

ZONING CHANGE REVIEW SHEETCASE: 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)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:CITY COUNCIL ACTION: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.

The notification was not sent out properly had to send out a new notification for ZAP and City Council.

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:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Sherwood 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
	Complete Community Measures
Y	Imagine Austin Growth Concept Map: 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. Name(s) of Activity Center/Activity Corridor/Job Center: 0.47 Miles from West William Cannon Activity Corridor
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education: Located within 0.50 miles from a public school or university.
	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	Connectivity and Health: 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.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	Housing Choice: 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.
	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: 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.
	Industrial Land: Preserves or enhances industrial land.
2	Total Number of "Yes's"

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 (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. 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.

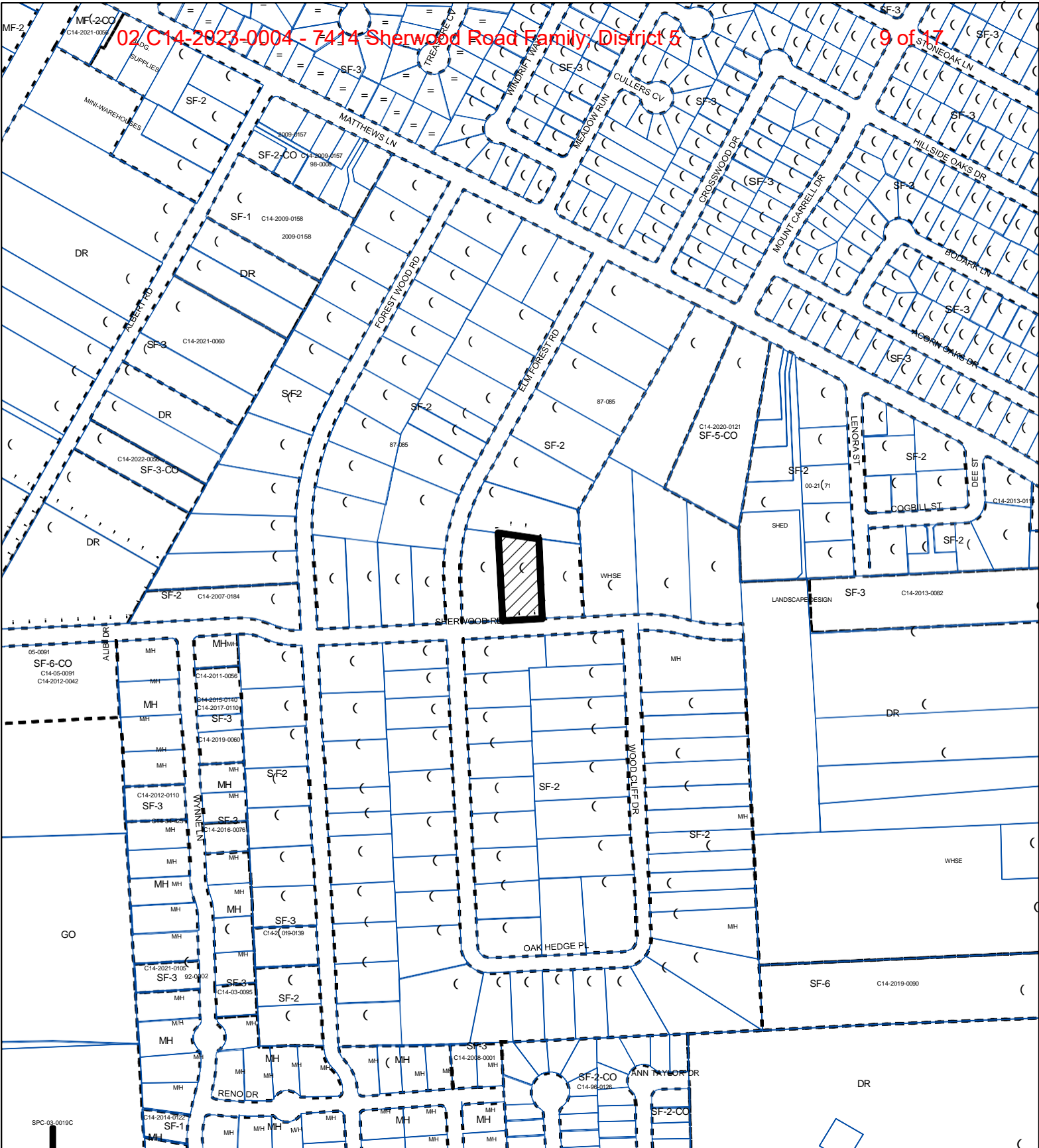
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

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

02 C14-2023-0004 - 7414 Sherwood Road Family; District 5

9 of 17



SPC-03-0019C



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2023-0004



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

1" = 400'



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



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Created: 2/22/2023

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Date: February 20, 2023
File Number: C14-2023-0004

Address of Rezoning Request: 7414 Sherwood, 78745

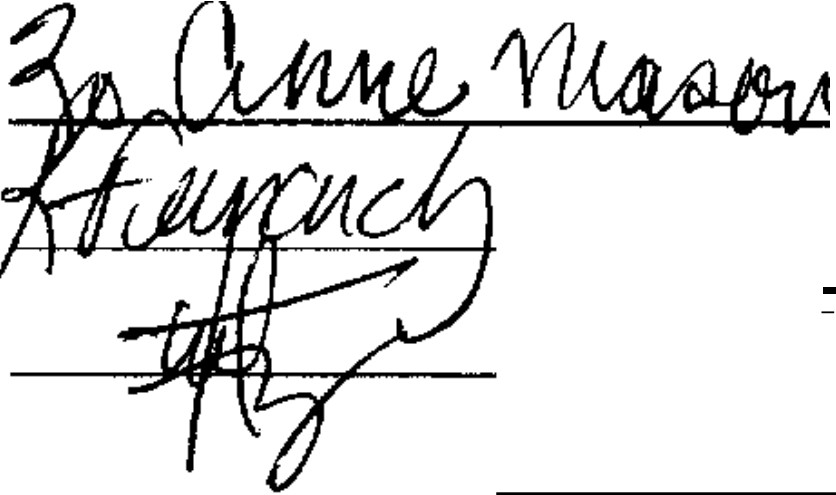
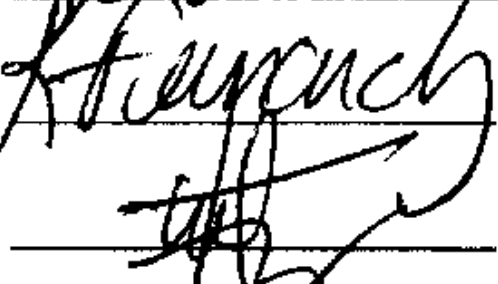

To: Austin City Council

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
	Zo Anne Ma	7414 Sherwood
	Karen Fernandez	7414 Sherwood
	Tomas Fernandez	7414 Sherwood

PETITION

Date: February 20, 2023

File Number: C14-2023-0004

Address of Rezoning Request: 7414 Sherwood, 78745

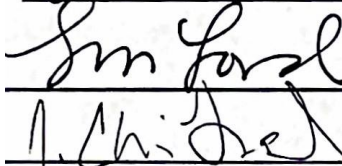
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SignaturePrinted NameAddress


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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 Granter 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. Granter binds Granter 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.

Jar no n• and pronouns include the plural.

Sarah M. Lord
Granter

J^{eph} C. Lord *-th;*
Grantor

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

ACKNOWLEDGMENT

STATE OF TEXAS

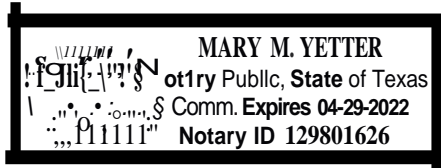
)

) **SS:**

COUNTY OF TRAVIS

)

This instrument was acknowledged before me on the 25th day of January, 2019, by Sarah M. Lord and Joseph C. Lord, Granters.



Mary M. Yetter

Mary M. Yetter
Notary Public, State of Texas
My Co _____ ril 29, 2022

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

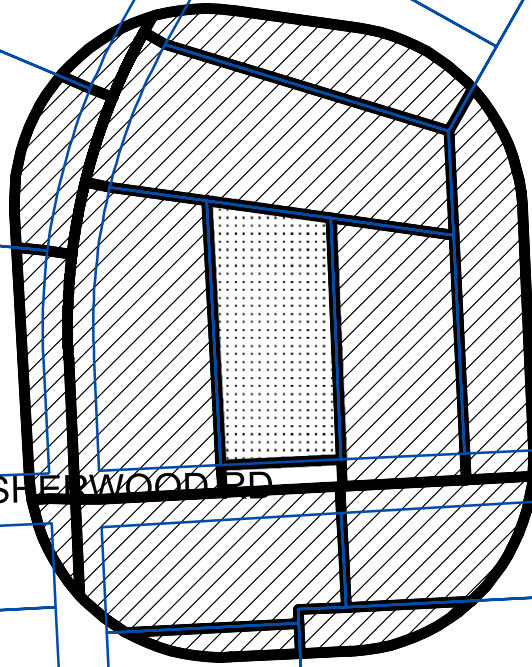
FOREST WOOD RD

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%
Total				278439.03	28.78%