

SUBDIVISION REVIEW SHEET**CASE NO.:** C8-2015-0226.0A**P.C. DATE:** July 12, 2016**SUBDIVISION NAME:** Cherico Gardens**AREA:** 0.494**LOT(S):** 3**OWNER:** MX3 Homes, LLC
(Sal Martinez)**AGENT:** Southwest Engineers
(Miguel Gonzales)**ADDRESS OF SUBDIVISION:** 3403 Neal Street**GRIDS:** ML-22**COUNTY:** Travis**WATERSHED:** Boggy Creek**JURISDICTION:** Full Purpose**EXISTING ZONING:** SF-3-NP**DISTRICT:** 3**NEIGHBORHOOD PLAN:** Govalle**PROPOSED LAND USE:** Residential**SIDEWALKS:** Sidewalks will be provided on Neal Street and Cherico Street.**DEPARTMENT COMMENTS:** The request is for approval of the resubdivision namely, Cherico Gardens. The proposed plat consists of 3 lots on 0.494 acres.**STAFF RECOMMENDATION:** The staff recommends approval of the plat. This plat meets all current, applicable City of Austin Land Development and Local State Government Code requirements.**PLANNING COMMISSION ACTION:****CASE MANAGER:** Sylvia Limon
E-mail: Sylvia.limon@austintexas.gov**PHONE:** 512-974-2767



Subject Tract

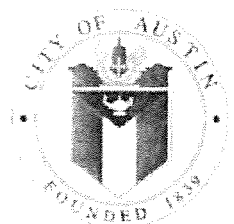


Base Map

CASE#: C8-2015-0226.0A
LOCATION: 3403 Neal Street

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 Planning and Development Review Department for the sole purpose of geographic reference.



CHERICO GARDENS

Plat Preparation Date: October 12, 2015
Application Submittal Date: November 3, 2015

SCALE: 1" = 50'

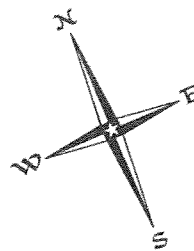
Graphic Scale
0 50 100 150

Legend

(P) 8" Iron Pipe Found
 (R) 5" Iron Rod Found
 (C) Chiseled "X" Mark in Concrete Found
 (S) 5" Iron Rod Set with plastic cap
 Imprinted with "Holt Carson, Inc."
 (N) PK Nail Found
 (S) Sidewalk
 E.T.E. = Electric and Telecommunications Easement
 (Record Bearing and Distance)

LOT SUMMARY

NUMBER OF LOTS = 3
 LOT 1 = 7,002 SQUARE FEET
 LOT 2 = 7,054 SQUARE FEET
 LOT 3 = 7,422 SQUARE FEET
 R.O.W. Dedication = 35 Square Feet
 Total Area = 21,513 Square Feet
 or 0.494 Acre



CURVE DATA

①
 Δ = 81°16'16"
 R = 15.00'
 T = 12.87'
 C = 19.54'
 A = 21.28'
 CB = N72°35'52"E

This subdivision is located in the Full Purpose Jurisdiction of the City of Austin
this the _____ day of _____, 2016.

ACCEPTED AND AUTHORIZED for record by the Director, Development Services
Department, City of Austin, County of Travis, this the _____ day of
_____, 2016, A.D.

J. Rodney Gonzales, Director, Development Services Department

ACCEPTED and AUTHORIZED by the Planning Commission of the City of Austin, Texas,
this the _____ day of _____, 2016.

Stephen Oliver Chairperson

James Shieh Secretary

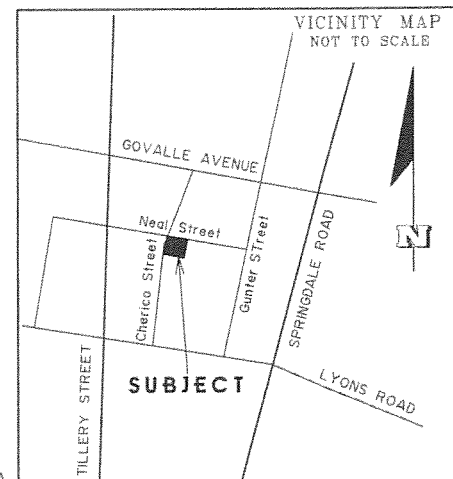
THE STATE OF TEXAS
THE COUNTY OF TRAVIS

I, Dana DeBeauvoir, Clerk of Travis County, Texas, do hereby certify that the foregoing
Instrument of Writing and its Certificate of Authentication was filed for record in my office on the
_____ day of _____, 2016, A.D., at _____ o'clock _____ M. and duly recorded
on the _____ day of _____, A.D., at _____ o'clock _____ M. in the Official
Public Records of said County and State in Document No. _____

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK OF SAID
COUNTY this the _____ day of _____, 2016, A.D.

DANA DEBEAUVOR, COUNTY CLERK TRAVIS COUNTY, TEXAS

BY: _____
Deputy



BLOCK D
CHERICO SUBDIVISION
Volume 4 Page 2

BLOCK B
CHERICO SUBDIVISION
Volume 4 Page 2

LOT 5

LOT 1

LOT 4

This area is hereby dedicated for
additional right-of-way.

NEAL STREET (50')

LOT 1A

RESUBDIVISION OF PART OF
LOT 1 BLOCK C
CHERICO SUBDIVISION
Volume 10 Page 48

LOT 1B

CHERICO STREET (50')

Vacated portion of Cherico Street
S 87°40'W 65.97'
Volume 408 Page 41

TRACT B-1

RESUBDIVISION - TRACTS A & B -
ROAD'S EASTSIDE LOTS
VOLUME 15 PAGE 1

LOT A
THE CHERICO ADDITION
Volume 358 Page 358

point occupied by
chain-link fence
corner post

THE STATE OF TEXAS
THE COUNTY OF TRAVIS
KNOW ALL MEN BY THESE PRESENTS:

That, MX3 Homes, LLC, acting by and through its President, Sal Martinez, owner of
that certain 0.494 acre of land being a portion of Lot 4, Block A, Cherico Subdivision,
a subdivision in Travis County, Texas, according to the map or plat thereof recorded in
Volume 4 Page 2 of the Plat Records of Travis County, Texas, together with a part of the
vacated portion of Cherico Street as conveyed to it by General Warranty Deed
recorded in Document Number 2015108646 of the Official Public Records of Travis County,
Texas, said subdivision having been approved for resubdivision pursuant to the
public notification and hearing provision of Chapter 212.014, of the Local Government Code,
do hereby subdivide said 0.494 acre tract of land in accordance with the attached map or plat
shown hereon, pursuant to Chapter 212 of the Texas Local Government Code,
to be known as

CHERICO GARDENS

subject to any easements and/or restrictions heretofore granted, and not released.

WITNESS MY HAND this the _____ day of _____, A.D. 2016.

Sal Martinez President of
MX3 Homes, LLC
1703 W. Koenig Lane
Austin, Texas 78756

THE STATE OF TEXAS
THE COUNTY OF TRAVIS

I, the undersigned authority, on this the _____ day of _____, A.D.,
2016, did personally appear Sal Martinez, known to me to be the person
whose name is subscribed to the foregoing instrument of writing, and he acknowledged
before me that he executed the same for the purposes and considerations therein expressed.

NOTARY PUBLIC _____
Printed Name _____
Commission Expires _____

NOTE:

THE WATER AND/OR WASTEWATER EASEMENTS INDICATED ON THIS PLAT ARE FOR THE
PURPOSE OF CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, UPGRADE,
DECOMMISSIONING AND REMOVAL OF WATER AND/OR WASTEWATER FACILITIES AND
APPURTENANCES. NO OBJECTS, INCLUDING BUT NOT LIMITED TO, BUILDINGS, FENCES,
RETAINING WALLS, TREES OR OTHER STRUCTURES ARE PERMITTED IN WATER AND/OR
WASTEWATER EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN.

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

Commission is required to approve the subdivision by State law if no variances are required, and if it meets all requirements. A board or commission's decision on a subdivision may only be appealed if it involves an environmental variance. A variance may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision. A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
 - appearing and speaking for the record at the public hearing;
- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
 - is the record owner of property within 500 feet of the subject property or proposed development; or
 - is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

For additional information on the City of Austin's land development process, visit our web site: <http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C8-2015-0226.0A

Contact: Sylvia Limon, 512-974-2767 or

Cindy Casillas, 512-974-3437

Public Hearing: Planning Commission, July 12, 2016

VIRGINIA MAE KYSER

Your Name (please print)

☐ I am in favor
☒ I object

1007 Cherico Street

Your address(es) affected by this application

Virginia Mae Kyser 6,20,2016

Signature

Date

Daytime Telephone: 512-926-3028

Comments: Five low cost homes, two from me were
built a few years ago. They park on both sides of the
street which allows only one way traffic, which cause
me to wait to get down my street. This new plan
will cause problem since it's only a block
from Govalle school.

"Higher TAXES" That will hurt me.

I am 90 years old. Thank you,
Virginia Mae Kyser

If you use this form to comment, it may be returned to:

City of Austin – Planning & Development Review Department / 4th Fl

Sylvia Limon

P. O. Box 1088

Austin, TX 78767-8810



Virginia M. Kyser
1007 Cherico St.
Austin, TX 78702-3703

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Cindy Casillas, 512-974-3437

Public Hearing: Planning Commission, July 12, 2016

HIGINIO B. CANALES

Your Name (please print)

☐ I am in favor
☒ I object

1104 Cherico St 78702

Your address(es) affected by this application

Higinio B. Canales

Signature

Date

Daytime Telephone: 512 836-6774

Comments: I would like the

Neighborhood to stay as

it is now

If you use this form to comment, it may be returned to:

City of Austin – Planning & Development Review Department / 4th Fl

Sylvia Limon

P. O. Box 1088

Austin, TX 78767-8810

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Cindy Casillas, 512-974-3437**

Public Hearing: Planning Commission, July 12, 2016

Casen Boyter

Your Name (please print)

3307 Goralke Ave

Your address(es) affected by this application

CB

Signature

6/23/2016
Date

Daytime Telephone: 512 461 8594

Comments: The proposed density will have detrimental effects on Heritage Pecan and other protected trees and their associated CRZ's. This density is not in line with the current fabric of the neighborhood and given it is one block from an elementary school, will increase traffic. I observed the demolition crew NOT take proper precautions when removing asbestos siding. Because of this, I am concerned with future lack of care during potential construction

If you use this form to comment, it may be returned to:

**City of Austin – Planning & Development Review Department / 4th Fl
Sylvia Limon
P. O. Box 1088
Austin, TX 78767-8810**

Limon, Sylvia

From: jacob borshard [REDACTED]
Sent: Monday, June 20, 2016 8:26 PM
To: Renteria, Sabino; Mx3homes Info; Limon, Sylvia; Casillas, Cindy; Richardson, Ashley; ninahernandez [REDACTED]; info@climicharitycenter.com; newstips@statesman.com; snovak@statesman.com; Nine Francois; Laura Freeman; Topaz McGarrigle; Stephanie Lindsey
Subject: Govalle Neighbors: 3403 Neal
Attachments: govalleneighborsletter.pdf; govalleneighborssignatures.jpg

June 20, 2016

To Whom It May Concern:

We are the neighbors who will be impacted by the proposed MX3 subdivision of 3403 Neal St. from one to three lots. We are concerned that the six proposed new units on what formerly was one lot with a single home will negatively impact the unique character of our historic neighborhood.

We understand that new houses will be built and the city-wide need for densification, but we ask that you consider the entire neighborhood and its needs. We are a neighborhood of mostly single story homes. We treasure our gardens and our trees. We are families that have lived here for generations, we are artists and musicians, professionals, long-time residents, and young couples starting their families.

The current owner of the property, MX3, is not an individual building a dream home. It's a corporation, a development company looking to maximize profits.

We have reviewed other MX3 projects, and feel that their standard design is not in keeping with the scope and character of our neighborhood.

We're concerned about the size and quantity of the homes to be built, the ensuing parking and traffic issues that six units would create, and the hazard that this added traffic would bring to children walking to Govalle Elementary only one block away. Also, we are very concerned about the stress on the health of the two heritage pecan trees located on the property that development might cause.

In addition to these issues, we are extremely concerned that a slew of large new units built to maximum legal capacity will unfairly raise the valuation of nearby historic houses, making it even more difficult for lifelong residents to remain in their homes.

As part of the zoning process, appropriate land uses for an area are identified based on such factors as the intensity, density, height of a proposed project, surrounding land uses, traffic impacts and access to a site, environmental concerns and overall compatibility. Based on these factors, we don't feel that the current plan for 'Cherico Gardens' is compatible with our neighborhood.

The MX3 website boasts about their many foreign investors. We don't feel that the short term interests of foreign investors are aligned with the long term interests of our living community.

Item C-06

This said, we also don't feel that our goals are mutually exclusive. We believe that by the neighborhood working together with the developers, we could come up with a plan that could be mutually beneficial and desirable for both MX3 and the Govalle neighborhood.

Our specific goals are as follows:

1. The neighborhood has a voice in what gets developed on that land.
2. The buildings do no harm to the two heritage pecans on the property.

Respectfully yours,

The neighbors of the Govalle Neighborhood

Name	Signature	Address
LARRY FREEMAN	[Signature]	912 Cherieo
Jacob Berghard	[Signature]	1102 1/2 Cherieo
OTMAN DOOR Paces	[Signature]	3402 NEAL ST.
Floyd Dale Polynado	[Signature]	1105 Cherieo St.
NEVILLE SAUER	[Signature]	909 Cherieo St.
Andrew de Luna	[Signature]	908 Cherieo St.
Rose Duggan	[Signature]	913 Cherieo St.
William Campa	[Signature]	1004 Cherieo St.
Joseph Hernandez	[Signature]	1006 Cherieo St.
Teris elba Hernandez	[Signature]	1006 Cherieo St.
Armando Paces Jr.	[Signature]	3402 NEAL ST
Rufus Garcia	[Signature]	1058 Cherieo St.
John Davidson	[Signature]	1100 Cherieo St.
Megan Orren	[Signature]	1100 Cherieo St.
John Smith	[Signature]	3404 NEAL ST
Brenda Bivada	[Signature]	3306 NEAL ST
F. Carabright Lightfoot	[Signature]	101 Cherieo St
Tomaz McCarroll	[Signature]	3407 Neal St
Samah Somera	[Signature]	3606 Guadalupe Ave
Robert Somera	[Signature]	3606 Guadalupe Ave
Jayne Hughes	[Signature]	3604 Guadalupe Ave
Walt Ruedas	[Signature]	1114 K St Ave. F
Eric Gail	[Signature]	3604 Guadalupe Ave
Marissa Espinosa	[Signature]	3604 Guadalupe Ave
Master Espinosa	[Signature]	3604 Guadalupe Ave
Petunhildeiro	[Signature]	3602 Guadalupe Ave
Phong Garcia	[Signature]	3606 Guadalupe Ave
Wendy Wells	[Signature]	3611 Guadalupe Ave
Travis Munoz	[Signature]	3611 Guadalupe Ave
Margaret Anne	[Signature]	3602 Guadalupe Ave
Richard De La Cruz	[Signature]	3500 Neal St
Merlin Paret	[Signature]	3406 Neal St.
Viviana Paret	[Signature]	3406 Neal St.