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FEATURED

Franklin aldermen deny Brownland Farm rezoning request

By Coleman Bomar • Staff Writer

Apr 27, 2022



Laura Turner (far right) and several concerned citizens at a protest Wednesday in Franklin urging Franklin aldermen to deny Brownland Farm's rezoning request.
By Coleman Bomar

The Franklin Board of Mayor and Aldermen voted Tuesday to deny an ordinance rezoning 233.66 acres of the Brownland Farm PUD subdivision and disapproved of the property's development plan.

On its second of three readings, the ordinance sought to rezone the farm in Franklin from Agricultural and Civic Institutional District to Planned District so development could take place. The Franklin Municipal Planning Commission recommended disapproval of the revised development plan and rezoning ordinance in February.

Originally, the plan proposed 791 units, including townhomes, single-family homes and multiplexes, on a 90-acre footprint.

In its third iteration, the latest version of the plan reduced the number of lots on the 233-acre property to 356 on a 75-acre footprint. It also set aside 163.2 acres of the property as open space, added a firetruck emergency route bypassing Hillsboro Road in case of a "100-year flood event," increased flood storage and replaced condominium buildings containing more than four residential units with 11 multiplex buildings containing less than four units each.

Brownland Farm, owned by Robin and Michelle Anderton, was once an equestrian hub and is located close to the intersection of Hillsboro Road and Mack Hatcher Parkway in Franklin, surrounded by the Harpeth River floodplain.

Many in the community oppose development of the property.

Nearly 3,000 people have signed the “OPPOSE High Density and Mixed-Use Development on Brownland Farm” petition on www.change.org.

According to the petition, the development’s density “will forever ruin the historic, rural landscape and set a dangerous precedent for the future across the remaining pastoral landscapes in Franklin. This farm should be included into a special area plan for the entire West Harpeth region.”

Concerned neighbors of Brownland Farm have voiced for months that development in the area would increase flooding frequency and volume due to its proximity to the Harpeth River. Flooding is already a significant problem for neighboring residences. Last week, community members protested Wednesday and Sunday in Franklin with signs that read, “STOP MORE FLOODING TELL BOMA VOTE NO” or “TURN AROUND, DON’T DROWN.”

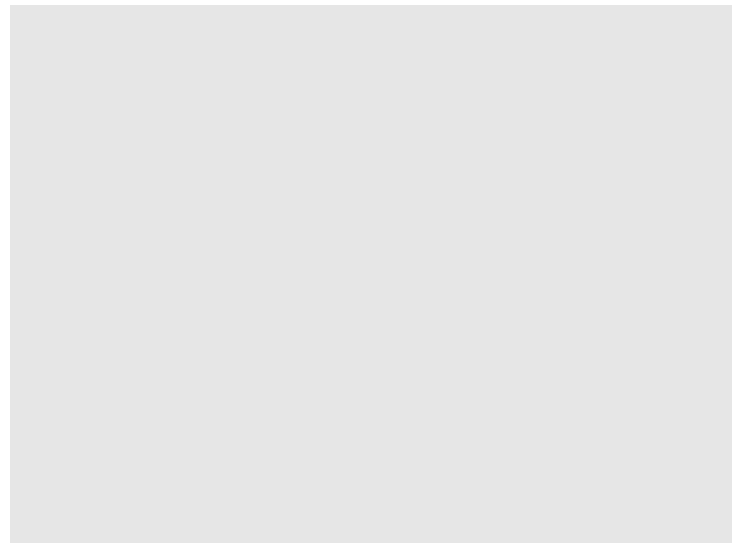
More than 50 people spoke during the public comment segment of Tuesday’s 3.5-hour meeting.

“I was incredulous when I read the conclusion part of the packet [the developer] submitted, ... which states, ‘In all, we have taken feedback from neighboring communities, city staff and BOMA members over the course of three years to create a plan that lives light on the land, provides a mix of for-sale housing types and improves the safety and well-being of our neighboring communities in more ways than one,’” said Laura Turner, a concerned resident. “I submit he has ignored feedback and created a proposal that devastates and manipulates the floodplain, endangering the public’s safety and welfare to feed his greed and arrogant avarice. Please deny this dangerous plan.”

The developer, Kevin Estes of Land Solutions, alongside the applicant, Greg Gamble of Gamble Design Collaborative, claimed that the development could improve flooding in the area by adding 24 million gallons of floodwater storage to the property, among other enhancements.

Franklin city staff recommended denying the rezoning. City Administrator Eric Stuckey suggested that the development did not comply with ordinances in Envision Franklin, the city’s land-use plan, and if approved, it would set a precedent for future developments to not abide by the guidelines.

Envision Franklin guidelines state that “some properties may have the conservation design concept and another design concept. It is intended that the majority of new development occur in the area where the second design concept applies.” In the case of Brownland Farm, most of the development was considered “conservation design concept”



Kevin Estes with Land Solutions speaks at the Franklin Board of Mayor and Aldermen meeting Tuesday.

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because 70% encroached upon the conserved floodplain area.

A number of those who claimed to be engineers for Brownland Farm and otherwise spoke during the public comment segment in support of the development. Estes also argued that city planners had previously supported developments that significantly encroached on floodplains, such as parks.

“[City staff] has talked a lot about planning, never about the engineers,” Estes said. “Your staff has high-quality, excellent engineers, and we’re talking about engineering stuff for the most part. All the people you’ve heard tonight have talked about floodplain, flooding, concerns about floods, new rain and access. I would ask all the aldermen to ask the city engineers, who we have worked with extensively for the last two years, those questions [about flooding], because if I were a planner, I wouldn’t know them.”

The board of mayor and aldermen voted unanimously to deny the rezoning request after a spirited discussion. Franklin Mayor Ken Moore recommended denial before deliberation began, citing policy concerns.

Ward 2 Alderman Matt Brown made the motion to deny, and At-Large Alderman Ann Petersen seconded. Brown made the same motion at the board’s March meeting, but it was struck down, 6-2. He specified the relevant function of Envision Franklin in his explanation for making the repeat motion.

“The applicant’s attorney ... stated that our land-use plan and ordinances are like all others and that we can check the legal box; that actually is not true,” Brown said. “Our plan and our ordinances are intrinsically linked together, in fact, reference each other multiple times, tying them together in a cohesive document. The other thing to note about that is it’s not just ‘consider these things,’ but rather, ‘those things need to be consistent with.’”

While Ward 1 Alderman Beverly Burger and At-Large Alderman Brandy Blanton first voiced support for the rezoning and development during Tuesday night’s discussion and have supported the development consistently in past meetings, they voted to deny the request.

When asked why they voted contrary to what was expressed, Burger cited safety considerations of the development, and Blanton stated her job was to represent the public.

“For me, I would have voted for it, but when you have people in the community who have elected you to office, and they come out in droves, you have to support the people who voted you in,” Blanton said.



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