



Zoning Committee

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**REQUEST** Current Zoning: MUDD-O (mixed use development, optional)  
Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment)

**LOCATION** Approximately 2.11 acres located on the north side E. Independence Blvd, Pierson Dr, Bamboo St. and Wilshire Pl. (Council District 5 - Newton)

**PETITIONER** Beaver Creek CRE LLC

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**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:

This petition is found to be is **consistent** with the *Independence Boulevard Area Plan* as amended by the previous rezoning based on the information from the staff analysis and the public hearing, and because:

- The plan recommends mixed non-residential (office, retail uses) per the recently approved rezoning petition 2017-167.

Therefore 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 proposed site plan amendment does not change the proposed uses for the site.
- The proposal changes the location of proposed signage and removes the previously approved proposal for a building addition to the existing building within Development Area A and transfers the square footage to Development Area B.
- The proposal maintains restrictions from the previously approved petition related to the specialty signage.
- Removing the proposed addition allows the opportunity for the existing building in Area A to be designated as historic for tax credit purposes.
- Change creates a better pedestrian realm in front of the existing building in Area A.

Motion/Second: Watkins / Gussman  
Yeas: Gussman, Ham, McClung, Spencer, Nwasike, Watkins, and Wiggins  
Nays: None  
Absent: None  
Recused: None

**ZONING COMMITTEE  
DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan.

A commissioner noted that the petitioner maintained the notes pertaining to energy efficient lighting for the signage. Another commissioner noted that the changes improved the previously approved plan.

There was no further discussion of this petition.

**PLANNER**

John Kinley (704) 336-8311