

**TOWN OF BLACK MOUNTAIN BOARD OF ALDERMEN**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: November 9, 2009**

**SUBJECT:** Second Public Hearing on the Proposed Development Agreement and Master Plan for the Robert's Farm Property

**AGENDA INFORMATION**

**Agenda Location:** Public Hearings  
**Item Number:** 8-B  
**Department:** Planning and Development Services  
**Contact:** Elizabeth Teague  
**Presenter:** Elizabeth Teague, Ron Sneed  
Rod Hubbard & Consultants, Black Mountain Partners

**BRIEF SUMMARY:**

At the March 23, August 24, and August 31<sup>st</sup> Planning Board Meetings, Rod J. Hubbard Development, Inc. ("RJH") presented a concept plan for a new development at the location of the former Robert's Farm (at the top of Byrd Road) to be developed by "Black Mountain Partners, LLC. Attorney Ron Sneed has drafted a Development Agreement to establish guidelines under which the property may be developed and which is tied to a master plan which was reviewed, revised and recommended by the Planning Board.

**MOTIONS FOR CONSIDERATION:**

- 1) To adopt the attached Statement of Consistency;
- 2) To approve the Master Plan for the "Robert's Farm Property" (PIN 0609-88-7008-00000);
- 3) To adopt the Development Agreement for the "Robert's Farm Property" (PIN 0609-88-7008-00000)

**FUNDING SOURCE:** n/a

**ATTACHMENTS:**

- 1) Master Plan Concept Drawing (full proposal is available in the Town Hall and the Town's website);
- 2) Resolution adopting Statement of Consistency;
- 3) Draft Development Agreement was distributed to Board on October 12, 2009 – final draft will be provided by Ron Sneed at the Board meeting on November 9, 2009

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** Attorney Ron Sneed has drafted the Development Agreement based on the points recommended by the Planning Board and in coordination with the attorney for Black Mountain Partners, LLC. Adoption of this Agreement will allow for up to 250 units to be built over several phases and vested for up to 7 years, including condominiums, townhomes, and single family homes. Approve as presented.