



TOWN OF BLACK MOUNTAIN

160 Midland Avenue ♦ Black Mountain ♦ N.C. ♦ 28711

Phone: (828) 419-9300 ♦ Fax: (828) 669-2030

MEMORANDUM

To: Town of Black Mountain Planning Board
From: Jennifer Tipton, Zoning Administrator
Re: Agenda Packet for June 29, 2020
Date: June 19, 2020

The **Town of Black Mountain Planning Board** will meet on **Monday, June 29, 2020, at 6:00 p.m.** in Town Hall at 160 Midland Avenue.

Please find the following items for your information and use at the meeting:

1. The proposed agenda; and
2. Draft minutes from February, 24, 2020 and May 26, 2020; and
3. Major Subdivision Preliminary Plat – Blue Ridge Road – Flat Creek Commons, LLC

Please let Jennifer Tipton know if you are **unable** to attend this meeting.
jennifer.tipton@townofblackmountain.org or (828) 419-9373.

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the American with Disabilities Act. Should you need assistance or a particular accommodation for this meeting, please inform Jennifer Tipton at (828) 419-9373 or by email at jennifer.tipton@townofblackmountain.org.

CC: Jessica Trotman, Planning Director
Ron Sneed, Town Attorney
Josh Harrold, Town Manager



PUBLIC NOTICE

BLACK MOUNTAIN PLANNING BOARD

In order to maintain the safety of Town residents, staff, and the Planning Board, the Planning Board regular meeting scheduled for **Monday, June 29, 2020 at 6:00 p.m. will be conducted electronically using Zoom software** in lieu of its in-person meeting. The Town of Black Mountain Town Hall will not be open for this meeting.

There are three ways the public can participate in the meeting:

1. **Join the meeting through Zoom on your computer or smart device.** **Citizen video feeds will not be enabled. There is no password.*

<https://us02web.zoom.us/j/87331043252?pwd=SGtoZmRleEhJTxFsT2Y2VWd4RlBiQT09>

Meeting ID: 873 3104 3252

If you have not used Zoom before on a computer or smart device, you are encouraged to download the application from their website at [Zoom.us/download](https://zoom.us/download) and try it out prior to the meeting. There is no cost associated with the software or attending the meeting and there are toll free number options to dial in to listen live only.

2. **Join the meeting by telephone (listen only).**

Simply call US Toll-free 1-877-853-5247 or US Toll-free 1-888-788-0099

Meeting ID: 873 3104 3252 followed by the Pound sign (#)

3. **Email or call in your comments or questions prior to the meeting.**

Call in comments prior to the meeting: Zoning Administrator at 828-419-9373

Email comments to: jennifer.tipton@townofblackmountain.org

Jennifer Tipton
Zoning Administrator

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or a particular accommodation for this meeting please contact, Jennifer Tipton at (828) 669-2030 or by email at jennifer.tipton@townofblackmountain.org

Posted to the Town Bulletin Board 06/15/2020

www.townofblackmountain.org



**Planning Board Regular Meeting
June 29, 2020**

PROPOSED AGENDA

I. CALL TO ORDER

- **Welcome**
- **Determination of Quorum**

II. ADOPTION OF AGENDA

- **Motion:** To adopt the agenda as presented [or as amended]

III. ADOPTION OF MINUTES

- **Motion:** To adopt the minutes of February 24, 2020 and May 26, 2020 as written [or as amended]

IV. OLD BUSINESS

V. NEW BUSINESS

- Major Subdivision Preliminary Plat Review – Flat Creek Commons, LLC

VI. COMMUNICATION FROM PLANNING BOARD

VII. COMMUNICATION FROM STAFF

VIII. ADJOURNMENT

TOWN OF BLACK MOUNTAIN PLANNING BOARD

The Black Mountain Planning Board held its regular meeting on Monday, February 24, 2020 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:

Jennifer Willet
Lauronda Teeple
Chris Collins
Mike Raines
Scott Reed

Absent:

Jesse Gardner, Chair
Pam Norton, Vice Chair

Staff:

Jennifer Tipton, Zoning Administrator
Jessica Trotman, Planning Director

The meeting was called to order at 6:00 p.m. and duly constituted and opened for business with a quorum of four (4) regular members. Member Mike Raines arrived at 6:05 p.m.

II. ADOPTION OF AGENDA

Lauronda Teeple made a motion to adopt the agenda as presented. The motion was seconded by Jennifer Willet and approved by a vote of 4-0.

III. ADOPTION OF MINUTES

Jennifer Willet made a motion to adopt the minutes of January 27, 2020 as written. The motion was seconded by Lauronda Teeple and approved by a vote of 5-0.

IV. OLD BUSINESS

None.

V. NEW BUSINESS

1. Rezoning of the Settings Development from CR-1 to TR-4 (initiate process)

Jessica Trotman explained that the Settings Homeowners Association had approached her and Town Manager Josh Harrold about the possibility of rezoning the Settings Development to help cut down on the amount of variances that are being needed due to the restrictive setbacks of the CR-1 district and the small lot sizes of the Settings. Currently the lots are legally non-conforming because they were created before the zoning district changed. Staff presented two proposals. The first proposal would be to rezone all of the Settings Development to TR-4. The second proposal would be to rezone all but the southernmost five lots, which would remain CR-1. Rezoning to TR-4 would bring a majority of the lots into compliance. The Settings Development Covenants have restrictions against subdividing parcels but also because of the steep slope, most lots, if any, could not be subdivided because they would not meet the criteria for steep slope. The board would like to have a community meeting to ensure that all of the owners of property in the Settings Development have a chance to be heard. Mike Raines made a motion to begin the

Planning Board Regular Meeting
February 24, 2020

process to rezone the Settings Development from CR-1 to TR-4, with the exception of the southernmost five lots (proposal number two). The motion was seconded by Jennifer Willet and approved by a vote of 5-0.

VI. COMMUNICATION FROM PLANNING BOARD

None.

VII. COMMUNICATION FROM STAFF

Jessica Trotman said that the Blue Ridge Road Small Area Plan comment period will end on March 4th and staff will bring the plan back to the board at the March Meeting. Ms. Trotman also spoke about Elevate Black Mountain and that we have had two public meetings so far and that the consultants will now be processing the data collected and we will announce when the next public meeting will be.

VIII. PUBLIC COMMENT

Lisa Milton, 406 W State Street, just wanted to confirm that the end date for public comments for the Blue Ridge Road Small Area Plan was March 4th.

Judy Eubanks, 13 Daniel Lane, spoke to the board about tennis courts and asked that the board give their support to allocating the additional money needed to build new courts at Lake Tomahawk and to build a four-court complex at Cragmont Park within one to three years.

IX. ADJOURNMENT

Chris Collins made a motion to adjourn at 6:16 p.m. The motion was seconded by Jennifer Willet and approved by a vote of 5-0.

Prepared by:

Jesse Gardner, Chair

Jennifer Tipton, Zoning Administrator

**TOWN OF BLACK MOUNTAIN
PLANNING BOARD**

The Black Mountain Planning Board held its regular meeting on Monday, May 26, 2020, 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:

Jesse Gardner, Chair
Lauronda Teeple
Chris Collins

Absent:

Pam Norton, Vice Chair
Michael Raines
Scott Reed

Staff:

Jennifer Tipton, Zoning Administrator
Jessica Trotman, Planning Director
Ron Sneed, Town Attorney

There was not a quorum present so no business was conducted.

Prepared by:

Jesse Gardner, Chair

Jennifer Tipton, Zoning Administrator



Town of Black Mountain
Building, Planning and Zoning

160 Midland Avenue ♦ Black Mountain ♦ North Carolina ♦ 28711
Phone: 828-419-9300 ♦ Fax: 828-669-2030 ♦ TDD: 1-800-735-2962

Date: June 29, 2020

To: Black Mountain Planning Board

From: Jennifer Tipton, Zoning Administrator

RE: Blue Ridge Road Major Subdivision

Please find pertinent information attached.

Summary

Flat Creek Commons, LLC is requesting a major subdivision of 8 lots off of Blue Ridge Road.

Zoning District: TR-4

Lot Size: 3.5 acres

Allowable density = 14 (4 x 3.5) Proposed Density = 7 lots at 2 units an acre

Staff has reviewed the plan and find the following:

3.4 Subdivision Requirements

3.4.1 – Sketch Plans

B. Major subdivision sketch plans.

The subdivider shall submit to the planning director or his/her designee seven copies of a sketch plan on 11" x 17" or smaller paper of the proposed subdivision containing the following information at a minimum:

1. The name of the subdivision and the proposed use and the name, address, and phone number of the owner.

The plat provides the name and owner, including address and phone number. Plat needs to show proposed use.

2. A vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivisions, roads, or nearby buildings and their zoning and uses.

A vicinity map is located in the top right corner of the plat.

3. The boundaries of the tract.

All boundaries are shown in bold black.

4. Total acreage of the tract and the portion of the tract to be subdivided.

The total acreage to be subdivided is shown in the development data legend.

5. Location of significant natural features such as water courses, ponds, rock outcroppings or forest.

The plat shows the location of streams, the Swannanoa River, flood zones and floodway on the property.

6. Topography at five-foot intervals and the location of existing drainages or swales.

The topography is shown on the plat and there are currently no existing drainages or swales.

7. Location of flood hazard areas from FIRM map.

This tract is in flood zone AE which is shown on the plat.

8. Location of existing or proposed utilities.

The plat shows the following:

- *Proposed MSD sewer line*
- *Proposed Town of Black Mountain water line*
- *Stormwater features*

9. Existing street and lot layout and dimensions, including right-of-ways.

There are no existing roads into the subdivision. The road shown is a proposed new road. Lot layouts and dimensions are shown for all parcels.

10. Proposed new lot layout and dimensions and any rights-of-way or driveways to be built.
Road specifications may vary according to type of development and zoning district.

All lot layouts and dimensions are shown along with all rights-of-way. Driveways are not shown on this plan.

11. Designated open space, greenway or park space that is a minimum of five percent of the total land area of the original tract.

Required open space = .175 acres (7,623 square feet) – 3.5 x 5%

Provided open space = 1.83 acres (79,714 square feet)

12. Sidewalks or greenways which serve all occupiable lots and of equal or greater linear feet than the total linear footage of the subdivision road. Linear greenway easements may count toward the five-percent open space requirements.

The plat shows a 5' trail system to serve the development.

13. A statement from the town water department and/or MSD that adequate water and sewer service may be provided to the lot(s).

These are both attached to the memo.

3.5 Subdivision Design Standards

3.5.1 – Lots

- All lots must conform to the minimum lot size, setback and density requirements of the district within which the subdivision is, or will be, located, unless the subdivision is

designed as a conservation subdivision plan, in which case only density requirements shall apply.

All lots are a minimum of ¼ acres (.25). All setbacks are met. Density is not exceeded and is actually less than allowed.

- Duplexes on a single lot and zero lot line dwellings are allowed within all districts, except heavy industrial (HI-0), as long as they meet the minimum requirements for minimum lot size for single-family use including density and perimeter setbacks of the district in which they are located. A duplex meeting all the requirements for a single-family lot shall be counted as one residential density unit or RUA for the designated density of the zoning district in which they are located.

The proposed subdivision contains five duplexes. These are counted as one residential dwelling unit. The duplexes meet all requirements for a single-family lot, including lot size, street frontage and setbacks.

- Duplexes may be subdivided as a two-unit town home or condominium for the purpose of separate ownership of the two individual units as long as:
 - All fire and building codes are met at the time of the subdivision or division of the structure into a duplex.

The duplexes have been constructed to the 2018 NC Residential Building Code and have been and are being inspected by the Building Inspector. The subdivision provides a road with a T-turnaround that has been approved by the Fire Inspector. A fire hydrant will be added at the entrance of the subdivision.

- Two off-street parking spaces are provided for each unit.

Each duplex unit has a minimum of two parking spaces.

- Required setbacks for the district are maintained on the perimeter of both lots on all sides except where the units adjoin.

All setbacks are maintained on the perimeter of the duplexes.

- Common areas and maintenance requirements, such as that for driveways, open space and stormwater management areas are enumerated as part of the subdivision, or provided under common ownership in a town home or condominium plan.

Homeowners associations will be created for each lot. Common areas are shown on the plat. Stormwater management areas need to be shown on the plat.

- Triplexes or other multi-dwelling units of three or more units must follow guidelines of applicable special use category or multi-family requirements.

Not applicable.

3.5.2 – Streets

- Unless a lot is set aside for conservation in perpetuity, all lots to be platted shall have access to a street and all proposed streets shall be installed or financially guaranteed prior to final plat approval. Access roads for both major and minor subdivisions shall traverse a surveyed right-of-way centerline showing calls and distances and its beginning and ending points in relation to adjoining properties.

All lots have access to a road (Blue Ridge Road and Magnolia Creek Lane).

- No more than three lots may be served with a single driveway. The minimum width of deeded and recorded driveway or right-of-way shall be 15 feet. All lots served by shared driveways must have parking provided for a minimum of two cars on the lot itself and off of the driveway.

There are no shared driveways.

- Any access serving more than three lots shall be considered a road. Roads providing access to more than four lots must be constructed to town standards for a public street and shall be dedicated to the town unless as part of a conservation subdivision or special or conditional use approval (see also conservation subdivision and 4.3.2 lot access).

Magnolia Creek Lane is a new road created to serve lots one, two, three and five. The road will be built to Town standards and will be dedicated to the town one year after completion of the project.

- All streets shall be dedicated with a minimum 40-foot right-of-way and shall meet the minimum design standards for drainage and roadways of the town. Streets must have a graded travel surface of at least 20 feet or have two separated travel surfaces off 14 feet in width as part of a bifurcated roadway and shall be in compliance with the current North Carolina Fire Code including Appendix D.

The road has a 32' right-of-way and 18' of travel surface. This has been approved through the Fire Department.

- One-way roads shall be dedicated within a minimum 20-foot right-of-way and must have a graded travel surface of at least 14 feet. The graded travel surface shall be in compliance with the current North Carolina Fire Code including Appendix D.

Not applicable.

- Fire department and public works staff may authorize a variance up to 20 percent (up to eight feet variation on right-of-way, and up to four-foot variation on total travel surface), based on topography, landscape context, traffic and public safety needs.

The Public Works Director has granted an easement of 20% to allow the right-of-way to be reduced from 40' to 32'.

- The town shall accept streets for ownership and maintenance one year after the completion date of the final road surfacing and upon approval by the public works director upon written request.

The road will be dedicated to the town one year after completion of the project.

- All roads, including streets, cul-de-sacs and T-turnarounds within a major subdivision shall be paved in accordance with NCDOT "Subdivision Road Minimum Construction Standards" Pavement Design 1 (E), current edition and the current North Carolina Fire Code including Appendix D. Subdivision plans must specify soil conditions and which combination of base and pavement design (see DOT guidance) will be used. Final plans will include statement by licensed professional engineer that road is in compliance with DOT and local standards.

The T-turnaround is in compliance with the NC Fire Code and Appendix D and has been approved by the Fire Inspector. A statement included will be included on the final plat that the road is in compliance with NCDOT standards.

3.5.3 – Utilities

- The preliminary subdivision plat must be accompanied by satisfactory evidence as to the proposed method and system of water supply and sanitary sewage collection and disposal. The town requires connection to existing public water and sewer lines if any such lines are located within 300 feet of the property boundary, unless topography or right-of-way does not allow such connection. The installation of all said systems except wells or septic tanks serving only one connection shall be required prior to final plat approval unless financially guaranteed.

The subdivision will be connected to Metropolitan Sewerage District (MSD) and a 2" waterline has been installed and connected to a 10" Black Mountain water line on Blue Ridge Road.

- Well or septic systems owned and operated by a public or private entity must be approved by the Buncombe County Health Department or other applicable state agency.

Not applicable.

- Water, sewer and other utility easements shall be designated on preliminary and final plats.

Utility easements need to be shown on the plat.

- All utilities serving new major subdivisions must be placed underground.

All utilities will be underground.

3.5.5 – Pedestrian circulation (major subdivisions only)

- All major subdivisions and special use developments shall have a plan for internal pedestrian circulation as well as points of connectivity with exterior transportation corridors.

There is a 5' trail throughout the property.

- Major subdivisions that are not qualified as conservation subdivisions shall provide a network of sidewalk or greenway trails to serve all occupiable lots. The total length of these facilities shall be equal or greater than the total of linear feet of new roadway as measured at the centerline. As part of preliminary plat review, the planning board may require, or as part of special use permits, the zoning board of adjustment may require, the following:
 - Place a portion of the required linear footage of sidewalk or greenway outside of the subdivision within the public right-of-way where there is opportunity to improve connectivity to the subdivision being developed (such as to link the subdivisions' sidewalk to an existing bus stop, park, sidewalk or greenway) in exchange for equal reduction in linear footage within the subdivision interior.
 - Pay the financial equivalent to the town in order to develop sidewalks on arterial or collector roads that serve that subdivision, or
 - Develop a greenway trail of equivalent cost through the property in order to implement the town's greenway master plan and instead of sidewalks or in combination with required sidewalks.

The new road is approximately 293' in length and the proposed 5' trail is approximately 900' in length.

- The location and specifications of sidewalks or trails shall be shown on preliminary plats and master plans under consideration by the building inspector for issuance of a building permit.

The 5' trail system is shown on the plat and labeled.

- Whenever practicable, the construction of a sidewalk shall be on a line parallel with the edge of the public right-of-way of a street, highway or road, and the edge of a sidewalk will be a minimum of two feet from said roadway's edge of pavement or its curb/gutter. This separation area shall be planted with grass, trees, or other plants consistent with the yards in the subdivision or shall be incorporated into the stormwater plan for the development.

Not applicable.

- Sidewalks shall be a minimum of five feet in width within subdivisions, or a minimum of six feet in width on adjacent arterial roads or NCDOT roadways. Paved trails or greenways shall be a minimum of six feet in width, with ten feet in width being preferred. Trail width may vary to minimize trail impacts on natural features or trees, or to transition to a connection with another trail or sidewalk. Decorative elements such as brick pavers or stamped concrete may be incorporated as long as they do not pose a hazard for users. Sidewalk or trail surface and construction must be approved by the town's public works director prior to dedication to the town.

Not applicable.

- Sidewalks shall be constructed of not less than 4,000 P.S.I. concrete and shall be five feet wide, four inches thick, constructed on an adequately graded base, except that where the sidewalk crosses a driveway it shall be six inches thick. The surface of the sidewalk shall be steel trowel and light broom finished and cured with an acceptable curing compound. Tooled joints shall be provided at intervals of not less than five feet and expansion joints at intervals of not less than 30 feet. The sidewalk shall have a maximum lateral slope of one-fourth-inch per foot.

Not applicable.

3.5.6 - Open space requirements (major subdivisions only).

- All major subdivisions must dedicate the equivalent of five percent of the total land area of the original parcel or combination of parcels used in the subdivision as dedicated, common open space.

The proposed subdivision is providing 52% opens space and is indicated in the field data box on the plat and the common area is labeled on the plat.

- Designation of easements to the town for parks or greenways according to the town's pedestrian plan, greenway master plan or recreation and parks plan may qualify for the dedicated open space requirements but must be approved by the planning board.

Not applicable.

- Land designated as open space on a final plat shall be dedicated to a neighborhood association or other entity, or shall be considered to be offered for dedication to the town. The town may accept control of the open space through:
 - Express action by the board of aldermen;
 - Approval of the final plat with areas specifically dedicated to the Town of Black Mountain for the purpose of open space, park and/or greenway development as accepted by the board of aldermen; or

- Conveyance of fee simple marketable title (unencumbered financially and environmentally) to the property to the town at the time of final plat recordation, subject to approval by the board of aldermen.
- Until such time as the dedication has been accepted, land so offered may be used for open space purposes and be maintained by the underlying or abutting property owner or similarly by an owners' association. Land so offered for dedication shall not be used for any purpose inconsistent with the proposed public use.

The common space will be under the homeowners association and will not be dedicated to the town.

- Requirements concerning land dedicated to the town for recreational purposes. The board of aldermen must approve property dedications being offered to the town for parks and greenways facilities at the time of final plat approval. The board of aldermen may request review by the recreation and parks commission before making their determination. Dedications should meet the following criteria:
 - Unity. Dedicated area shall form a single parcel of land, except where the board of aldermen determines that two or more parcels or a linear easement across multiple parcels would be in the best interest of the public given the type and distribution of space needed to serve the development. In such cases, the board may require that such parcels be connected by a dedicated strip of land or easement be at least 20 feet in width or that an easement for access be granted.
 - Usability. At least one-half of the total land dedicated shall be located outside of areas of special flood hazard, alluvial soils, lakes or other water bodies, and at least 75 percent of the total land dedicated shall be located outside of wetlands. Land dedicated only for greenways need not follow the requirements of this subsection.
 - Shape. Dedicated land shall be sufficiently shaped and proportioned to be usable for proposed recreational facilities and activities, such as greenways, athletic fields, playground area, tennis courts, swimming pool, etc.
 - Access. Public access to dedicated land shall be provided by adjoining public street frontage or by a dedicated public easement which connects the dedicated land to a public street or right-of-way, or from adjacent property, as determined by the board of aldermen.
 - Greenway dedications shall be a minimum of 15 feet in width.

Not applicable.

TOWN OF BLACK MOUNTAIN PLANNING AND DEVELOPMENT SERVICES

MAJOR SUBDIVISION APPLICATION PACKET

Sketch Plan Submittal Requirements:

- 7 – 11” x 17” plats (hard copy or digital) containing the following information:
 - The name of the subdivision and the proposed use and the name, address, and phone number of the owner
 - A vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivisions, roads, or nearby buildings and their zoning and uses
 - The boundaries of the tract
 - Total acreage of the tract and the portion to be subdivided
 - Location of significant features such as water courses, ponds, rock outcroppings or forest
 - Topography of five-foot intervals and the location of existing drainage or swales
 - Location of flood hazard areas from FIRM map
 - Location of existing or proposed utilities
 - Existing street and lot layout and dimensions, including rights-of-way
 - Proposed new lot layout and dimensions and any rights-of-way or driveways to be built
 - Designated open space, greenway or park space that is a minimum of five percent of the total land area of the original tract
 - Sidewalks or greenways which serve all occupiable lots and of equal or greater linear feet than the total linear footage of the subdivision road
 - A statement from the Town of Black Mountain or City of Asheville Water Department and/or MSD that adequate water and sewer service may be provided to the lot(s). If the subdivider intends to use on-site septic, then a statement from Buncombe County Environmental Health must be included that the created lots have septic or are appropriate for septic systems.
- Completed Major Subdivision Application
- Affidavit of Ownership

Preliminary and Final Plat Submittal Requirements:

- 1 – 18” x 24” plat (hard copy and digital copy)
- 7 – 11” x 17” plats (hard copy and digital copy)
- Completed Checklist (hard copy and digital copy)

Review Process:

- Technical Review Committee (TRC) reviews sketch plan for development standard compliance (meets as necessary).
- Planning Board reviews sketch plan for development standards compliance (meets the 4th Monday of every month).
- Planning Board reviews preliminary plan for development standards compliance.
- Final plat is submitted to Subdivision Administrator for signature.
- **All plats will be processed and made available to the applicant within fifteen (15) business days.**

Checklist Information: X = information is required on pl

Town of Black Mountain
160 Midland Avenue, Black Mountain, NC 28711
Phone: 828-419-9300 ~ Fax: 828-669-2030
www.townofblackmountain.org

TOWN OF BLACK MOUNTAIN PLANNING AND DEVELOPMENT SERVICES

Information	Preliminary Plat		Final Plat	
Title Block Containing:				
• Property title, PIN #, subdivision name or designation	X	[x]	X	[]
• Name of owner of record	X	[x]	X	[]
• Location (township, county, state)	X	[x]	X	[]
• Date(s) of survey and plat preparation	X	[x]	X	[]
• Name, address, registration number and seal of surveyor	X	[x]	X	[]
Drawn Streets:				
• Proposed streets and their linear feet	X	[x]	X	[]
• Connecting streets and platted streets on adjoining properties	X	[x]	X	[]
• Rights-of-way, location and dimensions	X	[x]	X	[]
• Approximate or final grades	X	[x]		[]
• Street Names	X	[x]	X	[]
Information and Location of Utilities:				
• Utility and other easements of record	X	[x]	X	[]
• Transmission lines	X	[na]		[]
• Natural gas lines	X	[na]		[]
• Sanitary sewers, location and size	X	[x]		[]
• Water lines, location and size	X	[x]		[]
• Stormwater facilities, either in place or proposed	X	[x]	X	[]
• Plans for individual water supply and sewerage disposal	X	[x]	X	[]
Site Features:				
• North Point	X	[x]	X	[]
• Graphic Scale	X	[x]	X	[]
• Vicinity Map	X	[x]		[]
• Existing buildings or other structures, railroads, bridges	X	[x]		[]
• Existing property lines to be subdivided or recombined	X	[x]	X	[]
• Exact lot lines, bearings, distances and lot/block nos.	X	[x]	X	[]
• Minimum building setback lines	X	[x]	X	[]
• Topography at 5' intervals, elevations, and slope calculations	X	[x]		[]
• Zoning classification of tract and adjoining property	X	[x]		[]
• Natural features	X	[x]		[]
• Exact location of floodplain, flood fringe, and floodway	X	[x]	X	[]
Site Calculations:				
• Acreage in total tract to be subdivided	X	[x]	X	[]
• Total number of lots	X	[x]	X	[]
• Area of each lot in square feet	X	[x]		[]

Town of Black Mountain
 160 Midland Avenue, Black Mountain, NC 28711
 Phone: 828-419-9300 ~ Fax: 828-669-2030
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TOWN OF BLACK MOUNTAIN PLANNING AND DEVELOPMENT SERVICES

MAJOR SUBDIVISION APPLICATION

Application Date: 05/04/2020 Zoning District: Buncombe N S E W C

Owner Name: Flat Creek Commons, LLC

Subdivision Name: Magnolia Creek

Property Location/Street: 402 Blue Ridge Road, Black Mountain, NC

PIN #: 0619-01-2379 Deed Book/Page: 5706/1501

Total Site Area: 152654 square feet 3.5 acres

Max. Allowable Lot Density Standard: .25 acres

Max # of Lots Allowable: 14 Proposed # of Lots: 12

Min. Allowable Lot Area: 8000 sq ft Proposed Min. Lot Area: 0.07 acres (townhome lot)

Average Lot Area: 0.11 acres

Min. Allowable Lot Width: Proposed Min. Lot Width: 35.23 ft

Min. Open Space Area: .175 acres Proposed Open Space Area: 1.83 acres

Proposed Open Space Use: hiking trail

Proposed Future Development Site Area: NA

Proposed Impervious Surface Area: 23347 sq ft

Proposed Impervious Surface Coverage (isa/site area x 100): 15.4 %

Site Area within Area of Special Flood Hazard Area: 152654 within Floodway: 71157.5

Slope of Site: 0% - 5%

Names of Access Street(s) and Number of Access Points along Each:

Name of Access or Adjacent Street	Right-of-Way Width (ft)	Pavement Width (ft)	No. of Lanes	Traffic Volume	Est. Traffic Generated
Blue Ridge Road	60'	18'	2	4500/day	

TOWN OF BLACK MOUNTAIN PLANNING AND DEVELOPMENT SERVICES

Owner Name: John Judd Phone: (828) 252-5388

Address: 402 Blue Ridge Road City: Black Mountain State: nc Zip: 28711

Email Address: _____ Mobile #: _____

Developer: Flat Creek Commons, LLC Phone: (828) 252-5388

Address: 402 Blue Ridge Road City: Black Mountain State: NC Zip: 28711

Email Address: _____ Mobile #: _____

Engineer/Consultant: Jesse Gardner Phone: (828) 252-5388

Address: 168 Patton Ave City: Asheville State: NC Zip: 28801

Email Address: Jgardner@cdcgo.com Mobile #: _____

Registered Surveyor: Mcabee & Associates, P.A. Phone: (828) 628-1295

Address: 3 McAbee Trail City: Fairview State: NC Zip: 28730

Email Address: _____ Mobile #: _____

As owner, developer, agent, or engineer of this property, it is requested that the proposed subdivision, as described within this application, be given approval by the Town of Black Mountain Planning Board in accordance with the Town of Black Mountain Subdivision Ordinances. I, JOHN M. JUDD Sr., hereby certify that I have legal authority to submit this application for subdivision and I enclose the required application materials listed herein.

Signature

Date

FOR OFFICE USE ONLY

Plat Review Fees: _____ Date Paid: _____ Payment: _____

Project Number: _____ Entry by: _____ Date: _____

Plat Approval Date: _____ Plat Book/Page: _____

Subdivision Administrator

Date

Town of Black Mountain
160 Midland Avenue, Black Mountain, NC 28711
Phone: 828-419-9300 ~ Fax: 828-669-2030
www.townofblackmountain.org

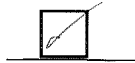
STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

OWNER AFFIDAVIT

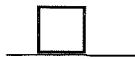
THE UNDERSIGNED, being first duly sworn, deposes and says:

1. That he/she is the owner of that real property located at 402 BLUE RIDGE RD.
_____, in the Town of Black Mountain, which property is shown on the tax
maps for Buncombe County as PIN# 0619-01-2379.

2. That as the owner of the described property he:



Is applying for subdivision approval.



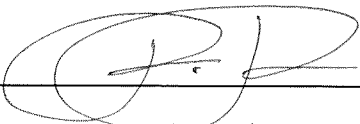
Is authorizing _____ to apply for
subdivision approval.

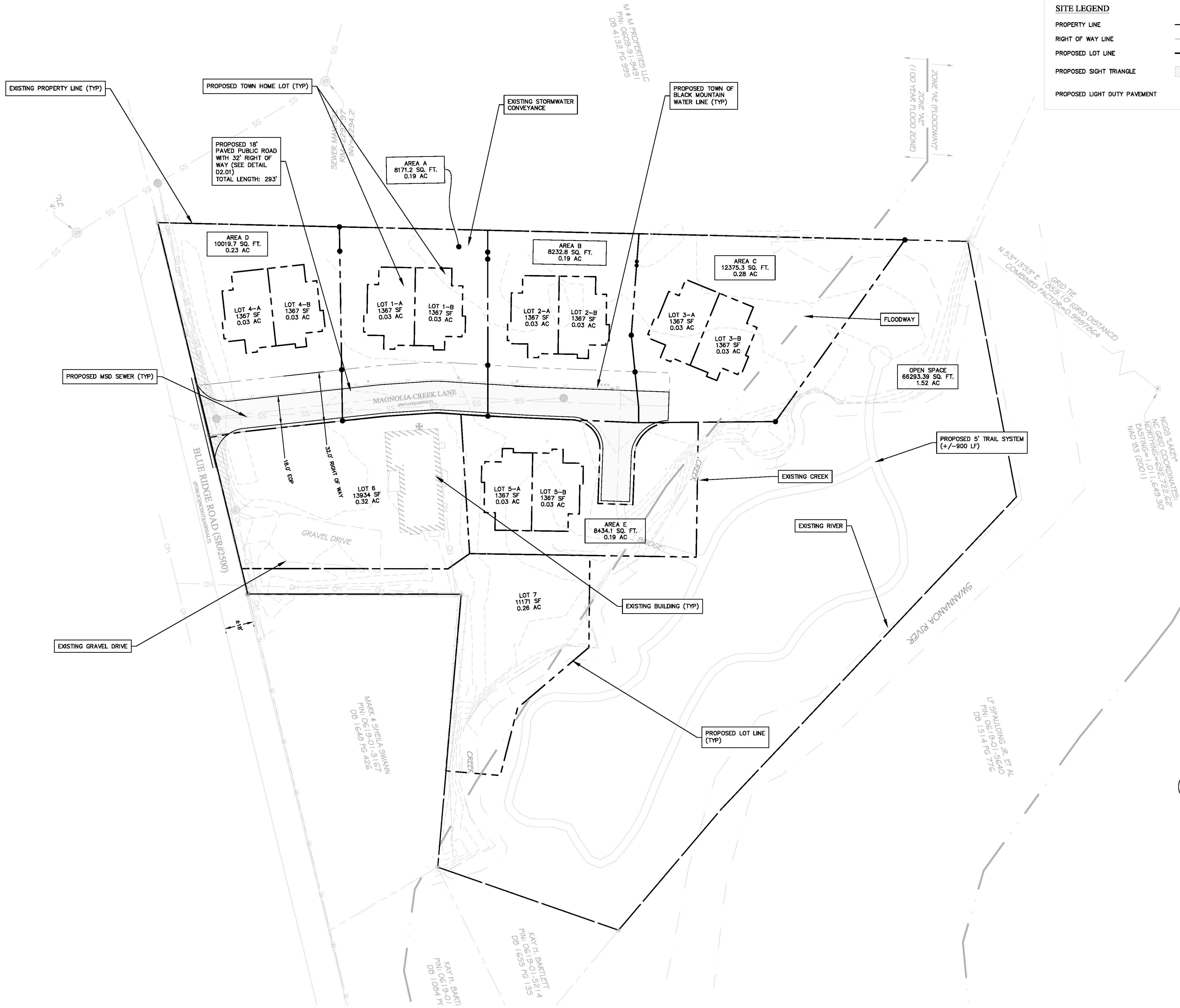
This the 8 day of MAY, 2020

Property Owner (individual)

OR

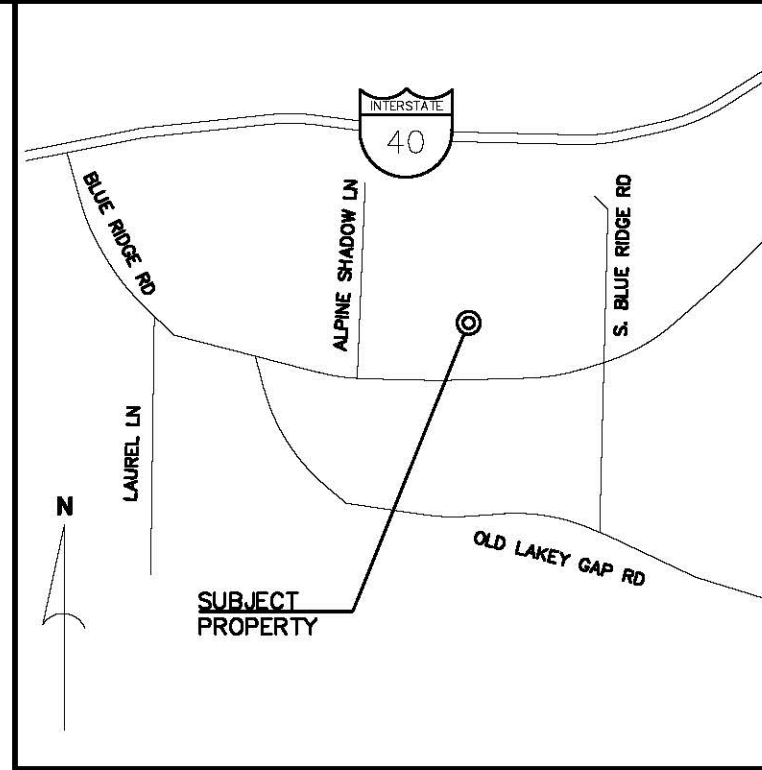
FLAT CREEK COMMONS, LLC
Property Owner (entity)

By: 
JOAN M. JUDD SR
MEMBER / MANAGER

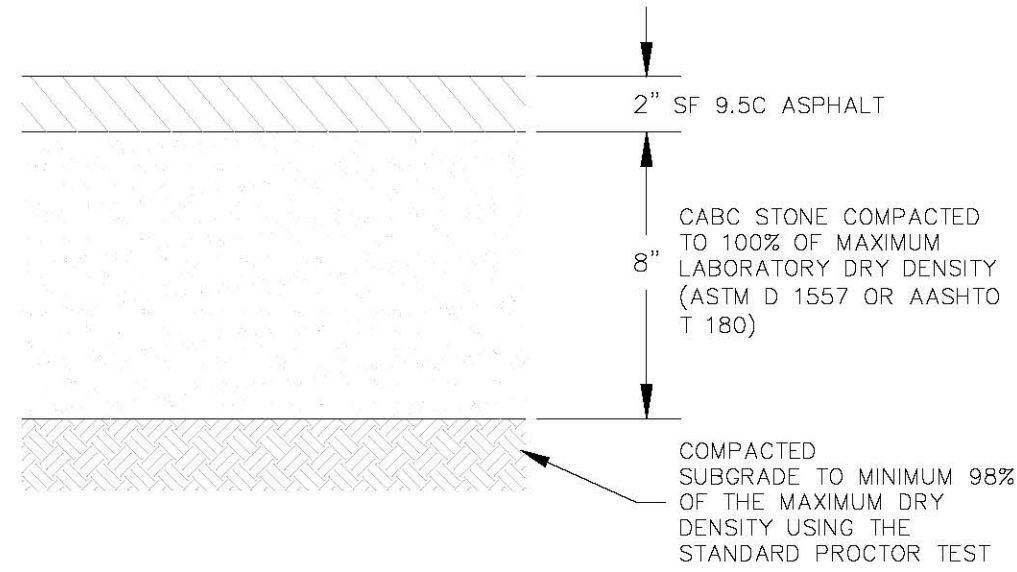


SITE LEGEND

PROPERTY LINE
RIGHT OF WAY LINE
PROPOSED LOT LINE
PROPOSED SIGHT TRIANGLE
PROPOSED LIGHT DUTY PAVEMENT



DEVELOPMENT DATA	
OWNER/DEVELOPER:	FLAT CREEK COMMONS, LLC 402 BLUE RIDGE ROAD BLACK MOUNTAIN, NC JOHN JUDD (828) 301-2557
CONTACT:	
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 168 PATTON AVENUE ASHEVILLE, NC 28801 MICHAEL CAIN, P.E. (828) 252-5388
CONTACT:	
SURVEYOR:	MCABEE & ASSOCIATES, P.A. 3 MCABEE TRAIL FAIRVIEW, NC 28730 (828) 628-1295
CONTACT:	
PROJECT DATA	
PIN:	0619-01-2379
ADDRESS:	402 BLUE RIDGE RD, BLACK MOUNTAIN
DEED BOOK/PAGE:	5706/1501
SITE ACREAGE:	3.5 ACRES
ZONING:	TR-4
SETBACKS:	
FRONT:	20'
SIDES:	10'
REAR:	15'
OPEN SPACE	
REQUIRED:	0.175 (5%)
PROVIDED:	1.52 (43%)



D2.01 TYPICAL LIGHT DUTY PAVEMENT CROSS SECTION
NOT TO SCALE

PRELIMINARY PLAT & SITE PLAN

GRAPHIC SCALE

168 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 462-4410
FAX (828) 282-5885

55 WALNUT STREET - SUITE 9
WAYNESVILLE, NC 27786
PHONE (828) 462-4410
FAX (828) 282-5885

CDC Civil Design Concepts, PA

www.civildesignconcepts.com

NCBELS LICENSE #: C-2164

NO.	DATE	DESCRIPTION	BY
6	09/25/2019	DRIVEWAY SUBMITTAL	MSB
8	11/05/2019	ADDRESSING SUBMITTAL	BRM
9	05/04/20	PRELIMINARY PLAT SUBMITTAL	MSB

PRELIMINARY PLAT & SITE PLAN FOR:

MAGNOLIA CREEK

FLAT CREEK COMMONS, LLC — TOWN OF BLACK MOUNTAIN, NORTH CAROLINA

DRAWN BY:	KTB
CDC PROJECT NO.:	21845
MSD PROJECT NO.:	2018208

SHEET

C201

Jennifer Tipton

From: Jamey Matthews <jamey.matthews@townofblackmountain.org> on behalf of Jamey Matthews
Sent: Monday, May 11, 2020 11:25 AM
To: Jennifer Tipton
Subject: RE: letter regarding water capacity

Jennifer,

Speaking with Charlie Grose we do have the water availability to supply these twelve lots off Blue Ridge Road.

Jamey D. Matthews
Public Works Director

Town of Black Mountain Public Works
304 Black Mountain Ave.
Black Mountain, N.C. 28711
Office: 828-664-5052
Fax: 828-669-4204



"We are all faced with a series of opportunities brilliantly disguised as impossible situations." - Chuck Swindoll

From: Jennifer Tipton [mailto:jennifer.tipton@townofblackmountain.org]
Sent: Monday, May 11, 2020 10:28 AM
To: jamey.matthews@townofblackmountain.org
Subject: letter regarding water capacity

Hey,

For the plat for Jesse over on Blue Ridge Road, can you send me a letter that there is water capacity for twelve lots?

Thanks!

Jennifer Tipton, CZO
Zoning Administrator
Town of Black Mountain
160 Midland Avenue
Black Mountain, NC 28711
(828) 419-9300 ext. 373

(828) 669-2030 (fax)

www.townofblackmountain.org



Metropolitan Sewerage District

of Buncombe County, North Carolina

PERMIT

FOR THE DISCHARGE OF SEWAGE, INDUSTRIAL WASTES, OR OTHER WASTES

IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 21 OF CHAPTER 143, GENERAL STATUTES OF NORTH CAROLINA AS AMENDED, AND OTHER APPLICABLE LAWS, RULES, AND REGULATIONS FOR THE SANITARY SEWERAGE SYSTEM OF THE METROPOLITAN SEWERAGE DISTRICT.

PERMISSION IS HEREBY GRANTED TO:

JUDD BUILDERS

**2349 HENDERSONVILLE ROAD
ARDEN, NC 28704**

INSTALLATION AND OPERATION OF THE 402 BLUE RIDGE ROAD SANITARY SEWER EXTENSION LOCATED IN BLACK MOUNTAIN, NC. THIS PROJECT INCLUDES CONSTRUCTING A PUBLIC SEWER WITH APPROXIMATELY 372 LF OF 8-INCH GRAVITY SEWER. MSD HAS ISSUED A WASTEWATER ALLOCATION APPROVAL FOR THIS PROJECT FOR A TOTAL OF 1,800 GPD. THE DISCHARGE OF COLLECTED DOMESTIC WASTEWATER INTO THE METROPOLITAN SEWERAGE DISTRICT'S EXISTING SYSTEM, PURSUANT TO THE APPLICATION RECEIVED 12/4/2018. THIS PERMIT SHALL BE EFFECTIVE FROM THE DATE OF ISSUANCE UNTIL RESCINDED, AND SHALL BE SUBJECT TO THE FOLLOWING SPECIFIED CONDITIONS AND LIMITATIONS.

1. THIS PERMIT SHALL BECOME VOIDABLE UNLESS THE FACILITIES ARE CONSTRUCTED IN ACCORDANCE WITH THE NON-DISCHARGE PERMIT APPLICATION, APPROVED PLANS, SPECIFICATIONS, AND OTHER SUPPORTING DATA.
2. CONSTRUCTION OF THE SEWERS SHALL BE SO SCHEDULED SO AS NOT TO INTERRUPT SERVICE BY THE EXISTING UTILITIES NOR RESULT IN AN OVERFLOW OR BYPASS OF WASTEWATER TO THE SURFACE WATERS OF THE STATE.
3. THIS PERMIT IS EFFECTIVE ONLY WITH RESPECT TO THE NATURE AND VOLUME OF WASTES DESCRIBED IN THE APPLICATION.
4. THE FACILITIES SHALL BE PROPERLY MAINTAINED AND OPERATED AT ALL TIMES.
5. THE SEWAGE AND WASTEWATER COLLECTED BY THIS SYSTEM SHALL BE ADEQUATELY TREATED IN THE METROPOLITAN SEWERAGE DISTRICT'S WASTEWATER TREATMENT PLANT PRIOR TO BEING DISCHARGED INTO THE RECEIVING STREAM.

PERMIT #: MSD P01099

SIGNATURE: _____

A handwritten signature in blue ink, appearing to read "W. E. Bradford, Jr.", is written over a horizontal line.

W. E. BRADFORD, JR., P.E.

ISSUED: January 22, 2019



Metropolitan Sewerage District

of Buncombe County, North Carolina

Allocation Approval

**This approval is not to be used to obtain a building permit
and is for gravity sewer extension only.**

Applicant: GREGORY HOFFMAN, PE
Company: CIVIL DESIGN CONCEPTS, PA
Mailing Address: 168 PATTON AVENUE, ASHEVILLE, NC 28801
Phone: 828-252-5388 (Work)
Project #: 2018206
Project Name: 402 BLUE RIDGE ROAD
Project Location: BLUE RIDGE ROAD (402)
PIN: 0619012379

Date: 9/14/2018

MSD of Buncombe County has approved your request for 1,800 GPD
The connection point (manhole #) will be PipeID 13-374880 (New MH)
The project will consist of (6) TOWNHOMES

Your final approval is contingent upon compliance of the items below:

A GRAVITY ONLY SEWER EXTENSION IS REQUIRED. Please consult the Sewer Extension Manual for Developers on our website www.msdbc.org. If you still have questions after consulting the website please contact Kevin Johnson at (828)-254-9646.

Per site plan, it appears that connection point will require an offsite easement agreement. Easement will initially be between off-site property owner and developer.

Easement must minimum of 20' wide. Easement must be reviewed by MSD prior to recording. Easement, along with new sewer system will be conveyed to MSD at project closeout, prior to release of C.O.

Comments:

**New manhole to be installed by NC Licensed Public Utility contractor under MSD inspection.
Please contact Denise Moore @ 828-225-8277 a minimum of 48 hours prior to installation**

The North Carolina Department of Environmental Quality (NCDEQ) requires MSD to issue this approval based on line condition/capacity of the receiving sewer and remaining plant capacity.

This allocation approval will expire on **09/14/2019** if no construction has started.

If you have any questions, please contact MSD.

A blue ink signature of Kevin Johnson, written in a cursive style.

Kevin Johnson
MSD Planning and Development