUCTION BY DEMOLITION. RESTORE EXPOSED FINISHES OF PATCHED AREAS AND EXTEND FINISH RESTORATION INTO ADJOINING CONSTRUCTION TO REMAIN IN A MANNER THAT ELIMINATES EVIDENCE OF PATCHING AND REFINISHING.
- 13. MAINTAIN EXISTING UTILITIES TO REMAIN IN SERVICE AND PROTECT THEM AGAINST DAMAGE DURING DEMOLITION.
- 14. WHERE UTILITY SERVICES ARE REQUIRED TO BE REMOVED, RELOCATED, OR ABANDONED, PROVIDE BYPASS CONNECTIONS TO MAINTAIN CONTINUITY OF SERVICE TO OTHER PARTS OF THE BUILDING BEFORE PROCEEDING.
- 15. CUT OFF PIPE OR CONDUIT IN WALLS OR PARTITIONS TO BE REMOVED. CAP, VALVE, OR PLUG AND SEAL THE REMAINING PORTION OF PIPE OR CONDUIT AFTER BYPASSING.
- 16. DEBRIS RESULTING FROM DEMOLITION AND CONSTRUCTION SHALL BE REMOVED DAILY FROM THE CONSTRUCTION SITE TO A WASTE AREA PROVIDED BY THE CONTRACTOR IN COORDINATION WITH THE OWNER.
- 17. UPON COMPLETION OF DEMOLITION, SPACE SHOULD BE STRIPPED, CLEANED, AND MADE READY FOR NEW CONSTRUCTION. SWEEP THE PROJECT SITE BROOM CLEAN AND CHANGE FILTERS ON AIR-HANDLING EQUIPMENT UPON COMPLETION OF DEMOLITION.
- 18. RETURN ELEMENTS OF CONSTRUCTION AND SURFACES TO REMAIN TO CONDITION EXISTING BEFORE START OF DEMOLITION.
- 19. ALL REUSED ITEMS TO BE REPAIRED, CLEANED, AND FINISHED TO A LIKE-NEW CONDITION.



1 FIRST FLOOR DEMO PLAN
1/4" = 1'-0"

BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37114
PHONE: 615.626.9230
TURNER@BINKLEYDESIGNED.COM



GARDEN GATE HOMES
328 FRANKLIN RD.

REV.	DATE
DATE:	05/03/2023
PROJECT NUMBER:	
DRAWN BY:	KC
CHECKED BY:	TB
SHEET TITLE:	DEMOLITION PLAN
SHEET NUMBER:	A2



NOTE:
REFER TO FRAMING PACKAGE FOR ALL
JOIST ORIENTATION & SPACING, TYPICAL
ALL LOCATIONS, SUPPLEMENT & SIZE
BEAMS PER STRUCTURAL ENGINEER

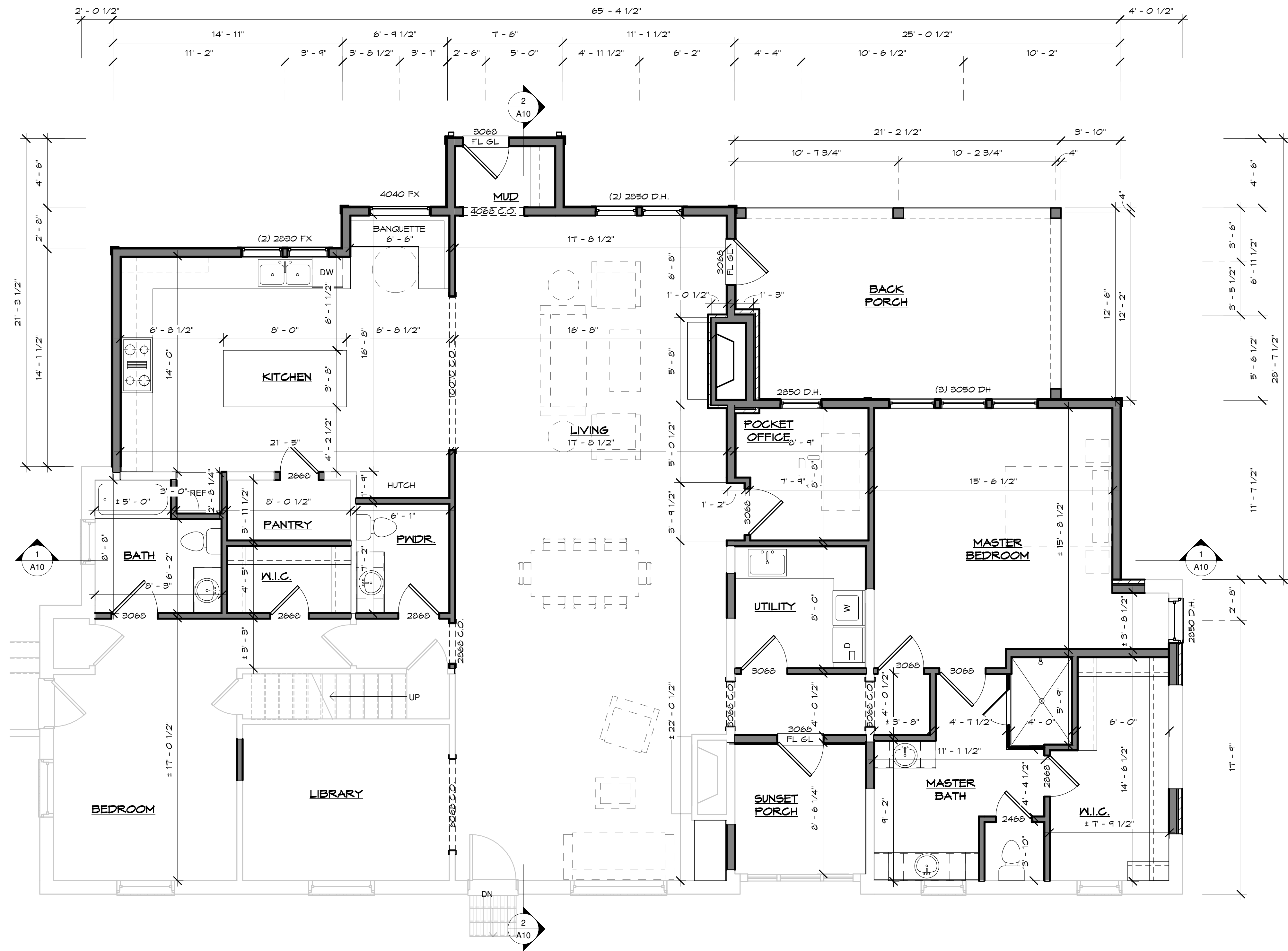
328 FRANKLIN RD.



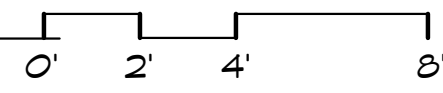
BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174

PHONE: 615.626.9230
TURNER@BINKLEYDESIGNED.COM

REV.	DATE
DATE:	05/03/2023
PROJECT NUMBER:	
DRAWN BY:	KC
CHECKED BY:	TB
SHEET TITLE:	FOUNDATION PLAN
SHEET NUMBER:	A3



1 FIRST FLOOR PLAN
1/4" = 1'-0"



AREA CALCULATIONS

BASED ON OUTSIDE FACE OF STUD OR BLOCK
HEATED

FIRST FLOOR	2886 SF
SECOND FLOOR	838 SF
HEATED	3524 SF

UNHEATED

DETACHED GARAGE	434 SF
REAR PORCH	333 SF
UNHEATED	767 SF
GRAND TOTAL	4291 SF

NOTE:
BUILDER TO COODINATE FINAL PORCH &
STAIRS WITH GRADING PLAN AND
LANDSCAPE ARCHITECTS DRAWINGS

NOTE:
REFER TO FRAMING PACKAGE FOR ALL
JOIST ORIENTATION & SPACING, TYPICAL
ALL LOCATIONS. SUPPLEMENT & SIZE
BEAMS PER STRUCTURAL ENGINEER

GARDEN GATE HOMES

328 FRANKLIN RD.

BINKLEY DESIGNED
1011 ALPACA DRIVE
SPRING HILL, TN 37174

PHONE: 615.626.9290
TURNER@BINKLEYDESIGNED.COM



REV. DATE
DATE: 05/03/2023
PROJECT NUMBER:
DRAWN BY: KC
CHECKED BY: TB

SHEET TITLE:
FIRST FLOOR
PLAN

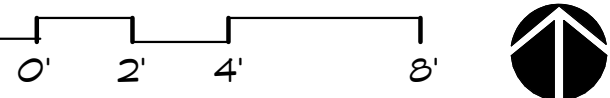
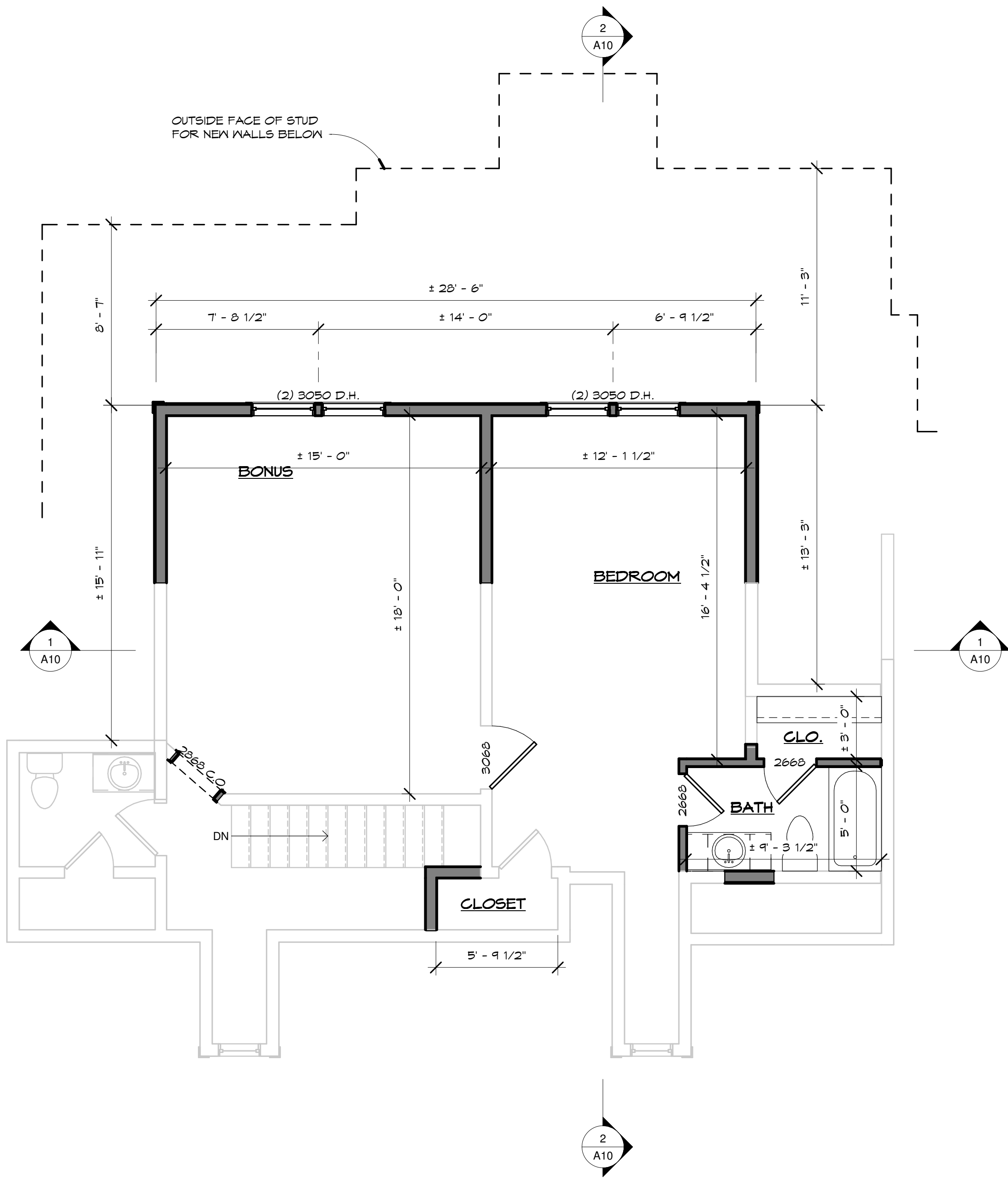
SHEET NUMBER:

A4

BUILD SET

1 SECOND FLOOR PLAN

1/4" = 1'-0"



AREA CALCULATIONS

BASED ON OUTSIDE FACE OF STUD OR BLOCK	
HEATED	
FIRST FLOOR	2686 SF
SECOND FLOOR	838 SF
HEATED	3524 SF
UNHEATED	
DETACHED GARAGE	434 SF
REAR PORCH	333 SF
UNHEATED	767 SF
GRAND TOTAL	4291 SF

NOTE:
BUILDER TO COODINATE FINAL PORCH &
STAIRS WITH GRADING PLAN AND
LANDSCAPE ARCHITECTS DRAWINGS

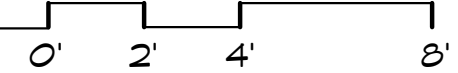
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GARDEN GATE HOMES
328 FRANKLIN RD.

REV.	DATE
	05/03/2023
PROJECT NUMBER:	
DRAWN BY: KC	
CHECKED BY: TB	
SHEET TITLE: SECOND FLOOR PLAN	
SHEET NUMBER: A5	

BUILD SET



1. TYP. ROOF SYSTEM ASSUMED TO BE 2X8 RAFTER @ 16" O.C., UNLESS OTHERWISE NOTED. BUILDER TO CONFIRM WITH STRUCTURAL ENGINEER.
2. ENCLOSED ATTICS AND RAFTER SPACES SHALL HAVE CROSS VENTILATION FOR EACH SEPARATE SPACE AND THE OPENINGS SHALL BE PROTECTED AGAINST THE ENTRANCE OF RAIN OR SNOW.
3. AT EAVE OR CORNICE VENTS, INSULATION SHALL NOT BLOCK THE FREE FLOW OF AIR. A MINIMUM OF 1-INCH SPACE SHALL BE PROVIDED BETWEEN THE INSULATION AND THE ROOF SHEATHING AT THE LOCATION OF THE VENT.
4. APPLY ROOFING IN CONFORMANCE WITH IRC, APPLICABLE CODES. BALCONIES, LANDINGS, EXTERIOR STAIRWAYS, OCCUPIED ROOFS AND SIMILAR SURFACES EXPOSED TO THE WEATHER SHALL BE WATERPROOFED AND SLOPED A MINIMUM OF 1/4" PER FOOT (2%) FOR DRAINAGE.
5. PROVIDE ATTIC VENTILATION AS PER IRC CODE REQUIREMENTS.

GARDEN GATE HOMES

328 FRANKLIN RD.



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1011 ALPACA DRIVE
SPRING HILL, TN 37174

PHONE: 615.626.9230
TURNER@BINKLEYDESIGNED.COM

REV.	DATE
------	------

DATE: 05/03/2023

PROJECT NUMBER:

DRAWN BY: KC

CHECKED BY: TB

SHEET TITLE:

— *Journal of the American Medical Association*

A6

BUILD SET

DOWNSPOUTS NOT SHOWN FOR CLARITY. BUILDER TO PROVIDE DOWNSPOUTS IN COMPLIANCE W/ IRC REQUIREMENTS.

TURNER@BINKLEYDESIGNED.COM



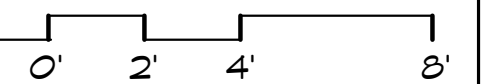
328 FRANKLIN RD.

REV.	DATE
DATE: 05/03/2023	
PROJECT NUMBER:	
DRAWN BY: KC	
CHECKED BY: TB	
SHEET TITLE: ELEVATIONS	
SHEET NUMBER: A7	

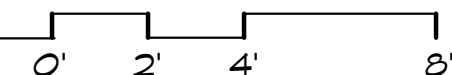
BUILD SET



1 FRONT ELEVATION
1/4" = 1'-0"



2 LEFT ELEVATION



DOWNSPOUTS NOT SHOWN FOR CLARITY. BUILDER TO PROVIDE DOWNSPOUTS IN COMPLIANCE W/ IRC REQUIREMENTS.

PHONE: 615.626.1250
TURNER@BINKLEYDESIGNED.COM



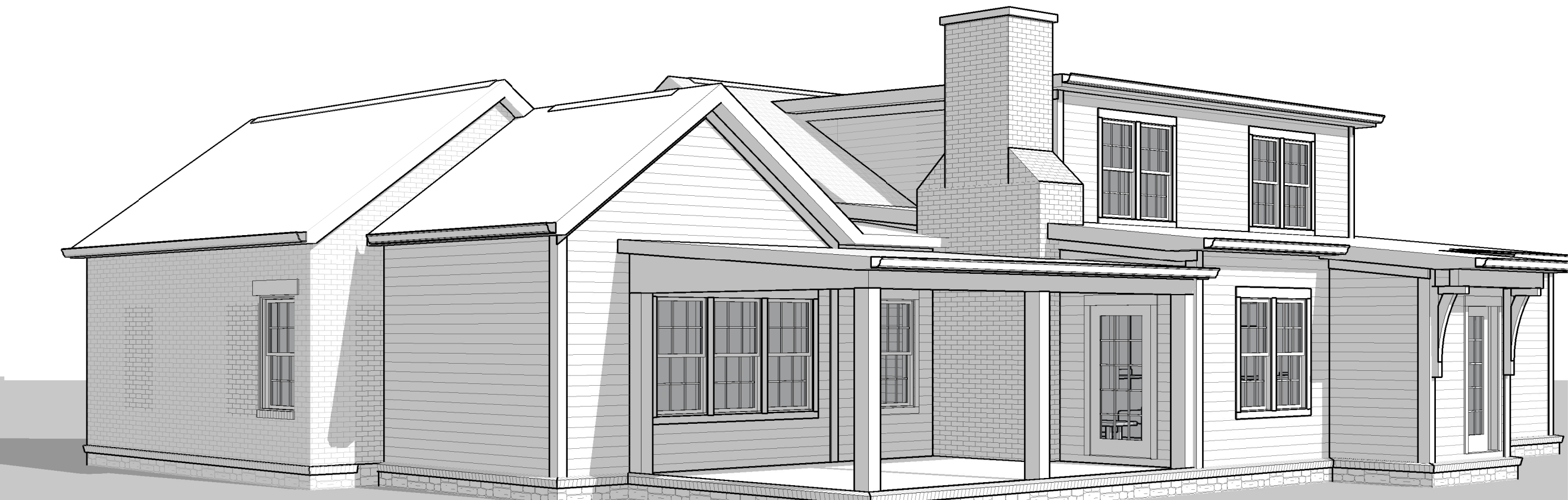
328 FRANKLIN.

REV.	DATE
DATE:	05/03/2023
PROJECT NUMBER:	
DRAWN BY:	KC
CHECKED BY:	TB
SHEET TITLE:	
ELEVATIONS	
SHEET NUMBER:	
A8	

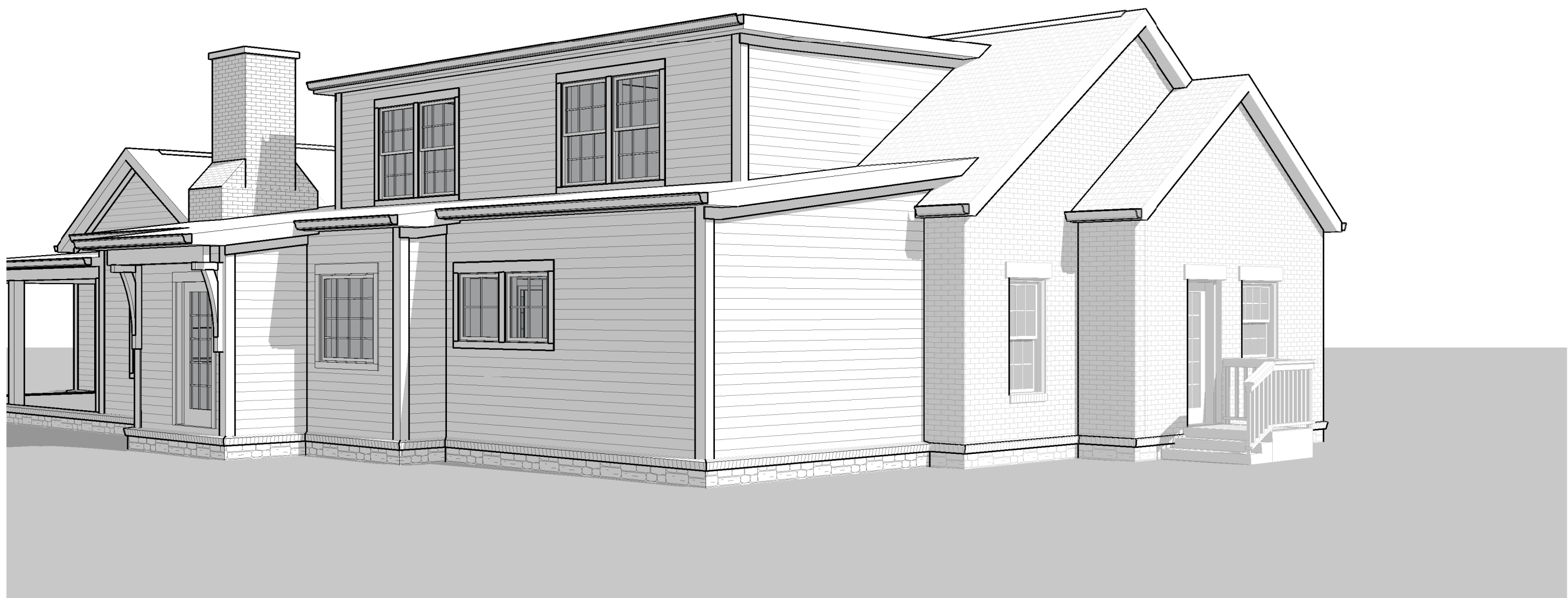




1 PERSPECTIVE VIEW 1



2 PERSPECTIVE VIEW 2



3 PERSPECTIVE VIEW 3



4 PERSPECTIVE VIEW 4

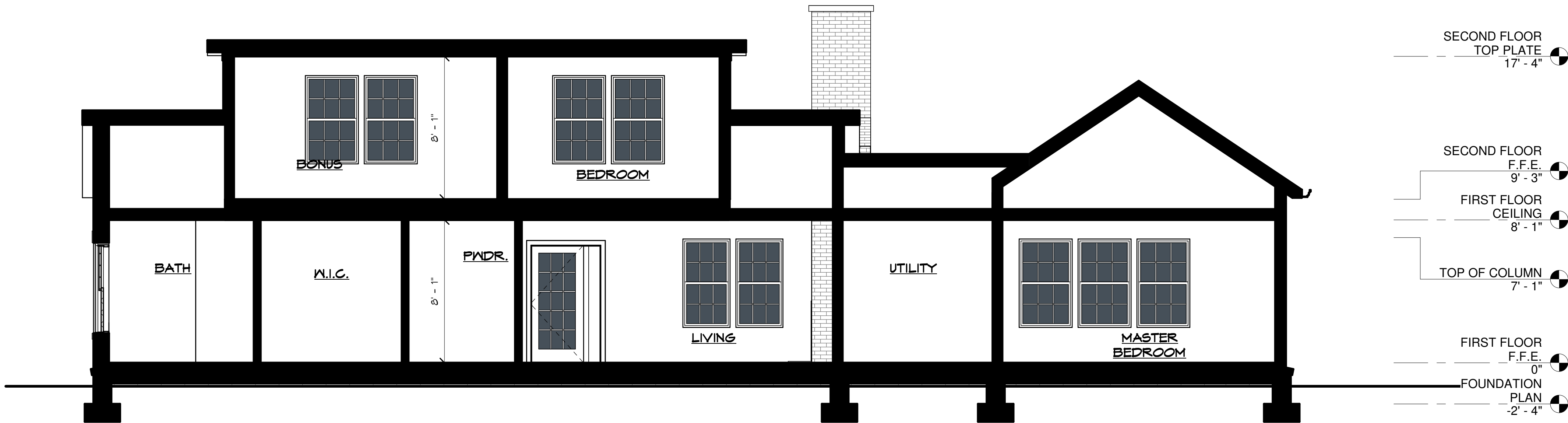
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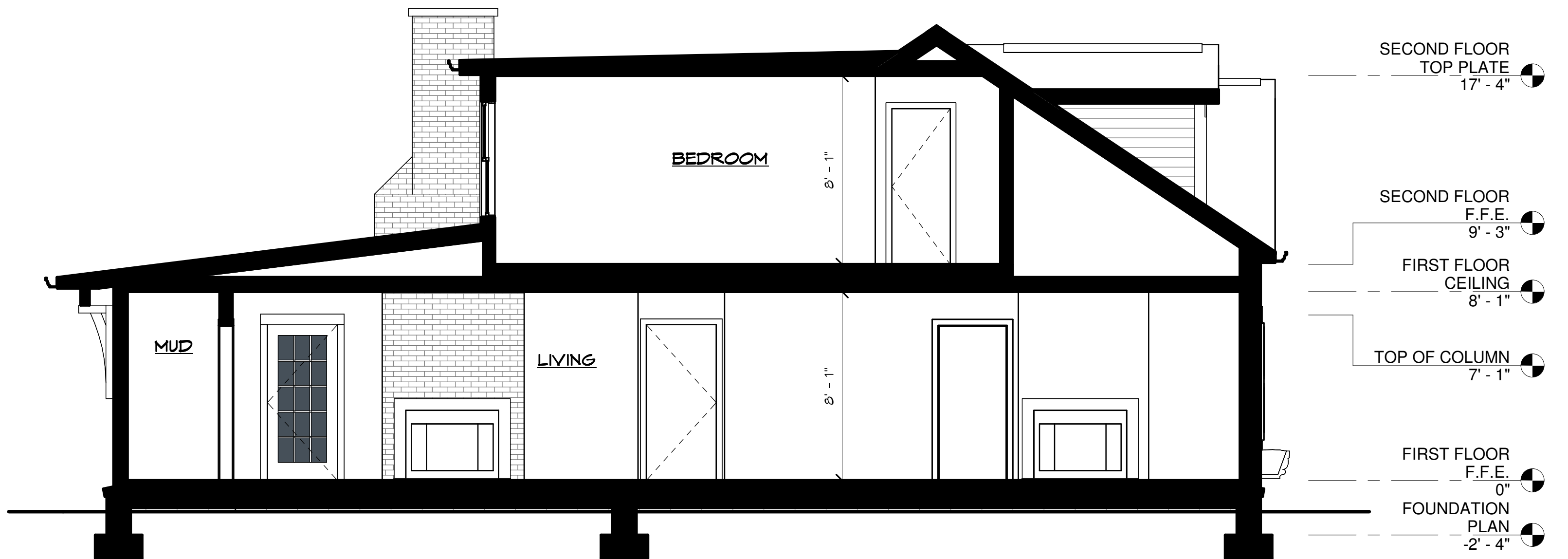
GARDEN GATE HOMES
328 FRANKLIN RD.

REV.	DATE
DATE:	05/03/2023
PROJECT NUMBER:	
DRAWN BY:	KC
CHECKED BY:	TB
SHEET TITLE:	PERSPECTIVE VIEWS
SHEET NUMBER:	A9

BUILD SET



1 BUILDING SECTION 1
1/4" = 1'-0"



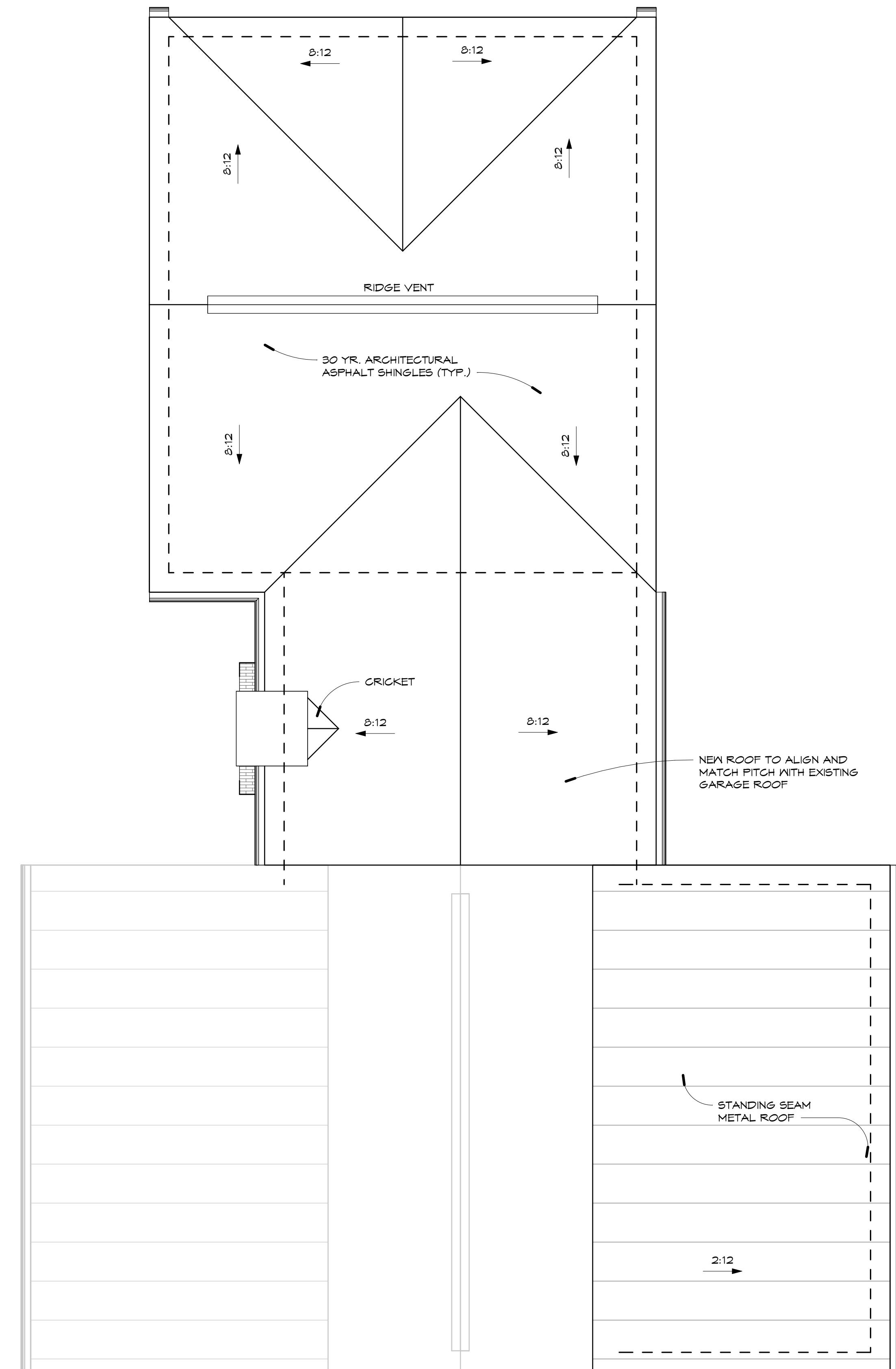
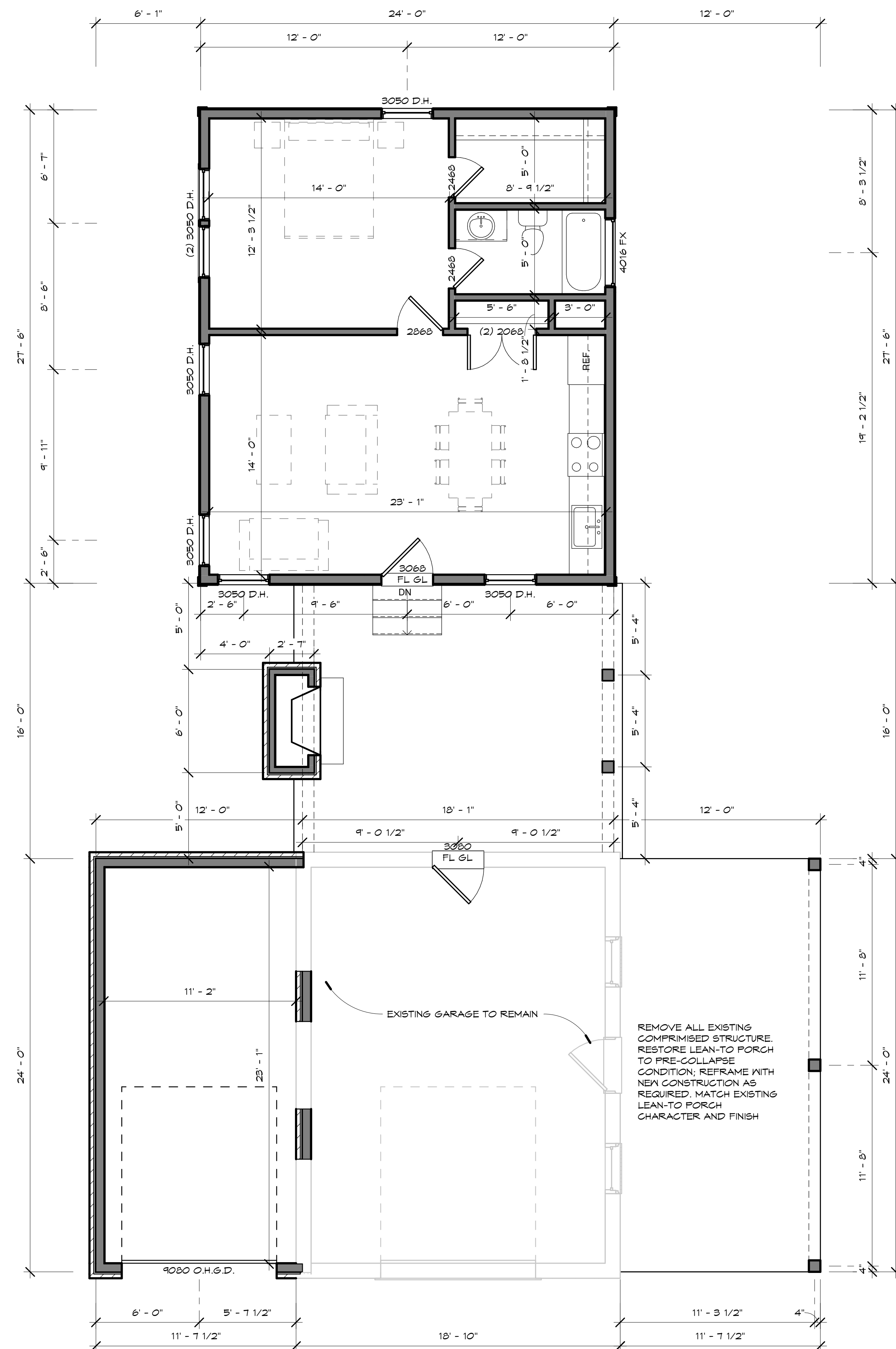
2 BUILDING SECTION 2
1/4" = 1'-0"

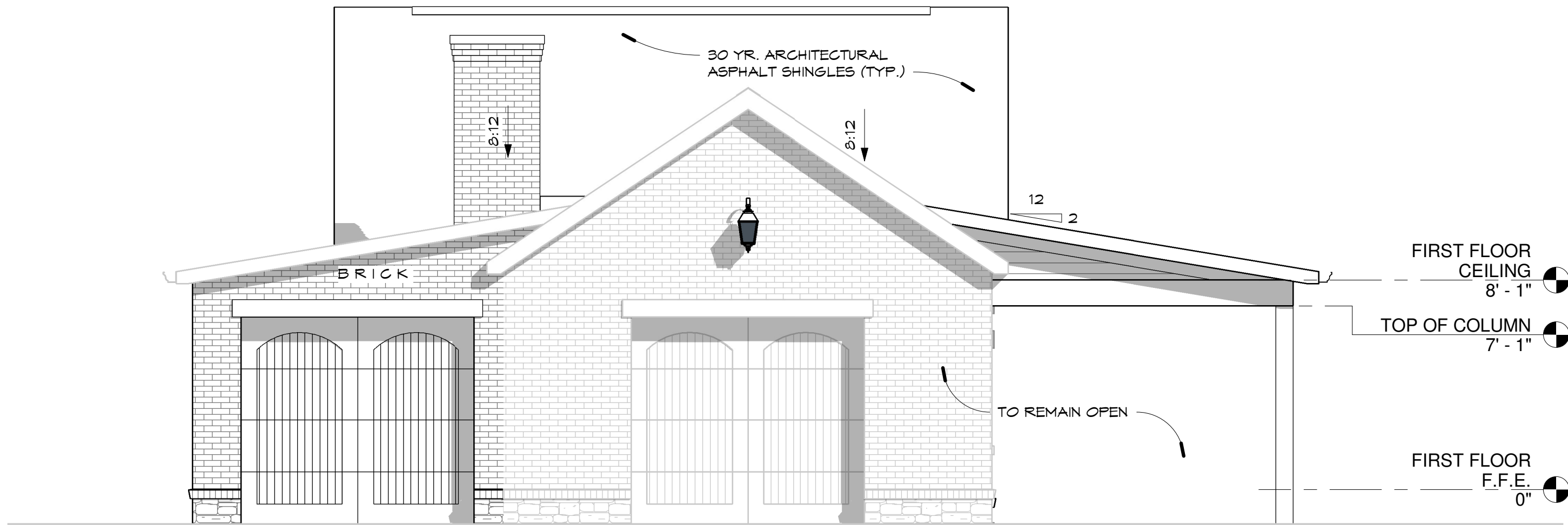


GARDEN GATE HOMES
328 FRANKLIN RD.

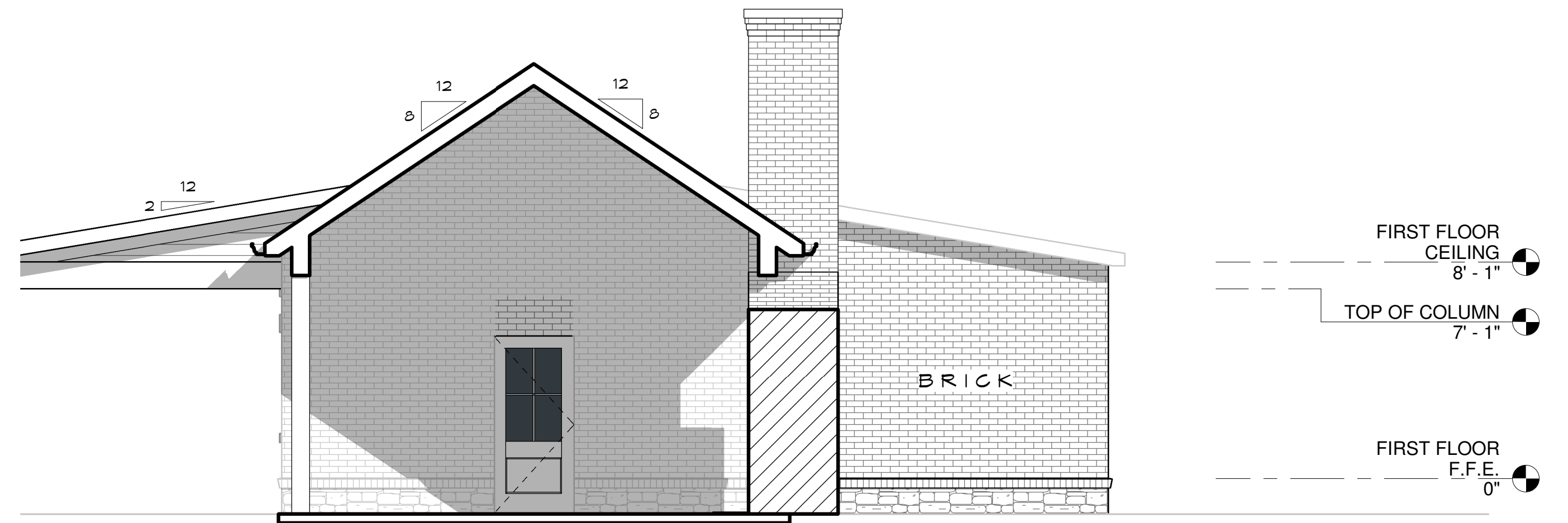
REV.	DATE
DATE:	05/03/2023
PROJECT NUMBER:	
DRAWN BY:	KC
CHECKED BY:	TB
SHEET TITLE:	BUILDING SECTIONS
SHEET NUMBER:	A10



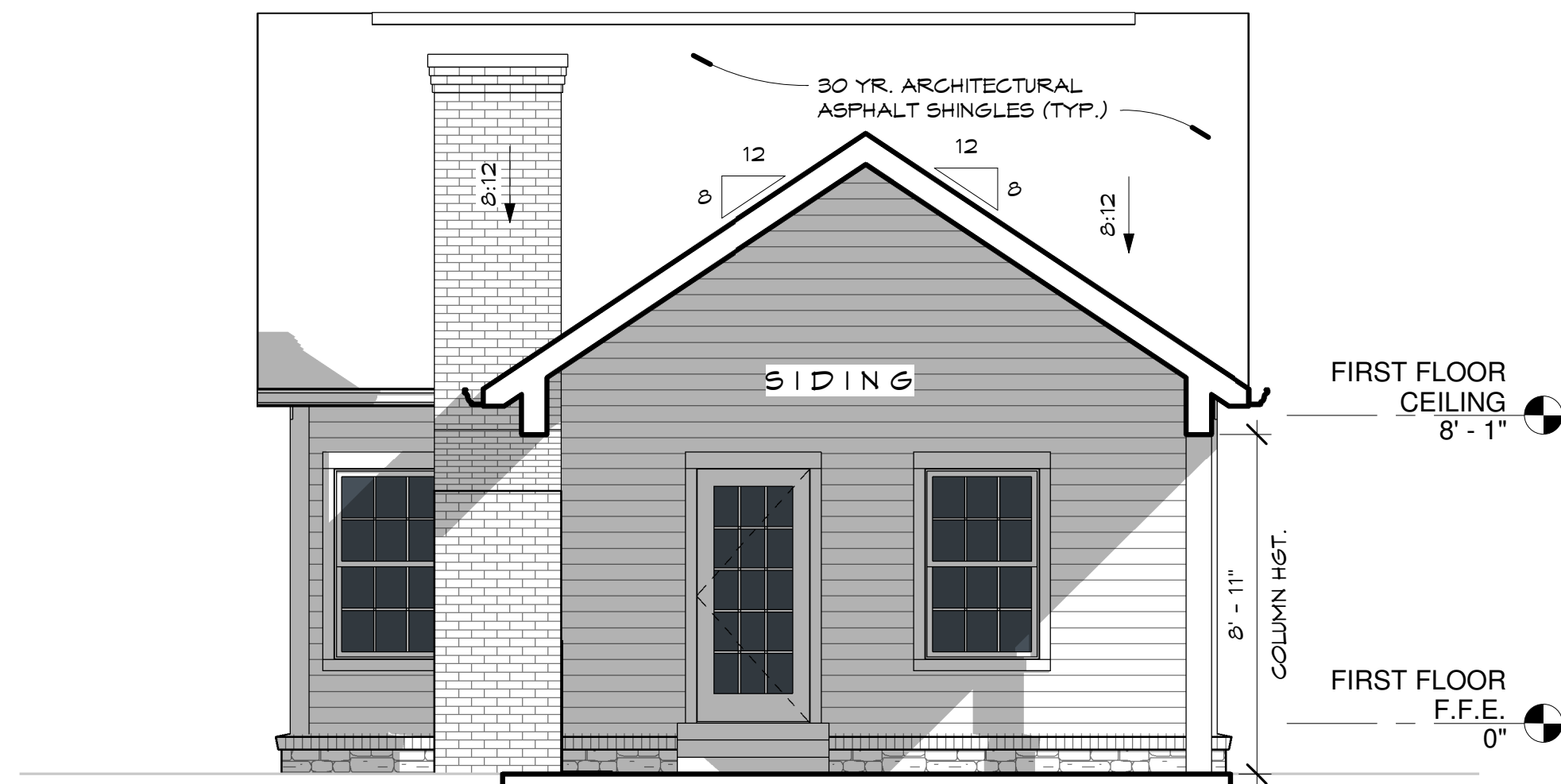




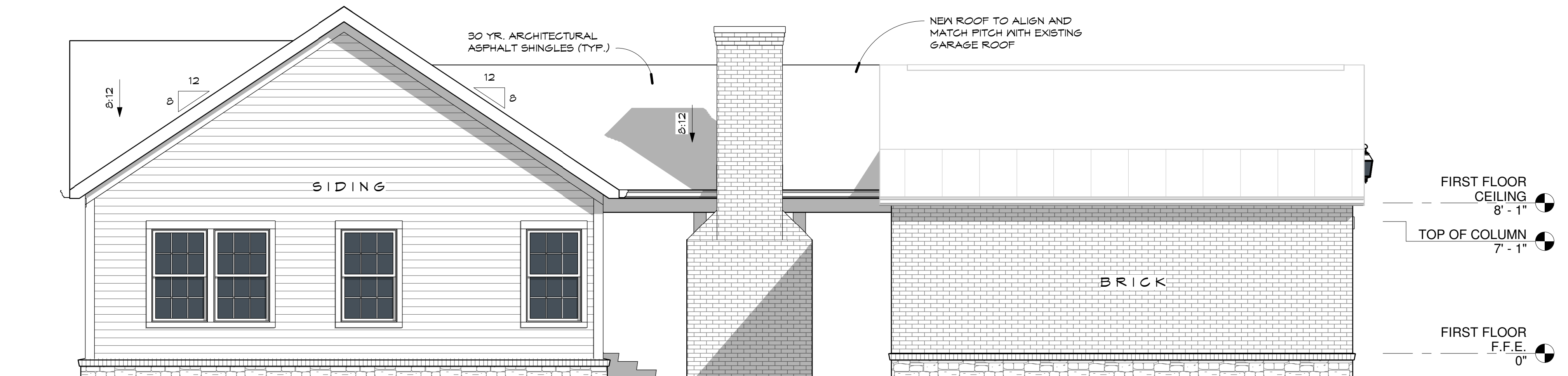
1 FRONT GARAGE ELEVATION
1/4" = 1'-0"



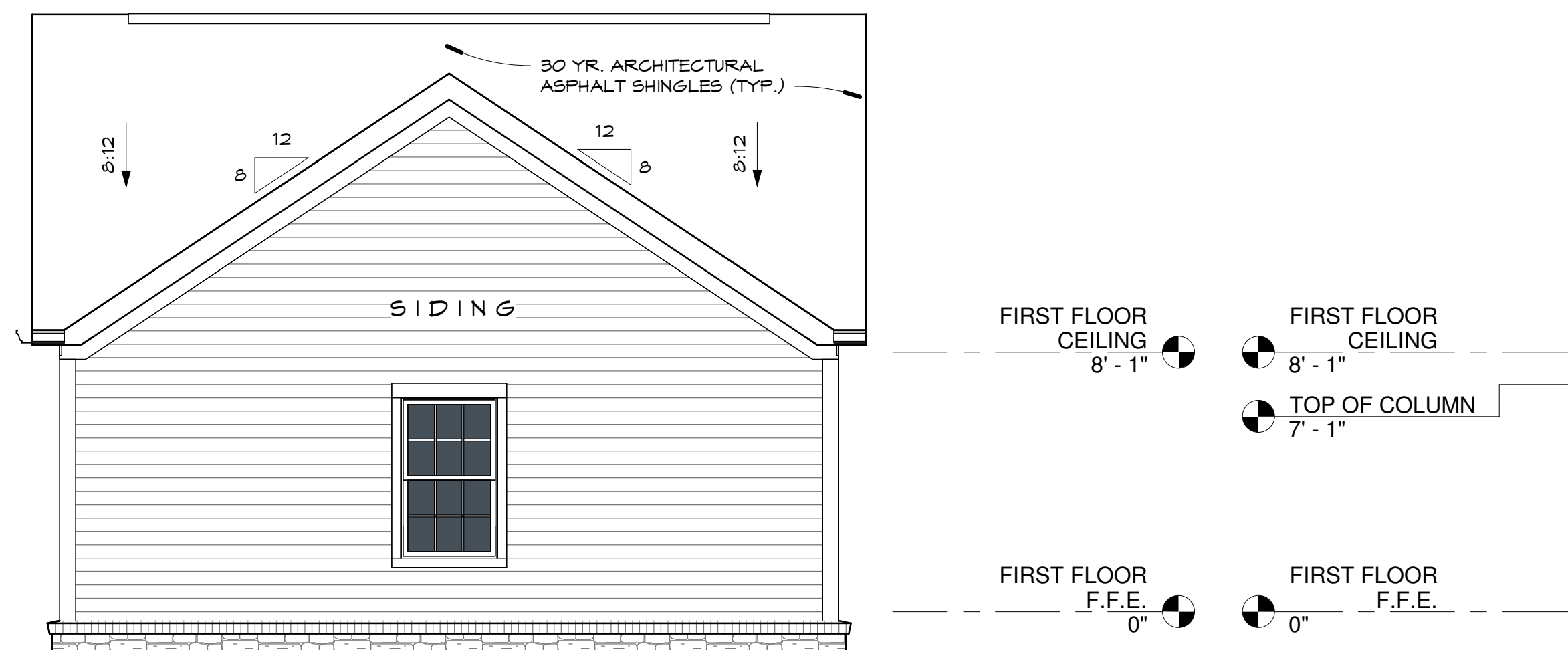
2 REAR GARAGE ELEVATION
1/4" = 1'-0"



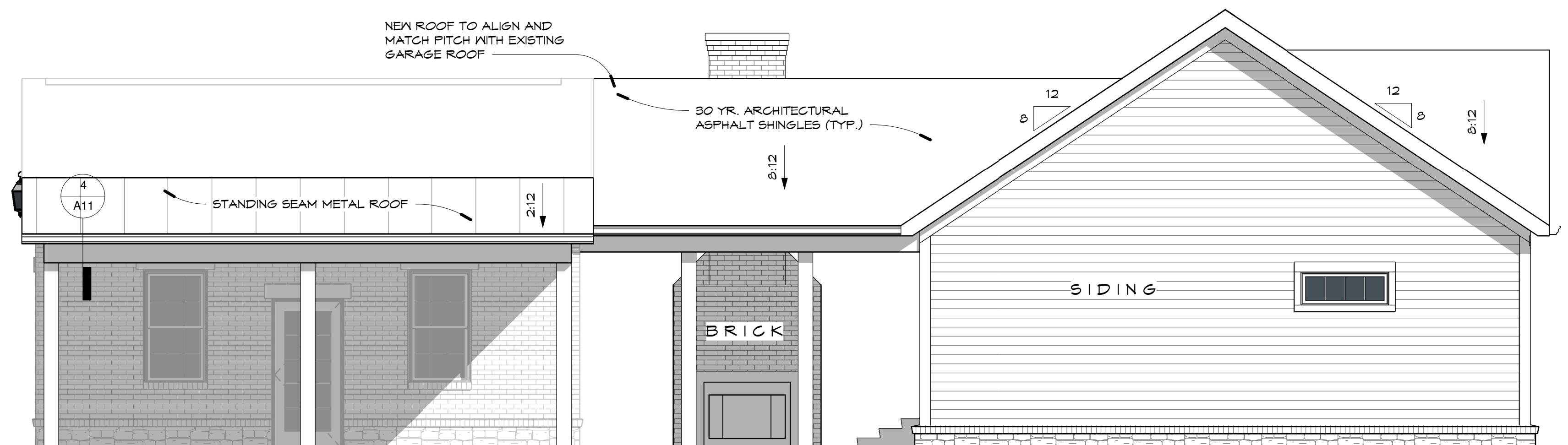
3 APARTMENT FRONT ELEVATION
1/4" = 1'-0"



4 LEFT GARAGE ELEVATION
1/4" = 1'-0"



5 APARTMENT REAR ELEVATION
1/4" = 1'-0"



6 RIGHT GARAGE ELEVATION
1/4" = 1'-0"

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1011 ALPACA DRIVE
SPRING HILL, TN 37114

PHONE: 615.626.9230
TURNER@BINKLEYDESIGNED.COM



GARDEN GATE HOMES

328 FRANKLIN RD.

REV.	DATE
DATE:	05/03/2023
PROJECT NUMBER:	
DRAWN BY:	KC / SE
CHECKED BY:	TB

SHEET TITLE:
DETACHED
GARAGE
ELEVATIONS

SHEET NUMBER:
A13

GENERAL NOTES:

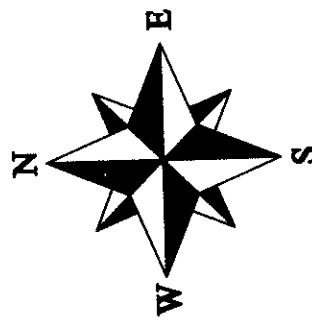
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3. OWNERSHIP INFORMATION INDICATED HEREON IS AS IDENTIFIED IN COUNTY RECORDS.
4. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS, AND/OR MAPS PREPARED BY OTHERS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THIS SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION AS INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES 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.
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9. THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH / REPORT MAY DISCLOSE.; THEREFORE, THIS SURVEY IS SUBJECT TO ALL MATTERS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY REVEAL.
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16. THE SURVEYED PREMISES IS SUBJECT TO ALL ZONING REGULATIONS, BUILDING RESTRICTIONS, EASEMENTS, RIGHTS TO PUBLIC UTILITIES AND/OR ROADS, OR ANY OTHER REGULATIONS APPLICABLE TO THIS PROPERTY.

PROPERTY TITLE REFERENCE:

THE PROPERTY AS SHOWN IS ALL OF THE SAME PROPERTY AS CONVEYED TO: FRANKLIN 240, LLC FROM WILLIAM MURPHREE, AS OF RECORD IN DEED BOOK 6621, PAGES 308 AND 309, REGISTER'S OFFICE, WILLIAMSON COUNTY, TENNESSEE.

SPECIAL NOTE:

ANY ENCROACHMENTS ON TO THIS PROPERTY ARE SUBJECT TO A CLAIM OF ADVERSE POSSESSION BY ADJOINING PROPERTY OWNERS, AND VICE VERSA. POSSESSION CAN BE ADVERSE EVEN IF DUE TO A MISTAKE.



CSX RAILROAD (R.O.W. VARIES)

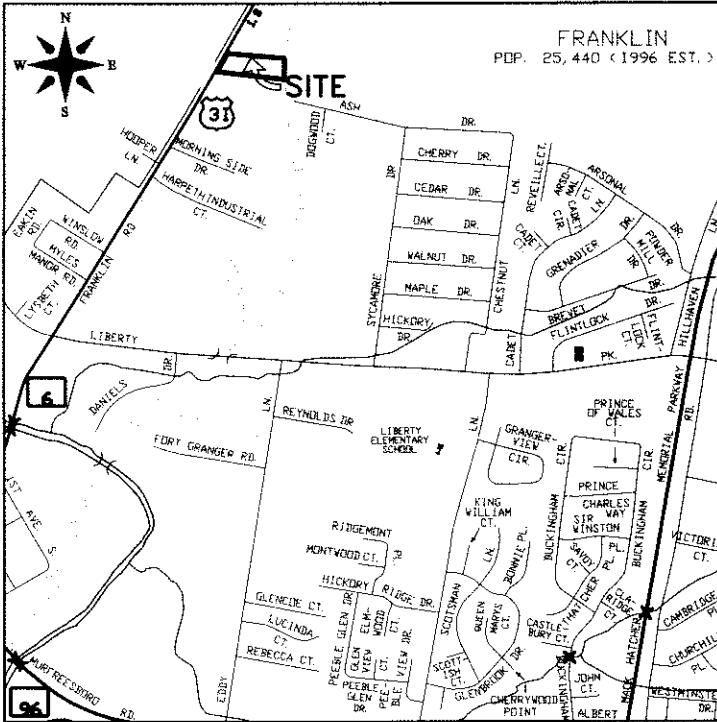
S 01°43'07" W 208.87'

S 83°45'39" E 565.24'

N 82°11'58" W 306.81'

N 82°26'43" W 360.79'

BETTY J. STELTEMAYER
MAP 63 PARCEL 29
BOOK 6571 PAGE 471
(R.O.W.C., TN)



VICINITY MAP
NOT TO SCALE

LEGEND

- UTILITY POLE
- UTILITY POLE W/ ANCHOR
- SEWER CLEAN-OUT
- IRON ROD (OLD)
- IRON ROD (NEW)
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- FENCE

CHURCH CHESTNUT
LANE OF CHRIST
MAP 63 PARCEL 33.05
BOOK 1248 PAGE 876
(R.O.W.C., TN)

CERTIFICATE OF SURVEY
TO: WES WEIGEL

I HEREBY CERTIFY THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF TENNESSEE, THE WITHIN SURVEY REPRESENTS A CATEGORY I SURVEY MADE UNDER MY SUPERVISION IN ACCORDANCE WITH T.C.A. SECTION 0820-3 AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY EXCEEDS 1:10,000. THE FIELD WORK FOR THIS SURVEY WAS COMPLETED ON JULY 12, 2019.

WILLIAM B. PERKINS
RLS NUMBER 2163
AUGUST 12, 2019

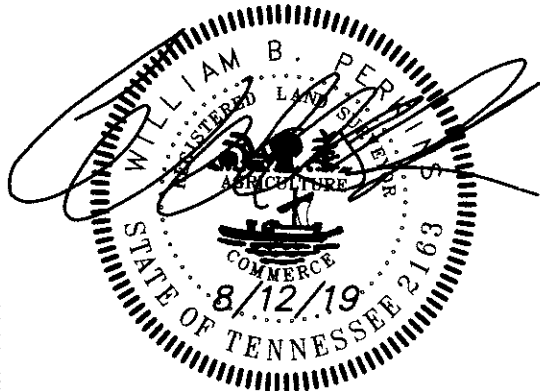
SPECIAL N.E.S. NOTE:

N.E.S HAS AUTHORITY TO CLEAR OR TRIM ANYTHING WITHIN 5' TO 10' OF A POWER LINE, WHETHER OF RECORD EASEMENT OR NOT, EVEN IF THE POWER LINE IS NOT CENTERED DIRECTLY WITHIN THE EASEMENT.

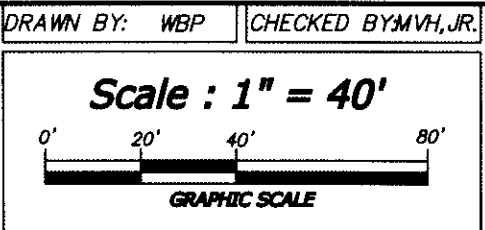
BUILDING SETBACK NOTE:

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FRANKLIN ROAD (U.S.31)
66' RIGHT-OF-WAY



DATE: AUGUST 12, 2019			
REVISIONS			
NO.	DATE	BY	CHANGE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			



BOUNDARY SURVEY

FRANKLIN 240 LLC
328 FRANKLIN ROAD
TAX MAP 63 PARCEL 30
BOOK 6621 PAGE 308 - (R.O.D.C., TN)
FRANKLIN, WILLIAMSON COUNTY, TENNESSEE

H & H LAND SURVEYING, INC.

WILLIAM B. PERKINS, R.L.S.

612A FITZHUGH BOULEVARD
SMYRNA, TENNESSEE 37167

PHONE: (615) 831-0756 / E-MAIL: handhland@bellsouth.net

GENERAL NOTES:

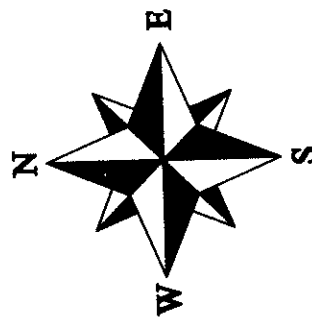
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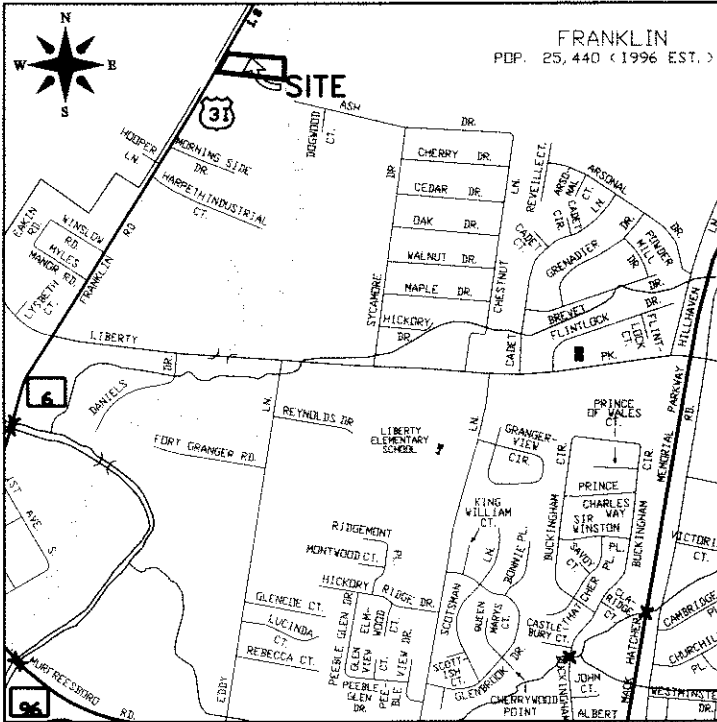
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BETTY J. STELTEMEIER
MAP 63 PARCEL 29
BOOK 6571 PAGE 471
(R.O.W.C., TN)



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NOT TO SCALE

LEGEND

- UTILITY POLE
- UTILITY POLE W/ ANCHOR
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RLS NUMBER 2163
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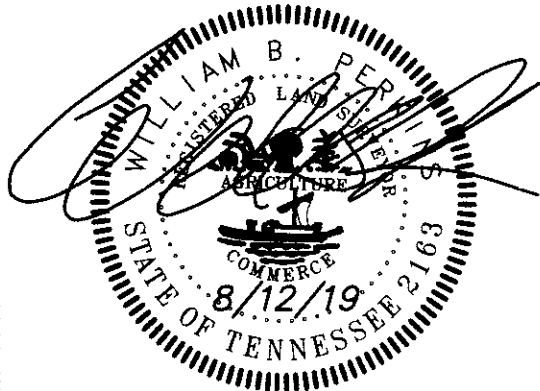
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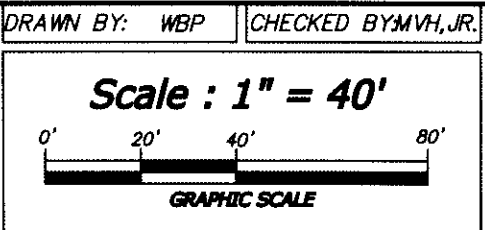
BUILDING SETBACK NOTE:

ANY MBSL'S USED FOR NEW CONSTRUCTION, WILL HAVE TO BE APPROVED BY THE CURRENT CODES AND/OR ZONING DEPT. FOR FRANKLIN/WILLIAMSON COUNTY PRIOR TO ANY CONSTRUCTION.

FRANKLIN ROAD (U.S.31)
66' RIGHT-OF-WAY



DATE: AUGUST 12, 2019			
REVISIONS			
WK	DATE	BY	CHANGE



BOUNDARY SURVEY

FRANKLIN 240 LLC
328 FRANKLIN ROAD
TAX MAP 63 PARCEL 30
BOOK 6621 PAGE 308 - (R.O.D.C., TN)
FRANKLIN, WILLIAMSON COUNTY, TENNESSEE

H & H LAND SURVEYING, INC.

WILLIAM B. PERKINS, R.L.S.

612A FITZHUGH BOULEVARD
SMYRNA, TENNESSEE 37167
PHONE: (615) 831-0756 / E-MAIL: handhland@bellsouth.net

To whom it may concern,

Subject: Variance Request Justification Letter for 328 Franklin Rd

*The current lot is exceptional due to its shape and where the current house sits on the property due to the original builders of the home. The home was built in the 1950s on three lots with different setback requirements, if any.

*The current zoning enforcement in addition to historical and zoning restrictions results in undue hardship to the owner as the house was built too close to the side property line.

*The result we are requesting will not impact the public good as the current house already sits within the requested side setback.



File #: 21-04826

DATE: June 16, 2023
TO: Board of Zoning Appeals
FROM: Emily Wright, Director of Planning and Sustainability
Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner

SUBJECT:

A **Variance Request** To Allow Four Wall Signs To Be Placed Above The Main Roofline Of A Principal Building, For The Property Located At 5019 Aspen Grove Drive (F.Z.O. 15.15).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 8206
Applicant: Gary Clifton
Owner: NR McEwen Property Owners

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: PD Planned District / Mixed Use
North: Planned District / Mixed Use
South: Planned District / Office
East: Planned District / Commercial
West: Planned District / Apartments

Applicable Zoning Ordinance Provisions

20.10 Variance

A. The purpose of a variance is to:

1. Provide limited relief from the requirements of this Ordinance in cases where strict application of a particular requirement would create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance; and
2. Address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission.

B. Variances are not intended merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose on property owners in general.

15.15 Signs, Wall Sign

Maximum height shall be the main roofline of the uppermost full story.

Background

The subject property is located at 5019 Aspen Grove Drive. The property is zoned PD Planned District and is within the McEwen Place Subdivision. The principal building has already been approved and built, with the exception of signage. The existing building has parapets surrounding the building, which is consistent with other buildings within the McEwen Place subdivision. The business that will be occupying the building is Fink's Jewelers. Fink's Jewelers is proposing to place one "Fink's Jewelers" business sign on each side of the building, on the existing parapets. Although the parapets surrounding the building give the allusion of the main roofline, the main roofline of the building is below the height of the parapets. Because the proposed placement of the signs is above the main roofline of the building, the applicant is requesting a variance to place the signs above the main roofline of the principal building.

Staff Analysis

The BZA may authorize a variance only when the request has met all three criteria in accordance with F.Z.O §20.10.6 and State law. The staff has completed an analysis of the request in light of these criteria:

1. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the Zoning Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition, such a piece of property is not able to accommodate development as required under this Ordinance.

There are other principal buildings within the McEwen Place subdivision whose existing signage is similar to the requested signage placement. As shown in the applicant's submittal, these businesses have their signage located above the roofline. However, the requirements for signage being located below the roofline are clearly outlined in the Zoning Ordinance, and signage is not approved with the site plan. The condition that makes this situation unique is that the principal building was already built before Fink's Jewelers became involved and proposed their signage. This limits Fink's Jewelers options for signage placement. The existing building is designed similarly to other buildings in the McEwen Place subdivision, with parapets wrapping around the whole building. Because Fink's Jewelers have been given unique and limited options for signage placement on the existing principal building, Staff finds this criteria met.

2. The strict application of any provision enacted under the Zoning Ordinance would result in peculiar and exceptional practical difficulties for or exceptional or undue hardship for the owner of the property.

Staff finds no peculiar or exceptional practical difficulties for the owner of the property. Staff finds this criteria not met.

3. Such relief may be granted without substantial detriment to the public good and without substantially impairing the purpose and intent of the Zoning Ordinance.

Staff finds that this request would not be a detriment to the public good and would not substantially impair the purpose and intent of the Zoning Ordinance. Given that there are other buildings in the McEwen Place subdivision with similar signage placement, the requested signage placement for Fink's Jewelers would not negatively affect the aesthetic nature of the surrounding area. This design also meets the intent of the Zoning Ordinance. The intent of the Zoning Ordinance in this case is to ensure that building signage does not overwhelm the view from the street, and to avoid false parapets for the sake of signage placement. The design for this building's signage matches the buildings surrounding it, and the parapet goes around the whole building, so it gives the illusion of being the roofline. Staff finds this criteria met.

FINANCIAL IMPACT:

None.

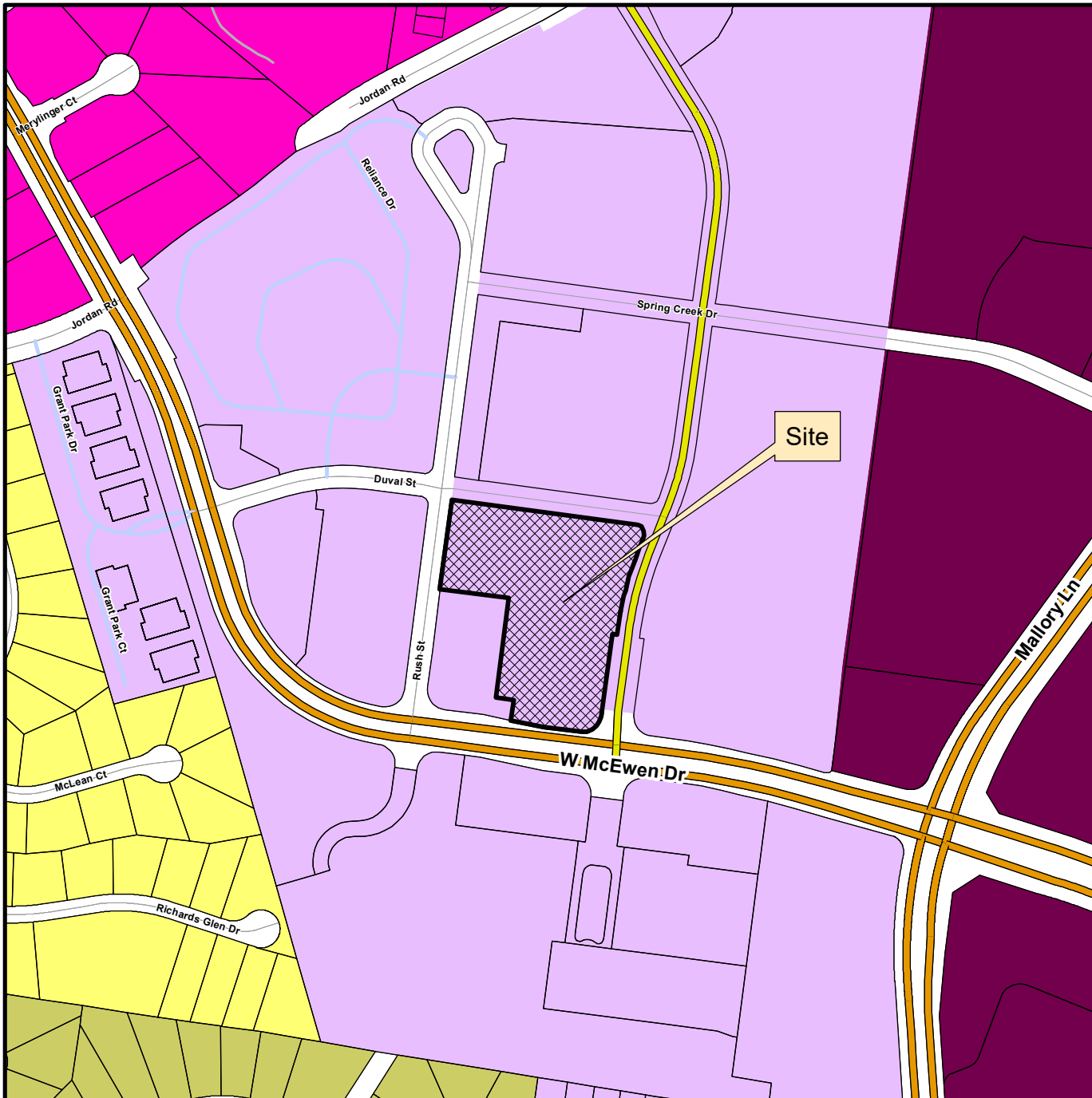
RECOMMENDATION:

RECOMMENDED MOTION: Staff recommends the Board of Zoning Appeals move to deny the **Variance Request** To Allow Four Wall Signs To Be Placed Above The Main Roofline Of A Principal Building, For The Property Located At 5019 Aspen Grove Drive, because the criteria for granting a variance have not all been met.

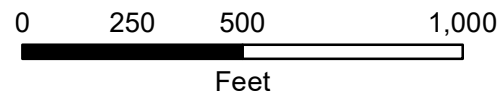
5019 ASPEN GROVE DRIVE
TAX MAP 062, PARCEL 02219
BOARD OF ZONING APPEALS
JULY 6, 2023

Legend

-  5019 Aspen Grove Drive
-  AG Agricultural District
-  ER Estate Residential District
-  R1 Residential 1 District
-  R2 Residential 2 District
-  R3 Residential 3 District
-  R4 Residential 4 District
-  R6 Residential 6 District
-  MR Mixed Residential District
-  PD Planned District
-  OR Office Residential District
-  CI Civic Institutional District
-  NC Neighborhood Commercial
-  CC Central Commercial District
-  DD Downtown District
-  1ST Avenue District
-  5TH Avenue District
-  RC6 Regional Commerce 6 District
-  RC12 Regional Commerce 12 District
-  GO General Office District
-  LI Light Industrial District
-  HI Heavy Industrial 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.
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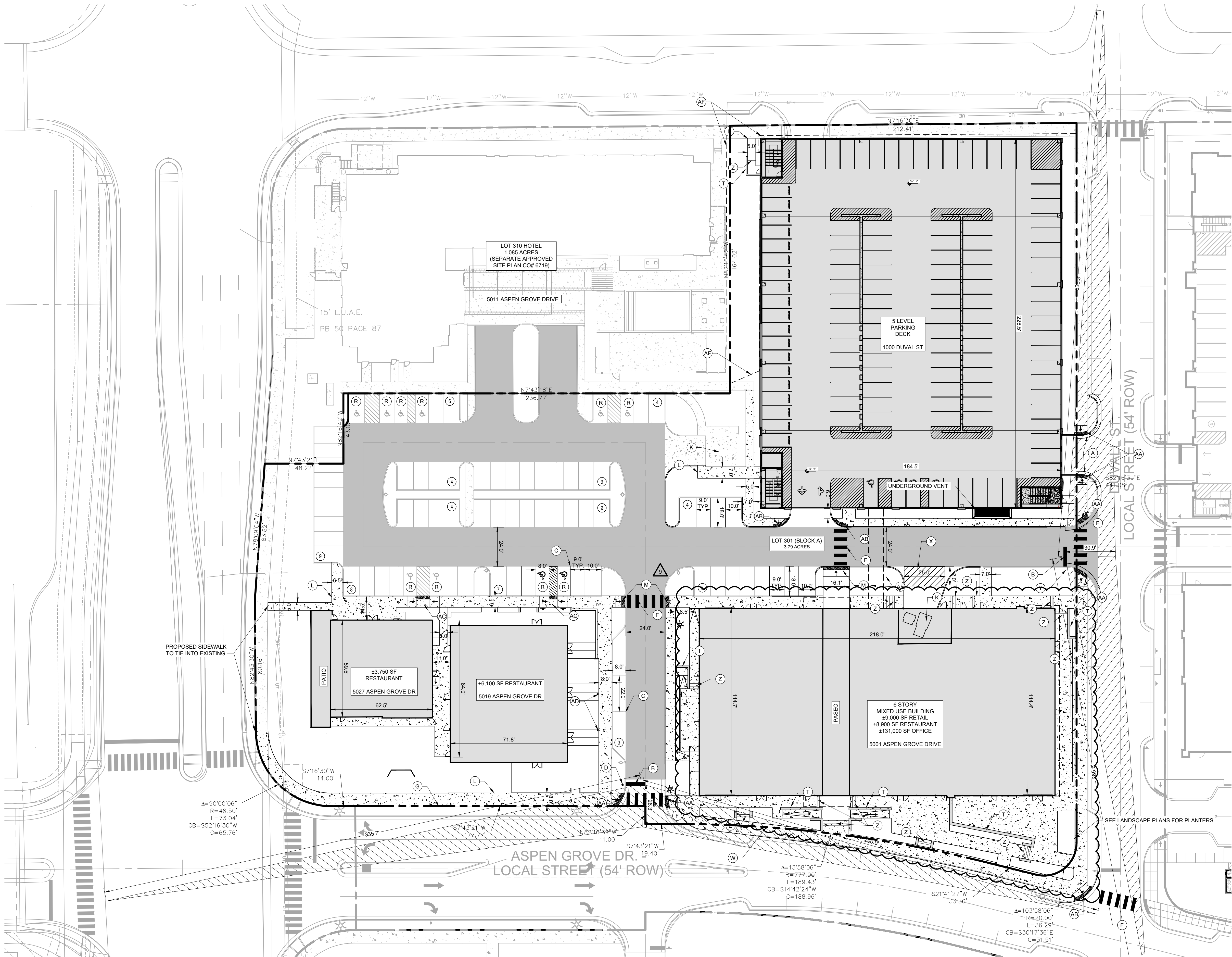


HISTORIC
FRANKLIN
TENNESSEE

EXHIBIT A

SITE PLAN

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on the document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



PARKING NOTES	
1.	5,000 SF OF OUTDOOR PATIO INCLUDED IN RESTAURANT PARKING COUNTS FOR FUTURE USE
2.	SEE PARKING MEMO FOR ADDITIONAL INFORMATION

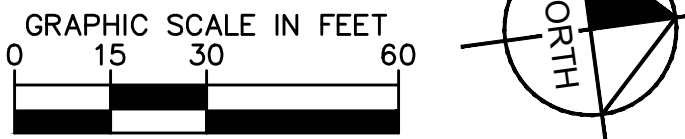
Land Use	Parking Rates (Pattern Book)	Density	Gross (Pattern Book)	Reduced by 15% (Pattern Book)	Shared Parking (Urban Land Institute)
Retail	5 / 1,000 s.f.	9,000 s.f.	45	39	25
Fine/Casual Dining Restaurant	12 / 1,000 s.f.	11,875 s.f.	143	122	80
Family Restaurant	12 / 1,000 s.f.	11,875 s.f.	143	122	68
Hotel	1 / room	150 rooms	150	128	98
Conference Center	16.67 / 1,000 s.f.	3,000 s.f.	51	44	28
Office	3.33 / 1,000 s.f.	131,000 s.f.	437	372	371
		TOTAL	969	827 14.7% reduction	670 30.9% reduction
NOTES: Updated Densities as of 11/07/2019 --> Peak Period is March, Weekday, 2:00pm					

TRIP GENERATION (BLOCK A)						
Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	690	690	129	21	24	124
Retail	585	585	97	59	44	48
Restaurant	1,164	1,164	69	57	134	75
Cinema/Entertainment						
Residential	0	0	0	0	0	0
Hotel	634	634	41	29	44	42
	3,073	3,073	336	166	246	289

SITE DATA TABLE	
PROJECT NAME:	LOT 301 (BLOCK A) SITE PLAN
COF PROJECT #:	7106
SUBDIVISION:	MCEWEN PLACE P.U.D. SUBDIVISION - SECTION 3
MAP #:	62
PARCEL #:	022.19
LOT NUMBER:	301
ADDRESS:	DUVALL STREET
CITY:	FRANKLIN
COUNTY:	WILLIAMSON
STATE:	TENNESSEE
CIVIL DISTRICT:	9TH CIVIL DISTRICT
EXISTING ZONING:	SD-X, SPECIFIC DEVELOPMENT VARIETY
CHARACTER AREA OVERLAY:	MECO-4
OTHER APPLICABLE OVERLAYS:	HTO - HEIGHT OVERLAY DISTRICT
DEVELOPMENT STANDARD:	CONVENTIONAL
ACREAGE OF SITE:	3.79 ACRES
SQUARE FOOTAGE OF SITE:	159,732 SQ FT
MIN. REQ. SETBACK LINES:	FRONT: 0 REAR: 10 SIDE: 10
OWNER:	NR MCEWEN PROP OWNER, LLC
Address:	575 FIFTH AVE, 23RD FLOOR NEW YORK, NY 10017
Phone:	615-550-5503
Fax:	615-550-5576
Email:	ABALLASH@BOYLE.COM
Contact Name:	ADAM BALLASH
APPLICANT:	KIMLEY HORN & ASSOCIATES
Address:	214 OCEANSIDE DR, NASHVILLE, TN 37204
Phone:	615-564-2576
Email:	RYAN.MCMASTER@KIMLEY-HORN.COM
Contact Name:	RYAN MCMASTER, P.E.
BUILDING HEIGHT:	MAX. 94'-10"
MIN. PARKING REQ. (PER PATTERN BOOK)	869 SPACES
FOR STATED ENTITLEMENTS:	827 SPACES
-WITH 15% SHARED REDUCTION:	670 SPACES
-PER ULI SHARED PARKING:	670 SPACES
EX. SURFACE PARKING:	76 SPACES
EX. PARALLEL ON STREET:	29 SPACES (ALL WITHIN ROW)
PROPOSED GARAGE PARKING:	588 SPACES
TOTAL PARKING PROVIDED:	693 SPACES
NOTES:	
1. WITHIN NEW DEVELOPMENTS AND FOR OFF-SITE LINES CONSTRUCTED AS A RESULT OF, OR TO PROVIDE SERVICE TO, THE NEW DEVELOPMENT, ALL UTILITIES, SUCH AS CABLE TELEVISION, ELECTRICAL (EXCLUDING TRANSFORMERS), GAS, SEWER, TELEPHONE, AND WATER LINES SHALL BE PLACED UNDERGROUND.	
2. THIS SITE PLAN HAS BEEN DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF FRANKLIN STANDARDS AND THE APPROVAL OF PLANNING COMMISSION. CHANGES SHALL NOT BE MADE TO THE APPROVED SITE PLAN UNLESS APPROVED BY EITHER RELEVANT DEPARTMENT SUPERINTENDENT OR THE PLANNING COMMISSION. IN ADDITION, THIS SITE PLAN HAS BEEN DESIGNED TO MEET THE MCEWEN PLACE TOWN CENTER PATTERN BOOK. CHANGES SHALL NOT BE MADE TO THE APPROVED SITE PLAN UNLESS ALSO APPROVED BY THE MCEWEN PLACE TOWN CENTER ARCHITECTURAL REVIEW COMMITTEE.	
3. THE INFORMATION SHOWN ON THIS PLAN IS BASED UPON THE TENNESSEE STATE PLANE COORDINATE SYSTEM AND IS GPS DERIVED. VERTICAL DATUM IS NAVD 88 AND IS BASED ON GEOID MODEL 2012A.	
4. BASE INFORMATION WAS TAKEN FROM A TOPOGRAPHIC SURVEY PREPARED BY HARRAH & ASSOCIATES, DATED DECEMBER 12, 2014 AND A SURVEY BY WILSON & ASSOCIATES PROVIDED ON OCTOBER 8, 2019. ALL INFORMATION PROVIDED HEREIN SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION. KIMLEY-HORN AND ASSOCIATES SHALL NOT BE HELD RESPONSIBLE FOR THE ACCURACY AND COMPLETENESS OF THE BASE INFORMATION SHOWN.	
5. THE CONSULTANT HAS FOUND NO EVIDENCE OF THE MINERAL RIGHTS OF THIS PROPERTY BEING TRANSFERRED TO ANY PARTY OTHER THAN THE OWNER.	
6. NO PORTION OF THIS PROJECT IS LOCATED WITHIN A FLOOD HAZARD AREA ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 47187C0204F AND 47187C0212F, DATED SEPTEMBER 29, 2006, ZONE "X".	

SITE PLAN KEYNOTE LEGEND	
(A)	2.5' CURB AND GUTTER (TYP.) - SEE SHEET C2.3, COF DWG RP-28
(B)	WHITE THERMOPLASTIC STOP BAR (TYP.)
(C)	4" PARKING STRIPE, WHITE PAINT (TYP.)
(D)	STOP SIGN (TYP.) - SEE SHEET C2.3
(E)	6" POST CURB - SEE SHEET C2.3, DETAIL 5
(F)	CROSSWALK
(G)	EXISTING RIGHT OF WAY
(H)	HEAVY DUTY PAVEMENT - SEE SHEET C2.3, DETAIL 3
(I)	LIGHT DUTY PAVEMENT - SEE SHEET C2.3, DETAIL 4
(J)	THREE PHASE TRANSFORMER
(K)	SHARED REFUSE COLLECTION AREA
(L)	CONCRETE SIDEWALK - SEE SHEET C2.3, COF DWG RP-8
(M)	COMBINATION PERPENDICULAR ADA RAMP WITH TACTILE WARNING MAT (TYP.) - SEE SHEET C2.3, COF DWG RP-12
(N)	RIGHT TURN ONLY SIGN (TYP.)
(O)	RIBBON CURB
(P)	PROPOSED SITE LIGHTING (SEE LIGHTING SHEETS FOR DETAILS), SEE SHEET EP-01
(Q)	PARALLEL PARKING SPACE (TYP.) - 22' X 8'
(R)	HANDICAP ACCESSIBLE SPACE, TYP
(S)	6" STAIRS
(T)	SITE RETAINING WALL (SEE ARCHITECTURE PLANS FOR DETAILS)
(U)	EXISTING TRAFFIC SIGNAL EASEMENT
(V)	HANDRAIL - SEE SHEET C2.4, DETAIL 1
(W)	LOT 301 (BLOCK A) PROPERTY LINE
(X)	LOADING AREA
(Y)	EXISTING STOP SIGN
(Z)	STAIRS
(AA)	PERPENDICULAR CURB RAMP - SEE SHEET C2.4, COF DWG RP-11
(AB)	BLENDED TRANSITION RAMP - SEE SHEET C2.4, COF DWG RP-15
(AC)	PARALLEL CURB RAMP - SEE SHEET C2.4, COF DWG RP-14
(AD)	LOADING ZONE SIGNAGE (LOADING HOURS 6:00-9:00 AM ONLY)
(AE)	OPTIONAL PEDESTRIAN BRIDGE (MIN. 14.5' VERTICAL CLEARANCE)
(AF)	20' DRAINAGE EASEMENT

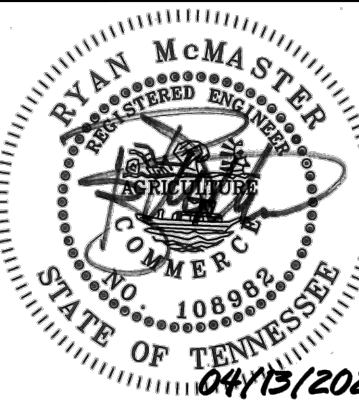
PAVEMENT LEGEND	
PAVEMENT TYPE	HATCH
HEAVY DUTY PAVEMENT	
LIGHT DUTY CONCRETE	



Kimley»Horn

4013 Aspen Grove Drive, Franklin, TN 37067
Main: 615.564.2701 | www.kimley-horn.com
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MCEWEN PLACE
P.U.D. SUBDIVISION - SECTION 3
LOT 301 (BLOCK A)
BOYLE NASHVILLE, LLC
FRANKLIN, WILLIAMSON COUNTY, TENNESSEE



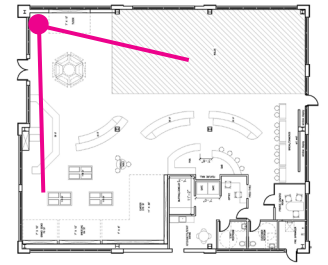
REV	DATE	BY	REVISIONS
1	11/07/19	JYB	PER COF COMMENTS
2	03/16/20	JYB	ONE STOP SUBMITTAL
3	12/14/20	JYB	SP AMENDMENT
4	02/15/21	RLM	50% CONSTRUCTION DOCS
5	03/08/21	RLM	75% CONSTRUCTION DOCS
6	05/10/21	WGH	SP AMENDMENT
7	12/13/21	WGH	SP AMENDMENT
8	04/13/22	WGH	ASI-06

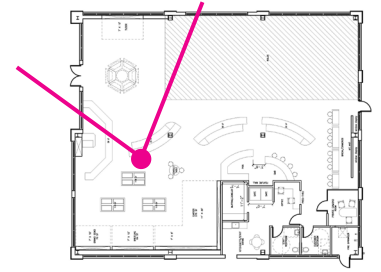
DESIGNED BY:	WGH
DRAWN BY:	WGH
CHECKED BY:	RLM
DATE:	04/13/2022
KIMLEY-HORN PROJECT NO. 118102003	

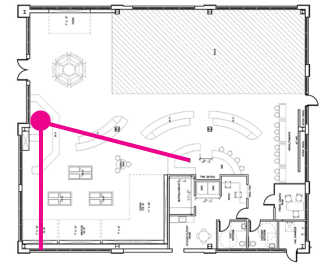
ENLARGED SITE LAYOUT PLAN
SHEET NUMBER
C2.1

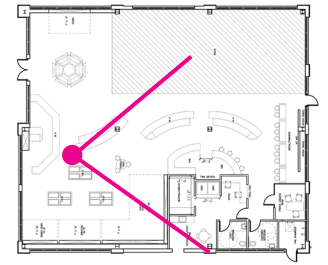
EXHIBIT B

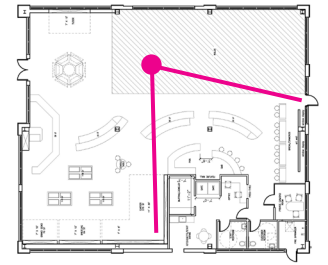
STORE INTERIOR AND FLOORPLAN















ALL DIMENSIONS NEED TO BE SITE VERIFIED BY ARCHITECT AND MILLSHOP
DESIGN DRAWINGS MUST BE REVIEWED BY ARCHITECT FOR ALL LOCAL CODE COMPLIANCE
ALL FLOORING AND CEILING LIGHT LOCATIONS/DIMENSIONS TO BE COORDINATED AND
CONFIRMED WITH MILLWORKER BEFORE INSTALLATION

© Rolex Watch U.S.A., Inc. - 2023

VERSION	ISSUE DATE	DRAWN BY	NOTES
V5	03.09.2023	SB	DD FOLIO

SCALE

AREA
1381 ft²
172 m²

TIMEPIECES
23-114

RENDERING 02.A

EXHIBIT C

REVISED SIGN DESIGN &
MCEWEN NORTHSIDE ARCHITECTURAL REVIEW COMMITTEE APPROVAL

CUSTOM, ILLUMINATED CHANNEL LETTERS

Proportions

Electrical by Client - (1) 120v, 20 amp circuit brought to sign site.

THIS DRAWING IS THE INTELLECTUAL PROPERTY OF BILL ORTWEIN SIGNS, INC. IT IS NOT TO BE TRANSMITTED, CONVEYED, USED OR SHARED BY ANY MEANS WITHOUT THE EXPRESSED WRITTEN CONSENT OF AN OFFICER OF BILL ORTWEIN SIGNS, INC.

ortweinsign
custom crafted branding
2806 EAST 50TH CHATTANOOGA, TN 37407
423.867.9208

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CLIENT

Finks Jewelers
Franklin

S/F	☒ NEON FILL	
D/F	☐ LED FILL	☒
ILLUM	☒ LAMP FILL	
NON-ILLUM	☒ ART ROOM HOLDS	

SCALE 1/2" = 1'-0"

QTY: 1 sign

NOTES

A **GOLD**
Chemetal #703
Mirrored Gold
Aluminum

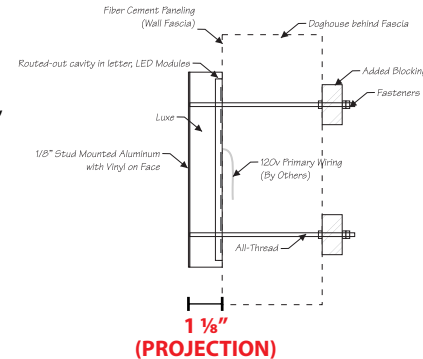
B **WHITE**
Matthews Paint
Satin
White Wonder
MP #32071



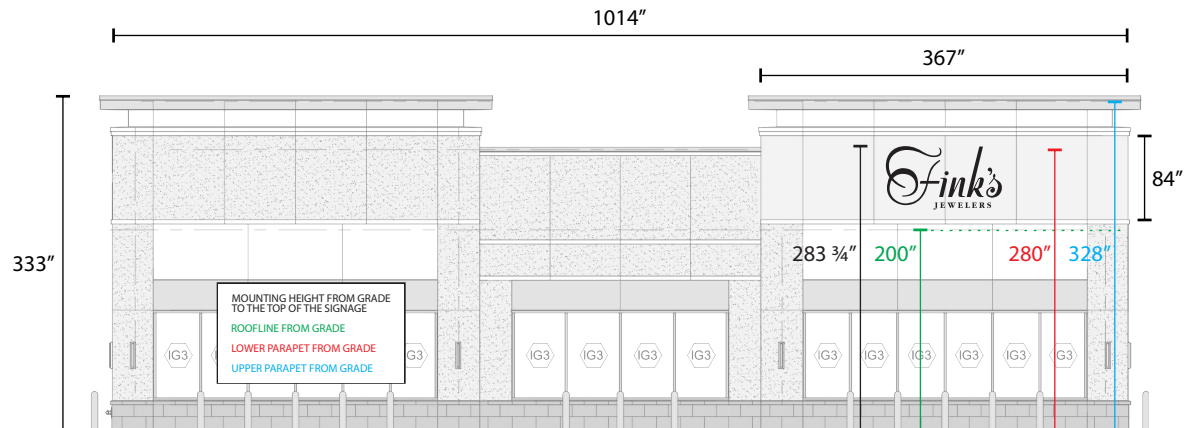
Custom Face-Lit, Illuminated Channel Letters
Flush Mount Installation (Remote)

- FACE**
1/8" white aluminum w/ gold vinyl
- RETURN**
1 1/8" opal luxe acrylic w/ routed out LED modules
- MOUNTING**
stud-mount with all-thread

PROFILE VIEW
Not Drawn To Scale



BLOCK A3
NORTH ELEVATION



30.58 linear feet

51.15 square feet

CUSTOMER APPROVAL

DATE

DESIGNER SALES REP FILE

BH

CT

Finks_FranklinTN_BuildingSignage_120822-G

PAGE

01 of 03

WO# 0000



COLORS ARE SIMULATIONS ONLY, REFER TO CORRESPONDING MATERIALS COLOR CHARTS FOR SPECIFIC COLOR MATCH. COLORS SEEN ON COMPUTER MONITOR ARE NOT REPRESENTATIVE OF ACTUAL MATERIAL COLOR.

CUSTOM, ILLUMINATED CHANNEL LETTERS

Proportions

Electrical by Client - (1) 120v, 20 amp circuit brought to sign site.

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ortweinsign
custom crafted branding
2806 EAST 50TH CHATTANOOGA, TN 37407
423.867.9208

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CLIENT

Finks Jewelers
Franklin

S/F	☒ NEON FILL	
D/F	☐ LED FILL	☒
ILLUM	☒ LAMP FILL	
NON-ILLUM	☒ ART ROOM HOLDS	

SCALE 1/2" = 1'-0"

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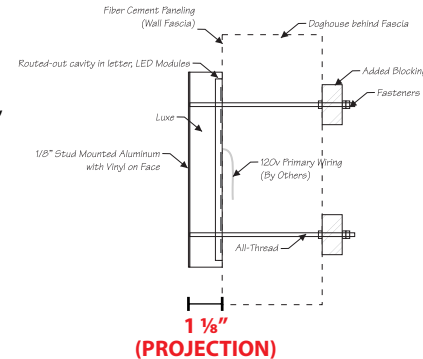


Custom Face-Lit, Illuminated Channel Letters
Flush Mount Installation (Remote)

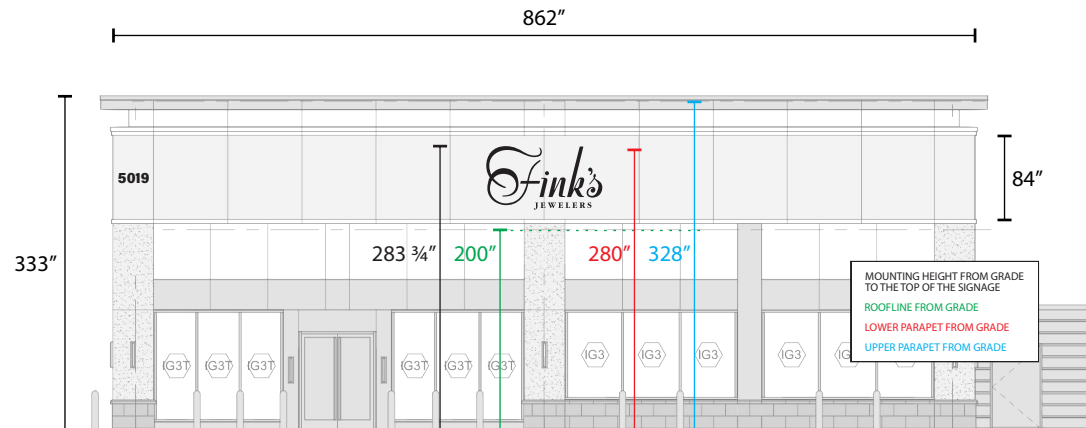
- FACE**
1/8" white aluminum w/ gold vinyl
- RETURN**
1 1/8" opal luxe acrylic w/ routed out LED modules
- MOUNTING**
stud-mount with all-thread

PROFILE VIEW

Not Drawn To Scale



BLOCK A3
WEST ELEVATION



71.83 linear feet

51.15 square feet

CUSTOMER APPROVAL

DATE

DESIGNER SALES REP FILE

BH

CT

Finks_FranklinTN_BuildingSignage_120822-G

PAGE

02 of 03

WO# 0000



COLORS ARE SIMULATIONS ONLY, REFER TO CORRESPONDING MATERIALS COLOR CHARTS FOR SPECIFIC COLOR MATCH. COLORS SEEN ON COMPUTER MONITOR ARE NOT REPRESENTATIVE OF ACTUAL MATERIAL COLOR.

CUSTOM, ILLUMINATED CHANNEL LETTERS

Proportions

Electrical by Client - (1) 120v, 20 amp circuit brought to sign site.

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ortweinsign
custom crafted branding
2806 EAST 50TH CHATTANOOGA, TN 37407
423.867.9208

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CLIENT

Finks Jewelers
Franklin

S/F	☒ NEON FILL	
D/F	☒ LED FILL	☒
ILLUM	☒ LAMP FILL	
NON-ILLUM	☒ ART ROOM HOLDS	

SCALE 1/2" = 1'-0"

QTY: 1 sign

NOTES

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Chemetal #703
Mirrored Gold
Aluminum

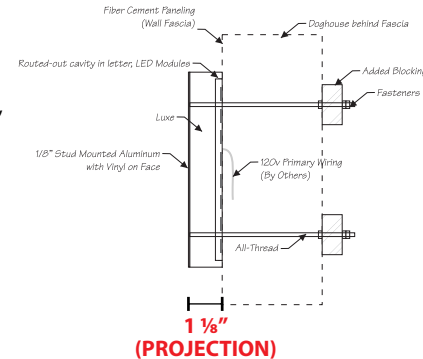
B **WHITE**
Matthews Paint
Satin
White Wonder
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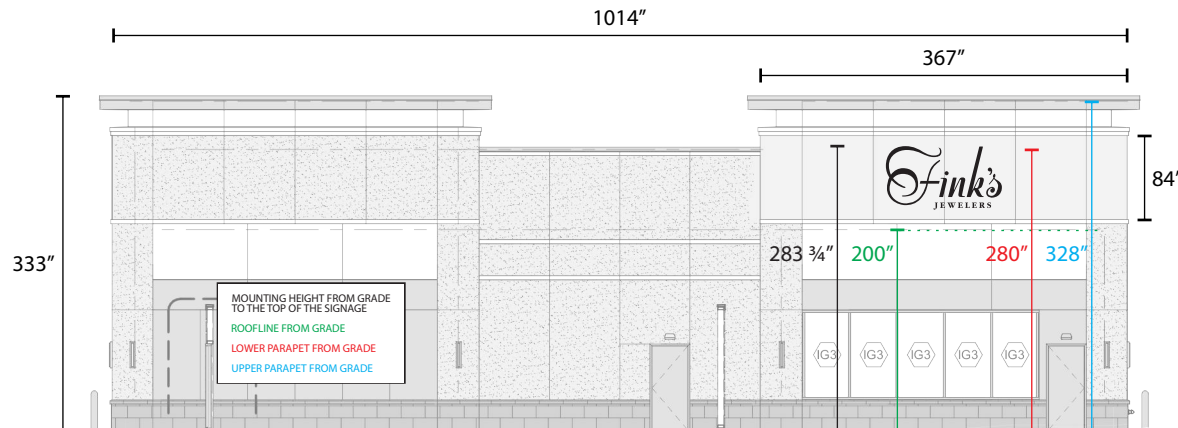
Custom Face-Lit, Illuminated Channel Letters Flush Mount Installation (Remote)

- FACE**
1/8" white aluminum w/ gold vinyl
- RETURN**
1 1/8" opal luxe acrylic w/ routed out LED modules
- MOUNTING**
stud-mount with all-thread

PROFILE VIEW Not Drawn To Scale



BLOCK A3
SOUTH ELEVATION



30.58 linear feet

51.15 square feet

CUSTOMER APPROVAL

DATE

DESIGNER SALES REP FILE

BH

CT

Finks_FranklinTN_BuildingSignage_120822-G

PAGE

03 of 03

WO# 0000



COLORS ARE SIMULATIONS ONLY, REFER TO CORRESPONDING MATERIALS COLOR CHARTS FOR SPECIFIC COLOR MATCH. COLORS SEEN ON COMPUTER MONITOR ARE NOT REPRESENTATIVE OF ACTUAL MATERIAL COLOR.



McEwen Northside Architectural Review Committee

May 24, 2023

Finks Jewelers
5019 Aspen Grove Drive
Franklin, TN 37067

RE: Block A – Tenant Building Signage

Dear Owner:

Thank you for the submittal of your proposed improvements to your lot at 5019 Aspen Grove Drive. **Your plans are APPROVED, following the conditions below and the attached markups highlighting approved conditions.** Please refer to the Architectural Guidelines and the Declaration of Covenants, Conditions and Restrictions for any additional requirements.

The plans are approved unless otherwise noted with conditions below –

You have been approved to install four (4) building signs at the North, East, West, and South elevations per the attached signage Exhibit.

Neither MCEWEN OWNERS ASSOCIATION, INC. its Board of Directors, its Architectural Review Committee, nor any architect or agent thereof, shall be responsible in any way for any compliance to governmental regulations codes, and ordinance or for any defects in any plans or specifications submitted, revised or approved in accordance with the foregoing provisions, nor for any structural or other defects in any work done according to such plans and specifications. Any change or deviation from the approved set of plans without written approval from the Architectural Review Committee or its representative is a violation of the Declaration of Covenants, Conditions and Restrictions. Therefore, please submit all revisions to our office in writing to avoid any unnecessary delays and legal expenses.

This review is not meant to be unconditional, and the space shall meet all general guidelines of the Architectural Guidelines. Please note all final approval is subject to any applicable governmental regulations, codes and ordinances.

Sincerely,


Phil Fawcett

EXHIBIT

(Ortwein Sign plans attached)

CUSTOM, ILLUMINATED CHANNEL LETTERS

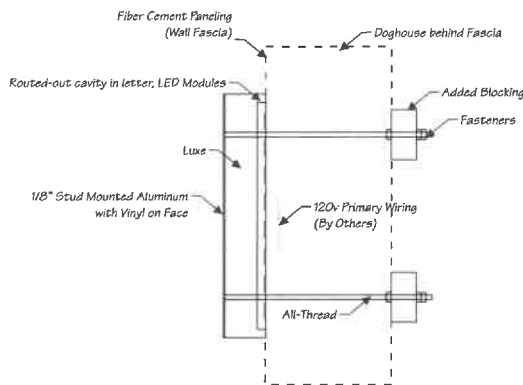
Proportions

Electrical by Client - (1) 120v, 20 amp circuit brought to sign site.



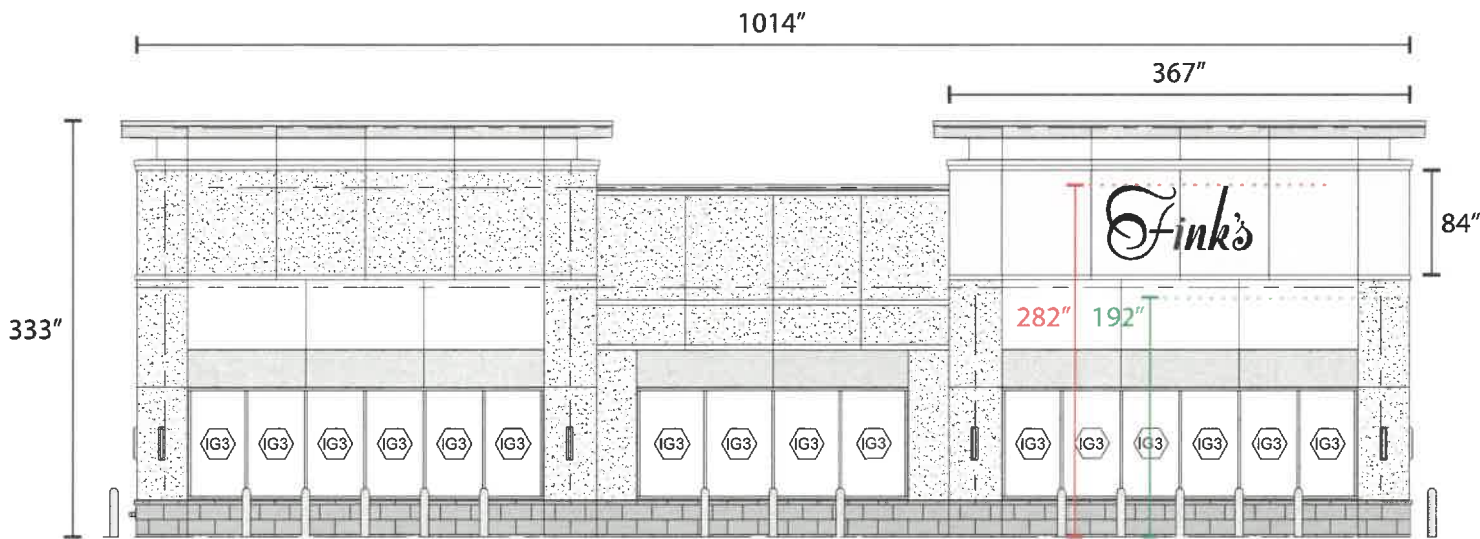
Custom Face-Lit, Illuminated Channel Letters
Flush Mount Installation (Remote)

- FACE**
1/8" white aluminum w/ gold vinyl
- RETURN**
1 1/8" opal luxe acrylic w/ routed out LED modules
- MOUNTING**
stud-mount with all-thread



Profile View
Not Drawn to Scale

BLOCK A3
NORTH ELEVATION



30.58 linear feet
47.53 square feet

CUSTOMER APPROVAL

DATE

DESIGNER SALES REP FILE

BH

CT

Finks_FranklinTN_BuildingSignage_120822-D

PAGE
01 of 04

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2806 EAST 50TH CHATTANOOGA, TN 37407
423.867.9208

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CLIENT

Finks Jewelers
Franklin

S/F	☒	NEON FILL	
D/F		LED FILL	☒
ILLUM	☒	LAMP FILL	
NON-ILLUM		ART ROOM HOLDS	

SCALE 1/2" = 1'-0"

QTY: 1 sign

NOTES

A GOLD
Chemetal #703
Mirrored Gold
Aluminum

B WHITE
Matthews Paint
Satin
White Wonder
MP #32071

WO# 0000



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5/24/23

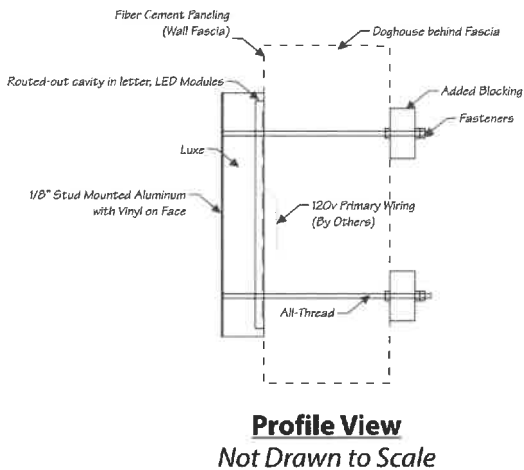
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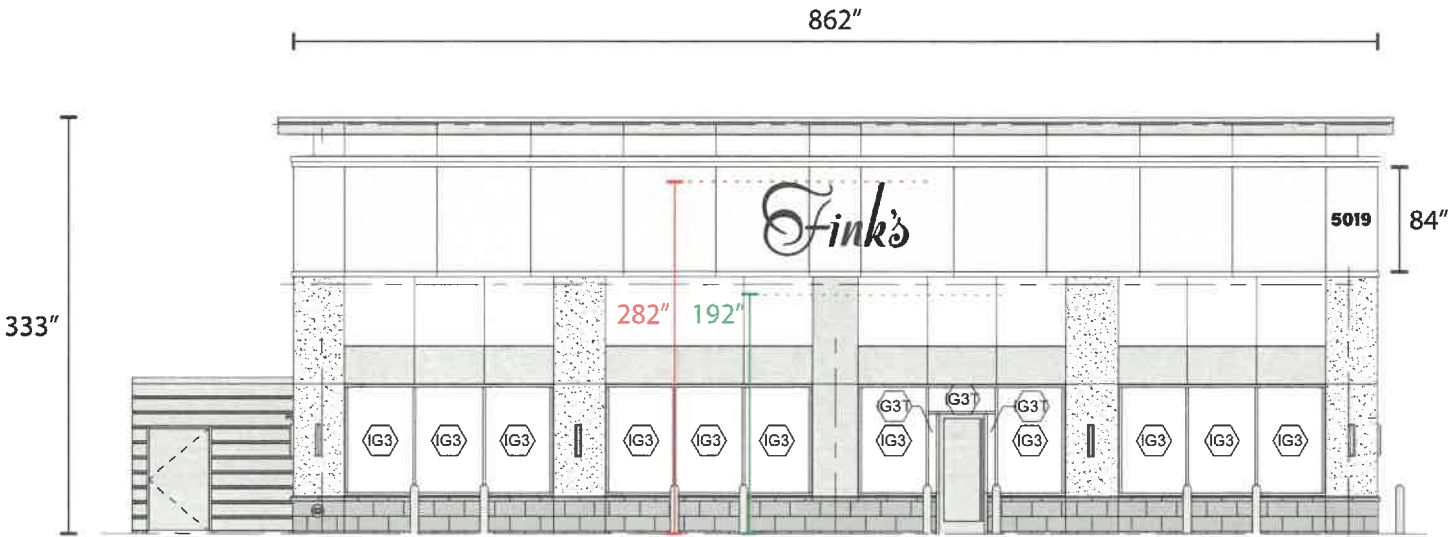


Custom Face-Lit, Illuminated Channel Letters
Flush Mount Installation (Remote)

- FACE**
1/8" white aluminum w/ gold vinyl
- RETURN**
1 1/8" opal luxe acrylic w/ routed out LED modules
- MOUNTING**
stud-mount with all-thread



BLOCK A3
EAST ELEVATION



71.83 linear feet
47.53 square feet

CUSTOMER APPROVAL

DATE

DESIGNER SALES REP FILE

BH

CT

Finks_FranklinTN_BuildingSignage_120822-D

PAGE
02 of 04

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CLIENT

Finks Jewelers
Franklin

S/F	☒ NEON FILL	
D/F	☒ LED FILL	☒
ILLUM	☒ LAMP FILL	
NON-ILLUM	☐ ART ROOM HOLDS	

SCALE 1/2" = 1'-0"

QTY: 1 sign

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Mirrored Gold
Aluminum

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Matthews Paint
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MP #32071

WO# 0000

NOT READY FOR
PRODUCTION



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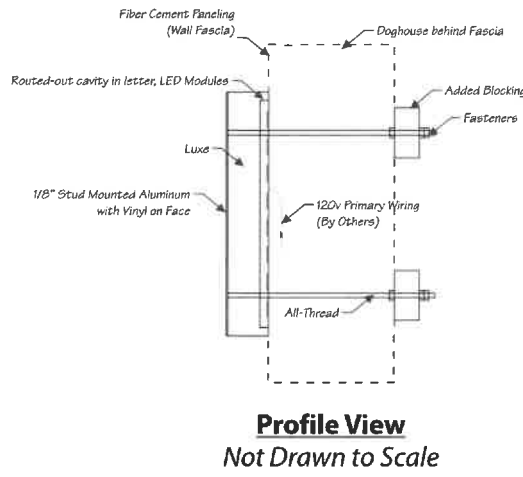
5/24/23

CUSTOM, ILLUMINATED CHANNEL LETTERS
Proportions

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Flush Mount Installation (Remote)**
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1 1/8" opal luxe acrylic w/ routed out LED modules
 - MOUNTING**
stud-mount with all-thread



BLOCK A3
WEST ELEVATION



71.83 linear feet
47.53 square feet

CUSTOMER APPROVAL	DATE	DESIGNER	SALES REP	FILE	PAGE
		BH	CT	Finks_FranklinTN_BuildingSignage_120822-D	03 of 04

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CLIENT

**Finks Jewelers
Franklin**

S/F	☒	NEON FILL	☐
D/F	☐	LED FILL	☒
ILLUM	☒	LAMP FILL	☐
NON-ILLUM	☐	ART ROOM HOLDS	☐

SCALE 1/2" = 1'-0"

QTY: 1 sign

- NOTES**
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Mirrored Gold
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NOT READY FOR PRODUCTION

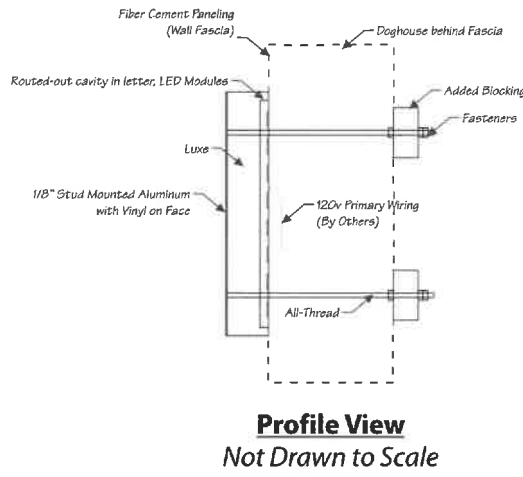
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CUSTOM, ILLUMINATED CHANNEL LETTERS
Proportions

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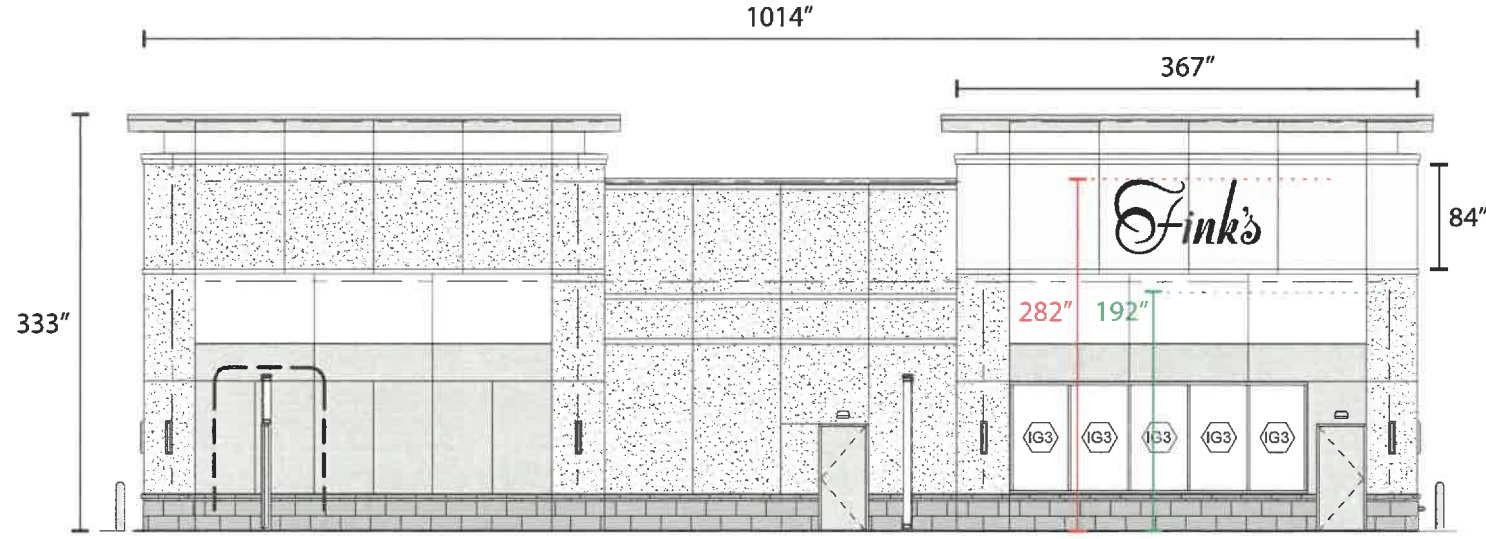


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 - MOUNTING**
stud-mount with all-thread



Profile View
Not Drawn to Scale

BLOCK A3
SOUTH ELEVATION



30.58 linear feet
47.53 square feet

CUSTOMER APPROVAL	DATE	DESIGNER	SALES REP	FILE	PAGE
		BH	CT	Finks_FranklinTN_BuildingSignage_120822-D	04 of 04

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5/24/23

EXHIBIT D

OWNER SUPPORT LETTER & SIGNED AFFIDAVIT

OWNER AFFIDAVIT

City of Franklin, Tennessee

We/I Boyle Nashville, LLC as agent for NR McEwen Property Owners, LLC
(Please print Name/Names in Full)
being duly sworn, depose and say(s) that (I am)/(we are) the owner(s) of the property described as:

McEwen Northside Block A Fink's Jewelers
(Property Parcel/Tax ID Number)

and located at:

5019 Aspen Grove Dr. Franklin, TN 37067
(Street Address)

am fully aware of the request for development approval in the City of Franklin, Tennessee. Furthermore, (I)/ (we) hereby appoint

Matthew Finks, owner Fink's Jewelers
(Please print Name/Names in Full)

to act as my/our authorized agent on my/our behalf on all matters pertaining to the processing and obtaining the application with the exception of legal documents for recording purposes.

Kyle J. Hanner
Signature

2000 Meridian Blvd. Ste. 250
Property Owner Mailing Address

Franklin, TN 37067
City, State & Zip

Subscribed and sworn to before me this

8th day of June, 2023

Taylor McCloud
Notary Public

My Commission Expires: 9.21.26



June 7, 2023

RE: Proposed Signage for Fink's Jewelry at McEwen Northside

To Whom it May Concern:

This letter is from McEwen POA in support of the proposed signage from Finks at our McEwen Northside project. There seems to be a new interpretation that signs on parapets are "roof signs" and therefore not allowable per the ZO. This is counter to our history in developing in the City of Franklin, and opposite from the majority of retail signage approved and installed around Franklin, and in most of our developments.

The attached signage was rejected at McEwen for one of our tenants (see first PDF). The proposed signage is in compliance with the Signage Variance that was entitled as part of the McEwen PUD, and is in keeping with the architecture and existing signage through our project.

In addition, in the COF all rooftop equipment must be screened from the street. Therefore, in Franklin we are often drawing buildings that have large masses of the building above the actual roofline. I have included some examples at Berry Farms for reference. In some cases the parapet is almost as tall as the conditioned space because of the need to screen RTUs. I have attached for reference some detailed drawings from Berry Farms that show the locations of signage as compared to the roofline. Almost 100% of the signs are above the roofline. Similarly, as you look at the attached email of photos, you will see that the majority of all retail signage in Franklin is actually on parapets above the roofline. In the attached email, every sign shown is above the flat "roofline".

After further review with our architecture consultants, we don't believe the BNS staff are interpreting the signage approvals in keeping with the Zoning Ordinance. First, the signage that is being rejected is classified as a "wall sign" per the ZO (see Chapter 15.15).

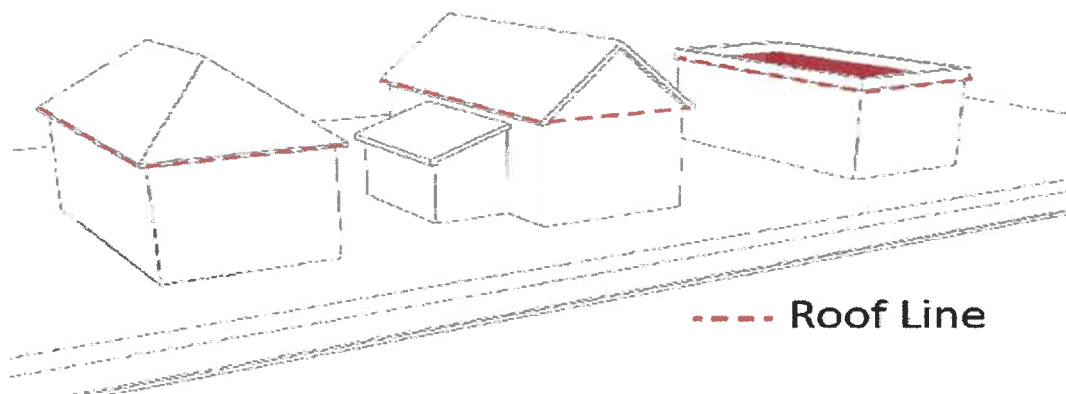
Standards (Continued)

Maximum height shall be the main roofline of the uppermost full story; maximum height of 16 feet when located within 200 feet of a residential lot

Our consultants think the main issue is coming with the new interpretation of “roof line”. Although the term “roofline” is not linked to the definitions in the ZO, there is actually a definition of the similar term (although spelled as two words – “Roof Line”):

Roof Line

The highest point of a flat roof or mansard roof and the lowest point of a pitched roof, excluding any cupolas, chimneys, or other minor projection.



Here, our architects are advising us that they are interpreting the "roof line" as the highest point of the flat roof, **EXCLUDING** "minor projections". So, in the attached Berry Farms examples, they are defining the building by a Base / Middle / Top. With the "top" of the building not being the parapet, but instead the cornice or other similar decorative treatment or corbeling on the top of the parapet. Their interpretation of the ZO is that the COF is trying to prevent signs from being perched on top of roofs or on "other minor projections". As you look at the examples of Berry Farms, or at the attached email, the wall signs that have previously been permitted throughout Franklin are all above the roofline, but not on "other minor projections".

I know the personnel in the signage review of BNS changes often. But, we would ask for a consistent review in keeping with historically held practices in the COF and one in keeping with the intent of the ZO, including not placing signs on "other minor projections" above the roofline but not on the parapets, which for the most part make up the "middle" of the building masses.

Boyle Nashville, LLC, as agent for NR MCEWEN PROPERTY OWNER, LLC

a Delaware limited liability company

By: NR McEwen Infrastructure LLC,
a Delaware limited liability company,
its Sole Member

By: Boyle Nashville, LLC, as agent for NR MCEWEN PROPERTY OWNER, LLC

By: 

Name: Phil Fawcett

Title: Manager

CUSTOM, ILLUMINATED CHANNEL LETTERS

Proportions

Electrical by Client - (1) 120v, 20 amp circuit brought to sign site.

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CLIENT

Finks Jewelers
Franklin

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D/F	☐ LED FILL	☒
ILLUM	☒ LAMP FILL	
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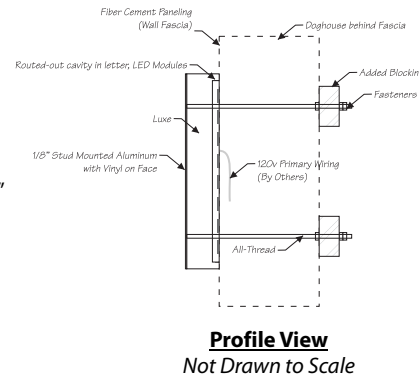
SCALE 1/2" = 1'-0"

QTY: 1 sign

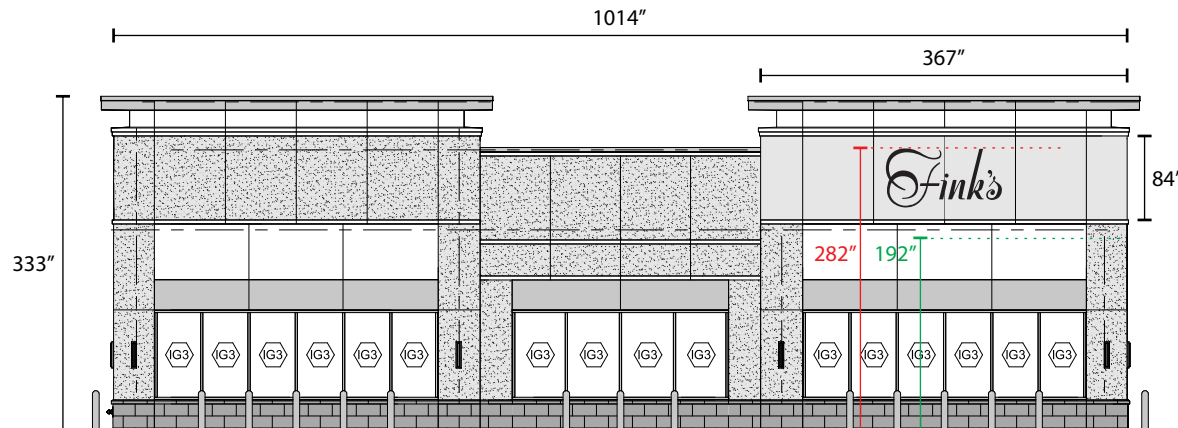
NOTES

A **GOLD**
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Mirrored Gold
Aluminum

B **WHITE**
Matthews Paint
Satin
White Wonder
MP #32071



BLOCK A3
NORTH ELEVATION



30.58 linear feet

47.53 square feet

WO# 0000



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CUSTOMER APPROVAL

DATE

DESIGNER SALES REP FILE

BH

CT

Finks_FranklinTN_BuildingSignage_120822-D

PAGE

01 of 04

CUSTOM, ILLUMINATED CHANNEL LETTERS

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CLIENT

Finks Jewelers
Franklin

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D/F		LED FILL	☒
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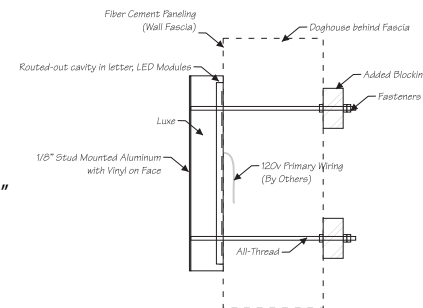


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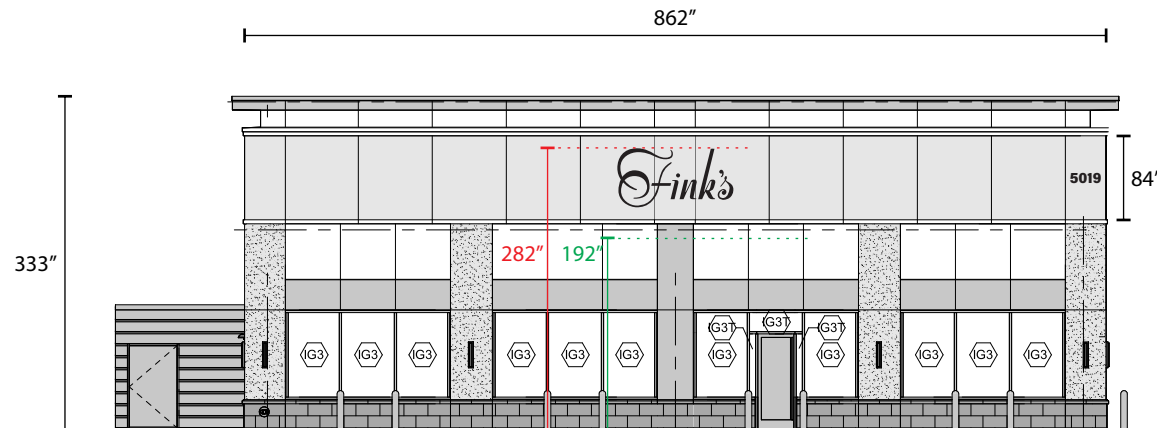
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1/8" white aluminum w/ gold vinyl
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- MOUNTING**
stud-mount with all-thread



Profile View
Not Drawn to Scale

BLOCK A3
EAST ELEVATION



71.83 linear feet

47.53 square feet

CUSTOMER APPROVAL

DATE

DESIGNER SALES REP FILE

BH

CT

Finks_FranklinTN_BuildingSignage_120822-D

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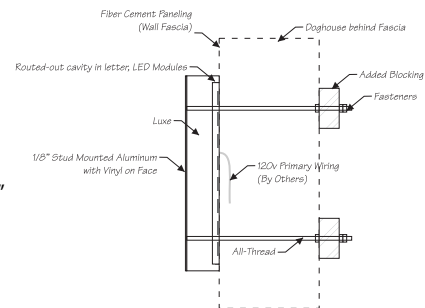


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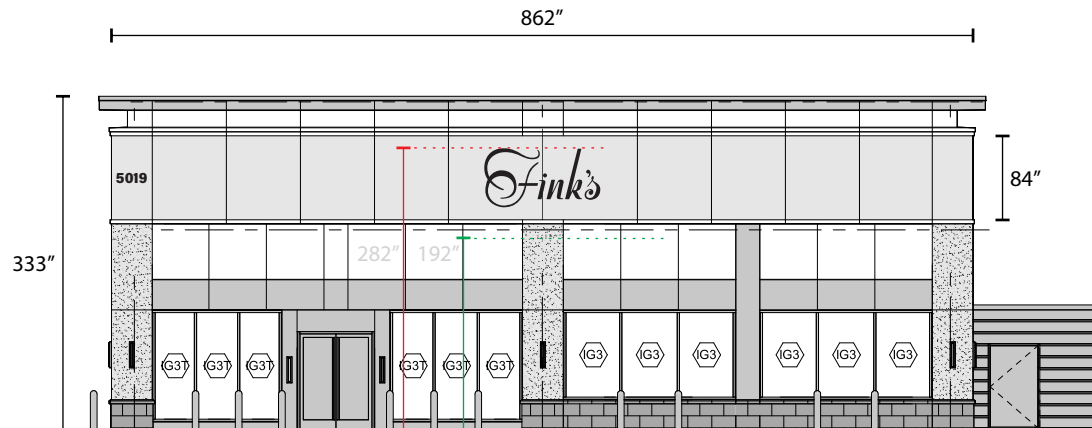
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47.53 square feet

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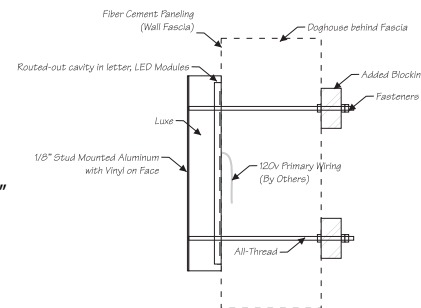
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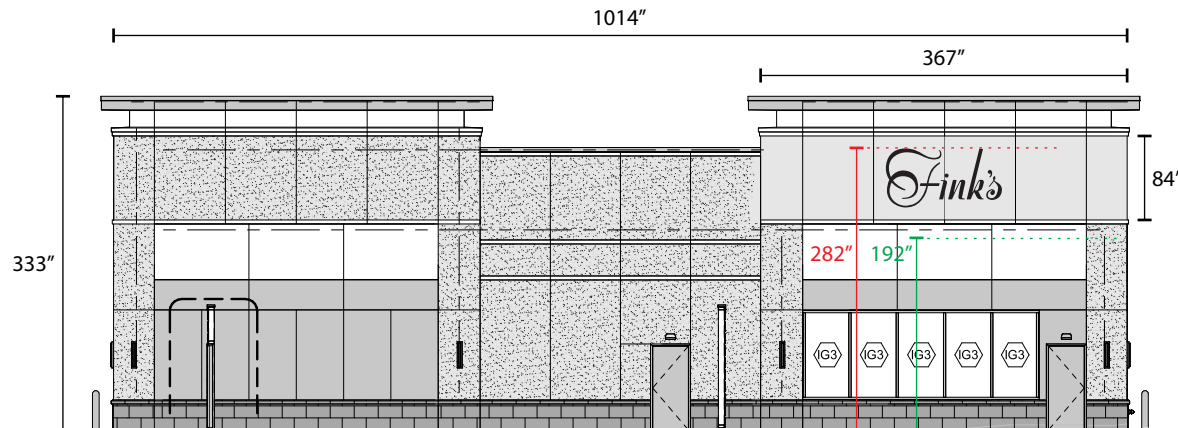
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BLOCK A3
SOUTH ELEVATION



30.58 linear feet

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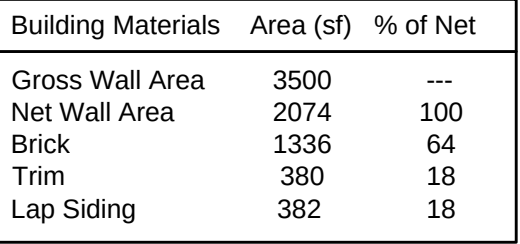
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Finks_FranklinTN_BuildingSignage_120822-D

PAGE

04 of 04

The logo for Smith GEE Studio, featuring a stylized 'SG' monogram inside a circle, with the text 'SMITH GEE STUDIO' to its right.

No:	Date:	Set Type:
1	05/29/12	DD Progress Set
2	06/19/12	50% CD Set
3	09/07/12	Permit Set
 4	10/29/12	Addendum 1

Building Materials	Area (sf)	% of Net
Gross Wall Area	3398	---
Net Wall Area	3026	100
Brick	3026	100

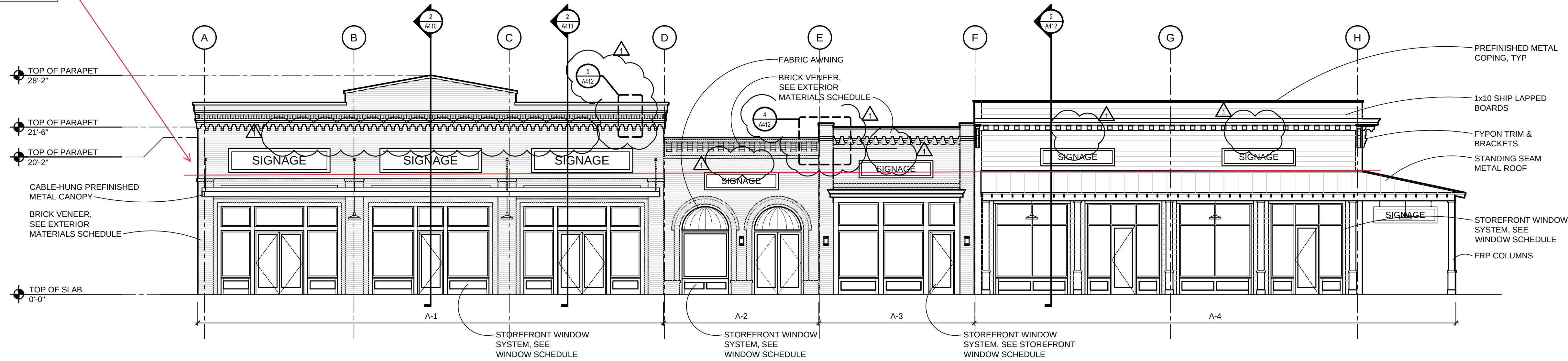
Building Materials	Area (sf)	% of Net
Gross Wall Area	1500	---
Net Wall Area	792	100
Brick	88	11
Trim	230	29
Lap Siding	474	60

Building Materials	Area (sf)	% of Net
Gross Wall Area	1634	---
Net Wall Area	1389	100
Brick	1389	100

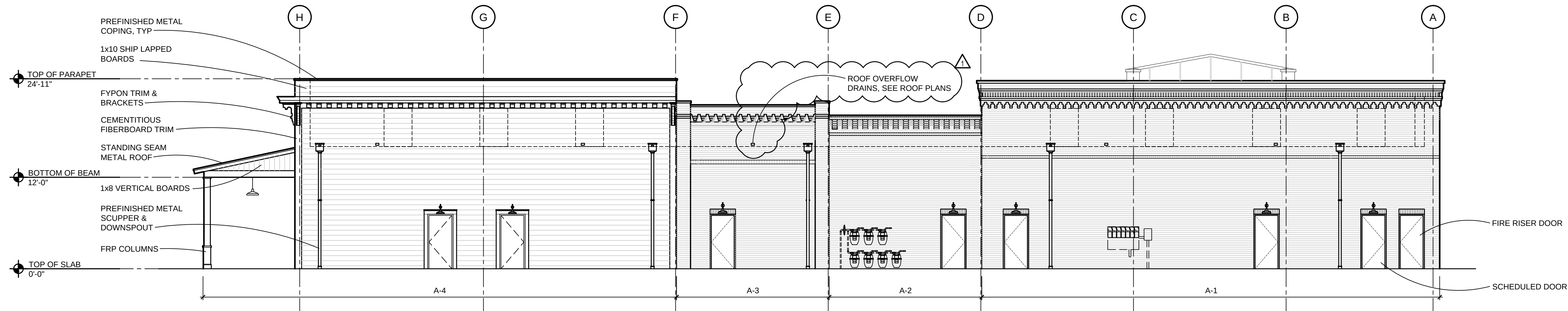
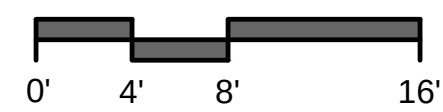
④ Elevation
 $\frac{1}{8}" = 1'-0"$

A300

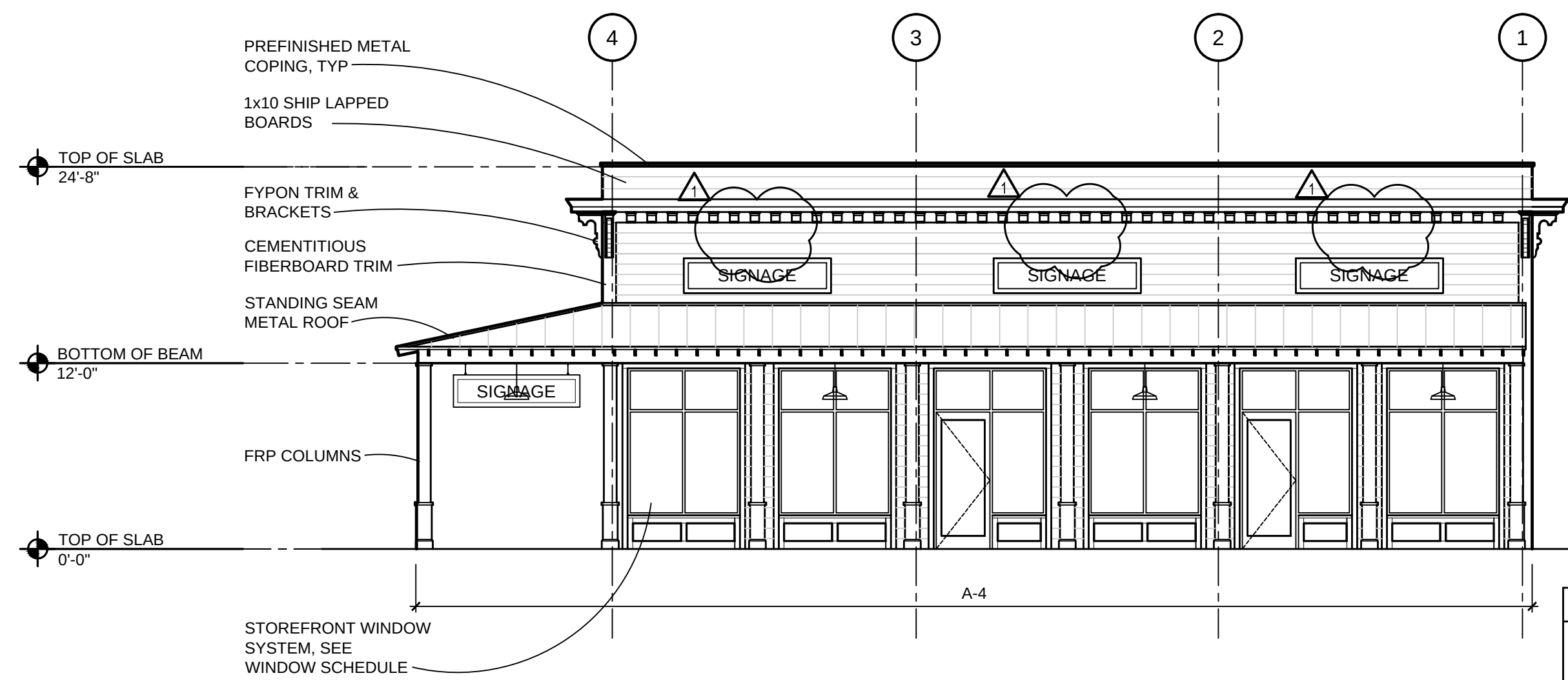
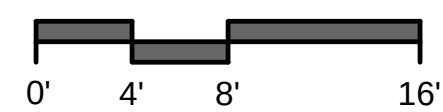
Approximate
roofline



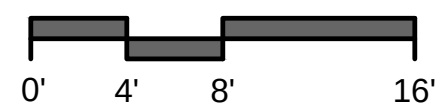
1 Elevation
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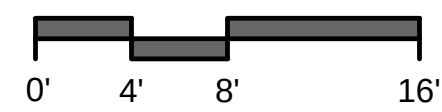
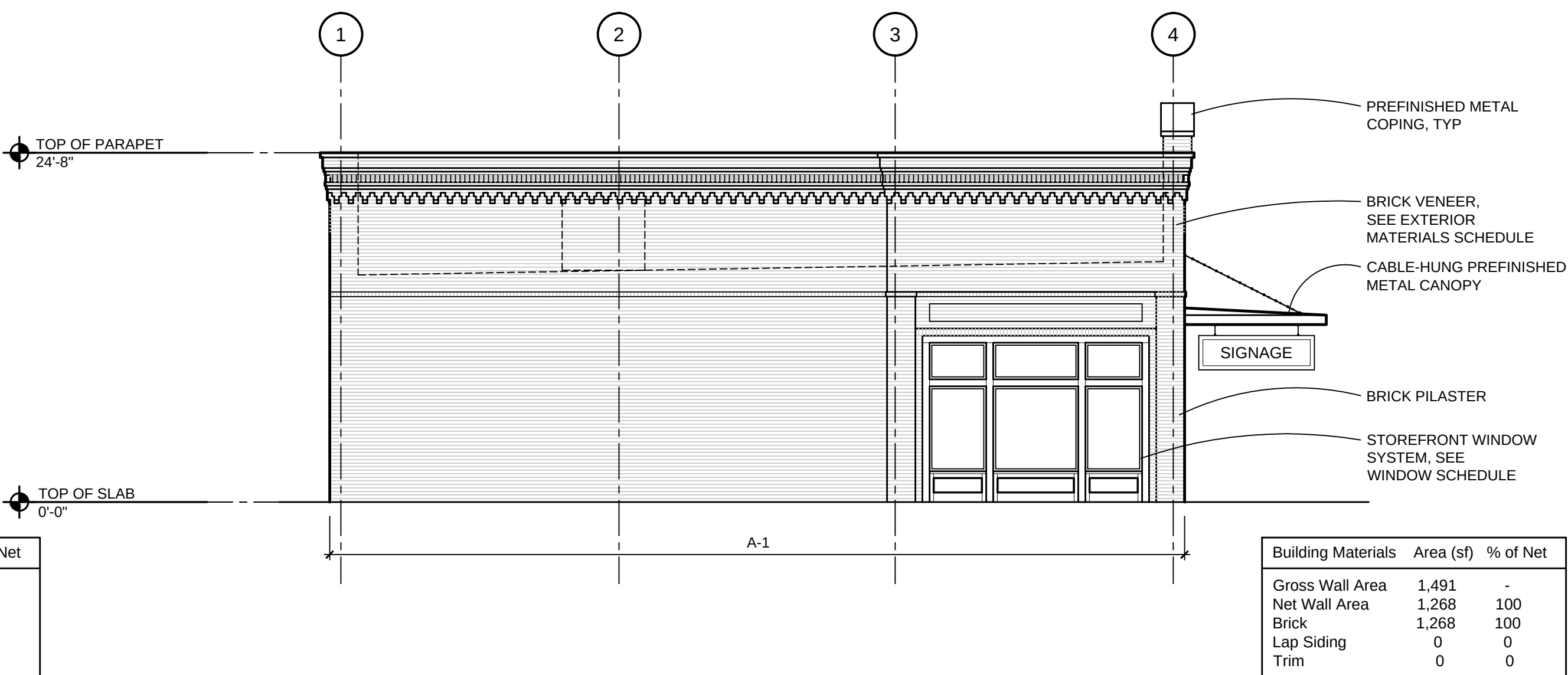
2 Elevation
 $\frac{1}{8}" = 1'-0"$



3 Elevation
 $\frac{1}{8}" = 1'-0"$



4 Elevation
 $\frac{1}{8}" = 1'-0"$



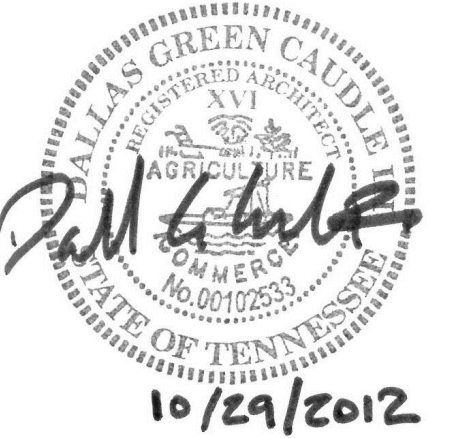
Smith Gee Studio, LLC
209 10th Avenue South, Suite 425
Nashville, Tennessee 37203
615/739-5555p 615/739-5582f
info@smithgeestudio.com

No:	Date:	Set Type:
1	05/29/12	DD Progress Set
2	06/19/12	50% CD Set
3	09/07/12	Permit Set
4	10/29/12	Addendum 1

Project Contact: Adam Ballash
Phone: 615/550-5583
SGS Contact: Dallas Caudle
SGS Project Number: 12016.00

Retail Building for:
Boyle Investment Company
2000 Meridian Boulevard, Suite 250
Franklin, Tennessee 37067

BERRY FARMS TOWN CENTER
SECTION 3 - LOT 303 - BUILDING A
4000 HUGHES CROSSING
FRANKLIN, TN 37064



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Drawing:
Exterior Elevations

A300









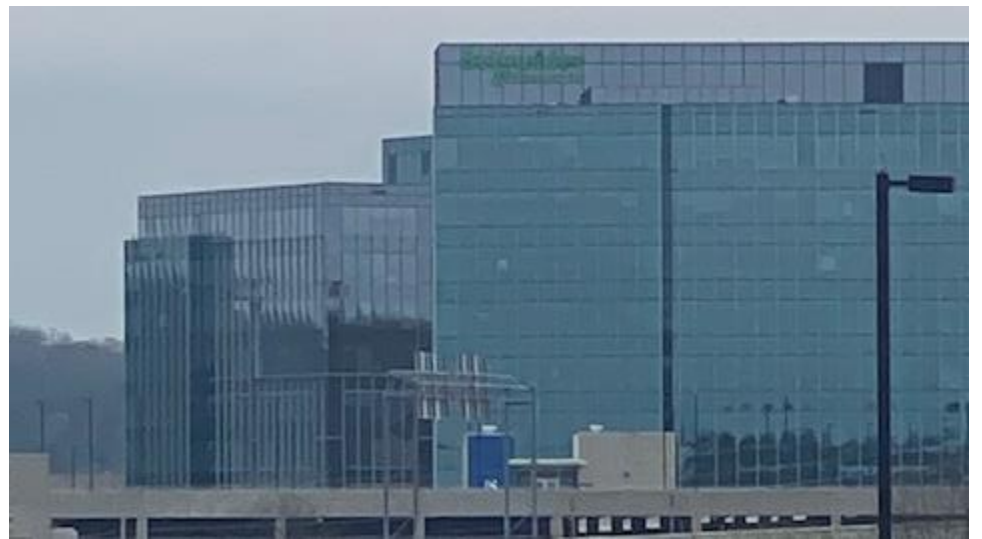


EXHIBIT E

FINK'S EXTERIOR DESIGN



EXHIBIT F

ZONING ORDINANCE SIGN REGULATIONS

CHAPTER 15

SIGNS

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15.1 General Provisions

15.1.1 Conflicting Provisions

- A. In the HPO, in cases where there is a conflict between the standards in the Historic District Design Guidelines and this Chapter, then the standards in the Historic District Design Guidelines shall take precedence.
- B. In cases where there is a conflict within this Chapter, the standards for the specific sign type shall control.

15.1.2 Placement

- A. Signs shall be placed according to the applicable sign type requirements.
- B. Signs shall not be placed within the public right-of-way, except:
 - 1. Those placed by or on behalf of a governmental entity;
 - 2. Sandwich board signs in the HPO as permitted by the Municipal Code; and
 - 3. Those sign types that project from a building over a sidewalk.
- C. All other signs placed in the right-of-way shall be forfeited to the public and shall be immediately confiscated by the Department of Building and Neighborhood Services.
- D. Signs shall not interfere or block the sight of directional, instructional, or warning signs placed by or on behalf of a governmental entity.
- E. Signs, along with their supports, braces, guys, or anchors shall be placed or constructed so as not to obstruct or interfere with any door, window, fire escape or other means of egress, light, or ventilation. Signs shall be located so that they do not obscure the view of pedestrian or vehicular traffic that would endanger safe movement. Signs shall not be placed to obscure prominent architectural features on a building.

15.1.3 Proportion and Shape

Signs shall not be irregularly shaped.

15.1.4 Materials

- A. Building materials for sign backgrounds, frames, supports, and ornamentation shall:
 - 1. Be durable and low-maintenance;
 - 2. Be of the same or higher quality materials as the principal building; and
 - 3. Have compatible design for all parts of the sign.
- B. The following materials are prohibited for sign backgrounds, frames, supports, and ornamentation:
 - 1. Exposed metal poles; and
 - 2. Smooth- or split-faced concrete blocks, whether painted or unpainted.

15.1.5 External Illumination

- A. External illumination of signs shall:
 - 1. Be achieved by a white, steady, stationary light of reasonable intensity;
 - 2. Be aimed and shielded so that direct illumination is focused exclusively on the sign face; and
 - 3. Be shielded from adjacent buildings, streets, and internal drives and shall not be so bright as to cause glare on or other nuisances to adjacent properties.
- B. The sign or device shall not produce glare or illumination that would create a nuisance or a safety hazard to adjacent property owners or to the traveling public.
- C. Any electrical lights or fixtures shall be installed in accordance with Article 600 of the National Electrical Code.

15.1.6 Internal Illumination

- A. Internal illumination of signs shall be limited to the letters, numbers, logos, and accent lines. The main copy area or face of internally illuminated signs shall be opaque

to prohibit light penetration. The lighting source shall not flash, move, change color, be overly bright, or create a nuisance.

- B. In the CAO1, internally illuminated signs attached to buildings shall only be allowed on the facade facing Columbia Avenue.
- C. In the CAO2 and DD districts, internally illuminated signs are prohibited.
- D. The sign or device shall not produce glare or illumination that would create a nuisance or a safety hazard to adjacent property owners or to the traveling public.
- E. Exposed neon and LED that is visible are prohibited and shall not be incorporated into the design of a principal building or accessory structure. Window signs may have neon as per Section 15.16, Window Sign.
- F. Any electrical lights or fixtures shall be installed in accordance with Article 600 of the National Electrical Code.

15.1.7 Maintenance

- A. Signs and the premises surrounding them shall be maintained in a clean, sanitary, and inoffensive condition, free and clear of obnoxious substances, rubbish, and weeds.
- B. Signs, together with their supports, braces, guys, and anchors, shall be maintained in good and safe condition, including the periodic application of paint or other weatherproofing materials to prevent rust or other decay. Signs shall not be allowed to deteriorate to a broken, torn, peeling, flaking, or otherwise decayed condition.
- C. Temporary signs and flags shall not be allowed to deteriorate to a tattered, torn, or faded condition. Any banner shall be hung flat and secured at all corners and sides.

15.1.8 Removal of Landscape Materials

Trees, shrubs, or other vegetation shall not be trimmed, damaged, destroyed, or removed to increase or enhance the visibility of signs in the following circumstances:

- A. Within public right-of-way, unless the work is done pursuant to the express written authorization of the City or State, whichever is appropriate;
- B. On property that is not under the ownership or control of the person conducting or responsible for the work, unless the work is done pursuant to the express authorization of the person owning the property on which the trees or shrubs are located; or
- C. In any area where trees or shrubs are required to remain pursuant to this Ordinance.

15.1.9 Prohibited Signs

The following signs are prohibited:

- A. Bench signs;
- B. Freestanding canopy signs, except as permitted in Paragraph 5.1.4.K, Gas Stations;
- C. Home occupation signs;
- D. Government imitation signs;
- E. Inflatable or similar balloon-type devices larger than 18 inches in diameter that require tethering;
- F. Moving signs;
- G. Noisy mechanical devices;
- H. Signs on parked vehicles;
- I. Roof signs, including signs painted on roofs or that extend above the highest point of a roof;
- J. Searchlights;
- K. Signs on natural features such as trees, other living vegetation, and rocks;
- L. Trailer signs;
- M. Signs projected onto surfaces using light;

- N. LED electronic message center signs;
- O. LED display screens;
- P. Strings lights attached to or part of a sign; and
- Q. Any other sign not expressly permitted by this Ordinance, the Municipal Code, or the Historic District Design Guidelines, as applicable.

15.1.10 Sign Area Computation

- A. The sign area shall be the computed area of the background upon which lettering, insignia, or other devices are placed.
- B. Where the sign area is on the face of a building, the area of the sign shall be determined by the smallest geometric shape that encloses all borders, graphics, and letters as a complete sign.
- C. The supporting structures shall not be included in the area computation unless utilized as part of the total display area.

Figure 15.1.10 Sign area is determined by drawing a box (indicated by the dashed line) around all letters, graphics, and markings associated with the sign.



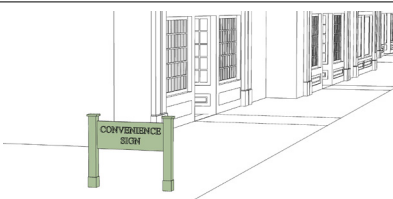
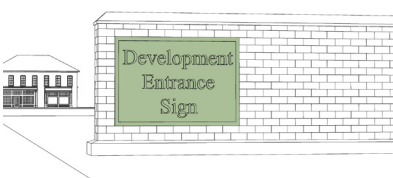
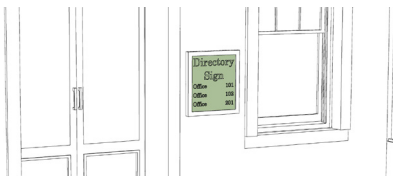
15.1.11 Nonconforming Signs

The following shall apply to legally permitted signs or sign structures that met all applicable regulations in effect at the time of installation, but were made nonconforming prior to or as of the effective date of this Ordinance:

- A. Minor repairs and maintenance may be performed on a nonconforming sign or sign structure, such as printing, painting, re-facing, or refinishing the surface so as to maintain the condition of the sign;
- B. Nonconforming billboards may be continued and permitted to expand in accordance with the provisions of T.C.A. § 13-7-208; and
- C. Signs shall be brought into compliance with this Ordinance when:
 - 1. A sign is structurally altered;
 - 2. A sign is changed so as to increase the extent of the nonconformity, except as permitted in Paragraph 15.1.11.B;
 - 3. The use of a business or property changes;
 - 4. The sign is abandoned for a period of 90 days following the discontinuation of the business; or
 - 5. The sign is destroyed or damaged to the extent that repairing the sign would cost 50 percent or more of the current cost to replace the sign, including labor and materials.

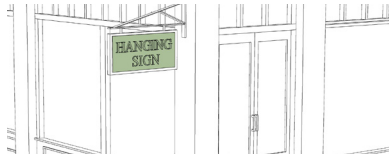
15.2 Overview of Sign Types Permitted by Location

The following sign types are permitted in the following districts. Each sign shall comply with all standards and tables in the corresponding sign type.

Sign Type Description	Illustration	Permitted Zoning Districts
Awning Sign: A sign that is part of or attached to the front face of an awning attached to a building		OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Band Sign: A sign that is flat against the facade and placed directly above a ground floor main entrance of a storefront and runs horizontally		OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Canopy Sign: A sign that is attached to the front face of a canopy attached to a building		PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Convenience Sign: A small, ground-mounted sign for pedestrian and vehicular circulation within a site		PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Development Entrance Sign: A ground-mounted sign located at the entrance to a development, typically associated with subdivisions		All districts, except OR
Directory Sign: A small sign that is flat against the building facade and mounted or applied directly to the building		OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI
Flag: Bunting or fabric that is hoisted on a permanent flagpole or otherwise displayed from a building		All districts

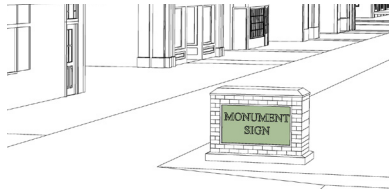
Overview of Sign Types Permitted by Location

Hanging Sign: A sign hanging from beams, brackets, or poles projecting from a building



OR PD CI NC CC
DD 1ST 5TH RC6
RC12 GO LI HI

Monument Sign: A ground-mounted sign that is placed upon or supported by the ground and independent of any other structure



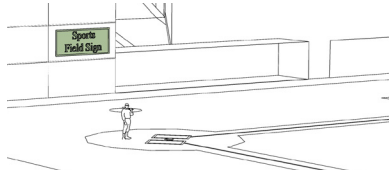
PD CI NC CC 5TH
RC6 RC12 GO LI
HI

Sandwich Board Sign: A pair of advertisement boards connected at the top by straps or hinge designed to be placed on the sidewalk in front of the storefront



PD NC CC DD 1ST
5TH RC6 RC12

Sports Field/Sports Court Sign: A sign that is attached to a sports field or sports court fence



All districts

Vertical Blade Sign: A vertically-oriented sign that projects from a commercial/mixed-use building that is two or more stories and located at a street intersection



PD NC CC DD
1ST 5TH RC6
RC12 GO

Wall Sign: A sign that is flat against the building facade and mounted or applied directly to the building



OR PD CI NC CC
DD 1ST 5TH RC6
RC12 GO LI HI

Window Sign: A sign placed within, affixed to, in contact with, or located within 12 inches of a window and intended to be seen from the exterior



OR PD CI NC CC
DD 1ST 5TH RC6
RC12 GO LI HI

Temporary Construction Site Sign: A sign on an active construction site intended for temporary use during the construction period. Permitted in all districts

Temporary Sign: A sign intended for temporary use other than temporary construction site signs and campaign signs. Permitted in all districts

15.15 Wall Sign



Description		Standards (Continued)	
A sign that is flat against the building facade and mounted or applied directly to the building		Placement	Maximum height shall be the main roofline of the uppermost full story; maximum height of 16 feet when located within 200 feet of a residential lot
Standards		Projection	Maximum of one foot from the building facade
Permitted Districts	OR PD CI NC CC DD 1ST 5TH RC6 RC12 GO LI HI	Materials	Brick, stone, wood, metal, or a composite material that has the same properties
Quantity	Maximum of one per building facade only if no band sign exists on the building	Lighting	External or internal illumination
Sign Area	Maximum of one square foot per linear foot of building facade		

Open Space Set-Aside

Portion of a proposed development required for reservation as permanent open space.

Outdoor Dining Area

The type of open space described as such in Section 11.9, Outdoor Dining Area.

Outdoor Sales

The placement of products or materials for sale outside the entrance of a retail or wholesale sales establishment.

Outdoor Storage

The keeping, in an unroofed area of any goods, material, merchandise, or vehicles in the same place for more than 24 hours. This does not include the display of vehicles or equipment for sale or rental in a sales lot.

Overnight Stay

For the purposes of Chapter 4, Overlay Zoning Districts, overnight stay refers to uses where people or animals sleep overnight, such as residential uses, group homes, continuum of care facilities, correctional facilities, hospitals, bed and breakfast establishments, hotels, and animal services with boarding facilities.

p

Parallel Parking Space

A parking space located parallel to a public or private street or internal drive.

Parapet or Parapet Wall

That part of a building facade that rises above the roof level, typically obscuring a flat roof as well as any roof-mounted equipment.

Parcel

See "Lot".

Parked Vehicle Sign

Signs placed on or affixed to vehicles or trailers that are parked on a public or private street or on public or private property so as to be visible from a public or private street or internal drive. This does not pertain to signs placed on or affixed to vehicles, where the sign is incidental to the primary use of the vehicle or trailer or to exclude the advertising of the vehicle for sale.

Parking Area

Parking spaces that serve a principal use.

Parking Bay

A parking area consisting of one row of parking spaces or stalls and the aisle from which motor vehicles enter and leave the spaces.

Parking Demand Study

An analysis of the total number of parking spaces required in order to accommodate the maximum number of vehicles for parking purposes by a particular use or site at any given time, including the parking requirements for all employees, occupants, clients, and visitors.

Parking Space

A space that is designated for the parking or temporary storage of one vehicle.

the wall from slumping, sliding, or falling. Examples include segmental walls, masonry walls, poured-in-place walls, boulder walls, and pre-split rock walls.

Retention (Wet) Pond

A stormwater management feature that uses a wet basin as a holding area for stormwater runoff and is designed to retain a permanent pool of water throughout the year.

Rezoning

A change in the district boundaries or district classifications of the zoning map. For the purposes of this Ordinance, rezoning also includes the initial zoning of a property that occurs with annexation.

Right-of-Way (ROW)

An area owned or maintained by the City, County, the State of Tennessee, federal government, a public utility, a railroad, or a private concern for the placement of such utilities and/or facilities for the passage of vehicles or pedestrians, including roads, streets, pedestrian walkways, utilities, or railroads.

Riparian Buffer

The area of natural or planted vegetation adjacent to a natural watercourse as measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams, rivers, lakes, ponds, or wetlands which is intended to remain undisturbed.

Riverine

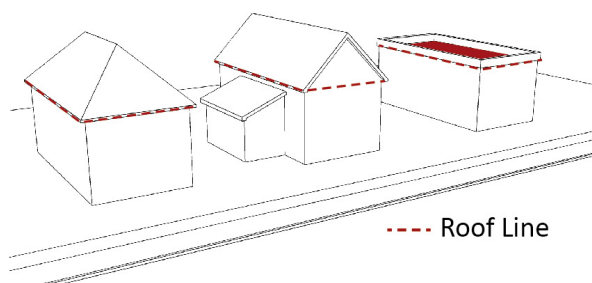
Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Roof Forms

The type, arrangement of ridges or parapet walls, or materials used on a roof.

Roof Line

The highest point of a flat roof or mansard roof and the lowest point of a pitched roof, excluding any cupolas, chimneys, or other minor projection.

**Roof Sign**

An attached sign wholly or partially dependent upon the roof of any building for support.

Routine Maintenance

The preventative or cyclical maintenance that is a part of the on-going care and upkeep of any building, structure, property, or improvement.

Rural Character

The development patterns, architecture, and arrangement of land uses such as agriculture and undeveloped lands found in sparsely settled areas.

S**Sandwich Board Sign**

A type of sign described as such in Section 15.12, Sandwich Board Sign.

EXHIBIT G

WALL SECTION ARCHITECTURAL DRAWING



EXHIBIT H

OVERALL GRADING PLAN

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reliance of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

STORMWATER NARRATIVE

THE PROPOSED STORM DESIGN FOR THIS SITE WILL INCORPORATE TWO EXISTING RETENTION PONDS CONSTRUCTED DURING THE ORIGINAL MASS GRADING OF THIS SITE. THE PROPOSED SHAPE, DEPTH, AND VOLUME OF THE PONDS WILL BE CONSTRUCTED IN ORDER TO SUBSTANTIALLY COMPLY WITH THE ORIGINAL STORMWATER DESIGN INTENT. RUNOFF FROM STORM EVENTS WILL FLOW FROM SOUTH TO NORTH AND WILL BE COLLECTED VIA THE PROPOSED STORM NETWORK SHOWN ON THIS PLAN AND WITH FUTURE SUBMITTALS. THE PROPOSED STORM NETWORK WILL ROUTE FLOW TO PROPOSED PROPRIETARY WATER QUALITY UNITS (50% TSS REMOVAL) BEFORE DISCHARGING INTO THE RETENTION PONDS (80% TSS REMOVAL). AS THE WATER ELEVATION OF THE PONDS RISES, THE STORMWATER WILL DISCHARGE INTO A PROPOSED OUTLET STRUCTURE WITH A WEIR ELEVATION OF 685.5. THE OUTLET STRUCTURE WILL CONVEY RUNOFF FROM THE PONDS TO AN EXISTING STORM NETWORK THAT OUTFALLS NEAR THE EXISTING CREEK AT THE NORTHEAST CORNER OF THE SITE. PEAK POST DEVELOPMENT FLOWS FOR THIS SITE WILL BE LESS THAN PEAK PREDEVELOPMENT FLOWS.

OUTFALL A GRADING AND DRAINAGE CHART

	PRE-DEV OFFSITE	PRE-DEV ONSITE	POST-DEV OFFSITE	POST-DEV ONSITE	POST-DEV BYPASS	POND WATER SURFACE ELEV.
TOTAL AREA (ACRES)	+/- 8.87 AC	44.89 AC	+/- 8.87 AC	+/- 41.33	+/- 3.56 AC	N/A
IMPERVIOUS AREA (ACRES)	+/- 6.20 AC	0.00	+/- 6.20 AC	+/- 31.42 AC	0	N/A
DISTURBED AREA (ACRES)	0	0	0	+/- 40.00 AC	+/- 1.50 AC	N/A
2-YEAR STORM FLOW RATE	19.34 CFS	27.80 CFS	19.34 CFS	20.13 CFS	3.90 CFS	688.02
5-YEAR STORM FLOW RATE	25.53 CFS	48.19 CFS	25.53 CFS	38.18 CFS	6.35 CFS	688.66
10-YEAR STORM FLOW RATE	30.67 CFS	66.25 CFS	30.67 CFS	53.07 CFS	8.57 CFS	689.14
25-YEAR STORM FLOW RATE	37.64 CFS	94.64 CFS	37.64 CFS	72.82 CFS	11.97 CFS	689.80
50-YEAR STORM FLOW RATE	43.03 CFS	119.41 CFS	43.03 CFS	97.83 CFS	14.93 CFS	690.28
100-YEAR STORM FLOW RATE	49.00 CFS	145.92 CFS	49.00 CFS	123.65 CFS	18.07 CFS	690.71

STREAM BUFFER NOTE

THERE SHALL BE NO MOVING, CLEARING, GRADING, CONSTRUCTION, STORAGE, OR DISTURBANCE OF VEGETATION IN RIPARIAN BUFFERS EXCEPT AS PERMITTED BY THE CITY ENGINEER, OR HIS DESIGNEE

GRADING AND DRAINAGE GENERAL NOTES

1. GRADING PERMIT IS REQUIRED FOR ANY PROJECT DISTURBING MORE THAN 10,000 SF, ADDING MORE THAN 5,000 SF OF IMPERVIOUS SURFACE OR FOR ANY SITE GRADING REQUIRING STOCKPILING OF MATERIAL.
2. THE DEVELOPER SHALL PROVIDE THE NECESSARY LABOR AND SUPERVISION REQUIRED TO SUPPORT FIELD TESTING BY THE INDEPENDENT TESTING FIRM AND INSPECTIONS BY CITY OFFICIALS AT NO COST TO THE CITY. TEST REPORTS OF FIELD TESTING IF APPLICABLE SHALL BE SUBMITTED DIRECTLY TO THE STREET DEPARTMENT. DEFECTS DISCLOSED BY TESTS SHALL BE RECTIFIED.
3. AN AUTHORIZED REPRESENTATIVE OF THE CITY SHALL MAKE A FINAL INSPECTION OF THE PROJECT AFTER COMPLETION TO DETERMINE ACCEPTABILITY OF THE WORK AND FOR RELEASE OF PERFORMANCE BONDS IF REQUIRED. BEFORE THIS FINAL INSPECTION CAN BE MADE, THE ENGINEER RESPONSIBLE FOR THE PROJECT SHALL CERTIFY IN WRITING TO THE CITY ENGINEER THAT THE WORK HAS BEEN COMPLETED IN ACCORDANCE WITH APPROVED PLANS AND SPECIFICATION.
4. DRAINAGE FACILITIES INCLUDING, BUT NOT LIMITED TO, CULVERTS, DETENTION BASINS AND DITCHES, AS WELL AS THE ROADWAY SUB-GRADE, BASE STONE AND BINDER & SURFACE COARSE SHALL BE INSPECTED, TESTED AND GIVEN APPROVAL AT EACH STAGE OF INSTALLATION PRIOR TO PROCEEDING TO THE NEXT STAGE OF CONSTRUCTION. FINAL CONSTRUCTION INSPECTION FOR APPROVAL AND ACCEPTANCE OF STREETS AND DRAINAGE SYSTEMS WILL NOT BE GRANTED UNTIL ALL WORK HAS BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS.
5. LOCATING AND COORDINATION FOR THE RELOCATION OF EXISTING UTILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR. TENNESSEE'S ONE-CALL AND THE CITY OF FRANKLIN UTILITY LOCATION SERVICE SHALL BE UTILIZED IN ADDITION TO COORDINATION WITH LOCAL UTILITY OWNERS. THE CONTRACTOR SHALL AT ALL TIMES PROTECT EXISTING UTILITIES AND WILL BE RESPONSIBLE FOR COSTS DUE TO DAMAGE CAUSED TO ANY UTILITY LINES. CONTRACTOR TO VERIFY ELEVATIONS OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER IMMEDIATELY OF ANY CONFLICTS.

WATER QUALITY BMP NOTE

WATER QUALITY BMPs SHALL NOT BE INSTALLED UNTIL BUILD OUT IS NEAR COMPLETION TO PREVENT CONSTRUCTION SEDIMENT FROM ENTERING WATER QUALITY BMPs. WATER QUALITY AREAS SHALL NOT BE USED AS SEDIMENT BASINS DURING CONSTRUCTION. INSTALLERS OF WATER QUALITY BMPs SHOULD FOLLOW ALL INSTALLATION GUIDELINES SET FORTH IN THE CITY OF FRANKLIN BMP MANUAL LOCATED ON THE CITY'S WEBSITE.

TREE PROTECTION NOTE

ALL TREE-PROTECTION FENCING SHALL BE IN PLACE PRIOR TO THE ISSUANCE OF A GRADING OR LAND DISTURBANCE PERMIT AND SHALL BE MAINTAINED IN GOOD WORKING ORDER UNTIL ALL CONSTRUCTION ACTIVITY IS COMPLETED. NO DISTURBANCE IS PERMITTED IN A TREE PRESERVATION AREA. ANY REQUIRED EROSION CONTROL MEASURES SHALL BE PLACED OUTSIDE OF ANY TREE PROTECTION FENCING.

RETENTION POND NOTE

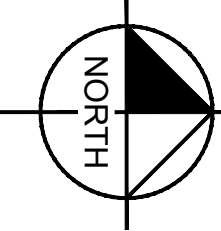
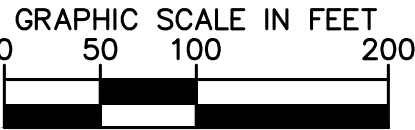
THE RETENTION PONDS ON THIS SITE ARE DESIGNED TO HANDLE THE RUNOFF FROM EXISTING LOT 102, AND ALL OF THE FUTURE DEVELOPMENT ON SITE.

PIPE NOTE

1. ALL RCP TO BE CLASS III
2. ALL PIPES SHOWN IN THE PIPE TABLE CHART HAVE BEEN DESIGNED WITH A MANNING'S N OF 0.013. PIPE MATERIALS IDENTIFIED ABOVE, OTHER THAN PIPES WITHIN THE BUILDING FOOTPRINT, ARE SUGGESTIONS ONLY. IF THE OWNER/CONTRACTOR WISHES TO MAKE SUBSTITUTIONS, A DETAILED SUBMITTAL TO THE ENGINEER OUTLINING SUBSTITUTIONS AND PROPOSED REVISIONS MUST BE REVIEWED AND AUTHORIZED PRIOR TO ORDERING PIPE AND STRUCTURES.
3. ALL PERMANENT STORMWATER BMPs ON THIS SITE SHALL BE MAINTAINED BY THE PROPERTY OWNER.
4. ALL DETENTION AND DRAINAGE EASEMENTS TO BE MAINTAINED BY THE PROPERTY OWNER.
5. SEE SHEET C3.4 FOR STORM PIPE & STRUCTURE CHARTS.

PROPOSED STORM NARRATIVE

THE PROPOSED STORM DESIGN FOR THIS SITE WILL INCORPORATE TWO EXISTING RETENTION PONDS CONSTRUCTED DURING THE ORIGINAL MASS GRADING OF THIS SITE. THE PROPOSED SHAPE, DEPTH, AND VOLUME OF THE PONDS WILL BE CONSTRUCTED IN ORDER TO SUBSTANTIALLY COMPLY WITH THE ORIGINAL STORMWATER DESIGN INTENT. RUNOFF FROM STORM EVENTS WILL FLOW FROM SOUTH TO NORTH AND WILL BE COLLECTED VIA THE PROPOSED STORM NETWORK SHOWN ON THIS PLAN AND WITH FUTURE SUBMITTALS. THE PROPOSED STORM NETWORK WILL ROUTE FLOW TO PROPOSED PROPRIETARY WATER QUALITY UNITS (50% TSS REMOVAL) BEFORE DISCHARGING INTO THE RETENTION PONDS (80% TSS REMOVAL). AS THE WATER ELEVATION OF THE PONDS RISES, THE STORMWATER WILL DISCHARGE INTO A PROPOSED OUTLET STRUCTURE WITH A WEIR ELEVATION OF 685.5. THE OUTLET STRUCTURE WILL CONVEY RUNOFF FROM THE PONDS TO AN EXISTING STORM NETWORK THAT OUTFALLS NEAR THE EXISTING CREEK AT THE NORTHEAST CORNER OF THE SITE. PEAK POST DEVELOPMENT FLOWS FOR THIS SITE WILL BE LESS THAN PEAK PREDEVELOPMENT FLOWS.



Kimley»Horn

4013 Aspen Grove Drive, Franklin, TN 37067
Main: 615.564.2701 | www.kimley-horn.com
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MCEWEN PLACE
P.U.D. SUBDIVISION - SECTION 3
LOT 301 (BLOCK A)
BOYLE NASHVILLE, LLC
FRANKLIN, WILLIAMSON COUNTY, TENNESSEE



REV.	DATE	BY	REVISIONS
1	11/07/19	JYB	PER COF COMMENTS
2	03/16/20	JYB	ONE STOP SUBMITTAL
3	12/14/20	JYB	SP AMENDMENT
4	02/15/21	RLM	50% CONSTRUCTION DOCS
5	03/08/21	RLM	75% CONSTRUCTION DOCS
6	05/10/21	RLM	SP AMENDMENT
7	12/13/21	WCH	SP AMENDMENT
8	09/01/22	LJA	SP AMENDMENT
10			

DESIGNED BY: LJA
DRAWN BY: LJA
CHECKED BY: RLM
DATE: 09/01/2022
KIMLEY-HORN PROJECT NO. 118102003

OVERALL GRADING AND DRAINAGE PLAN

SHEET NUMBER

C3.0

EXHIBIT I

EXAMPLES OF STORE VIEW FROM VARIOUS VANTAGE POINTS









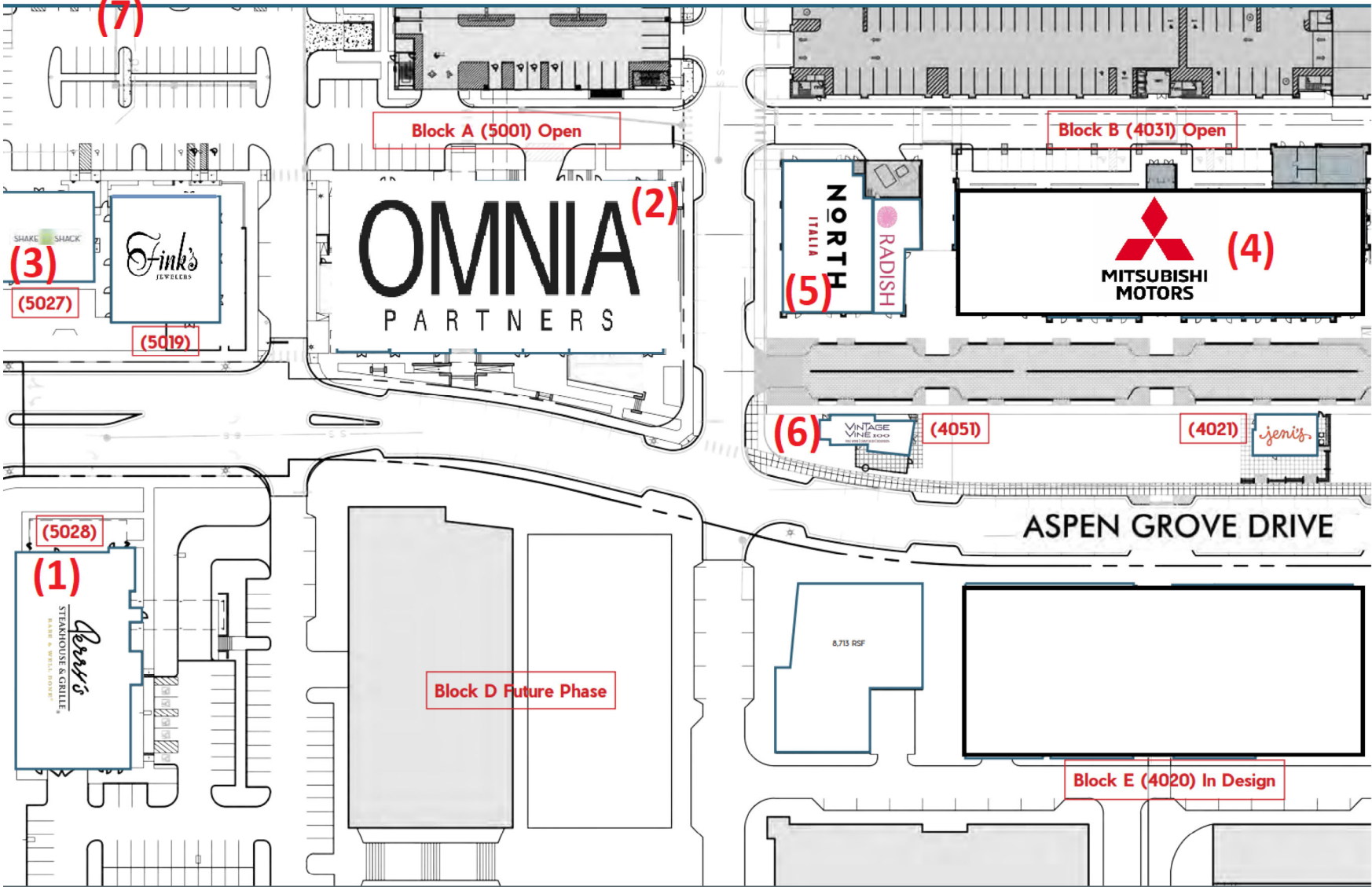




EXHIBIT J

SIMILAR EXTERIOR SIGNS IN MCEWEN NORTHSIDE

MASTER PLAN



A THOUGHTFULLY PLANNED DISTRICT

















James L. Murphy III

Partner
jmurphy@bradley.com
615.252.2303 direct



June 9, 2023

Board of Zoning Appeals
City of Franklin
109 3rd Avenue South
Franklin, TN 37064
Attn: Chair Jonathan Langley

RE: Application for Variance for Fink's Jewelers, Inc., 5019 Aspen Grove Drive,
Franklin, TN 37067 (the "Property")

Dear Chair Langley and Board Members,

I represent Fink's Jewelers, Inc. ("Fink's"), the future tenant of a retail building currently under construction on the Property in the McEwen Northside mixed-use development. A site plan for the Property is attached hereto as Exhibit A. Family owned and operated since 1930, Fink's is the largest retailer of fine jewelry and timepiece brands such as Rolex, Cartier and Breitling in the Southeast. The Property will be Fink's tenth store and first middle Tennessee location. The Property will showcase Fink's new modern jewel-box design aesthetic, featuring high end finishes and custom design brand boutiques. Renderings of the store interior design and detailed floorplan, including descriptions of the high-quality building materials that will be used in construction, are attached hereto as Exhibit B.

Fink's is seeking a variance from Section 15.15 of the Zoning Ordinance of the City of Franklin (the "Zoning Ordinance") so that the store's exterior wall signs may be installed above the building's roof line on the parapet wall. Prior to submitting this variance request, Fink's received approval of its sign design from the McEwen Northside Architectural Review Committee on May 24, 2023. A copy of the approval letter and proposed sign design is attached hereto as Exhibit C. Fink's has also received an approval letter and a signed affidavit from the property owner, Boyle Investment Company, in support of its variance request. A copy of both the support letter and signed affidavit is attached hereto as Exhibit D. Upon receiving approval of its variance request, Fink's would install its sign according to the approved plans and plans to open its store in the fall of 2023. An illustration of the exterior of Fink's finished store complete with the proposed sign is attached hereto as Exhibit E.

The Board of Zoning Appeals (the "BZA") has the authority to review and grant variances pursuant to Section 20.10 of the Zoning Ordinance. In order to be eligible for a variance, Fink's must demonstrate: (1) that the variance request is justified because the property either is exceptional due to narrowness, shallowness or shape of the property or contains exceptional topographic conditions or other extraordinary situations or conditions; (2) the strict application of the Zoning Ordinance would result in practical difficulties or undue hardship on the property owner; and (3) that relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zoning Ordinance. As demonstrated in more detail below, Fink's variance request is justified and should be granted by the BZA

because, in doing so, Fink's signage would be visible from all sides of the building, due to the topography of the property in relation to the surrounding properties, and would be consistent with exteriors of the surrounding buildings in McEwen Northside. By granting Fink's request, the BZA would be preventing undue hardship on the visibility of Fink's sign and would provide aesthetic harmony for the other businesses in McEwen Northside.

Under Section 15.2 of the Zoning Ordinance, Fink's is currently required to install its wall sign at or below is "the main roofline of the uppermost full story." "Roof line" is defined as "the highest point of a flat roof or mansard roof and the lowest point of a pitched roof, excluding any cupolas, chimneys, or other minor projection." A copy of the relevant sign regulations of the Zoning Ordinance is attached hereto as Exhibit F. As constructed, Fink's building has a parapet wall around the top above the roof line, as depicted in the architectural drawing of the building's wall sections attached hereto as Exhibit G. The drawing also illustrates the roof membrane's extension over the parapet wall such that Fink's intends to comply with the intent of the Zoning Ordinance to not have any visible or exposed outdoor electrical infrastructure. The Zoning Ordinance defines a "parapet wall" as "that part of a building façade that rises above the roofline, typically obscuring a flat roof as well as any roof-mounted equipment." Because the Zoning Ordinance prohibits wall signs from being installed above the roofline, Fink's is unable to install its sign on the parapet wall without a variance, which is entirely inconsistent with location of the exterior wall signs of the surrounding properties.

Variances may be granted when the Property contains exceptional topographic conditions that make the deviation from the Zoning Ordinance necessary in order to prevent undue hardship on the property owner. Fink's store is located downhill of the main entrance to McEwen Northside on Aspen Grove Drive and uphill from the larger development to the north of the Property. A copy of the approved overall grading plan for Block A of McEwen Northside is attached hereto as Exhibit H. The topographical condition of the Property would cause any signage installed below the roofline to be significantly obstructed. Examples of various vantage points around the development are attached hereto as Exhibit I. As demonstrated by the topographical notations on the grading plan and the photographs provided, installing the Fink's exterior sign below the roofline would negatively impact the visibility of the sign as well as the overall design aesthetic of the store.

Significantly, there are a significant number of surrounding properties in McEwen Northside with wall signs installed on parapet walls above the roofline. Even those properties in close proximity to the Property that do not have parapets have installed wall signs in almost identical locations as Fink's proposed sign. The parapet wall on Fink's store is designed to be a cohesive part of the building and is visually consistent with the surrounding buildings without parapet walls. As a result, it would not be apparent to observers of the signs that the signs are located above the roofline. Examples of signage installed on the surrounding buildings in McEwen Northside are attached hereto as Exhibit J. Fink's proposed signage location is consistent with the location of the signage on all of the surrounding buildings and provides visual harmony to the development.

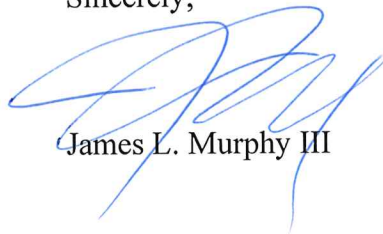
June 9, 2023

Page 3

Through its application and supporting exhibits, Fink's has demonstrated that its variance request is justified due to the topographical challenges of the Property and is necessary to ensure consistency with the surrounding development. Strict application of the Zoning Ordinance would severely impede Fink's ability to have unobstructed signs and provide the most aesthetically pleasing store possible and therefore would have a detrimental effect on the visual appeal of McEwen Northside. Because a critical number of surrounding locations have exterior signage installed on parapet walls and in identical locations as Fink's proposed sign, granting Fink's variance request would not cause substantial detriment to the public good and would not impair the intent of the Zoning Ordinance.

As such, Fink's respectfully requests that the BZA grant its variance request to permit its exterior signage to be installed on the parapet walls above the roofline in accordance with its proposed design.

Sincerely,



James L. Murphy III

Enclosures



File #: 21-04827

DATE: June 16, 2023
TO: Board of Zoning Appeals
FROM: Emily Wright, Director of Planning and Sustainability
Amy Diaz-Barriga, Asst Director of Planning Development
Ariella Stanford, Planner
Shanna McCoy, Zoning Administrator

SUBJECT:

An **Appeal Of Administrative Decision** Classifying A Use As Clinic, And Thereby Prohibiting The Use In The Downtown District, For The Property Located At 212 E Main Street (F.Z.O. 5.1.3).

PURPOSE:

PROJECT INFORMATION

COF Project Number: 8205
Applicant: Ashley Roark
Owner: Danmark Co. Partnership, Chuck McDonald (Representative)

BACKGROUND/STAFF COMMENTS:

Vicinity Zoning/Land Use

Site: Downtown District / Mixed Use
North: Downtown District / Office
South: Downtown District / Office
East: Downtown District / Commercial
West: Downtown District / Office

Applicable Zoning Ordinance Provisions

20.18 Appeal of Administrative Decision

In this case, the purpose of the Appeal of Administrative Decision is to provide a process for interpretation of the zoning map when there are disputed questions about lot lines or district boundary lines as they arise in the administration of the zoning regulations. For map interpretation, the BZA shall use the best available data to make a final interpretation of the zoning map boundary.

5.1.3. Permitted Principal Uses by Zoning District

The chart in section 5.1.3. of the Zoning Ordinance shows that 'Clinic' Principal Use is not permitted in the Downtown District.

Background

The subject property is located at 212 E Main Street and is zoned Downtown District. Roark Orthodontics and Aesthetics is seeking an Administrative Appeal of Decision, based on the Zoning Determination Letter given to them by the City's Zoning Administrator, Shanna McCoy. The business is proposing to provide aesthetic services and smile alignment. The Zoning Determination Letter determined this use to be classified as a 'clinic'.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

RECOMMENDED MOTION: Staff does not recommend approval or disapproval of this item, as this is an appeal of a staff decision.

212 E MAIN STREET
TAX MAP 078, GROUP N, PARCEL 00100
BOARD OF ZONING APPEALS
JULY 6, 2023

Legend

-  212 E Main Street
-  Central Franklin Overlay
-  Historic Preservation Overlay
-  AG Agricultural District
-  ER Estate Residential District
-  R1 Residential 1 District
-  R2 Residential 2 District
-  R3 Residential 3 District
-  R4 Residential 4 District
-  R6 Residential 6 District
-  MR Mixed Residential District
-  PD Planned District
-  OR Office Residential District
-  CI Civic Institutional District
-  NC Neighborhood Commercial
-  CC Central Commercial District
-  DD Downtown District
-  1ST Avenue District
-  5TH Avenue District
-  RC6 Regional Commerce 6 District
-  RC12 Regional Commerce 12 District
-  GO General Office District
-  LI Light Industrial District
-  HI Heavy Industrial 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 2023. All rights reserved.



0 250 500 1,000
Feet



HISTORIC
FRANKLIN
TENNESSEE



**HISTORIC
FRANKLIN
TENNESSEE**

May 5, 2023

Jacob Savage
Savage Construction
1648 W. Massey Rd #200
Memphis, TN 38120

Re: Zoning Determination
212 E. Main Street
Franklin, TN 37064

Parcel # 078C N00100

The above referenced property is currently zoned Downtown District (DD) and is located within the Central Franklin and Historic Preservation Overlay District.

Permitted principal uses of properties zoned Downtown District are as follows:

- Agricultural Uses
- Community Gardens
- Duplexes
- Multifamily Residential
- Multiplexes
- Single-Family Residential
- Townhouses
- Commercial Recreation
- Entrepreneurship/Innovation Centers
- Neighborhood Amenities
- Passive Parks & Open Space
- Charitable, Fraternal, or Social Organizations
- Restaurants
- Retail
- Short-Term Vacation Rentals
- Telecommunication Towers & Antennas
- Theaters
- Places of Public Assembly
- Educational Facilities
- Day Care Centers
- Event Venues
- Hotels
- Essential Services
- Indoor Animal Services
- Offices
- Museums
- Personal Service

An Orthodontic practice most closely resembles a clinic per the definition of clinic in the City of Franklin Zoning Ordinance. Clinics are not a permitted use in the Downtown District per the permitted use chart, 5.1.3 of the City of Franklin Zoning Ordinance. (attached)

Per Chapter 23.4 of the Zoning Ordinance, a clinic is defined as:

An establishment providing therapeutic, preventative, or corrective medical treatment or health care services. Activities include health care appointments, medical procedures, surgical procedures,

emergency treatment, diagnostic services, walk-in medical services, and other health-related care. Services are provided on an outpatient basis, generally requiring a stay of less than 24 hours.

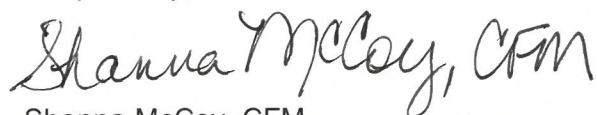
This determination may be appealed to the City of Franklin Board of Zoning Appeals. A written appeal shall be filed with the Department of Planning and Sustainability within 30 days of the date of this determination. Please contact Ariella Stanford at 615-791-3212 to begin this process and for additional information.

The City of Franklin offers courtesy, on-site pre-occupancy consults for new business owners contemplating leasing or purchasing a building. The purpose of this meeting is a for City staff, the owner, and the owner's architect/contractor to share their vision for improvements and, for City staff to provide guidance on preparing and submitting plans and, the City's permitting and inspection processes. Please contact Randall Tosh at 615-794-7012 to schedule this appointment.

This determination is based off the Zoning Ordinance in effect on May 5, 2023. Future changes to the Ordinance may affect the validity of this determination.

If you have questions or need additional assistance, please do not hesitate to contact me via phone at 615-550-6631, or by email at shanna.mccoy@FranklinTN.gov

Respectfully,



Shanna McCoy, CFM
Zoning and Floodplain Administrator
City of Franklin, Tennessee

USE REGULATIONS

Principal Uses

5.1.3 Permitted Principal Uses by Zoning District

Principal Use	Zoning Districts																
Permitted Permitted with Additional Use Regulations per Subsection 5.1.4	AG	ER R1	R2 R3 R6	R4	MR	PD ¹	OR	CI	NC	CC	DD	1ST	5TH	RC6 RC12	GO	LI	HI
AGRICULTURAL USES																	
Agricultural Uses																	
Community Gardens																	
RESIDENTIAL USES																	
Duplexes																	
Multifamily Residential																	
Multiplexes																	
Single-Family Residential																	
Townhouses																	
RECREATION USES																	
Active Recreation																	
Commercial Recreation																	
Golf Courses																	
Neighborhood Amenities																	
Passive Parks and Open Space																	
CIVIC AND INSTITUTIONAL USES																	
Cemeteries																	
Charitable, Fraternal, or Social Organizations																	
Clinics																	
Continuum of Care Facilities																	

¹ Permitted principal uses in the PD district are determined by the BOMA during the development plan approval process.

Principal Use	Zoning Districts																
Permitted Permitted with Additional Use Regulations per Subsection 5.1.4	AG	ER R1	R2 R3 R6	R4	MR	PD ¹	OR	CI	NC	CC	DD	1ST	5TH	RC6 RC12	GO	LI	HI
Correctional Facilities																	
Educational Facilities																	
Entrepreneurship/ Innovation Centers																	
Essential Services																	
Group Homes																	
Hospitals																	
Museums																	
Places of Public Assembly																	
Rehabilitation Centers																	
COMMERCIAL USES																	
Day Care Centers																	
Event Venues																	
Funeral Homes																	
Garden Centers																	
Gas Stations																	
Hotels																	
Indoor Animal Services																	
Indoor/Outdoor Animal Services																	
Offices																	
Personal Services																	
Restaurants																	
Retail																	

¹ Permitted principal uses in the PD district are determined by the BOMA during the development plan approval process.

USE REGULATIONS

Principal Uses

Principal Use	Zoning Districts																
Permitted Permitted with Additional Use Regulations per Subsection 5.1.4	AG	ER R1	R2 R3 R6	R4	MR	PD ¹	OR	CI	NC	CC	DD	1ST	5TH	RC6 RC12	GO	LI	HI
Short-Term Vacation Rentals																	
Showrooms																	
Telecommunication Towers and Antennas																	
Theaters																	
Uses with Drive-In/Drive-Through Facilities																	
Vehicle Sales and Rental																	
Vehicle Service Facilities																	
Vehicle Wash Facilities																	
Wholesale Sales																	

INDUSTRIAL USES

Adult-Oriented Establishments																	
Data Centers																	
General Warehousing																	
Heavy Industrial Uses																	
Industrial Sales																	
Industrial Services																	
Light Industrial Uses																	
Machinery Assembly and Repair Facilities																	
Self-Storage Facilities																	
Vehicle Repair Facilities																	
Wrecker Service																	

¹ Permitted principal uses in the PD district are determined by the BOMA during the development plan approval process.

Dr. Ashley Roark
Roark Orthodontics & Aesthetics
9194 Fox Run Drive
Brentwood, TN 37027

June 9, 2023

Dear Mr. Caesar, Mr. Scales, Mr. Fleishour, Ms. Reeves and Mr. Langley,

My name is Ashley Roark and I am seeking to open a unique business at 212 East Main St. in the Downtown District of Franklin, offering aesthetic services in addition to smile alignment. Unfortunately, our business was classified as a "clinic" during our building permit application (AP no: 161392). As you're well aware, a "Clinic" is defined as:

An establishment providing therapeutic, preventative, or corrective medical treatment or health care services. Activities include health care appointments, medical procedures, surgical procedures, emergency treatment, diagnostic services, walk-in medical services, and other health-related care. Services are provided on an outpatient basis, generally requiring a stay of less than 24 hours."

We respectfully disagree and appeal to you to determine the use as "Personal Services" defined below as:

An establishment that primarily engages in providing services generally involving the care of the person or person's possessions. Personal services include laundry and dry cleaning services, barber shops, salons, day spas, informational and instructional services, tanning salons, photography services, and other personal care services. Services associated with an animal are not included in this definition.

While we do provide smile care, our business is much different than a general dentist or medical doctor, our business does not treat disease or perform medical procedures. Instead, we are focused on the **aesthetics** of the teeth and ensuring that the bite comes together properly. There are many businesses like ours across the country and a general influx of clear aligner "stores" popping up in retail settings. We use non-invasive procedures such as braces, clear aligners, or other appliances to correct misaligned teeth and jaws. Our services are typically elective and rarely covered by standard medical health insurance.

Our business is better aligned with the several medspas in the Downtown District classified as Personal Services. Examples include **SkinTheoryRx** ([504 W Main St, Franklin, TN 37064](#)), **Southern Aesthetics** ([422 Main St, Franklin, TN 37064](#)). These medspas take appointments, see patients, and carry out procedures under the watch of a licensed medical professional - yet

are classified not as a Clinic but as a Personal Service. Their procedures include neurotoxins injections, platelet rich plasma injections, dermal fillers, microneedling, peels and facials. These procedures are voluntary, not paid by insurance, and do not treat a disease or medical condition and all are done to improve the aesthetics of the recipient. Coincidentally we will be providing some of these same services in addition to aligning teeth.

In conclusion, we're asking for you to change your determination from Clinic to Personal Services based on our unique business: We're aesthetic focused and not a medical clinic. We feel our business would be a great addition to the Downtown District of Franklin, aligning well with other boutique service providers and shops and providing citizens with helpful services.

Sincerely,

Dr. Ashley Roark
Roark Orthodontics & Aesthetics