



Zoning Committee

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**REQUEST**

Current Zoning: MX-1 LLWPA (mixed use district, Lower Lake Wylie Protected Area), R-3 LLWPA (single family residential, Lower Lake Wylie Protected Area), and CC LLWPA (commercial center, Lower Lake Wylie Protected Area)

Proposed Zoning: R-17MF(CD) LLWPA (multi-family residential, conditional, Lower Lake Wylie Protected Area)

**LOCATION**

Approximately 28.05 acres located on the north side of Shopton Road, west of I-485.  
(Outside City Limits)

**PETITIONER**

Pollack Shores

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**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *Dixie Berryhill Strategic Plan*, based on the information from the staff analysis and the public hearing and because:

- The plan recommends park/open space and office/retail/light industrial uses for the subject property.

However, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The site is located across Shopton Road from the Charlotte Premium Outlet Mall; and
- This major development was not contemplated when the Dixie Berryhill Strategic Plan was adopted; however, it has significantly changed the area's development pattern by adding retail to an area initially recommended for light industrial; and
- The subject site is a desirable location for multi-family development as it is in walking distance to an elementary school, regional park, public transportation, church, and retail uses, including the Charlotte Premium Outlet Mall; and
- The multi-family development is not adjacent to any single family development, but is in close proximity to parcels built or approved for 12 dwellings per acre and for 17 dwellings per acre; and
- The proposed site plan includes a 7.41 acre portion, which

constitutes 26.4% of the site, as tree save, and will be adjacent to a future regional park.

Motion/Second: McClung / Spencer  
 Yeas: Fryday, Majeed, McClung, McMillan, Spencer, and Sullivan  
 Nays: None  
 Absent: Nelson  
 Recused: None

**ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted the petitioner agreed to address the outstanding transportation item pertaining to completion of improvements prior to issuance of certificate of occupancy. In addition, staff noted that a tree survey would not be required for this parcel as its frontage is situated along a state maintained road. Staff stated that the request is inconsistent with the adopted area plan.

A Commissioner commented that based upon the recent remodel of the adjacent school this proposal should not have a negative impact on CMS facilities.

Another Commissioner asked if there is only one entrance to the development. Staff responded there is one entrance and a gated exit.

There was no further discussion of this petition.

**Planner**

Claire Lyte-Graham (704) 336-3782