

**ZONING CHANGE REVIEW SHEET**CASE: C14-2023-0004 (Sherwood Single Family)DISTRICT: 5ZONING FROM: SF-2TO: SF-3ADDRESS: 7414 SHERWOOD ROADSITE AREA: 0.77 acres (33,541 sq. ft.)PROPERTY OWNER: Jon ConnerAGENT: Thrower Design, LLC (A. Ron Thrower)CASE MANAGER: Ricky Barba (512-974-7740, [Ricky.Barba@austintexas.gov](mailto:Ricky.Barba@austintexas.gov))STAFF RECOMMENDATION:

**The Staff recommendation is to grant family residence (SF-3) district zoning.** *For a summary of the basis of Staff's recommendation, see case manager comments.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:**May 2<sup>nd</sup>, 2023:**CITY COUNCIL ACTION:**June 1<sup>st</sup>, 2023:**ORDINANCE NUMBER:ISSUES:

Signatures of adjacent property owners have been submitted in response to the above-referenced rezoning case, opposing a rezoning of the property to anything other than SF-2, single family residence-standard lot. The petition includes 28.78% of eligible signatures and meets the 20% threshold for a valid petition. Petition materials are located at the end of the Staff report.

CASE MANAGER COMMENTS:

The subject lot is within the Elmwood Estates subdivision, contains a single family residence, and is zoned single family residence-standard lot (SF-2) district. The surrounding lots are developed with single family residences and zoned SF-2. ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).***

The Applicant has requested Family Residence (SF-3) district zoning and desires to re-subdivide the land into no more than 5 lots. SF-3 zoning permits duplex residential use as well as a two-family residence which consists of one single-family residence, in addition to a second detached unit that does not exceed 1,100 square feet or a floor-to-area ratio of 0.15:1, whichever is smaller. The detached unit is limited to two stories, or 30 feet in height, and if a second-story is proposed to be constructed for the unit, then it is not permitted to exceed 550 square feet in size.

**BASIS OF RECOMMENDATION:**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The family residence (SF-3) district is the designation for a moderate density single-family residential use or a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or larger. A duplex use that is designated in an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The requested SF-3 zoning would allow for up to two residential units on each lot. Staff supports the Applicant's request for SF-3 zoning as it would be compatible with the surrounding development pattern of single family residential zoning and uses.

**EXISTING ZONING AND LAND USES:**

|              | ZONING   | LAND USES   |
|--------------|----------|---|
| <i>Site</i>  | SF-2     | One Single family residence                                 |
| <i>North</i> | SF-2     | Single-family residences                                    |
| <i>South</i> | SF-2     | Single family residences                                    |
| <i>East</i>  | SF-2, DR | Single-family residences in the Elmwood Estates subdivision |
| <i>West</i>  | SF-2     | Single family residences                                    |

**NEIGHBORHOOD PLANNING AREA:** Not Applicable

**TIA:** Is not required

**WATERSHED:** South Boggy Creek – Suburban

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**SCHOOLS:** Casey Elementary School Bedichek Middle School Akins High School

NEIGHBORHOOD ORGANIZATIONS:

|   |   |
|---|---|
| 39 – Matthews Lane Neighborhood Association | 511 – Austin Neighborhoods Council          |
| 627 – Onion Creek Homeowners Association    | 742 – Austin Independent School District    |
| 1228 – Sierra Club, Austin Regional Group   | 1363 – SEL Texas                            |
| 1424 – Preservation Austin                  | 1429 – Go!Austin/Vamos!/Austin (GAVA)-78745 |
| 1528 – Bike Austin                          | 1530 – Friends of Austin Neighborhoods      |
| 1531 – South Austin Neighborhood Alliance   | 1550 – Homeless Neighborhood Association    |
| 1578 – South Park Neighbors                 | 1616 – Neighborhood Empowerment Foundation  |

AREA CASE HISTORIES:

| NUMBER   | REQUEST   | COMMISSION | CITY COUNCIL       |
|--|---|------------|--------------------|
| C14-2019-0060 – 7507 Wynne Ln                                  | MH to SF-3  | To Grant   | Apvd (6-6-2019).   |
| C14-2017-0110 – 7505 Wynne Ln                                  | SF-2 to SF-3  | To Grant   | Apvd (11-2-2017).  |
| C14-2016-0076 – 7605 Wynne Lane Rezoning                       | MH to SF-3  | To Grant   | Apvd (10-13-2016). |
| C14-2014-0122 – LeBoeuf Rezoning – 7900 Wynne Ln               | MH to SF-1  | To Grant   | Apvd (9-25-2014).  |
| C14-2012-0110 – Arriaga and Maldonado Project – 7600 Wynne Ln  | MH to SF-3  | To Grant   | Apvd (11-1-2012).  |
| C14-2012-0042 – 1300 W. Dittmar Rd Rezoning                    | SF-6-CO to SF-6-CO, to change a condition of zoning and remove the CO that limits height to 20 feet | To Grant   | Apvd (8-2-2012).   |
| C14-2008-0001 – Reno – 1000 & 1002 Reno Dr.                    | MH to SF-3  | To Grant   | Apvd (3-6-2008).   |
| C14-2007-0184 – Soule Residence Rezoning – 7406 Forest Wood Rd | DR to SF-2  | To Grant   | Apvd (11-29-2007). |
| C14-03-0095 – Tolliver Zoning – 7705 Wynne Ln.                 | MH to SF-3  | To Grant   | Apvd (8-28-2003).  |
| C14-92-0002 – Lee Zoning Change – 7702 Wynne Ln.               | MH to SF-2  | To Grant   | Apvd (2-13-1992).  |

RELATED CASES:

The property was annexed into the City limits on November 15, 1984.

EXISTING STREET CHARACTERISTICS:

| <b>Name</b>      | <b>ASMP<br/>Classification</b> | <b>ASMP<br/>Required<br/>ROW</b> | <b>Existing<br/>ROW</b> | <b>Existing<br/>Pavement</b> | <b>Sidewalks</b> | <b>Bicycle<br/>Route</b> | <b>Capital<br/>Metro<br/>(within<br/>¼ mile)</b> |
|------------------|--------------------------------|----------------------------------|-------------------------|------------------------------|------------------|--------------------------|--|
| Sherwood<br>Road | Level 1                        | 58'                              | 52'                     | 18'                          | No               | N/A                      | No   |

ADDITIONAL STAFF COMMENTS:

Inclusive Planning

**Proposed Use:** 0.77 acres from SF-2 to SF-3. Subdivide one single family lot up to five single family lots.

| Yes | Imagine Austin Decision Guidelines  |
|-----|---|
|     | <b>Complete Community Measures</b>  |
| Y   | <b>Imagine Austin Growth Concept Map:</b> Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. <b>Name(s) of Activity Center/Activity Corridor/Job Center: 0.47 Miles from West William Cannon Activity Corridor</b> |
|     | <b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.   |
|     | <b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane.  |
|     | <b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.   |
|     | <b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.  |
|     | <b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university.  |
|     | <b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.   |
|     | <b>Connectivity and Health:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)   |
|     | <b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.   |
| Y   | <b>Housing Choice:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.           |
|     | <b>Mixed use:</b> Provides a mix of residential and non-industrial uses.  |
|     | <b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).   |
|     | <b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.  |
|     | <b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)  |
|     | <b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.                        |
|     | <b>Industrial Land:</b> Preserves or enhances industrial land.  |
| 2   | <b>Total Number of "Yes's"</b>  |

### Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the South Boggy Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

| <i>Development Classification</i>                | <i>% of Gross Site Area</i> | <i>% of Gross Site Area with Transfers</i> |
|--|-----------------------------|--|
| Single-Family<br>(minimum lot size 5750 sq. ft.) | 50%                         | 60%  |
| Other Single-Family or Duplex                    | 55%                         | 60%  |
| Multifamily                                      | 60%                         | 70%  |
| Commercial                                       | 80%                         | 90%  |

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

### Impervious Cover

The maximum impervious cover allowed by the SF-3 zoning district would be 45%, which is based on the more restrictive zoning regulations.

#### PARD / Planning & Design Review

Parkland dedication will be required for the new applicable uses proposed by this development, single family with SF-3 zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov). At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

#### Site Plan and Compatibility Standards

A site plan will be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to the design standards in Subchapter E of the Land Development Code. Additional comments will be made when the site plan is submitted.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 ft. or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

In the event that demolition or relocation of existing buildings is proposed, the applicant is responsible for requesting demolition or relocation permits at the appropriate stage of the development process. The City Historic Preservation Office will review all proposed building demolitions and relocations. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

#### Austin Transportation Department – Engineering Review

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. **Transportation assessment/traffic impact analysis and transportation demand management plan shall** be required at the time of site plan if triggered per **LDC 25-6 and TCM 10.2.1**.

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Sherwood Road. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Sherwood Road according to the Transportation Plan with the first subdivision or site plan application [LDC 25-6-51 and 25-6-55].

Austin Water Utility

No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

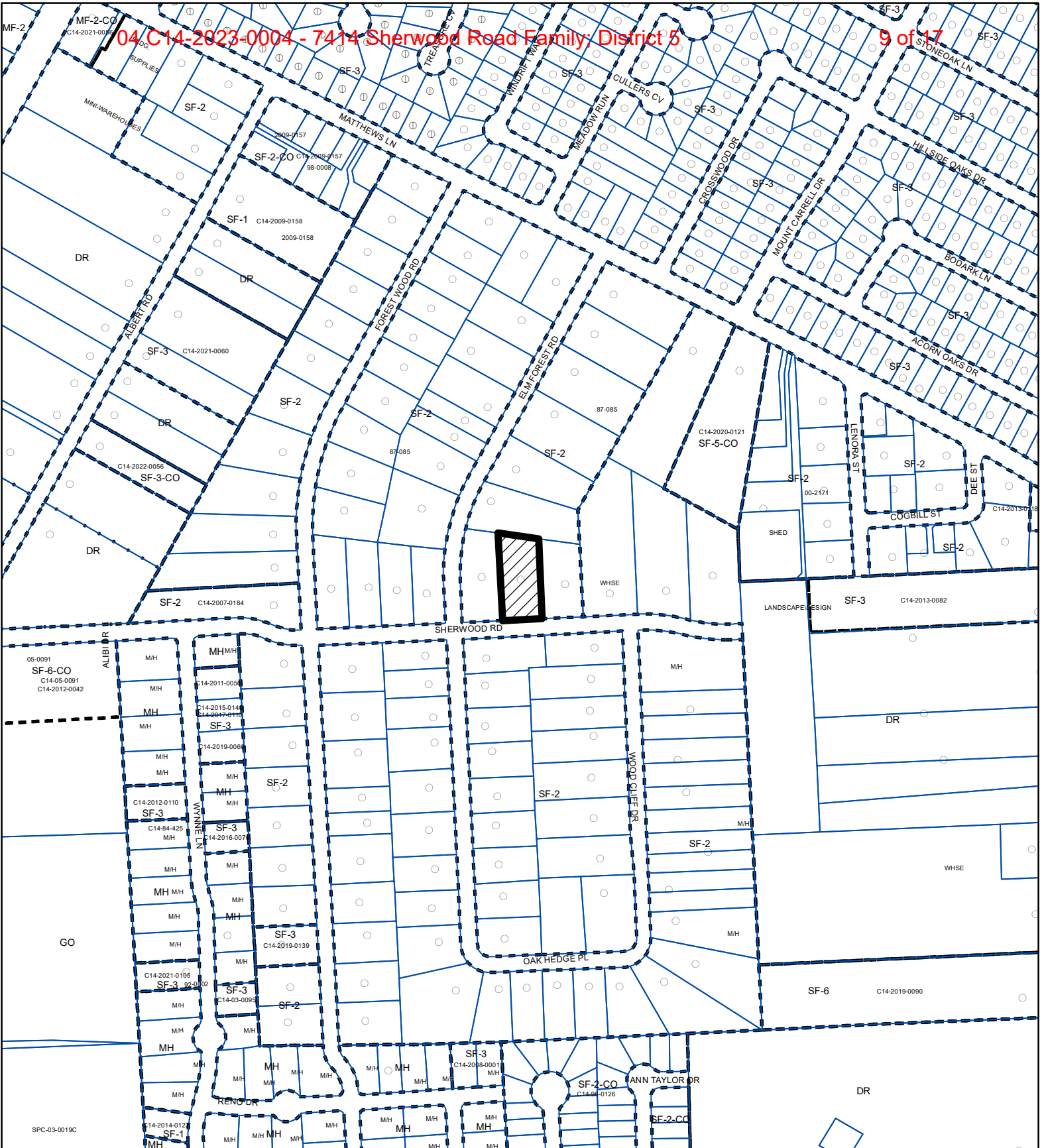
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

A: Zoning Map  
A-1: Aerial Map  
Correspondence Received





## ZONING

ZONING CASE#: C14-2023-0004



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or







Created: 1/23/2023





## Sherwood Single Family

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2023-0004  
 LOCATION: 7414 Sherwood Road  
 SUBJECT AREA: 0.765 Acres  
 GRID: F16  
 MANAGER: Nancy Estrada



This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 2/22/2023



# P E T I T I O N

Date: February 20, 2023

File Number: C14-2023-0004

*d* Address of Rezoning Request: 7414 Sherwood, 78745

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-2.

## (STATE REASONS FOR YOUR PROTEST)

Thrower Design, on behalf of Jon Conner, requests a zoning change from SF-2 to SF-3. The desire is to re-subdivide the land into no more than 5 lots. This would allow up to 10 units on this 0.765 acre parcel. While neighbors have great respect for Mr. Conner, the proposed density is inconsistent with Imagine Austin guidelines. The signatories and Matthews Lane Neighborhood Association oppose dense development 0.7 miles from a bus stop and 1 mile to amenities. The project is inconsistent with neighboring lots and deed restrictions, and the area lacks urban infrastructure. We oppose the application as it stands.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

|                         |                  |                                   |
|-------------------------|------------------|-----------------------------------|
| <i>Zo Anne Mason</i>    | Zo Anne Mason    | 7416 Sherwood<br>Austin, TX 78746 |
| <i>Karen Fernandez</i>  | Karen Fernandez  | 7400 Elm Forest Rd                |
| <i>Thomas Fernandez</i> | Thomas Fernandez | 7400 Elm Forest Rd                |
|                         |                  |                                   |
|                         |                  |                                   |
|                         |                  |                                   |
|                         |                  |                                   |
|                         |                  |                                   |

Date: 2/16/2023

Contact Name: Karen Fernandez

Phone: 512-739-1684

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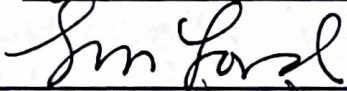
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## (PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

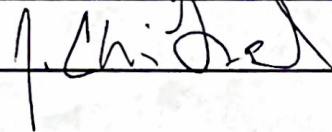
Printed Name

Address



Sarah M. Lord

7400 Wood Cliff Dr. ATX 78745



J. CHRISTOPHER LONS

7400 Wood Cliff Dr. ATX 78745

Date: 2/16/2023

Contact Name: Karen Fernandez

Phone: 512-739-1684



**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

### GENERAL WARRANTY DEED

**THE STATE OF TEXAS**

§

§

**Know All Men By These Presents:**

**COUNTY OF TRAVIS**

§

**Date:** January 25, 2019

**Grantor:** Sarah M. Lord and Joseph C. Lord, Wife and Husband

**Grantor's Mailing Address:** 7400 Wood Cliff Drive, Austin, Travis County, Texas 78745

**Grantee:** Joseph Christopher Lord and Sarah Moore Lord, Trustees of the Lord Living Trust dated January 25, 2019, and any amendments thereto.

**Grantee's Mailing Address:** 7400 Wood Cliff Drive, Austin, Travis County, Texas 78745

**Consideration:** Ten (10) and no/100 DOLLARS and other valuable consideration.

**Property (including any improvements):**

**ALL OF THE UNDIVIDED INTEREST IN AND TO:**

**LOT 10A, RESUBDIVISION OF LOTS 1 & 10, BLOCK F, ELM WOOD ESTATES, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 31, PAGE 18, PLAT RECORDS, TRAVIS COUNTY, TEXAS, more commonly known as 7400 Wood Cliff Drive, Austin, Texas 78745.**

**This conveyance is subject to the following Reservations From and Exceptions to Conveyance and Warranty:**

- 1. Any and all validly existing restrictions, mineral reservations and interests, conditions, covenants, easements, and rights of way, if any, applicable to and enforceable against the above described property as now reflected by the records of the County Clerk in said County and State and to any applicable zoning laws or ordinances;**
- 2. Any valid lien, deed of trust, security agreement or financing statement executed by Grantor against the above-described Property; and**
- 3. Any unpaid taxes for the year this deed is signed, and any assessments for the year this deed is signed or any prior year imposed after the date of this conveyance.**

Grantor, for the consideration and subject to the Reservations From and Exceptions to Conveyance and Warranty, grants, sells, and conveys the Property to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations From and Exceptions to Conveyance and Warranty.

The Grantee hereby reserves the right afforded to them under the homestead exemption laws pursuant to the applicable Chapters and Sections of the Texas Property Code and Texas Tax Code.

Full power and authority is granted by this Deed to the Trustee or his or her successors and assigns to deal in or with said real property or any interest therein or any part thereof and to protect, conserve, sell, grant, convey, lease, encumber, mortgage, or otherwise to manage and dispose of the real property described herein or any interest therein or any part of it.

When the context requires, singular nouns and pronouns include the plural.



Sarah M. Lord  
Grantor



Joseph C. Lord  
Grantor

*This instrument was prepared based on information furnished by the Grantor, and no independent title search has been made.*



**ACKNOWLEDGMENT**

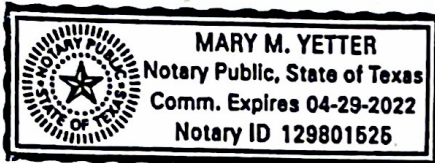
**STATE OF TEXAS**

)  
) SS:

**COUNTY OF TRAVIS**

)

This instrument was acknowledged before me on the 25<sup>th</sup> day of January, 2019, by  
Sarah M. Lord and Joseph C. Lord, Grantors.



*Mary M. Yetter*  
\_\_\_\_\_  
Mary M. Yetter  
Notary Public, State of Texas  
My Commission expires: April 29, 2022

AFTER RECORDING RETURN TO: Nielsen Law PLLC, 9442 N Capital of Texas Highway,  
Building One, Suite 500, Austin, Texas 78759

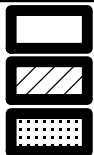
FOREST WOOD RD

ELM FOREST RD

MATTHEWS LN

SHERWOOD RD

WOOD CLIFF DR



BUFFER

PROPERTY\_OWNER

SUBJECT\_TRACT

## PETITION

Case#: C14-2023-0004

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1" = 200'



Case Number:

**PETITION****C14-2023-0004**

Date: 4/26/2023

Total Square Footage of Buffer: 281984.7538

Percentage of Square Footage Owned by Petitioners Within Buffer: 28.78%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

| TCAD ID      | Address                         | Owner                                | Signature | Petition Area    | Percent       |
|--------------|---------------------------------|--------------------------------------|-----------|------------------|---------------|
| 0422130701   | 7500 ELM FOREST RD 78745        | CULLERS LUCAS J REVOCABLE TRUST      | no        | 2885.52          | 0.00%         |
| 0422130814   | 7503 ELM FOREST RD 78745        | DEW TAMMY SUE                        | no        | 4557.61          | 0.00%         |
| 0422130404   | 7412 SHERWOOD RD AUSTIN 78745   | DUNN GLENN E                         | no        | 34172.02         | 0.00%         |
| 0422130302   | 7400 ELM FOREST RD AUSTIN 78745 | FERNANDEZ TOMAS & KAREN              | yes       | 12058.30         | 4.28%         |
| 0422130407   | 7307 ELM FOREST RD 78745        | GARDNER RICHARD JACK & COLLEEN ELLYN | no        | 48700.00         | 0.00%         |
| 0422130303   | 7500 SHERWOOD RD AUSTIN 78745   | IBRAHIM ANGELIQUE MELHAM             | no        | 12651.35         | 0.00%         |
| 0422130802   | 7402 WOOD CLIFF DR 78745        | JOSEPH SALEM THOMAS JR &             | no        | 6435.16          | 0.00%         |
| 0422130801   | 7400 WOOD CLIFF DR AUSTIN 78745 | LORD LIVING TRUST                    | yes       | 22177.09         | 7.86%         |
| 0422130406   | 7416 SHERWOOD RD AUSTIN 78745   | MASON ZO ANNE                        | yes       | 46921.81         | 16.64%        |
| 0422130408   | 7305 ELM FOREST RD 78745        | MAY WILLIAM JOSEPH                   | no        | 20623.94         | 0.00%         |
| 0422130815   | 7501 ELM FOREST RD AUSTIN 78745 | MOYA CAROL JANES                     | no        | 37060.54         | 0.00%         |
| 0422130301   | 7306 ELM FOREST RD AUSTIN 78745 | WALTERS DREW & KAREN BURKE           | no        | 3313.35          | 0.00%         |
| 0422130403   | 7410 SHERWOOD RD 78745          | WOFFENDEN MARC GABRIEL &             | no        | 26882.33         | 0.00%         |
| <b>Total</b> |                                 |                                      |           | <b>278439.03</b> | <b>28.78%</b> |