

**TOWN OF BLACK MOUNTAIN
PLANNING BOARD**

The Black Mountain Planning Board held its regular meeting on Monday, February 22, 2021 at 6:00 p.m. in Town Hall at 160 Midland Avenue, Black Mountain, North Carolina.

I. CALL TO ORDER

The meeting was called to order with the following members present:

Pam Norton, Vice Chair
Jesse Gardner
Lauronda Teeple
Kathy Phillips
Chas Fitzgerald
Rick Earley

Absent:

Chris Collins, Chair

Staff:

Jennifer Tipton, Senior Admin
Jessica Trotman, Planning Director
Jake Hair, Planner
Anna Stearns, Sneed Law

The meeting was called to order at 6:11 p.m. and duly constituted and opened for business with a quorum of six (6) members.

II. ADOPTION OF AGENDA

There was one change to the agenda to add the sketch plan review of Brooks Cove Road subdivision to item three under new business. Chas Fitzgerald made a motion to adopt the agenda as amended. The motion was seconded by Lauronda Teeple and approved by a vote of 6-0.

III. ADOPTION OF MINUTES

Chas Fitzgerald made a motion to adopt the special call minutes from January 15, 2021, as written. The motion was seconded by Jesse Gardner and approved by a vote of 6-0.

Chas Fitzgerald made a motion to adopt the minutes from January 22, 2021, as written. The motion was seconded by Jesse Gardner and approved by a vote of 6-0.

IV. OLD BUSINESS

None.

V. NEW BUSINESS

1. Elevate Black Mountain Final Draft

Jessica Trotman said that the consultants have incorporated the Planning Board's comments into the final draft and she is comfortable with the draft as it now is. Ms. Trotman said that she has given the draft to Chris Collins as the Chair for his comments but due to a death in the family, he has not had a chance to complete his review of the draft. Ms. Trotman said that she hopes that the board will make a broad recommendation to go to public comment. Ms. Trotman said that the plan will be revised one more time after public comment before it is sent to the Board of Aldermen for adoption. Ms. Trotman said that board members are welcome to continue to make

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comments as individuals as the comments from the Planning Board are a consensus of the board. Chas Fitzgerald asked if there was a way to see the edits that have been made and Ms. Trotman said that she has been working off of a checklist format of items that the Planning Board voted on at their last meeting. Ms. Trotman did say that there were two instances where the Planning Board asked for the elimination of policies that were redundant and upon conversation with the consultant it was decided to better clarify those policies rather than eliminating them. Ms. Trotman said that there will be a video and survey to go along with the draft plan when it goes to public comment. Ms. Trotman reminded the board that not every comment will make it into the plan as all comments have to be weighed against what is legal, is it out of range for implementation, is it out of the scope of the plan, etc. Ms. Trotman said that she will address any of these comments in a memo so that all comments will be addressed one way or the other. Jesse Gardner said that he had sent comments in after the last meeting and would like to talk about them as a board to get consensus.

Mr. Gardner started with the Future Land Use Map (FLUM) and the area to the west of Grovestone Road that is outside of city limits but is part of the study area. Mr. Gardner said that he feels that the areas fronting Old US 70 Hwy and US 70 Hwy should be changed to commercial, the area of Charles D. Owen Middle School should be changed to institutional campus, and the residential area to the east of the middle school area should remain complete residential and the area to the west of the middle school area should be changed to complete residential. Ms. Trotman did say that she is working with Buncombe County and their planning department as they undertake their comprehensive plan update process to look at opportunities to collaborate with Buncombe County. Mr. Gardner said that it made sense to then align more with County zoning in this area and that this is a high density area. Jesse Gardner made a motion to recommend that the area west of Grovestone Road that is outside of the city limits be changed to commercial for the areas fronting US 70 Hwy and Old US 70 Hwy, the area of Charles D. Owen Middle School be changed to institutional campus, and the area to the west of the middle school area be changed to complete residential. The motion was seconded by Chas Fitzgerald and approved by a vote of 5-1 with Pam Norton abstaining.

Mr. Gardner then moved to the area of N Blue Ridge Road and Old US 70 Hwy and said that there should be a link to the existing commercial area. Mr. Gardner also said the area of Oaken Hill Place should be changed to complete residential and the area of the Swannanoa Valley Medical Center on Old US 70 Hwy should be changed to commercial. Lauronda Teeple suggested neighborhood mixed use from the area of N. Blue Ridge Road to where Old US 70 ends at US 70 Hwy to the east. This would allow a transitional buffer but also would not limit someone to one use or another. The area is already walkable with sidewalks. Ms. Trotman said that the goal is to make US 70 Hwy walkable to Swannanoa with sidewalks and multi-modal transportation opportunities. Jesse Gardner made a motion to change the area from N. Blue Ridge Road to the area of where Old US 70 Hwy terminates at US 70 Hwy to the east to mixed use one parcel deep, to change the area of Oaken Hill Place to complete residential, and to change the area of the Swannanoa Valley Medical Center on Old US 70 Hwy to commercial. The motion was seconded by Chas Fitzgerald and approved by a vote of 6-0.

Mr. Gardner then moved to the area of Cragmont Road, Mount Allen Heights, Carver Avenue, and Roselyn Way. Mr. Gardner said that the area already has sufficient utilities and topography

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and has the Carver Community Center and feels that the FLUM shows it being more pastoral than urban. The current zoning for the majority of the area is UR-8 with Tudor Croft being zoned NMU-8. Mr. Gardner said that he feels that if the area were to be rezoned based on the FLUM it would lose density. Mr. Gardner referenced Tudor Croft, the Roselyn Way townhomes, the Mountain Housing development, the Locust Springs Development, the Blue Ridge Apartments and said that the area has complete elements with sidewalks and established neighborhoods. Jesse Gardner made a motion that the area north of the recently requested mixed-use area on Old US 70 Hwy to the town boundary north and Hilltop Road be changed to complete neighborhood. The motion was seconded by Chas Fitzgerald and approved by a vote of 6-0.

Mr. Gardner then moved to the area of Pearl Street, Avena Road, and Brandon Road. Ms. Trotman did remind the board that the FLUM reflects the tenor from the community and that in recent meetings, citizens in this area have expressed concern about density. Mr. Gardner said he is open to the area being changed to complete neighborhood but leave it as valley residential and just make a note about the complete neighborhood. Chas Fitzgerald asked if this area is predominately the African-American community and asked that the town make sure that the community have all of the same development opportunities as everyone else. Ms. Trotman reminded the board that even if the area is changed to complete residential, they still have the opportunity to develop under the criteria of valley residential. Jesse Gardner made a motion to change the area of Pearl Street, Avena Road, and Brandon Road to complete neighborhood. The motion was seconded by Chas Fitzgerald and approved by a vote of 6-0.

Mr. Gardner then moved to the Hemphill property. Mr. Gardner said that he would like to see the area changed to downtown edge along with the BI-LO property. Ms. Trotman said that since the town has obtained the Hemphill property it is to be retained as a park. There is a sixteen acre parcel behind BI-LO owned by Black Mountain Ventures that would make a good mixed-use project. Chas Fitzgerald made a motion to change the town parcel on Hemphill Road to greenspace and to change the Black Mountain Ventures parcels to downtown edge. The motion was seconded by Jesse Gardner and approved by a vote of 6-0.

Mr. Gardner then moved to the area of Cheshire. Mr. Gardner said that the area of Jacobs Cottages that backs up to Old Lakey Gap Road should be complete neighborhood, which is what the rest of Cheshire is shown as and feels that this was just an oversight. Jesse Gardner made a motion to change the area from Jane Jacobs Road to Old Lakey Gap Road to complete neighborhood. The motion was seconded by Chas Fitzgerald and approved by a vote of 6-0.

Mr. Gardner then went to the text section of the institutional area and asked that the number of stories be changed to one to four stories. Mr. Gardner said that there is a difference between industry and warehouse and institutional and that you are likely to see several stories in an institutional building rather than a warehouse that may only be one story but may be forty feet in height. Jesse Gardner made a motion to change the number of stories in the institutional area to one to four stories. The motion was seconded by Kathy Phillips and approved by a vote of 6-0.

Mr. Gardner then went to the text section of the core residential area and said that it should be changed to high density since valley residential is shown as medium density. There was discussion of if valley residential should be changed to moderate density. Lauronda Teeple made

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a motion to change core residential from medium density to medium to high density. The motion was seconded by Jesse Gardner and approved by a vote of 6-0.

Rick Earley asked that Kathy Phillips be added to the acknowledgements and that Scott Reed be removed. Ms. Trotman said that she had already sent this change to the consultant.

Jesse Gardner made a motion to recommend approval of the FLUM to the Board of Aldermen and to release the FLUM for public comment with the revisions agreed upon by the Planning Board. The motion was seconded by Chas Fitzgerald and approved by a vote of 6-0.

Jesse Gardner made a motion to recommend approval of Elevate Black Mountain to the Board of Aldermen and to release for public comment with the minor modifications agreed upon by the Board of Aldermen. The motion was seconded by Lauronda Teeple and approved by a vote of 6-0.

2. Goldmont Street/W College Street Right-of-Way Closure

Jake Hair briefly went over the staff report for the proposed right-of-way closure. The proposed closure area runs from north Goldmont Street to the intersection of Central Avenue and Ash Street. The right-of-way is approximately nine hundred feet in length and fifteen feet wide. The property would divide down the middle if the closure is granted and taxes would be assessed to property owners for that portion. Homeowners can choose to have their property resurveyed but it is not the responsibility of the town to have that done. Anna Stearns spoke about a section of the right-of-way that was never actually created in the original plat but at some point when the parcel was subdivided, a right-of-way was shown. This area is between 206 W. College Street and 99999 W. College Street. There would be additional steps for these property owners such as trust deeds and they could possibly talk to the tax department about closing up those parcel numbers. There would be no downside to closing the right-of-way and property owners do have the right to tell the tax department to not shift the lines. Chas Fitzgerald made a motion to recommend vacating the unimproved right-of-way from Goldmont at the north end to the Central Avenue/Ash Street intersection south. The motion was seconded by Kathy Phillips and approved by a vote of 5-1 with Jesse Gardner voting against.

3. Brooks Cove Road Subdivision Sketch Plan

Jesse Gardner presented his sketch plan for the Brooks Cove Road subdivision. The sketch plan shows the stream buffer requirement and Mr. Gardner said he will not be putting in buildings into the stream buffer but will need to install a culvert for the roads. The proposed roads also show several T-turnarounds which are for the fire turnarounds. The roads will be twenty feet wide with some type of curbing. The pink lines on the sketch plan are potential retaining walls. The parcel is sixteen acres and the current sketch plan shows forty-seven lots so the density comes out to just under three units per acre. There will be a homeowner's association who will jointly own the common space. Mr. Gardner said he does plan to install a trail system along the stream. The roads will be turned over to the town. There will be two entrances and Mr. Gardner said he does plan to widen Brooks Cove Road along the lots frontage, approximately seven hundred feet. Mr. Gardner has spoken with the neighbors and is looking at potential buffer opportunities. Mr. Gardner said that he has moved one stormwater BMP so that the water will not take the sharp turn at Brooks Cove Road and will instead flow more directly to the stream.

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Mr. Gardner said there will be fill in some areas to help with slope and there will be cut slopes as well. Mr. Gardner said that he is placing the house sites above the stream, even though the property is not currently in a floodplain, he is planning for the potential that it might be one day. Mr. Gardner said he and his client are still looking at what infrastructure will be needed and the cost of said infrastructure as well as doing continuing market research on what the Black Mountain market is looking for so the number and size of lots could change. The board expressed appreciation that there is ample open space and the creek has not been disturbed. Mr. Gardner said that his goal is to bring the preliminary plan to the Planning Board in March.

VI. COMMUNICATION FROM PLANNING BOARD

None.

VII. COMMUNICATION FROM STAFF

None.

VIII. ADJOURNMENT

Jesse Gardner made a motion to adjourn at 8:37 p.m. The motion was seconded by Rick Earley and approved by a consensus vote.

Prepared by:

Chris Collins
Chris Collins, Chair

Jennifer Tipton
Jennifer Tipton, Senior Admin