

**ZONING COMMITTEE  
RECOMMENDATION  
April 26, 2006**

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**Rezoning Petition No. 2006-039**

**Property Owner:** Alpine Village Properties

**Petitioner:** Alpine Village and Golf Maintenance, Harvey Gouch

**Location:** Approximately 59.22 acres South of Freedom Drive and east of Toddville Road

**Request:** R-3 (LLW-PA), R-4 (LLW-PA), and R-17MF (LLW-PA) to MX-2 (LLW-PA)

**Action:** The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition. (Commissioner Ratcliffe was excused due to a conflict of interest).

**Vote:**

Yeas:	Carter, Cooksey, Farman, Howard, Hughes, and Sheild
Nays:	None
Absent:	None

**Summary of Petition**

This petition proposes to rezone approximately 59.22 acres from R-3, R-4, and R- 17 MF to MX-2 for a mixed-use development. The development will be composed of 83 single-family residential lots, 390 multi-family units, 24,000 square feet of live/ work units (24 units) and club house, 4,000 square feet for the office, club house pro shop, 1,500 square foot maintenance facility and a par 3 golf course running through the site. The property is located on the Lower Lake Wylie Protected Area.

**Zoning Committee Discussion/Rationale**

Mr. MacVean reviewed the petition and noted that the property is located within the Lower Lake Wylie Protected Area and that the petitioner has agreed to pay for all costs associated with the left turn over onto Freedom Drive. The request is consistent with the General Development Policies however one outstanding site plan issue relating to the road connection over Paw Creek remains. The road connection was on the site plan shown at the public hearing and it was noted that the connection could be constructed by the City of Charlotte. A revised site plan was submitted showing the road ending in a cul-de-sac and not crossing the creek. A note on the revised plan indicates that the proposed street connection over Paw Creek may or may not be required as determined through the subdivision process. Staff has requested that the petitioner

add the note to the first site plan so that the expectation that he will construct the road will be established.

The Zoning Committee discussed the amenities the developer is providing, the impact on the school system, and the environmental impacts of the road connection. Staff noted the amenities as the greenway reservation, the construction of the greenway trails and the golf course. Mr. MacVean referred to the school memo, which indicates a slight decrease in the number of children. He also stated that Storm Water Service staff will be included in the connectivity discussion in the subdivision process. Further discussion ensued regarding the road connection over Paw Creek.

### **Statement of Consistency**

A motion was made by Cooksey and seconded by Howard finding this petition consistent with the General Development Policies. The Zoning Committee unanimously approved this motion.

### **Vote**

**Upon a motion made by Howard and seconded by Farman, the Zoning Committee unanimously to recommend approval of this petition.**

### **Staff Opinion**

Staff disagrees with the recommendation of the Zoning Committee due to the fact the plan does not show compliance with subdivision regulations. Therefore, this petition should be denied or deferred until the road connection over Paw Creek is shown. City Council should not act on a plan that does not comply with the subdivision ordinance