



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2024-092

November 7, 2024

REQUEST

Current Zoning: RE-3(CD) (research, conditional)
Proposed Zoning: CAC-1(EX) (community activity center-1, exception)

LOCATION

Approximately 3.07 acres located along the north side of West W.T. Harris Boulevard, and the east side of Research Drive, west of I-85.
(Council District 4 - Johnson)

PETITIONER

Lucern Capital Partners

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

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

Motion/Second: Shaw / Welton

Yeas: McDonald, Neeley, Russell, Shaw, Stuart, Welton, Winiker

Nays: None

Absent: Blumenthal, Sealey

Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the *2040 Policy Map*.

Commissioner Russell asked how the petition was meeting the public benefits required for an EX petition. Staff stated, the public benefits proposed in support of this EX petition include a provision for rooftop solar panels as well as donating \$10,000 to the City of Charlotte for pedestrian improvements in the broader Research Park area.

There was no further discussion of this petition.

PLANNER

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