

## Petition 2024-092 by Lucern Capital Partners

### To Approve:

This petition is found to be consistent with the *2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map (2022)* recommends the Community Activity Center Place Type.

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

- EX petitions are a type of conditional rezoning that allow for flexibility in quantitative zoning and streetscape standards in exchange for the commitment to public benefits in at least two out of three categories: city improvements, public amenities, and sustainability measures. EX petitions should be reserved for situations where extenuating circumstances make meeting ordinance standards an undue burden.
- Proposed public benefits proposed in support of the requested EX provisions must exceed minimum requirements.
- The site has unique circumstances which include increased setbacks and established mature tree canopy along the sites frontages that significantly reduce visibility of the buildings from the public right-of-way.
- The public benefits proposed in support of this EX petition include provision of rooftop solar panels as well as donating \$10,000 to the City of Charlotte for pedestrian improvements in the broader Research Park area.
- The proposed rooftop solar panels represent an appropriate sustainability measure in support of the requested EX provisions.
- The *2040 Policy Map (2022)* recommends the Community Activity Center Place Type for this site. Typical uses in this Place Type include a mix of retail, personal services, multi-family, and office. The proposed day care center is a permitted use in the CAC-1 zoning district and could serve to support the existing and future mix of residential and office campus uses in the area.
- This petition proposes retail uses that offer potential employment opportunities.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 1: 10 Minute Neighborhoods

### To Deny:

This petition is found to be **consistent** with the *2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map (2022)* recommends the Community Activity Center Place Type.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)