

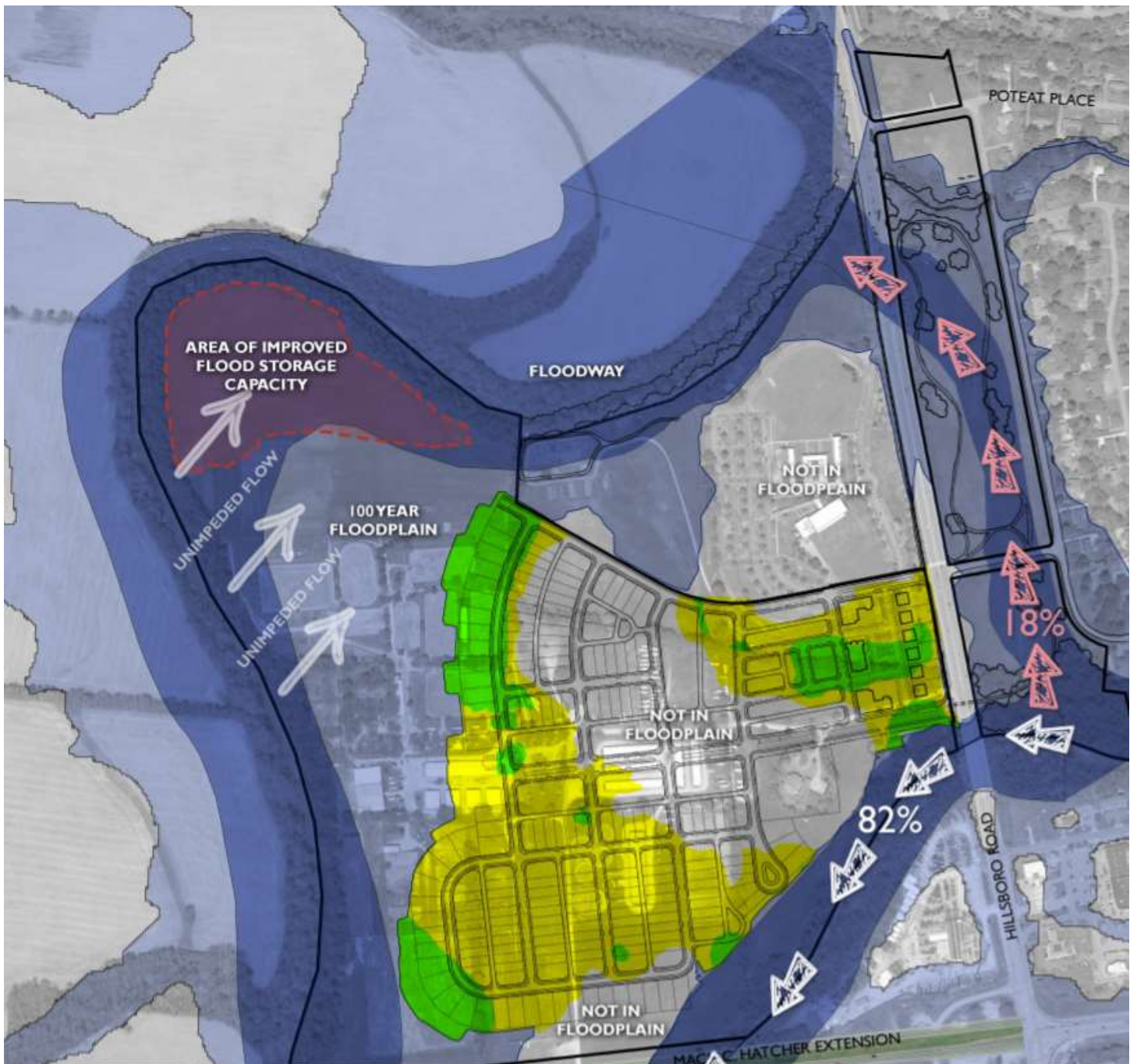
http://www.williamsonherald.com/news/local_news/update-to-brownland-farm-development-returns-to-staff-planning-commission/article_cb2e57b0-2c5c-11ec-8eb1-4feb0f3cab.html

FEATURED

Update to Brownland Farm development returns to staff, planning commission

New plan contains 'significant changes' for review

By Brooke Wanser • For the Herald
Oct 13, 2021



A rendering of the proposed Brownland Farm development.

A long-debated proposal to rezone and develop Brownland Farm for residential use has been sent back through the major planning process stages.

On Tuesday night, Franklin aldermen voted unanimously to send the plan back to staff, then to the planning commission, before it returns before the board of mayor and aldermen. Significant changes to the plan in the past week prompted the vote.

Before the vote Tuesday, City Administrator Eric Stuckey said the board could take action to modify the plan, which would go back to just the planning commission for concurrence without staff review.

"I would strongly suggest you not do that," Stuckey said. "This plan has literally changed this afternoon. ... To change it and modify it with no review by staff, even though it may have merit, we are better served to send it back through a process that engages a professional review and public feedback on a project proposal that has now changed, in our view, significantly."

During the last board meeting, city engineering staff said they recently discovered floodplain information that would present first responder issues in an emergency situation.

In a 100-year flood event, City Engineer Paul Holzen said emergency responders would have to cross 2 or more feet of water at the new Mack Hatcher intersection along Hillsboro Road. The property is just to the northwest, located in the 500-year floodplain.

For context, the May 2010 flood was a 1,000-year flood event. According to the National Weather Service, a 100-year flood is an event that has a 1% statistical chance of occurring any given year.

Since the discovery, developers have identified an emergency access route they plan to build before the project is certified.

Project plan

Brownland Farm has been an equestrian event space and horse farm for more than 50 years. Owners and Franklin residents Robin and Michelle Anderton began working with Land Solutions two years ago to develop their property into a residential community.

The Andertons have said they believed the property's developer would stay true to what fits the character of the community.

Christ Community Church has agreed to allow some of their land to be developed, and one of the parcels in the 233-acre project is attached to the Monticello neighborhood to the east of Hillsboro Road, across the street from the rest of the development.

Included in recent development plans were 205 single-family homes, 177 townhomes, 24 multiplex units and 64 multifamily units, as well as 3 miles of walking trails, a pool, clubhouse and fishing pond. "Affordable housing units," which haven't been specifically defined, were to comprise 10% of the units.

But the new proposal would get rid of the condominium units entirely, reducing the plan from 470 to 395 units, something Land Solutions CEO Kevin Estes said was not a big change.

Estes said his team had also worked to successfully improve access to the area, and that he had “vetted the floodplain to death.” He pointed to several other projects approved since the adoption of Envision Franklin which have placed lots in the floodplain.

He asked city leaders to consider the many people who have given public input who did not attend Tuesday night’s meeting.

Other conditions for approval, according to land planner Greg Gamble of Gamble Collaborative Design, included the following changes, which he called “minimal”:

1. In conjunction with the approval of the first site plan, the applicant will provide a deeded emergency access easement and improvement plans to bypass Mack Hatcher Parkway and Fulton Greer Lane.
2. The grading permit will be granted only when a Conditional Letter of Map Revision is approved by FEMA.
3. Any multifamily units won’t include more than four units per building, per guidelines in Envision Franklin.
4. Residential lots will be removed from the development plan where the existing floodplain is greater than 36 inches in depth.
5. The development plan will have a maximum of 395 homes.

Citizen comments

During the project’s final public hearing, residents and members of Christ Community Church, which has partnered with the Brownland Farm developers to include some of their own land, spoke to the measure.

Many of those against development wore yellow stickers, urging aldermen to vote against the Brownland Farm rezoning. A few also spoke in favor of the development, most noting they attended Christ Community Church.

Franklin alderman candidates Angela Hubbard and Matt Brown, both running for the Ward 2 seat in which the property is located, spoke against it.

Franklin resident Mary Swafford Stone asked the board why they would consider building in a flood zone.

“The development sounds great. Everything sounds great, for them,” she said. “But it’s ignoring everybody around them. That’s not community. Let’s think about the community that’s already here.”

Though developers have assured city staff on the safety manipulation of the floodplain would bring to the property, some people remain unconvinced.

Former Williamson County Commissioner Todd Kaestner said he lives downstream from the property. He related how during the March flood, several Angus cattle floated onto his property.

Kaestner handed out sheets showing the past year’s flow rate along the Harpeth River after the flood, which he said was 5,420 cubic feet per second, or 2.4 million gallons of water per minute. He called that “a fraction of the flow rate of what it was in May of 2010.”

“Not all floodplain is created equal,” Estes contended. “The area that we’re talking about developing on ... all the work we’re providing, and the giant buffers that we’re leaving along the Harpeth River, when has bigger buffers become un-environmental? We are doing the right thing, and we’re doing the right thing by the city.”

Ward 1 Alderman Bev Burger said she was frustrated with how long the project had lingered.

“Two years later, we should not be here tonight, at this point. Let’s talk about the facts,” she said, noting there are arguments to be made both for and against contentions of flooding, traffic and longevity of the project. “I’m trying my best to listen to the experts. How about our own staff, whose agreed with it?”

Ward 2 Alderman Dana McLendon praised the developers for making a “good faith effort” to comply with the city regulations. But as an attorney, he said he was concerned a vote to move the project forward with such short notice of the new elements could lead to a lawsuit.

“If you act tonight, to do anything other than defer this matter, the possibility exists that the changes have been significant enough that we might have acted *ultra vires*, outside the law,” he said, asking assistant City Attorney William Squires for his opinion.

“There is certainly a possibility that a plaintiff’s lawyer would file a claim making that claim, yes,” Squires replied. “I don’t think it would be responsible for this board to act to approve this project with these five changes, or any one of them, given that they arrived for our consideration after the publication of the agenda and after we voted the last time and without the staff’s opportunity to review.”

Going back through the intermediate steps of the process should take three to four months, Assistant City Administrator Vernon Gerth said. There will be public hearings both at the planning commission and before the board of mayor and aldermen.

The board voted to defer the rezoning measure for a noncontroversial additional parcel of land in the development to Jan. 11, 2022, which is the earliest possible date at which the issue could return to the board.



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