

Z-2 and Z-8: Brentwood/Highland Combined Neighborhood Plan/Re-zonings
Summary of Issues

Item Z-7 (Case # C14-03-0067)

2. **Tract 101: 1401 Koenig Lane**
 Agent: Amelia Lopez-Phelps
 Current Use: Vacant (formerly Freedom Auto Sales)

Petition filed by property owners within 200 feet of the property and is **NOT** valid at 8.38%. Staff and Planning Commission recommendation is to rezone to LR-MU-CO (CO-D). The petitioners are opposed to any zoning classification less restrictive than LR (current zoning).

Group 1 (Properties where the current use would not be affected by the recommended change)

3. **Tract 3: 6709 Burnet Lane**
 Owner: Ron McGuire
 Current Use: Apple Moving Company

Petition filed by property owner. Staff and Planning Commission recommendation is to rezone to CS-MU-CO-NP (CO-G). The property owner is opposed to any zoning classification other than CS (current zoning).

4. **Tract 222b: 608 Kenniston Drive**
 Owner: Ron McGuire
 Current Use: Chaparral Moving Company, Apple Insurance Specialists

Petition filed by property owner. Staff and Planning Commission recommendation is to rezone to CS-MU-CO (CO-B) and NUC. The property owner is opposed to any zoning classification other than CS (current zoning).

5. **Tract 10b: 5607 & 5615 Burnet Road**
 Agent: Mickey Bentley
 Owner: William Wilder
 Current Use: Office/Warehouse

Petition filed by property owner. Staff and Planning Commission recommendation is to rezone to CS-MU-CO-NP (CO-B). The property owner is opposed to any zoning change for the property.

6. **Tract 10b: 5701 – 5715 Burnet Road**
 Agent: Mickey Bentley
 Owner: Frank Bomar
 Current Use: Pet Grooming and Boarding/Lumber Company/Kwik Ice

Petition filed by property owner. Staff and Planning Commission recommendation is to rezone to CS-MU-CO-NP (CO-B). The property owner is opposed to any zoning change for the property.

7. **Tract 77b: 814 Romeria Drive**
Owner: Don Jackson
Current Use: Appliance Repair and Sales, Auto Repair

Petition filed by property owner. Staff and Planning Commission recommendation is to rezone to CS-MU-CO-NP (CO-B). The property owner is opposed to any zoning classification other than CS-1 (current zoning).

8. **Tract 210b: 7427 Lamar Blvd.**
Agent: John Joseph Jr.

Petition filed by property owner. Staff and Planning Commission recommendation is to rezone to CS-MU-CO-NP (CO-A). The property owner is opposed to any zoning classification other than CS-1-MU-CO-NP (CO-A) for the portion of the property that currently has CS-1 zoning.

9. **Tract 266: 6016 Dillard Circle**
10. **Tract 267: 6020 Dillard Circle**
11. **Tract 267: 6015 Dillard Circle**
Agent: Jim Wittliff
Current Use: Warehouse, Construction Sales and Services

Petition filed by property owner. Staff and Planning Commission recommendation is to rezone to CS-MU-CO-NP (CO-G). The property owner would like to remove four uses and modify one use in the Conditional Overlay. Staff offered to make changes to the conditional overlay for these properties during the planning process since they are not adjacent to any residential uses. The property owner's agent informed staff on 3/23/04 that they would like to make these changes. Staff is not opposed to this change.

12. **Tract 244: 108 Denson Drive**
13. **Tract 268: 0 Denson Drive**
Owner: Will Houston

Petition filed by property owner. Staff and Planning Commission recommendation is to rezone to CS-MU-CO-NP (CO-G). The property owner is opposed to any zoning classification other than CS-NP (current zoning)

Group 2 (Properties where the current use would be affected by the recommended change)

Tract 15b (Clay Avenue)

- 14. Tract 15b: 5508 Clay Avenue**
Agent: Amelia Lopez-Phelps
Owner: Clay Fuller
Current Use: Roofing Company

Staff and Planning Commission recommendation is to rezone to GR-MU-CO (CO-C).

- 15. Tract 15b: 5510 and 5600 Clay Avenue**
Agent: Kris Kasper (Armburst & Brown)
Owner: Duke Covert
Current Use: Antique Sales

Staff and Planning Commission recommendation is to rezone to GR-MU-CO (CO-C).

- 16. Tract 15b: 5602 Clay Avenue**
Owner: Mark Cashman
Current Use: Office/Warehouse, General Retail

Petition filed by property owner. Staff and Planning Commission recommendation is to rezone to GR-MU-CO (CO-C). The property owner is opposed to any zoning classification other than CS (current zoning).

Background Information for Tract 15b

Clay Avenue is primarily a residential street. All of the properties that are part of Tract 15b were rezoned from residential to commercial in 1961. The purpose of the rezoning in 1961 was for the expansion of businesses fronting Burnet Road or Adams Avenue. The staff recommended denial of this application in 1961 due to the location on a residential street.

Currently, 5508 and 5602 Clay Avenue only have street frontage on Clay Avenue, while 5510 and 5600 Clay have frontage on both Adams and Clay Avenues.

The staff and Planning Commission recommendation is to rezone to GR-MU-CO (See Exhibit B, CO-C). The property owners are opposed to this change. The neighborhood stakeholders are also opposed to this change, and are recommending LR-MU-CO. As part of their motion Planning Commission directed staff to attempt to find a solution that would be acceptable to all the stakeholders. A meeting was held on March 16th. Some progress was made at the meeting, but no agreement was reached.

17. Tract 51: 5006 Grover

Agent: Gary Boulden

Owner: Michael Kuhn

Current Use: Appears to be a duplex, property owner states that it is used as office.

Petition filed by property owner. Staff and Planning Commission recommendation is to rezone to SF-3. The current zoning is LO. The property owner is opposed to any zoning classification other than NO-MU-NP.

18. Tract 93: 1400 Koenig Lane

Agent: Mickey Bentley

Owner: Whiteside Motors Inc.

Current Use: Auto Sales

Petition filed by property owner. Staff and Planning Commission recommendation is to rezone to LR-MU-CO (CO-D). The property owner is opposed to any zoning change for this property.

19. Tract 107: 2005 W Koenig Lane

Agent: Brad Greenblum

Owner: Paragon Prep

Current Use: Vacant

Petition filed by property owners within 200 feet of the property and is valid at 22.58%. Staff and Planning Commission recommendation is to rezone to LO-MU. The petitioners are opposed to any zoning classification other than NO with a Conditional Overlay excluding *private primary school* and *private secondary school* uses. The property owner supports the staff and Planning Commission recommendation.

20. Tract 16: 5611 Clay Avenue

Owner: Mike O'Dell

Current Use: Office

Current zoning for this property is LO, and the current use is administrative and professional office. The property is in the middle of the block on a residential street. Planning Commission recommendation is to rezone to NO-MU. Staff and neighborhood stakeholder recommendation is to rezone to SF-3.

21. Tract 221: 601, 605, & 613 St. Johns

Current zoning for these properties is SF-3. The neighborhood stakeholders support the Planning Commission recommendation to rezone to LR-MU-CO-NP (CO-D). However, the neighborhood stakeholders in the Highland Neighborhood would like to restrict the residential density to 12 units per acre.