



File #: 21-02486

DATE: October 6, 2021

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Vernon Gerth, Asst. City Administrator Community Development

SUBJECT:

Discussion Regarding New Information On Access and Revised Staff Recommendation For Brownland Farms.

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning recent dialog with representatives of the Brownland Farms development team regarding a Municipal Code compliant access (road) to the property and revised staff recommendation(s).

BACKGROUND/STAFF COMMENTS:

Representatives from the City and Brownland Farms teams met this past week. The purpose of the meeting was to confirm the level of flooding along the section of Hillsboro Road adjacent to the proposed Brownland Farms development and to explore alternative routes for accessing the Brownland Farms property that comply with the requirements of the City's Municipal Code Section 23-106(2)(e)(iv). This section of the Municipal Code requires that new development provide a new roadway, existing roadway, and/or a critical service road to the proposed development that will not be inundated by more than three inches of water over one-half the roadway width during a 100-year flood event.

Several potential emergency access routes were discussed during the meeting, but none have been solidified. Based on not having a firm commitment for a compliant access, the following options are available as the BOMA considers the Brownland Farms Development Plan and Rezoning in the following order:

1. Staff's recommendation for this project remains unchanged. **The recommendation is to deny approval of the Brownland Farms Development Plan and Rezoning.** This recommendation for disapproval is partly due to the proposed multi-family buildings are not supported by the Conservation Subdivision design concept in Envision Franklin and partly due to the residential units/development proposed in the Conservation (floodplain) design concept, which contemplates little to no development within the floodplain. Additionally, as previously highlighted, the proposed development access does not comply with Section 23-106(2)(e)(iv) of the City of Franklin Municipal Code.

2. **Defer the Brownland Farms Development Plan and Rezoning** again until the applicant has identified a development access or emergency access that complies with Section 23-106(2)(e)(iv). This option provides the applicant additional time to work through this critical development issue and revise the Development Plan.

3. If the BOMA is inclined to proceed with final approval of the Development Plan and Rezoning, Staff recommends adding the following Condition of Approval: **"In conjunction with approval of the first Site Plan the applicant shall ensure compliance with City of Franklin Municipal Code. Specifically, Section 23-106(2)(e)(iv) through a deeded easement or dedicated development access"**.

4. Should the Board of Mayor and Aldermen decide not to uphold Section 23-106(2)(e)(iv) of the City's Municipal Code regarding access to the development and proceed with final approval of the Development Plan and Rezoning, staff would recommend that the following Condition of Approval be added: **"The developer shall record on all plats and deeds of all individual lots with the development a Notice of Potential Flooding - Limited Access be recorded in a form as approved by the City Attorney.** The final language of this Notice of Potential Flooding is to be determined but its purpose is to notify future property owners that the surrounding roadways (Hillsboro Road, Monticello Road and Poteat Place) are located within the 100-year floodplain and that during a significant storm event exiting or entering the subdivision by property owners and emergency services personnel may not be possible due to flood waters. Again, the final language in this notice is to be determined.

FINANCIAL IMPACT:

Not applicable at this time.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen deny approval of the Brownland Farms Development Plan and Rezoning.